



Ministry
of the
Environment

Ministère
de
l'Environnement

PROVISIONAL CERTIFICATE OF APPROVAL
WASTE MANAGEMENT SYSTEM
NUMBER 6470-5KCKPM

Cloutier Builders & Supplies Limited
102 Brenner Street West
Geraldton, Ontario
P0T 1M0

You have applied in accordance with Section 27 of the Environmental Protection Act for approval of:

a waste management system for the management of hauled sewage (septage) serving:

the Province of Ontario

For the purpose of this Certificate of Approval and the terms and conditions specified below, the following definitions apply:

A. DEFINITIONS

- a. "Company" means Cloutier Builders & Supplies Limited or its agents or assignees;
- b. "Director" means any Ministry employee appointed by the Minister pursuant to Section 5 of the *Environmental Protection Act*, (the "Act"), as a Director for the purposes of Section 39 of the Act;
- c. "District Manager" means the District Manager of the Ministry of Environment for the geographic area in which a Site is located;
- d. "Hauled Sewage" is as defined in Regulation 347, R.R.O. 1990, as amended by Regulation 157, R.R.O. 1998, as amended from time to time;
- e. "Hauled Sewage Disposal Site" means a Hauled Sewage Disposal Site, the location of which is listed in Schedule "B";
- f. "Hauled Sewage Disposal Site Information Form" means a document in the form of an application set out in Schedule "C";
- g. "Ministry" means the Ministry of the Environment (MOE);
- h. "Provisional Certificate of Approval" means this entire Provisional Certificate of Approval, including its schedules, issued in accordance with Section 27 of the Act;
- i. "Sensitive use" means residential, commercial, recreational or institutional uses, and locations at which people regularly congregate;
- j. "Sewage Works" means a Sewage Works, the location of which is listed in Schedule "B";
- k. "Site" means a Site, the location of which is listed in Schedule "B";
- l. "Waste Disposal Site" means a Waste Disposal Site, the location of which is listed in Schedule "B" and which is not a Hauled Sewage Disposal Site, a Sewage Works or a Waste Stabilization Pond;
- m. "Waste Management System" is as defined in the Act, as amended; and,

n. "Waste Stabilization Pond" means a Waste Stabilization Pond, the location of which is listed in Schedule "B".

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

TERMS AND CONDITIONS

B. GENERAL

1. a. The requirements of this Provisional Certificate of Approval are severable. If any requirement of this Provisional Certificate of Approval, or the application of any requirement of this Provisional Certificate of Approval to any circumstance, is held invalid, the application of such requirement to other circumstances and the remainder of this Provisional Certificate of Approval shall not be affected in any way; and,
b. The requirements specified in this Provisional Certificate of Approval are the requirements under the Environmental Protection Act, R.S.O. 1990. The issuance of this Provisional Certificate of Approval in no way abrogates the Company's legal obligations to take all reasonable steps to avoid violating other applicable provisions of this legislation and other legislation and regulations.
2. a. The documents listed in Schedule "A" are incorporated into and form part of this Provisional Certificate of Approval and the waste management system shall, subject to Condition 2. b. and c. be established and operated in accordance with those documents;
b. Where there is a conflict between a provision of any document referred to in Schedule "A", and the other conditions of this Provisional Certificate of Approval, the other conditions of this Provisional Certificate of Approval shall take precedence;
c. Where there is a conflict between documents listed in Schedule "A", the document bearing the most recent date shall prevail; and,
d. The Company and any owner or operator of the waste management system shall ensure that it is constructed and operated in accordance with these conditions.
3. The Company shall ensure that any communication/correspondence made in relation to the waste management system or to this Provisional Certificate of Approval includes reference to this Provisional Certificate of Approval number.
4. The Company shall notify the Director in writing of any of the following changes within thirty (30) days of the change occurring:
 - a. change of Company or operator of the System or both;
 - b. change of address or address of the new Company or operator;
 - c. change of partners where the Company or operator is or at any time becomes a partnership, and a copy of the most recent declaration filed under the *Business Names Act*, 1991 shall be included in the notification to the Director; and
 - d. any change of name of the corporation where the Company or operator is or at any time becomes a corporation, and a copy of the most current "Initial Notice or Notice of Change" (Form 1 or 2 of Reg. 182, as amended from time to time), filed under the *Corporations Information Act* shall be included in the notification to the Director.
5. In the event of any change in ownership of the System, the Company shall forthwith notify in writing the succeeding owner of the existence of this Provisional Certificate of Approval, and provide the successor with an up-to-date copy of this Provisional Certificate of Approval and a copy of such notice shall forthwith be forwarded to the Director.
6. All records and monitoring data required by the conditions of this Provisional Certificate of Approval must be kept on the premises of the Owner and of the operator of the waste management system for a minimum period of five (5) years from the date of their creation.

C. OPERATIONS

7. The Company must ensure that no unnecessary off-site effects, such as vermin, vectors, odour, dust, litter, noise and traffic, result from the spreading, hauling, storage or disposal of Hauled Sewage. This condition does not reduce the Company's obligations to comply with the Act or the Ontario Water Resources Act.
8. All spills and upsets shall be immediately reported to the Ministry's Spills Action Centre at (416) 325-3000 or 1-800-268-6060 and shall take appropriate remedial action to limit the impact. The information shall be recorded in the log book, referred to in Condition 21 of this Provisional Certificate of Approval.
9. Hauled Sewage hauled by the waste management system may only be deposited at:
- a. A Sewage Works, but only if the municipality or its agent has authorized in writing the deposit and only in accordance with any additional rules imposed by the municipality and only if the Hauled Sewage Disposal Site Information Form for the Site, which is attached as part of Schedule "C", contains current information;
 - b. A Waste Stabilization Pond, but only if the Hauled Sewage Disposal Site Information Form for the Site, which is attached as part of Schedule "C", contains current information;
 - c. A Hauled Sewage Disposal Site, but only if the Hauled Sewage Disposal Site Information Form for the Site, which is attached as part of Schedule "C", contains current information;
 - d. A Waste Disposal Site, but only if the Hauled Sewage Disposal Site Information Form for the Site, which is attached as part of Schedule "C", contains current information; and
 - e. A Hauled Sewage Disposal Site or Waste Stabilization Pond, described in a part of Schedule "C", in accordance with the information and terms and conditions in that part of Schedule "C".
10. Subject to Condition 9. a through d.:
- a. Additional Sewage Works may be added to those listed in Schedule "B" by filing with the District Manager a copy of the consent, including any rules, signed by the owner of the sewage works and having it accepted by the District Manager or other Director;
 - b. Additional Waste Stabilization Ponds may be added to those listed in Schedule "B" by filing with the District Manager a copy of the consent, including any rules, signed by the owner of the sewage works and a copy of the Provisional Certificate of Approval for the Waste Stabilization Pond and having it accepted by the District Manager or other Director;
 - c. Additional Hauled Sewage Disposal Sites may be added to those listed in Schedule "B" by submitting an Application for a Provisional Certificate of Approval for a Hauled Sewage Disposal Site and having it accepted by the District Manager or other Director;
 - d. Additional Waste Disposal Sites may be added to those listed in Schedule "B" by submitting an Application for a Provisional Certificate of Approval for a hauled Sewage Disposal site and having it accepted by the District Manager or other Director; and,
 - e. An additional Sewage Works, Waste Stabilization Pond, Hauled Sewage Disposal Site or Waste Disposal Site may not be used unless the Director updates the list in Schedule "B" to include the additional item.

D. TRANSITIONAL

11. a. No Hauled Sewage hauled by the waste management system shall be deposited at a Hauled Sewage Disposal Site or Waste Stabilization Pond at a location set out in Schedule "B" after the earlier of:
- (i) any expiry or other termination date specified in the most recent approval for the location issued before April 6th, 1998, and,

(ii) May 8, 2000

unless a new application for a Provisional Certificate of Approval for the use of such Site has been submitted after this Provisional Certificate of Approval is issued and an approval has been issued by the Director for that location with a later expiry date specified on it;

b. Any condition in an approval issued before this approval for a Site listed in Schedule "B" continues to apply together with the conditions of that approval, except if the earlier condition has been amended by the Director after this approval has been issued; and,

c. Subject to Condition 11.b., any approval issued before this approval for a Site listed in Schedule "B", and which is subsequently amended by the Director after this approval has been issued, may not be utilized for this waste management system unless the Director updates the list in Schedule "B" to include the additional item.

E. HAULED SEWAGE SITES

12. The portion of the Waste Stabilization Pond or Hauled Sewage Disposal Site approved for spreading, disposal or storage is subject to the setbacks and requirements defined in Schedule "D", which is attached to and is part of this Provisional Certificate of Approval, unless the Provisional Certificate of Approval specifies different setbacks for the location, in which cases the different setbacks shall apply.

13. To avoid run-off from the Site,

a. Unless otherwise provided for a particular Site in this Provisional Certificate of Approval, no Hauled Sewage shall be spread or disposed at a Hauled Sewage Disposal Site when the ground is frozen, ice-covered or snow covered;

b. The Director may reduce the minimum separation distance to a water course to 60 metres where the Site is generally flat (slopes 0-3%) and the risk of run-off has been determined to be minimal; and,

c. Spreading shall be suspended during the period when run-off conditions are such that the Hauled Sewage may run off the Site.

14. Hauled Sewage shall only be spread on a Hauled Sewage Disposal Site at the lower of 15 liters per square meter per 7 days or such other lower rate which ensures that ponding at, puddling on or runoff from the Site does not occur.

15. Spreading of Hauled Sewage is prohibited at times where there is water either ponded on the field or running off the field.

16. No Processed Organic Waste, grease trap waste or other waste, other than Hauled Sewage, shall be stored at a Waste Stabilization Pond or spread or disposed at a Hauled Sewage Disposal Site, unless specifically provided for that Site in Schedule "C".

17. The Company shall not use a Waste Stabilization Pond or Hauled Sewage Disposal Site for the disposal of Hauled Sewage if any other person has used the Site for the disposal of any waste during a 60 month period preceding the intended application of the Hauled Sewage.

18. No Hauled Sewage shall be disposed or stored, pursuant to this approval at a Site which becomes listed in Schedule "B", more than 60 months after the date when the Site is listed unless a later date is specified in writing by the Director, for that Site.

19. a. The amount of Hauled Sewage, based on a single application of the Hauled Sewage, received at a Site at any point in time shall not exceed the maximum amount to be spread on the Site over a six month period as approved in Schedule "C"; and

b. Hauled Sewage may not be stored at a Hauled Sewage Disposal Site for longer than 30 days prior to its being spread at

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the Site, unless this time frame is amended as a condition of approval for an application made on Schedule "C" of this certificate.

20. The Company shall not spread, dispose or temporarily or permanently store Hauled Sewage at any location not listed in Schedule "B".

F. RECORD KEEPING

21. The Company shall conduct regular inspections of the equipment under their care and control to ensure that all equipment is maintained and operated in a manner that the Hauled Sewage will not negatively impact the environment. Any deficiencies, that might negatively impact the environment, detected during these regular inspections, shall be promptly corrected. A written record shall be maintained in a log book, which includes the following:

a. name and signature of personnel conducting the inspection;

b. date and time of the inspection(s); and,

c. recommendations for remedial action and actions undertaken.

22. a. The Company shall keep written records in the log book referred to in Condition 21, in order to complete an Annual Report by February 28 of each year, covering the previous calendar year. The Report shall be prepared and retained at the Company's place of business. This Report shall include, but is not limited to:

i. a list of all Sites and their locations where Hauled Sewage was spread, stored or disposed;

ii. a complete and up-to-date record of all Sites which are included in Schedule "B" of this Provisional Certificate of Approval;

iii. a complete and up-to-date record showing when and how much Hauled Sewage was spread, stored or disposed at each approved Site; and,

iv. details as to the nature of any spill or upset occurring at the Site, and the action taken for clean-up, correction and prevention of future occurrences; and

b. It is a condition of this Provisional Certificate of Approval under the Act that the Company must forthwith, upon the request of a Provincial Officer or other authorized ministry employee, permit Provincial Officers to carry out inspections authorized by section 156, 157 or 158 of the Act, section 15, 16 or 17 of the Ontario Water Resources Act, R.S.O. 1990 or section 19 or 20 of the Pesticides Act, R.S.O. 1990 of any place, other than any room actually used as a dwelling, to which this Provisional Certificate of Approval relates.

23. This approval consolidates all previous approvals, permits and licences under Part VIII of the Act for the Waste Management System, the Hauled Sewage Disposal Sites and Waste Stabilization Ponds, if any, listed in Schedule "B" and except to the extent that provisions of approvals for such Hauled Sewage Disposal Sites or Waste Stabilization Ponds are continued in effect by Condition 11.b. the approvals, permits and licences for the Hauled Sewage Disposal Sites and Waste Stabilization Ponds are hereby revoked.

SCHEDULE "A"

This Schedule "A" forms part of this Provisional Certificate of Approval Number:

1. Application for a Certificate of Approval for a Waste Management System, dated June 25, 2002, from Hubert Cloutier, President, Cloutier Builders & Supplies Limited, P.O. Box 218, Geraldton, Ontario, P0T 1M0.

2. Facimiles dated July 16, 2002, from Ellen Cloutier, Cloutier Builders & Supplies Limited, P.O. Box 218, Geraldton, Ontario, P0T 1M0.

3. Letter dated November 5, 2002, from Hubert Cloutier, President, Cloutier Builders & Supplies Limited, P.O. Box 218,

Geraldton, Ontario, P0T 1M0.

SCHEDULE "B"
INVENTORY OF APPROVED SITES

This Schedule "B" forms part of this Provisional Certificate of Approval Number:

The following Sites are receivers of Hauled Sewage. Schedule "C" contains specific information for each of the Sites:

A. Hauled Sewage Disposal Sites:

Site No. Location (Lot/Concession) Municipality

1. None.

B. Sewage Works:

Site No. Location (Lot/Concession) Municipality

1. None.

C. Waste Disposal Site:

Site No. Location (Lot/Concession) Municipality

1. None.

D. Waste Stabilization Pond:

Site No. Location (Lot/Concession) Municipality

1. Beardmore Lagoon Municipality of Greenstone
OWRA Works No. 110002309

SCHEDULE "C"
"Hauled Sewage Disposal Site Information Form"

This Schedule "C" forms part of this Provisional Certificate of Approval:

Proposed Winter Operations: yes ' no ' If yes: Storage ' Injection ' Spreading '	Note: Any proposed winter spreading operations must be approved in advance by the Director. Drying Bed '
Rate of Application for Spreading: _____ Rate of Application for Drying Beds: _____	liters/square meter/7 day period litres or cubic metres/7 day period
I, the undersigned, hereby declare that, to the best of my knowledge, the information submitted in support of this application, is complete and accurate. I further understand my responsibilities and obligations under the legislation. Applicant (print): _____ Date: _____ Signature: _____	I, the landowner, hereby certify that the Applicant, identified on this form is authorized to act on my behalf for the purpose of obtaining <i>approval</i> under P V of the Environmental Protection Act. Landowner (print): _____ Date: _____ Signature: _____

For Ministry Use Only:

Site Number:

Site Specific terms and Conditions:

Director's Signature:

 Name (print)
 Director
 Sec.39, Environmental Protection Act

**SCHEDULE "D"
 SITE SETBACK REQUIREMENTS**

This Schedule "D" forms part of this Provisional Certificate of Approval:

The portion of each Site approved for spreading or storage is subject to the following setbacks, unless these reduced setbacks are approved by the Director on the part of Schedule "C" that relates to that Site:

- a. a minimum of 450 meters from sensitive uses, or 90 metres from a single residence, unless the Hauled Sewage is injected or incorporated into the soil within 24 hours of application, in which case the separation distance may be reduced to 25 metres from a single residence or 50 metres from a group of three or more residences;
- b. a minimum of 30 meters from a public roadway;
- c. a minimum of 90 meters from water wells; and,
- d. a minimum of 120 meters from lakes, streams, swamps and seasonally wet areas, including ditches, swales and intermittent streams.

These setbacks represent a minimum distance when defining the usable area of a parcel of land on which it is intended to apply hauled sewage. Site specific criteria may require increased distances. The setbacks shown are for the spreading or storage of hauled sewage directly onto the surface of the ground. With respect to spreading operations, these setbacks are reduced 50% if the sewage is injected into the soil, or is placed in a furrow or trench and then promptly covered over.

Setbacks from surface waters¹

Maximum Sustained Slope	For Hauled Sewage Application May - November	For Hauled Sewage Application During Periods When the Ground is Frozen or Snow Covered²
0 - 3%	60 metres	180 metres
3 - 6%	120 metres	180 metres
6 - 9%	180 metres	No sewage to be applied
greater than 9%	No sewage to be applied	No sewage to be applied

¹These clearances relate to the spreading of hauled sewage on the surface of soils in the rapid to moderately rapid permeability range and are doubled for soils of moderate to slow permeability (see Slope/Soil Permeability Table below). This increase will not pertain when hauled sewage is injected into the soil or placed in a trench or furrow.

²Any applications of Hauled Sewage Sludge that are proposed during periods when the ground is frozen or snow covered, must be approved by the Director on the part of Schedule "C" that relates to that Site.

Slope/Soil Permeability

Maximum Sustained Slope	Soil Permeability²	Allowable Duration of Application (see notes)	
		Southern Ontario	Northern Ontario
0 to 3%	Any (where Percolation Time ¹ >1)	12 mon/yr.	12 mon/yr.
3 to 6%	Rapid to moderately rapid	12 mon/yr.	12 mon/yr.
3 to 6%	Moderate to slow	10 mon/yr. (May to February)	9 mon/yr. (June to February)
6 to 9%	Rapid to moderately rapid	7 mon/yr. (May to November)	6 mon/yr. (June to November)
6 to 9%	Moderate to slow	None	None

¹Percolation Time means the average time in minutes that is required for water to drop one centimetre during a soil percolation test as determined by the test or other appropriate means.

²The Company (or qualified consultant) is responsible for ensuring that the soil permeability of the soils is properly classified in accordance with currently accepted engineering and hydrogeological practices and submitting documentation as to the classification, if a classification greater than "slow" is claimed.

Agricultural Use of Spreading Areas

Note: It is the responsibility of the Company to ensure that the future intended uses of the Site are known and to make decisions for spreading based on this information. The use of the spreading area, as approved under Schedule "C", subsequent to the application of Hauled Sewage, is limited as follows, unless amended by the Director:

- a. harvest of crops for domestic consumption shall not occur within twelve (12) months, and only after working the Hauled Sewage into the soil;

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- b. grazing of livestock shall not occur within six (6) months of Hauled Sewage application;
- c. feed crop harvests shall not occur within three (3) weeks of Hauled Sewage application; and
- d. commercial sod harvest shall not occur within 12 months of Hauled Sewage application.

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

1. The reason for Conditions 1, 2, 3, 4, 5, and 6 is to clarify the legal rights and responsibilities of the Company.
2. The reason for Condition 7 is to ensure that the System is operated in a manner which does not result in a nuisance or a hazard to the health and safety of the environment or people.
3. The reason for Conditions 8 is to ensure that staff can identify Site problems and deal promptly and effectively with any spills and upsets that do occur.
4. The reason for Conditions 9, 10, 19, 20 and 22 is to ensure that the System is operated in accordance with the application and supporting information submitted by the Company, and not in a manner which the Director has not been asked to consider.
5. The reason for Condition 11 is to permit the continued use of previously approved sites pending expiry or updated requests for renewal.
6. The reason for Condition 12 is to ensure that only the area reviewed and recommended in the Site assessment, subject to the listed setbacks, is used for spreading.
7. The reason for Condition 13 is to ensure that the restriction on the period of use in any calendar year will limit the application period to the part of the year where the Hauled Sewage will seep down into the underlying overburden. The prohibition will prevent Hauled Sewage spreading when there is a risk of runoff.
8. The reason for Condition 14 is to ensure that the type and amount of Hauled Sewage accepted for spreading on agricultural lands, and the spreading activities, are in accordance with that approved under this Provisional Certificate of Approval.
9. The reason for Condition 15 is to ensure Hauled Sewage application is not to take place at times when the ground is saturated or when runoff could occur.
10. The reason for Condition 16 is to ensure that loading rates on the soil are strictly controlled under the sludge utilization program for Hauled Sewage. Fields used for this program cannot be used for Hauled Sewage spreading and vice versa.
11. The reason for Condition 17 is to ensure that the application was made on behalf of the Company therefore the Site's use is restricted to this Company.
12. The reason for Conditions 18 and 21 is to ensure periodic review of the Site operations and associated impacts to ensure that no adverse effects on the land as a consequence or continuous long term use.
13. The reason for Condition 23 is to ensure that there is not a multiplicity of current approvals for the same system and sites. The Sewage Works and Waste Disposal Sites listed in Schedule "B", if any, are not affected by this condition as they are separately approved, and only listed so that the waste management system may utilize them in accordance with their approvals and the rules set out in this approval.

In accordance with Section 139 of the Environmental Protection Act, R.S.O. 1990, Chapter E-19, as amended, you may by

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written Notice served upon me, 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 approval or each term or condition in the 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 Certificate of Approval number;
6. The date of the Certificate of Approval;
7. The name of the Director;
8. The municipality within which the waste management system is located;

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
2300 Yonge St., 12th Floor
P.O. Box 2382
Toronto, Ontario
M4P 1E4

AND

The Director
Section 39, *Environmental Protection Act*
Ministry of Environment and Energy
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) 314-4600, Fax: (416) 314-4506 or www.ert.gov.on.ca**

The above noted waste management system is approved under Section 39 of the Environmental Protection Act, and is subject to the Regulations made thereunder.

DATED AT TORONTO this 7th day of March, 2003

Aziz Ahmed, P.Eng.
Director
Section 39, *Environmental Protection Act*

EN/
c: District Manager, MOE Thunder Bay - District
Hubert Cloutier, Cloutier Builders & Supplies Limited