

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 0065-CNDU3Y
Issue Date: February 13, 2023

Econo-Malls Holdings #25 Inc.
1 Westmount Square No. 1900
Westmount, Quebec
H3Z 2P9

Site Location: Walmart Pond
274 Millennium Parkway
City of Belleville, County of Hastings, Ontario

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:

amendment to an existing stormwater infrastructure Works servicing existing Walmart facility located in the City of Belleville, having total drainage area of 9.8 hectares, to include following Proposed Works:

Proposed Works:

- removal of Ultraviolet (UV) Treatment Facility and Filter, described under "Existing Works", identified below;

Existing Works:

- **stormwater management facility (catchment area - 9.8 hectares):**
 - Construction of an extended detention pond to detain stormwater runoff from a total drainage area of 9.8 hectares, with an available storage volume of 1650 cubic metres at a maximum pond elevation of 93.4 metres; flow splitter in Manhole No. 10, with a 450 millimetre inflow pipe and headwall, with a spill overflow dividing weir having an approximate maximum overflow weir depth of 0.6 metre during the 1:100 year design storm with a water quality outlet control manhole;
 - together with parking lot storage with the use of five (5) orifice control devices, installed within catchbasins to provide a total parking lot storage of 759 cubic metres and a maximum ponding

depth of 0.22 metre to control the peak discharge rate to 1069 litres per second during the 1:100 year design storm, equivalent to the 1:5 year post development peak discharge rate;

- including a total rooftop storage volume of approximately 896 cubic metres over a total rooftop area of 2.19 hectares, with 35 rooftop drains to control the peak release rate during the 1:100 year design storm to 20 litres per second within the allowable release rate of 42 litres/second/hectares equivalent to an allowable discharge rate of 92 litres per second;
- **Ultraviolet (UV) Treatment Facility & Filter: (to be removed)**
 - A manhole structure (MH No. 20) equipped with an ultraviolet treatment chamber and assembly for disinfection, with an internal helical baffle system for proper mixing and reduction of sediment deposition, remote electrical control system, with associated piping, valves and drains, controls and instrumentation to provide a maximum UV disinfection flow rate of 48.9 m³/h, greater than the peak water quality discharge rate of 46.8 m³/h;
 - including a cartridge filter having an effective filtration area of 37 m² with 50 mm diameter piping, with a drawdown pump rated at approximately 4.4 l/s at a TDH of 24 m, to provide a minimum 24 hour drawdown time for the pond, and associated piping, valves and control equipment, housed within MH No. 20;

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 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 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. "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 Econo-Malls Holdings #25 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. "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.
4. 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. 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;

- 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. C.39* shall be included in the notification.
2. In the event of any change in ownership of the Works, other than a change in ownership to the municipality, i.e. assumption of the Works, the Owner shall notify the succeeding owner in writing 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.

3. RECORD DRAWINGS

1. A set of record drawings of the Works shall be kept up to date through revisions undertaken from time to time and a copy shall be readily accessible for reference at the Works.

4. 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 ensure the immediate clean-out of the Works after a fuel or oil spill capture.
4. 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.
5. 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.
6. 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.
7. 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.
8. The Owner shall retain for a minimum of **five (5) years** from the date of their creation, all records and information related to or resulting from the operation and maintenance activities required by this Approval.

5. EFFLUENT OBJECTIVES

1. The Owner shall design and undertake everything practicable to operate the Works in accordance with the following objectives:
 - a. Effluent parameters design objectives listed in the table(s) included in **Schedule B**.
 - b. 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 or sheen or foam or discolouration on the receiving waters.
2. In the event of an exceedance of the objective set out in subsection 1, the Owner shall:

- a. notify the District Manager as soon as possible during normal working hours;
- b. take immediate action to identify the source of contamination; and
- c. take immediate action to prevent further exceedance.

6. 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 B**.
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 Version 2.0" (January 2016), PIBS 2724e02, as amended;
 - 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 measurement frequencies specified in the effluent monitoring table in Schedule B in respect of any parameter are minimum requirements which may, after **12 months** of monitoring in accordance with this Condition, be modified by the Director in writing from time to time.
5. 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.

7. 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 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 interpretation of all monitoring data and a comparison to the effluent objectives outlined in Condition 5, 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 5.
 - 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.

8. 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.

Schedule A

1. Application for an amendment of Environmental Compliance Approval dated November 22, 2021 and received on November 23, 2021, submitted by Jewell Engineering on behalf of Econo-Malls Holdings #25 Inc. along with all other supporting documents, prepared by Jewell Engineering.
2. Following documents were submitted and reviewed under ECA # 3-0146-95-006
 1. all in accordance with plans, specifications and report entitled, "Stormwater Management Report Retail Commercial Centre, Northeast-Highway 401 & 62, Township of Thurlow, Mazel-Tov Developments", prepared by Cosburn Patterson Wardman Limited.

Schedule B

Effluent Objectives Table (measured at the discharge outlet to Moria River)

Effluent Parameter	Concentration Objective (milligrams per litre unless otherwise indicated)
Oil and Grease	15
Total Suspended Solids	25
pH	between 6.0 - 9.5 inclusive

Effluent Monitoring Table

Sampling Location	at the discharge outlet to Moria River
Frequency	Monthly while discharge is occurring
Sample Type	Grab
Parameters	Total Suspended Solids, Oil and Grease, pH

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 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.
3. Condition 3 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.
4. Condition 4 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.
5. Condition 5 is imposed to establish non-enforceable effluent quality objectives which the Owner is obligated to use best efforts to meet on an ongoing basis. Also imposed are procedures to be followed to minimize environmental impact in the event the objectives are exceeded.
6. Condition 6 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.
7. Condition 7 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.

8. Condition 8 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.

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s).
3-0146-95-006 issued on April 4, 1995**

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.

Pursuant to subsection 139(3) of the *Environmental Protection Act*, a hearing may not be required with respect to any terms and conditions in this environmental compliance approval, if the terms and conditions are substantially the same as those contained in an approval that is amended or revoked by this environmental compliance approval.

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

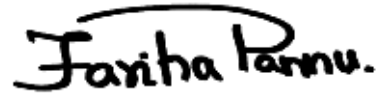
The Director appointed for the purposes of
Part II.1 of the *Environmental Protection Act*
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

* 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 13th day of February, 2023



Fariha Pannu, P.Eng.

Director

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

MS/

c: Area Manager, MECP Belleville

c: District Manager, MECP Kingston - District
Bryon Keene, Jewell Engineering