

## AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 6210-D8YHJD

Issue Date: December 16, 2024

American Iron & Metal Company Inc.  
75 Steel City Court  
Hamilton, ON L8H 3Y2

Site Location: 139 Steel City Court  
Hamilton, ON L8H 3Y22

*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:*

as-built deviations for existing stormwater management works servicing a scrap metal recycling facility located at the above site address, for the collection, transmission, treatment and disposal of storm water runoff from a site area of approximately 17.0 hectares, to provide Enhanced Level water quality protection and erosion control and to convey up to the 100-year storm event, discharging towards Red Hill Creek and ultimately to the Hamilton Harbour, consisting of the following existing Works:

- **Storm Sewers:** one (1) private on-site storm sewer collection system comprised of two (2) subsystems, consisting of storm sewers ranging approximately from 250 to 600 millimetre in diameter, complete with associated catch basin and manhole structures, discharging to the north and south end of the concrete/rip-rap lined channel described below;
- **West Channel (catchment area 11.34 hectares):** one (1) rip-rap lined ditch, located along parts of the western site boundary, approximately 262 metres in length, comprised of a 1 metre bottom width trapezoidal channel with 3:1 side slopes and longitudinal slopes of 0.1 %, discharging to the wet pond forebay described below via 825 millimetre diameter outlet pipe;
- **North Channel (catchment area 3.77 hectares):** one (1) enhanced grassed swale, located along parts of the northern site boundary, approximately 319 metres in length, receiving runoff via overland sheet flow or via culverts in areas equipped with berms, comprised of a triangular channel with 2.4:1 side slopes and longitudinal slopes of 0.2 %, discharging to the wet pond forebay described below via 825 millimetre diameter outlet pipe;

- **Wet Pond (catchment area 15.11 hectares):** one (1) wet pond with forebay, located at the north-west site boundary and surrounded by a vegetated berm, complete with 6.0 metre wide emergency overflow spillway and 300 mm diameter maintenance outlet pipe controlled by one (1) normally-closed gate valve, with permanent oil booms installed within the forebay, providing a permanent pool volume of approximately 3,590 cubic metres within the main cell as well as an active storage volume of approximately 8,960 cubic meters below the spillway, discharging minor storm events via 300 mm diameter reversed slope outlet pipe controlled by one (1) 200 mm diameter orifice within a control manhole complete with one (1) normally-open gate valve as well as major flows via three (3) 825 mm diameter outlet pipes towards a rip-rap reinforced plunge pool that outlets to Red Hill Creek and ultimately to the Hamilton Harbour;

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 Environmental Compliance Approval and any Schedules attached to it;
2. "CBOD5" means five day carbonaceous (nitrification inhibited) biochemical oxygen demand measured in an unfiltered sample;
3. "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;
4. "District Manager" means the District Manager of the appropriate local District Office of the Ministry, where the Works are geographically located;
5. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
6. "Existing Works" means those portions of the Works included in the Approval that have been constructed previously;
7. "Grab Sample" or "Grab" means an individual sample of at least 1000 millilitres collected in an appropriate container at a randomly selected time over a period of time not exceeding 15 minutes;
8. "Licensed Engineering Practitioner" means a person who holds a licence, limited licence or temporary licence under the *Professional Engineers Act*, R.S.O. 1990, c. P.28;
9. "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;

10. "Owner" means American Iron & Metal Company Inc. and its successors and assignees;
11. "OWRA" means the *Ontario Water Resources Act* , R.S.O. 1990, c. O.40, as amended;
12. Semi-annual means twice per year, with one sample taken in the spring and one sample taken in fall during periods of active discharge;
13. "Works" means the approved sewage works, and includes Existing Works.

*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 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 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. 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 address of Owner;
  - b. change of Owner, including address of new 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. B.17* shall be included in the notification; or
  - d. change of name of the 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.
2. In the event of any change in ownership of the Works, 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 of this Approval.

### **3. RECORD DRAWINGS**

1. A set of record drawings of the Works shall be kept up to date through revisions undertaken from time to time and a copy shall be readily accessible for reference at the Works.

### **4. 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, health or flooding hazard to the general public.
2. The Owner shall undertake an inspection of the condition of the Works, at least once a year, 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.
3. 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.
4. The Owner shall visually inspect CBMH1 on a monthly basis, monitor the surrounding area for long-term ponding and undertake any necessary cleaning and maintenance to address long-term ponding of stormwater runoff.
5. The Owner shall inspect any oil booms installed within the wet pond forebay in accordance with the manufacturer's recommendation.

6. The Owner shall ensure the immediate clean-out of the Works after a fuel or oil spill capture.
7. Discharge of leachate contaminated stormwater to the receiving surface water from the Works is prohibited, except where it is necessary to avoid loss of life, personal injury, danger to public health or severe property damage;
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 abnormal situations and for notifying the District Manager;
  - e. procedures related to the operation of the wet pond outlet gate valves; and
  - f. 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;
  - c. the date and time operational staff opened or closed the wet pond outlet gate valves; and
  - d. 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.

## **5. 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.

## **6. 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.

## **7. EFFLUENT MONITORING**

- 1. The Owner shall, upon commencement of operation of the 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 Version 2.0" (January 2016), PIBS 2724e02, as amended;
  - 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;
  - c. for any parameters not mentioned in the documents referenced in Paragraphs 3.a and 3.b, the written approval of the District Manager shall be obtained prior to sampling.
4. The measurement frequencies specified in the effluent monitoring table in Schedule B in respect of any parameter are minimum requirements which may, after **24 months** 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.

## **8. 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 report to the District Manager orally **as soon as possible** any non-compliance with the compliance limits, and in writing **within seven (7) days** of non-compliance.
3. The Owner shall, upon request, make all reports, manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.
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) made under the EPA, the Owner shall, within **fifteen (15) days** of the occurrence of any reportable spill as provided in Part X of the EPA and O. Reg. 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 performance reports on a calendar year basis and submit to the District Manager by March 31 of the calendar year following the period being reported upon. The reports shall contain, but shall not be limited to, the following information pertaining to the reporting period:

- 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 and the amount rainfall that occurred within the 24 hours prior to any sample taken;
- 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.

## 9. 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.

*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 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 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.
4. Condition 4 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.

5. Condition 5 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.
6. Condition 6 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.
7. Condition 7 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.
8. Condition 8 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.
9. Condition 9 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.

## **Schedule A**

1. Environmental Compliance Approval Application submitted by American Iron and Metal GP Inc. dated June 9, 2016. drawings and design specifications prepared by R. J. Burnside and Associates Limited, Brampton, Ontario.
2. "Stormwater Management Report - 139 Windermere Road, Hamilton" dated December 2015 and design specifications and engineering drawings dated January 15, 2016, prepared by IBI Group, Hamilton, Ontario.
3. Environmental Compliance Approval Application for Industrial Sewage Works submitted by American Iron & Metal Company Inc., dated April 17, 2023 and received on April 17, 2023 and all supporting documentation and information.
4. ECA Effluent Objectives Summary Report, dated April 2023, prepared by Matrix Solutions Inc.
5. Storm Infrastructure Assessment Report, dated April 2023 and revised November 2024, including calculations and engineering drawings, prepared by Meritech Engineering.

## Schedule B

### Effluent Limits Table

(measured at the wet pond control manhole (MH8) during periods of active discharge following a storm event of at least 15 millimetres of rain in any 24 hours period)

Effluent Parameter	Average Calculator	Effluent Limit
Oil and Grease	Single Sample Result	15 mg/L
Boron	Single Sample Result	1.5 mg/L
Toluene	Single Sample Result	0.0008 mg/L
Chromium	Single Sample Result	0.0089 mg/L
Copper	Single Sample Result	0.008 mg/L
Iron	Single Sample Result	2.3 mg/L
Zinc	Single Sample Result	0.05 mg/L

### Effluent Monitoring Table

(sampled at the wet pond control manhole (MH8) during periods of active discharge following a storm event of at least 15 millimetres of rain in any 24 hours period)

Frequency	Semi-annual (spring and fall)
Sample Type	Grab
Parameters	Alkalinity, Conductivity, CBOD5, pH, Total Phosphorus, Total Suspended Solids, Oil and Grease, Phenolics, Toluene, Total Petroleum Hydrocarbons - F1 to F4
	Arsenic (Total), Boron, Cadmium (Total), Chromium (Total), Cobalt (Total), Copper (Total), Iron (Total), Lead (Total), Nickel (Total), Selenium (Total), Vanadium (Total), Zinc (Total)

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 4972-AFJSEJ issued on April 21, 2017**

In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me, the Ontario Land 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 ("the Notice") 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.

Pursuant to subsection 139(3) of the *Environmental Protection Act*, a hearing may not be available 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:

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:

Registrar\*  
Ontario Land Tribunal  
655 Bay Street, Suite 1500  
Toronto, Ontario  
M5G 1E5  
OLT.Registrar@ontario.ca

and

The Minister of the Environment,  
Conservation and Parks  
777 Bay Street, 5th Floor  
Toronto, Ontario  
M7A 2J3

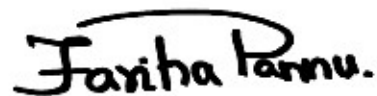
and

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

**\* Further information on the Ontario Land Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349 or 1 (866) 448-2248, or [www.olt.gov.on.ca](http://www.olt.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 16th day of December, 2024




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

MS/

c: District Manager, MECP Hamilton - District  
Brian Enter, Meritech Engineering