

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 6895-C5CN9M
Issue Date: December 12, 2022

Eva Lillian McCurry
1987 Penhuron Dr
Sarnia, Ontario
N0N 1C0

Site Location: Root River Trailer Court
103 Old Highway 17 North
City of Sault Ste. Marie, District of Algoma

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 establishment of Works for the treatment and subsurface disposal of domestic sewage with a daily sanitary sewage design flow of 47,200 litres per day, to service a year round mobile home park consisting of 44 mobile home units and 2, three-bedroom dwellings at the above site location, consisting of the following:

Proposed Works

Septic Tank

- One (1) two compartment septic tank, having a total working capacity of 43,000 litres equipped with an OBC approved effluent filter, complete with access risers fitted to grade, receiving raw sewage from the 43 mobile homes, and discharging treated effluent via gravity to the pump chamber described below;

Pump Chamber

- one (1) single compartment 6,600 litre pump chamber, equipped with a submersible effluent pump, rated 3.70 litres per second at a total dynamic head of 2 metres, discharging treated effluent via 75 millimetre diameter forcemain to the subsurface leaching bed described below;

Subsurface Disposal Bed

- One (1) in-ground absorption trench leaching bed consisting of six (6) cells with Infiltrator Equalizer 36 Chambers, having a treatment capacity of 43,000 litres per day, each cell consisting of six (6) runs of 75 millimetre diameter perforated pipes installed within the Infiltrator

Equalizer 36 Chambers, with each run 28 metres long, each Infiltrator Equalizer 36 Chamber spaced 2400 millimetre apart and located at least 900 millimetres at all points on the bottom of the trench above the high groundwater table, rock or soil with a percolation time greater than 50 minutes;

Decommissioning

- Decommissioning of the existing two (2) sewage works servicing the 39 mobile homes and 4 mobile homes upon commissioning of the proposed works;

Existing Works

- One (1) proposed 3,600 litre septic tank receiving raw sewage from one (1) mobile home unit, and an existing Infiltrator Equalizer 24 Chamber leaching bed, consisting of four (4) runs of 10 metres long trenches, having a treatment capacity of 1,000 litres per day;
- One (1) 3,600 litre septic tank receiving raw sewage from a three-bedroom dwelling, and an existing absorption trench leaching bed consisting of a minimum total distribution length of 56 metres, having a treatment capacity of 1,600 litres per day;
- One (1) 4,141 litre septic tank receiving raw sewage from a three-bedroom dwelling, and an Infiltrator Equalizer 24 Chamber leaching bed, consisting of four (4) runs of 20 metres long trenches, having a treatment capacity of 1,600 litres per day;

all other controls, electrical equipment, instrumentation, piping, pumps, valves and appurtenances essential for the proper operation of the aforementioned sewage works;

all in accordance with the submitted supporting documents 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. "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;
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. "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;
9. "Owner" means Eva Lillian McCurry and its successors and assignees;
10. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
11. "Proposed Works" means those portions of the Works included in the Approval that are under construction or to be constructed;
12. "Responsibility Agreement" means a legal agreement between a municipality and developer which stipulate the conditions under which communal services will be constructed, operated and maintained, as well as, the action to be undertaken by the municipality in the event of default;
13. "Supporting Documentation" means the documents listed in Schedule A of this Approval;
14. "Works" means the approved sewage works, and includes Proposed Works, and Existing 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. The approval issued by 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 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 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, 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.
3. The Owner shall ensure that all communications made pursuant to this condition refer to the number of this Approval.

4. CONSTRUCTION

1. The Owner shall ensure that the construction of the Works is supervised by a Licensed Engineering Practitioner.
2. The Owner shall ensure that the Works are constructed such that minimum horizontal clearance distances as specified in the OBC are satisfied.
3. Upon 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 staff.
4. 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. OPERATIONS, MAINTENANCE, AND RECORDING

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, process controls and alarms and the use of process chemicals and other substances used in the Works.
2. The Owner shall ensure that the septic tank is pumped out every 3-5 years or when the tank is 1/3 full of solids and the effluent filter is cleaned out at minimum once a year (or more often if required).
3. 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.
4. The Owner shall visually inspect the general area where Works are located for break-out once every month during the operating season.
5. 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.
6. The Owner shall maintain a logbook to record the results of Operation and Maintenance activities specified in the above sub-clauses, and shall keep the logbook at the site and make it available for inspection by the Ministry staff.
7. 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. 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) made under the EPA, the Owner shall, within **fifteen (15) days** of the occurrence of any reportable spill as provided in Part X of the EPA and O. Reg. 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.

7. DECOMMISSIONING OF UN-USED WORKS

1. The Owner shall properly abandon any portion of unused existing Works, as directed below, and upon completion of decommissioning report in writing to the District Manager.
 - a. any sewage pipes leading from building structures to unused Works components shall be disconnected and capped;
 - b. any unused septic tanks, holding tanks and pump chambers shall be completely emptied of its content by a licensed hauler and either be removed, crushed and backfilled, or be filled with granular material;
 - c. if the area of the existing leaching bed is going to be used for the purposes of construction of a replacement bed or other structure, all distribution pipes and surrounding material must be removed by a licensed hauler and disposed off site at an approved waste disposal site; otherwise the existing leaching bed may be abandoned in place after disconnecting, if there are no other plans to use the area for other purposes.

8. FINANCIAL ASSURANCE

1. Within ninety (90) days of issuance of this Approval, the Owner shall submit to the Director, Financial Assurance, as defined in Section 131 of the Act, for the amount of \$36,521.63 (thirty six thousand, five hundred and twenty one dollars and sixty three cents). Within thirty (30) days following construction of the Works, the Owner shall submit to the Director the remaining Financial Assurance for the amount of \$36,521.63 (thirty six thousand, five hundred and twenty one dollars and sixty three cents). This Financial Assurance shall be in a form acceptable to the Director and shall provide sufficient funds to pay for analysis, monitoring, clean-up and decommissioning of the Works.
2. Commencing on December 1, 2027, and at intervals of five (5) years thereafter, the Owner shall submit to the Director, a re-evaluation of the amount of Financial Assurance to implement the actions required under Subsection (1). The re-evaluation shall include an assessment based on any new information relating to the environmental conditions of the Works and the costs of additional monitoring, clean-up

and/or implementation of contingency plans required by the Director upon review of the annual reports.

3. The Financial Assurance must be submitted to the Director within twenty (20) days of written acceptance of the re-evaluation by the Director.
4. The amount of Financial Assurance is subject to review at any time by the Director and may be amended at his/her discretion.
5. If any Financial Assurance is scheduled to expire or notice is received, indicating Financial Assurance will not be renewed, and satisfactory methods have not been made to replace the Financial assurance at least sixty (60) days before the Financial Assurance terminates, the Financial Assurance shall forthwith be replaced by cash.

9. RESPONSIBILITY AGREEMENT

1. The Owner shall enter into a duly signed Responsibility Agreement with the City of Sault Ste. Marie within one year of the Works approved herein in accordance with the Ministry Procedure D-5-2 entitled "Application of Municipal Responsibility for Communal Water and Sewage Services".
2. The Owner shall provide written confirmation that the Responsibility Agreement was entered into, including the effective date of the Responsibility Agreement, to the Director and the District Manager.

10. CERTIFICATE OF REQUIREMENT

1. Pursuant to Section 197 of the EPA, no person having an interest in the Property, shall deal with the Property in any way without first giving a copy of this Approval to each person acquiring an interest in the Property as a result of the dealing.
2. The Owner shall:
 - a. within ninety (90) days of the date of the issuance of this Approval, submit to the Director for their review, two copies of a completed Certificate of Requirement and a registerable description of the Property; and
 - b. within ten (10) calendar days of receiving the Certificate of Requirement authorized by the Director, register the Certificate of Requirement in the appropriate Land Registry Office on title to the Property and submit to the Director the duplicate registered copy immediately following registration.
3. For the purposes of this condition, Property shall mean the property located at 103 Old Highway 17 North, City of Sault Ste. Marie, Ontario and legally described as Lot 11 Registered Plan H-743.

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 require that the Works be properly operated, maintained, and equipped such that the environment is protected.
6. Condition 6 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.
7. Condition 7 is included to ensure that any components of un-used Works are properly decommissioned.
8. Condition 8 is included to ensure that the Owner provides financial assurance on a timely basis, in an amount adequate to cover the capital and operating costs of the environmental measures for which it is provided and is in a form readily used by Ministry personnel.
9. Condition 9 is included to ensure that there is a Responsibility Agreement in place between the Owner and the Municipality prior to construction of the Works so that, in the event that the Owner is unable to continue to provide sewage service, the Municipality may be able to assume ownership and operation of the Works.
10. Condition 10 is included in order to require the Owner to give notice of this Approval to potential future owners of the property before the property is dealt with.

Schedule A

1. Application for Environmental Compliance Approval, dated July 12, 2021 and received on July 13, 2021, submitted by Kresin Engineering Corporation, on behalf of Eva Lillian McCurry.
2. Design Report and Engineering Drawings, stamped and dated July 26, 2022, prepared by Kresin Engineering Corporation.

Schedule B

Groundwater Monitoring Table

Sampling Location	monitoring well located downgradient of the absorption trench leaching bed servicing 43 mobile homes
Frequency	Three samples per year for a total of two years
Sample Type	Grab
Parameters	Total Coliforms Chloride E.Coli Flouride Iron Manganese Total Dissolved Solids

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me, the Environmental Review 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 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:

The Secretary*
Environmental Review Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5

AND

The Minister of the Environment,
Conservation and Parks
777 Bay Street, 5th Floor
Toronto, Ontario
M7A 2J3

AND

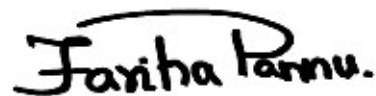
The Director appointed for the purposes of
Part II.1 of the Environmental Protection Act
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

*** Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349, Fax: (416) 326-5370 or www.ert.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 12th day of December, 2022



Fariha Pannu, P.Eng.
Director

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

MO/

c: Area Manager, MECP Sault Ste. Marie Area Office

c: District Manager, MECP Sudbury District Office

Ryan Wilson, Kresin Engineering Corporation