

**AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 3490-D2NK93  
Issue Date: June 14, 2024

Stella-Jones Inc.  
309 Main Street West St  
Shelburne, Ontario  
L9V 2X8

Site Location: 309 Main Street West  
Town of Shelburne  
County of Dufferin

*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:*

**additional Proposed stormwater management work and continued use of the Existing stormwater management works** on Stella Jones wood treatment facility located at 201 Wellington Street, Shelburne, ON, designed to attenuate flows from a 7.04 hectare contributing drainage area (drainage areas 1 to 5 and SWM Block) from an overall 11.13 ha property to the Existing Sewage Works and 2.18 ha property where the Proposed Sewage Works are located, to provide storage volume for future use in the wood treatment process, and stormwater quantity and quality control prior to discharge from the site to Besley Drain comprising;

**PROPOSED WORKS B**

***one dry pond*** located immediately east of the Proposed Distribution Centre, and adjacent to the County Trail, designed to control post development design storm up to and including 100 year from approximately 1.45 ha area (catchment area 201) of the additional southern land, having a storage volume of 1131 m<sup>3</sup>, at an elevation of 491.50 m, complete with a multi-stage outlet to provide the required extended detention including a 75 mm low flow orifice installed at invert elevation of 490.50m, a 200 mm diameter outlet orifice installed at invert elevation of 490.85m and a 5.0 m wide emergency spillway at invert elevation of 491.5m; the orifices are to be installed at a control manhole, the control structure controlling the flow to a maximum discharge of 75 litres per second under the 100 year SCS design storm event, discharging the controlled run off to Besley Drain through receiving municipal storm sewers;

## **EXISTING WORKS A**

***stormwater management works*** constructed on Stella Jones wood treatment facility located at 201 Wellington Street, Shelburne, ON, designed to attenuate flows from a 7.04 hectare contributing drainage area (drainage areas 1 to 5 and SWM Block) from an overall 11.13 ha property, to provide storage volume for future use in the wood treatment process, and stormwater quantity and quality control prior to discharge from the site to Besley Drain comprising;

## **Stormwater Management**

### **Storm sewers**

Storm sewers, varying in size, collecting stormwater from the southern and western portions of the site, and discharging the stormwater to the wet pond sediment forebay, located in the SWM block on north west side of the property;

### **Sediment Forebay**

One lined sediment forebay, having a bed elevation of 489 m and permanent pool elevation of 490.5m, designed with a permanent pool depth of 1.5m and length of approximately 36m having a permanent pool of 362 m<sup>3</sup> designed to capture up to 5 year storm event flow from 7.04 ha site area, complete with a headwall and rip rap, and having a flow splitter manhole at the inlet, designed to divert storm events larger than 5 years to the Wet Pond Main Cell through a 600 mm sewer, the sediment forebay is discharging via weir to the main cell of the pond;

### **Wet Pond Main Cell**

A lined extended detention stormwater management wet pond designed for stormwater storage for use in the wood treatment facility, and quality control and quantity control for 100 year design storm, receiving stormwater flow from 7.04 ha site area, through a flow splitter structure with a 600mm inlet sewer with a rip rap structure, and a 200mm outlet pipe to pumping system, running on demand for pumping the stored stormwater and using it in the wood treatment process on the site; the wet pond is complete with a 10 m emergency overflow weir at an elevation of 492.23 m and freeboard elevation of 492.50 m, having a total permanent storage volume of 4,125 m<sup>3</sup> at a depth of 2.25 m, at 489.05 to 491.25 m elevation, a total extended detention volume of 1,669 m<sup>3</sup>, 0.44 m deep, at 491.69 m elevation, and a total active storage volume of 3,759 m<sup>3</sup>, 0.98 m deep, at an elevation of 492.23 m, complete with an outlet system (described below) discharging at a 750mm diameter pipe, discharging through an outlet control structure to Besley Drain;

### **Outlet Control Structure**

One 118 mm diameter orifice plate installed in a catch basin located towards the downstream of the main cell of the wet pond, and a DDICB for major outflows, together, controlling the post development stormwater flow to pre-development conditions for all design storm events, and a valve to close off outflow from the facility if needed;

including all other mechanical system, and control system, piping, 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. "District Manager" means the District Manager of the Guelph District Office of the Ministry;
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. "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. "OWRA" means the *Ontario Water Resources Act* , R.S.O. 1990, c. O.40, as amended;
8. "Owner" means Stella-Jones Inc., and its successors and assignees;
9. "Proposed Works" means the sewage works described in the Owner's application, this Approval, to the extent approved by this Approval;
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. 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/RECORD DRAWINGS**

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 **one (1) year** of the construction of the Proposed Works, a set of as-built drawings showing the Works “as constructed” shall be prepared for the Existing and the Proposed Works. 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 ensure the immediate clean-out of the Works after a fuel or oil spill capture.
5. 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.
6. 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.
7. 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.
8. 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.
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. EFFLUENT - VISUAL OBSERVATIONS**

1. Notwithstanding any other condition in this Approval, the Owner shall ensure 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 or foam on the receiving waters.

## **7. 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 influent and effluent monitoring tables 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 Twenty Four **(24) 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.

## 8. 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 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 summary of any complaints received during the reporting period and any steps taken to address the complaints;
  
- g. a summary of all spill or abnormal discharge events; and
- h. any other information the District Manager requires from time to time.

## **9. 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 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, 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. Conditions 6 is included to ensure that the effluent discharged from the Works meets the Ministry's effluent quality requirements thus minimizing environmental impact on the receiver.
7. Condition 7 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.
8. Condition 8 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.
9. Condition 9 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. Application for Approval of Municipal and Private Water and Sewage Works dated April 14, 2022 and received on June 1, 2022.

**Schedule B**  
**MONITORING PROGRAM**

**Influent Monitoring Table**

<b>Sampling Location</b>	Sewage Works A - Headwall 7 (forebay inlet) Sewage Works B - STM HW1 (Forebay Inlet)
<b>Frequency</b>	Quarterly
<b>Sample Type</b>	Grab
<b>Parameters</b>	Total Suspended Solids, Copper, pH

\* Quarterly means once every three month

**Stormwater Management Pond Effluent Monitoring Table**

<b>Sampling Location</b>	Sewage Works A - Outlet Headwall Sewage Works B - Storm Pond Outlet
<b>Frequency</b>	Monthly (after rainfall events producing discharge) for Sewage Works A Quarterly (after rainfall events producing discharge) for Sewage Works B
<b>Sample Type</b>	Grab
<b>Parameters</b>	Total Suspended Solids, Copper, pH

\* Monthly means once every month

\* Quarterly means once every three month

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 5476-BUUPFA issued on January 27, 2021.**

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

\* 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](http://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 14th day of June, 2024

A handwritten signature in black ink that reads "Aziz Ahmed". The signature is written in a cursive style and is underlined with a single horizontal line.

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Aziz Ahmed, P.Eng.

Director

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

KH/

c: District Manager, MECP Guelph  
Tony Elias, P.Eng., C.F. Crozier & Associates Inc.