Ontario

Ministry of the Environment **Ministère de l'Environnement**

CERTIFICATE OF APPROVAL
MUNICIPAL AND PRIVATE SEWAGE WORKS
NUMBER 7348-659RER

Cedar Point Lodge Ltd.
P.O. Box 19
Mutrie, Ontario
P0V 2X0

Site Location: Cedar Point Lodge
Lot 10, Concession 1
Mutrie Unorganized Township, District of Kenora
P0V 2X0

You have applied in accordance with Section 53 of the Ontario Water Resources Act for approval of:

an upgrade to the existing private sewage works (NAD27: UTM Zone 15: 477300 m E, 5516400 m N) serving the seasonally-operated Cedar Point Lodge that consists of cabins, four trailer park sites, two residences, a comfort station, laundry and restaurant, located 2.5 kilometres south of Highway 17, approximately 7 kilometres east of Vermillion Bay and 8 kilometres southeast of the town of Vermillion Bay, for the collection, transmission, treatment and disposal of domestic sewage, such that the *Works*, with a *Rated Capacity* of 9.0 cubic metres per day and an estimated maximum inflow rate of 16.0 cubic metres per day, consisting of the following:

EXISTING WORKS

Septic Tanks

seven (7) septic tanks that serve the Cedar Point Lodge, including:

- six (6) 9,080 litres capacity two-compartment tanks, each with a 1,360 litres pump-out chamber and one (1) 0.38 kilowatts pump with a rated capacity of 2.5 litres per second at a total dynamic head (TDH) of 13 metres to transfer effluent from the pump-out chamber to the pumping station;

- one (1) 13,620 litres capacity two-compartment septic tank with a 1,360 litres pump-out chamber and a 0.38 kilowatts pump with a rated capacity of 2.5 litres per second at a TDH of 13 metres to transfer effluent to the pumping station;

Pumping Station

one (1) pump-out chamber for the transfer of septic tank effluent to the waste stabilization lagoon system, including:

- one (1) 2.13 metres by 1.12 metres by 1.5 metres pump-out chamber having a total volume of 3.58 cubic metres and an operating volume of approximately 2.14 cubic metres, equipped with four (4) inlet pipes from the septic tanks, two (2) outlet pipes, one to each existing lagoon cell, and one (1) 0.45 kilowatts effluent pump with a rated capacity of 1.9 litres per second at a TDH of 7.6 metres;

- one (1) high level float in the chamber connected to an exterior buzzer and light on the control panel at the chamber, to serve as a high level alarm system;

- two (2) 60 millimetres diameter polyethylene forcemains from the pump-out chamber to the lagoon system, complete with isolation valves at the pump-out chamber;

- security features to prevent access into the pumping station by unauthorized persons;

RETROACTIVELY APPROVED WORKS

Lagoon System

an already constructed waste stabilization lagoon with a *Rated Capacity* of 9.0 cubic metres per day for treatment and storage of septic tank effluent, including:

- two (2) bermed facultative lagoon cells (Cells 1 and 2) arranged in parallel;

- Cell 1 is designed to have approximately 2,735 square metres of surface area and an active storage capacity of 3,458 cubic metres at the maximum active operating depth of about 1.5 metres, and to have a design dead storage volume of 540 cubic metres in the bottom 0.3 metres of the cell and a freeboard of 0.6 metres;

- Cell 2 is designed to have approximately 2,894 square metres of surface area and an active storage capacity of 3,622 cubic metres at the maximum active operating depth of about 1.4 metres, and to have a design dead storage volume of 554 cubic metres in the bottom 0.3 metres of the cell and a design freeboard of 0.6 metres;

- security fence to prevent access to the lagoon by unauthorized persons;

PROPOSED WORKS

Septic Tanks

upgrading of the septic tanks through provision of:

- alarms to signal effluent pump malfunctions and high liquid levels at each septic tank;

Lagoon System

security enhancement at the lagoon site through provision of:

- cautionary signs to prevent access to the lagoon by unauthorized persons;

Effluent Pump-Out and Spray Irrigation System

installation of an effluent pump out system and spray irrigation system for disposal of treated effluent from the lagoon onto approximately 7 hectares of forested land on the property owned by Cedar Point Lodge Ltd., including:

- 75 millimetres diameter suction piping anchored to the bottom of each of the two lagoon cells, and connected via two elbow connectors to dual 100 millimetres diameter vertical takeoff pipes with the intake openings fixed at a depth corresponding to 300 millimetres from the bottom of each pond, for withdrawing effluent from the lagoon ponds using the effluent discharge pump;

- an isolation valve on the suction line to each cell;

- one (1) 3 kilowatts portable pump for effluent discharge with a rated capacity of 8.7 litres per second at a TDH of 32 metres for pumping out effluent from the lagoon cells for disposal by spray irrigation;

- one (1) sample tap in the effluent pump-out line;

- one (1) flow meter in the effluent pump-out line to monitor the effluent discharge rate from each cell of the lagoon system;

- one (1) control valve in the effluent pump-out line to adjust the effluent discharge rate to the irrigation piping;

- 75 millimetres diameter high density polyethylene (HDPE) effluent discharge piping connecting the effluent discharge pump to the spray irrigation system;

- a mobile spraying system with 38 millimetres diameter irrigation laterals;

all other controls, electrical equipment, instrumentation, piping, pumps, valves and appurtenances essential for the proper operation of the aforementioned sewage works;

all in accordance with the following submitted supporting documents:

1. Application for Approval of Municipal and Private Sewage Works dated May 15, 2004 and received June 2, 2004, and accompanying letter by Robert Wright of DST Consulting Engineers Inc., dated November 4, 2002;

2. "Engineering Design and Specifications, Proposed Sewage Treatment and Stabilization Lagoon, Waldhof Bay of Eagle Lake, Ontario" prepared by DST Consulting Engineers Inc. (DST), dated August 1998;

3. Letter dated July 18, 2002 from Robert Wright of DST to Pat Hron of Cedar Point Lodge;

4. Facsimile dated June 22, 2004 from Bob Wright of DST to Gabriela Pfenig of the Ontario Ministry of the Environment (MOE);

5. Memorandum dated July 7, 2004 from Mark Puumala of the MOE Thunder Bay Regional Office to Michelle Heyens of the MOE Kenora Area Office;

6. Memorandum dated July 12, 2004 from Nadine Dubois of the MOE Thunder Bay Regional Office to Michelle Heyens of the MOE Kenora Area Office; and

7. Letters with attachments dated September 27, 2004 and November 26, 2004 from Robert Wright of DST to Andre Schnell of MOE;

8. Facsimile dated October 15, 2004 from Gerald Buckrell of Engineering Northwest Ltd. to Andre Schnell of MOE;

9. Facsimiles dated October 18, 2004 and November 11, 2004 from Robert Wright of DST to Andre Schnell of MOE; and

10. Facsimiles dated November 10, 2004, November 25, 2004, and December 18, 2004 from Gerald Buckrell of Engineering Northwest Ltd. to Bob Wright of DST.

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

"*Act*" means the Ontario Water Resources Act, R.S.O. 1990, Chapter 0.40, as amended;

"*Average Daily Flow*" means the cumulative total sewage flow to the sewage works during a calendar year divided by the number of days during which sewage was flowing to the sewage works that year;

"*Average Effluent Application Rate*" means the total volume of effluent applied to the spray irrigation field during a particular spray irrigation season divided by the number of days within that season during which effluent was actually applied to that field;

"*CBOD5*" means five day carbonaceous (nitrification inhibited) biochemical oxygen demand measured in an unfiltered sample;

"*Certificate*" means this entire certificate of approval document, issued in accordance with Section 53 of the *Act*, and includes any schedules;

"*Daily Concentration*" means the concentration of a contaminant in the effluent discharged over any single day, as measured by a composite or grab sample, whichever is required;

"*Director*" means any *Ministry* employee appointed by the Minister pursuant to section 5 of the *Act*;

"*District Manager*" means the District Manager of the Thunder Bay/Kenora District Office of the Ministry;

"*E. Coli*" refers to the thermally tolerant forms of Escherichia that can survive at 44.5 degrees Celsius;

"*Geometric Mean Density*" is the nth root of the product of multiplication of the results of n number of samples over the period specified;

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

"*Owner*" means Cedar Point Lodge Ltd. and includes its successors and assignees;

"Proposed Works" means the sewage works described in the *Owner*'s application, this *Certificate* and in the supporting documentation referred to herein, to the extent approved by this *Certificate*;

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

"*Regional Director*" means the Regional Director of the Northern Region of the Ministry;

"*Seasonal Average Concentration*" means the arithmetic mean of the *Daily Concentrations* of a contaminant in the effluent discharge, calculated separately for each of the lagoon cells, for the spray irrigation season for any particular calendar year;

"*Spray Irrigation Season*" means the period of time starting on the first and ending on the last day of application of effluent to the spray irrigation field during a particular calendar year;

"Substantial Completion" has the same meaning as *"substantial performance*" in the Construction Lien Act; and

"*Works*" means the sewage works described in the *Owner*'s application, this *Certificate* and in the supporting documentation referred to herein, to the extent approved by this *Certificate* and includes both existing works and *Proposed Works*.

You are hereby notified that this 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 *Certificate* 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 *Certificate*, the application for approval of the works and the submitted supporting documents and plans and specifications as listed in this *Certificate*.

(3) Where there is a conflict between a provision of any submitted document referred to in this *Certificate* and the Conditions of this *Certificate*, the Conditions in this *Certificate* shall take precedence, and where there is a conflict between the listed submitted documents, the document bearing the most recent date shall prevail.

(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.

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

2. EXPIRY OF APPROVAL

The approval issued by this *Certificate* will cease to apply to those parts of the *Works* which have not been constructed within five (5) years of the date of this *Certificate*.

3. 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*;

(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 Informations 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*, other than a change to a successor municipality, the *Owner* shall notify in writing the succeeding owner of the existence of this *Certificate*, and a copy of such notice shall be forwarded to the *District Manager* and the *Director*.

4. UPON THE SUBSTANTIAL COMPLETION OF THE WORKS

(1) Upon the *Substantial Completion* of the *Works*, the Owner shall prepare a statement, certified by a Professional Engineer, that the works are constructed in accordance with this *Certificate*, and upon request, shall make the written statement available for inspection by Ministry personnel.

(2) Within one year of the *Substantial Completion* 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*.

5. EFFLUENT OBJECTIVES

(1) The *Owner* shall use best efforts to design, construct and operate the *Works* with the objective that the concentrations of the materials named below as effluent parameters are not exceeded in the effluent from the *Works*.

Table 1 - Effluent Objectives

Effluent Parameter	**Concentration Objective** (milligrams per litre unless otherwise indicated)
CBOD5	25
Total Suspended Solids	30
E. Coli	100 organisms per 100 millilitres

(2) The *Owner* shall use best efforts to:

(a) maintain the pH of the effluent from the *Works* within the range of 6.0 to 9.5, inclusive, at all times;

(b) operate the works within the *Rated Capacity* of the *Works*;

(c) 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 or sheen or foam or discolouration;

(d) spray the effluent evenly over the spray irrigation area and minimize the overlap between spray coverage zones.

(3) The *Owner* shall include in all reports submitted in accordance with Conditions 9 and 10 a summary of the efforts made and results achieved under this Condition.

6. EFFLUENT LIMITS

(1) The *Owner* shall design and construct the *proposed works* and operate and maintain the *Works* such that the concentrations of the materials named below as effluent parameters are not exceeded in the effluent from the *Work*s.

Table 2 - Effluent Limits

Effluent Parameter	**Average Concentration** (milligrams per litre unless otherwise indicated)
Column 1	Column 2
CBOD5	30
Total Suspended Solids	40
pH of the effluent maintained between 6.0 to 9.0, inclusive, at all times	

(2) For the purposes of determining compliance with and enforcing subsection (1):

(a) The *Seasonal Average Concentration* of a parameter named in Column 1 of subsection (1) shall not exceed the corresponding maximum concentration set out in Column 2 of subsection (1), in the effluent discharge from each of the lagoon cells.

(b) The pH of the effluent shall be maintained within the limits outlined in subsection (1), at all times.

(3) Notwithstanding subsection (1), the *Owner* shall operate and maintain the *Works* such that the effluent is disinfected so that (i) the monthly *Geometric Mean Density* of *E. Coli* does not exceed 200 organisms per 100 millilitres of effluent discharged from the *Works* and (ii) that the density of *E. Coli* does not exceed 800 organisms per 100 millilitres in any single sample of effluent discharged from the *Works*.

(4) Paragraph (a) and (b) of subsection (2) shall apply upon the issuance of this certificate.

(5) The effluent limit set out in subsection (3) shall apply upon the issuance of this certificate.

(6) Only those monitoring results collected during the spray irrigation discharge period shall be used in calculating the *Seasonal Average Concentration* for this *Certificate*.

7. OPERATION AND MAINTENANCE

(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 *Certificate* are properly operated and maintained. Proper operation and maintenance shall include effective performance, adequate funding, adequate operator staffing and training, including

training in all procedures and other requirements of this *Certificate* and the *Act* and regulations, adequate laboratory facilities, process controls and alarms and the use of process chemicals and other substances used in the *Works*.

(2) The *Owner* shall prepare and maintain an operations manual, that includes, but is not necessarily limited to, the following information:

(a) operating 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) procedures for the inspection and calibration of monitoring equipment;

(e) 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 *District Manager*; and

(f) procedures for receiving, responding and recording public complaints, including recording any followup actions taken.

(3) The *Owner* shall maintain the operations manual current and retain a copy at the location of the *Works* for the operational life of the *Works*. Upon request, the *Owner* shall make the manual available to *Ministry* staff.

(4) The *Owner* shall provide for the overall operation of the *Works* with an operator who holds a licence that is applicable to that type of facility and that is of the same class as or higher than the class of the facility in accordance with Ontario Regulation 129/04.

8. SPECIAL OPERATIONS - SPRAY IRRIGATION

The *Owner* shall ensure that the spray irrigation system is operated such that:

(1) the disposal of effluent is via spray irrigation only and effluent is applied only on the spray irrigation fields as identified in the application;

(2) there is no surface runoff from the spray area during spray irrigation operation;

(3) no spray irrigation is to take place:

a) on frozen ground or between October 16 of any calendar year and April 30 of the subsequent calendar year;

b) with the occurrence of rainfall, aerosol drift off the property or surface ponding;

c) when the wind velocity exceeds 15 kilometres per hour;

d) on land with a surface slope of greater than 12 percent;

e) within 30 metres of property boundaries and areas accessible to the public, 60 metres of areas where food is handled or consumed, and 75 metres of any surface watercourse or drain; and

f) at an *Average Effluent Application Rate*r greater than 15 cubic metres per hectare of spray irrigation area per day.

(4) the application of effluent to the approved spray irrigation area is limited to a maximum of 100 days per calendar year;

(5) the application of effluent to the approved spray irrigation area is carried out in a manner that maximizes evapotranspiration and allows the soil to dry out periodically;

(6) whenever ponding or runoff of sprayed effluent occurs, the application of effluent to the affected area of the spray irrigation field is immediately terminated and adequate time is provided before resumption of the application of effluent to that area, in order for the area to dry to a degree that would preclude immediate recurrence of ponding or runoff;

(7) suitable barriers are provided at all points of entry to the spray area to restrict access;

(8) suitably posted cautionary signs are maintained at all points of access to the spray irrigation area during spraying operations and for at least 24 hours following completion of spraying, indicating that treated sewage effluent is being used to irrigate the field and that trespassing is prohibited; and

(9) during spraying, full time supervision shall be provided at the site to prevent accidental trespass into the spray area.

9. EFFLUENT MONITORING AND RECORDING

The *Owner* shall, upon commencement of operation of the *Works*, carry out the following monitoring program:

(1) All samples and measurements taken for the purposes of this *Certificate* 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) For the purposes of this condition, the following definitions apply:

(a) Daily means once each day;
(b) Weekly means once each week; and
(c) Monthly means once every month.

(3) Samples shall be collected at the following sampling points, at the frequency specified, by means of the specified sample type and analyzed for each parameter listed and all results recorded:

Table 3 - Septic Tank Effluent Monitoring - (at lagoon inlet)	
Frequency	Monthly*
Sample Type	Grab
Parameters	*CBOD5*, Total Suspended Solids

* Representative samples of lagoon influent shall be collected on a monthly basis during the seasonal operating period of the lodge.

Table 4 - Lagoon Effluent Pre-Discharge Monitoring		
Parameters	**Sample Type**	**Frequency**
CBOD5	Grab	Once*
Total Suspended Solids	Grab	Once*
E. Coli	Grab	Once*
pH	Grab	Once*

* A representative sample of the effluent intended for discharge should be collected once within two weeks prior to commencing each batch discharge of effluent from the applicable lagoon cell.

Table 5 - Lagoon Effluent Monitoring		
Parameters	**Sample Type**	**Frequency**
CBOD5	Grab	Weekly*
Total Suspended Solids	Grab	Weekly*
E. Coli	Grab	Weekly*
pH	Grab	Weekly*

* Representative samples of effluent being discharged from the lagoon shall be collected ahead of the spray irrigation system, once at the start of spray irrigation, weekly during discharge by spray irrigation, and once on the last day of each batch discharge period for the applicable lagoon cell.

(4) The methods and protocols for sampling, analysis and recording shall conform, in order of precedence, to the methods and protocols specified in the following:

(a) the Ministry's Procedure F-10-1, “Procedures for Sampling and Analysis Requirements for Municipal and Private Sewage Treatment Works (Liquid Waste Streams Only), as amended from time to time by more recently published editions;

(b) the Ministry's publication "Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater" (January 1999), ISBN 0-7778-1880-9, as amended from time to time by more recently published editions; and

(c) the publication "Standard Methods for the Examination of Water and Wastewater" (20th edition), as amended from time to time by more recently published editions.

(5) The measurement frequencies specified in subsection (3) in respect to any parameter are minimum requirements which may, after twelve (12) months of monitoring in accordance with this Condition, be modified by the *District Manager* in writing from time to time.

(6) The *Owner* shall install and maintain a continuous flow measuring device upstream of the spray irrigation site to measure the flowrate of effluent from the *Works* with an accuracy to within plus or minus 15 per cent (+/- 15%) of the actual flowrate for the entire design range of the flow measuring device, and record the flowrate at a daily frequency.

(7) The *Owner* shall calibrate the flow measuring device specified in subsection (6) at regular intervals, at least once per year, to ensure that it meets the accuracy requirement specified in subsection (6).

(8) The *Owner* shall retain for a minimum of three (3) years from the date of their creation, all records and information related to or resulting from the monitoring activities required by this *Certificate*.

10. REPORTING

(1) One week prior to the start up of the operation of the *Proposed Works*, the *Owner* shall notify the *District Manager* in writing of the pending start up date.

(2) The *Owner* shall notify the *District Manager* at least one week prior to commencing the spray irrigation program.

(3) The *Owner* shall report to the *District Manager* or designate, any exceedence of any parameter specified in Condition 6 orally, as soon as reasonably possible, and in writing within seven (7) days of the exceedence.

(4) In addition to the obligations under Part X of the Environmental Protection Act, the *Owner* shall, within 10 working days of the occurrence of any reportable spill as defined in Ontario Regulation 675/98, bypass or loss of any product, by-product, intermediate product, oil, solvent, waste material or any other polluting substance into the environment, submit a full written report of the occurrence to the *District Manager* describing the cause and discovery of the spill or loss, clean-up and recovery measures taken, preventative measures to be taken and schedule of implementation.

(5) The *Owner* shall, upon request, make all manuals, plans, records, data, procedures and supporting documentation available to *Ministry* staff.

(6) The *Owner* shall prepare, and submit to the *District Manager*, a performance report, on an annual basis, within ninety (90) days following the end of the period being reported upon. The first such report shall cover the first annual period following the commencement of operation of the *Works* and subsequent reports shall be submitted to cover successive annual periods following thereafter. The reports shall contain, but shall not be limited to, the following information:

(a) a summary and interpretation of all monitoring data and a comparison to the effluent limits outlined in Condition 6, 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*;

(d) a record of the operation of the spray irrigation system, including daily records of the hours of operation, irrigation areas used, rates of effluent application, and volumes of effluent applied;

(e) a summary of any complaints received during the reporting period and any steps taken to address the complaints;

(f) a summary of all by-pass, spill or abnormal discharge events; and

(g) any other information the *District Manager* requires from time to time.

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 *Certificate* and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review. The condition also advises the Owners their responsibility to notify any person they authorized to carry out work pursuant to this *Certificate* the existence of this *Certificate*.

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 *Certificate* 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 imposed to establish non-enforceable effluent quality objectives which the *Owner* is obligated to use best efforts to strive towards on an ongoing basis. These objectives are to be used as a mechanism to trigger corrective action proactively and voluntarily before environmental impairment occurs and before the compliance limits of Condition 6 are exceeded.

6. Condition 6 is imposed to ensure that the effluent discharged from the *Works* and applied to spray irrigation land meets the *Ministry*'s effluent quality requirements thus minimizing environmental impact.

7. Condition 7 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 and made available to the *Ministry*. 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 work.

8. Condition 8 is included to ensure that the *Works* are operated in a manner that minimizes any off property impacts from the spray irrigation operation.

9. Condition 9 is included to enable the *Owner* to evaluate and demonstrate the performance of the *Works*, on a continual basis, so that the *Works* are properly operated and maintained at a level which is consistent with the design objectives and effluent limits specified in the *Certificate* and that the *Works* does not cause any impairment to the natural environment.

10. Condition 10 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 *Certificate,* so that the *Ministry* can work with the *Owner* in resolving any problems in a timely manner.

In accordance with Section 100 of the Ontario Water Resources Act, R.S.O. 1990, Chapter 0.40, as amended, you may by written notice served upon me and the Environmental Review Tribunal and in accordance with Section 47 of the Environmental Bill of Rights, S.O. 1993, Chapter 28, the Environmental Commissioner, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Environmental Commissioner will place notice of your appeal on the Environmental Registry. Section 101 of the Ontario Water Resources Act, R.S.O. 1990, Chapter 0.40, 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 works are 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 Environmental Commissioner
1075 Bay Street, 6th Floor
Suite 605
Toronto, Ontario
M5S 2B1

AND

The Director
Section 53, *Ontario Water Resources 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) 314-4600, Fax: (416) 314-4506 or www.ert.gov.on.ca**

This instrument is subject to Section 38 of the Environmental Bill of Rights, 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 www.ene.gov.on.ca, you can determine when the leave to appeal period ends.

The above noted sewage works are approved under Section 53 of the Ontario Water Resources Act.

DATED AT TORONTO this 23rd day of December, 2004

Mohamed Dhalla, P.Eng.
Director
Section 53, *Ontario Water Resources Act*

AS/
c: District Manager, MOE Kenora
Bob Wright, DST Consulting Engineers Inc.