



WATER AND WASTEWATER APPROVALS REGULATORY AGENCIES AND AUTHORIZATIONS SUMMARY



- Fisheries Act Authorizations



- MDMER Schedule 2



- Permits to Take Water (PTTW)
- EASR
- Permits to Treat and Discharge Water (ECA)



- LRIA (Dams)
- Public Lands Act Approvals (Work Permits for In-Water/Shoreline work)



- CA Clearance



- Sewer Bylaw (Sanitary and Stormwater systems)
- Municipal site specific requirements



- "Off Line" Dams (Tailings, Water Management Ponds)

Acronym Alert!

- ! EASR: Environmental Activity Sector Registry
- ! ECA: Environmental Compliance Approval
- LRIA: Lakes and Rivers Improvement Act
- MDMER: Metal and Diamond Mine Effluent Regulation
- PTTW: Permit to Take Water

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FEDERAL AUTHORIZATIONS

DEPARTMENT OF FISHERIES AND OCEANS (DFO)



Fisheries Act Authorization



Fisheries Act

34.4 (1) No person shall carry on any work, undertaking or activity, other than fishing, that results in the death of fish.

Exception

(2) A person may carry on a work, undertaking or activity without contravening subsection (1) if

(a) ...

(b) the carrying on of the work, undertaking or activity is **authorized by the Minister** and the work, undertaking or activity is carried on in accordance with the conditions established by the Minister



Potential Harmful Alteration, Disruption or Destruction of Fish Habitat



Is included in the list of “prescribe works” and the work is carried out under specific codes of practice

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FEDERAL AUTHORIZATIONS

ENVIRONMENT AND CLIMATE CHANGE CANADA (ECCC)



Metal and Diamond Mine Effluent Regulation (MDMER) Schedule 2 Amendment



MDMER

5 (1) Despite section 4, the owner or operator of a mine may deposit or permit the deposit of **waste rock**, acutely lethal effluent or effluent of any pH and containing any concentration of a deleterious substance that is prescribed in section 3 into a tailings impoundment area that is either

- (a) a water or place set out in Schedule 2; or
- (b) a disposal area that is confined by anthropogenic or natural structures or by both, other than a disposal area that is, or is part of, a natural water body that is frequented by fish.




Deposit of tailings or waste rock into Fish Habitat

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PROVINCIAL WATER / WASTE WATER PERMITS


MINISTRY OF THE ENVIRONMENT AND CLIMATE CHANGE


 **Permit to Take Water (PTTW)**

Ontario Water Resources Act



Water taking

34 (1) Despite any other Act, a person shall **not take more than 50,000 litres** of water on any day by any means except in accordance with a **permit** issued under section 34.1.

 **Taking of any water in excess of 50,000 lpd from Surface or Groundwater source**

 Specifically listed activities, including:


- Firefighting and emergencies
- Wetland conservation
- Domestic purposes

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PROVINCIAL WATER / WASTE WATER PERMITS

MINISTRY OF THE ENVIRONMENT AND CLIMATE CHANGE


 **Environmental Activity Sector Registry (EASR)**

Environmental Protection Act


20.21 (1) Subject to subsections (2), (3) and (4), no person shall engage in an activity at a site if **the activity has been prescribed by the regulations** for the purposes of this subsection unless,

(a) the person has **registered the activity in the Registry** in accordance with the regulations;



...

 **Activities in O. Reg. 63/16**

e.g. Highway Projects, Transit Projects, Construction Projects, Pump Tests

 **▪ Mining/Mine exploration/Mine Rehabilitation**


▪ Aggregate Pits or Quarries

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PROVINCIAL WATER / WASTE WATER PERMITS

MINISTRY OF THE ENVIRONMENT, CONSERVATION AND PARKS

 **Environmental Compliance Approval (ECA)**

- Industrial Sewage Works
- Municipal and Private Sewage Works

 **Ontario Water Resources Act**

Approval of Director for sewage works

53 (1) No person shall use, operate, establish, alter, extend or replace new or existing sewage works except under and in accordance with an **environmental compliance approval**.

 **Use, operate, establish, alter, extend or replace new or existing sewage works (>10,000 LPD)**

*Sewage works = works for the collection, transmission, treatment or disposal of sewage.
Sewage = drainage, storm water, commercial wastes and industrial wastes*


 **Treatment/Management of Sewage Works with less than 10,000 Litres/day capacity (issued by Health Unit)**





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PROVINCIAL WATER / WASTE WATER PERMITS

MINISTRY OF NATURAL RESOURCES AND FORESTRY



 **Work Permits**

 **Public Lands Act**

14(1) The Lieutenant Governor in Council may make regulations,
a) governing activities that may be carried out on **public lands and on shore lands**, including requiring that such activities be carried out in accordance with the regulations and prohibiting certain activities **on public lands or shore lands** unless the activity is carried out in accordance with the terms and conditions of a **work permit**.

 **Activity that encroaches on water on public lands or shorelands:**

e.g. Ditch that ties into body of water, pipeline that discharges to a stream, culvert installation

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PROVINCIAL WATER / WASTE WATER PERMITS

MINISTRY OF NATURAL RESOURCES AND FORESTRY



Lakes and Rivers Improvement Act Authorization – Location Approval and Plans and Specifications Approval



Lakes and Rivers Improvement Act

14 (1) No person shall construct a dam in any lake or river in circumstances set out in the regulations **without the written approval of the Minister** for the location of the dam and its plans and specifications.



Construction of Water Retaining Structures

e.g. Dams, Dikes, Diversion Ditches



“Off Line” dams associated with mining



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CONSERVATION AUTHORITIES



CA Approvals



Conservation Authorities Act

- 8 (1) Subject to the approval of the Minister, an authority may make regulations applicable in the area under its jurisdiction,
- (b) prohibiting, regulating or **requiring the permission of the authority** for straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland;
- (c) prohibiting, regulating or **requiring the permission of the authority** for development if, in the opinion of the authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected by the development;



Areas and Activities listed in CA Act Regulations



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MUNICIPALITIES



Sewer Use Agreements



Municipal By-Laws



Discharge to municipal sewer system



STRUCTURE OF PERMITS



ECA EXAMPLE



WATER

STRUCTURE OF PERMITS REQUIREMENTS

- Design Requirements
- Monitoring Requirements
- Limits
- Required Activities
- Reporting Requirements

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WATER APPROVALS & PERMITS

ENVIRONMENTAL COMPLIANCE APPROVALS (OWRA)

Design Requirements


- Supporting application
- Facility/works description in permit/ECA

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WATER APPROVALS & PERMITS
ENVIRONMENTAL COMPLIANCE APPROVALS (OWRA)

Site-Specific Permits



Monitoring Requirements

- Site-specific frequencies
- Site-specific locations (effluent, groundwater, runoff, surface water, receiver, etc...)
- References Protocols




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WATER APPROVALS & PERMITS
ENVIRONMENTAL COMPLIANCE APPROVALS (OWRA)

Site-Specific Permits



Limits

- Discharge limits (Daily, monthly average, other...)
- Loadings-based limits
- Flow-restrictions





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WATER APPROVALS & PERMITS


ENVIRONMENTAL COMPLIANCE APPROVALS (OWRA)





Required Activities


- Operations manuals, procedures, programs and documentation
- Inspections
- Training
- Drills
- Studies (biological, other)




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WATER APPROVALS & PERMITS


ENVIRONMENTAL COMPLIANCE APPROVALS (OWRA)





Reporting Requirements

- Change of name/ownership
- Weekly, monthly, quarterly, annual performance reports
- Exceedances, spills
- Effluent, groundwater, receiving water, operation of water treatment facility, etc



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