

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 0956-CRFK3P
Issue Date: October 31, 2023

The Sarjeant Company Limited
15 Sarjeant Drive
Barrie, Ontario
L4N 4V9

Site Location: Phase 1, Concrete Ready-Mix Plant
2 Cochrane Lake Road
Unorganized Township of Seguin, District of Cochrane
P2A 2W9

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 of stormwater management Works and collection and retention of truck wash water works for a proposed Concrete Ready-Mix plant, located at 2 Cochrane Lake Road, in the Unorganized Township of Seguin, as Phase 1 of the Project, for collection, transmission, treatment and disposal of stormwater runoff from a catchment area of approximately 1.1 hectares, for enhanced level of water quality protection and to attenuate post-development peak flows to pre-development levels, discharging to the west ditch of Cochrane Lake Road, for all storm events up to and including the 1:100 year return storm, consisting of the following:

Sediment Settling Ponds (Pond 1, Pond 2 and Pond 3)

- Three interconnected lined ponds constructed in series, receiving the truck wash water; each having 18.3m x 3.7m x 1.830 m deep; the ponds are hydraulically connected by weirs for solids settling; the pond system is not designed to outlet to the environment under dry weather conditions, the final clean pond (Pond 3) will be pumped out periodically to avoid any overflow to the environment under dry weather conditions;

Swales

- One 300 m long, interception rip-rap lined swale, 0.6m deep, located along the east perimeter of the property, design to convey 24 hour, 100 year stormwater flow of up to 1.3 m³/s with 0.3m freeboard, receiving the stormwater from the catchment areas 10 and 11, having a drainage area of 2.96 ha, and outletting to a proposed culvert under the Cochrane Lake Road to the west municipal roadside ditch;
- One 165 m long, interception rip-rap lined swale, 0.6m deep, located along the east perimeter of the Ready Mix Plant areas , design to convey 24 hour, 100 year stormwater flow of up to 0.57 m³/s with 0.3m freeboard, receiving the stormwater from the catchment area 11, having a combined total area of 1.1 ha, and outletting to the west Cochrane Lake Road municipal roadside ditch;
- Storm sewers conveying contact stormwater from the Proposed swales to the proposed stormceptor, designed for up to 5 year return period;

Oil/Grit Separator

- One (1) 23,700 L oil/water separator (Model Stormceptor EFO10), serving a 1.1 ha catchment area (drainage area 11A and 11B), located at the entrance to the lower plateau, having an oil storage capacity of 1,670 L, 17,790 L sediment capacity and an overall capacity of 23,700 L, with a maximum treatment flow rate of 3,900 L/min, discharging to creek upstream of McNutt Lake, and ultimately to the west ditch of Cochrane Lake Road;

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:

"Approval" means this entire document and any schedules attached to it, and the application;

"District Manager" means the District Manager of the Timmins District Office of the Ministry;

"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;

"EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;

"Grab sample" is defined in Section 3.1.1 of the Ministry publication, "Protocol For the Sampling and Analysis of Industrial/Municipal Waste Water" dated January 1999, and as amended;

"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;

"Owner" means the Sarjeant Company Limited, and its successors and assignees;

"OWRA" means the Ontario Water Resources Act , R.S.O. 1990, c. O.40, as amended;

"Professional Geoscientist of Ontario (PGO)" means a licensed professional geoscientist as set out in the Professional Geoscientists Act, 2000 of Ontario;

"Proposed Works" means those portions of the Works included in the Approval that are under construction or to be constructed;

"Works" means the sewage works described in the Owner's application, this Approval and in the supporting documentation referred to herein, to the extent approved by this Approval.

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 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. 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.

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 PROPOSED WORKS

1. Upon the construction of the Works, the Owner shall prepare a statement, certified by 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 personnel.
2. Within **six (6) months** of the construction of the Proposed 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.
3. 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.

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 waters.
4. The Owner shall carry out and maintain an inspection and maintenance program on the operation of the manhole oil/grit separator in accordance with the manufacturer's recommendation.
5. The Owner shall ensure that the manhole for the oil/grit separator remains accessible year-round to facilitate maintenance access and spill response measures.
6. The Owner shall ensure the immediate clean-out of the Works after a fuel or oil spill capture.

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 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.

9. 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.

10. The Owners shall, upon detection of any leakage from the Truck Washout Facility, pursuant to monitoring results (**Schedule B**) shall mitigate by corrective action including removal of all stored water and sediment, grouting of fractures in the washout system and a visual inspection of the rock face to determine if truck wash water is discharging at the rock face.

11. The Owner shall visually inspect the staff gauge installed in Pond 1, Pond 2 and Pond 3, on a monthly basis, to monitor the amount of sediment accumulating in the sediment forebay and remove the sediment, if necessary, to ensure continued suspended solids removal performance of the sediment forebay.

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 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.

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. In case of exceedance of any parameter(s) included in the **Schedule B** as compared to its corresponding Ontario Drinking Water Standard, if available, a confirmatory sample must be collected as soon as reasonably possible and have the confirmatory sample results analyzed by a qualified person (PGO or equivalent) to determine any increase in the sampling frequency, and a required mitigation plan.

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 report to the District Manager orally **as soon as possible**, and in writing within fifteen (15) days, exceedance of any parameter(s) included in the **Schedule B**, as compared to its corresponding Ontario Drinking Water Standard, if available.
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. Pursuant to Condition 6(4), the Owner shall within thirty days (30) of the occurrence of exceedence, provide the District Manager, an acceptable updated monitoring plan and a mitigation plan prepared by a qualified person (PGO or equivalent) to prevent any undesirable impacts on groundwater supply system of the area.
5. The Owner shall prepare performance reports on a calendar year basis and submit to the District Manager and MECP North Bay Area Office (MECP.NORTHBAY@ontario.ca), 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 description of any operating problems encountered and corrective actions taken;
 - b. 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;
 - c. a summary of the calibration and maintenance carried out on all effluent monitoring equipment;
 - d. a summary of any effluent quality assurance or control measures undertaken in the reporting period;
 - e. a summary of any complaints received during the reporting period and any steps taken to address the complaints;

- f. a summary of all spill or abnormal discharge events; and
 - g. any other information the District Manager requires from time to time.
6. The Owner shall, upon request, make all manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.

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.

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

1. Condition 1 is included 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 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.

Schedule A

1. Sewage Works application dated October 21, 2022 and received on November 16, 2022.

Schedule B

Annual Monitoring Table

Effluent Monitoring Table	
Sampling Location	Water Well A362936
Sampling Frequency	Annual (once every year)
Sampling Type	Grab Sample
Sampling Parameters	pH, Electrical Conductivity, Alkalinity, Bicarbonate, Carbonate, TDS, Sulphate, Chloride, ICP Metals, Ethylbenzene and Xylene (BTEX)

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

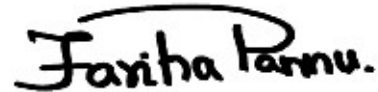
The Director appointed for the purposes of
Part II.1 of the *Environmental Protection Act*
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

* **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 31st day of October, 2023



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

KH/

c: District Manager, MECP Timmins District.
MECP North Bay Area Office (MECP.NORTHBAY@ontario.ca).
Brandon McKenzie, P.Eng., Tatham Engineering.