

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 8345-BYAMR7  
Issue Date: October 21, 2021

Sunderland Co-operative Inc.  
1 River Street, Box 280,  
Sunderland, Township of Brock,  
Ontario, L0C 1H0

Site Location: Sunderland Co-operative, Card Lock Gas Station,  
2182/2186 Keene Road  
Township of Otonabee-South Monaghan,  
County of Peterborough,  
Ontario, K9J 6X7

*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 collection, treatment and disposal of stormwater run-off from a catchment area of 5.9 ha site including 0.102 ha external area, to provide enhanced water quality protection for the 0.65 ha portion of the site for the development of a Card Lock Gas Station and to attenuate post-development peak flows to pre-development levels, discharging to the Tributary of Meade Creek which is flowing within the site, for all storm events up to and including the 100-year return storm, consisting of the following:

**Stormwater Management System**

- 1. Enhanced Grass Swale 1:** one (1) enhanced grass swale along the interface of the undeveloped portion of the site approximately 100 m in total length 3 m wide and 200 mm deep; to discharge overflow site run-off into a road site ditch to finally into the tributary of the creek;
- 2. Enhanced Grass Swale 2:** one (1) enhanced grass swale along the interface of the developed portion of the site approximately 170 m in total length 3 m wide and 200 mm deep; to discharge overflow site run-off into a road site ditch to finally into the tributary of the creek;
- 3. Site Sewers:** 250 mm to 300 mm diameter site storm sewers complete with flow control device catchbasins to discharge into a dry pond as described later on;
- 4. Grease/Oil Sediment Interceptor:** a proprietary 3-chamber tank grease/oil sediment interceptor

(Brooklin Concrete products Model 250) with a volume of 11,365 L located at the fuel pumps pad area and to discharge supernatant into the site area stormwater oil and grit separator as described below:

5. **Oil and Grit Separator** : an on-line oil and grit separator (CDS Model 2020 or approved equivalent ) to receive asphalted / concrete part of the development area of approximately 1 ha. via a 300 mm diameter inlet pipe from a ditch inlet catchbasin (DICB MH 4), having a sediment volume of 1.67 cu.m., oil capture volume of 376 L, to discharge into the dry pond as follows:
6. **Dry Pond**: a constructed dry pond located along the Keene Road having two (2) 300 mm diameter pipe inlets and two (2) overland swales from the site perimeter swales on a plan area of approximately 392 sq.m. with a total volume of 230 cu.m. with a depth of 750 mm at 100-year flood event flow for attenuation; to discharge via a V-notch flow control weir as described below:
  - flow control: a 700 mm high concrete V-notch control weir set at 20 degree angles into an existing 800 mm deep 5 m wide road side ditch along the Keene Road, ultimately to fall into the tributary of Mead Creek within the Otonabee River Watershed;
  - emergency overflow spillway: a 100 mm deep 6 m wide riprap protected concrete weir located on the east embankment of the dry pond to discharge water to the Keene Road side ditch, in case of blockage of the normal and controlled outlet of the pond;

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 Peterborough 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 Sunderland Co-operative Inc. and its successors and assignees;

8. "Works" means the sewage works described in the Owner's application, and this Approval, and includes the 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.
4. The issuance of, and compliance with the conditions of this Approval does not:
  - a. relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement, including, but not limited to, the obligation to obtain approval from the local conservation authority necessary to construct or operate the sewage Works; or
  - b. limit in any way the authority of the Ministry to require certain steps be taken to require the Owner to furnish any further information related to compliance with this Approval.

### **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.

### **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;
  - a. 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;

- b. 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 in ownership to the municipality, i.e. assumption of the Works, the Owner shall notify the succeeding owner in writing of the existence of this Approval, and a copy of such notice shall be forwarded to the District Manager and the Director.

#### **4. CONSTRUCTION**

1. Upon construction of the Works, the Owner shall prepare a statement, certified by a Licensed Engineering Practitioner, that the Works are constructed in accordance with this Approval, and upon request, shall make the written statement available for inspection by Ministry staff.
2. Within six (6) months 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 revision undertaken from time to time and a copy shall be retained for the operational life of the Works.

#### **5. RECORD KEEPING**

1. 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 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
  - c. the date of each spill within the catchment area, including follow-up actions / remedial measures undertaken.
2. The Owner shall retain for a minimum of five (5) years from the date of their creation, or longer if requested in writing by the Director, all records and information 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 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.

## **7. 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.
4. The Owner's emergency contact phone number shall be clearly posted at each of the islands comprised in the cardlock with a concise list of instructions for truck drivers (clients) to follow in case of emergencies occurring outside of regular business hours.

## **8. REPORTING**

1. The Owner shall prepare performance reports on a calendar year basis and submit to the District Manager by March 31 of the calendar year following the period being reported upon. The reports shall contain, but shall not be limited to, the following information pertaining to the reporting period:
  - a. a description of any operating problems encountered and corrective actions taken;
  - b. a summary of all maintenance carried out on any major structure, equipment, apparatus, mechanism or thing forming part of the Works;
  - c. a summary of any complaints received during the reporting period and any steps taken to address the complaints;
  - d. a summary of all spill or abnormal discharge events; and
  - e. any other information the District Manager requires from time to time.
2. 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.
3. The Owner shall, upon request, make all manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.

## **9. OPERATION MANUAL AND MAINTENANCE**

1. The Owner shall prepare an Operations Manual prior to the commencement of operation of the Works consistent with the Best Management Practices (BMP) for the Grease/Oil Sediment Interceptor (Oil / Water Separator) and Oil and Grit Separator systems in conjunction with the other BMP elements at the Cardlock site. The Owner shall operate, inspect and maintain the Works in accordance with this

Approval. The operations manual shall include, but is not necessarily limited to the following:

- a. operating procedures for routine/periodic operation and self-monitoring of the Stormwater Management 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. a spill prevention, control and countermeasures plan including procedures for notifying the District Manager; and
  - e. procedures for responding to environmental concerns from the public.
2. The Owner shall maintain the operations manual up to date through revisions undertaken from time to time and retain a copy at the location of the Works for as long as they are in operation. Upon request, the Owner shall make the manual available for inspection and copying by Ministry personnel.
  3. The Owner shall ensure the immediate inspection of the Works after a fuel or oil spill capture and, if necessary, clean and maintain the Works to prevent the excessive build-up of oil or fuel.
  4. The Owner shall inspect the contents of the oil/water separator on a weekly basis and, if necessary, clean and maintain the oil/water to prevent the excessive build-up of sediments and oil.
  5. The Owner shall operate the oil/water separator with the objective that no visible oil sheens occur in the effluent discharged from the oil/water separator.
  6. The Owner shall prepare and implement a plan for the orderly shut down, maintenance and re-opening of all separators that require shut down over a portion of the winter months as weather conditions dictate ("winterization plan"), and develop and implement contingency plans while the separators are not operating. As part of the reporting requirements of Condition # 8, the Owner shall list all separators that were shut down over the reporting period, including details of the dates of the winter shut down and the procedures followed under the winterization plan.

*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, 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 approved Works and to ensure that any subsequent Owner of the Works is made aware of the Approval and continue to operate the Works in compliance with it.
4. Condition 4 included to ensure that the Works are constructed, and may be operated and maintained such that the environment is protected and deterioration, loss, injury or damage to any person or property is prevented.
5. Condition 5 is included to ensure that accurate information is readily available so that a proper and accurate assessment of the operating performance of the works may be conducted and that appropriate measures be taken should the operating performance of the works not be satisfactory.
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 included to ensure that the Owner will implement the Spill Contingency Plan and staffed such that the environment is protected and deterioration, loss, injury or damage to any person(s) or property is prevented.
8. Condition 8 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.
9. Condition 9 is included to ensure that the works will be operated, maintained and equipped in a manner enabling compliance with the terms and conditions of this Approval, such that the environment is protected and deterioration, loss, injury or damage to any person or property is prevented.



**Schedule A.**

1. Application for Approval of Industrial Sewage Works submitted by Guillaume Courtois, of Tatham Engineering dated August 25, 2020;
2. Revised Stormwater Management Report and enclosed plans/design drawings dated August 6, 2021 prepared by Peter Feherty, M.Sc., P.Eng. of BaseTech Consulting Inc.

*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

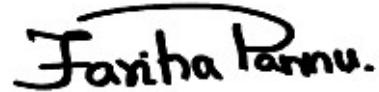
The Director appointed for the purposes of  
Part II.1 of the Environmental Protection Act  
Ministry of the Environment,  
Conservation and Parks  
135 St. Clair Avenue West, 1st Floor  
Toronto, Ontario  
M4V 1P5

**\* 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 21st day of October, 2021



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

MN/

c: District Manager, MECP Peterborough  
Peter Feherty, M.Sc., P.Eng.  
BaseTech Consulting Inc.