

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER A-500-1517859053

Version: 1.0

Issue Date: January 13, 2023

Pursuant to section 20.3 of the Environmental Protection Act, Revised Statutes of Ontario (R.S.O.) 1990, c. E. 19 and subject to all other applicable Acts or regulations this Environmental Compliance Approval is issued to:

ICL MANAGEMENT INC

330 FIDDLERS COURT
PICKERING ONTARIO
L1V 6P3

For the following site:

Brunel Road Quarry
2638 Brunel Road
Town of Huntsville, ON P1H 2J3

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, use and operation of sewage works for the collection, transmission, treatment and disposal of effluent of up to 2,200 litres per minute from quarry dewatering operations at the above site address, consisting of the following proposed works:

- **"Discharge Settling Basin"**: one (1) sedimentation pond with approximate bottom dimensions of 47 m x 20 m at vertical side slopes and a permanent pool depth of approximately 4 metres with a free-board of 0.3 metres, constructed below the ground water table and located at the south-east boundary of the licensed area, receiving pumped effluent from the on-site dewatering pond at a normal operating (year-round) pumping rate of 550 L/min or up to 2,200 L/min for up to 60 days annually for the purpose of quarry dewatering, providing a minimum permanent pool volume of approximately 3,760 cubic metres resulting in an active storage detention of at least 24 hours during peak dewatering, discharging via one (1) trapezoidal weir approximately 1 metre wide with 1:1 side slopes towards a stone lined outlet channel and ultimately off-site to a unnamed stream;

including 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 supporting documents listed in Schedule 1.

DEFINITIONS

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

1. "Approval" means this entire Environmental Compliance Approval and any Schedules attached to it;
2. "Director" means a person appointed by the Minister pursuant to section 5 of the EPA for the purposes of Part II.1 of the EPA;

3. "District Manager" means the District Manager of the appropriate local district office of the Ministry, where the Works is geographically located;
4. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
5. "Licensed Engineering Practitioner" means a person who holds a licence, limited licence or temporary licence under the PEO; (*remove if no work is being constructed*)
6. "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;
7. "Owner" means ICL Management Inc. and its successors and assignees;
8. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
9. "Proposed Works" means those portions of the Works included in the Approval that are under construction or to be constructed;
10. "Single Sample Result" means the test result of a parameter in the effluent discharged on any day, as measured by a probe, analyzer or in a composite or grab sample, as required;
11. "Works" means the approved Sewage Works, and includes Proposed Works.

TERMS AND CONDITIONS

You are hereby notified that this environmental compliance approval is issued to you subject to the terms and conditions outlined below:

1. GENERAL CONDITION

1. The Owner shall ensure that any person authorized to carry out work on or operate any aspect of the Works is notified of this Approval and the terms and conditions herein and shall take all reasonable measures to ensure any such person complies with the same.
2. The Owner shall design, construct, operate and maintain the Works in accordance with the conditions of this Approval.
3. The Owner shall submit to the Director an application to amend this approval prior to construction, use and operation of any Aggregate Wash Plants and associated Sewage Works at the Site.
4. 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.
5. 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 Works; or
 - b. limit in any way the authority of the Ministry to require certain steps be taken to require the Owner to furnish any further information related to compliance with this Approval.

2. EXPIRY OF APPROVAL

1. In the event that completion and commissioning of any portion of the Works is anticipated to be more than five (5) years, the Owner shall submit an application for extension at least twelve (12) months prior to the end of the five (5) years from the day of issuance of this Approval. The application shall include the reason(s) for the delay, whether there is any design change(s) and a review of whether the standards applicable at the time of Approval of the Works are still applicable at the time of request for extension, to ensure the ongoing protection of the environment.

3. CHANGE OF OWNER

1. The Owner shall notify the District Manager and the Director, in writing, of any of the following changes within thirty (30) days of the change occurring:
 - a. change of address of Owner;
 - b. change of Owner, including address of new owner;
 - c. change of partners where the Owner is or at any time becomes a partnership, and a copy of the most recent declaration filed under the Business Names Act, R.S.O. 1990, c. B.17 shall be included in the notification; or
 - 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.
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 number of this Approval.

4. CONSTRUCTION OF THE WORKS

1. Upon the construction of the Works, the Owner shall prepare and submit a written statement, certified by a Licensed Engineering Practitioner, that the Works are constructed in accordance with this Approval, and upon request, shall make written statement available for inspection by Ministry personnel.
2. Within one (1) year of the construction of the Works, a set of as-built drawings showing the Works "as constructed" shall be prepared. These drawings shall be kept up to date through revisions undertaken from time to time and a copy shall be retained at the Works for the operational life of the Works.

5. OPERATION AND MAINTENANCE

1. The Owner shall make all necessary investigations, take all necessary steps and obtain all necessary approvals so as to ensure that the physical structure, siting and operations of the Works do not constitute a safety, health or flooding hazard to the general public.
2. The Owner shall undertake an inspection of the condition of the Works, at least once a year, and undertake any necessary cleaning and maintenance to ensure that sediment, debris and excessive decaying vegetation are removed from the Works to prevent the excessive build-up of sediment, oil/grit, debris and/or decaying vegetation, to avoid reduction of the capacity and/or permeability of the Works, as applicable. The Owner shall also regularly inspect and clean out the inlet to and outlet from the Works to ensure that these are not obstructed.
3. The Owner shall construct, operate and maintain the Works with the objective that the effluent from the Works is essentially free of floating and settleable solids and does not contain oil or any other substance in amounts sufficient to create a visible film, sheen, foam or discoloration on the receiving water.
4. 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 are complied with.
5. The Owner shall ensure the immediate clean-out of the Works after a fuel or oil spill capture.
6. The Owner shall, upon identification of any spill, bypass or loss of any product, by-product, intermediate product, oil, fuel, solvent, waste material or any other polluting substance into the environment, take immediate action to prevent the further occurrence of such loss and prevent the substance from entering the sedimentation pond.
7. The Owner shall ensure that equipment and material for the containment, clean-up and disposal of fuel and oil and materials contaminated with such, is on hand and in good repair for immediate use in the event of:
 - a. loss of fuel or oil to the Works; or

b. a spill within the meaning of Part X of the EPA.

8. The Owner shall ensure that the design minimum liquid retention volumes of the Works are maintained at all times.
9. The Owner shall periodically measure the amount of sediment accumulating in the sedimentation pond and remove the sediment, if necessary, to ensure continued suspended solids removal performance of the sedimentation pond, with results recorded in a log book. No sediment shall be used on Site for rehabilitation without complying with all applicable laws in place at the time of reuse
10. 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.
11. 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.
12. The Owner shall maintain a logbook to record the results of these inspections and any cleaning and maintenance operations undertaken, and shall keep the logbook at the Works for inspection by the Ministry. The logbook shall include the following:
 - a. the name of the Works;
 - b. the name of the inspector who conducted each inspection;
 - c. 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
 - d. the date measurement of sediment was undertaken, the amount of sediment measured, if sediment removal was undertaken and where any removed sediment was disposed.
13. The log book shall be retained at the site and be made available for Ministry inspection upon request.
14. 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. EFFLUENT LIMITS

1. The Owner shall design, construct and operate the Works such that the concentrations of the materials listed as effluent parameters in the effluent limits table in Schedule 2 are not exceeded in the effluent from the Works.

8. EFFLUENT MONITORING

1. The Owner shall, upon commencement of operation of the Works, carry out a monitoring program, and 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 and analyzed at the following sampling point(s), at the sampling frequencies and using the sample type specified for each parameter listed in the effluent monitoring table in Schedule 2.
 - a. definitions for frequency:
 - i. Daily means once every day during periods of effluent discharge;
 - ii. Monthly means once every month during periods of effluent discharge;
 - iii. Semi-annually means twice per year during periods of effluent discharge, one in spring, one in summer/fall (dry season);
 - b. definitions for monitoring locations:
 1. Effluent Monitoring Station 1 means the sampling location at the Discharge Settling Basin Outlet Weir;
 2. Effluent Monitoring Station 2 means the sampling location at the downstream, offsite confluence of the two streams to the south of the site.
3. The methods and protocols for sampling, analysis, toxicity testing, and recording shall conform, in order of precedence, to the methods and protocols specified in the following:
 - a. 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;
 - b. the publication "Standard Methods for the Examination of Water and Wastewater" (21st edition) as amended from time to time by more recently published editions.
 - c. for any parameters not mentioned in the documents referenced in Paragraphs 3.a, and 3.b the written approval of the District Manager shall be obtained prior to sampling.
4. The Owner shall install and maintain a flow measuring device(s), to measure the peak discharge rate of the intake pump to the sedimentation pond on a daily basis during the operational period, with an accuracy to within plus or minus 15 per cent (+/- 15%) of the actual flowrate for the entire design range of the flow measuring device(s).
5. The measurement frequencies specified in the effluent monitoring table in Schedule 2 in respect of any parameter are minimum requirements which may, after 5 years of monitoring in accordance with this Condition, be modified by the Director in writing from time to time.
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.

9. REPORTING

1. One (1) week prior to the start-up of the operation of the Works, the Owner shall notify the District Manager (in writing) of the pending start-up date.
2. The Owner shall, upon request, make all reports, manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.
3. In addition to the obligations under Part X of the EPA and O. Reg. 675/98 (Classification and Exemption Of Spills and Reporting of Discharges) 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.

4. The Owner shall report to the District Manager orally as soon as possible any non-compliance with the compliance limits, and in writing within seven (7) days of non-compliance.
5. 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 summary and comprehensive interpretation of all monitoring data and a comparison to the design objectives and compliance limit in this Approval, including an overview of success and adequacy of the work including an overview of the success and adequacy of the Works;
 - b. a description of any operating problems encountered and corrective actions taken;
 - c. a summary of all maintenance carried out on any major structure, equipment, apparatus, mechanism or thing forming part of the Works, including an estimate of the quantity of any materials removed from the Works;
 - d. a summary of the calibration and maintenance carried out on all effluent monitoring equipment;
 - e. a summary of any effluent quality assurance or control measures undertaken in the reporting period;
 - f. a description of efforts made and results achieved in meeting the effluent objectives of Condition 7.
 - 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; and
 - i. any other information the District Manager requires from time to time.

10. SPILL CONTINGENCY PLAN

1. Within six (6) months from the issuance of this Approval, the Owner shall implement a spill contingency plan - that is a set of procedures describing how to mitigate the impacts of a spill within the area serviced by the Works. The Owner shall, upon request, make this plan available to Ministry staff. This plan shall include as a minimum:
 - a. the name, job title and location (address) of the Owner, person in charge, management or person(s) in control of the facility;
 - b. the name, job title and 24-hour telephone number of the person(s) responsible for activating the spill contingency plan;
 - c. a site plan drawn to scale showing the facility, nearby buildings, streets, catch-basins and manholes, drainage patterns (including direction(s) of flow in storm sewers), any receiving body(ies) of water that could potentially be significantly impacted by a spill and any features which need to be taken into account in terms of potential impacts on access and response (including physical obstructions and location of response and clean-up equipment);
 - d. steps to be taken to report, contain, clean up and dispose of contaminants following a spill;
 - e. a listing of telephone numbers for: local clean-up company(ies) who may be called upon to assist in responding to spills; local emergency responders including health institution(s); and Ministry Spills Action Centre 1-800-268-6060;
 - f. Safety Data Sheets (SDS) for each hazardous material which may be transported or stored within the area serviced by the Works;
 - g. the means (internal corporate procedures) by which the spill contingency plan is activated;
 - h. a description of the spill response training provided to employees assigned to work in the area serviced by

- the Works, the date(s) on which the training was provided and by whom;
- i. an inventory of response and clean-up equipment available to implement the spill contingency plan, location and, date of maintenance/replacement if warranted; and
 - j. the date on which the contingency plan was prepared and subsequently, amended.
2. The spill contingency plan shall be kept in a conspicuous, readily accessible location on-site.
 3. The spill contingency plan shall be amended from time to time as required by changes in the operation of the facility.

REASONS

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

1. Condition 1 is imposed to ensure that the Works are constructed and operated in the manner in which they were described and upon which approval was granted. This condition is also included to emphasize the precedence of conditions in the Approval and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review. Condition 1.4 is included to emphasize that the issuance of this Approval does not diminish any other statutory and regulatory obligations to which the Owner is subject in the construction, maintenance and operation of the Works. The Condition specifically highlights the need to obtain any necessary conservation authority approvals. The Condition also emphasizes the fact that this Approval doesn't limit the authority of the Ministry to require further information.
2. Condition 2 is included to ensure that, when the Works are constructed, the Works will meet the standards that apply at the time of construction to ensure the ongoing protection of the environment.
3. Condition 3 is included to ensure that the Ministry records are kept accurate and current with respect to the approved Works and to ensure that subsequent owners of the Works are made aware of the Approval and continue to operate the Works in compliance with it.
4. Condition 4 is included to ensure that the Works are constructed in accordance with the approval and that record drawings of the Works "as constructed" are maintained for future references.
5. Condition 5 is included as regular inspection and necessary removal of sediment and excessive decaying vegetation from the Works are required to mitigate the impact of sediment, debris and/or decaying vegetation on the treatment capacity of the Works. The Condition also ensures that adequate storage is maintained in the Works at all times as required by the design. Furthermore, this Condition is included to ensure that the Works are operated and maintained to function as designed.
6. Condition 6 is included as installation, regular inspection and maintenance of the temporary sediment and erosion control measures is required to mitigate the impact on the downstream receiving watercourse during construction until they are no longer required.
7. Condition 7 is imposed to ensure that the effluent discharged from the Works meets the Ministry's effluent quality requirements, as specified, on a continuous basis, thus minimizing environmental impact on the receiver.
8. Condition 8 is 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 watercourse.
9. Condition 9 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.
10. Condition 10 is included to ensure that the Owner will implement the Spill Contingency Plan, such that the environment is protected and deterioration, loss, injury or damage to any person(s) or property is prevented.

APPEAL PROVISIONS

In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me and the Ontario Land Tribunal, within 15 days after the service of this notice, require a hearing by the Tribunal. You must also provide notice to, the Minister of the Environment, Conservation and Parks in accordance with Section 47 of the *Environmental Bill of Rights, 1993* who will place notice of your appeal on the Environmental Registry. Section 142 of the *Environmental Protection Act* provides that the notice requiring the hearing ("the Notice") shall state:

- I. The portions of the environmental compliance approval or each term or condition in the environmental compliance approval in respect of which the hearing is required, and;
- II. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

- I. The name of the appellant;
- II. The address of the appellant;
- III. The environmental compliance approval number;
- IV. The date of the environmental compliance approval;
- V. The name of the Director, and;
- VI. The municipality or municipalities within which the project is to be engaged in.

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

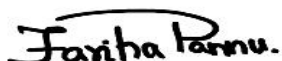
Registrar* Ontario Land Tribunal 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5 OLT.Registrar@ontario.ca	and	The Minister of the Environment, Conservation and Parks 777 Bay Street, 5th Floor Toronto, Ontario M7A 2J3	and	The Director appointed for the purposes of Part II.1 of the <i>Environmental Protection Act</i> Ministry of the Environment, Conservation and Parks 135 St. Clair Avenue West, 1st Floor Toronto, Ontario M4V 1P5
--	-----	--	-----	---

*** Further information on the Ontario Land Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349 or 1 (866) 448-2248, or www.olt.gov.on.ca**

This instrument is subject to Section 38 of the *Environmental Bill of Rights, 1993*, that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek leave to appeal within 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry at ero.ontario.ca, you can determine when the leave to appeal period ends.

The above noted activity is approved under s.20.3 of Part II.1 of the *Environmental Protection Act*.

Dated at Toronto this 13th day of January, 2023



Fariha Pannu

Director

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

c: Jay Flanagan, MTE Consultants Inc.
David Kennedy, ICL MANAGEMENT INC
Jennifer Barnett, MECP District Office

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

SCHEDULE 1

1. Environmental Compliance Approval Application for Industrial Sewage Works submitted by ICL Management Inc. and certified by Jay Flanagan of MTE Consultants Inc., dated and received on May 30, 2022, and all supporting documentation and information.
2. Settling Basin technical memo dated May 5, 2022 including calculations and engineering drawings, prepared by MTE Consultants Inc.
3. Updated Memo - Description of the Proposed Works and Effluent Monitoring Program dated August 22, 2022 and revised September 26, 2022 including calculations and engineering drawings, prepared by MTE Consultants Inc.

SCHEDULE 2

Effluent Limits Table

(Measured at the discharge outlet from the Settling Basin "Effluent Monitoring Station 1")

Final Effluent Parameter	Averaging Calculator	Concentration Limit
Total Suspended Solids	Single Sample Result	25mg/L
Un-ionized Ammonia	Single Sample Result	20 µg/L
pH	Single Sample Result	6.5 - 8.5 inclusive

Influent Monitoring Table (Dewatering Pond Discharge Pump)

Frequency	daily
Sample Type	Continuous Flow Measurement
Parameters	Daily Peak Flow (L/min)

Effluent Monitoring Table 1 (Effluent Monitoring Station 1)

Frequency	monthly
Sample Type	Grab
Parameters	Lab analysis: Total Suspended Solids, Total Ammonia, Un-ionized Ammonia (calculated*) Field Measurement: Temperature, pH, Conductivity and Turbidity

Effluent Monitoring Table 2 (Effluent Monitoring Stations 1 and 2)

Frequency	semi-annually (one spring, one summer/fall (dry season))
Sample Type	Grab
Parameters	Lab analysis: Alkalinity, TDS, TSS, Chloride, Nitrate, Nitrite, Total Phosphorus, Sulfate, Total Ammonia, Un-ionized Ammonia (calculated*), Metal scan Field Measurement: Temperature, pH, Conductivity, and Turbidity

*The temperature and pH of the effluent from the works shall be determined in the field at the time of sampling for total ammonia. The concentration of un-ionized ammonia shall be calculated using the total ammonia concentration, pH and temperature using the methodology stipulated in "Ontario's Provincial Water Quality Objectives" dated July 1994, as amended, for ammonia (un-ionized).