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Ontario

Ministry of the Environment
Ministère de l'Environnement

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL
NUMBER 9657-9G3QBV
Issue Date: April 15, 2014

Riocan Holdings (TJV) Inc. and 1633272 Alberta ULC
2300 Yonge St, No. 500
Toronto, Ontario
M4P 1E4

Site Location: Tanger Outlet Cookstown
3311 Simcoe Road 89
Innisfil, County of Simcoe

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:

Alterations and extension to the existing private sewage treatment works at the above site location for the collection, transmission, treatment and disposal of domestic sewage, consisting of the following:

Proposed Works

Pumping Station

- 3.05 m dia x 6.5 m deep wet well chamber equipped with one (1) inlet grinder and two (2) submersible pumps (one standby) each rated at 5.0 L/s at 8.5 m TDH;
- a 75 mm diameter forcemain to the Wastewater Treatment Plant;

Wastewater Treatment Plant

Pre-Equalization

- one (1) 6.5 m x 3.05 m x 3.65 m SWD pre-equalization tank equipped with one (1) jet aspirator/mixer and two (2) submersible pumps each rated at 1.6 L/s at 9 m TDH, discharging to the sequencing batch reactors (SBR);
- an overflow weir for bypass flow to existing south lagoon;

Secondary Treatment

- two (2) 6.1 m x 3.2 m x 3.8 m SWD SBRs, each equipped with one (1) jet aspirator/mixer and one (1) submersible waste sludge pump rated at 3 L/s at 7 m TDH;
- one (1) 75 mm effluent decanter pipe to the post-equalization tank;
- one (1) 75 mm waste activated sludge pipe to the existing north lagoon;
- one (1) overflow weir for bypass flow to the pre-equalization tank;

Tertiary Treatment

- one (1) 4.88 m x 3.05 m x 3.8 m SWD post-equalization tank equipped with two (2) submersible filter feed pumps (one standby) each rated at 1.6 L/s at 9 m TDH;

- one (1) overflow weir for bypassing flow to the existing south lagoon;
- two (2) upflow deep-bed, granular media filter sand filters 1.2 m dia x 4.5 m SWD and 1.2 m dia x 3.5 m SWD, in series, with continuous backwash with filtration rate 0.45 L/m 2 /s;
- one (1) air compressor with a receiver tank having a capacity of 15.5 m 3 /h at 862 kPa;

Chemical System for Phosphorous Removal

- two (2) 205 L chemical storage drums in spill containment area;
- four (4) chemical feed pumps (two standby), each with capacity of 2.7 L/h and chemical feed piping to SBRs;
- two (2) chemical feed pumps (one standby), each with capacity of 0.11 L/h and chemical feed piping to sand filters;

UV Disinfection System

- an UV disinfection channel containing two banks of UV lights, with a *Peak Flow Rate* of 170 m 3 /d;

Emergency Storage Lagoon Overflow

- 75 mm diameter overflow pipe from the Wastewater Treatment Plant to existing south lagoon;

Final Effluent Outfall

- a 150 mm diameter outfall pipe discharging to a drainage ditch and therefrom ultimately to Innisfil Creek;

Emergency Overflow Storage

- partial backfilling of the existing south lagoon to provide a minimum 4,000 m 3 for storage of emergency overflow of untreated or partially treated sewage, to be returned to the Wastewater Treatment Plant for treatment after the emergency;

Biosolids Storage

- partial backfilling of the existing north lagoon to provide a minimum 4,000 m 3 for storage of waste activated sludge from the SBRs;

Standby Power

- one (1) 175 kW diesel generator set with integral fuel storage tank;

These proposed works are to be operated with the following previous works in order to provide a Rated Capacity of 60 cubic metres per day:

Previous Works

- a sewage lift station equipped with two (2) submersible sewage pumps each rated at 4.1 L/s at 11 m TDH, with a 75 mm diameter forcemain to the lagoon (to be decommissioned);
- a facultative lagoon consisting of two cells each with a storage capacity of 7,022 m 3 at an operating depth of 1.5 m providing a *Rated Capacity* of 38 m 3 /d (to be partially backfilled and converted for emergency overflow storage and biosolids storage);
- an alum batch dosing system for the lagoon contents prior to disposal by spray irrigation (to be decommissioned);
- a spray irrigation system consisting of a pumphouse equipped with a submersible pump rated at 12.6

L/s at 77 m TDH and irrigation piping, headers and sprinklers for disposal of lagoon effluent on a 6.95 ha of designated spray irrigation area (to be decommissioned);

- 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 submitted supporting documents listed in Schedule A.

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

"Approval" means this entire document and any schedules attached to it, and the application;

"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;

"By-pass" means diversion of sewage around one or more unit processes within the *Sewage Treatment Plant* with the diverted sewage flows being returned to the *Sewage Treatment Plant* treatment train upstream of the *Final effluent* sampling location, and discharging to the environment through the *Sewage Treatment Plant* outfall;

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

"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 Barrie office;

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

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

"Emergency Situation" means a structural, mechanical or electrical failure that causes a temporary reduction in the capacity of the *Sewage Treatment Plant* or an unforeseen flow condition that may result in:

a) danger to the health or safety of any person; or,
b) injury or damage to any property, or serious risk of injury or damage to any property;

"Event" means an action or occurrence, at a given location within the *Sewage Treatment Plant* that causes a *Plant Bypass or Plant Overflow.* An *Event* ends when there is no recurrence of a *Bypass* or *Overflow* in the 12-hour period following the last *Bypass* or *Overflow* . Two *Events* are separated by at least 12 hours during which there has been no recurrence of a *Bypass* or *Overflow;*

"Final Effluent " means sewage discharge via the *Sewage Treatment Plant* outfall after undergoing the full train of unit processes as listed in the *Approval;*

"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 ministry of the government of Ontario responsible for the *EPA* and *OWRA* and includes all officials, employees or other persons acting on its behalf;

"Monthly Average Concentration" means the arithmetic mean of all *Daily Concentrations* of a contaminant in the effluent sampled or measured, or both, during a calendar month;

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

"Monthly Average Loading" means the value obtained by multiplying the *Monthly Average Concentration* of a contaminant by the *Monthly Average Daily Flow* over the same calendar month:

"Owner" means Riocan Holdings (TJV) Inc. and 1633272 Alberta ULC and its successors and assignees;

"OWRA" means the Ontario Water Resources Act , R.S.O. 1990, c. O.40, as amended;

"Peak Flow Rate" means the maximum rate of sewage flow for which the plant or process unit was designed;

"Plant Overflow " means a discharge to the environment from the *Sewage Treatment Plant* at a location other than the plant outfall or into the plant outfall downstream of the *Final Effluent* sampling location;

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

"Regional Director" means the Regional Director of the Central Region of the Ministry;

"Sewage Treatment Plant" means the entire sewage treatment and effluent discharge facility;

"Source Protection Plan" means a drinking water source protection plan prepared under the Clean Water Act, 2006;

"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 and this *Approval.*

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

TERMS AND CONDITIONS

1. GENERAL PROVISIONS

(1) The *Owner* shall ensure that any person authorized to carry out work on or operate any aspect of the *Works* is notified of this *Approval* and the conditions herein and shall take all reasonable measures to ensure any such person complies with the same.

(2) Except as otherwise provided by these conditions, the *Owner* shall design, build, install, operate and maintain the *Works* in accordance with the description given in this *Approval* , and the application for approval of the W *orks.*

(3) Where there is a conflict between a provision of any document in the schedule referred to in this *Approval* and the conditions of this *Approval* , the Conditions in this *Approval* shall take precedence,

and where there is a conflict between the documents in the schedule, the document bearing the most recent date shall prevail.

(4) Where there is a conflict between the documents listed in the Schedule 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 Conditions of this *Approval* are severable. If any Condition of this *Approval* , or the application of any requirement of this *Approval* to any circumstance, is held invalid or unenforceable, the application of such condition to other circumstances and the remainder of this *Approval* shall not be affected thereby.

2. EXPIRY OF APPROVAL

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

(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;*

(d) change of name of the corporation where the *Owner* is or at any time becomes a corporation, and a copy of the most current information filed under the Corporations Information Act , R.S.O. 1990, c. C39 shall be included in the notification to the *District Manager;*

(2) In the event of any change in ownership of the *Works,* other than a change to a successor municipality, 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) Notwithstanding any other requirements in this *Approval,* upon transfer of the ownership or assumption of the *Works* to a municipality if applicable, any reference to the *District Manager* shall be replaced with the *Water Supervisor.*

(4) Notwithstanding any other requirements in this *Approval,* upon transfer of the ownership or assumption of the *Works* to a municipality if applicable, any reference to the *Regional Director* shall be replaced with the *Regional Water Compliance Manager.*

4. UPON THE SUBSTANTIAL COMPLETION OF THE WORKS

(1) Upon the *Substantial Completion* of the *Proposed Works,* the *Owner* shall prepare a statement, certified by 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* personnel.

(2) Within six (6) months 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. BY-PASSES

(1) Any *By-pass* or *Plant Overflow* is prohibited, except:

(a) in an *Emergency Situation;*

(b) where the *Bypass / Plant Overflow* is a direct and unavoidable result of a planned maintenance procedure, the *Owner* notified the *District Manager* 15 days prior to the *Bypass* and the *District Manager* has given written consent of the *Bypass;* and

(c) where the *Bypass / Plant Overflow* is planned for research or training purposes, the discharger notified the *District Manager* 15 days prior to the *Bypass / Plant Overflow* and the *District Manager* has given written consent of the *Bypass / Plant Overflow.*

(2) The *Owner* shall forthwith notify the Spills Action Centre (SAC) and the Medical Officer of Health of all *Bypass and Plant Overflow Events* except the events occurring under subsection (1)(b). This notice shall include, at a minimum, the following information:

(a) the date, time, and duration of the *Event;*

(b) the location of the *Event;*

(c) the measured or estimated volume of the *Event* (unless the *Event* is ongoing);

(d) the reason for the *Event;* and

(e) the level of treatment the *By-pass(es)* and/or *Plant Overflow(s)* received and disinfection status of same .

(3) The *Owner* shall submit *Bypass and Plant Overflow Event Reports* to the Ministry's local office on a quarterly basis, no later than each of the following dates for each calendar year: February 14, May 15, August 14, and November 15. Event Reports shall be in an electronic format specified by the Ministry. In each Event Report the *Owner* shall include, at a minimum, the following information on any *Events* that occurred during the preceding quarter:

(a) the date of the *Event(s);*

(b) the measured or estimated volume of the *Event(s);*

(c) the duration of the *Event(s);*

(d) the location of the *Event(s);*

(e) the reason for the *Event(s);* and

(f) the level of treatment the *By-pass(es)* and/or *Plant Overflow(s)* received and disinfection status of same .

(4) The *Owner* shall use best efforts to collect a representative sample consisting of a minimum of two (2) grab samples of the *Bypass / Plant Overflow* and have it analyzed for parameters outlined in Condition 7, one at the beginning of the *Event* and the second approximately near the end of the *Event,* to best reflect the effluent quality of such *Bypass* or *Plant Overflow.*

(5) The *Owner* shall maintain a logbook of all *Plant Bypasses* and *Plant Overflows,* which shall contain, at a minimum, the types of information set out in subsection 2 (a) to 2(e) in respect of each *Bypass* and *Plant Overflow.*

6. EFFLUENT OBJECTIVES

(1) Prior to *Substantial Completion* of the *Proposed Works,* 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 (Prior to *Substantial Completion* of the *Proposed Works*)	
Effluent Parameter	**Concentration Objective** (milligrams per litre unless otherwise indicated)
CBOD5	15.0
Total Suspended Solids	15.0
Total Phosphorus	0.5
Total Nitrogen	15.0

(2) Upon *Substantial Completion* of the *Proposed Works,* 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 2 - Effluent Objectives (Upon *Substantial Completion* of the *Proposed Works*)	
Effluent Parameter	**Concentration Objective** (milligrams per litre unless otherwise indicated)
CBOD5	5.0
Total Suspended Solids	3.0
Total Phosphorus	0.05
Total Ammonia Nitrogen	0.5 (May 1 to Oct 31) 1.5 (Nov 1 to Apr 30)
E. Coli	80 Organisms/100 mL Monthly *Geometric Mean Density*

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

(a) maintain the pH of the effluent from the *Works* within the range of 6.5 - 8.5, 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 on the receiving waters.

(4) The *Owner* shall include in all reports submitted in accordance with Condition 11 a summary of the efforts made and results achieved under this Condition.

7. EFFLUENT LIMITS

(1) Prior to *Substantial Completion* of the *Proposed Works,* the *Owner* shall design and construct 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 *Works.*

Table 3 - Effluent Limits (Prior to *Substantial Completion* of the *Proposed Works*)	
Effluent Parameter	**Concentration Objective** (milligrams per litre unless otherwise indicated)
CBOD5	20.0
Total Suspended Solids	20.0
Total Phosphorus	1.0
Total Nitrogen	20.0
pH of the effluent maintained between 6.0 to 9.5, inclusive, at all times	

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

(a) The *Annual 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).

(b) The pH of the effluent shall be maintained between 6.0 to 9.5, inclusive, at all times.

(3) Upon *Substantial Completion* of the *Proposed Works,* the *Owner* shall design and construct and operate and maintain the *Works* such that the concentrations and waste loadings of the materials named below as effluent parameters are not exceeded in the effluent from the *Works.*

Table 4 - Effluent Limits (Upon *Substantial Completion* of the *Proposed Works*)		
Effluent Parameter	**Average Concentration** (milligrams per litre unless otherwise indicated)	**Average Waste Loading** (kilograms per day unless otherwise indicated)

Column 1	Column 2	Column 3
CBOD5	10.0	0.6
Total Suspended Solids	5.0	0.3
Total Phosphorus	0.08	0.005
Total Ammonia Nitrogen	1.0 (May 1 to Oct 31) 2.5 (Nov 1 to Apr 30)	0.06 0.15
pH of the effluent maintained between 6.0 to 9.5, inclusive, at all times		

(4) For the purposes of determining compliance with and enforcing subsection (3):

(a) The *Monthly Average Concentration* of a parameter named in Column 1 of subsection (3) shall not exceed the corresponding maximum concentration set out in Column 2 of subsection (3).

(b) The *Monthly Average Loading* of a parameter named in Column 1 of subsection (3) shall not exceed the corresponding maximum waste loading set out in Column 3 of subsection (3).

(c) The pH of the effluent shall be maintained between 6.0 to 9.5, inclusive, at all times.

(5) Notwithstanding subsection (3), the *Owner* shall, upon *Substantial Completion* of the *Proposed Works,* operate and maintain the *Works* such that the effluent is continuously disinfected so that the monthly *Geometric Mean Density* of *E. Coli* does not exceed 100 organisms per 100 millilitres of effluent discharged from the *Works.*

(6) Paragraphs (a) and (b) of subsection (2) shall apply upon the issuance of this *Approval.*

(7) Paragraphs (a), (b) and (c) of subsection (4) shall apply upon *Substantial Completion* of the *Proposed Works.*

(8) The effluent limit set out in subsection (5) shall apply upon *Substantial Completion* of the *Proposed Works.*

8. 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 *Approval* 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 *Approval* 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 an operations manual within six (6) months of *Substantial Completion* of the *Proposed Works,* that includes, but 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.

9. 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 on the General Plan Drawing No. 8843-1 dated April 1, 1995; and

(2) no spray irrigation is to take place:

a) on frozen ground or between October 1 and May 31 of any calendar year;

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

c) within 7 days of the last application of effluent;

d) within 30 metres of any surface watercourse or drain; and

e) at a rate greater than 55 cubic metres per hectare of spray irrigation area per day.

(3) the disposal of effluent via spray irrigation only applies to the *Previous Works* and shall cease upon *Substantial Completion* of the *Proposed Works.*

10. 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 *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) For the purposes of this condition, the following definitions apply:

(a) Weekly means once each week;
(b) Quarterly means once every three months.

(3) Prior to *Substantial Completion* of the *Proposed Works,* groundwater and effluent quality monitoring shall be carried out in accordance with the monitoring program outlined in the letter prepare by Terraprobe Limited dated April 29, 1996.

(4) Upon *Substantial Completion* of the *Proposed Works,* 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 5 - Influent Monitoring - Pumping Station (Upon *Substantial Completion* of the *Proposed Works)*		
Parameters	**Sample Type**	**Frequency**
BOD5	Composite	Quarterly
Total Suspended Solids	Composite	Quarterly
Total Phosphorus	Composite	Quarterly
Total Kjeldahl Nitrogen	Composite	Quarterly

Table 6 - Final Effluent Monitoring - Final Effluent Outfall (Upon *Substantial Completion* of the *Proposed Works)*		
Parameters	**Sample Type**	**Frequency**
CBOD5	Composite	Weekly
Total Suspended Solids	Composite	Weekly
Total Phosphorus	Composite	Weekly
Total Ammonia Nitrogen	Composite	Weekly
E. Coli	Composite	Weekly
pH	Composite	Weekly
Temperature	Composite	Weekly

(5) 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;

(c) the publication "Standard Methods for the Examination of Water and Wastewater" (21st edition), as amended from time to time by more recently published editions;

(6) The temperature and pH of the effluent from the *Works* shall be determined in the field at the time of sampling for Total Ammonia Nitrogen. The concentration of un-ionized ammonia shall be calculated using the total ammonia concentration, pH and temperature using the methodology stipulated in "Ontario's Provincial Water Quality Objectives" dated July 1994, as amended, for ammonia (un-ionized).

(7) The *Owner* shall install and maintain (a) continuous flow measuring device(s), to measure the flowrate of the 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.

11. 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) Ten (10) days prior to the date of a planned *By-pass* being conducted pursuant to Condition 5 and as soon as possible for an unplanned *By-pass,* the *Owner* shall notify the *District Manager* (in writing) of the pending start date, in addition to an assessment of the potential adverse effects on the environment and the duration of the *By-pass.*

(3) The *Owner* shall report to the *District Manager* or designate, any exceedence of any parameter specified in Condition 7 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 ten (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 7, 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 summary of any effluent quality assurance or control measures undertaken in the reporting period;

(e) a summary of the calibration and maintenance carried out on all effluent monitoring equipment;

(f) a description of efforts made and results achieved in meeting the Effluent Objectives of Condition 6;

(g) a tabulation of the volume of sludge generated in the reporting period, an outline of anticipated volumes to be generated in the next reporting period and a summary of the locations to where the sludge was disposed;

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

(i) a summary of all *By-pass,* spill or abnormal discharge events; and

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

12. FINANCIAL ASSURANCE

(1) Prior to the operation of the *Proposed Works,* financial assurance shall be provided to the *Ministry* by the *Owner* , in an amount of $55,000 and in a form as required by the *Director* , to pay for the compliance with and performance of any action specified in this *Approval* including the clean- up, monitoring and post closure care of the *Works.*

(2) A report regarding the review of financial assurance required by the conditions in this *Approval* shall be submitted to the *Director* and the *District Manager* by December 31, 2019, and at intervals of not more than five (5) years thereafter. The report shall include:

a. Updates of the discount, interest and inflation rates associated with the requirements for financial assurance in this *Approval* including justifications and sources of the proposed rates; and

b. A report prepared by a qualified professional engineer which updates the cost estimates on which the amounts associated with the requirements for financial assurance in this *Approval* are based. The report shall take into consideration:

i. analysis, transportation, site clean-up, monitoring and disposal of all quantities of waste on the site at any one time;
ii. re-evaluation shall include an assessment based on any new information relating to the

environmental conditions of the site and shall include the costs of additional monitoring and/or implementation of contingency plans;

(3) If financial assurance is scheduled to expire or notice is received, indicating financial assurance will not be renewed, and satisfactory methods have not been made to replace the financial assurance at least sixty (60) days before the financial assurance terminates, the financial assurance shall be forthwith replaced with cash.

13. SOURCE WATER PROTECTION

The *Owner* shall, within sixty (60) calendar days of the Minister of the Environment posting approval of a *Source Protection Plan* on the environmental registry established under the Environmental Bill of Rights, 1993 for the area in which this *Approval* is applicable, apply to the *Director* for an amendment to this *Approval* that includes submission of a plan for action to comply with all applicable policies in the approved *Source Protection Plan.*

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. The condition also advises the Owners their responsibility to notify any person they authorized to carry out work pursuant to this *Approval* the existence of this *Approval.*

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 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 to indicate that by-passes of untreated sewage to the receiving watercourse is prohibited, save in certain limited circumstances where the failure to *Bypass* could result in greater injury to the public interest than the *Bypass* itself where a *Bypass* will not violate the approved effluent requirements, or where the *Bypass* can be limited or otherwise mitigated by handling it in accordance with an approved contingency plan. The notification and documentation requirements allow the *Ministry* to take action in an informed manner and will ensure the *Owner* is aware of the extent and frequency of *Bypass* events.

6. Condition 6 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 7 are exceeded.

7. Condition 7 is imposed to ensure that the effluent discharged from the *Works* to the Big Creek meets the *Ministry* 's effluent quality requirements thus minimizing environmental impact on the

receiver and to protect water quality, fish and other aquatic life in the receiving water body.

8. Condition 8 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.

9. Condition 9 is included to ensure that the *Works* are operated in a manner that minimizes any off property impacts from the spray irrigation operation.

10. Condition 10 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 *Approval* and that the *Works* does not cause any impairment to the receiving watercourse.

11. Condition 11 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.

12. Condition 12 is included to ensure that the owner provides financial assurance on a timely basis, in an amount adequate to cover the capital and operating costs of the environmental measures for which it is provided and is in a form readily used by *Ministry* personnel.

13. Condition 13 is included to ensure that the works covered by this *Approval* will conform to the significant threat policies and designated Great Lakes policies in the *Source Protection Plan.*

Schedule A

1. Application for Approval of Municipal and Private Sewage Works including Design Brief revised October 1995, a letter dated January 12, 1996, a letter dated February 08, 1996, as well as Terraprobe Limited letters dated January 25, 1996, February 09, 1996 and February 12, 1996 altogether as submitted by Falby Burnside & Associates Ltd.;
2. Environmental Compliance Approval Application submitted by MMM Group received on July 22, 2013, including Design Brief, engineering plans and specifications.

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 3046-56UQ9W issued on February 11, 2002.

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me, the Environmental Review Tribunal and in accordance with Section 47 of the Environmental Bill of Rights, 1993 , S.O. 1993, c. 28 (Environmental Bill of Rights), 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 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.

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:

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 Environmental Commissioner 1075 Bay Street, Suite 605 Toronto, Ontario M5S 2B1	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**

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 www.ebr.gov.on.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 15th day of April, 2014

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

FL/
c: District Manager, MOE Barrie
Michael Paddas, P. Eng., MMM Group Limited