



July 16, 2012

REVISED

Ms. Kirsten Walli
Board Secretary
Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4

Dear Ms. Walli:

Re: Tribute Resources Inc. – Huron Bayfield Storage Project Development
Board File Nos. EB-2011-0076, EB-2011-0077, EB-2011-0078, EB-2011-0285

Further to Procedural Order No. 2 dated the 8th of May 2012 and Procedural Order No. 3 dated the 13th of June 2012, kindly find attached the evidence of the intervenor the Corporation of the Municipality of Bluewater in respect of the above noted matter.

Yours truly,

✓ Stephen McAuley, C.Tech.
CAO/Clerk

cc: Strong, MacDougall & Oudekerk_{PC}
Suite 1214 – 130 Dufferin Ave.
London, ON N6A 5R2
Attn: Ken Strong
Tel: 519-672-3535
strong@municipallawyers.ca

Tribute Resources Inc.
309-E Commissioners Road West
London, ON N6J 1Y4
Attn: Jennifer Lewis
Chief Financial Officer
Tel: 519-657-2151
Fax: 519-657-4296
jlewis@tributeresources.com

Giffen and Partners
465 Waterloo St.
London, ON N6B 2P4
Attn: Mr. Christopher Lewis
Tel: 519-679-4700
lewis@giffens.com

Chinneck Law Professional Corporation
37 Ridout Street S.
London, ON N6C 3W7
Attn: Jed Chinneck
Tel: 519-679-6777
Fax: 519-633-6214
jed@chinneck.ca
(2195002 Ontario Inc.)

Attn: William D. Mitches
Tel: 519-679-6777
Fax: 519-432-4811
bill@chinneck.ca
(McKinley Farms Ltd.)

Ministry of Natural Resources
99 Wellesley St. W.
Toronto, ON M7A 1W3
Attn: Philip Pothen
Tel: 416-314-2068
Phil.Pothen@ontario.ca

Attn: Demetrius Kappos
Tel: 416-314-2007
Fax: 416-314-2030
Demetrius.kappos@ontario.ca

TransCanada Pipelines Limited
450 First Street S. W.
Calgary, AB T2P 5H1
Attn: Patrick M. Keys
Tel: 403-920-6237
Fax: 403-920-2420
Patrick_keys@transcanada.com

Attn: Jim Bartlett, Manager, Regulatory Research & Analysis
Tel: 403-920-7165
Fax: 403-920-2347
Jim_bartlett@transcanada.com

Attn: Nadine Berge, Senior Legal Counsel
Tel: 403-920-6253
Fax: 403-920-2357
Nadine_berge@transcanada.com

TransCanada Pipelines Limited
200 Bay Street
Royal Bank Plaza
24th Floor, South Tower
Toronto, ON M5J 2J1
Attn: Murray Ross
Tel: 416-869-2110
Fax: 416-869-2119
Murray_ross@transcanada.com

Union Gas Limited
50 Keil Drive North
Chatham, ON N7M 5M1
Attn: Mark Murray, Manager, Regulatory Projects and Land Acquisition
Tel: 519-436-4601
Fax: 519-436-4641
UNIONregulatoryproceedings@uniongas.com

*The Corporation of the Municipality of Bluewater
P.O. Box 250, 14 Mill Ave. Zurich, ON N0M 1G0
Ph: (519) 236-4351 F: (519) 236-4329*

Zurich Landowners Association
Box 304
Zurich, ON N0M 2T0
Attn: Heather Redick
Tel: 519-236-4945
zurichlandowners@hay.net

2195002 Ontario Inc.
Box 1900 Industrial Road
St. Marys, ON N4X 1C2
Attn: Al Corneil
Tel: 111-111-1111
acorneil@tcc.on.ca

Lambton County Storage Associaton
3024 Churchill Line
R. R. 3
Petrolia, ON N0N 1R0
Attn: Elaine Harris
Tel: 519-845-3749
Fax: 519-845-3749
elaine.harris3@gmail.com

Stanley Bayfield Landowners Group
37869 Mill Road
Bayfield, ON N0M 1G0
Attn: Marnie Van Aaken
Tel: 519-565-5218
vanaaken@tcc.on.ca

Huron County Federation of Agriculture
Box 429
Clinton, ON N0m 1L0
Attn: Marinus Bakker, President
Tel: 519-482-9642
Fax: 519-482-1416
ofahuron@tcc.on.ca

Attn: Paul Nairn, OFA Member Service Representative
paul.nairn@ofa.on.ca

*The Corporation of the Municipality of Bluewater
P.O. Box 250, 14 Mill Ave. Zurich, ON N0M 1G0
Ph: (519) 236-4351 F: (519) 236-4329*

Howard and Judith Daniel
25573 Nairn Road
RR 3
Denfield, ON N0M 1P0
abbeydaniel@aol.com

County of Middlesex
399 Ridout Street North
London, ON N6A 2P1
Attn: Chris Traini, County Engineer
Tel: (519) 434-7321
Fax: (519) 434-0638
ctraini@county.middlesex.on.ca

Northern Cross Energy Limited
Suite 840, 700-4th Avenue S. W.
Calgary, AB T2P 3J4
Attn: David R. Thompson, President
Tel: (403) 237-0055
Fax: (403) 237-6255
dthompson@northerncross.ca

IN THE MATTER OF the *Ontario Energy Board Act, 1998*, S.O. 1998, c.15, Schedule B; and in particular sections 36.1(1), 38(1), 40(1), 90(1), thereof;

AND IN THE MATTER OF an application by Tribute Resources Inc. for an Order designating the areas known as the Stanley 4-7-XI Pool and the Bayfield Pool, in the County of Huron, as gas storage areas;

AND IN THE MATTER OF an application by Tribute Resources Inc. for authority to inject gas into, store gas in and remove gas from the areas designated as the Stanley 4-7-XI Pool and the Bayfield Pool and to enter into and upon the lands in the said areas and use the land for such purposes;

AND IN THE MATTER OF an application by Tribute Resources Inc. to the Ministry of Natural Resources for a license to drill wells in the said areas;

AND IN THE MATTER OF an application by Tribute Resources Inc. for an Order granting leave to construct natural gas pipelines in the County of Huron and in the County of Middlesex;

AND IN THE MATTER OF an application by Tribute Resources Inc. for a determination in respect of the compensation payable under Section 38 of the *Ontario Energy Board Act, 1998*.

EVIDENCE OF THE CORPORATION OF THE MUNICIPALITY OF BLUEWATER

JULY 13, 2012

AFFIDAVIT OF STEPHEN MCAULEY

I, Stephen McAuley, of the Municipality of Middlesex Centre, in the County of Middlesex, Province of Ontario, make oath and say as follows:

1. I am the Chief Administrative Officer for the Corporation of the Municipality of Bluewater ("Bluewater") and as such have knowledge of the matters hereinafter deposed.

Where statements are made on information and belief, or where from the context it appears that I rely upon the information provided by others, I verily believe such statements to be true.

2. Bluewater's seeks to protect and foster the economic, social and environmental well-being of the municipality, the health, safety and well-being of persons, and the protection of persons and property within the municipality.
3. Bluewater owns lands in the immediate vicinity of the proposed Bayfield Pool (the "Bayfield STF Lands"). The Parcel Register noting the Corporation of the Municipality of Bluewater as the owner of the Bayfield STF Lands is attached hereto and marked as Exhibit "A". A reference plan showing the Bayfield STF Lands as Part 1 on Plan 22R-4570 is attached hereto and marked as Exhibit "B".
4. Bluewater owns and operates a sewage treatment facility (the "Bayfield STF") located on the Bayfield STF Lands. Attached hereto and marked as Exhibit "C" is a copy of the certificate of approval for the Bayfield STF.
5. The Bayfield STF Lands include an access lane extending from Mill Road to the Bayfield STF. From the evidence filed by the Applicant Tribute Resources Inc. ("Tribute"), I understand that the access lane is located directly above the Bayfield Pool and may be in

close proximity to structures required by Tribute. Further, there is an existing natural gas pipe within this access lane.

6. Bluewater has commenced the Environmental Assessment process for the expansion of the Bayfield STF, which is intended to be complete in approximately six months' time.
7. Bluewater and Tribute do not have an access agreement that is in force allowing Tribute access (for vehicles, equipment, pipeline, structures, or otherwise) or other property interests in, on, or over the access lane located on the Bayfield STF Lands, and Bluewater considers that such an agreement is required.
8. Bluewater is also the owner of the road allowance for a portion of Tribute's proposed pipeline route. Bluewater and Tribute do not have a road user agreement that is in force respecting the use by Tribute of Bluewater's road allowance lands, and Bluewater considers that such an agreement is required.
9. Bluewater has not received from Tribute any professional expert evidence or assurance that Tribute's Applications can safely and harmoniously co-exist with wind power development in Bluewater. Given the existing proposed and possible future wind power development in the municipality, Bluewater considers that such expert evidence and assurances are required.

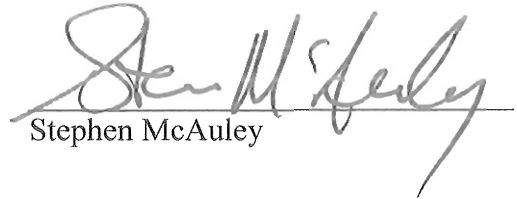
10. I make this Affidavit in response to the Application brought by Tribute Resources Inc.
and for no other or improper purpose.

Sworn before me at the Municipality of
Bluewater, in the County of Huron,
this 13th day of July 2012



Kenneth Strong
Commissioner, etc.

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)
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)
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)



Stephen McAuley



ServiceOntario

LAND
REGISTRY
OFFICE #22

PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

PAGE 1 OF 3
PREPARED FOR BLUEWATER
ON 2012/05/02 AT 11:53:09

41452-0160 (LT)

* CERTIFIED BY LAND REGISTRAR IN ACCORDANCE WITH LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY DESCRIPTION: PT LT 7 BAYFIELD RD NORTH CON STANLEY; MUNICIPALITY OF BLUEWATER AS IN R338076 EXCEPT PTS 2 & 3 22R4570; S/T INTEREST IN R338076; S/T R212930

PROPERTY REMARKS:

ESTATE/QUALIFIER:

FEE SIMPLE

LT CONVERSION QUALIFIED

OWNERS' NAMES

THE CORPORATION OF THE MUNICIPALITY OF BLUEWATER

RECENTLY:

DIVISION FROM 41452-0090

CAPACITY SHARE

PIN CREATION DATE:

2001/02/05

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHRD
** PRINTOUT INCLUDES ALL DOCUMENT TYPES (DELETED INSTRUMENTS NOT INCLUDED) **						
**SUBJECT, ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO:						
**				SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES *		
**				AND ESCHEATS OR FORFEITURE TO THE CROWN.		
**				THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF		
**				IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY		
**				CONVENTION.		
**				ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.		
**DATE OF CONVERSION TO LAND TITLES: 2000/05/29 **						
R57742	1963/05/13	BYLAW				C
R200938	1982/12/08	AGREEMENT				C
R210621	1984/04/27	NO ASSG LESSEE INT			TIPPERARY RESOURCES LIMITED	C
REMARKS: MULTI CORRECTIONS: 'INSTRUMENT TYPE' CHANGED FROM 'ASSGMT LEASE' TO 'NCE ASSG LEASE' ON 2003/01/06 BY SUE CORRIVEAU. 'THIS INSTRUMENT' WAS DELETED FROM PROPERTY 41452-0160 IN ERROR AND WAS RE-INSTATED ON 2007/05/17 BY LEIGH SWANSON. 'THIS INSTRUMENT' WAS DELETED FROM PROPERTY 41452-0159 IN ERROR AND WAS RE-INSTATED ON 2007/05/18 BY LEIGH SWANSON.						
22R1760	1984/08/13	PLAN REFERENCE				C
R212930	1984/08/14	AGR RIGHT OF WAY			TIPPERARY RESOURCES LIMITED STANLEY REEF RESOURCES LIMITED	C
R312832	1996/10/25	LEASE			PARAGON PETROLEUM CORPORATION	C
R314210	1996/12/18	AGREEMENT				C

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.

NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

This is Exhibit "A" referred to in the affidavit
of Stephen McAuley, sworn before me this 13th
day of July, 2012

A Commissioner for Taking Affidavits

41452-0160 (LT)

* CERTIFIED BY LAND REGISTRAR IN ACCORDANCE WITH LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
R332443	1999/03/03 REMARKS: MULTI	ASSIGNMENT GENERAL				C
R332444	1999/03/03 REMARKS: MULTI	ASSIGNMENT GENERAL				C
R332966	1999/04/01 REMARKS: MULTI CORRECTIONS: 'INSTRUMENT TYPE' CHANGED FROM 'ASSGNT LEASE' TO 'NTCE ASSG LEASE' ON 2003/01/06 BY SUE CORRIVEAU. 'THIS INSTRUMENT' WAS DELETED FROM PROPERTY 41452-0160 IN ERROR AND WAS RE-INSTATED ON 2007/05/17 BY LEIGH SWANSON.	NO ASSG LESSEE INT			NORTHROCK RESOURCES LTD.	C
R337957	1999/11/09	LEASE			NORTHROCK RESOURCES LTD.	C
R338076	1999/11/15	TRANSFER	\$680,000		THE CORPORATION OF THE VILLAGE OF BAYFIELD	C
22R4570	2000/09/27	PLAN REFERENCE				C
LT15621	2002/04/25 REMARKS: MULTIPLE ASSIGNMENTS	NO ASSG LESSEE INT	\$2	NORTHROCK RESOURCES LTD.		C
LT19333	2002/09/18 REMARKS: R312832, R314210, R332966 & LT15621	NOTICE		PORTER, WILLIAM GORDON PORTER, NANCY CHARLENE	TALISMAN ENERGY INC.	C
LT21811	2003/01/09	NO ASSG LESSEE INT	\$1	TALISMAN ENERGY INC.	CLEARBEACH RESOURCES INC. AVENUE ENERGY LIMITED PARTNERSHIP	C
HC15840	2004/11/25	APL CH NAME OWNER		THE CORPORATION OF THE VILLAGE OF BAYFIELD	THE CORPORATION OF THE MUNICIPALITY OF BLUEWATER	C
HC15841	2004/11/25	NOTICE OF LEASE	\$2,500	THE CORPORATION OF THE MUNICIPALITY OF BLUEWATER	CLEARBEACH RESOURCES INC.	C
HC19046	2007/05/31 REMARKS: MULTIPLE LEASES REFER TO DOCUMENT	NO ASSG LESSEE INT		CLEARBEACH RESOURCES INC.	TRIBUTE RESOURCES INC.	C
HC39050	2007/05/31 REMARKS: MULTIPLE LEASES REFER TO DOCUMENT	NO ASSG LESSEE INT		AVENUE ENERGY LIMITED PARTNERSHIP AVENUE ENERGY TRUST	TRIBUTE RESOURCES INC.	C
HC72653	2011/01/27	NOTICE	\$2	PORTER, WILLIAM GORDON	TRIBUTE RESOURCES INC.	C

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
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Ontario ServiceOntario

LAND
REGISTRY
OFFICE #22

PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

PAGE 3 OF 3

PREPARED FOR BLUEWATER
ON 2012/05/02 AT 11:53:09

41452-0160 (LT)

* CERTIFIED BY LAND REGISTRAR IN ACCORDANCE WITH LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
REMARKS: R200938, R313832, R314210						

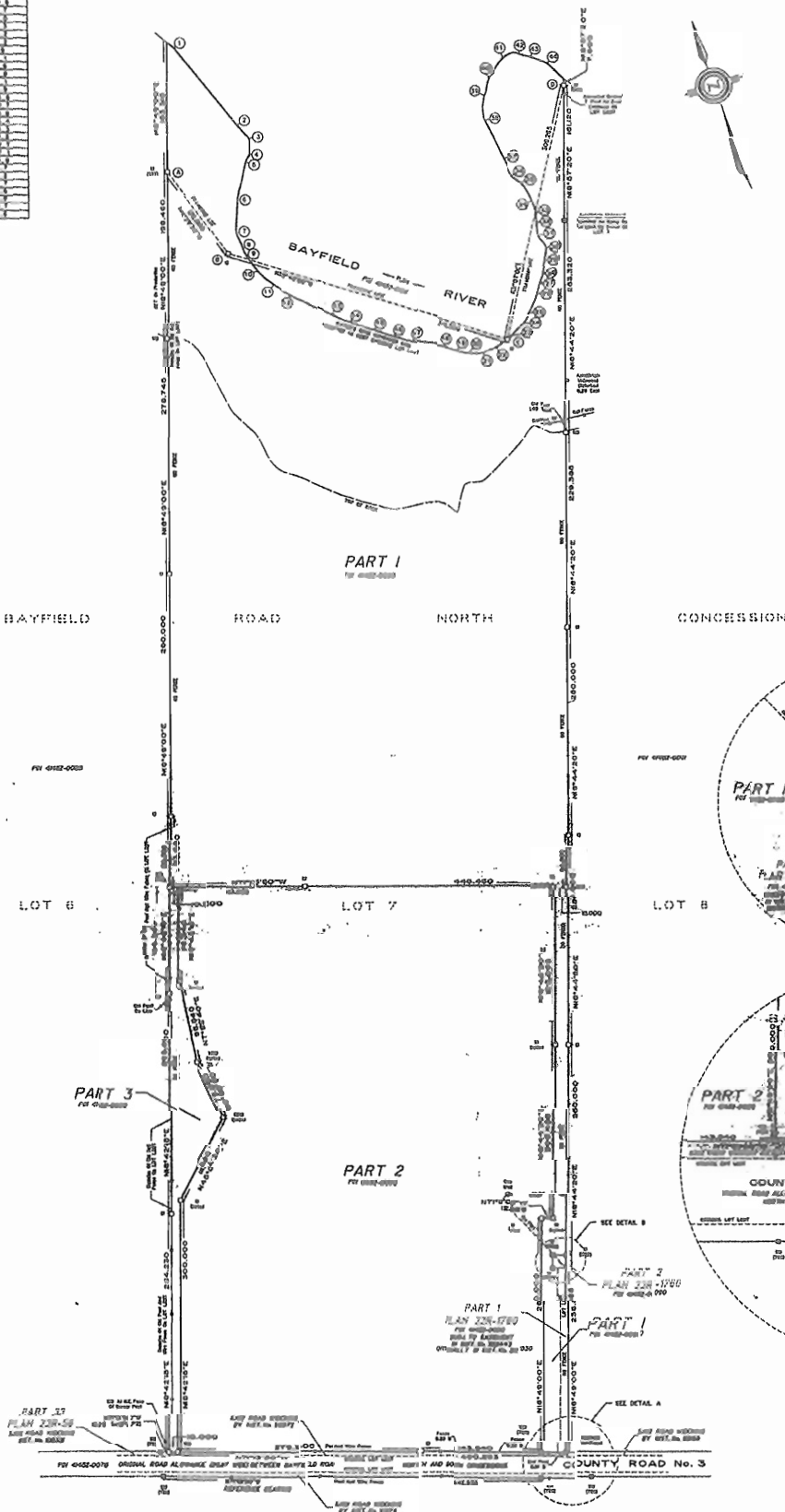
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NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

WATER BOUNDARY DATA	
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This is Exhibit "B" referred to in the affidavit of Stephen McAuley, sworn before me this 13th day of July, 2012

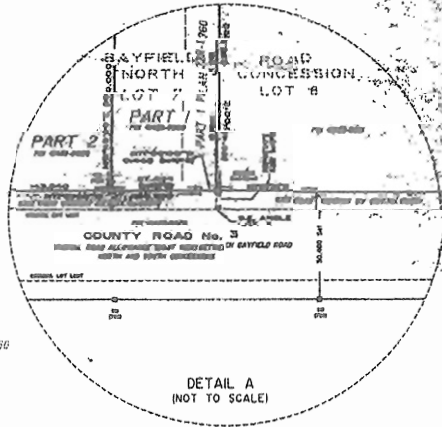
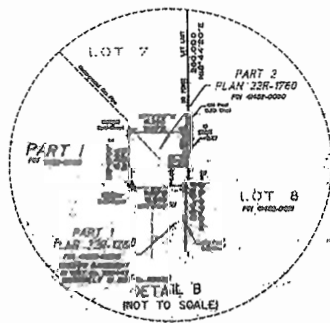
A Commissioner for Taking Affidavits

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT		PLAN 22R-4570	
DATE: 22/07/2012		RECEIVED AND DEPOSITED	
BY: DA GILBERT		DATE: 27/07/2012	
ONTARIO LAND SURVEYOR		BY: K. Clark	
THIS PLAN COMPRISES ALL OF PLOT 41452-0000		PART 1 IS SUBJECT TO AN EASEMENT AS IN PLOT NO. 33344-7001	
CONVEYED IN DEED NO. 170001 OVER PLOT 1, PLAN 22R-7001			



PLAN OF SURVEY
LOT 7
BAYFIELD ROAD
NORTH CONCESSION
IN THE
TOWNSHIP OF STANLEY
COUNTY OF HURON
SCALE 1:2500
DA GILBERT LTD.
ONTARIO LAND SURVEYOR

- NOTES & LEGEND
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METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METERS 3 AND MAY BE CONVERTED TO FEET BY DIVIDING BY 0.3048. AREA SHOWN ON THIS PLAN IS IN HECTARES AND CAN BE CONVERTED TO ACRES BY DIVIDING BY 2.47. THIS SURVEY WAS COMPLETED ON 21ST 07TH DAY OF SEPTEMBER, 2012.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, 1990, AND THE REGULATION MADE UNDER IT.

2. THE SURVEY WAS COMPLETED ON 21ST 07TH DAY OF SEPTEMBER, 2012.

SEPTEMBER 14, 2000
DA GILBERT LTD.
ONTARIO LAND SURVEYOR

DA GILBERT LTD.		ONTARIO LAND SURVEYOR	
1000 BAYVIEW AVE. SUITE 100		SCARBOROUGH, ONTARIO M1B 2Y1	
TEL: (416) 291-1111		FAX: (416) 291-1112	
WWW.DGILBERT.COM		E-MAIL: INFO@DGILBERT.COM	


A Commissioner for Taking Affidavits



Ministry of the Environment
Ministère de l'Environnement

AMENDED CERTIFICATE OF APPROVAL
MUNICIPAL AND PRIVATE SEWAGE WORKS
NUMBER 3689-8D8LA9
Issue Date: May 4, 2011

Municipality of Bluewater
14 Mill Ave Zurich
Post Office Box, No. 250
Bluewater, Ontario
N0M 2T0

Site Location: Bayfield Sewage Treatment Plant
Lot 7, Concession Bayfield Road
Bluewater Municipality, County of Huron
N0M 1G0

You have applied in accordance with Section 53 of the Ontario Water Resources Act for approval of:

receiving leachate imported from the Stanley Landfill site located at 38594 Mill Road in the Municipality of Bluewater, for co-treatment in the existing Bayfield Sewage Treatment Plant at the captioned site location, having a *Rated Capacity* of 1,072 m³/d, and consisting of the following:

Inlet Works

- inlet raw sewage forcemain in an easement from Huron County Road No. 3 to the Control Building and Inlet Chamber including inground air relief valve chambers;
- a Control Building housing a inlet raw sewage flowmeter with bypass valving and piping;
- an Inlet Chamber with separate inlet piping to either sewage lagoon Cell No.1 and or lagoon Cell No. 2;

Waste Stabilization Lagoon

- two (2) sewage Cells No.1 and No. 2, each having top dimensions of 424.4 m x 154.4 m and a design liquid depth of 1.8 m and each having an effective storage volume of approximately 110,554 m³ with the cells operating in series;
- a Transfer Chamber to interconnect sewage lagoon Cell No. 1 and lagoon Cell No. 2;
- gravity discharge pipe from each cell to the Filter Pumping Station Inlet Chamber;

Intermittent Sand Filters

- a Filter Pumping Station Inlet Chamber including valves and piping to allow discharge by gravity to the Filter Pumping Station or the Discharge Chamber;
- an inground Filter Pumping Station consisting of two (2) submersible sewage pumps, having a total rated capacity, with parallel operation, of 215.0 L/s at a TDH of 9.8 m, valves and piping, liquid level indicators and alarm, etc. with forcemain discharge piping to a Filter Distribution Chamber;
- a Filter Distribution Chamber with valving to permit the Filter Pumping Station to discharge to either or both of the Intermittent Sand Filters;
- two (2) Intermittent Sand Filters each with a top surface area of approximately 71 m x 37 m and a minimum effective filtering area of 2,312 m², together with distribution piping and underdrain collection piping, designed for an average hydraulic loading rate of 1,708 m³/d, discharging by gravity to a Discharge Chamber;

Phosphorus Removal System

- a liquid alum feed system for phosphorous removal located in the Control Building, consisting of one (1) 27,000 L chemical storage tank and three (3) metering pumps (two duty, one standby) all within a containment enclosure, with dual point injection into the inlet raw sewage forcemain and Cell No. 1 - Cell No. 2 Transfer Chamber;

Effluent Discharge and Outfall

- a Discharge Chamber and Sampling Building housing flow measurement devices including weir, level transducer baffle and effluent sample piping;
- outfall structure and piping to Bayfield River;

Miscellaneous

- all other controls, electrical equipment, instrumentation, piping, pumps, valves and appurtenances essential for the proper operation of the *Works*;

all in accordance with the following submitted supporting documents:

1. Original design brief and specifications, final plans and Environmental Study Reports prepared by B.M. Ross and Associates Limited, Consulting Engineers;
2. Application for Approval of Municipal and Private Sewage Works submitted by Andrew Garland of B.M. Ross and Associates Limited received November 2, 2010, including Leachate Handling Assessment report.

For the purpose of this Certificate of Approval and the terms and conditions specified below, the following definitions apply:

“Act ” means the Ontario Water Resources Act, R.S.O. 1990, Chapter 0.40, as amended;

"*Annual Average Concentration*" means the arithmetic mean of the *Monthly Average Concentrations* of a contaminant in the effluent calculated for any particular calendar year;

"*Annual Total Loading*" means the value obtained by multiplying the *Annual Average Concentration* of a contaminant by the cumulative total sewage flow to the sewage works during the same calendar year;

"*Average Daily Flow* " means the cumulative total sewage flow to the sewage works during a calendar year divided by the number of days during which sewage was flowing to the sewage works that year;

"*BOD5* " (also known as $TBOD_5$) means five day biochemical oxygen demand measured in an unfiltered sample and includes carbonaceous and nitrogenous oxygen demand;

"*By-pass* " means any discharge from the *Works* that does not undergo any treatment or only receives partial treatment before it is discharged to the environment;

"*CBOD5* " means five day carbonaceous (nitrification inhibited) biochemical oxygen demand measured in an unfiltered sample;

"*Certificate* " means this entire certificate of approval document, issued in accordance with Section 53 of the *Act* , and includes any schedules;

"*Daily Concentration* " means the concentration of a contaminant in the effluent discharged over any single day, as measured by a composite or grab sample, whichever is required;

"*Director* " means any *Ministry* employee appointed by the Minister pursuant to section 5 of the *Act* ;

"*District Manager* " means the District Manager of the Owen Sound Area Office of the Ministry;

"*E. Coli* " refers to the thermally tolerant forms of *Escherichia* that can survive at 44.5 degrees Celsius;

"*Geometric Mean Density* " is the n th root of the product of multiplication of the results of n number of samples over the period specified;

"*Ministry* " means the Ontario Ministry of the Environment;

"*Monthly Average Concentration* " means the arithmetic mean of all *Daily Concentrations* of a contaminant in the effluent sampled or measured, or both, during a calendar month;

"*Non-freezing Period* " means the time period when stream temperatures are greater than 5°C .

"*Owner* " means the Municipality of Bluewater and includes its successors and assignees;

"*Rated Capacity* " means the *Average Daily Flow* for which the *Works* are approved to handle;

"*Regional Director* " means the Regional Director of the Southwestern Region of the Ministry; and

"Works " means the sewage works described in the *Owner* 's application, this *Certificate* and in the supporting documentation referred to herein, to the extent approved by this *Certificate*.

You are hereby notified that this 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 *Certificate* 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 *Certificate* , the application for approval of the works and the submitted supporting documents and plans and specifications as listed in this *Certificate* .

(3) Where there is a conflict between a provision of any submitted document referred to in this *Certificate* and the Conditions of this *Certificate* , the Conditions in this *Certificate* shall take precedence, and where there is a conflict between the listed submitted documents, the document bearing the most recent date shall prevail.

(4) Where there is a conflict between the listed 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 requirements of this *Certificate* are severable. If any requirement of this *Certificate* , or the application of any requirement of this *Certificate* to any circumstance, is held invalid or unenforceable, the application of such requirement to other circumstances and the remainder of this certificate shall not be affected thereby.

(6) The approval granted by this *Certificate* is based upon a review of the *Works* in the context of its effect on the environment, its process performance and general principles of wastewater engineering. The review did not include a consideration of the architectural, mechanical, electrical or structural components and minor details of the *Works* except to the extent necessary to review the *Works* .

2. EXPIRY OF APPROVAL

The approval issued by this *Certificate* will cease to apply to those parts of the *Works* which have not been constructed within five (5) years of the date of this *Certificate* .

3. CHANGE OF OWNER

(1) The *Owner* shall notify the *District Manager* and the *Director* , in writing, of any of the following

changes within 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* ;
- (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 *Certificate* , and a copy of such notice shall be forwarded to the *District Manager* and the *Director* .

4. RECORD DRAWINGS

(1) A set of as-built drawings showing the works “as constructed” shall be prepared. These drawings shall be kept up to date through revisions undertaken from time to time and a copy shall be retained at the *Works* for the operational life of the *Works* .

5. BY-PASSES

(1) Any *By-pass* of sewage from any portion of the *Works* is prohibited, except where:

- (a) it is necessary to avoid loss of life, personal injury, danger to public health or severe property damage;
- (b) the *District Manager* agrees that it is necessary for the purpose of carrying out essential maintenance and the *District Manager* has given prior written acknowledgment of the *by-pass* ;
- or
- (c) the *Regional Director* has given prior written acknowledgment of the *By-pass* .

(2) The *Owner* shall collect at least one (1) grab sample of the *By-pass* and have it analyzed for the parameters outlined in Condition 7 using the protocols in Condition 10.

(3) The *Owner* shall maintain a logbook of all *By-pass* events which shall include, at a minimum, the time, location, duration, quantity of *By-pass* , the authority for *By-pass* pursuant to subsection (1), and the reasons for the occurrence.

(4) The *Owner* shall, in the event of a *By-pass* event pursuant to subsection (1), disinfect the by-passed effluent prior to it reaching the receiver such that the receiver is not negatively impacted.

6. EFFLUENT OBJECTIVES

(1) The *Owner* shall use best efforts to design, construct and operate the *Works* with the objective that

the concentrations of the materials named below as effluent parameters are not exceeded in the effluent from the *Works* .

Table 1 - Effluent Objectives	
Effluent Parameter	Concentration Objective (milligrams per litre unless otherwise indicated)
<i>CBOD5</i>	5.0
Suspended Solids	5.0
Total Phosphorus	0.3
Total Ammonia Nitrogen	1.0
Dissolved Oxygen	7.0 (minimum)
<i>E. Coli</i>	100 organisms per 100 mL Monthly <i>Geometric Mean Density</i>

(2) The *Owner* shall use best efforts to:

- (a) maintain the pH of the effluent from the *Works* within the range of 6.0 - 8.0, inclusive, at all times;
- (b) operate the works within the *Rated Capacity* of the *Works* and the hydraulic loading rate of 1,708 m³/d to the intermittent sand filters;
- (c) ensure that the effluent from the *Works* is essentially free of floating and settleable solids and does not contain oil or any other substance in amounts sufficient to create a visible film or sheen or foam or discolouration on the receiving waters.

(3) The *Owner* shall include in all reports submitted in accordance with Condition 10 a summary of the efforts made and results achieved under this Condition.

7. EFFLUENT LIMITS

(1) The *Owner* shall design and construct the *Works* and operate and maintain the *Works* such that the concentrations and waste loadings of the materials named below as effluent parameters are not exceeded in the effluent from the *Works* .

Table 2 - Effluent Limits		
Effluent Parameter	Monthly Average Concentration	Annual Total Loading
Column 1	Column 2	Column 3
<i>CBOD5</i>	10.0 mg/L	3912 kg/yr
Total Suspended Solids	10.0 mg/L	3912 kg/yr
Total Phosphorus	0.5 mg/L	196 kg/yr
Total Ammonia Nitrogen	4.0 mg/L	-
<i>E. Coli</i>	200 organisms per 100 mL Monthly <i>Geometric Mean Density</i>	-
pH of the effluent maintained between 6.0 to 8.5, inclusive, at all times		

(2) For the purposes of determining compliance with and enforcing subsection (1):

(a) The *Monthly Average Concentration* of a parameter named in Column 1 of subsection (1) shall not exceed the corresponding maximum concentration set out in Column 2 of subsection (1).

(b) The *Annual Total Loading* of a parameter named in Column 1 of subsection (1) shall not exceed the corresponding maximum waste loading set out in Column 3 of subsection (1).

(3) The effluent limits set out in this condition shall apply upon the issuance of this *certificate* .

8. 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 *Certificate* 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 *Certificate* and the *Act* 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 update the operations manual within six (6) months of *Substantial Completion* of the *Proposed 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) 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 of the *District Manager* ; and

(f) procedures for receiving, responding and recording public complaints, including recording any followup 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* with 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.

9. LEACHATE IMPORT AND SEASONAL DISCHARGE

(1) The *Owner* shall operate the *Works* such that effluent is discharged only during the non-freezing period between April 1 and December 15 of each year and when the intermittent sand filters are fully operational as designed.

(2) The *Owner* shall ensure that leachate is only introduced via the Inlet Chamber and only to the lead cell that is in the operating sequence at that time and there will be no discharge from that cell directly to the intermittent filters within ninety (90) days of introduction of the leachate.

(3) The *Owner* shall ensure that quantity of leachate imported to the *Works* shall not exceed 2,000 m³/yr.

10. EFFLUENT MONITORING AND RECORDING

The *Owner* shall, upon commencement of operation of the *Works*, carry out the following monitoring program:

(1) All samples and measurements taken for the purposes of this *Certificate* are to be taken at a time and in a location characteristic of the quality and quantity of the effluent stream over the time period being monitored.

(2) For the purposes of this condition, the following definitions apply:

- (a) Weekly means once every week;
- (b) Monthly means once every month;
- (c) Quarterly means once every three months;

(3) 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:

Table 3 - Raw Sewage Monitoring		
Parameters	Sample Type	Frequency
BOD5	Composite	Monthly
Suspended Solids	Composite	Monthly
Total Phosphorus	Composite	Monthly
Total Kjeldahl Nitrogen	Composite	Monthly

Table 4 - Landfill Leachate Monitoring		
Parameters	Sample Type	Frequency
<i>BOD5</i>	Composite	Quarterly
<i>COD</i>	Composite	Quarterly
Dissolved Organic Carbon	Composite	Quarterly
Oil and Grease	Composite	Quarterly
Total Dissolved Solids	Composite	Quarterly
Total Kjeldahl Nitrogen	Composite	Quarterly
Total Phosphorus	Composite	Quarterly
Total Suspended Solids	Composite	Quarterly
Alkalinity	Composite	Quarterly
Conductivity	Composite	Quarterly
pH	Composite	Quarterly
Aluminum	Composite	Quarterly
Ammonia	Composite	Quarterly
Arsenic	Composite	Quarterly
Beryllium	Composite	Quarterly
Boron	Composite	Quarterly
Cadmium	Composite	Quarterly
Calcium	Composite	Quarterly
Chloride	Composite	Quarterly
Chromium	Composite	Quarterly
Copper	Composite	Quarterly
Hydrogen Sulphide	Grab	Quarterly
Iron	Composite	Quarterly
Lead	Composite	Quarterly
Magnesium	Composite	Quarterly
Nitrate	Composite	Quarterly
Nitrite	Composite	Quarterly
Phenols (total)	Composite	Quarterly
Potassium	Composite	Quarterly
Selenium	Composite	Quarterly
Silver	Composite	Quarterly
Sulphate	Composite	Quarterly
Zinc	Composite	Quarterly

Table 5A - Effluent Monitoring		
Parameters	Sample Type	Frequency
<i>CBOD5</i>	Composite	Weekly
Total Suspended Solids	Composite	Weekly
Total Phosphorus	Composite	Weekly
Total Ammonia Nitrogen	Composite	Weekly
<i>E. Coli</i>	Grab	Weekly
pH	Grab	Weekly
Temperature	Grab	Weekly
Unionized Ammonia	Calculated	Weekly

Table 5B - Additional Final Effluent Monitoring		
Parameters	Sample Type	Frequency
<i>BOD5</i>	Composite	Quarterly
<i>COD</i>	Composite	Quarterly
Dissolved Organic Carbon	Composite	Quarterly
Oil and Grease	Composite	Quarterly
Total Dissolved Solids	Composite	Quarterly
Conductivity	Composite	Quarterly
Aluminum	Composite	Quarterly
Ammonia	Composite	Quarterly
Arsenic	Composite	Quarterly
Beryllium	Composite	Quarterly
Boron	Composite	Quarterly
Cadmium	Composite	Quarterly
Calcium	Composite	Quarterly
Chloride	Composite	Quarterly
Chromium	Composite	Quarterly
Copper	Composite	Quarterly
Hydrogen Sulphide	Grab	Quarterly
Iron	Composite	Quarterly
Lead	Composite	Quarterly
Magnesium	Composite	Quarterly
Phenols (total)	Composite	Quarterly
Potassium	Composite	Quarterly
Selenium	Composite	Quarterly
Silver	Composite	Quarterly
Sulphate	Composite	Quarterly
Zinc	Composite	Quarterly

(4) The methods and protocols for sampling, analysis and recording shall conform, in order of precedence, to the methods and protocols specified in the following:

(a) the Ministry's 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;

(b) 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;

(c) the publication "Standard Methods for the Examination of Water and Wastewater" (20th edition), as amended from time to time by more recently published editions;

(5) The temperature and pH of the effluent from the *Works* shall be determined in the field at the time of sampling for Total Ammonia Nitrogen. The concentration of un-ionized ammonia shall be calculated using the total ammonia concentration, pH and temperature using the methodology stipulated in "Ontario's Provincial Water Quality Objectives" dated July 1994, as amended, for ammonia (un-ionized).

(6) The measurement frequencies specified in subsection (2) in respect to any parameter are minimum requirements which may, in accordance with this Condition, be modified by the *District Manager* in writing from time to time.

(7) The *Owner* shall install and maintain continuous flow measuring device(s), to measure the flowrate of the effluent from the *Works* with an accuracy to within plus or minus 15 per cent (+/- 15%) of the actual flowrate for the entire design range of the flow measuring device, and record the flowrate at a daily frequency.

(10) The *Owner* shall measure and record the daily quantities of the leachate imported for co-treatment in the *Works*.

11. REPORTING

(1) Ten (10) days prior to the date of a planned *By-pass* being conducted pursuant to Condition 5 and as soon as possible for an unplanned *By-pass*, the *Owner* shall notify the *District Manager* (in writing) of the pending start date, in addition to an assessment of the potential adverse effects on the environment and the duration of the *By-pass*.

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

(3) In addition to the obligations under Part X of the Environmental Protection Act, the *Owner* shall, within 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, upon request, make all manuals, plans, records, data, procedures and supporting documentation available to *Ministry* staff.

(5) The *Owner* shall prepare, and submit to the *District Manager*, a performance report, on an annual basis, within ninety (90) days following the end of the period being reported upon. The first such report shall cover the first annual period following the commencement of operation of the *Works* and subsequent reports shall be submitted to cover successive annual periods following thereafter. The reports shall contain, but shall not be limited to, the following information:

(a) a summary and interpretation of all monitoring data and a comparison to the effluent limits outlined in Condition 7, including an overview of the success and adequacy of the *Works* ;

(b) a summary of the quality and quantity of leachate co-treated at the *works* and an overview of the success and adequacy of the co-treatment;

(c) a description of any operating problems encountered and corrective actions taken;

(d) a summary of all maintenance carried out on any major structure, equipment, apparatus, mechanism or thing forming part of the *Works* ;

(e) a summary of any effluent quality assurance or control measures undertaken in the reporting period;

(f) a summary of the calibration and maintenance carried out on all effluent monitoring equipment; and

(g) a description of efforts made and results achieved in meeting the Effluent Objectives of Condition 6;

(h) a tabulation of the volume of sludge generated in the reporting period, an outline of anticipated volumes to be generated in the next reporting period and a summary of the locations to where the sludge was disposed;

(i) a summary of any complaints received during the reporting period and any steps taken to address the complaints;

(j) a summary of all *By-pass* , spill or abnormal discharge events; and

(k) 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 *Certificate* and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review. The condition also advises the Owners their responsibility to notify any person they authorized to carry out work pursuant to this *Certificate* the existence of this *Certificate* .
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 *Certificate* and continue to operate the *Works* in compliance with it.
4. Condition 4 is included to ensure that the *Works* are constructed in accordance with the approval and that record drawings of the *Works* “as constructed” are maintained for future references.
5. Condition 5 is included to indicate that by-passes of untreated sewage to the receiving watercourse is prohibited, save in certain limited circumstances where the failure to *By-pass* could result in greater injury to the public interest than the *By-pass* itself where a *By-pass* will not violate the approved effluent requirements, or where the *By-pass* can be limited or otherwise mitigated by handling it in accordance with an approved contingency plan. The notification and documentation requirements allow the *Ministry* to take action in an informed manner and will ensure the *Owner* is aware of the extent and frequency of *By-pass* events.
6. Condition 6 is imposed to establish non-enforceable effluent quality objectives which the *Owner* is obligated to use best efforts to strive towards on an ongoing basis. These objectives are to be used as a mechanism to trigger corrective action proactively and voluntarily before environmental impairment occurs and before the compliance limits of Condition 6 are exceeded.
7. Condition 7 is imposed to ensure that the effluent discharged from the *Works* to Bayfield River meets the *Ministry* 's effluent quality requirements thus minimizing environmental impact on the receiver and to protect water quality, fish and other aquatic life in the receiving water body.
8. Condition 8 is included to require that the *Works* be 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. As well, the inclusion of a comprehensive operations manual governing all significant areas of operation, maintenance and repair is prepared, implemented and kept up-to-date by the owner and made available to the *Ministry* . Such a manual is an integral part of the operation of the *Works* . Its compilation and use should assist the *Owner* in staff training, in proper plant operation and in identifying and planning for contingencies during possible abnormal conditions. The manual will also act as a benchmark for *Ministry* staff when reviewing the *Owner* 's operation of the work.

9. Condition 9 is included to ensure that the *Works* are operated in a manner that minimizes any impacts from the leachate and the effluent is discharged to the receiver during periods and at rates that minimizes the environmental impact on the receiver.
10. Condition 10 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 and effluent limits specified in the *Certificate* and that the *Works* does not cause any impairment to the receiving watercourse.
11. Condition 11 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 *Certificate*, so that the *Ministry* can work with the *Owner* in resolving any problems in a timely manner.

This Certificate of Approval revokes and replaces Certificate(s) of Approval No. 6171-4HEJQS issued on June 14, 2000.

In accordance with Section 100 of the Ontario Water Resources Act, R.S.O. 1990, Chapter 0.40, as amended, 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 101 of the Ontario Water Resources Act, R.S.O. 1990, Chapter 0.40, provides that the Notice requiring the hearing shall state:

1. The portions of the approval or each term or condition in the 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 Certificate of Approval number;
6. The date of the Certificate of Approval;
7. The name of the Director;
8. The municipality within which the works are located;

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, 15th Floor
Toronto, Ontario
M5G 1E5

AND

The Director
Section 53, Ontario Water Resources Act
Ministry of the Environment
2 St. Clair Avenue West, Floor 12A
Toronto, Ontario
M4V 1L5

* Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 314-4600, Fax: (416) 314-4506 or www.ert.gov.on.ca

The above noted sewage works are approved under Section 53 of the Ontario Water Resources Act.

DATED AT TORONTO this 4th day of May, 2011



Ian Parrott, P.Eng.
Director
Section 53, *Ontario Water Resources Act*

FL/

c: District Manager, MOE Owen Sound
Stephen D. Burns, B.M. Ross and Associates
Water Standards Section, MOE Standards Development Branch