

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 8180-C8PQ9A  
Issue Date: April 28, 2022

Lavis Contracting Co. Limited  
80373 Benmiller Line  
Central Huron, Ontario  
N0M 1L0

Site Location: Benmiller Pit  
80373 Benmiller Line  
Municipality of Central Huron  
County of Huron  
N0M 1L0

*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:*

sewage works for the collection, transmission, treatment and disposal of up to 388 m<sup>3</sup>/day of wastewater (including precipitation, runoff, snowmelt, groundwater and aggregate washwater) and 264 m<sup>3</sup>/day of wastewater from Ready Mix Area and Concrete Wash operation, accumulating within the confines of the existing approximately 28 ha of the Benmiller Pit, in Municipality of Central Huron, County of Huron, discharging to onsite ponds and concrete wash cells respectively, and infiltrating on Pit lands, and comprising:

**Existing Sewage Works**

**A. Aggregate Wash Plant**

Sewage works for Aggregate Wash Plant receiving wastewater resulting from the aggregate wash plant operation, up to 388 m<sup>3</sup>/day, treated and disposed through the following treatment facilities;

**1. Settling Channel**

One Settling Channel constructed as an elongated pond with an estimated surface area of 1,350 m<sup>2</sup> (approximately 225 metres long by six metres wide by three metres deep), designed to settle the fine grained material from the wash water, with an approximate hydraulic residence time of approximately 8 days, discharging by gravity through a 0.3 metre diameter overflow culvert to Pond No. 1;

## **2. Pond No. 1**

Ponds No. 1, rectangular in shape having a surface area  $5,000 \text{ m}^2$  (approximately 100 metres wide by 50 metres long and up to three metres deep), an an approximate volume of  $15000 \text{ m}^3$ , receiving periodic flow (215 days per year) from Settling Channel, having an approximate Hydraulic Residence Time of 30 days, interconnected through a 0.3 metre diameter overflow culvert with Pond No. 2, and discharging to Pond No. 2;

## **3. Pond No. 2**

Ponds No. 2, rectangular in shape having a surface area of  $5,000 \text{ m}^2$  (approximately 100 metres wide by 50 metres long and up to 3 metres deep), having an approximate volume of  $15000 \text{ m}^3$ , receiving periodic (215 days per year) flow from Pond No. 1, having an approximate Hydraulic Residence Time of 30 days, interconnected with a 0.3 metre diameter overflow culvert with Pond No. 1, and discharging to Holding Pond by infiltration/seepage;

## **4. Holding Pond**

One Holding Pond acting as a recycled water storage and source pond for the aggregate washing operation, located at the Benmiller Pit (80373 Benmiller Line), receiving water from drilled well and effluent from Pond 2 through a leaky gravel berm seepage, having an approximate volume of  $15,000 \text{ m}^3$ , providing water supply to the aggregate wash plant through a centrifugal pump rated at 682 Litre per minute under a TDH of 54 m;

## **5. Stormwater Catch Basin**

One stormwater catch basin, receiving an estimated  $3,353 \text{ m}^3/\text{year}$  stormwater from 2.25 ha area, having a dimension of  $0.6\text{m} \times 0.6\text{m} \times 1.8\text{m}$  (working volume of  $0.648 \text{ m}^3$ ), discharging the collected stormwater to Settlement Channel through a 0.3 m diameter PVC pipe;

## **B. Concrete Ready Mix Plant**

Sewage works for Concrete Ready Mix Plant receiving stormwater from the Concrete Ready Mix Plant and Crushing Plant area and surrounding area of approximately 10 ha in an overall site area of 28 ha, as well washwater from the concrete mixer trucks washing, up to  $264 \text{ m}^3/\text{day}$ , treated and disposed through the following treatment facilities;

### **1. Cell No. 1**

One concrete washwater cell, having a dimension of  $20\text{m} \times 3\text{m} \times 2\text{m}$  and volume of  $120 \text{ m}^3$ , constructed in series with Cell No. 2, and connected by overflow/leakage, receiving stormwater from the Concrete Ready Mix Plant and Crushing Plant area, and surrounding area of approximately 7.75 ha, as well washwater from the concrete mixer trucks washing upto  $7,500 \text{ L}/\text{day}$ , discharging to Cell No. 2 through overflow/leakage;

## 2. Cell No. 2

One concrete washwater cell, having a dimension of 20m x 3 m x 3m and volume of 180 m<sup>3</sup>, constructed in series receiving effluent from Cell No. 1 through and connected by overflow/leakage, and discharging to the Aggregate Wash Plant Settling Channel through scooping out with a front end loader and dumped along the gravel pit floor at the concrete cell tipping area;

all other controls, electrical equipment, instrumentation, piping, valves and appurtenances essential for the proper operation of the aforementioned sewage Works.

all in accordance with the supporting documents listed in Schedule A.

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

"Approval" means this entire document and any schedules attached to it, and the application;

"District Manager" means the District Manager of the Owens Sound District Office of the Ministry;

"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;

"EPA" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;

"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;

"Owner" means Lavis Contracting Co. Limited and its successors and assignees;

"OWRA" means the Ontario Water Resources Act, R.S.O. 1990, c. O.40, as amended; and

"Works" means the sewage works described in the Owner's application, this Approval and in the supporting documentation referred to herein, to the extent approved by 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 conditions herein and shall take all reasonable measures to ensure any such person complies with the same.
- (2) Except as otherwise provided by these conditions, the Owner shall design, build, install, operate and maintain the Works in accordance with the description given in this Approval, and the application for approval of the Works.
- (3) Where there is a conflict between a provision of any document in the schedule referred to in this Approval and the conditions of this Approval, the Conditions in this Approval shall take precedence, and where there is a conflict between the documents in the schedule, the document bearing the most recent date shall prevail.
- (4) Where there is a conflict between the documents listed in the Schedule submitted documents, and the application, the application shall take precedence unless it is clear that the purpose of the document was to amend the application.
- (5) The Conditions of this Approval are severable. If any Condition of this Approval, or the application of any requirement of this Approval to any circumstance, is held invalid or unenforceable, the application of such condition to other circumstances and the remainder of this Approval shall not be affected thereby.

### **2. 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 Owner or operating authority, or both;
  - (b) change of address of Owner or operating authority or address of new owner or operating authority;
  - (c) change of partners where the Owner or operating authority is or at any time becomes a partnership, and a copy of the most recent declaration filed under the Partnerships Registration Act;

(d) change of name of the corporation where the Owner or operator is or at any time becomes a corporation, and a copy of the most current "Initial Notice or Notice of Change" (Form 1, 2 or 3 of O. Reg. 189, R.R.O. 1980, as amended from time to time), filed under the Corporations Information Act 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.

### **3. OPERATIONS MANUAL**

(1) The Owner shall prepare an operations manual within three (3) months from the issuance of this Approval, that includes, but not necessarily limited to, the following information:

(a) operating 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 spill, bypasses and any other abnormal situations and for notifying the District Manager; and

(e) complaint procedures for receiving and responding to public complaints.

(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 sewage Works. Upon request, the Owner shall make the manual available for inspection and copying by Ministry personnel.

### **4. OPERATION AND MAINTENANCE**

(1) The Owner shall ensure that at all times, the Works and related equipment and appurtenances which are installed or used to achieve compliance with this Approval are properly operated and maintained. The Owner shall also ensure that all monitoring programs and maintenance schedules for the Works and related equipment are complied with.

(2) 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 or health hazard to the general public.

(3) The Owner shall use best efforts to immediately identify and clean up any spill, bypass or loss of any product, by product, intermediate product, oils, solvents, waste material or any other polluting substance.

(4) The Owner shall, upon identification of any spill, bypass or loss of any product, by product, intermediate product, oils, solvents, waste material or any other polluting substance, take immediate action to prevent the further occurrence of such loss.

(5) In furtherance of, but without limiting the generality of, the obligation imposed by Subsection (1), the Owner shall ensure that equipment and material for the containment, clean up and disposal of any spill, bypass or loss of any product, by product, intermediate product, oils, solvents, waste material or any other polluting substance are kept on hand and in good repair for immediate use in the event of:

(a) any spill, bypass or loss of any product, by product, intermediate product, oils, solvents, waste material or any other polluting substance;

(b) a spill within the meaning of Part X of the EPA; or

(c) the identification of an abnormal amount of any product, by product, intermediate product, oils, solvents, waste material or any other polluting substance in any part of the Works.

(6) The Owner shall ensure that the design minimum liquid retention volumes are maintained at all times.

(7) During the period when aggregate crushing and washing is occurring, the Owner shall visually inspect the amount of sediment accumulating in the settling and source water ponds and the grassed channel on a monthly basis. The Owner shall remove the sediment, if necessary, to ensure continued suspended solids removal performance of the settling and source water ponds.

(8) During the period when aggregate crushing and washing is occurring, the Owner shall record, in a log book, the day the visual assessment was undertaken, a visual description of the settling and source water ponds, if sediment removal was undertaken and where any sediment was disposed.

(9) The log book shall be retained at the site and be made available for Ministry inspection upon request.

(10) 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.

## **5. EFFLUENT MONITORING**

The Owner shall, upon commencement of operation of the Works, carry out a scheduled monitoring program of collecting samples at the required sampling points, at the frequency specified or higher, by means of the specified sample type and analyzed for each parameter listed in the tables under the monitoring program included in **Schedule B** and record all results, as follows:

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 at the sampling point(s), at the sampling frequencies and using the sample type specified for each parameter listed in the Effluent Monitoring Table included in **Schedule B**.
3. The Owner shall employ measurement devices to accurately measure quantity of effluent being discharged to the Holding Pond from **(a) Aggregate Wash Plant, and (b) Concrete Ready Mix Plant Cell No. 1 and Cell No. 2**, including but not limited to water/wastewater flow meters, event counters, running time clocks, or electronically controlled dosing, and shall record the daily volume of effluent being discharged to each of these Plants/Works.
4. 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 Procedure F-10-1, "Procedures for Sampling and Analysis Requirements for Municipal and Private Sewage Treatment Works (Liquid Waste Streams Only), as amended from time to time by more recently published editions;
  - b. 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; and,
  - c. the publication "Standard Methods for the Examination of Water and Wastewater" (21st edition), as amended from time to time by more recently published editions;
5. In the event of an exceedance of the four (4) month rolling average concentration values of the trigger parameters listed in **Stormwater Effluent Trigger Concentration Table of the Schedule C** during the prescribed monitoring events, the Owner shall develop a contingency plan within three (3) months of such an occurrence evaluating the root cause for the exceedance, and recommending actions / measures to be taken to prevent future occurrences of such events, and submit the plan to the District Manager for review and approval.

**6. CONCRETE READY MIX PLANT EFFLUENT CONTINGENCY PLAN**

(1) Upon commencement of operation of the Works, the Owner shall carry out Contingency Plan by comparing the concentration of the effluent parameters with corresponding trigger levels as per **Schedule C**.

(2) In the event that a monitoring result for any of the parameters listed in Schedule C exceeds its corresponding Trigger level, the Owner shall;

(a) report the exceedance to the District Manager orally as soon as possible and in writing within seven (7) days of the exceedance;

(b) within 3 days, conduct a second round of sampling to confirm the exceedance noted previously.

(3) In the event that a Trigger Parameter exceeds the Trigger Level after the second round of sampling, the wastewater discharge from the Concrete Ready Mix Plant **Cell No. 1 and Cell No. 2 to the Aggregate Wash Plant Holding Pond** shall be discontinued immediately, and the following measures shall be implement;

a. the Owner shall collect and record daily measurements of the Trigger Parameters, and,

b. the Owner shall implement contingency measures as soon as practically possible in order to meet the trigger concentration of the trigger parameters, and,

c. the Owner may resume the discharge from the Concrete Ready Mix Plant **Cell No. 1 and 2 to the Aggregate Wash Plant Holding Pond** when for a consecutive (3) days, the Trigger Parameters have consistently met the Trigger Concentration, as per **Schedule C**;

d. Within one (1) month of the exceedance of the Trigger Parameters, as per Section (3) above, the Owner shall develop a plan evaluating the root cause for the exceedance, and recommending actions / measures to be taken to prevent future occurrences of such events, and submit this plan to the District Manager for review and approval.

## 7. **SPILL CONTINGENCY AND POLLUTION PREVENTION PLAN**

(1) Within three (3) months from the issuance of this Approval, the Owner shall implement a Spill Contingency and Pollution Prevention Plan that includes, but is not necessarily limited to, the following information:

(i) the name, job title and location (address) of the Owner, person in charge, management or person(s) in control of the facility;

(ii) the name, job title and 24-hour telephone number of the person(s) responsible for activating the Spill Contingency and Pollution Prevention Plan;

(iii) a site plan drawn to scale showing the facility, nearby buildings, streets, drainage patterns, any receiving body(ies) of water that could potentially be significantly impacted 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);



- (iv) steps to be taken to report, contain, clean up and dispose of contaminants following a spill;
- (v) 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 MOE Spills Action Centre 1-800-268-6060;
- (vi) Materials Safety Data Sheets (MSDS) for each hazardous material which may be transported or stored within the area serviced by the Works;
- (vii) the means (internal corporate procedures) by which the Spill Contingency and Pollution Prevention Plan is activated;
- (viii) a description of the spill response and pollution prevention 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;
- (ix) an inventory of response and clean-up equipment available to implement the Spill Contingency and Pollution Prevention Plan, location and, date of maintenance/replacement if warranted; and
- (x) the date on which the Spill Contingency and Pollution Prevention Plan was prepared and subsequently, amended.

(2) The Spill Contingency and Pollution Prevention Plan shall be kept in a conspicuous, readily accessible location on-site.

(3) The Spill Contingency and Pollution Prevention Plan shall be amended from time to time as required by changes in the operation of the facilities.

## **8. REPORTING**

1. The Owner shall, upon request, make all reports, manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.
2. 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 review and assessment of performance of sewage works, including treatment units and disposal beds;

- b. a summary and interpretation of all monitoring data and a comparison to the effluent Trigger concentrations outlined in Condition 6, including an overview of the success and adequacy of the sewage Works;
- c. a summary and interpretation of all flow data
- d. a summary of all monitoring data, including but not limited to the trigger concentration exceedences, Monthly/Annual Effluent Monitoring Program, spill or abnormal discharge events;
- e. a description of any operating problems encountered and corrective actions taken;
- f. a summary of all maintenance carried out on any major structure, equipment, apparatus, mechanism or thing forming part of the Works;
- g. a summary of the calibration and maintenance carried out on all effluent monitoring equipment;
- h. a summary of any effluent quality assurance or control measures undertaken in the reporting period; and,
- i. a summary of any complaints received during the reporting period and any steps taken to address the complaints;
- j. any other information the District Manager requires from time to time.

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

1. Condition 1 is included 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 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.

3. Condition 3 is included to ensure that a comprehensive operations manual governing all significant areas of operation, maintenance and repair is prepared, implemented and kept up-to-date by the Owner and made available to the Ministry. Such a manual is an integral part of the operation of the Works. Its compilation and use should assist the Owner in staff training, in proper plant operation and in identifying and planning for contingencies during possible abnormal conditions. The manual will also act as a benchmark for Ministry staff when reviewing the owner's operation of the Works.
4. Condition 4 is included to ensure that the Works will be operated and maintained 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 minimised and/or prevented.
5. Condition 5 and 6 are 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 and effluent objectives specified in the Approval and that the approved works does not cause any impairment to the receiving environment.
6. Condition 7 is included to ensure that the Owner will implement the Spill Contingency and Pollution Prevention Plan, such that the environment is protected and deterioration, loss, injury or damage to any person(s) or property is prevented.
7. 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.

## **Schedule A**

1. Benmiller Pit, Environmental Compliance Approval (ECA) and Hydrogeologic Report for Industrial Sewage Works, Geo Kamp Limited, May 20, 2021
2. Benmiller Pit, 80373 Benmiller Line, Environmental Compliance Approval Application, MOECP Hydrogeologic Review Comments, Reference Number 8957-C4BLKB, Geo Kamp Limited, August 31, 2021

## Schedule B

### Monthly Effluent Monitoring Table

<b>Sampling Location</b>	Aggregate Wash Plant Holding Pond
<b>Frequency</b>	Once every month
<b>Sample Type</b>	Grab
<b>Parameters</b>	pH Total Dissolved Solids (TDS)

### Annual Effluent Monitoring Table

<b>Sampling Location</b>	Aggregate Wash Plant Holding Pond, Water Supply Well
<b>Frequency</b>	Once every Calendar year during the month of June
<b>Sample Type</b>	Grab
<b>Parameters</b>	General Chemistry (Alkalinity (Speciated), Ammonia, Colour, Conductivity, DOC, pH, TDS, Turbidity, Al, Sb, As, Ba, Be, Bi, B, Cd, Ca, Cr, Co, Cu, Fe, Pb, Mg, Mn, Mo, Ni, P, K, Se, Si, Ag, Na, Sr, Tl, Sn, Ti, W, U, V, Zn, Zr, Br, Cl, F, NO <sub>3</sub> , NO <sub>2</sub> , PO <sub>4</sub> , SO <sub>4</sub> (metals analysis on filtered sample), Anion/ Cation Sum, Hardness, Ion Balance, Langelier Index, Saturation pH, Silica Calc)

## Schedule C

### Concrete Ready Mix Plant Triggers Parameter Table

**Sampling Location: Aggregate Wash Plant Holding Pond**

**Sampling Frequency: Once Every Month**

<b>Trigger Parameters</b>	<b>Sample Type</b>	<b>Concentration Concentration</b>
pH	Grab	9
Total Dissolved Solids (TDS)	Grab	425 mg/L

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

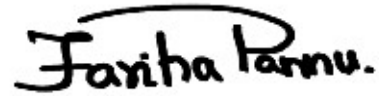
The Director appointed for the purposes of  
Part II.1 of the *Environmental Protection Act*  
Ministry of the Environment,  
Conservation and Parks  
135 St. Clair Avenue West, 1st Floor  
Toronto, Ontario  
M4V 1P5

**\* 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](http://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 28th day of April, 2022

Handwritten signature of Fariha Pannu in black ink, featuring a stylized cursive font with a prominent arch over the 'F' and 'P'.

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Fariha Pannu, P.Eng.

Director

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

KH/

c: District Manager, MECP Owen Sound District.  
Bruce Hietkamp P. Geo., Geo Kamp Limited