

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 9999-CAVRTC
Issue Date: March 23, 2022

ENGIE Services Inc.
1001 de Maisonneuve Blvd W, No. 1000
Montreal, Quebec
H3A 3C8

Site Location: Cliff Central Heating and Cooling Plant
1 Fleet Street
City of Ottawa

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:

Proposed Works

open loop heating and cooling system drawn and returned to the Ottawa River, for the upgrades to the Cliff Central Heating and Cooling Plant (CHCP) serving the Public Works and Government Services Canada, located at 1 Fleet Street in Ottawa, Ontario, consisting of the following:

Intake Structure

- A total of seven (7), 1950 millimetres water supply bells, attached to one (1) 2130 millimetres diameter intake pipe, which is elevated above the bottom of the Ottawa River.
- The river water intake pipe has a length of approximately 165 metres into the Ottawa River (i.e. approximately 35 metres buried leaving the Cliff CHCP before it turns down the cliff for approximately 10 metres and horizontal for approximately 120 metres to the inlet supply bells);
- The orientation of inlet supply bells at the terminal end, arranged along approximately 20 metres of pipe installed rotated opposite the direction of the flow of the Ottawa River, between Bronson Point and Victoria Island referred as Channel 2.
- The intake velocity through the inlet supply bells is equal to or less than 0.3 metres per second.

Discharge Structure

- One (1) river water discharge pipe is to consist of a 2130 millimetres diameter HDPE pipe, approximately 35 metres in length, set at a downward slope of approximately 6.95% into the Ottawa River.
- The pipe will extend from the connection to the Cliff CHCP, and a proposed invert of approximately 35.70 metres above the mean sea level.
- At the terminus of the pipe, the obvert of the pipe has been designed to ensure that it maintains the minimum navigational clearance of 3.05 metres during the 100-year low water level of 40.90 metres above mean sea level.
- The outlet velocity through the outlet pipe is approximately 0.71 metres per second.

Existing Works

Intake Structure - Inactive

- One (1) existing inactive river water supply intake pipe to remain at its original location at the Cliff CHCP along the Ottawa River water's edge shoreline, consist of a 1830 millimetres diameter concrete pipe and approximately 80 metres in length, all buried under water, with suction intakes coming out from underground.

Temporary Existing Works

Intake Structure - Active

- One (1) existing active river water supply intake to be removed from its current location at the Cliff CHCP perpendicular to the Ottawa River water's edge shoreline, consist of a 1981 millimetres diameter HDPE pipe that is approximately 74 metres in length, of which 18 meters are buried.

Discharge Structure - Active

- One (1) existing active river water discharge pipe to be removed from its current location at the Cliff CHCP perpendicular to the Ottawa River water's edge shoreline, consist of a 1370 millimetres diameter pipe of unknown material, approximately 16 metres in length, of which 14 metres is buried.

including erosion and sediment control and all other controls, electrical equipment, instrumentation, piping, valves and appurtenances essential for the proper operation of the aforementioned sewage works.

all in accordance with supporting documents listed in Schedule A.

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 are 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. "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;
7. "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;
8. "Owner" means ENGIE Services Inc. and its successors and assignees;
9. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
10. "Proposed Works" means those portions of the Works included in the Approval that are under construction or to be constructed;
11. "Temporary Existing Works" means the temporary Existing Works, described in this Approval and that are to be used for short-term purposes only in accordance with this Approval, until otherwise approval for an extension of this period has been granted;
12. "Works" means the approved sewage works, and includes Proposed Works and Existing Works made under 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.
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.
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. This Approval to the **Temporary Existing Works** shall expire and become null and void within **five (5) years** of the issuance of this Approval.
4. The Owner shall decommission the **Temporary Existing Works** on or before the expiry date mentioned in subsection 3.

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, 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 environmental compliance approval number.

4. CONSTRUCTION OF THE WORKS

1. Upon the 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 personnel.
2. Within **six (6) months** 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 carry out and maintain inspection and maintenance program on the operation of the Works.
3. 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.
4. 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.
 5. 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 location 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. name and initial of the person(s) that carried out the inspection..
 6. 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. MONITORING, RECORDING AND REPORTING

1. The Owner shall ensure that the following monitoring program is carried out during operation of the Works:
 - a. The Owner shall monitor the temperature and flow rate of the intake pipe structure and discharge outlet pipe structure using a real-time Digital platform for monitoring and control

- package;
- b. The Owner shall use best efforts to operate the Cliff CHCP such as that the temperature differential between the River water inlet and outlet stays within 5 degrees Celsius at all times; and
 - c. 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, at the site for inspection, upon request, by Ministry staff.

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 to require that the Works is properly operated and maintained such that the environment is protected and deterioration, loss, injury or damage to any person or property is prevented..
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 all pertinent information is available for the evaluation of the performance of the Works.

Schedule A

1. Environmental Compliance Approval Application dated December 18, 2020 and received on March 17, 2021, submitted by Engie Services Inc., including supporting documentation including design brief report, final plans and specifications.

In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me, the Ontario Land 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 ("the Notice") 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:

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

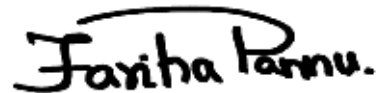
The Director appointed for the purposes of
Part II.1 of the *Environmental Protection Act*
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

*** Further information on the 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 <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 23rd day of March, 2022

A handwritten signature in black ink that reads "Fariha Pannu." The signature is written in a cursive style with a horizontal line above the name.

Fariha Pannu, P.Eng.

Director

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

RU/

c: District Manager, MECP Ottawa

Robert Passmore P. Eng., WSP Canada Inc. (Innovate Energy)