

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER A-500-3142801688

Version: 1.0

Issue Date: January 26, 2022

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:

Cargill Limited

240 GRAHAM AVENUE (AVE) 300
WINNIPEG MANITOBA
R3C4C5

For the following site:

10 Cuddy Boulevard
City of London, ON N5V 5E3

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s) 8281-AR7KWV, issued on October 12, 2017.

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 modification of existing works as well as the establishment of new stormwater management works servicing a food production and distribution facility located at 10 Cuddy Boulevard in the in the City of London, for the collection, transmission, treatment and disposal of storm water runoff from a total catchment area of approximately 10.28 hectares, with the proposed works providing Enhanced Level water quality protection and erosion control and the existing works providing Normal Level water quality protection and erosion control, with the proposed works attenuating post-development peak flows to 2-year pre-development peak flows for all storm events up to and including the 100-year storm event, discharging to an existing municipal storm sewer on Cuddy Boulevard, consisting of the following:

Proposed Works:

- **surface storage system “detention pond A” (catchment area 0.42 hectares)**, located within the north-west parking lot addition, providing approximately 165 cubic metres via surface ponding at a maximum storage depth of 0.3 m, controlled by one (1) 55 mm diameter orifice plate allowing a maximum discharge of 10 litres per second during the 100-year storm event, discharging to the “road runner” oil and grit separator via private on-site storm sewer system;
- **stormwater management facility “detention pond B” (catchment area 1.15 hectares)**: one (1) dry pond, located at the northern property limit north of the proposed “roadrunner” building addition, receiving overland flow as well as roof runoff from the proposed building addition via private 300 mm storm sewer, having a maximum active storage volume of approximately 370 cubic meters, discharging via one (1) existing 375 mm diameter private storm sewer controlled by one (1) 98 mm diameter orifice and one (1) double catch basin manhole allowing a maximum discharge of 25 litres

per second during the 100-year storm event, discharging to the “roadrunner” oil and grit separator described below;

- **oil and grit separator "Roadrunner" (catchment area 3.7 hectares):** one (1) oil and grit separator, Imbrium Model EFO10 (or equivalent), located within the proposed “Roadrunner” parking lot at the north-west property boundary, having a sediment storage capacity of 17,790 L, an oil storage capacity of 1,670 litres, a total storage volume of approximately 23,700 litres, a maximum treatment flow rate of approximately 78 litres per second, receiving surface runoff from the northern parking lot, storm detention systems A and B as well as the building addition and existing surface areas, discharging to the municipal storm sewer on Cuddy Boulevard via private on-site 750 mm diameter storm sewer;
- **stormwater management facility “detention pond C” (catchment area 0.88 hectares):** one (1) existing dry pond, located at the south-east property limit east of the proposed “birdhouse” building addition, regraded to accommodate the proposed development, receiving overland flow, having a maximum active storage volume of approximately 280 cubic meters, discharging via one (1) existing 250 mm diameter private storm sewer controlled by one (1) 75 mm diameter orifice and one (1) existing catch basin allowing a maximum discharge of 15 litres per second during the 100-year storm event, discharging to existing Stormtech MC-4500 storm chamber described below via private storm sewer system;
- **subsurface storage system "Birdhouse" (catchment area 0.25 hectares),** provided within one (1) underground storage chamber Stormtech SC-740 (or equivalent), located west of the proposed “birdhouse” building, having a maximum available storage volume of 122 cubic metres, controlled by one (1) 54 mm diameter orifice plate allowing a maximum discharge of 6 litres per second during the 100-year storm event, discharging to the existing STC-400 oil and grit separator described below via private storm sewer system;

Existing Works:

an amendment for the construction of stormwater management works to service the expanded drainage area at 10 Cuddy Boulevard, in the city of London, County of Middlesex. The purpose of the stormwater management works is to provide Normal Level water quality control, erosion protection, and restrict post-development peak flows for all storm events up to and including the 100-year storm, consisting of the following:

- **Rooftop storage (catchment area – 0.32 hectares):** on proposed building expansion, having a maximum ponding depth of 100 millimetre, and a 50 year storage volume of 213 cubic metres allowing a total maximum discharge of 15.15 litres per second, discharging through 12 roof drains each of which will be 100 millimetre diameter with a control weir, to the proposed super pipe network described below;
- **Super pipe network:** oversized storm sewers within the site, providing approximately 240 cubic metres of total pipe storage, allowing a maximum discharge of 1002.2 litres per second and discharging to the underground chamber system described below;
- **Surface storage (catchment area – 0.70 hectares):** at Catchment 6, having a storage volume of 175 cubic metres allowing a total discharge of 15.0 litres per second for the 50-year storm event, discharging through a 75 millimetre orifice and a 250 millimetre diameter pipe to the super pipe network described above;
- **Exfiltration system (catchment area - 2.81 hectares):** - one (1) underground ex-infiltration system MC 4500 (or Equivalent Equipment), located on the southwest corner of the site, receiving inflows from rooftop storage, surface storage and super pip storage, having a storage volume of 888 cubic metres, including a stone base and geotextile liner, manage flows for the 50-year storm event and allowing a total discharge of 97.6 litres per second after the downstream pipes have conveyed flows,

discharging through a 450 millimetre diameter pipe to an existing storm manhole with an 186 millimetre orifice.

- **Oil/grit separator (catchment area 4.42 hectares):** - one (1) oil and grit separator, Stormceptor STC 4000 (or Equivalent Equipment), to provide Normal level treatment (70% Total Suspended Solids Removal), located at approximately 95 meters north of Artisans Crescent, having a sediment capacity of 16,490 litres, an oil capacity of 3,360 litres, a total holding capacity of 20,255 litres and a maximum treatment flow rate of 85 litres per second, discharging through a 600 millimetre storm sewer pipe on Cuddy Boulevard.
- **Underground storage pipes, surface storage** in ponding areas of maximum ponding depth of 300 millimetres, for a total combined site storage volume of 4760 cubic metres, controlled by several orifices and ultimately four orifices at the front of the property which consists of a 189 millimetre, 87 millimetre and 83 millimetre orifices in various locations which limit the combined flow rate to approximately 20 litres per second for the 2 to 100-year storm events. The flows from the site outletting to the existing 1.6m x 2.49m H.E. municipal storm sewer on Cuddy Boulevard.

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 application and supporting documents listed in Schedule 1 forming part of this Approval.

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, as amended;
5. "Existing Works" means those portions of the Works included in the Approval that have been constructed previously;
6. "Equivalent Equipment" means alternate piece(s) of equipment that meets the design requirements and performance specifications of the piece(s) of equipment to be substituted;
7. "Licensed Engineering Practitioner" means a person who holds a licence, limited licence or temporary licence under the PEO;
8. "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;
9. "Owner" means Cargill Ltd. and its successors and assignees;
10. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
11. "PEO" means *Professional Engineers Act*, R.S.O. 1990, c. P.28, as amended;
12. "Proposed Works" means those portions of the Works included in the Approval that are under construction or to be constructed;
13. "Works" means the approved sewage works, and includes Proposed Works and Existing 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 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.
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. 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. 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 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 environmental compliance approval number.

4. CONSTRUCTION OF THE WORKS

1. Upon the construction of the Works, the Owner shall prepare and submit a written statement, certified by a Licensed Engineering Practitioner, that the Works are constructed in accordance with this Approval, and upon request, shall make written statement available for inspection by Ministry personnel.
2. Within one (1) year of the construction of the Sewage 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 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.
3. The Owner shall construct, operate and maintain the Works with the objective 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, sheen, foam or discoloration on the receiving waters.
4. The Owner shall ensure the immediate clean-out of the Works after a fuel or oil spill capture.
5. 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.
6. 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 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.
7. 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.
 8. 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.
 9. 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. 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 performance reports on a calendar year basis by March 31 of the calendar year following the period being reported upon and submit to the District Manager when requested. 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, including an estimate of the quantity of any materials removed from the Works;
 - c. a summary of any effluent quality assurance or control measures undertaken in the reporting period;
 - d. a summary of any complaints received during the reporting period and any steps taken to address the complaints;
 - e. a summary of all spill or abnormal discharge events; and
 - f. any other information the District Manager requires from time to time.

8. 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.

REASONS

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

1. Condition 1 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. 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. Condition 1.4 is included to emphasize that the issuance of this Approval does not diminish any other statutory and regulatory obligations to which the Owner is subject in the construction, maintenance and operation of the Works. The Condition specifically highlights the need to obtain any necessary conservation authority approvals. The Condition also emphasizes the fact that this Approval doesn't limit the authority of the Ministry to require further information.
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 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.
8. Condition 8 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.

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 26th day of January, 2022

Fariha Pannu.

Fariha Pannu

Director

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

c: Rachel Muir, SPH Engineering Inc.
Jennifer Angus-Waldron, Cargill Limited
Pawel Kucharski, MECP District

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

SCHEDULE 1

1. Application dated July 26, 2007, signed by Farhad Noory, Engineering Manager, Cargill Limited, and all supporting documentation and information, including final plans and specifications prepared by J. H. Vincent Services Limited;
2. Application for Environmental Compliance Approval for Municipal and Private Sewage Works, dated July 7, 2017 and received on July 10, 2017, submitted by The Corporation of Cargill Limited;
3. Stormwater Drainage Report, dated June 2, 2017 prepared by AGM Engineering Ltd;
4. Engineering Drawings: 10 Cuddy Boulevard, dated June 2, 2017 prepared by AGM Engineering Ltd;
5. E-mail from Lukas Grabowski, dated September 6, 2017.
6. Environmental Compliance Approval Application for Industrial Sewage Works submitted on behalf of Cargill Ltd. and certified by Rachel Muir of SPH Engineering Inc., dated and received on October 10, 2021, and all supporting documentation and information; and
7. Cargill Canada Stormwater Management Report dated October 12, 2021 and revised January 17, 2022 including calculations and engineering drawings, prepared by SPH Engineering Inc.