Ontario

Ministry of the Environment and Climate Change
Ministère de l'Environnement et de l'Action en matière de changement climatique

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 0521-9XKKZ3
Issue Date: October 20, 2017

Swift River Energy Limited operating as Swift River Limited Partnership
2300 Yonge St, Post Office Box, No. 2300
Toronto, Ontario, M4P 1E4

Site Location: Hydro Electric Generating Station at North Bala Dam
(3111 Muskoka Road 169 Part 1, Reference Plan 35R)
Lot 33, Concession 7 Wood, Muskoka Lakes Township,
District Municipality of Muskoka, ON, P0C 1A0

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:

the establishment of sewage works to service a 4.5 MW Hydro Electric Generating Station (GS) on an approximately 0.10ha. site located south of the former Ontario Hydro Bala # 2 Generating Station and adjacent to the existing MNRF North Bala Dam, to intercept, collect and treat storm water run-off, tunnel ground-water seepage, excavated material drainage seepage; generating station cooling water and wastewater, treatment and effluent disposal into the Moon River (River) and/or Lake Muskoka (Lake), consisting of the following:

CONSTRUCTION RELATED WORKS:

Site Perimeter Drainage and Silt Fencing:

- A siltation tube barrier system (silt sock filtration) and/or silt fencing to be installed on land along the perimeter of the site (edge) to treat entrained sediments in the run-off from the site and surroundings work areas prior to discharge into Moon River and/or Lake Muskoka.

Powerhouse and Tailrace Excavation Drainage (Area 1: size approximately 0.10ha):

- Siltation tube barrier system (silt sock filtration), installed on land along the edge of the powerhouse area to filter out entrained sediment;

- Silt screens in the Moon River downstream of the tailrace area prior to cofferdam construction to avoid silt entrainment during cofferdam construction, rainfall and infiltration through rock fissures and coffer dam seepage.

- siltation tube barrier along the West perimeter of the powerhouse area to avoid silt entrainment with storm run-off from the powerhouse area to the tailrace area;

- A portable sump Pump (#2) to collect any water accumulation behind the cofferdam. As excavation progresses, the location of the sump to move on transition from the end of the tailrace channel to the beginning of it. Pumped discharge to be directed based on results of in-line monitoring system for the discharges to Settling Tanks or to the Moon River;

Intake Canal Excavation Drainage (Area 2: size approximately 0.07ha.):

- A portable sump Pump (#1) to collect any water accumulation between the upstream cofferdam and the North Bala Dam. As excavation progresses, the location of the sump to move on transition from a local natural sump to the end of the Intake Canal. Pumped discharge to be directed based on results of in-line monitoring system for the discharges to settling tanks or to the Moon River;

Drilling Platform (Tower Crane) Temporary Works Drainage (Area 3: size approximately 0.02ha.):

- Silt screens in the Moon River downstream of the area prior to work pad construction.

- Backfill for the drilling platform to be of clean rock/stone, tested to be non-acid generating (inert) and shall be placed on Geotextile membrane pads on existing ground to facilitate future removal;

- Filtrexx Filter Ring, to be installed around the Drilling Platform (Tower Crane) Area to prevent sediment from entering the watercourse.

Temporary Access Road Drainage (Area 4: size approximately 0.10ha.):

- A siltation tube barrier system or silt fence, to be placed along the west perimeter of the area to filter storm run-off prior to entering the River. A mud mat to be installed to limit the amount of sediment carried on to the roadway by trucks egressing the site.

Temporary Laydown Area Drainage (Area 5: size approximately 0.08ha.):

- A siltation tube barrier system or silt fence, to be placed along the north and east perimeter of the area to filter storm run-off prior to entering the Lake.

Cofferdam Drainage and Seepage (during and after construction):

- Pumping:- two (2) pumps to discharge collected rainfall, infiltration through rock fissures and cofferdam seepage from the areas behind the cofferdam. Water entering the area enclosed by the cofferdam to be monitored through an in-line monitoring system and if clean, the water may be pumped directly into the river between the Cofferdam and Silt screen. The automatic monitoring shall take sample and shall be linked to the pumps, such that any exceedance of allowable turbidity levels shall result in reduced pumping rates or complete pump shut-off in order to avoid discharging sediment laden water directly into the River and or the Lake.

Settling Tanks:

- Four (4) settling basins/tanks to hold and treat the water removed from the excavation and construction areas for settlement of solids and sediments prior to discharging through a Bag Filtration System (Ultra Tech Model 9727-O/S or approved equivalent) into the Moon River or Lake Muskoka. Each basin/tank (Aquatech Models or approved equivalent) to be approximately 15m (L) x 2.5m (W) x 1.8m (H) with a total storage volume of 67.5 m^3 and permanent water/sludge volume of 5.6 m^3 (150mm depth minimum). Tanks to be located either in the Precambrian Shield Parking south of the construction site downstream of the MNRF South Bala Dam or in the Portage Landing Parking Lot northeast of the cofferdam, upstream of the MNRF North Bala Dam as shown in the submitted Storm and Dredge Water Management Plan. Piping to be provided to connect additional two (2) spare basins/tanks and bag filtration system, to accommodate higher than normal flows, if required.

Proprietary Wastewater Treatment Plant:

- A Proprietary Wastewater Treatment Plant (type and placement location to be determined by treatment plant supplier, based upon treatment requirement), complete with a membrane filtration system designed to treat and filter wastewater at pumping rates of 23,000L/h to 70,000L/h over a period of maximum 6 hours/day. If turbidity readings of the effluent exceed the allowable difference from Lake Monitoring Point and the settling tanks are insufficient, this additional treatment stage shall be added to the filtration process.

PERMANENT WORKS:

Powerhouse Drainage System: A drainage system to serve the floor drains, gutter drains and oil-containing equipment drains, shaft seal drain and penstock drain within the powerhouse, consisting of:

- Oil/Water Separator (OWS-1): One (1) pre-fabricated, rectangular single wall Oil/Water Separator unit located in the floor of the lowest level of the powerhouse (elevation 221.40), to receive water from shaft seal drain, floor drains, gutter and oil-containing equipment drains, (Model Zurn Z1188-ST or approved equivalent), size approximately 1.5m L X 2.1m W X 0.7m D, with a flow rating of approximately 4.7L/s for oil separation, a total oil storage volume of 946L, a check valve, a sampling port and a 100mm diameter outlet pipe. Collected oil to be pumped out by a licensed contractor while the clear water to discharge into the Moon River or the Drainage Pit described below:

- Drain Pit: One HDP Drainage Pit, approximately 0.9m diameter X 1.2m depth, to receive clear water from the Oil/Water Separator Unit (OWS-1) and/or sanitary waste form the station, equipped with a duplex submersible centrifugal pump system, rated at 6.3L/s, a flow meter, an isolating valve, a check valve and a sampling port to discharge into the municipal sewer on Bala Falls Road;

- Turbine water Drainage Pit:- approximately 2.8m diameter X 1.0m depth, to receive flow through river water via the turbine spiral case and draft tube, equipped with a duplex submersible pump system rated at 110L/s, to discharge into the Moon River;

- Turbine Cooling water system:- an open loop once through non contact cooling water system via a 50mm diameter stainless steel piping, drawing water from the Moon River, pass through the turbine and to discharge into the Lake Muskoka;

including other controls, piping, valves, drains, and appurtenances essential for the proper operation of the aforementioned sewage works, and complete with an oil/water interface float sensor in the OWS-1, hydraulic / lubricating equipment, and connected to a SCADA system, to automatically send signal requiring staff to attend to the Powerhouse / Transformer Substation in case oil loss in the hydraulic equipment or presence of oil in the OWS-1 are detected.

all in accordance with supporting documents listed in Schedule A.

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

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

"Director" means a person appointed by the Minister pursuant to section 5 of the EPA for the purposes of Part II.1 of the EPA;

"District Manager"means the District Manager of the Barrie District Office of the Ministry;

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

"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;

"Owner" means Swift River Energy Limited operating as Swift River Limited Partnership and its successors and assignees;

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

"Works" means the sewage works described in the Owner's application, and this Approval.

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

TERMS AND CONDITIONS

1. GENERAL PROVISIONS

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

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

(3) Where there is a conflict between a provision of any document in the schedule referred to in this

Approval and the conditions of this Approval, the Conditions in this Approval shall take precedence, and where there is a conflict between the documents in the schedule, the document bearing the most recent date shall prevail.

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

(5) The Conditions of this Approval are severable. If any Condition of this Approval,or the application of any requirement of this Approval to any circumstance, is held invalid or unenforceable, the application of such condition to other circumstances and the remainder of this Approval shall not be affected thereby.

(6) The issuance of, and compliance with the Conditions of this Approval does not 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;

2. EXPIRY OF APPROVAL

This Approval will cease to apply to those parts of the Works which have not been constructed within five (5) years of the date of issuance of this Approval.

3. CHANGE OF OWNER

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

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

(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.

4. OPERATIONS AND MAINTENANCE

(1) The Owner shall prepare an operations manual prior to the commencement of operation of the sewage works, that includes, but not necessarily limited to, the following information:

(a) operating procedures for routine operation of the Works;

(b) inspection programs, including frequency of inspection, for the Works and the methods or tests employed to detect when maintenance is necessary;

(c) repair and maintenance programs, including the frequency of repair and maintenance for the Works;

(d) contingency plans and procedures for dealing with potential spill, bypasses and any other abnormal situations and for notifying the District Manager; and

(e) complaint procedures for receiving and responding to public complaints.

(f) a spill response/prevention plan prior to construction to prevent fuel, oil, or any other potential pollutant from the Works and subsequent operation of the generating station. All materials required for this plan are to be kept on site at all times. This spill response/prevention plan will take special consideration of the tower crane as it cannot be fuelled at the required 15m offset from any water body.

(2) The Owner shall maintain the operations and maintenance procedure (manual) up to date through revisions undertaken from time to time and retain a copy at the location of the works. Upon request, the Owner shall make the manual available for inspection and copying by Ministry personnel.

(3) The Owner shall insure that during the construction works, a minimum flow through the North Bala Dam is maintained via a minimum of three (3) of the six (6) stop log bays, being kept operational.

(4) The Owner shall insure that:
(a) a safe passage of fish is maintained during the construction works, and
(b) no direct discharge is allowed from Drilling Platform Drainage (Tower Crane Area 3; 0.02ha.) and Temporary Access Road Drainage (Area 4; 0.10ha.) to the River by-passing the Filtrexx filter ring or Silt Screens or Siltation Tube Barrier or Silt Fence, as applicable.

(5) The Owner shall ensure that the concentration of Total Suspended Solids (TSS) in the pumped water for discharge into the River or Lake or the effluent discharged from the Settling Tanks, Bag Filtration System and/or the Oil/water Separator, prior to entering the River or/and Lake, shall not exceed the limit in Table 1 at all times.

(6) The Owner shall ensure that the concentration of Turbidity (NTU) in the discharged water prior to entering the River or/and Lake, shall not exceed the limit in Table 1 at all times.

(7) The Owner shall implement the following Best management Practice during the construction time period to reduce the amount of sediment generated. All construction traffic areas are to be covered with asphalt paving or rock fill. Additional mitigation and control measures shall include minimizing removal of existing vegetation and existing compacted soils, reduction of water velocity, reduction of run-off volumes and infiltration, segregation of clear water from sediment laden water, detention for settling of

sediment laden water, and the following sediment control measures or a combination thereof:

(a) Re-grading or resurfacing of construction roads and ramps;
(b) Placement of clean rock fill material in low areas where construction equipment crosses water in ditches and swales and over the lay down area;
(c) Installation of silt fencing and rock fill check dams,
(d) Modification to an existing rock fill check dam;
(e) Reducing pumping rates through filtration settling tanks;
(f) Installation of portable construction filtration settling tanks in series with the existing system;
(g) Placement of additional filter such as a filter bag or in-line filter.

(8) The Owner shall arrange to keep a stock of clean rock fill material, silt fencing and geotextile on-site in the lay down area to be used to address potential erosion and sediment-laden run-off. Construction equipment such as loaders and backhoes, shall be kept on-site and shall be readily available to carry out any of the above measures, allowing for prompt response to emergency issues. During periods of extreme precipitation and run-off, the Owner shall arrange to maintain staff on-site at all times to monitor the site and respond to any issues that may arise.

(9) The Owner shall inspect the Works at least once a week during the construction phase of the works and, if necessary, clean and maintain the Works to prevent the excessive build-up of sediments, oil/grit, and/or vegetation.

(10) The Owner shall check on a monthly basis, as a minimum, the following works for signs of oil loss and shall keep a record of the inspections and findings at the Powerhouse Oil/Water Separator, the Cooling Water Tank and the Drain Pit(s).

(11) In furtherance of, but without limiting the generality of, the obligation imposed by Subsections (8, 9 and 10), the Owner shall ensure that equipment and material for the containment, clean-up and disposal of oil and materials contaminated with oil are kept on hand during the operation of the Works and are in good repair for immediate use in the event of:

(a) loss of oil from the powerhouse equipment and from the sewage works in the powerhouse and in the substation;
(b) a spill within the meaning of Part X of the *Environmental Protection Act,* or
(c) the identification of an abnormal amount of oil in the Oil/Water Separator, the Drain Pit or in the Substation Transformer spill containment area.

(12) The Owner shall, upon identification of a loss of oil, take immediate action to prevent the further occurrence of such loss.

(13) 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 Corporate / Site Office 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.
(c) The Owner's record of information as per subsections 4(4), 4(5) and 4(6).

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 mm 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, specified in condition 5(1), and 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 operate and maintain the Works such that the concentrations of the materials named in Table 1 as effluent parameters are not exceeded in the effluent from the Works into the Moon River and/or Lake Muskoka.

Table 1: Effluent Limit (Construction Phase)

Effluent Limits for the discharges into the River or the Lake.	
Effluent Parameter (Column 1)	**Maximum Concentration** (Column 2) (milligrams per litre unless otherwise indicated)
TSS	25 (note a)
Turbidity	8 NTU (note b)
Total Ammonia Nitrogen (TAN)	8 (note c)

(a) the TSS Effluent Limit is the difference between the TSS of the effluent and the TSS of Lake Muskoka at an upstream location from the effluent discharge point to Moon River (with the difference value not to exceed 25 mg/L). The Limit for TSS applies until such time that the correlation between TSS (mg/L) and Turbidity (NTU) is established to the satisfaction of the District Manager, at which time the equivalent Turbidity value may be applied as the Effluent Limit.

(b) the Turbidity Effluent Limit is the difference between the turbidity of the effluent and the turbidity of Lake Muskoka at an upstream location from the effluent discharge point to Moon River.

(c) during rock blasting operations at the site.

Table 2: Effluent Limits (OWS Operation Phase)

Effluent Limits for the discharges into the River or the Lake.

Effluent Parameter (Column 1)	**Maximum Concentration** (Column 2) (milligrams per litre unless otherwise indicated)
Oil and Grease	15
Phenolics (4AAP)	20 ug/L

(2) For the purposes of determining compliance with and enforcing subsection (1), the Daily Concentration of a parameter named in Tables 1&2 shall not exceed the corresponding maximum concentration set out in Tables 1 and 2.

(3) The Owner shall use best efforts to maintain the pH of the effluent from the Works within the range of 6.5 to 9.0, inclusive, at all times.

7. EFFLUENT - VISUAL OBSERVATIONS

Notwithstanding any other condition in this Approval, the Owner shall ensure that any water discharged from the Works Area into the Lake or River 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.

8. EFFLUENT MONITORING AND RECORDING

A. The Owner shall establish an automatic sampling system in consultation with a reputable dewatering firm using established technology, monitor and calibrate it over a six (6) to eight (8) weeks period to the satisfaction of the District Manager. The exact location of the automatic monitoring system shall be dependent on the type of equipment used and shall be determined on-site by the dewatering firm.

B. The Owner shall establish an automatic sampling system to monitor the oil/water separators with interface float sensor in the OWS-1 and in hydraulic / lubricating equipment, and have the automatic sampling system connected to a SCADA system to automatically send signal requiring staff to attend to the Powerhouse if oil loss in the hydraulic equipment or oil in the OWS-1 effluent is detected. The effluents from the OWS-1 shall be monitored for oil trace prior to disposal in the River/Lake.

(1) In addition to the on-line automatic sampling, the Owner shall, upon commencement of construction works at the site, carry out the following monitoring program at the sampling locations stated below:

- MP1 (and MP2, if a second tank is used) - at the outlet of Bag Filtration System prior to discharge of effluent water into the Lake/River.
- MP3- back-ground water sampling location in Lake Muskoka.
- MP4 at the OWS-1; taken at the outlet of OWS-1 prior to discharge of the effluent water into the

Lake/River or into the Drain Pit.
- MP5 and MP6: fish habitat monitoring locations in the Lake and River.
- MP7 and MP8: in-line sampling and monitoring system with an automatic Pump #1 and Pump #2 shut-off mechanism.

(2) 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. Samples shall be taken in accordance with the frequency and sample type specified, and with testing occurring at an accredited laboratory.

Table 3A - Monitoring During Construction Works - (Sample Points MP1, MP2, MP3)		
Effluent Parameter	**Frequency**	**Sample Type**
TSS	Daily	Grab and Continuous
Turbidity	Daily	Grab and Continuous
pH & temperature	Daily	Grab and Continuous
Total Ammonia Nitrogen (TAN)*	Weekly	Grab
Mercury*	Bi-weekly	Grab
Acute Lethality	Once a month during April, June, August and October	Grab

* During rock blasting operation at the site, if any.

Table 3B - Monitoring During Construction Works - (Sample Points MP5 & MP6)		
Effluent Parameter	**Frequency**	**Sample Type**
TSS	Once a month during April, June, August and October	Grab
Turbidity	Once a month during April, June, August and October	Grab
Mercury*	Once a month during April, June, August and October	Grab

* During rock blasting operation at the site, if any.

Table 4 - Monitoring During Operation - (Sample Point MP4)		
Effluent Parameter	**Frequency**	**Sample Type**
Oil and Grease	Monthly	Grab
Phenolics(4AAP)	Monthly	Grab

(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 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;

(c) the Environment Canada publications "Biological Test Method: Reference Method for Determining Acute Lethality of Effluents to Rainbow Trout" (EPS 1/RM/13 Second Edition - December 2000) and "Biological Test Method: Reference Method for Determining Acute Lethality of Effluents to *Daphnia magna* " (EPS 1/RM/14 Second Edition - December 2000), as amended from time to time by more recently published editions; and

(d) in respect of any parameters not mentioned in (a) - (c), the written approval of the District Manager, which approval shall be obtained prior to sampling.

(4) The measurement frequencies specified in subsection (2) in respect of any parameter are minimum requirements which may, after (12) months of monitoring in accordance with this Condition, be modified by the Director in writing from time to time.

(5) Continuous flow measuring device(s) shall be installed and maintained to measure the flowrate of the effluent from the sewage works, where it is directed by the District Manager, with an accuracy to within plus or minus ten (10) per cent of the actual flowrate for the entire design range of the flow measuring device and the Owner shall measure, record and calculate the flowrate of effluent streams on each day of sampling.

(6) Notwithstanding the monitoring mentioned in sub-section 8(2), additional on-line monitoring locations shall be added (MP7 and MP8) for Pumps # 1 and # 2 to monitor Turbidity to conform to the following protocols:

(a) Effluent quality from MP7 and MP8 shall meet the allowable targets (concentrations) as water removed from these locations is a combination of cofferdam seepage, ground-water seepage, and rainfall run-off from undisturbed area. If upon initial testing, water from these pumps meets discharge criteria (effluent limits in Table 1), the Owner may consult with specialized dewatering firm to devise an automatic in-line sampling system with an automatic pump shut-off, in case of test failure. Once a system has been devised and approved by the District Manager, following a monitoring and calibration period, pumped flows may be discharged directly to the Lake /River via the continuous monitoring system in place with automatic pump shut-off as designed. In the event effluent concentrations exceed allowable limit in Table 1, Pumps #1 and / or # 2 (at Water Taking Points 1 and / or 2) shall automatically shut off.

(b) In the event that an acceptable automatic in-line monitoring system did not perform to the satisfaction of the District Manager, all pumped flows shall be directed to the on-site settling tanks, and additional tanks may be brought to the site as required, to treat pumped water to meet effluent limits specified in Table 1 in Condition 6 of this approval.

(8) 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 week prior to the start-up of the operation of the Proposed Works, the Owner shall notify the District Manager (in writing) of the pending start-up date.

(2) The Owner shall report to the District Manager or designate, any exceedance of any parameter specified in the Condition 6 orally, as soon as reasonably possible, and in writing within seven (7) days of the exceedance.

(3) In addition to the obligations under Part X of the *Environmental Protection Act* , the Owner shall, within ten (10) working days of the occurrence of any reportable spill as defined in Ontario Regulation 675/98, bypass or loss of any product, by-product, intermediate product, oil, solvent, waste material or any other polluting substance into the environment, submit a full written report of the occurrence to the District Manager describing the cause and discovery of the spill or loss, clean-up and recovery measures taken, preventative measures to be taken and schedule of implementation.

(4) The Owner shall prepare and submit a monthly performance report to the District Manger during the construction period and one year following the completion of the construction works at the site. 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 effluent Limits outlined in the Condition 6, stating 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 maintenance carried out on any major structure, equipment, apparatus, mechanism or thing forming part of the sewage works;
(d) a summary of any effluent quality assurance or control measures undertaken in the reporting period;
(e) a summary of the calibration and maintenance carried out on all effluent monitoring equipment;
(f) any other information the District Manager requires from time to time.

(5) Notwithstanding the monthly reporting requirements in Condition 9(4) of this approval, an additional annual performance report shall be submitted to the District Manager on an annual basis within 60 days following the end of the period being reported upon. The first such report shall cover the first annual period following the commencement of operation of the Works and subsequent reports shall be submitted to cover successive annual periods following thereafter. The reports shall contain a summary of all monthly reports as required in subsection 9(4), 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 the Condition 6, 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 sewage works;
(d) a summary of any effluent quality assurance or control measures undertaken in the reporting period;
(e) a summary of the calibration and maintenance carried out on all effluent monitoring equipment;
(f) any other information the District Manager requires from time to time.

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

1. Condition 1 is imposed to ensure that the Works are built and operated in the manner in which they were described for review and upon which approval was granted. This condition is also included to emphasize the precedence of Conditions in the Approval and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review.

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 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 require that the Works be properly operated and maintained such that the environment is protected .

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 and 7 are imposed to ensure that the effluent discharged from the Works to the Moon River and Lake Muskoka meets the Ministry's effluent quality requirements thus minimizing environmental impact on the receivers.

7. Condition 8 is included to require the Owner to demonstrate on a continual basis that the quality of the effluent from the approved works is consistent with the design limits (objectives) specified in the Approval and that the approved works does not cause any impairment to the receiving watercourse.

8. Condition 9 is included to provide a performance record for future references and to ensure that the Ministry is made aware of problems as they arise, so that the Ministry can work with the Owner in resolving the problems in a timely manner.

Schedule - A:

List of Supporting documents:

1. Application for Approval of Industrial Sewage Works dated September 25, 2014 prepared and signed by John Juffs, P.Eng., WSP Canada Inc.

2. General description of the Bala Dam ECA, via email memo dated December 11, 2015 prepared by John Juffs, P.Eng., WSP Canada Inc.

3. Reply to review engineer's email queries dated May 30, 2016: reply received on June 30, 2016 via email prepared by James Michener, P.Eng. of WSP Canada Inc.

4. Reply to review engineer's email queries dated July 19, 2016: reply and a copy of drawings received on July 29, 2016 via mail prepared by Phil Saudino, P.Eng. of WSP Canada Inc.

5. Reply to review engineer's queries dated May 30, 2016: reply and a copy of drawings received on October 28 via mail prepared by Nicholas Read, P.Eng. of WSP Canada Inc.

6. Reply to review engineer's queries dated November 21, 2016: reply, revised draft ECA and a copy of drawings received on March 28, 2017, prepared and submitted by Nicholas Read, P.Eng. of WSP Canada Inc.

7. Email information including a reviewed and revised draft of the environmental compliance approval (draft ECA) received on May 05, August 2 and final draft ECA dated August 9, 2017, prepared and submitted by Nicholas Read, P.Eng. of WSP Canada Inc.

8. Email information on the environmental compliance approval (draft ECA) received on September 11, 2017, prepared and submitted by Nicholas Read, P.Eng. of WSP Canada Inc.

9. Email information including a reviewed and revised draft of the environmental compliance approval (draft ECA) received on October 02, 2017, prepared and submitted by Nicholas Read, P.Eng. of WSP Canada Inc.

10. Email information on the environmental compliance approval (draft ECA) received on October 04, 2017, prepared and submitted by Nicholas Read, P.Eng. of WSP Canada Inc.

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me and the Environmental Review Tribunal within 15 days after receipt of this Notice, require a hearing by the Tribunal. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:

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

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The environmental compliance approval number;
6. The date of the environmental compliance approval;
7. The name of the Director, and;
8. The municipality or municipalities within which the project is to be engaged in.

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

This Notice must be served upon:

The Secretary*
Environmental Review Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5

AND

The Director appointed for the purposes of
Part II.1 of the Environmental Protection Act
Ministry of the Environment and
Climate Change
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
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) 314-3717 or www.ert.gov.on.ca**

The above noted activity is approved under s.20.3 of Part II.1 of the Environmental Protection Act.

DATED AT TORONTO this 20th day of October, 2017

Mansoor Mahmood, P.Eng.
Director
appointed for the purposes of Part II.1 of the
Environmental Protection Act

MN/
c: District Manager, MOECC Barrie
John Juffs, P.Eng., WSP Canada Inc.
Nicholas Read, P.Eng. of WSP Canada Inc.