

**SCHEDULE D**  
**EXAMPLES OF WORK DESCRIPTIONS, AND TERMS AND CONDITIONS**

The following are examples that can be used when preparing a draft Environmental Compliance Approval to be issued under the Transfer of Review program. Descriptions can be modified as necessary. The terms and conditions included in this document are basic –additional conditions can be added on a site-specific basis, including based on comments provided in the Letter of Recommendation.

**SAMPLE DESCRIPTIONS OF WORKS**

Descriptions should include applicant and site information as follows:

[Applicant Name]  
[Address 1]  
[Address 2]  
[City/Town], ON  
[Postal Code]

[Site Name]  
[Location (e.g. Lot/Concession)]  
[City/Town]

*Sample Description for Sewers/Conveyance*

[the establishment of, or modifications to existing] wastewater infrastructure Works located in the [town/city], consisting of the following:

- **sanitary sewers, storm sewers and/or forcemains** on [Street Name(s)] from approximately [X] metres north/east/south/west of [Street Name] to approximately [X] metres north/east/south/west of [Street Name], discharging to [existing sewers, forcemain, SWM facility, etc.] located [location];
- **roadside ditches** on [Street Name(s)], from approximately [X] metres north/east/south/west of [Street Name] to approximately [X] metres north/east/south/west of [Street Name], discharging to [existing ditches, SWM facility, etc.] located [location];
- **[X number] of [culvert type] culverts** on [location, e.g. crossing X street or intersection];
- **grassed swales and culverts** on [Street Name(s)], from approximately [X] metres north/east/south/west of [Street Name] to approximately [X] metres north/east/south/west of [Street Name], discharging to [existing swales or ditches, SWM facility, etc.] located [location];
- **replacement of combined sewers** on [Street Name(s)], from approximately [X] metres north/east/south/west of [Street Name] to approximately [X] metres north/east/south/west of [Street Name], discharging to [existing combined sewer, sanitary sewer, etc.] located [location];

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.

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*Sample Description for Sewage Pumping Stations*

[the establishment of, or modifications to existing] wastewater infrastructure Works to serve [service area description] located in the [town/city], consisting of the following:

- **sanitary sewage pumping station** on [Street Name(s)], designed for an initial period peak flow of [X] litres per second and an ultimate period peak flow of [X] litres per second, consisting of a [X sized] wet well equipped with [X] submersible pumps, [Pump Model] or Equivalent Equipment, [X] for duty and [X] for standby, each pump with a rated capacity of [X] litres per second and a total dynamic head (TDH) of [X] metres, complete with control systems, a high level alarm system, level transmitters, discharge piping, ventilation system, valves, [X] standby power generators rated at [X] kilowatts and other appurtenances, discharging via a [X] millimetre diameter forcemain to [existing sanitary sewer, forcemain, etc.] located on [X];

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.

*Sample Description for Oil/Grit Separators*

[the establishment of, or modifications to existing] stormwater management Works [to serve X, or related to project X, etc.], located in the [town/city], consisting of the following:

- **oil and grit separator (catchment area [X] hectares):** one (1) oil and grit separator, [Model X] or Equivalent Equipment, located [location], providing [Basic, Normal, Enhanced] Level of protection, having a sediment storage capacity of [X] cubic metres (or litres), an oil storage capacity of [X] cubic metres (or litres), a total storage volume of approximately [X] cubic metres (or litres), and a maximum treatment rate of [X] litres per second, receiving inflow from the storm sewer located [location], discharging via a [X] millimetre diameter outlet pipe equipped with [orifice, etc. if applicable] to [sewer, ditch, etc.] on [location];

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.

*Sample Description for Stormwater Management Facilities*

[the establishment of, or modifications to existing] stormwater management Works [to serve X, or related to project X, etc.], located in the [town/city], for the collection, transmission, treatment and disposal of stormwater runoff from a total catchment area of [X] hectares, [to provide Enhanced Level water quality protection and erosion control], and to attenuate post-development peak flows to [pre-development or allowable] peak flows for all storm events up to and including the [X]-year storm event, discharging to [storm sewers, ditch, surface water body, etc.], consisting of the following:

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- **stormwater management facility (catchment area [X] hectares):** one (1) dry pond, located [location], having a maximum available storage volume of [X] cubic metres and a maximum depth of [X] metres, complete with one (1) inlet structure, consisting of a [X] millimetre diameter storm sewer, one (1) emergency overflow weir and riprap-lined spillway, and one (1) outlet structure, consisting of a [X] millimetre diameter storm outlet pipe equipped with a [X] millimetre diameter [orifice, etc.], allowing a maximum discharge of [X] litres per second under the 100-year storm event to [storm sewers, ditch, surface water body, etc.] located on [location];
- **stormwater management facility (catchment area [X] hectares):** one (1) wet pond or wetland with sediment forebay, located [location], having a permanent storage volume of [X] cubic metres, an extended detention volume of [X] cubic metres, and a total storage volume of [X] cubic metres including the permanent pool, at a total depth of [X] metres, an inlet structure consisting of a [X] millimetre diameter storm inlet pipe and a concrete headwall, an outlet structure comprised of a [X] millimetre diameter storm outlet pipe equipped with a [X] millimetre diameter [orifice, etc.], allowing a maximum discharge of [X] litres per second under the 100-year storm event to [storm sewers, ditch, surface water body, etc.] located [location];
- **sand filter (catchment area [X] hectares):** one (1) sand filter, located [location], having a maximum available storage volume of [X] cubic metres and a maximum storage depth of [X] metres, comprised of a [X] millimetre deep peat layer, a [X] millimetre deep sand filter layer and a [X] millimetre deep gravel layer, complete with a [X] millimetre diameter perforated storm sub-drain installed in the gravel layer, non-woven filter fabric installed [location] and an emergency [overflow, by-pass, etc.] outlet discharging to [storm sewers, ditch, surface water body, etc.], with the perforated storm sub-drain discharging via a [X] millimetre diameter storm outlet pipe equipped with a [X] millimetre diameter [orifice, etc.], allowing a maximum discharge of [X] litres per second under the 100-year storm event to [storm sewers, ditch, surface water body, etc.] located [location];

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.

*Sample Description for Lot Level and Conveyance Controls*

[the establishment of, or modifications to existing] stormwater management Works [to serve X, or related to project X, etc.], located in the [town/city], for the collection, transmission, treatment and disposal of stormwater runoff from a total catchment area of [X] hectares, [to provide Enhanced Level water quality protection and erosion control], and to attenuate post-development peak flows to [pre-development or allowable] peak flows for all storm events up to and including the [X]-year storm event, discharging to [storm sewers, ditch, surface water body, etc.], consisting of the following:

- **rooftop or surface storage (catchment area [X] hectares),** located [location], having a maximum available storage volume of [X] cubic metres and a maximum ponding depth of [X] millimetres, discharging via [flow control roof drains, storm sewers, etc.] equipped with a [X] millimetre diameter [orifice, etc.], allowing a maximum discharge of [X] litres per second under the 100-year storm event to [storm sewers, ditch, surface water body, etc.] located [location];

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- **underground storage (catchment area [X] hectares)**, provided in [number] [X] millimetre diameter storm catch-basins, [number] [X] millimetre diameter manholes, and oversized storm sewers, having a total length of [X] metres and diameters ranging from [X] millimetres to [X] millimetres, located [location], having a maximum available storage volume of [X] cubic metres, discharging via a [X] millimetre diameter storm sewer equipped with a [X] millimetre diameter [orifice, etc.], allowing a maximum discharge of [X] litres per second under the 100-year storm event to [storm sewers, ditch, surface water body, etc.] located [location];
- **enhanced grassed swales (catchment area [X] hectares)**, located [location], having a total length of [X] metres, a bottom width of [X] metres, side slopes of [X], a maximum depth of [X] metres, a maximum flow depth of [X] metres (100-year storm event) and a maximum available storage volume of [X] cubic metres, complete with a [X] millimetre diameter perforated storm sub-drain wrapped in filter fabric and installed in a clear stone layer, with a [X] millimetre diameter [orifice, etc.] installed at the stormwater outlet, allowing a maximum discharge of [X] litres per second under the 100-year storm event to [storm sewers, ditch, surface water body, etc.] located [location];
- **surface/subsurface infiltration trenches (catchment area [X] hectares)**, located [location], having a total length of [X] metres, a width of [X] metres, a base area of [X] metres, a maximum allowable storage depth of [X] metres and a maximum available storage volume of [X] cubic metres, comprised of a [X] millimetre deep clear stone layer overlying a [X] millimetre deep sand filter layer, complete with a [X] millimetre diameter perforated storm sub-drain installed in the clear stone layer, non-woven filter fabric installed [location] and an emergency overflow outlet discharging to [storm sewers, ditch, surface water body, etc.];

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.

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**SAMPLE TERMS AND CONDITIONS FOR WORKS**

**Definitions:**

1. "Approval" means this entire document and any schedules attached to it, and the application;
- [{For sewage pumping stations:](#)
2. "BOD5"(also known as TBOD<sub>5</sub>) means five day biochemical oxygen demand measured in an unfiltered sample and includes carbonaceous and nitrogenous oxygen demand; }
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;
- [{For privately owned works:](#)
4. "District Manager" means the District Manager of the appropriate local District Office of the Ministry, where the Works are geographically located; }
- [{For sewage pumping stations:](#)
5. "E. coli" refers to the thermally tolerant forms of Escherichia that can survive at 44.5 degrees Celsius; }
6. "EPA" means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
- [{For sewage pumping stations:](#)
7. "Emergency Situation" means a structural, mechanical or electrical failure that causes a temporary reduction in the capacity of the Sewage Pumping Station or an unforeseen flow condition that may result in:
  - a. danger to the health or safety of any person; or
  - b. injury or damage to any property, or serious risk of injury or damage to any property; }
8. "Equivalent Equipment" means a substituted equipment or like-for-like equipment that meets the required quality and performance standards of the approved named equipment;
- [{For sewage pumping stations:](#)
9. "Event" means an action or occurrence at the Sewage Pumping Station that causes a Sewage Pumping Station Overflow. An Event ends when there is no recurrence of a Sewage Pumping Station Overflow in the 12-hour period following the last Sewage Pumping Station Overflow. Two Events are separated by at least 12 hours during which there has been no recurrence of a Sewage Pumping Station Overflow; }
- [{For interim works:](#)
10. "Interim Works" means the interim Works, described in this Approval and that are to be used for short-term purposes only in accordance with this Approval, until otherwise approval for an extension of this period has been granted; }
- [{For sewage pumping stations:](#)
11. "Limited Operational Flexibility" (LOF) means any modifications that the Owner is permitted to make to the Works under this Approval; }

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12. "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;
13. "MNRF" means the Ministry of Natural Resources and Forestry of the government of Ontario and includes all officials, employees or other persons acting on its behalf;

{For sewage pumping stations:

14. "Notice of Modification" means the form entitled "Notice of Modification to Sewage Works"; }
15. "Owner" means [X], and includes {its/her/his/their} successors and assignees;
16. "OWRA" means the *Ontario Water Resources Act, R.S.O. 1990, c. O.40*, as amended;

{For sewage pumping stations:

17. "Professional Engineer" means a person entitled to practice as a Professional Engineer in the Province of Ontario under a licence issued under the *Professional Engineers Act*;
18. "Sewage Pumping Station Overflow" means any discharge from a Sewage Pumping Station to the environment that does not undergo any treatment or only receives partial treatment before it is discharged to the environment;
19. "Substantial Completion" has the same meaning as "substantial performance" in the *Construction Lien Act*; }
20. "Water Supervisor" means the Water Supervisor of the appropriate local office of the Safe Drinking Water Branch of the Ministry, where the Works are geographically located;

{For quality control ponds and wetlands that serve a total drainage area that is larger than 5 hectares:

21. "Wet Event" means a rainfall event with a minimum of 15 millimetres of rain in a 24 hour period; }

{For all applications without sewage pumping stations:

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

For all applications with sewage pumping stations:

"Works" means the sewage works described in the Owner's application, this Approval, and the modifications made under Limited Operational Flexibility. }

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**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 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 Schedule A 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.

[{If the Works discharge to a surface water body and if no Conservation Authority/MNRF approval has been obtained:](#)

6. 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/MNRF 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. 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 this Approval.
2. In the event that completion and commissioning of any portion of the Works is anticipated to be delayed beyond the specified expiry period, the Owner shall submit an application of extension to the expiry period, at least twelve (12) months prior to the end of the period. The application for extension 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.

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{For interim works, use only this sub-condition, not 2(1) and 2(2):

3. This Approval to the Interim Works shall expire and become null and void on [date]. }

**3. CHANGE OF OWNER**

1. The Owner shall notify the {District Manager/Water Supervisor} 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/Water Supervisor}; 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/Water Supervisor}.
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/Water Supervisor} 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.

{For privately owned, non-industrial works:

4. Notwithstanding any other requirements in this Approval, upon transfer of the ownership or assumption of the Works to a municipality if applicable, any reference to the District Manager shall be replaced with the Water Supervisor. }

{For storm sewers, ditches, culverts and swales, used for conveyance purposes only:

**C. OPERATION AND MAINTENANCE**

1. If applicable, any proposed storm sewers or other stormwater conveyance in this Approval can be constructed but not operated until the proposed stormwater management facilities in this Approval or any other Approval that are designed to service the storm sewers or other stormwater conveyance are in operation. }

{For LIDs across multiple properties:

**L1. CERTIFICATE OF REQUIREMENT**

1. Pursuant to Section 103 of the *Ontario Water Resources Act*, no person having an interest in the Property, shall deal with the Property in any way without first giving a copy of this Approval to each person acquiring an interest in the Property as a result of the dealing;



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2. The Owner shall:
  - a. Within sixty (60) days of the date of the issuance of this Approval, submit to the Director for their review, two copies of a completed Certificate of Requirement and a registerable description of the Property; and
  - b. Within ten (10) calendar days of receiving the Certificate of Requirement authorized by the Director, register the Certificate of Requirement in the appropriate Land Registry Office on title to the Property and submit to the Director the duplicate registered copy immediately following registration.
3. For the purposes of this condition, Property shall mean the properties located at [address/lot#'s]. }

{For sewage pumping stations:

**P1. UPON THE SUBSTANTIAL COMPLETION OF THE WORKS**

1. Upon the Substantial Completion 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 six (6) months of the Substantial Completion of the 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.

**P2. SEWAGE PUMPING STATION OVERFLOW**

1. Any Sewage Pumping Station Overflow is prohibited, except:
  - a. in an Emergency Situation; and
  - b. where the Sewage Pumping Station Overflow is a direct and unavoidable result of a planned maintenance procedure, the Owner having notified the {District Manager/Water Supervisor} at least fifteen (15) days prior to the occurrence of the Sewage Pumping Station Overflow and the {District Manager/Water Supervisor} having given written consent of the Sewage Pumping Station Overflow.
2. The Owner shall forthwith notify the Spills Action Centre (SAC) and the Medical Officer of Health of all Events as soon as possible. This notice shall include, at a minimum, the following information:
  - a. the date, time, and duration of the Event;
  - b. the location of the Sewage Pumping Station Overflow and the receiver;
  - c. the measured or estimated volume of the Event (unless the Event is ongoing); and
  - d. the reason for the Event.

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3. The Owner shall submit a summary report of the Sewage Pumping Station Overflow Events to the {District Manager/Water Supervisor} on a quarterly basis, no later than each of the following dates for each calendar year: February 14, May 15, August 14, and November 15. The summary reports shall be in a format specified by the Ministry, which shall include, at a minimum, the following information on any Events that occurred during the preceding quarter:
  - a. the date of the Event(s);
  - b. the measured or estimated volume of the Event(s);
  - c. the duration of the Event(s);
  - d. the location of the Sewage Pumping Station Overflow and the receiver;
  - e. the reason for the Event(s); and
  - f. the impact of the Event(s) on the receiver(s).
4. The Owner shall use best efforts to collect a representative sample consisting of a minimum of two (2) grab samples of the Sewage Pumping Station Overflow and have it analyzed for the parameters outlined in Condition P4 using the protocols specified in Condition P4, one at the beginning of the Event and the second approximately near the end of the Event, to best reflect the effluent quality of the Sewage Pumping Station Overflow.
5. The Owner shall maintain a logbook of all Sewage Pumping Station Overflows, which shall contain, at a minimum, the types of information set out in sub-conditions 2(a) to 2(d) in respect of each Sewage Pumping Station Overflow.

**P3. OPERATION AND MAINTENANCE**

1. The Owner shall exercise due diligence in ensuring that, at all times, the Works and the related equipment and appurtenances used to achieve compliance with this Approval are properly operated and maintained. Proper operation and maintenance shall include effective performance, adequate funding, adequate operator staffing and training, including training in all procedures and other requirements of this Approval and the EPA and regulations, adequate laboratory facilities, process controls and alarms and the use of process chemicals and other substances used in the Works.
2. The Owner shall prepare an operations manual {prior to the commencement of operation of the Works/within six (6) months of Substantial Completion 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;

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- d. procedures for the inspection and calibration of monitoring equipment;
  - e. a spill prevention control and countermeasures plan, consisting of contingency plans and procedures for dealing with equipment breakdowns, potential spills and any other abnormal situations, including notification to the Spills Action Centre (SAC), the Medical Officer of Health, and the {District Manager/Water Supervisor}; and
  - f. procedures for receiving, responding and recording public complaints, including recording any follow-up actions taken.
3. The Owner shall maintain the operations manual current and retain a copy at the location of the Works for the operational life of the Works. Upon request, the Owner shall make the manual available to Ministry staff.
  4. The Owner shall provide for the overall operation of the Works an operator who holds a licence that is applicable to that type of facility and that is of the same class as or higher than the class of the facility in accordance with Ontario Regulation 129/04.

[{If the Works are in an area where they are considered a significant threat to sources of drinking water :](#)

5. The Owner shall develop a Response Plan in the event of unplanned Sewage Pumping Station Overflows, consisting of measures to mitigate and prevent the contamination of drinking water. }

**P4. MONITORING AND RECORDING**

1. The Owner shall, upon commencement of operation of the Works, carry out the following monitoring program:
  - a. 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 Sewage Pumping Station Overflow stream over the time period being monitored.
  - b. Samples shall be collected at the following sampling points, at the frequency specified, by means of the specified sample type and analyzed for each parameter listed and all results recorded, as outlined in [Schedule X](#).
  - c. The methods and protocols for sampling, analysis and recording shall conform, in order of precedence, to the methods and protocols specified in the following:
    - i. the Ministry's Procedure F-10-1, "Procedures for Sampling and Analysis Requirements for Municipal and Private Sewage Treatment Works (Liquid Waste Streams Only)", as amended from time to time by more recently published editions;
    - ii. 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; and

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- iii. the publication “Standard Methods for the Examination of Water and Wastewater” (21st edition), as amended from time to time by more recently published editions.

**P5. REPORTING**

1. One (1) week prior to the start-up of the operation of the Works, the Owner shall notify the {District Manager/Water Supervisor} (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 prepare a performance report within ninety (90) days following the end of the period being reported upon, and submit the report(s) to the {District Manager/Water Supervisor} when requested. 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, 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;
  - d. a summary of the calibration and maintenance carried out on all monitoring equipment;
  - e. a summary of any complaints received during the reporting period and any steps taken to address the complaints;
  - f. a summary of all Sewage Pumping Station Overflows, spill or abnormal discharge events;
  - g. a copy of all Notices of Modification submitted to the {District Manager/Water Supervisor} as a result of Schedule Y, Section 1, with a status report on the implementation of each modification;
  - h. a report summarizing all modifications completed as a result of Schedule Y, Section 3; and
  - i. any other information the {District Manager/Water Supervisor} requires from time to time.
4. The Owner shall, within thirty (30) calendar days of issuance of this Approval, submit a Municipal Wastewater System Profile Information Form, and shall resubmit the updated document every time a notification is provided to the {District Manager/Water Supervisor} in compliance with requirements of change of ownership under this Approval.

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**P6. LIMITED OPERATIONAL FLEXIBILITY**

1. The Owner may make modifications to the Works in accordance with the Terms and Conditions of this Approval and subject to the Ministry's "Limited Operational Flexibility Criteria for Modifications to Sewage Works", included under [Schedule Y](#) of this Approval, as amended.
2. Sewage works proposed under Limited Operational Flexibility shall adhere to the design guidelines contained within the Ministry's publication "Design Guidelines for Sewage Works 2008", as amended.
3. The Owner shall ensure at all times, that the Works, related equipment and appurtenances which are installed or used to achieve compliance are operated in accordance with all Terms and Conditions of this Approval.
4. For greater certainty, the following are not permitted as part of Limited Operational Flexibility:
  - a. modifications to the Works that result in an increase of the approved Rated Capacity of the Works;
  - b. modifications to the Works that may adversely affect the approved effluent quality criteria or the location of the discharge/outfall;
  - c. modifications to the treatment process technology of the Works, or modifications that involve construction of new reactors (tanks) or alter the treatment train process design;
  - d. modifications to the Works approved under s.9 of the EPA; and
  - e. modifications to the Works pursuant to an order issued by the Ministry.
5. Implementation of Limited Operational Flexibility is not intended to be used for piecemeal measures that result in major alterations or expansions.
6. If the implementation of Limited Operational Flexibility requires changes to be made to the Emergency Response, Spill Reporting and Contingency Plan, the Owner shall, as deemed necessary in consultation with the {District Manager/Water Supervisor}, provide a revised copy of this plan to the local fire services authority prior to implementing Limited Operational Flexibility.
7. For greater certainty, any modification made under the Limited Operational Flexibility may only be carried out after other legal obligations have been complied with, including those arising from the *Environmental Protection Act, Niagara Escarpment Planning and Development Act, Oak Ridges Moraine Conservation Act, Lake Simcoe Protection Act* and *Greenbelt Act*.
8. Prior to implementing Limited Operational Flexibility, the Owner shall complete a Notice of Modification describing any proposed modifications to the Works and submit it to the {District Manager/Water Supervisor}.

[{For oil and grit separators, stormwater management works, and lot level and conveyance controls:](#)

**S1. OPERATION AND MAINTENANCE**

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1. If applicable, any proposed storm sewers or other stormwater conveyance in this Approval can be constructed but not operated until the proposed stormwater management facilities in this Approval or any other Approval that are designed to service the storm sewers or other stormwater conveyance are in operation.
2. 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.

[{For wet ponds and wetlands only:](#)

3. 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. }
4. 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.
5. 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.
6. 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 Owner's administrative office for inspection by the Ministry. The logbook shall include the following:
  - a. the name of the Works; and
  - 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.
7. 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/Water Supervisor}**; and
  - e. procedures for receiving, responding and recording public complaints, including recording any follow-up actions taken.

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8. The Owner shall maintain the operations manual current and retain a copy at the Owner's administrative office for the operational life of the Works. Upon request, the Owner shall make the manual available to Ministry staff.

**S2. 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 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. }

{For quality control ponds and wetlands that serve a total drainage area that is larger than 5 hectares:

**S3. MONITORING AND RECORDING**

1. The Owner shall, upon commencement of operation of the Works, carry out the following monitoring program:
  - a. 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.
  - b. Samples shall be collected at the following sampling points, at the frequency specified, by means of the specified sample type and analyzed for each parameter listed and all results recorded, as outlined in [Schedule X](#).
  - c. The methods and protocols for sampling, analysis and recording shall conform, in order of precedence, to the methods and protocols specified in the following:
    - i. the Ministry's Procedure F-10-1, "Procedures for Sampling and Analysis Requirements for Municipal and Private Sewage Treatment Works (Liquid Waste Streams Only)", as amended from time to time by more recently published editions;
    - ii. 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; and
    - iii. the publication "Standard Methods for the Examination of Water and Wastewater" (21st edition), as amended from time to time by more recently published editions. }

{For stormwater management works, and lot level and conveyance controls:

**S4. REPORTING**

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1. One (1) week prior to the start-up of the operation of the Works, the Owner shall notify the {District Manager/Water Supervisor} (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 prepare a performance report within ninety (90) days following the end of the period being reported upon, and submit the report(s) to the {District Manager/Water Supervisor} when requested. 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:

{For quality control ponds and wetlands that serve a total drainage area that is larger than 5 hectares:

- a. a summary and interpretation of all monitoring data and an overview of the success and adequacy of the Works, including demonstration using the monitoring data that the appropriate level of quality control has been achieved; }
- 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;

{For quality control ponds and wetlands that serve a total drainage area that is larger than 5 hectares:

- d. a summary of the calibration and maintenance carried out on all monitoring equipment; }
- e. a summary of any complaints received during the reporting period and any steps taken to address the complaints;
- f. a summary of all spill or abnormal discharge events; and
- g. any other information the {District Manager/Water Supervisor} requires from time to time. }

**R. RECORD KEEPING**

1. 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, maintenance and monitoring activities required by this Approval.



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Schedule A forms part of this Approval and contains a list of supporting documentation / information received, reviewed and relied upon in the issuance of this Approval.

**Schedule A**

1. Application for Environmental Compliance Approval, dated **Date**, received on **Date**, submitted by **Applicant Name**;
2. Transfer of Review Letter of Recommendation, dated **Date** and signed by **Name, P.Eng., Title, Review Department, Municipality**;
3. Emails dated **Date** from...

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**Schedule X**

{For quality control ponds and wetlands that serve a total drainage area that is larger than 5 hectares:

**Table # - Effluent Monitoring**

(Samples to be collected from the influent and effluent streams of the [name of works])

<b>Sample Type</b>	Grab
<b>Frequency</b>	Three (3) rainfall Wet Events per year, with two (2) of the events occurring between May and September
<b>Parameters</b>	Total Suspended Solids, Phosphorus and Temperature

}

{For sewage pumping stations:

**Table # - Monitoring during a Sewage Pumping Station Overflow Event**

(Samples to be collected from the Sewage Pumping Station Overflow stream)

<b>Sample Type</b>	Grab
<b>Frequency</b>	One sample at the beginning of the Event and the second sample approximately near the end of the Event
<b>Parameters</b>	BOD5, Total Suspended Solids, Total Phosphorus, Total Ammonia Nitrogen, E. coli (Note 1 see below), and pH

Note 1: Sampling and analysis shall be performed only for Events that occur between April 1 and October 31 inclusive

}

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**Schedule Y**

**Limited Operational Flexibility Criteria for Modifications to Municipal Sewage Works**

1. The modifications to sewage Works approved under an Environmental Compliance Approval (Approval) that are permitted under the Limited Operational Flexibility (LOF), are outlined below and are subject to the LOF conditions in the Approval, and require the submission of the Notice of Modification. If there is a conflict between the sewage Works listed below and the Terms and Conditions in the Approval, the Terms and Conditions in the Approval shall take precedence.
  1. Sewage Pumping Stations
    - a. Alter pumping capacity by adding or replacing equipment where new equipment is located within an existing sewage pumping station site, provided that the modifications do not result in an increase of the pumping station's Rated Capacity and the existing flow process and/or treatment train are maintained, as applicable.
    - b. Forcemain relining and replacement with similar pipe size where the nominal diameter is not greater than 1,200 millimetres.
  2. Pilot Systems
    - a. Installation of pilot systems for new or existing technologies provided that:
      - i. any effluent from the pilot system is discharged to the inlet of the sewage pumping station or hauled off-site for proper disposal;
      - ii. any effluent from the pilot system discharged to the inlet of the sewage pumping station or sewage conveyance system does not significantly alter the composition/concentration of the influent sewage to be treated in the downstream process; and that it does not add any inhibiting substances to the downstream process; and
      - iii. the pilot system's duration does not exceed a maximum of two (2) years; and a report with results is submitted to the Director and Water Supervisor three (3) months after the completion of the pilot project.
2. Sewage Works that are exempt from section 53 of the OWRA by O. Reg. 525/98 continue to be exempt and are not required to follow the notification process under this Limited Operational Flexibility.
3. Normal or emergency operational modifications, such as repairs, reconstructions, or other improvements that are part of maintenance activities, including cleaning, renovations to existing approved sewage Works equipment, provided that the modification is made with Equivalent Equipment, are considered pre-approved.

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4. The modifications noted in section (3) above are not required to follow the notification protocols under Limited Operational Flexibility, provided that the number of pieces and description of the equipment as described in the Approval does not change.

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**Notice of Modification to Sewage Works**

RETAIN COPY OF COMPLETED FORM AS PART OF THE ECA AND SEND A COPY TO THE WATER SUPERVISOR (FOR MUNICIPAL) OR DISTRICT MANAGER (FOR NON-MUNICIPAL SYSTEMS)

**Part 1 – Environmental Compliance Approval (ECA) with Limited Operational Flexibility**

*(Insert the ECA's owner, number, issuance date and notice number, which should start with "01" and consecutive numbers thereafter)*

ECA Number	Issuance Date (mm/dd/yy)	Notice number (if applicable)
ECA Owner		Municipality

**Part 2: Description of the modifications as part of the Limited Operational Flexibility**

*(Attach a detailed description of the sewage works)*

Description shall include:

1. A detail description of the modifications and/or operations to the sewage works (e.g. sewage work component, location, size, equipment type/model, material, process name, etc.)
2. Confirmation that the anticipated environmental effects are negligible.
3. List of updated versions of, or amendments to, all relevant technical documents that are affected by the modifications as applicable, i.e. submission of documentation is not required, but the listing of updated documents is (design brief, drawings, emergency plan, etc.)

**Part 3 – Declaration by Professional Engineer**

I hereby declare that I have verified the scope and technical aspects of this modification and confirm that the design:

1. Has been prepared or reviewed by a Professional Engineer who is licensed to practice in the Province of Ontario;
2. Conforms with the Limited Operational Flexibility as per the ECA;
3. Has been designed consistent with Ministry's Design Guidelines, adhering to engineering standards, industry's best management practices, and demonstrating ongoing compliance with s.53 of the Ontario Water Resources Act; and other appropriate regulations.

I hereby declare that to the best of my knowledge, information and belief the information contained in this form is complete and accurate.

Name (Print)	PEO License Number
Signature	Date (mm/dd/yy)
Name of Employer	

**Part 4 – Declaration by Owner**

I hereby declare that:

1. I am authorized by the Owner to complete this Declaration;
2. The Owner consents to the modification; and
3. These modifications to the sewage works are proposed in accordance with the Limited Operational Flexibility as described in the ECA.
4. The Owner has fulfilled all applicable requirements of the *Environmental Assessment Act*.

I hereby declare that to the best of my knowledge, information and belief the information contained in this form is complete and accurate.

Name of Owner Representative (Print)	Owner representative's title (Print)
Owner Representative's Signature	Date (mm/dd/yy)

}

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**Reasons:**

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 1.6 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.
- C. Condition C is included to prevent the operation of stormwater pipes and other conveyance until such time that their required associated stormwater management Works are also constructed.
- L1. Condition L1 is included in order to require the Owner to give notice of this Approval to potential future owners of the property before the property is dealt with. Condition L1 applies solely to the [LID works].
- P1. Condition P1 is included to ensure that the Works are constructed in accordance with the Approval and that record drawings of the Works "as constructed" are updated and maintained for future references.
- P2. Condition P2 is included to indicate that Sewage Pumping Station Overflows are prohibited, except in circumstances where the failure to overflow could result in greater injury to the public interest than the Sewage Pumping Station Overflow itself. The notification and documentation requirements allow the Ministry to take action in an informed manner and ensure that the Owner is aware of the extent and frequency of Events.
- P3. Condition P3 is included to ensure that the Works are properly operated, maintained, funded, staffed and equipped such that the environment is protected and deterioration, loss, injury or damage to any person or property is prevented. The Condition also ensures 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 is 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, proper plant operation, and identification and planning for contingencies during abnormal conditions. The manual will also act as a benchmark for Ministry staff when reviewing the operation of the Works.
- P4. Condition P4 is included to provide additional details on the monitoring of Sewage Pumping Station Overflows.

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- P5. **Condition P5** 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.
- P6. **Condition P6** is included to ensure that the Works are operated in accordance with the application and supporting documentation submitted by the Owner, and not in a manner which the Director has not been asked to consider. These conditions are also included to ensure that a Professional Engineer has reviewed the proposed modifications and attests that the modifications are in line with that of Limited Operational Flexibility, and provide assurance that the proposed modifications comply with the Ministry's requirements stipulated in the terms and conditions of this Approval, Ministry policies, guidelines, and industry engineering standards and best management practices.
- S1. **Condition S1** 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.
- S2. **Condition S2** 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.
- [For quality control ponds and wetlands that serve a total drainage area that is larger than 5 hectares:](#)
- S3. **Condition S3** is included to enable the Owner to evaluate and demonstrate the performance of the Works, on a continual basis, so that the Works are properly operated and maintained at a level which is consistent with the design objectives specified in the Approval and that the Works do not cause any impairment to the receiving watercourse or the environment. }
- S4. **Condition S4** 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.
- R. **Condition R** is included to require that all records are required for a sufficient time period to adequately evaluate the long-term operation and maintenance of the Works.