

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 0252-BWYRJA

Issue Date: September 15, 2021

CRM Holdings ULC
150 Garden Avenue, Brantford,
Ontario, N3S 7W4

Site Location: 150 Garden Ave PT LT 42, Conc.4, PT 1, Ref. Plan
2R3123, **CRM** Ontario Plant,
Brantford City, County of Brant.

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 stormwater management Works for the treatment and disposal of stormwater run-off from a Recycling Facility on a catchment area of 4.162 hectares, to provide enhanced water quality protection and to attenuate post-development peak flows to pre-development levels, discharging to municipal stormsewer on Garden Avenue and finally into the Fairchild Creek of Grand River, for all storm events up to and including the 100-year return storm, consisting of the following Works:

Stormwater Management System:

Conveyance, Quantity (infiltration) and Quality Control:

1. An enhanced grass swale, proposed along the northern property line that is approximately 33.5 metres long and 12 metres wide with a flat bottom that is 0.60 m wide at a 0.5% grade that flows into a proposed 0.6 by 0.5 by 1.52 m catch basin that is connected to a proposed 20.0 m stormwater line that flows into the existing catch basin located along Garden Avenue and finally discharges into the municipal storm sewer on Garden Avenue.
2. An enhanced grass swale, proposed parallel to Garden Avenue that is approximately 32 metres long and 5 metres wide with a flat bottom that is 0.60 m wide at a 0.5% grade that flows into a proposed 0.6m by 0.6m by 1.52m deep catch basin that flows into a proposed 3.0 metre stormwater line that flows into the existing catch basin located along Garden Avenue, and finally discharges into the municipal storm sewer on Garden Avenue.
3. An enhanced grass swale, proposed parallel Garden Avenue, approximately 24 metres long and that is 3.6 metres wide at the south end and 8 metres wide at the north end with a flat bottom that is 0.60 m

wide at a 0.5% grade that flows into a proposed catch basin that is connected to a proposed 22.0 metres long stormwater line to an existing catch basin; to finally discharge into an existing stormwater line that drains into an existing 1050 mm diameter municipal storm sewer on Garden Avenue.

Conveyance: On-site existing storm sewers diameter ranging from 250 mm to 450 mm to intercept surface run-offs from the asphalted and parking lot areas via catch basin manholes ST1, ST2, ST3, ST4, ST5, ST11, ST12, ST13, ST14, and ST15 to finally discharge into the municipal storm sewer on Garden Avenue;

Conveyance and Quantity Control Storage: On-site existing storm sewers diameter ranging from 200 mm to 450 mm to intercept surface run-offs via catch basin ST6, ST7, ST8, ST9, and ST10 that flow into an oil grit separator fitted with a flow control device to effect site storage of approximately 607 cu.m. of surface run-off not over depth of 270 mm for a time length of 2 hours maximum prior discharge into the oil and grit separator as described below:

Quality Control: Oil and Grit Separator - an existing on-line oil and grit separator (Stormceptor Model STC 4000) to intercept drainage from the asphalted and parking lot areas approximately 1.352 ha., complete with a 225 mm diameter orifice plate installed in the 375 mm diameter inlet storm sewer line leading to it, having a sediment capacity of 16.49 cu.m., oil storage capacity of 3,360 L and a total volume of 20.25 cu.m. to discharge via an existing 450 mm diameter storm sewer into an existing 1050 mm diameter municipal storm sewer on Garden Avenue;

all drainage from the site to finally drain into the roadside ditch of the Garden Avenue ultimately to discharge into the Fairchild Creek of the Grand River;
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. "District Manager" means the District Manager of the Guelph District Office of the Ministry;
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. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
5. "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;

6. "OWRA" means the *Ontario Water Resources Act* , R.S.O. 1990, c. O.40, as amended;
7. "Owner" means **CRM Holdings** ULC_ and its successors and assignees;
8. "Works" means the sewage works described in the Owner's application, and this Approval, and includes the existing and proposed works.

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 PROVISIONS

(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

The approval issued by 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.

3. CHANGE OF OWNER

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; and

(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.

4. **OPERATION AND MAINTENANCE.**

(1) The Owner shall inspect the Works at least once a year and clean and maintain the Works to prevent the excessive build-up of sediments , oil/grit, and/or vegetation.

(2) 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 Site Office* 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

5. **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 mm 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.

6. **EFFLUENT OBJECTIVES**

(1) The Owner shall use best efforts to design, construct and operate the Works with the objective that the concentrations of the materials named in **Table 1 of Schedule B** parameters are not exceeded in the effluent from the Works.

(2) In the event of an exceedence of the objective set out in subsection (1), the Owner shall:

(a) notify the District Manager as soon as possible during normal working hours,

(b) take immediate action to identify the source of contamination, and

(c) take immediate action to prevent further exceedence.

(3) As a further effluent objective, the Owner shall use best efforts to maintain the pH of the

effluent from the Works within the range of 6 to 9, inclusive, at all times.

(4) The Owner shall include in all reports submitted in accordance with Conditions 8 and a summary of the efforts made and results achieved under this Condition.

7. EFFLUENT MONITORING AND RECORDING

The Owner shall, upon commencement of operation of the sewage works, carry out the following monitoring program:

(1) 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 sampling point(s), at the sampling frequencies and using the sample type specified for each parameter listed: in **Table 2 of Schedule B**.

(3) The methods and protocols for sampling, analysis and recording shall conform, in order of precedence, to the methods and protocols specified in the following documents and all analysis shall be conducted by a laboratory accredited to the ISO/IEC:17025 standard or as directed by the District Manager:

(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;

(c) in respect of any parameters not mentioned in (a) - (c), the written approval of the District Manager, which approval shall be obtained prior to sampling.)

(4) The measurement frequencies specified in subsection (2) 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.

8. REPORTING

(1) One 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, within ten (10) working days of the occurrence of any reportable spill as

defined in Ontario Regulation 675/98, bypass or loss of any product, by-product, intermediate product, oil, solvent, waste material or any other polluting substance into the environment, submit a full written report of the occurrence to the District Manager describing the cause and discovery of the spill or loss, clean-up and recovery measures taken, preventative measures to be taken and schedule of implementation.

(4) The Owner shall prepare and submit a performance report to the District Manager on an annual basis within sixty (60) days following the end of the period being reported upon. The first such report shall cover the first annual period following the commencement of operation of the Works and subsequent reports shall be submitted to cover successive annual periods following thereafter. The reports shall contain, but shall not be limited to, the following information:

- (a) a description of efforts made and results achieved in meeting the Effluent Objectives of Condition 6.
- (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 sewage works;
- (d) a summary of any effluent quality assurance or control measures undertaken in the reporting period;
- (e) a summary of the calibration and maintenance carried out on all effluent monitoring equipment;
- (f) any other information the District Manager requires from time to time.

9. SPILL CONTINGENCY PLAN

1. Within six (6) months from the issuance of this Approval, the Owner shall implement a spill contingency plan - that is a set of procedures describing how to mitigate the impacts of a spill within the area serviced by the Works. The Owner shall, upon request, make this plan available to Ministry staff. This plan shall include as a minimum:
 - a. the name, job title and location (address) of the Owner, person in charge, management or person(s) in control of the facility;
 - b. the name, job title and 24-hour telephone number of the person(s) responsible for activating the spill contingency plan;
 - c. a site plan drawn to scale showing the facility, nearby buildings, streets, catch-basins and manholes, drainage patterns (including direction(s) of flow in storm sewers), any receiving body(ies) of water that could potentially be significantly impacted by a spill and any features

which need to be taken into account in terms of potential impacts on access and response (including physical obstructions and location of response and clean-up equipment);

- d. steps to be taken to report, contain, clean up and dispose of contaminants following a spill;
 - e. a listing of telephone numbers for: local clean-up company(ies) who may be called upon to assist in responding to spills; local emergency responders including health institution(s); and Ministry Spills Action Centre 1-800-268-6060;
 - f. Safety Data Sheets (SDS) for each hazardous material which may be transported or stored within the area serviced by the Works;
 - g. the means (internal corporate procedures) by which the spill contingency plan is activated;
 - h. a description of the spill response training provided to employees assigned to work in the area serviced by the Works, the date(s) on which the training was provided and by whom;
 - i. an inventory of response and clean-up equipment available to implement the spill contingency plan, location and, date of maintenance/replacement if warranted; and
 - j. the date on which the contingency plan was prepared and subsequently, amended.
2. The spill contingency plan shall be kept in a conspicuous, readily accessible location on-site.
 3. The spill contingency plan shall be amended from time to time as required by changes in the operation of the facility.

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

1. Condition 1 is imposed to ensure that the Works are built and operated in the manner in which they were described for review and upon which approval was granted. This condition is also included to emphasize the precedence of Conditions in the Approval and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review.
2. Condition 2 is included to ensure that the Works are constructed in a timely manner so that standards applicable at the time of Approval of the Works are still applicable 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 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 require that the Works be properly operated and maintained such that the environment is protected .

5. Condition 5 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.
6. Condition 6 is imposed to establish non-enforceable effluent quality objectives which the Owner is obligated to use best efforts to strive towards on an ongoing basis. These objectives are to be used as a mechanism to trigger corrective action proactively and voluntarily before environmental impairment occurs .
7. Condition 7 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 objectives specified in the Approval and that the approved works does not cause any impairment to the receiving watercourse.
8. Condition 8 is included to provide a performance record for future references and to ensure that the Ministry is made aware of problems as they arise, so that the Ministry can work with the Owner in resolving the problems in a timely manner.
9. Condition 9 is included to ensure that the Owner will implement the Spill Contingency Plan, such that the environment is protected and deterioration, loss, injury or damage to any person(s) or property is prevented.

Schedule A

1. Application for Approval of Industrial Sewage Works submitted by John Nicholson, of Environmental Business Consultants dated June 20, 2020;
2. Revised Stormwater management report/design brief/drainage report and enclosed plans/design drawings for Crumb Rubber Manufacturing at 150 Garden Avenue, Brantford, Ontario in support of an Environmental Compliance Approval for Industrial Sewage Works dated August 16, 2021.

Schedule B

Effluent Objectives Table 1

(measured at the discharge outlet from the Oil and Grit Separator)

Effluent Parameter	Concentration Objective (milligrams per litre unless otherwise indicated)
Total Suspended solids	15
Phosphorus	0.4
Lead, Nickel and Zinc each	0.05
Copper	0.04
Iron	1.0

Effluent Monitoring Table 2

(sample point-at the discharge outlet from the Oil and Grit Separator)

Effluent Parameter	Frequency	Sample Type
Total Suspended solids	after each substantial rain event of minimum 10 mm; a maximum of 4 times over the year spaced quarterly basis.	Grab
Phosphorus	same as above	Grab
Lead, Nickel and Zinc each	same as above	Grab
Copper	same as above	Grab
Iron	same as above	Grab

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

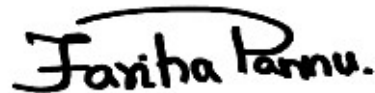
The Director appointed for the purposes of
Part II.1 of the Environmental Protection Act
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

*** 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**

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 15th day of September, 2021



Fariha Pannu, P.Eng.
Director
appointed for the purposes of Part II.1 of the
Environmental Protection Act

MN/

c: District Manager, MECP Guelph
John Nicholson, Environmental Business Consultants