

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 2941-BB4J7W

Issue Date: April 24, 2019

1882834 Ontario Inc.
165 Tanbark Road
Post Office Box, No. 339
Township of Niagara-on-the-Lake, Ontario
L0S 1J0

Site Location: Scott Street Greenhouses,
880 Lakeshore Road
Township of Niagara-on-the-Lake, Regional Municipality of Niagara
L0S 1J0

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:

existing stormwater management works for the collection, transmission, treatment and disposal of **non-contact stormwater runoff** from the above-mentioned Site Location, consisting of the following:

storm sewer collection system (catchment area: 1.11 hectares): storm runoff from the glass roof area (Zone 2, 3, 4 and 5) is conveyed, via storm sewers, to an on-site cistern, as described below; storm runoff from remainder of the greenhouse roofs is conveyed, via storm sewers, to a catchbasin, as described below;

catchbasin: one (1) on-site catchbasin, discharging effluent, via gravity, to a stormwater detention pond on the adjacent property;

cistern: one (1) on-site cistern, with a total capacity of 190,000 L, equipped with an overflow discharging to a stormwater detention pond located on the adjacent property.

including all other controls and appurtenances essential for the proper operation of the aforementioned Works;

all in accordance with the submitted application and supporting documents listed in Schedule A forming part of this Approval.

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

1. "Approval" means this entire document and any schedules attached to it, and the application;
2. "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;
3. "District Manager" means the District Manager of the Niagara District Office;
4. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
5. "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;
6. "Owner" means 1882834 Ontario Inc., and includes its successors and assignees;
7. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
8. "Single Sample Result" means the test result of a parameter in the effluent discharged on any day, as measured by a probe, analyzer or in a composite or grab sample, as required;
9. "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

2. 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.
3. 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 Works.
4. 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.

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

6. 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.

7. The issuance of, and compliance with the conditions of this Approval does not:

- a. relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement, including, but not limited to, the obligation to obtain approval from the local conservation authority necessary to construct or operate the sewage Works; or
- b. limit in any way the authority of the Ministry to require certain steps be taken to require the Owner to furnish any further information related to compliance with this Approval.

8. CHANGE OF OWNER

9. The Owner shall notify the District Manager and the Director, in writing, of any of the following changes within thirty (30) days of the change occurring:

- a. change of Owner;
- b. change of address of the Owner;
- c. change of partners where the Owner is or at any time becomes a partnership, and a copy of the most recent declaration filed under the *Business Names Act*, R.S.O. 1990, c.B17 shall be included in the notification to the District Manager; and
- d. change of name of the corporation where the Owner is or at any time becomes a corporation, and a copy of the most current information filed under the *Corporations Information Act*, R.S.O. 1990, c. C39 shall be included in the notification to the District Manager.

10. 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.

11. The Owner shall ensure that all communications made pursuant to this condition refer to the environmental compliance approval number.

12.

EFFLUENT LIMITS

13. The Owner shall operate and maintain the Works such that Single Sample Result concentration of the materials named in Effluent Limit Table (Table 1) in **Schedule B** as effluent parameters are not exceeded in the effluent from the Works.

14. Notwithstanding any other conditions of this Approval, the Owner shall ensure that the effluent from the Works is essentially free of floating and settable 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.

15.

OPERATION AND MAINTENANCE

16. The Owner shall inspect the Works at least two (2) times per year and, if necessary, clean and maintain the Works to prevent the excessive build-up of sediments, oil/grit, and/or vegetation.

17. The Owner shall prepare an operations manual, within six (6) months of the issuance of this Approval, that includes, but is not necessarily limited to, the following information:

- a. operating and maintenance procedures for routine operation of the Works;
- b. inspection programs, including frequency of inspection, for the Works and the methods or tests employed to detect when maintenance is necessary;
- c. repair and maintenance programs, including the frequency of repair and maintenance for the Works;
- d. contingency plans and procedures for dealing with potential spills and any other abnormal situations and for notifying the District Manager; and
- e. procedures for receiving, responding and recording public complaints, including recording any follow-up actions taken.

18. The Owner shall maintain a logbook to record the results of these inspections and any cleaning and maintenance operations undertaken, and shall keep the logbook available for inspection by the Ministry .

19. **MONITORING AND RECORDING** The Owner shall, upon commencement of operation of the Works, carry out the following monitoring program:

20. 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.

21. Samples shall be collected at the sampling station(s), at the sampling frequencies and using the sample type specified for each parameter listed in the Table 2 - Effluent Monitoring (Cistern and Catchbasin), as outlined in **Schedule C**.

22. 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 publication "Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater Version 2.0" (January 2016), PIBS 2724e02, as amended from time to time by more recently published editions;
- b. the publication "Standard Methods for the Examination of Water and Wastewater" (21st edition), as amended from time to time by more recently published editions; and
- c. an approved method that meets the same data quality objectives specified in either of the above documents.

23. The sampling frequencies and parameters specified in subsection (2) are minimum requirements which may, after twenty four (24) months of monitoring in accordance with this condition, be modified by the Director in writing from time to time. The sampling frequencies and/or parameters specified may be reduced where authorized in writing by the Director if the Owner is able to demonstrate satisfactory performance for two (2) consecutive years.

24. In the event of an exceedance of the Single Sample Result concentration values of the trigger parameters listed in Table 3 - Trigger Concentration Values for Monitoring, as outlined in "**Schedule D**", during the prescribed monitoring events listed in Table 2, as outlined in "**Schedule C**", the Owner shall develop a contingency plan within three (3) months of such an occurrence evaluating the root cause for the exceedance, and recommending actions/ measures to be taken to prevent future occurrences of such events, and submit the plan to the District Manager for review and approval.

25. Once the contingency plan is accepted by the District Manager, the Owner shall implement the contingency plan within three (3) months of receiving approval.

26.

REPORTING

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

28. The Owner shall, upon request, make all manuals, plans, records, data, procedures and supporting documentation available to the Ministry staff.

29. The Owner shall prepare, and submit to the District Manager upon request, a performance report, on an annual basis, by April 1 for the previous calendar year. The report 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 concentration limits and trigger concentration values of the parameters outlined in Condition 3 and 5;
- 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 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;
- g. any other information the District Manager requires from time to time.

30.

Schedule A

1. Environmental Compliance Approval Application for Sewage Works submitted by Gord Valstar, President of 1882834 Ontario Inc. dated June 29, 2018 and all supporting documentation and information;

Schedule B

Table 1 - Effluent Limits (Cistern and Catchbasin)

Effluent Parameter	Concentration Limit Single Sample Result (milligrams per litre unless otherwise
---------------------------	--

	indicated)
Total Phosphorus	0.5
Nitrate Nitrogen	20
Potassium	25
Copper	0.02
Chloride	200
Sulphate	200
Zinc	0.10

pH of the effluent maintained between 6.5 to 10.0 (Note 2 see below)

Schedule C

Table 2 - Effluent Monitoring (Cistern and Catchbasin)

Sampling Station	the cistern and the catchbasin
Sampling Type	Grab
Sample Frequency	Once a month during discharge period
Sampling Parameters	Total Suspended Solid, Total Ammonia Nitrogen, Nitrate Nitrogen, Total Phosphorus, Ortho Phosphorus (Phosphorus as Phosphate), Zinc, Copper, Manganese, Iron, Molybdenum, Boron, Chloride, Sulphate, Potassium, Hardness, pH

Schedule D

Table 3 - Trigger Concentration Values for Monitoring

Trigger Parameter	Concentration - Single Sample Result (milligrams per litre)
Nitrate Nitrogen	15
Total Phosphorus	0.3
Potassium	20
Total Suspended Solid	30

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

1. Condition 1 is imposed to ensure that the Works are 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 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.

3. Condition 3 is imposed to ensure that the effluent discharged from the Works to the receiver meets the Ministry's effluent quality requirements thus minimizing environmental impact on the receiver.

4. Condition 4 is included to require that the Works be properly operated and maintained such that the environment is protected.

5. Condition 5 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 specified in the Approval.

6. Condition 6 is included to provide a performance record for future references, to ensure that the Ministry is made aware of problems as they arise, and to provide a compliance record for all the terms and conditions outlined in this Approval, so that the Ministry can work with the Owner in resolving any problems in a timely manner.

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me, the Environmental Review Tribunal and in accordance with Section 47 of the Environmental Bill of Rights, 1993, the Minister of the Environment, Conservation and Parks, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Minister of the Environment, Conservation and Parks will place notice of your appeal on the Environmental Registry. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:

- a. The portions of the environmental compliance approval or each term or condition in the environmental compliance approval in respect of which the hearing is required, and;
- b. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

1. The name of the appellant;
2. The address of the appellant;
3. The environmental compliance approval number;
4. The date of the environmental compliance approval;

5. The name of the Director, and;
6. The municipality or municipalities within which the project is to be engaged in.

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

This Notice must be served upon:

The Secretary*		The Minister of the Environment, Conservation and Parks		The Director appointed for the purposes of Part II.1 of the Environmental Protection Act
Environmental Review Tribunal				Ministry of the Environment, Conservation and Parks
655 Bay Street, Suite 1500	AND	777 Bay Street, 5th Floor	AND	135 St. Clair Avenue West, 1st Floor
Toronto, Ontario		Toronto, Ontario		Toronto, Ontario
M5G 1E5		M7A 2J3		M4V 1P5

*** 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) 326-5370 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 24th day of April,
2019

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

SO/
c: District Manager, MECP Niagara District Office
Steve Valstar, Owner of Scott Street Greenhouses Ltd.