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Ministry of the Environment, Conservation and Parks
Ministère de l'Environnement, de la Protection de la nature et des Parcs

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 8523-BZKJ8S

Issue Date: April 8, 2021

2622722 Ontario Inc.
2815 14th Avenue
Markham, Ontario
L3R 0H9

Site Location: 2815 14th Avenue
Town of Markham, Regional Municipality of York

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:

stormwater management Works servicing the existing industrial site for the development of a proposed hot mix asphalt plant at the above Site Location, for the collection, transmission, treatment and disposal stormwater runoff, to provide Enhanced Level quality control and erosion protection and to attenuate the post-development peak flows to pre-development levels for all storm events up to and including the 100-year storm event, consisting of the following:

grassed swales located along the southern half of the eastern and western property lines, receiving stormwater runoff from the southern portion of the site, discharging to the wet pond identified below;

wet pond with sediment forebay, receiving stormwater runoff from a catchment area of 2.87 hectares, providing Enhanced Level quality control, having a permanent pool volume of approximately 603 cubic metres at a depth of 1.2 metres, extended detention volume of approximately 510 cubic metres and a total storage volume of approximately 1,516 cubic metres including the permanent pool, discharging via an Hickenbottom outlet structure consisting of a 150 millimetre diameter reverse sloped outlet pipe equipped with a 75 millimetre diameter orifice and a 2.8 metre wide rectangular outlet weir structure with headwall to the existing ditches along the CN Rail corridor;

existing storm sewers within the northern portion of the site, discharging to the existing municipal storm sewers on 14th Avenue;

including erosion/sedimentation control measures during construction and 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 appropriate local District Office of the Ministry, where the Works are geographically located;
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 2534929 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. "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 CONDITIONS

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 terms and conditions herein and shall take all reasonable measures to ensure any such person complies with the same.
2. The Owner shall design, construct, operate and maintain the Works in accordance with the conditions of this Approval.

3. Where there is a conflict between a provision of any document referred to in this Approval and the conditions of this Approval, the conditions in this Approval shall take precedence.
4. The issuance of, and compliance with the conditions of, this Approval does not:
 - a. relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement, including, but not limited to, the obligation to obtain approval from the local conservation authority necessary to construct or operate the sewage works; or
 - b. limit in any way the authority of the Ministry to require certain steps be taken to require the Owner to furnish any further information related to compliance with this Approval.

2. EXPIRY OF APPROVAL

1. In the event that completion and commissioning of any portion of the Works is anticipated to be more than **five (5) years**, the Owner shall submit an application for extension at least twelve (12) months prior to the end of the five (5) years from the day of issuance of this Approval. The application shall include the reason(s) for the delay, whether there is any design change(s) and a review of whether the standards applicable at the time of Approval of the Works are still applicable at the time of request for extension, to ensure the ongoing protection of the environment.

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; or
 - 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. The Owner shall ensure that all communications made pursuant to this condition refer to the number at the top of this Approval.

4. CONSTRUCTION OF THE WORKS

1. Upon the construction of the 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 one (1) year of the construction of the sewage 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. OPERATION AND MAINTENANCE

1. The Owner shall make all necessary investigations, take all necessary steps and obtain all necessary approvals so as to ensure that the physical structure, siting and operations of the Works do not constitute a safety or health hazard to the general public.
2. The Owner shall inspect and ensure that the design minimum liquid retention volume is maintained in the Works at all times, except when maintenance is required.
3. The Owner shall undertake an inspection of the condition of the Works, at least quarterly, and undertake any necessary cleaning and maintenance to ensure that sediment, debris and excessive decaying vegetation are removed from the Works to prevent the excessive build-up of sediment, oil/grit, debris and/or decaying vegetation, to avoid reduction of the capacity and/or permeability of the Works, as applicable. The Owner shall also regularly inspect and clean out the inlet to and outlet from the Works to ensure that these are not obstructed.
4. The Owner shall construct, operate and maintain the Works with the objective 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, sheen, foam or discoloration on the receiving waters.
5. The Owner shall ensure no wash water effluent from the wheel washing station is discharged to the stormwater management Works.
6. The Owner shall have a valid agreement with a hauler who is in possession

of a valid waste management systems approval at all times during the operation of the Works, who will haul the wash water effluent from the wheel washing station to an approved sewage disposal site.

7. The Owner shall ensure the immediate clean-out of the Works after a fuel or oil spill capture.
8. The Owner shall ensure that equipment and material for the containment, clean-up and disposal of fuel and oil and materials contaminated with such, is on hand and in good repair for immediate use in the event of:
 - a. loss of fuel or oil to the Works; or
 - b. a spill within the meaning of Part X of the EPA.
9. The Owner shall prepare an operations manual prior to the commencement of operation of the Works 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.
10. The Owner shall maintain an up to date operations manual and make the manual readily accessible for reference at the Works for the operational life of the Works. Upon request, the Owner shall make the manual available to Ministry staff.
11. 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 at the Works for inspection by the Ministry. The logbook shall include the following:
 - a. the name of the Works;
 - b. the date and results of each inspection, maintenance and cleaning, including an estimate of the quantity of any materials removed and method of clean-out of the Works; and

c. the date of each spill within the catchment area, including follow-up actions and remedial measures undertaken.

12. The Owner shall retain for a minimum of five (5) years from the date of their creation, all records and information related to or resulting from the operation and maintenance activities required by this Approval.

6. TEMPORARY EROSION AND SEDIMENT CONTROL

1. The Owner shall install and maintain temporary sediment and erosion control measures during construction and conduct inspections once every two (2) weeks and after each significant storm event (a significant storm event is defined as a minimum of 25 millimetres of rain in any 24 hours period). The inspections and maintenance of the temporary sediment and erosion control measures shall continue until they are no longer required and at which time they shall be removed and all disturbed areas reinstated properly.
2. The Owner shall maintain records of inspections and maintenance which shall be made available for inspection by the Ministry, upon request. The record shall include the name of the inspector, date of inspection, and the remedial measures, if any, undertaken to maintain the temporary sediment and erosion control measures.

7. EFFLUENT LIMITS

1. The Owner shall design, construct and operate the Works such that the concentrations of the materials listed as effluent parameters in the effluent limits table in Schedule B are not exceeded in the effluent from the Works.
2. For the purposes of determining compliance with and enforcing subsection 1:
 - a. non-compliance with respect to a Concentration Limit is deemed to have occurred when any single (composite, grab) sample analyzed for a parameter named in Column 1 of the Effluent Limits Table listed in Schedule B is greater than the corresponding maximum concentration set out in Column 2 of the Effluent Limits Table listed in Schedule B;
 - b. non-compliance with respect to pH is deemed to have occurred when any single measurement is outside of the indicated range.

8. EFFLUENT MONITORING

1. The Owner shall, upon commencement of operation of the sewage works, carry out a monitoring program, and 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. Samples shall be collected and analyzed at the following sampling point(s), at

the sampling frequencies and using the sample type specified for each parameter listed in the effluent monitoring table in Schedule B.

3. The methods and protocols for sampling, analysis, toxicity testing, 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" (January 1999), ISBN 0-7778-1880-9, 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.
4. The measurement frequencies specified in the effluent monitoring table in Schedule B in respect of any parameter are minimum requirements which may, after two (2) years of monitoring in accordance with this Condition, be modified by the Director in writing from time to time.
5. The Owner shall retain for a minimum of five (5) years from the date of their creation, all records and information related to or resulting from the monitoring activities required by this Approval.

9. REPORTING

1. One (1) week prior to the start-up of the operation of the Works, the Owner shall notify the District Manager (in writing) of the pending start-up date.
2. The Owner shall, upon request, make all reports, manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.
3. The Owner shall report to the District Manager or designate, any exceedance of any parameter specified in Condition 7 orally, as soon as reasonably possible, and in writing within seven (7) days of the exceedance.
4. In addition to the obligations under Part X of the EPA and O. Reg. 675/98 (Classification and Exemption Of Spills and Reporting of Discharges), the Owner shall, within fifteen (15) days of the occurrence of any reportable spill as provided in Part X of the EPA and Ontario Regulation 675/98, submit a full written report of the occurrence to the District Manager describing the cause and discovery of the spill, clean-up and recovery measures taken, preventative measures to be taken and a schedule of implementation.
5. The Owner shall prepare and submit a performance report to the District Manager 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 prepared 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 sewage 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, including an estimate of the quantity of any materials removed from the Works;
- d. a summary of the calibration and maintenance carried out on all effluent monitoring equipment;
- e. a summary of any effluent quality assurance or control measures undertaken in the reporting period;
- f. a summary of any complaints received during the reporting period and any steps taken to address the complaints;
- g. a summary of all spill or abnormal discharge events; and
- h. any other information the District Manager requires from time to time.

10. SPILL CONTINGENCY PLAN

1. Within six (6) months from the issuance of this Approval, the Owner shall implement a spill contingency plan - that is a set of procedures describing how to mitigate the impacts of a spill within the area serviced by the Works. The Owner shall, upon request, make this plan available to Ministry staff. This plan shall include as a minimum:
 - a. the name, job title and location (address) of the Owner, person in charge, management or person(s) in control of the facility;
 - b. the name, job title and 24-hour telephone number of the person(s) responsible for activating the spill contingency plan;
 - c. a site plan drawn to scale showing the facility, nearby buildings, streets, catch-basins and manholes, drainage patterns (including direction(s) of flow in storm sewers), any receiving body(ies) of water that could potentially be significantly impacted by a spill and any features which need to be taken into account in terms of potential impacts on access and response (including physical obstructions and location of response and clean-up equipment);

- d. steps to be taken to report, contain, clean up and dispose of contaminants following a spill;
 - e. a listing of telephone numbers for: local clean-up company(ies) who may be called upon to assist in responding to spills; local emergency responders including health institution(s); and Ministry Spills Action Centre 1-800-268-6060;
 - f. Safety Data Sheets (SDS) for each hazardous material which may be transported or stored within the area serviced by the Works;
 - g. the means (internal corporate procedures) by which the spill contingency plan is activated;
 - h. a description of the spill response training provided to employees assigned to work in the area serviced by the Works, the date(s) on which the training was provided and by whom;
 - i. an inventory of response and clean-up equipment available to implement the spill contingency plan, location and, date of maintenance/replacement if warranted; and
 - j. the date on which the contingency plan was prepared and subsequently, amended.
2. The spill contingency plan shall be kept in a conspicuous, readily accessible location on-site.
 3. The spill contingency plan shall be amended from time to time as required by changes in the operation of the facility.

Schedule A

1. Application for Approval of Industrial Sewage Works dated March 16, 2020 and received on June 26, 2020, submitted by 2622722 Ontario Inc., including supporting documentation including stormwater management report, final plans and specifications.

Schedule B

Table 1 - Effluent Limits Table

Effluent Parameter	Concentration Limit (milligrams per litre unless otherwise)
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	indicated)
Column 1	Column 2
Total Suspended Solids	25
Oil and grease	10
pH	maintained between 6.0 - 9.5 inclusive, at all times

Table 2 - Effluent Monitoring Table

Sampling point - Discharge outlet of the wet pond

Frequency	Four (4) times per year during wet rainfall events, with at least 30 days between each sampling event.
Sample Type	Grab
Parameters	Total Suspended Solids, Oil and grease, pH

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

1. Condition 1 is imposed to ensure that the Works are constructed and operated in the manner in which they were described and upon which approval was granted. This condition is also included to emphasize the precedence of conditions in the Approval and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review. Condition 1.4 is included to emphasize that the issuance of this Approval does not diminish any other statutory and regulatory obligations to which the Owner is subject in the construction, maintenance and operation of the Works. The Condition specifically highlights the need to obtain any necessary conservation authority approvals. The Condition also emphasizes the fact that this Approval doesn't limit the authority of the Ministry to require further information.
2. Condition 2 is included to ensure that, 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 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 as regular inspection and necessary removal of sediment and excessive decaying vegetation from the Works are required to mitigate the impact of sediment, debris and/or decaying vegetation on the treatment capacity of the Works. The Condition also ensures that adequate storage is maintained in the Works at all times as required by the design. Furthermore, this Condition is included to ensure that the Works are operated and maintained to function as designed.
6. Condition 6 is included as installation, regular inspection and maintenance of the temporary sediment and erosion control measures is required to mitigate the impact on the downstream receiving watercourse during construction until they are no longer required.
7. Condition 7 is imposed to ensure that the effluent discharged from the Works meets the Ministry's effluent quality requirements, as specified, on a continuous basis, thus minimizing environmental impact on the receiver.
8. Condition 8 is included to require the Owner to demonstrate on a continual basis that the quality and quantity of the effluent from the approved works is consistent with the design and effluent objectives specified in the Approval and that the approved works does not cause any impairment to the receiving watercourse.
- 9.
10. Condition 9 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.
11. Condition 10 is included to ensure that the Owner will implement the Spill Contingency Plan, such that the environment is protected and deterioration, loss, injury or damage to any person(s) or property is prevented.

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* Environmental Review Tribunal 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5	AND	The Minister of the Environment, Conservation and Parks 777 Bay Street, 5th Floor Toronto, Ontario M7A 2J3	AND	The Director appointed for the purposes of Part II.1 of the Environmental Protection Act Ministry of the Environment, Conservation and Parks 135 St. Clair Avenue West, 1st Floor Toronto, Ontario M4V 1P5
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*** 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 <https://ero.ontario.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 8th day of April, 2021

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

JY/

c: District Manager, MECP York-Durham
Richard Morales, Parsons Inc.