

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 6638-CTGGFD
Issue Date: October 27, 2023

Trans-Northern Pipelines Inc.
45 Vogell Road, Unit 310
Richmond Hill, Ontario
L4B 3P6

Site Location: Trans-Northern Pipelines Cummer Junction
47 Pineway Boulevard
City of Toronto
M2H 1A4

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 existing stormwater management Works for the collection, transmission, treatment and disposal of stormwater runoff from a catchment area of approximately 0.072 hectare, designed to mitigate any adverse impacts from potential spills within the site on stormwater runoff quality, discharging from the site, to service the existing Trans-Northern Pipelines Cummer Junction site located at 47 Pineway Boulevard, in the City of Toronto, discharging to the existing 381 mm diameter storm sewer located along Old Cummer Road, consisting of the following:

- one (1) existing approximately 29.3 m long concrete perimeter drainage swale, located along the southern site boundary, complete with a 102 mm diameter perforated drain tile located below the centre-line of the swale and installed within a clear stone trench, the swale discharging to the existing approximately 25.6 m long gravel perimeter drainage swale, located along the western site boundary;
- one (1) existing approximately 25.6 m long gravel perimeter drainage swale, located along the western site boundary, complete with a 102 mm diameter perforated drain tile located below the centre-line of the swale and installed within a clear stone trench, the swale discharging to the existing catch basin/three-stage oil interceptor;
- one (1) existing approximately 25.6 m long concrete perimeter drainage swale, located along the eastern site boundary, complete with a 102 mm diameter perforated drain tile located below the centre-line of the swale and installed within a clear stone trench, the swale discharging to the existing approximately 27.4 m long concrete perimeter drainage swale, located parallel to the northern site boundary;

- one (1) existing approximately 27.4 m long concrete perimeter drainage swale, located parallel to the northern site boundary, up to approximately 6.1 m south of the northern site boundary, complete with a 102 mm diameter perforated drain tile located below the centre-line of the swale and installed within a clear stone trench, the swale discharging to the existing catch basin/three-stage oil interceptor;
- one (1) existing approximately 3.2 m long, 1.3 m wide and 1.7 m deep with a minimum water depth of approximately 1.4 m catch basin/three-stage oil interceptor located at the north-west corner of the site, designed to mitigate any adverse impacts from potential spills within the site on stormwater runoff quality, discharging from the site, serving a catchment area of approximately 0.072 hectare, having a total active storage capacity of approximately 5.8 m³, a total oil storage capacity of approximately 0.552 m³ and a maximum flow rate of approximately 2.8 L/s, consisting of three compartments, each compartment having an active storage capacity of approximately 1.9 m³ and an oil storage capacity of approximately 0.184 m³ and complete with an access opening and a gooseneck outlet, the third compartment complete with an oil stop valve assembly and discharging via a 101 mm diameter outlet pipe, an approximately 381 mm wide concrete outlet swale and a 610 mm diameter concrete outlet culvert complete with a debris screen, to the existing 381 mm diameter storm sewer located along Old Cummer Road;

including 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 supporting documents listed in Schedule A.

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

1. "Approval" means this entire Approval document and any Schedules to it, including the application and supporting documentation;
2. "Director" means a person appointed by the Minister pursuant to Section 5 of the EPA for the purposes of Part II.I of the EPA;
3. "District Manager" means the District Manager of the Toronto District Office of the Ministry;
4. "EPA" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
5. "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;
6. "Owner" means Trans-Northern Pipelines Inc., and its successors and assignees;
7. "OWRA" means the Ontario Water Resources Act, R.S.O. 1990, c. O.40, as amended;
8. "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 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 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 30 days of the change occurring:
 - (a) change of Owner;
 - (b) change of address of the 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 to the District Manager; or
 - (d) change of name of the corporation where the Owner is or at any time becomes a 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 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 and the Director.
3. The Owner shall ensure that all communications made pursuant to this condition will refer to this Approval's number.

3. OPERATION AND MAINTENANCE

1. The Owner shall ensure that at all times, the Works and related equipment and appurtenances which are installed or used to achieve compliance with this Approval are properly operated and maintained. The Owner shall also ensure that all monitoring and inspection programs and maintenance schedules for the Works and related equipment are complied with.
2. 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 or health hazard to the general public.
3. Within three (3) months of the issuance date of this Approval, the Owner shall prepare an operations manual for the 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) catch basin/three-stage oil interceptor inspection programs based on manufacturer's recommendations, including frequency of inspection for the catch basin/three-stage oil interceptor;
 - (d)) procedures for removal of fuel, oils and sediment from the catch basin/three-stage oil interceptor, including methods for determining when maintenance clean-outs are required;
 - (e) repair and maintenance programs, including the frequency of repair and maintenance for the Works;
 - (f) a spill prevention control and countermeasures plan, consisting of contingency plans and procedures for dealing with equipment breakdowns, potential spills and any other abnormal situations, including notification of the Spills Action Centre (SAC) and District Manager;
 - (g) procedures for receiving, responding and recording public complaints, including recording any follow-up actions taken.

4. 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 Works. Upon request, the Owner shall make the manual available for inspection and copying by Ministry personnel.
5. The Owner shall use best efforts to immediately identify and clean up any spill, bypass or loss of any product, by product, intermediate product, oils, solvents, waste material or any other polluting substance and take immediate action to prevent the further occurrence of such loss.
6. The Owner shall ensure the immediate clean-out of all Works, including the catch basin/three-stage oil interceptor, after a fuel or oil spill capture.
7. In furtherance of, but without limiting the generality of, the obligation imposed by subsection (1), the Owner shall ensure that equipment and material for the containment, clean up and disposal of any spill, bypass or loss of any product, by product, intermediate product, oils, solvents, waste material or any other polluting substance are kept on hand and in good repair for immediate use in the event of:
 - (a) any spill, bypass or loss of any product, by product, intermediate product, oils, solvents, waste material or any other polluting substance;
 - (b) a spill within the meaning of Part X of the EPA; or
 - (c) the identification of an abnormal amount of any product, by product, intermediate product, oils, solvents, waste material or any other polluting substance in any part of the Works.
8. The Owner shall ensure that the design minimum liquid retention volumes are maintained at all times.
9. The Owner shall design, construct and operate the catch basin/three-stage oil interceptor with the objective that the effluent from the catch basin/three-stage oil interceptor is essentially free of floating and settleable solids and does not contain any product, by product, intermediate product, oils, solvents, waste material or any other polluting substance or any other substance in amounts sufficient to create a visible film, sheen or foam on the receiving waters.
10. The Owner shall undertake monthly (once every month) inspections of the condition of all Works, including the catch basin/three-stage oil interceptor inspections in accordance with the manufacturer's recommendations, and undertake any necessary cleaning and maintenance to ensure that hydrocarbons, sediment, debris and excessive decaying vegetation are removed from the above noted Works to prevent the excessive build-up of hydrocarbons, sediment, debris and/or decaying vegetation to avoid reduction of capacity of the Works. The Owner shall also monthly inspect and clean out the inlet to and outlet from the Works to ensure that these are not obstructed, including the outlet from the catch basin/three-stage oil interceptor during the discharge of the effluent for any visible film, sheen or foam.
11. The Owner shall carry out on a regular basis specific maintenance requirements and scheduling to ensure proper operation of the catch basin/three-stage oil interceptor. These maintenance requirements shall, at minimum, meet those recommended by the manufacturer of the catch basin/three-stage oil interceptor.

12. The Owner shall periodically measure the amount of oil and sediment accumulating in the catch basin/three-stage oil interceptor and maintain routine clean out of the accumulated oil and sediment using vacuum trucks with off-site disposal at an approved facility to ensure continued oil and sediment retention capacity of the catch basin/three-stage oil interceptor.
13. 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 location of the Works for inspection by the Ministry. The logbook shall include the following:
 - (a) the name of the stormwater management 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 stormwater management Works; and
 - (c) the date of each spill within the catchment area, including follow-up actions and remedial measures undertaken.
14. 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. SPILL CONTINGENCY AND POLLUTION PREVENTION PLAN

1. Within three (3) months of the date of this Approval, the Owner shall implement a Spill Contingency and Pollution Prevention Plan that includes, but is not necessarily limited to, the following information:
 - (i) the name, job title and location (address) of the Owner, person in charge, management or person(s) in control of the facility;
 - (ii) the name, job title and 24-hour telephone number of the person(s) responsible for activating the Spill Contingency and Pollution Prevention Plan;
 - (iii) a site plan drawn to scale showing the facility, nearby buildings, streets, drainage patterns, any receiving body(ies) of water that could potentially be significantly impacted 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);
 - (iv) steps to be taken to report, contain, clean up and dispose of contaminants following a spill;
 - (v) 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 MOE Spills Action Centre 1-800-268-6060;
 - (vi) Materials Safety Data Sheets (MSDS) for each hazardous material which may be transported or

stored within the area serviced by the Works;

(vii) the means (internal corporate procedures) by which the Spill Contingency and Pollution Prevention Plan is activated;

(viii) a description of the spill response and pollution prevention 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;

(ix) an inventory of response and clean-up equipment available to implement the Spill Contingency and Pollution Prevention Plan, location and, date of maintenance/replacement if warranted; and

(x) the date on which the Spill Contingency and Pollution Prevention Plan was prepared and subsequently, amended.

2. The Spill Contingency and Pollution Prevention Plan shall be kept in a conspicuous, readily accessible location on-site.
3. The Spill Contingency and Pollution Prevention Plan shall be amended from time to time as required by changes in the operation of the facility.

5. 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), the Owner shall, within fifteen (15) days of the occurrence of any reportable spill as provided in Part X of the EPA and Ontario Regulation 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.
2. The Owner shall, upon request, make all manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.

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 imposed 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 require that the Works be properly operated, maintained, funded, staffed and equipped such that the environment is protected and deterioration, loss, injury or damage to any person or property is prevented. As well, the inclusion of a comprehensive operations manual governing all significant areas of operation, maintenance and repair is prepared, implemented and kept up-to-date by the Owner. 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.
4. Condition 4 is included to ensure that the Owner will implement the Spill Contingency and Pollution Prevention Plan, such that the environment is protected and deterioration, loss, injury or damage to any person(s) or property is prevented.
5. Condition 5 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.

Schedule A forms part of this Approval and contains a list of supporting documentation/information received, reviewed and relied upon in the issuance of this Approval.

SCHEDULE A

1. Environmental Compliance Approval Application submitted by Jennifer Fisher, Senior Regulatory Compliance Specialist, Trans-Northern Pipelines Inc., dated October 13, 2022 and received on October 13, 2022.
2. The engineering drawing titled "Cummer Junction, Oil Interceptor Drain Plan" Drawing No. CUJ - C - 12, dated September 19, 1986 and revised August 3, 2010, prepared by Trans-Northern Pipelines Inc., Toronto, Ontario.
3. All other information and documentation provided by Trans-Northern Pipelines Inc.

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

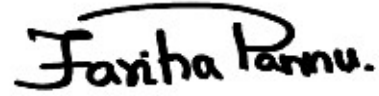
The Director appointed for the purposes of
Part II.1 of the *Environmental Protection Act*
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

*** 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 27th day of October, 2023



Fariha Pannu, P.Eng.

Director

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

KC/

c: District Manager, MECP Toronto District Office

Jennifer Fisher, Senior Regulatory Compliance Specialist, Trans-Northern Pipelines Inc.