

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 2534-CRFFTG
Issue Date: May 31, 2023

Sunvalley Hydroponics Ltd.
3080 Graham Side Rd
Kingsville, Ontario
N0P 2G0

Site Location: 3080 Graham Sideroad, and
3090 Graham Sideroad
Lot 19, Concession 5
Town of Kingsville, County of Essex, 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:

existing Works for the treatment of sanitary sewage and subsurface disposal of treated effluent from vegetable growing greenhouse farms site located at 3080 Graham Sideroad, and 3090 Graham Sideroad, in the Town of Kingsville, rated at a total Maximum Daily Flow of 16,125 litres per day, consisting of the following:

Sewage Treatment and Subsurface Disposal System- Septic System #1

Existing sewage treatment and subsurface disposal system (Septic System #1), serving a bunkhouse accommodating a total of 18 persons residing on-site, as well as washroom facilities in warehouse/packing shed and office for a maximum of 35 staff, rated at a Maximum daily Flow of 7,125 litres per day, consisting of the following:

- one (1) 2,700 litre oil and grease separator, discharging via a 680 litre pump chamber into a septic tank;
- one (1) 18,200 litres septic tank, equipped with an effluent filter, discharging into pump chamber;
- one (1) 2,700 litre pump chamber, equipped with a pump for dosing effluent into a leaching bed; and
- one (1) in-ground absorption trench leaching bed, consisting of Arc 18 Chamber System with a total length of 214.4 metres arranged in eight (8) parallel runs spaced at a minimum centre-line distance of 2.0 metres, each run having a minimum bottom depth of 600 millimetres and each run equipped with a 75 millimetre diameter distribution pipe, installed on native soil with a minimum thickness of 0.9 metre and

a percolation time of 9 minutes per centimetre.

Sewage Treatment and Subsurface Disposal System- Septic System #2

Existing sewage treatment and subsurface disposal system (Septic System #2), serving a bunkhouse accommodating a total of 36 persons residing on-site, rated at a Maximum daily Flow of 9,000 litres per day, consisting of the following:

- one (1) 4,430 litre oil and grease separator, receiving raw sewage from one (1) 860 litre pump chamber, discharging into three (3) 860 litre pump chambers, each discharging into its own septic tank;
- three (3) septic tanks, operating in parallel, each having a volume capacity of 9,000 litres and each equipped with an effluent filter, discharging into pump chamber;
- one (1) 4,500 litre pump chamber, equipped with a pump for dosing effluent into a leaching bed; and
- one (1) in-ground absorption trench leaching bed, consisting of Type II leaching chambers with a total length of 338 metres arranged in ten (10) parallel runs spaced at a minimum centre-line distance of 2.4 metres, each run having a minimum bottom depth of 600 millimetres and each run equipped with a 100 millimetre diameter distribution pipe, installed on native soil with a minimum thickness of 0.9 metre and a percolation time of 8 minutes per centimetre.

including all other mechanical system, electrical system, instrumentation and control system, piping, pumps, valves and appurtenances essential for the proper, safe and reliable operation of the Works in accordance with this Approval, in the context of process performance and general principles of wastewater engineering only.

all in accordance with the submitted supporting documents listed in **Schedule A**.

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

1. "Approval" means this entire document and any schedules attached to it, and the application;
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 Sarnia/Windsor District Office;
4. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
5. "Maximum Daily Flow" means the largest volume of flow to be received during a one-day period for which the Works is designed to handle;
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 Sunvalley Hydroponics Ltd. and its successors and assignees;
8. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
9. "Works" means the approved sewage 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. 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;
 - 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, 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.

3. 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, adequate laboratory facilities, process controls and alarms and the use of process chemicals and other substances used in the Works.
2. The Owner shall ensure that the each 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.

4. REPORTING

1. 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.

Schedule A

1. Application for Environmental Compliance Approval dated November 9, 2022 and received on December 9, 2022 and submitted by Sunvalley Hydroponics Ltd. for the two existing septic systems, including design brief, final plans and specifications.

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 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 require that the Works be properly operated, maintained, and equipped such that the environment is protected.
4. Condition 4 is included to ensure all reportable spills are properly dealt with, documented and reported.

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

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

The Notice should also include:

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

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

This Notice must be served upon:

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

and

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

and

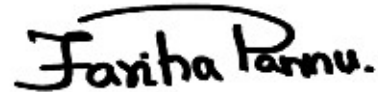
The Director appointed for the purposes of
Part II.1 of the *Environmental Protection Act*
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

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

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

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

DATED AT TORONTO this 31st day of May, 2023



Fariha Pannu, P.Eng.
Director
appointed for the purposes of Part II.1 of the
Environmental Protection Act

NH/

c: Area Manager, MECP Windsor Area Office
c: District Manager, MECP Sarnia District Office
Anne Egan, R.J. Burnside and Associates Limited