

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 3598-C3VJJW  
Issue Date: July 30, 2021

Vince Mocerri Holdings Inc.  
2700 Deziel Dr  
Windsor, Ontario  
N8W 5H8

Site Location: Vince Mocerri Holdings Waste Transfer Facility  
2071 Road 3 E  
Kingsville Town, County of Essex

*You have applied under section 20.2 of Part II.1 of the Environmental Protection Act, R.S.O. 1990, c. E. 19 (Environmental Protection Act) for approval of:*

the establishment of sewage works for the collection, transmission, treatment and disposal of stormwater run-off from a non-hazardous solid waste transfer facility, located at the above noted Site Location, with a catchment area of approximately 2.592 hectares (ha), to provide Normal level water quality protection and to attenuate post-development peak flows to pre-development levels for all storm events up to and including the 100-year return storm, discharging to the storm sewer located on Road 3 East, ultimately to Temple Drain, consisting of the following proposed Works:

- one (1) grassed swale, located along the western property line, having a total length of 160 metres, a minimum depth of 0.15 m, a minimum longitudinal slope of 0.1%, a v-notch bottom and a minimum top width of 2.0 m, discharging to the dry pond described below;
- one (1) grassed swale, located along the eastern property line, having a total length of 105 metres, a minimum depth of 0.15 m, a longitudinal slope of 0.1%, a v-notch bottom and a minimum top width of 1.5 m, discharging to the dry pond described below;
- one (1) 4 m wide perimeter berm, with a minimum top elevation of 214.70 m, located along the southwest, south and eastern perimeter of the site (along the outside of the swales and dry pond);
- storm sewer system comprised of three (3) catchbasins and sewers ranging in diameter from 150 mm to 200 mm throughout the site, discharging to the dry pond described below;
- one (1) dry pond (catchment area 2.592 ha with approximately 81% imperviousness), located at the

south end of the site, having a minimum available storage volume of 2,822 cubic metres and a minimum depth of 1.71 metres, complete with an outlet structure consisting of a 100 millimetre diameter storm outlet pipe at an invert elevation of 212.895 m (pond bottom) equipped with perforated riser, allowing a maximum discharge of 5 litres per second under the 100-year storm event (1.43 m deep) to the oil/grit separator described below via a 100 mm diameter storm sewer equipped with a shut-off valve in a normally opened position;

- one (1) oil/grit separator (Hydro International FD-5HC or Equivalent Equipment) having a sediment storage capacity of 840 litres, an oil storage capacity of 1,135 litres and a treatment flow rate of 5 L/s, discharging to the 100 mm storm sewer located on the south side of Road 3 East via a 100 millimetre diameter storm sewer;

including erosion/sedimentation control measures during construction and all other controls and appurtenances essential for the proper operation of the aforementioned Works;

all in accordance with the submitted supporting documents listed in Schedule A.

*For the purpose of this environmental compliance approval, the following definitions apply:*

1. "Approval" means this entire document and any schedules attached to it, and the application;
2. "BOD5" (also known as TBOD5) means five day biochemical oxygen demand measured in an unfiltered sample and includes carbonaceous and nitrogenous oxygen demands;
3. "Director" means a person appointed by the Minister pursuant to section 5 of the EPA for the purposes of Part II.1 of the EPA;
4. "District Manager" means the District Manager of the appropriate local District Office of the Ministry, where the Works are geographically located;
5. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
6. "Ministry" means the ministry of the government of Ontario responsible for the EPA and OWRA and includes all officials, employees or other persons acting on its behalf;
7. "Owner" means Vince Mocerri Holdings Inc., including any successors and assignees;
8. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
9. "Works" means the sewage works described in the Owner's application, and this Approval.

*You are hereby notified that this environmental compliance approval is issued to you subject to the terms and conditions outlined below:*

## TERMS AND CONDITIONS

### 1. GENERAL CONDITION

1. The Owner shall ensure that any person authorized to carry out work on or operate any aspect of the Works is notified of this Approval and the terms and conditions herein and shall take all reasonable measures to ensure any such person complies with the same.
2. The Owner shall design, construct, operate and maintain the Works in accordance with the conditions of this Approval.
3. Where there is a conflict between a provision of any document referred to in this Approval and the conditions of this Approval, the conditions in this Approval shall take precedence.

### 2. EXPIRY OF APPROVAL

1. This Approval will cease to apply to those parts of the Works which have not been constructed within **five (5) years** of the date of this Approval.
2. In the event that completion and commissioning of any portion of the Works is anticipated to be more than **five (5) years**, the Owner shall submit an application for extension at least twelve (12) months prior to the end of the five (5) years from the day of issuance of this Approval. The application shall include the reason(s) for the delay, whether there is any design change(s) and a review of whether the standards applicable at the time of Approval of the Works are still applicable at the time of request for extension, to ensure the ongoing protection of the environment.

### 3. CHANGE OF OWNER

1. The Owner shall notify the District Manager and the Director, in writing, of any of the following changes within thirty (30) days of the change occurring:
  - a. change of address of Owner;
  - b. change of Owner, including address of new owner;
  - c. change of partners where the Owner is or at any time becomes a partnership, and a copy of the most recent declaration filed under the *Business Names Act*, R.S.O. 1990, c.B17 shall be included in the notification to the District Manager; or
  - d. change of name of the corporation where the Owner is or at any time becomes a corporation, and a copy of the most current information filed under the *Corporations Information Act*, R.S.O. 1990, c. C39 shall be included in the notification to the District Manager.
2. In the event of any change in ownership of the Works, other than a change to a successor

municipality, the Owner shall notify in writing the succeeding owner of the existence of this Approval, and a copy of such notice shall be forwarded to the District Manager and the Director.

3. The Owner shall ensure that all communications made pursuant to this condition refer to the number at the top of this Approval.

#### **4. CONSTRUCTION OF THE WORKS**

1. Upon the construction of the Works, the Owner shall prepare a statement, certified by a Professional Engineer, that the works are constructed in accordance with this Approval, and upon request, shall make the written statement available for inspection by Ministry personnel.
2. Within one year of the construction of the Works, a set of as-built drawings showing the works “as constructed” shall be prepared. These drawings shall be kept up to date through revisions undertaken from time to time and a copy shall be retained at the Works for the operational life of the Works.

#### **5. OPERATION AND MAINTENANCE**

1. The Owner shall make all necessary investigations, take all necessary steps and obtain all necessary approvals so as to ensure that the physical structure, siting and operations of the Works do not constitute a safety, health or flooding hazard to the general public.
2. The Owner shall prepare an operations manual prior to the commencement of operation of the Works that includes, but is not necessarily limited to, the following information:
  - a. operating and maintenance procedures for routine operation of the Works;
  - b. inspection programs, including frequency of inspection, for the Works and the methods or tests employed to detect when maintenance is necessary;
  - c. repair and maintenance programs, including the frequency of repair and maintenance for the Works;
  - d. contingency plans and procedures for dealing with potential spills and abnormal situations and for notifying the District Manager; and
  - e. procedures for receiving, responding and recording public complaints, including recording any follow-up actions taken.
3. The Owner shall maintain an up to date operations manual and make the manual readily accessible for reference at the Works for the operational life of the Works. Upon request, the Owner shall make the manual available to Ministry staff.
4. The Owner shall design and undertake everything practicable to operate the Works such that the

effluent from the Works is essentially free of floating and settleable solids and does not contain oil or any other substance in amounts sufficient to create a visible film or sheen or foam or discoloration on the receiving waters.

5. The Owner shall undertake an inspection of the condition of the Works, at least once a year, and undertake any necessary cleaning and maintenance to ensure that sediment, debris and excessive decaying vegetation are removed from the Works to prevent the excessive build-up of sediment, oil/grit, debris and/or decaying vegetation, to avoid reduction of the capacity and/or permeability of the Works, as applicable. The Owner shall also regularly inspect and clean out the inlet to and outlet from the Works to ensure that these are not obstructed.
6. The Owner shall ensure that the waste management trucks do not leak waste on-site.
7. With the exception of wood waste, the Owner shall ensure that stormwater does not contact waste at any time.
8. The Owner shall ensure that the Works are operated exclusively for the collection, transmission, treatment and disposal of stormwater runoff. Under no circumstance shall any process wastewater (including, but not limited to, the wastewater from the waste management activities) from the site be discharged into the Works.
9. The Owner shall ensure the immediate clean-out of the Works after a fuel or oil spill capture.
10. The Owner shall ensure that equipment and material for the containment, clean-up and disposal of fuel and oil and materials contaminated with such, is on hand and in good repair for immediate use in the event of:
  - a. loss of fuel or oil to the Works; or
  - b. a spill within the meaning of Part X of the EPA.
11. The Owner shall maintain a logbook to record the results of these inspections and any cleaning and maintenance operations undertaken, and shall keep the logbook at the Works for inspection by the Ministry. The logbook shall include the following:
  - a. the name of the Works;
  - b. the date and results of each inspection, maintenance and cleaning, including an estimate of the quantity of any materials removed and method of clean-out of the Works; and
  - c. the date of each spill within the catchment area, including follow-up actions and remedial measures undertaken.
12. The Owner shall retain for a minimum of five (5) years from the date of their creation, all records and information related to or resulting from the operation and maintenance activities

required by this Approval.

## **6. TEMPORARY EROSION AND SEDIMENT CONTROL**

1. The Owner shall install and maintain temporary sediment and erosion control measures during construction and conduct inspections once every two (2) weeks and after each significant storm event (a significant storm event is defined as a minimum of 25 millimetres of rain in any 24 hours period). The inspections and maintenance of the temporary sediment and erosion control measures shall continue until they are no longer required and at which time they shall be removed and all disturbed areas reinstated properly.
2. The Owner shall maintain records of inspections and maintenance which shall be made available for inspection by the Ministry, upon request. The record shall include the name of the inspector, date of inspection, and the remedial measures, if any, undertaken to maintain the temporary sediment and erosion control measures.

## **7. EFFLUENT TRIGGERS**

1. The Owner shall compare the monitoring results with the corresponding trigger level of each parameter listed in Schedule B to identify any contamination of stormwater.
2. In the event of an exceedance of a trigger level for any of the parameters in condition 7.1, the Owner shall:
  - a. notify the District Manager as soon as possible during normal working hours;
  - b. immediately conduct an inspection to determine the source of the contaminant;
  - c. take remedial action to prevent further exceedances; and
  - d. submit to the District Manager for review, the results of the inspection and the remedial actions taken or planned to be taken, within one (1) week of receipt of the analytical results with the exceedance.

## **8. EFFLUENT MONITORING**

1. The Owner shall, upon commencement of operation of the sewage works, carry out a monitoring program, and all samples and measurements taken for the purposes of this Approval are to be taken at a time and in a location characteristic of the quality and quantity of the effluent stream over the time period being monitored.
2. Samples shall be collected and analyzed at the required sampling point(s), at the frequency specified or higher, by means of the specified sample type and analyzed for each parameter listed in the tables under the monitoring program included in Schedule B.

3. The methods and protocols for sampling, analysis, toxicity testing, and recording shall conform, in order of precedence, to the methods and protocols specified in the following:
  - a. the Ministry's publication "Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater" (January 1999), ISBN 0-7778-1880-9, as amended from time to time by more recently published editions;
  - b. the publication "Standard Methods for the Examination of Water and Wastewater" (21st edition) as amended from time to time by more recently published editions.
4. The measurement frequencies specified in the effluent monitoring table in Schedule B in respect of any parameter are minimum requirements which may, after 24 months of monitoring in accordance with this condition, be modified by the Director in writing from time to time.
5. The Owner shall retain for a minimum of five (5) years from the date of their creation, all records and information related to or resulting from the monitoring activities required by this Approval.

## **9. REPORTING**

1. One (1) week prior to the start-up of the operation of the Works, the Owner shall notify the District Manager (in writing) of the pending start-up date.
2. The Owner shall, upon request, make all reports, manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.
3. In addition to the obligations under Part X of the EPA and O. Reg. 675/98 (Classification and Exemption Of Spills and Reporting of Discharges), the Owner shall, within fifteen (15) days of the occurrence of any reportable spill as provided in Part X of the EPA and Ontario Regulation 675/98, submit a full written report of the occurrence to the District Manager describing the cause and discovery of the spill, clean-up and recovery measures taken, preventative measures to be taken and a schedule of implementation.
4. The Owner shall prepare a performance report within ninety (90) days following the end of the period being reported upon and submit the report(s) to the District Manager when requested. The first such report shall cover the first annual period following the commencement of operation of the Works and subsequent reports shall be prepared to cover successive annual periods following thereafter. The reports shall contain, but shall not be limited to, the following information:
  - a. a summary and interpretation of all monitoring data, including an overview of the success and adequacy of the sewage Works;
  - b. a description of any operating problems encountered and corrective actions taken;
  - c. a summary of all maintenance carried out on any major structure, equipment, apparatus,

mechanism or thing forming part of the Works, including an estimate of the quantity of any materials removed from the Works;

- d. a summary of the calibration and maintenance carried out on all effluent monitoring equipment;
- e. a summary of any effluent quality assurance or control measures undertaken in the reporting period;
- f. a description of efforts made and results achieved in meeting the Effluent Triggers of condition 7;
- g. a summary of any complaints received during the reporting period and any steps taken to address the complaints;
- h. a summary of all spill or abnormal discharge events; and
- i. any other information the District Manager requires from time to time.

*The reasons for the imposition of these terms and conditions are as follows:*

1. Condition 1 regarding general provisions is imposed to ensure that the Works are constructed and operated in the manner in which they were described and upon which approval was granted.
2. Condition 2 is included to ensure that, when the Works are constructed, the Works will meet the standards that apply at the time of construction to ensure the ongoing protection of the environment.
3. Condition 3 is included to ensure that the Ministry records are kept accurate and current with respect to the approved Works and to ensure that subsequent owners of the Works are made aware of the Approval and continue to operate the Works in compliance with it.
4. Condition 4 is included to ensure that the Works are constructed in accordance with the approval and that record drawings of the Works “as constructed” are maintained for future references.
5. Condition 5 is included as regular inspection and necessary removal of sediment and excessive decaying vegetation from the Works are required to mitigate the impact of sediment, debris and/or decaying vegetation on the treatment capacity of the Works. The condition also ensures that adequate storage is maintained in the Works at all times as required by the design. Furthermore, this condition is included to ensure that the Works are operated and maintained to function as designed.
6. Condition 6 is included as installation, regular inspection and maintenance of the temporary sediment and erosion control measures is required to mitigate the impact on the downstream receiving watercourse during construction until they are no longer required.



7. Condition 7 is imposed to establish non-enforceable effluent quality objectives which the Owner is obligated to use best efforts to meet on an ongoing basis. Also imposed are procedures to be followed to minimize environmental impact in the event the objectives are exceeded.
8. Condition 8 is included to require the Owner to demonstrate on a continual basis that the quality and quantity of the effluent from the approved works is consistent with the design and effluent objectives specified in the Approval and that the approved works does not cause any impairment to the receiving watercourse.
9. Condition 9 is included to provide a performance record for future references, to ensure that the Ministry is made aware of problems as they arise, and to provide a compliance record for all the terms and conditions outlined in this Approval, so that the Ministry can work with the Owner in resolving any problems in a timely manner.

## **Schedule A**

1. Environmental Compliance Approval Application for a Municipal and Private Sewage Works submitted and signed by Vince Mocerri, President of Vince Mocerri Holdings Inc., dated September 7, 2020 and received on October 14, 2020, and all supporting documentation and information.
2. Stormwater Management Report, dated January 8, 2020, including calculations and engineering drawings, prepared by N. J. Peralta Engineering Ltd.
3. Emails from Heide Mikkelsen, N. J. Peralta Engineering Ltd., to Nick Zambito, Ministry, dated June 30, 2021, July 28, 2021 and July 29, 2021, including the supporting attachments.

**Schedule B**

**Effluent Trigger Level Table**

<b>Effluent Parameter</b>	<b>Trigger (based on an annual average)</b>
Total Suspended Solids	25.0 mg/L
Oil & Grease	15.0 mg/L
BOD5	25.0 mg/L

**Effluent Monitoring Table**

<b>Locations</b>	Outlet of the oil/grit separator
<b>Frequency</b>	Quarterly
<b>Sample Type</b>	Grab
<b>Parameters</b>	Total Suspended Solids, BOD5, Total Ammonia Nitrogen, Total Phosphorus, pH (field), Dissolved Oxygen (field), Conductivity (field), Turbidity (field), Temperature (field)

*In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me, the Environmental Review Tribunal and in accordance with Section 47 of the Environmental Bill of Rights, 1993, the Minister of the Environment, Conservation and Parks, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Minister of the Environment, Conservation and Parks will place notice of your appeal on the Environmental Registry. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:*

- a. The portions of the environmental compliance approval or each term or condition in the environmental compliance approval in respect of which the hearing is required, and;
- b. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

*The Notice should also include:*

1. The name of the appellant;
2. The address of the appellant;
3. The environmental compliance approval number;
4. The date of the environmental compliance approval;
5. The name of the Director, and;
6. The municipality or municipalities within which the project is to be engaged in.

*And the Notice should be signed and dated by the appellant.*

*This Notice must be served upon:*

The Secretary\*  
Environmental Review Tribunal  
655 Bay Street, Suite 1500  
Toronto, Ontario  
M5G 1E5

AND

The Minister of the Environment,  
Conservation and Parks  
777 Bay Street, 5th Floor  
Toronto, Ontario  
M7A 2J3

AND

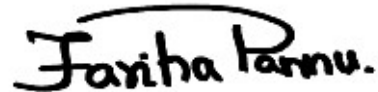
The Director appointed for the purposes of  
Part II.1 of the Environmental Protection Act  
Ministry of the Environment,  
Conservation and Parks  
135 St. Clair Avenue West, 1st Floor  
Toronto, Ontario  
M4V 1P5

**\* Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349, Fax: (416) 326-5370 or [www.ert.gov.on.ca](http://www.ert.gov.on.ca)**

*This instrument is subject to Section 38 of the Environmental Bill of Rights, 1993, that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek leave to appeal within 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry at <https://ero.ontario.ca/>, you can determine when the leave to appeal period ends.*

*The above noted activity is approved under s.20.3 of Part II.1 of the Environmental Protection Act.*

DATED AT TORONTO this 30th day of July, 2021



---

Fariha Pannu, P.Eng.

Director

appointed for the purposes of Part II.1 of the  
*Environmental Protection Act*

NZ/

c: Area Manager, MECP Windsor

c: District Manager, MECP Sarnia

Heide Mikkelsen, N.J. Peralta Engineering Ltd.