

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 8637-CCYSC6
Issue Date: August 30, 2022

Vineland Growers' Co-Operative, Limited
4150 Jordan Road, Township of Lincoln,
Ontario, L0R 1S0

Site Location: Vineland Growers
2505 Fourth Avenue, Town of Lincoln,
Regional Municipality of Niagara,
Ontario, L0R 1S0

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:

a private on-site sewage Works and sub-surface effluent discharge system to service an existing Greenhouse development on a 4.5 ha. of the total 9 ha. site with an office/warehouse building, a plant nursery building, a service building and asphalt parking and storage areas, having a Rated Capacity of 15,800 litres per day, consisting of the following Proposed Works:

Proposed Works:

- **Septic/Digester Tanks (Tank # 1 and Tank # 2):** two (2) building sewers from the pre-engineered buildings, discharging into two (2) Septic/Digester Tanks connected in series having a working capacity of 25,000 litres and 17,000 litres. Tank #1 is complete with baffle and Tank # 2 with an effluent filter, to discharge into a pump tank as follows:
- **Pump tank / dosing tank:** One (1) Pump / dosing tank with a capacity of 19,000 Litres, equipped with two (2) submersible effluent pumps each having a rated capacity of 47 litres per minute at a Total Dynamic Head (TDH) of 1.48 metres, to discharge into the two (2) Waterloo Biofilter Tanks as follows:
- **Waterloo Biofilter Tanks (WB Tank # 1 and WB Tank # 2):** Two (2) Waterloo Biofilter treatment tanks, connected in parallel configuration for inlets and series configuration for outlet WB # 2 to WB # 1; each with a volume of 19,000 litres, and comprising of spray unit and mesh baskets filled with a total volume of 24 cubic metres of proprietary media. WB Tank # 1 is complete with one (1) effluent pump to recirculate a portion of effluent into the digester / septic tank # 1 and two (2) effluent pumps to dose the effluent into a subsurface disposal bed as described below:

- **Subsurface Disposal System:** one (1) fully raised Type A Dispersal bed on a stone layer of 336 square metres, with a total length of distribution pipes of approximately 284 metres, comprising of twenty (20) rows of 75 millimetre diameter perforated distribution pipes with length of approximately 14.2 metres each, constructed in imported soil with a percolation time of $T = 7 \text{ min/cm}$ including a 250 millimetres thick soil mantle extending 99.4 metres beyond the distribution pipes in all downgradient directions;

including all other mechanical system, electrical system, instrumentation, piping, pumps, valves and appurtenances essential for the proper, safe and reliable operation of the Works in accordance with this Approval, in the context of process performance and general principles of wastewater engineering only; 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 Approval document and any Schedules to it, including the application and Supporting Documentation;
2. "CBOD₅" means five day carbonaceous (nitrification inhibited) biochemical oxygen demand measured in an unfiltered sample;
3. "Director" means a person appointed by the Minister pursuant to Section 5 of the EPA for the purposes of Part II.I of the EPA;
4. "Grab Sample" means an individual sample of at least 1000 millilitres collected in an appropriate container at a randomly selected time over a period of time not exceeding 15 minutes;
5. "District Manager" means the District Manager of the Niagara District Office;
6. "EPA" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
7. "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;
8. "Licensed Installer" means a person who is registered under the OBC to construct, install, repair, service, clean or empty on-site sewage systems;
9. "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;
10. "OBC" means the Ontario Building Code, Ontario Regulation 332/12 (Building Code) as amended to January 1, 2015, made under the *Building Code Act*, 1992, S.O. 1992, c. 23;
11. "Owner" means Vineland Growers' Co-Operative, Limited and its successors and assignees;

12. "OWRA" means the *Ontario Water Resources Act* , R.S.O. 1990, c. O.40, as amended;
13. "Rated Capacity" means design daily sanitary sewage flow for which the Works are approved to handle;
14. "Proposed Works" means those portions of the Works included in the Approval that are under construction or to be constructed;
15. "Supporting Documentation" means the documents listed in Schedule A of this Approval;
16. "Works" means the approved sewage works, and includes 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.

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;
 - 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;

- 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 Informations 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 to a successor municipality, 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.

4. CONSTRUCTION

1. The Owner shall ensure that the construction of the Works is supervised by a Licensed Installer or a Licensed Engineering Practitioner.
2. The Owner shall ensure that the Waterloo Biofilter Treatment system is installed and operated in accordance with the Manufacturer's Installation Manual.
3. The Owner shall ensure that an imported soil that is required for construction of any subsurface disposal bed as per this Approval is tested and verified by the Licensed Engineering Practitioner or Licensed Installer for the percolation time (T) prior to delivering to the site location and the written records are kept at the site.
4. Upon construction of the Works, the Owner shall prepare a statement, certified by a Licensed Installer or 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.
5. Upon construction of the Works, the Owner shall prepare a set of as-built drawings showing the works "as constructed". "As-built" drawings shall be kept up to date through revisions undertaken from time to time and a copy shall be retained at the site for the operational life of the Works and shall be made available for inspection by Ministry staff.

5. MONITORING AND RECORDING

The Owner shall, upon commencement of operation of the Works, carry out the following monitoring program:

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 each individual subsurface disposal system, 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 the subsurface disposal system.
4. The Owner shall ensure that flow of treated effluent discharged into the subsurface sewage system does not exceed 15,800 Litres/day.
5. 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.
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 monitoring activities required by this Approval.

6. EFFLUENT OBJECTIVES

1. The Owner shall design and undertake everything practicable to operate the Works in accordance with the following objectives:
 - a. Final Effluent parameters design objectives listed in the table(s) included in **Schedule B**.
2. For the purposes of subsection (1):
 - a. The concentrations of CBOD5 and TSS named in Column 1 of Effluent Objectives Table listed in Schedule B, as measured at each monitoring event, should be compared to the corresponding concentration set out in Column 2 of Effluent Objectives Table listed in **Schedule B**.

7. OPERATIONS AND MAINTENANCE

1. The Owner shall ensure that, at all times, the Works and the related equipment and appurtenances used to achieve compliance with this Approval are properly operated and maintained. Proper

operation and maintenance shall include effective performance, adequate funding, adequate staffing and training, including training in all procedures and other requirements of this Approval and the OWRA and regulations, adequate laboratory facilities, process controls and alarms and the use of process chemicals and other substances used in the Works.

2. The Owner shall prepare an operations manual within **six (6) months** of the introduction of sewage to the Works, that includes, but not necessarily limited to, the following information:
 - a. operating procedures for routine operation of all the Works;
 - b. inspection programs, including frequency of inspection, for all 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 all the Works; copies of maintenance contracts for any routine inspections & pump-outs should be included for all the tanks and treatment units;
 - d. procedures for the inspection and calibration of monitoring equipment;
 - e. a spill prevention control and countermeasures plan, consisting of contingency plans and procedures for dealing with equipment breakdowns, potential spills and any other abnormal situations, including notification of the Spills Action Centre (SAC) and District Manager; and
 - f. procedures for receiving, responding and recording public complaints, including recording any follow-up actions taken.
3. 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.
4. The Owner shall, upon the construction, prepare and make available for inspection by Ministry staff, a maintenance agreement with the manufacturer for the treatment process/technology or its authorized agent. The maintenance agreement must be retained at the site and kept current for the operational life of the Works.
5. The Owner shall ensure that all septic tanks are pumped out every 3-5 years or when the tank is 1/3 full of solids and the effluent filters are cleaned out at minimum once a year or more often if required.
6. The Owner shall ensure that grass-cutting is maintained regularly over the subsurface disposal bed(s), and that adequate steps are taken to ensure that the area of the underground works is protected from vehicle traffic.
7. The Owner shall visually inspect the general area where sewage works are located for break-out once

every month during the operating season.

8. In the event a break-out is observed from a subsurface disposal bed, the Owner shall do the following:
 - a. sewage discharge to that subsurface disposal system shall be discontinued;
 - b. the incident shall be **immediately** reported verbally to the Spills Action Centre (SAC) at (416) 325-3000 or 1-800-268-6060;
 - c. submit a written report to the District Manager within **one (1) week** of the break-out;
 - d. access to the break-out area shall be restricted until remedial actions are complete;
 - e. during the time remedial actions are taking place the sewage generated at the site shall not be allowed to discharge to the environment; and
 - f. sewage generated at the site shall be safely collected and disposed of through a licensed waste hauler to an approved sewage disposal site.
9. The Owner shall employ for the overall operation of the Works a person who possesses the level of training and experience sufficient to allow safe and environmentally sound operation of the Works.

8. REPORTING

1. **One 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. 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.
4. The Owner shall prepare and submit a performance report, on an annual basis, within **ninety (90) days** following the end of each operational season to the District Manager. The first such report shall cover the first annual period following the commencement of operation of the Works and subsequent reports shall cover successive annual periods following thereafter. The reports shall contain, but shall not be limited to, the following information:
 - a. a summary and description of efforts made and results achieved in meeting the Effluent

Objectives of Condition 6;

- b. a review and assessment of performance of sewage works, including all treatment units and disposal beds;
- c. a description of any operating problems encountered and corrective actions taken at all sewage Works located at the property;
- d. a record of all maintenance carried out on any major structure, equipment, apparatus, mechanism or thing forming part of all Works located at the property' including but not limited to: records of maintenance inspections for the treatment system, records of septic tank effluent filters cleaning, records of septic tank pump-outs, records of sludge pump-outs accumulated from the treatment system, records of visual inspections of all disposal systems;
- e. a summary of any effluent quality assurance or control measures undertaken in the reporting period;
- f. a summary and interpretation of all daily flow data and results achieved in not exceeding the maximum daily sewage flow discharged into each one of the subsurface disposal system;
- g. a summary of any complaints received during the reporting period and any steps taken to address the complaints;
- h. a summary of all spill or abnormal discharge events;
- i. 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 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. The condition also advises the Owners their responsibility to notify any person they authorized to carry out work pursuant to this Approval the existence of this Approval.
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, 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 enable the Owner to evaluate and demonstrate the performance of the Works, on a continual basis, so that the Works are properly operated and maintained at a level which is consistent with the design objectives specified in the Approval and that the Works does not cause any impairment to the receiving watercourse.
6. Condition 6 is imposed to establish non-enforceable effluent quality objectives which the Owner is obligated to use best efforts to strive towards on an ongoing basis. These objectives are to be used as a mechanism to trigger corrective action proactively and voluntarily before environmental impairment occurs.
7. Condition 7 is included to require that the Works be properly operated, maintained, and equipped such that the environment is protected. As well, the inclusion of an operations manual, maintenance agreement with the manufacturer for the treatment process/technology and a complete set of "as constructed" drawings 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 information 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 work.
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.

Schedule A

1. Application for Environmental Compliance Approval submitted by Jim Halucha, of Hallex Engineering Ltd., dated August 13, 2021 and received on November 2, 2021, for the proposed Sewage treatment and subsurface disposal system, including the hydrogeological report, design brief, final plans and specifications.

Schedule B

Effluent Monitoring Table-1
(Sampling Location - Outlet of Waterloo Biofilter Tank #1)

Effluent Parameter	Frequency	Sample Type
CBOD ₅	Once a month during operating season	Grab
Total Suspended Solids	Once a month during operating season	Grab
Total Phosphorus	Once a month during operating season	Grab
Total Ammonia Nitrogen	Once a month during operating season	Grab
Nitrate and Nitrite Nitrogen	Once a month during operating season	Grab
Total Kjeldhal Nitrogen	Once a month during operating season	Grab
pH	Once a month during operating season	Grab
Temperature (ambient and wastewater)	Once a month during operating season	Grab

Effluent Objectives Table-2

Effluent Parameter (tested on outlet from the final Waterloo Biofilter Treatment Unit)	Concentration Objective (milligrams per litre unless otherwise indicated)
CBOD5	10
Total Suspended Solids	10

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 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:

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

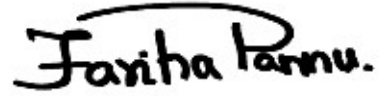
The Director appointed for the purposes of
Part II.1 of the *Environmental Protection Act*
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

*** 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 30th day of August, 2022



Fariha Pannu, P.Eng.

Director

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

MN/

c: District Manager, MECP Niagara
Jim Halucha, P.Eng., Hallex Engineering Ltd.