

**ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 2564-DMUSNM

Issue Date: December 19, 2025

Waterford Sand & Gravel Limited  
70 Ewart Avenue  
Brantford, Ontario  
N3T 5M1

Site Location: Law Quarry  
10546 Highway 3  
Township of Wainfleet, Regional Municipality of Niagara

*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 sewage works for the collection, transmission, treatment and disposal of up to 14,000 litres per minute of stormwater runoff and groundwater accumulating within the confines of the extraction area of the existing Quarry, located at the above address consisting of the following:

**Existing Works**

- one (1) approximately 280 metre by 270 metre dewatering sump pond (historic sump #1), located in the south-central portion of the extraction area, having a depth of approximately 3 metre to the Salina Formation shale, a top surface area of approximately 75,000 square metre and a storage volume of approximately 226,800 cubic meter, complete with a high volume pump having a discharge rate not to exceed 14,000 L/min (233 L/s), discharging via a 300 millimetre diameter forcemain complete with an electronic totalizing flow meter discharging eastward to Kwik Mix Road ditch, and discharging along southward to Highway # 3 and eastward along Highway # 3 via road side ditches, to the Eagle Marsh Drain and ultimately to Lake Erie;
- one man-made dugout located in close proximity to the current sump #2, receiving quarry discharge via approved discharge routing from sump #2 and overflowing by gravity into existing drainage to Highway #3 roadside ditches, to the Eagle Marsh Drain;
- one (1) approximately 35 metre by 10 metre dewatering sump pond (current sump #2), located in the south-eastern portion of the extraction area, having a depth of approximately 5 metre to the Salina Formation shale, a top surface area of approximately 350 square metre and a storage volume of approximately 1750 cubic meter, complete with a high volume pump having a

discharge rate not to exceed 14,000 L/min (233 L/s), discharging via a 150 millimetre diameter forcemain complete with a flow meter, discharging southward to the man-made dugout pond and subsequently to Highway #3, and eastward along Highway #3 via roadside ditches to the Eagle Marsh Drain and, ultimately to Lake Erie.

- 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 supporting documents listed in Schedule A.

*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. "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. "Existing Works" means those portions of the Works included in the Approval that have been constructed previously;
6. "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;
7. "Owner" means Waterford Sand & Gravel Limited and its successors and assignees;
8. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O.40, as amended;
9. "Works" means the approved sewage works, and includes Proposed Works and 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. OPERATION MANUAL**

1. The Owner shall prepare an operations manual of the operation of the Works that includes, but is not 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 to be 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 a potential spill, bypasses or any other abnormal situations, including notifying the District Manager of the situation; and
  - e. procedures for receiving and responding to public complaints.
2. The Owner shall review and update the operations manual from time to time and shall retain a copy of the updated manual on-site at the Works. Upon request, the Owner shall make the manual available for inspection and copying by Ministry personnel.

### **4. OPERATION AND MAINTENANCE**

1. The Owner shall ensure that the Works and related equipment and appurtenances which are installed or used to achieve compliance with this Approval are properly operated and maintained.
2. The Owner shall inspect all of the sump(s) and discharge pump(s) on a monthly basis and keep a log or record of the inspections at the Quarry.
3. The Owner shall carry out on an as-needed basis, specific maintenance requirements like removing build-up, associated with the sump(s) and pump(s).
4. The Owner shall, upon identification of a loss of oil and fuel, take immediate action to prevent the further occurrence of such loss and prevent the spill from entering into the sump(s).

5. In furtherance of, but without limiting the generality of, the obligation imposed by subsection (1), the Owner shall ensure that equipment and material for the containment, clean-up and disposal of oil and fuel and materials contaminated with oil or fuel are kept on hand and in good repair for immediate use in the event of:
  - a. loss of oil or fuel during refuelling or equipment maintenance;
  - b. a spill within the meaning of Part X of the Environmental Protection Act; and/or
  - c. the identification of an abnormal amount of oil or fuel in the sump(s).
6. The log book shall be retained at the site and be made available for Ministry inspection upon request.
7. 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. EFFLUENT LIMITS

1. The Owner shall 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. Notwithstanding any other condition in this Approval, the Owner shall 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, sheen or foam on the receiving waters.

## 6. EFFLUENT MONITORING

1. The Owner shall, 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 surface water monitoring table in **Schedule B**.
3. 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;

- 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.

## 7. REPORTING

1. 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.
2. The Owner shall, upon request, make all reports, manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.
3. 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.
4. 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;
  - 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.

## **8. SPILL CONTINGENCY PLAN**

- 1. 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 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 Works.
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 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.
6. Condition 6 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.
7. Condition 7 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.
8. Condition 8 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 for Industrial Sewage Works submitted by Kevin Fitzpatrick, dated November 1, 2023 and received on December 1, 2023, and signed by Sheryl Johnson, and all supporting documentation and information.

## Schedule B

### Effluent Limits Table (measured at SW1- upstream, SW2 or SW2A - Discharge, SW3 - Downstream )

Effluent Parameter	Sampling	Average Calculator	Limit
Total Suspended Solids	Grab	Quarterly Average Effluent Concentration	25 mg/L
Oil & Grease	Grab	Quarterly Average Effluent Concentration	15 mg/L
pH	Grab	Single Sample Result	6-9

### Effluent Monitoring Table

(at SW1- upstream, SW2 or SW2A - Discharge, SW3 - Downstream)

Frequency	Monthly
Sample Type	Grab
Parameters	Field pH (unitless), Field Conductivity ( $\mu$ hos/cm), Field Temperature (°C), Field Dissolved Oxygen, Alkalinity, Ag, Al, As, B, Ba, Be, Br, Ca, Cd, Cl, Co, Cr, Cu, F, Fe, Hg, K, Mg, Mn, Mo, Na, Ni, N-NH <sub>3</sub> , Unionized Ammonia, N-NO <sub>2</sub> , N-NO <sub>3</sub> , Oil & Grease - Total, Pb, PO <sub>4</sub> , S <sub>2</sub> , Undissociated Hydrogen Sulphide, Sb, Se, SO <sub>4</sub> , Sr, Tl, TOC.

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.

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

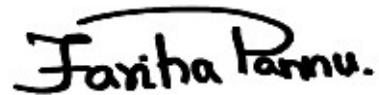
The Director appointed for the purposes of  
Part II.1 of the *Environmental Protection Act*  
Ministry of the Environment,  
Conservation and Parks  
135 St. Clair Avenue West, 1st Floor  
Toronto, Ontario  
M4V 1P5

\* **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 19th day of December, 2025



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Fariha Pannu, P.Eng.

Director

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

SN/

c: District Manager, MECP Niagara  
Kevin Fitzpatrick, WSP Canada Inc.