

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 2445-CG9QAE
Issue Date: January 26, 2023

GFL Environmental Inc.
100 New Park Pl, No. 500
Vaughan, Ontario
L4K 0H9

Site Location: Fenmar Transfer Station
71 Fenmar Drive
City of Toronto,
M9L 1M3

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:

upgrading existing stormwater management Works for the collection, transmission, treatment and disposal of stormwater runoff from a catchment area of 1.27 hectares, to provide 89% TSS removal including particles less than 5 microns, for 90% of the average rainfall runoff volume generated on the site and to attenuate post-development peak flows to pre-development levels, discharging to the City of Toronto storm sewer located at 71 Fenmar Drive, for all storm events up to and including the 2 year return storm;

PROPOSED WORKS

Stormwater Management System

- regrading the site in order to redirect the three site drainage areas to one single outlet that in order to route all of the site stormwater at the Fenmar Transfer Station site located on 71 Fenmar Drive, Toronto, relying on a proposed Jellyfish Filter treatment unit, having an oil storage capacity of 1469 L, sediment storage capacity of 455 kg and overall sump storage volume of 1420 L, located downstream of the manhole DM1, at the north side of the site, designed for a catchment area of 1.27 hectares at 90% imperviousness, for a median long term average Total Suspended Solids (TSS) removal of 89% (Enhanced Level protection), a 59% Total Phosphorus, 51% Total Nitrogen with a treatment flow rate of 40.4 litres per second, with bypass stormwater in excess of the minor flows bypassing the treatment unit to MH3, the treated and bypass stormwater being discharged to existing storm sewers located at the easement along the west boundary of the property;

- install a new double catch basin at the low point located in the southwest corner of the site to capture the minor flows up to the 2 year return storm, and,
- connect all catchbasins to the proposed treatment system;

EXISTING WORKS

- existing concrete barrier at the edge of asphalt at the southwest corner of the site to contain minor flows (up to 2 year) up to a ponding depth of 300 mm;

including erosion/sedimentation control measures during construction and all other controls and appurtenances essential for the proper operation of the aforementioned Works;

all in accordance with the Schedule A.

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

1. "Approval" means this entire document and any schedules attached to it, and the application;
2. "CBOD5" means five day carbonaceous (nitrification inhibited) biochemical oxygen demand measured in an unfiltered sample;
3. "District Manager" means the District Manager of the Toronto District Office of the Ministry;
4. "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;
5. "EPA" means the *Environmental Protection Act* , R.S.O. 1990, c.E.19, as amended;
6. "Existing Works" means those portions of the Works included in the Approval that have been constructed previously;
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. "OWRA" means the *Ontario Water Resources Act* , R.S.O. 1990, c. O.40, as amended;
9. "Owner" means GFL Environmental Inc., and its successors and assignees;
10. "Proposed Works" means the sewage works described in the Owner's application, this Approval, to the extent approved by this Approval;
11. "Works" means the sewage works described in the Owner's application, and this Approval, and includes

both 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 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 A, 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. The Owner shall ensure that all communications made pursuant to this condition will refer to this Approval's number.

3. EXPIRY OF APPROVAL

1. This Approval will cease to apply to those parts of the Works which have not been constructed within **five (5) years** of the date of this Approval.
2. In the event that completion and commissioning of any portion of the Works is anticipated to be more than five (5) years, the Owner shall submit an application for extension at least **twelve (12) months** prior to the end of the five (5) years from the day of issuance of this Approval. The application shall include the reason(s) for the delay, whether there is any design change(s) and a review of whether the standards applicable at the time of Approval of the Works are still applicable at the time of request for extension, to ensure the ongoing protection of the environment.

4. OPERATIONS MANUAL

1. The Owner shall prepare an operations manual prior to the commencement of operation of the sewage works, 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.
3. 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 date and results of each inspection, maintenance and cleaning, including an estimate of the quantity of any materials removed and method of clean-out of the Works; and
 - c. the date of each spill within the catchment area, including follow-up actions and remedial measures undertaken.

5. EFFLUENT OBJECTIVES

1. The Owner shall design and undertake everything practicable to operate the Works in accordance with the following objectives:
 - b. Effluent objectives listed in the **Effluent Objectives Table** included in the **Schedule B**.

6. EFFLUENT - VISUAL OBSERVATIONS

1. Notwithstanding any other condition in this Approval, the Owner shall ensure 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 or foam on the receiving waters.

7. EFFLUENT MONITORING AND RECORDING

1. The Owner shall, upon commencement of operation of the sewage 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 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 sampling/monitoring parameters and their corresponding measurement frequencies specified in **Schedule B** are minimum requirements which after 24 months from the issue of this Environmental Compliance Approval may be modified by the Director in writing from time to time.
 - a. Each month, upon receipt of the water quality testing results from the laboratory, a report will be prepared which will include the following information with regards to the sampling at MH-3:
 - b. A summary and interpretation of all water quality monitoring data and a comparison to the effluent objectives outlined in the **Effluent Objectives Table (Schedule B)** including identification of exceedances and trend analysis;
 - c. A description of any operating problems encountered and corrective actions taken;
 - d. A summary of any quality assurance or control measures undertaken for the testing;
 - e. Site specific conditions during the sampling event and a photographic record; and,
 - f. Conclusions and recommendations;
4. 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;

5. The proposed Effluent Monitoring program, included in this Condition may, after 24 months of the operation of the sewage works be modified by the Director subject to the recommendation by a Qualified Person as per Conditions 8(3) and 8(4);

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, the Owner shall, within ten (10) working days of the occurrence of any reportable spill as defined in Ontario Regulation 675/98, bypass or loss of any product, by-product, intermediate product, oil, solvent, waste material or any other polluting substance into the environment, submit a full written report of the occurrence to the District Manager describing the cause and discovery of the spill or loss, clean-up and recovery measures taken, preventative measures to be taken and schedule of implementation.
3. After completion of twenty four (24) months of the Effluent Monitoring Program, the Owner shall prepare and submit a performance report prepared by a Qualified Person, to the District Manager. The report shall contain, but shall not be limited to, the following information:
 - a. a summary and interpretation of all monitoring data including an overview of the success and adequacy of the sewage 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 sewage works;
 - d. a summary of any effluent quality assurance or control measures undertaken in the reporting period;
 - e. a summary of the calibration and maintenance carried out on all effluent monitoring equipment;
 - f. a recommendation to continue, modify or eliminate the Effluent Monitoring program in future;
 - g. any other information the District Manager requires from time to time.
4. Subject to Condition 8(3)(f), and upon concurrence of the District Manager, the Owner shall continue to submit a performance report with frequency agreed to, with the District Manager.

9. 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.

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.
- k. The spill contingency plan shall be kept in a conspicuous, readily accessible location on-site.
- l. The spill contingency plan shall be amended from time to time as required by changes in the operation of the facility.

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.
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, 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.
4. Condition 4 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.
5. Condition 5 is included to ensure that the effluent discharged from the Works meets the Ministry's effluent quality requirements thus minimizing environmental impact on the receiver.

6. Condition 6 is included to require the Owner to demonstrate on a continual basis that the quality of the effluent from the approved works is consistent with the design objectives and that the approved works does not cause any impairment to the receiving watercourse.
7. Condition 7 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.
8. Condition 8 is included to provide a performance record for future references and to ensure that the Ministry is made aware of problems as they arise, so that the Ministry can work with the Owner in resolving the problems in a timely manner.
9. Condition 9 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.
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.

Schedule A

1. Application for Approval of Municipal and Private Water and Sewage Works dated April 20, 2022 and received on April 21, 2022.

Schedule B

Effluent Objectives Table (measured at MH3, downstream of the Jellyfish Filter)

Effluent Parameter	Average Calculator	Objective
Total Suspended Solids	Single Sample Result	15 mg/L
Total Phosphorus	Single Sample Result	0.4 mg/L
Total Cyanide	Single Sample Result	0.02 mg/L
Copper	Single Sample Result	0.04 mg/L
Total Manganese	Single Sample Result	0.05 mg/L
Zinc	Single Sample Result	0.04 mg/L
CBOD ₅	Single Sample Result	15 mg/L
Bis (2-ethylhexyl) phthalate	Single Sample Result	0.0088 mg/L
Phenolics (4AAP)	Single Sample Result	0.008 mg/L
Total PAH's	Single Sample Result	0.002 mg/L
<i>E. coli</i>	Single Sample Result	wet weather <1000 CFU/100 mL* dry weather < 100 CFU/100 mL**

* wet weather period is defined as during an active rain event or snow melt between June 1 to September 30th

** dry weather period is defined as the absence of an active rain event or snow melt between June 1 to September 30th

Monitoring Program

Stormwater Management Works Effluent Monitoring Table

Sampling Location	MH3, downstream of the Jellyfish Filter
Frequency	Monthly (after rainfall events producing discharge)
Sample Type	Grab
Parameters	Total Suspended Solids, Total Phosphorus, Total Cyanide, Copper, Total Manganese, Zinc, CBOD ₅ , Bis (2-ethylhexyl) phthalate, Phenolics (4AAP), Total PAH's, <i>E. coli</i>

* Monthly means once every month

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

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

The Notice should also include:

1. The name of the appellant;
2. The address of the appellant;
3. The environmental compliance approval number;
4. The date of the environmental compliance approval;
5. The name of the Director, and;
6. The municipality or municipalities within which the project is to be engaged in.

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

This Notice must be served upon:

Registrar*
Ontario Land Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5
OLT.Registrar@ontario.ca

and

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

and

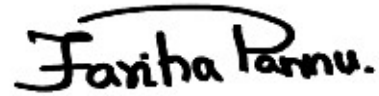
The Director appointed for the purposes of
Part II.1 of the *Environmental Protection Act*
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

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

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

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

DATED AT TORONTO this 26th day of January, 2023

A handwritten signature in black ink that reads "Fariha Pannu." The signature is written in a cursive style with a large, sweeping initial 'F'.

Fariha Pannu, P.Eng.

Director

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

KH/

c: District Manager, MECP Toronto District.
Larry Fedec, P.Eng., HDR.