

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER A-500-1115895341

Version: 1.0

Issue Date: October 29, 2021

Pursuant to section 20.3 of the Environmental Protection Act, R.S.O. 1990, c. E. 19 and subject to all other applicable Acts or regulations this Environmental Compliance Approval is issued to:

HIGHLAND PACKERS LIMITED432 HIGHLAND ROAD EAST
STONEY CREEK ONTARIO
L8J 3G4

For the following site:

432 Highland Road East, Stoney Creek, HAMILTON CITY,
ONTARIO, CANADA, L8J 3G4

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s) 0299-9P8HHZ, issued on April 14, 2015.

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:

existing two (2) sewage holding tank systems, one (1) for the storage of sewage with a maximum flow rate of approximately 14,300 litres per day generated from a store outlet and office, and one (1) for the storage of wastewater with a maximum flow rate of approximately 76,250 litres per day generated from a meat processing facility, both located at 432 Highland Road East, in the City of Hamilton, disposing the sewage to a hauled sewage (septage) receiving station as part of City of Hamilton Sewage Works, consisting of the following:

- two (2) holding tanks, operating in series, each with a minimum total capacity of 40,000 litres, receiving sewage from the store outlet and office, complete with high level alarm system connected to a visual/audible warning device, inlet pipes, vent, access and related appurtenances.
- two (2) holding tanks, operating in series, each with a minimum total capacity of 40,000 litres, receiving wastewater from the meat processing facility, complete with high level alarm system connected to a visual/audible warning device, inlet pipes, vent, access and related appurtenances.

All in accordance with the submitted supporting documents listed in Schedule 1.

DEFINITIONS

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

1. "Approval" means this entire Environmental Compliance Approval and any Schedules attached to it;

2. "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;
3. "District Manager" means the District Manager of the appropriate local district office of the Ministry where the Works is geographically located;
4. "EPA" means the Environmental Protection Act, R.S.O. 1990, c.E.19;
5. "Licensed Engineering Practitioner" means a person who holds a licence, limited licence or temporary licence under the Professional Engineers Act, R.S.O. 1990, c. P.28, 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 any person that is responsible for the establishment of the Works being approved by this Approval, and includes Owner's Legal Name and its successors and assigns;
8. "OWRA" means the Ontario Water Resources Act, R.S.O. 1990, c. O.40; and
9. "Works" means the approved sewage works.

TERMS AND CONDITIONS

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

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

1. This temporary Approval shall expire and become null and void five (5) years after the issuance date of this temporary 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;
 - 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. B.17, as amended, shall be included in the notification;
 - 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. C.39, as amended, shall be included in the notification.

2. In the event of any change in ownership of the Works, the Owner shall notify the succeeding owner in writing, of the existence of this Approval, and forward a copy of the notice to the District Manager.
3. The Owner shall ensure that all communications made pursuant to this condition refer to the environmental compliance approval number.

4. OPERATION AND MAINTENANCE

1. The Owner shall maintain and service the Works in such a manner that leaks and spills are prevented.
2. The Owner shall be in possession of, or have a valid agreement with a hauler who is in possession of, a Waste Management Systems Approval at all times during the operation of the Works and shall submit a copy of the Waste Management Systems Approval, or a valid agreement with the hauler, to the District Manager.
3. The Owner shall conduct a daily visual inspection of the Works, in order to ensure that the conditions of the tanks are recorded and the alarm system is not sounding/flashing.
4. The Owner shall have the integrity of the Works inspected annually by a Licensed Engineering Practitioner, in order to ensure that leaks of the tanks are prevented.
5. The Owner shall maintain a logbook to record the results of these inspections and maintenance operations undertaken, and shall keep the logbook available for inspection by the Ministry.
6. The Owner shall retain for a minimum of five (5) years from the date of their creation, all records and information of the holding tank pump out.

REASONS

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 regarding expiry of Approval 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 regarding change of Owner is included to ensure that the Ministry records are kept accurate and current with respect to ownership of the 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 regarding operation and maintenance is included to require that the Works be properly operated, maintained, funded, staffed and equipped such that the environment is protected and deterioration, loss, injury or damage to any person or property is prevented.

APPEAL PROVISIONS

In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me and the Ontario Land Tribunal, within 15 days after the service of this notice, require a hearing by the Tribunal. You must also provide notice to, the Minister of the Environment, Conservation and Parks in accordance with Section 47 of the *Environmental Bill of Rights, 1993* who will place notice of your appeal on the Environmental Registry. Section 142 of the *Environmental Protection Act* provides that the notice requiring the hearing ("the Notice") shall state:

- I. 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;
- II. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

Pursuant to subsection 139(3) of the *Environmental Protection Act*, a hearing may not be required with respect to any terms and conditions in this environmental compliance approval, if the terms and conditions are substantially the same as those contained in an approval that is amended or revoked by this environmental compliance approval.

The Notice should also include:

- I. The name of the appellant;
- II. The address of the appellant;
- III. The environmental compliance approval number;
- IV. The date of the environmental compliance approval;
- V. The name of the Director, and;
- VI. 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:

Registrar* Ontario Land Tribunal 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5 OLT.Registrar@ontario.ca	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 <i>Environmental Protection Act</i> Ministry of the Environment, Conservation and Parks 135 St. Clair Avenue West, 1st Floor Toronto, Ontario M4V 1P5
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*** Further information on the Ontario Land Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349 or 1 (866) 448-2248, or www.olt.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 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 29th day of October, 2021



Fariha Pannu

Director

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

c: David Slaine, Terra-Dynamics Consulting Inc.

The following schedules are a part of this environmental compliance approval:

SCHEDULE 1

1. Application for Environmental Compliance Approval submitted by HIGHLAND PACKERS LIMITED and received on February 2, 2021 for the proposed continue operation of existing two (2) holding tank systems, including Holding Tank Assessment, a memo regarding sewage flow rate, and other supporting information