

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 3314-CV5JXD
Issue Date: November 9, 2023

Park on County Rd Holding Inc.
11408 County Rd 46
Comber, Ontario
N0P 1J0

Site Location: Comber (Tamerlane) Trailer Park
11408 County Road 46 Comber
Municipality of Lakeshore, County of Essex
N0P 1J0

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:

sewage works for the collection, transmission, and treatment of domestic sewage at the above mentioned Site Location consisting of the following:

PROPOSED WORKS

A new sewage works with a maximum design flow rate of 50,000 litres per day, to service forty-one (41) mobile home units and two three-bedroom dwellings, consisting of:

Septic Tanks

- Three (3) 35,000 L single-compartment precast concrete septic tanks in series, which provides 105,000 L of capacity, with the third tank equipped with effluent filter and discharging to the pump tank described below.

Duplex effluent pump tank

- One (1) 35,000 L single-compartment precast concrete tank equipped with two submersible effluent dosing pumps, each dosing 6 cells of the raised absorption trench

leaching bed described below.

Raised Absorption Trench Leaching Bed

The absorption trench leaching bed will be constructed in 12 cells split in two zones. Each cell will have 8 runs of 26.5 metres each. The total length of the distribution piping is 2,544 metres. The proposed perforated pipe has a 75 millimetre (3") diameter, to be placed in trenches equipped with stone and geotextile fabric covering the trenches. Each zone of 6 cells will receive effluent via one concrete distribution box. The leaching bed will be constructed in leaching bed fill with the T-time being 6-10 minute per cm and less than 8% slit/clay content. The leaching bed will provide a total extended contact area of 12,500 square metres.

EXISTING WORKS

existing sewage works for the collection, transmission, and treatment of a daily sanitary sewage flow of 23,250 litres per day, to service thirty-one (31) mobile home units, consisting of the following:

- an existing **sewage pumping station** located at the north east corner of the site, complete with effluent pump and magnetic flow meter, receiving sewage from the site and pumping it to the existing evaporation lagoon described below.
- an existing 11,960 cubic metres capacity clay lined below grade **evaporation lagoon** structure (**to be decommissioned**) that is irregular-square in shape with an area of approximately 0.6 hectare, depth of approximately 3.0 metres and an inner slope of approximately 4H:1V, receiving and treating the sanitary sewage from the site. The evaporation lagoon is a complete retention lagoon with no effluent discharge point to the environment.

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

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. "Commissioned" means the construction is complete and the system has been tested, inspected, and is ready for operation consistent with the design intent;
3. "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;

4. "District Manager" means the District Manager of the, *Sarnia office* ;
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. "Licensed Engineering Practitioner" means a person who holds a licence, limited licence or temporary licence under the *Professional Engineers Act*, R.S.O. 1990, c. P.28;
8. "Licensed Installer" means a person who is registered under the OBC to construct, install, repair, service, clean or empty on-site sewage systems;
9. "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;
10. "OBC" means the Ontario Building Code, Ontario Regulation 332/12 (Building Code) as amended to January 1, 2015, made under the *Building Code Act*, 1992 , S.O. 1992, c. 23;
11. "Owner" means Park on County Rd Holding Inc. and its successors and assignees;
12. "OWRA" means the *Ontario Water Resources Act* , R.S.O. 1990, c. O.40, as amended;
13. "Proposed Works" means those portions of the Works included in the Approval that are under construction or to be constructed;
14. "Works" means the approved sewage works, and includes Proposed Works, and Existing Works.

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

TERMS AND CONDITIONS

1. GENERAL PROVISIONS

1. The Owner shall ensure that any person authorized to carry out work on or operate any aspect of the Works is notified of this Approval and the terms and conditions herein and shall take all reasonable measures to ensure any such person complies with the same.
2. The Owner shall design, construct, operate and maintain the Works in accordance with the conditions of this Approval.
3. Where there is a conflict between a provision of any document referred to in this Approval and the

conditions of this Approval, the conditions in this Approval shall take precedence.

2. EXPIRY OF APPROVAL

1. The approval issued by this Approval will cease to apply to those parts of the Works which have not been constructed within **five (5) years** of the date of this Approval.

3. CHANGE OF OWNER

1. The Owner shall notify the District Manager and the Director, in writing, of any of the following changes **within 30 days** of the change occurring:
 - a. change of address of Owner;
 - b. change of Owner, including address of new owner;
 - c. change of partners where the Owner is or at any time becomes a partnership, and a copy of the most recent declaration filed under the *Business Names Act* , R.S.O. 1990, c.B17 shall be included in the notification;
 - 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.

4. CONSTRUCTION

1. The Owner shall ensure that the construction of the Works is supervised by a Licensed Installer or a Licensed Engineering Practitioner.
2. The Owner shall ensure that the Works are constructed such that minimum horizontal clearance distances as specified in the OBC are satisfied.
3. The Owner shall ensure that an imported soil that is required for construction of any subsurface disposal bed as per this Approval is tested and verified by the Licensed Engineering Practitioner or Licensed Installer for the percolation time (T) prior to delivering to the site location and the written records are kept at the site.
4. Within **six (6) months** of the Works being Commissioned, the Owner shall prepare a statement, certified by a Licensed Installer or a Licensed Engineering Practitioner, that the Works are

constructed in accordance with this Approval, and upon request, shall make the written statement available for inspection by Ministry staff.

5. Within **six (6) months** of the Works being Commissioned, the Owner shall prepare a set of as-built drawings showing the Works "as constructed". "As-built" drawings shall be kept up to date through revisions undertaken from time to time and a copy shall be retained at the site for the operational life of the Works and shall be made available for inspection by Ministry staff.

5. OPERATIONS, MAINTENANCE AND RECORDING

1. The Owner shall ensure that, at all times, the Works and the related equipment and appurtenances used to achieve compliance with this Approval are properly operated and maintained. Proper operation and maintenance shall include effective performance, adequate funding, adequate staffing and training, including training in all procedures and other requirements of this Approval and the OWRA and regulations, 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 septic tanks are 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 employ measurement devices to accurately measure quantity of effluent being discharged to each individual subsurface disposal bed, including but not limited to water/wastewater flow meters, event counters, running time clocks, or electronically controlled dosing, and shall record the daily volume of effluent being discharged to the subsurface disposal bed.
8. The Owner shall ensure that the flow of treated effluent discharged into the subsurface disposal bed does not exceed the maximum design flow of 50,000 litres per day which is equivalent to a maximum of 4,167 litres per day per cell.
9. The Owner shall retain for a minimum of **five (5) years** from the date of their creation, all records and information related to or resulting from the operation and maintenance activities required by this Approval.

6. REPORTING

1. **One (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. In addition to the obligations under Part X of the EPA and O. Reg. 675/98 (Classification and Exemption of Spills and Reporting of Discharges) made under the EPA, the Owner shall, within **fifteen (15) days** of the occurrence of any reportable spill as provided in Part X of the EPA and O. Reg. 675/98, submit a full written report of the occurrence to the District Manager describing the cause and discovery of the spill, clean-up and recovery measures taken, preventative measures to be taken and a schedule of implementation.

7. DECOMMISSIONING OF UN-USED WORKS

1. The Owner shall properly abandon any portion of unused Existing Works, as directed below, and upon completion of decommissioning report in writing to the District Manager:
 - a. any sewage pipes leading from building structures to unused Works components shall be disconnected and capped;
 - b. any unused septic tanks, holding tanks and pump chambers shall be completely emptied of its content by a licensed hauler and either be removed, crushed and backfilled, or be filled with granular material. the evaporation lagoon structure shall be cleared;

8. FINANCIAL ASSURANCE

1. Within **ninety (90) days** of issuance of this Approval the Owner shall submit to the Director, Financial Assurance, as defined in Section 131 of the Act, for the amount of **fifty one thousand**

and four hundred fifty dollars (\$51,450). This Financial Assurance shall be in a form acceptable to the Director and shall provide sufficient funds to pay for the compliance with and performance of any action specified in this Approval including the clean- up, monitoring and post closure care of the Works.

2. Commencing on November 13, 2028 and at intervals of **five (5) years** thereafter, the Owner shall submit to the Director, a re-evaluation of the amount of Financial Assurance to implement the actions required under Subsection (1). The re-evaluation shall include an assessment based on any new information relating to the environmental conditions of the Works and shall include the costs of additional monitoring and/or implementation of contingency plans required by the Director upon review of the closure plan and annual reports. The Financial Assurance must be submitted to the Director within **ten (10) days** of written acceptance of the re-evaluation by the Director.
3. Commencing on November 13, 2024 the Owner shall prepare and maintain at the Works an updated re-evaluation of the amount of Financial Assurance required to implement the actions required under Subsection (1) for each of the intervening years in which a re-evaluation is not required to be submitted to the Director under Subsection (2). The re-evaluation shall be made available to the Ministry, upon request.
4. (4) The amount of Financial Assurance is subject to review at any time by the Director and may be amended at his/her discretion. If any Financial Assurance is scheduled to expire or notice is received, indicating Financial Assurance will not be renewed, and satisfactory methods have not been made to replace the Financial assurance at least **sixty (60) days** before the Financial Assurance terminates, the Financial Assurance shall forthwith be replaced by cash.

Schedule A

1. Environmental Compliance Approval Application for Private Sewage Works submitted by Anne Egan, P.Eng., of RJ Burnside & Associates Limited, and signed by Rajan Jhamb, Director of Park on County Rd Holding Inc. dated August 30, 2022, and all supporting documentation and information.
2. Environmental Compliance Approval Application for Private Sewage Works submitted by Shawn Qu, P.Eng., of Ontario Clean Water Agency, and signed by David Robinet, Owner, dated March 19, 2018, and all supporting documentation and information.

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

1. Condition 1 is imposed to ensure that the Works are built and operated in the manner in which they were described for review and upon which approval was granted. This condition is also included to emphasize the precedence of Conditions in the Approval and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review. The condition also advises the Owners their responsibility to notify any person they authorized to carry out work pursuant to this Approval the existence of this Approval.
2. Condition 2 is included to ensure that, when the Works are constructed, the Works will meet the standards that apply at the time of construction to ensure the ongoing protection of the environment.
3. Condition 3 is included to ensure that the Ministry records are kept accurate and current with respect to the approved Works and to ensure that subsequent owners of the Works are made aware of the Approval and continue to operate the Works in compliance with it.
4. Condition 4 is included to ensure that the Works are constructed, and may be operated and maintained such that the environment is protected and deterioration, loss, injury or damage to any person or property is prevented.
5. Condition 5 is included to require that the Works be properly operated, maintained, and equipped such that the environment is protected.
6. Condition 6 is included to ensure the Ministry is given prior notice of the pending start up date of the Works and all reportable spills are properly dealt with, documented and reported.
7. Condition 7 is included to ensure that the Owner provides financial assurance on a timely basis, in an amount adequate to cover the capital and operating costs of the environmental measures for which it is provided and is in a form readily used by Ministry personnel.

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s).
0211-B3HRLB issued on November 19, 2018.**

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

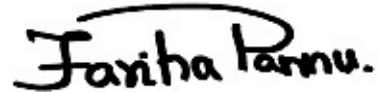
The Director appointed for the purposes of
Part II.1 of the *Environmental Protection Act*
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

* 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 9th day of November, 2023



Fariha Pannu, P.Eng.

Director

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

Jl/

c: Area Manager, MECP Windsor

c: District Manager, MECP Sarnia

Anne Egan, R.J. Burnside & Associates Ltd.