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Ministry of the Environment
Ministère de l'Environnement

ENVIRONMENTAL COMPLIANCE APPROVAL
NUMBER 9850-8VDGMT
Issue Date: June 21, 2012

Juraj and Ivanka Tonkovic
1280 Scottsburg Crescent
Mississauga, Ontario
L4W 3A1

Site Location: 9 Ferndale Road,
part of Lot 32, Concession 3, WHS
Town of Caledon, Regional Municipality of Peel

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:

replacement of an existing unapproved sewage *Works* for the collection of domestic sewage, with a combined *Rated Capacity* of approximately **1,100 litres per day** from the above site location, consisting of the following:

Proposed Works

Class 5 Sewage System

- one (1) 3,600 litres capacity precast concrete **septic holding tank**, designed to collect and store sewage from a two (2) bedroom cottage located at the above mentioned site location, equipped with high level alarms, lockable inspection hatch, and pump-out appurtenances. The sewage from the proposed septic holding tank will be hauled to a municipal sewage treatment plant;

including all other controls, electrical equipment, instrumentation, piping, valves and appurtenances essential for the proper operation of the aforementioned sewage *Works*.

Previous Works

Unapproved Class 5 Sewage System

- an existing **septic holding tank**, designed to collect and hold sewage from a two (2) bedroom cottage equipped with high level alarms, lockable inspection hatch, and pump-out appurtenances. Sewage from the existing septic holding tank is currently been hauled to a municipal sewage treatment plant;

all in accordance with supporting documents listed in Schedule 'A'.

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

" *Approval* " means this Environmental Compliance Approval and any Schedules to it, including the application and supporting documentation listed herein;

" *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* ;

" *District Manager* " means the District Manager of the Halton-Peel District Office of the Ministry;

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

" *Licensed Installer* " means a person who holds a licence under Article 2.12.3.1 of the Ontario Building Code;

" *Ministry* " means the Ontario Ministry of the Environment;

" *Owner* " means Juraj and Ivanka Tonkovic, and includes their successors and assignees;

" *Professional Engineer* " means a person entitled to practise as a Professional Engineer in the Province of Ontario under a licence issued under the Professional Engineers Act;

" *Rated Capacity* " means the *Average Daily Flow* for which the *Works* are approved to handle; and

" *Works* " means the sewage works described in 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

1.1 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.

1.2 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* , the application for approval of the *Works* and the submitted supporting documents and plans and specifications as listed in this *Approval* .

1.3 Where there is a conflict between a provision of any submitted document 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 listed submitted documents, the document bearing the most recent date shall prevail.

1.4 Where there is a conflict between the listed submitted documents, and the application, the application shall take precedence unless it is clear that the purpose of the document was to amend the application.

1.5 The requirements of this *Approval* are severable. If any requirement of this *Approval* , or the application of any requirement of this *Approval* to any circumstance, is held invalid or unenforceable, the application of such requirement to other circumstances and the remainder of this *Approval* shall not be affected thereby.

1.6 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 sewage *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

2.1 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

3.1 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 *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* ; and

(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* .

4. CONSTRUCTION

4.1 The *Owner* shall ensure that the construction of the *Works* is supervised by a *Licensed Installer* or a *Professional Engineer* , as defined in the Professional Engineers Act .

4.2 Upon construction of the works, the *Owner* shall prepare a statement, certified by a *Licensed Installer* or a *Professional Engineer* , that the *Works* are constructed in accordance with this *Approval* , and upon request, shall make the written statement available for inspection by *Ministry* staff and staff of the local municipality.

4.3 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.

5. OPERATION AND PERFORMANCE

5.1 The *Owner* shall exercise due diligence in ensuring that, at all times, the *Works* and the related equipment and appurtenances used to achieve compliance with this *Approval* are properly operated and maintained.

5.2 The *Owner* shall maintain and service the *Works* in such a manner that leaks and spills are prevented.

5.3 The *Owner* shall have a valid agreement with a hauler who is in possession of a valid Waste Management Systems Approval at all times during the operation of this *Works* and who will haul sewage to the Regional Wastewater Treatment Plant.

6. RECORDING

6.1 The *Owner* shall, upon commencement of operation of the *Works* , record quantities and time of sewage being disposed and hauled from the holding tanks.

6.2 The *Owner* shall retain all records for the period of **five (5) years** and make them available for inspection by the *Ministry* personnel upon request.

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. Application for Environmental Compliance Approval For Private Sewage Works submitted by Juraj and Ivanka Tonkovic, Owners, dated May 05, 2012; and all supporting documentation and information; and

2. Electronic correspondence from Ms. Tonkovic, to the Review Engineer dated June 21, 2012.

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. Condition No. 1.6 is included to emphasize that the issuance of the *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 the *Works* are constructed in a timely manner so that standards applicable at the time of approval of the *Works* are still applicable 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 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 and maintained such that the environment is protected.

6. Condition 6 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.

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me and the Environmental Review Tribunal within 15 days after receipt of this Notice, require a hearing by the Tribunal. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:

1. 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;
2. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The environmental compliance approval number;
6. The date of the environmental compliance approval;
7. The name of the Director, and;
8. 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:

The Secretary*
Environmental Review Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5

AND

The Director appointed for the
purposes of Part II.1 of the
Environmental Protection Act
Ministry of the Environment
2 St. Clair Avenue West, Floor
12A
Toronto, Ontario
M4V 1L5

*** Further information on the Environmental Review Tribunal 's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349, Fax: (416) 314-4506 or www.ert.gov.on.ca**

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

DATED AT TORONTO this 21st day of June, 2012

Mansoor Mahmood, P.Eng.
Director
appointed for the purposes of Part II.1 of
the *Environmental Protection Act*

AA/
c: District Manager, MOE Halton-Peel District Office
Glenn Middlebrook, CBO, Town of Caledon
United Croats of Canada Co-operative.