

**AMENDED PERMIT TO TAKE WATER**

Surface and Ground Water  
NUMBER 8664-D2DJK2

*Pursuant to Section 34.1 of the Ontario Water Resources Act, R.S.O. 1990 this Permit To Take Water is hereby issued to:*

C. H. Demill Holdings Inc.  
13 Melrose Rd  
Shannonville, Ontario, K0K 3A0  
Canada

*For the water taking from:* Long's Quarry Pond

*Located at:* 13 Melrose Rd Lot 6 Concession 3  
Tyendinaga, County of Hastings

*For the purposes of this Permit, and the terms and conditions specified below, the following definitions apply:*

**DEFINITIONS**

- (a) "Director" means any person appointed in writing as a Director pursuant to section 5 of the OWRA for the purposes of section 34.1, OWRA.
- (b) "Provincial Officer" means any person designated in writing by the Minister as a Provincial Officer pursuant to section 5 of the OWRA.
- (c) "Ministry" means Ontario Ministry of the Environment, Conservation and Parks.
- (d) "District Office" means the Belleville District Office.
- (e) "Permit" means this Permit to Take Water No. 8664-D2DJK2 including its Schedules, if any, issued in accordance with Section 34.1 of the OWRA.
- (f) "Permit Holder" means C. H. Demill Holdings Inc..
- (g) "OWRA " means the *Ontario Water Resources Act*, R.S.O. 1990, c. O. 40, as amended.

*You are hereby notified that this Permit is issued subject to the terms and conditions outlined below:*

## **TERMS AND CONDITIONS**

### **1. Compliance with Permit**

- 1.1 Except where modified by this Permit, the water taking shall be in accordance with the application for this Permit To Take Water, dated July 24, 2023 and signed by Mark Demill, and all Schedules included in this Permit.
- 1.2 The Permit Holder shall ensure that any person authorized by the Permit Holder to take water under this Permit is provided with a copy of this Permit and shall take all reasonable measures to ensure that any such person complies with the conditions of this Permit.
- 1.3 Any person authorized by the Permit Holder to take water under this Permit shall comply with the conditions of this Permit.
- 1.4 This Permit is not transferable to another person without the Director's written consent.
- 1.5 This Permit provides the Permit Holder with permission to take water in accordance with the conditions of this Permit, up to the date of the expiry of this Permit. This Permit does not constitute a legal right, vested or otherwise, to a water allocation, and the issuance of this Permit does not guarantee that, upon its expiry, it will be renewed.
- 1.6 The Permit Holder shall keep this Permit available at all times at or near the site of the taking, and shall produce this Permit immediately for inspection by a Provincial Officer upon his or her request.
- 1.7 The Permit Holder shall report any changes of address to the Director within thirty days of any such change. The Permit Holder shall report any change of ownership of the property for which this Permit is issued within thirty days of any such change.

### **2. General Conditions and Interpretation**

- 2.1 Inspections  
The Permit Holder must forthwith, upon presentation of credentials, permit a Provincial Officer to carry out any and all inspections authorized by the OWRA, the *Environmental Protection Act*, R.S.O. 1990, the *Pesticides Act*, R.S.O. 1990, or the *Safe Drinking Water Act*, S. O. 2002.
- 2.2 Other Approvals  
The issuance of, and compliance with this Permit, does not:  
  - (a) relieve the Permit Holder or any other person from any obligation to comply with any other applicable legal requirements, including the provisions of the *Ontario Water Resources Act*, and the *Environmental Protection Act*, and any regulations made thereunder; or

(b) limit in any way any authority of the Ministry, a Director, or a Provincial Officer, including the authority to require certain steps be taken or to require the Permit Holder to furnish any further information related to this Permit.

- 2.2.1 No water taken under the authority of this Permit may be discharged directly to the natural environment without prior treatment in accordance with an OWRA, R.S.O. 1990, Section 53, Industrial Sewage Works Approval.

### 2.3 Information

The receipt of any information by the Ministry, the failure of the Ministry to take any action or require any person to take any action in relation to the information, or the failure of a Provincial Officer to prosecute any person in relation to the information, shall not be construed as:

- (a) an approval, waiver or justification by the Ministry of any act or omission of any person that contravenes this Permit or other legal requirement; or
- (b) acceptance by the Ministry of the information's completeness or accuracy.

### 2.4 Rights of Action

The issuance of, and compliance with this Permit shall not be construed as precluding or limiting any legal claims or rights of action that any person, including the Crown in right of Ontario or any agency thereof, has or may have against the Permit Holder, its officers, employees, agents, and contractors.

### 2.5 Severability

The requirements of this Permit are severable. If any requirements of this Permit, or the application of any requirements of this Permit to any circumstance, is held invalid or unenforceable, the application of such requirements to other circumstances and the remainder of this Permit shall not be affected thereby.

### 2.6 Conflicts

Where there is a conflict between a provision of any submitted document referred to in this Permit, including its Schedules, and the conditions of this Permit, the conditions in this Permit shall take precedence.

## 3. Water Takings Authorized by This Permit

### 3.1 Expiry

This Permit expires on **April 17, 2029**. No water shall be taken under authority of this Permit after the expiry date.

### 3.2 Amounts of Taking Permitted

The Permit Holder shall only take water from the source, during the periods and at the rates and amounts of taking specified in Table A. Water takings are authorized only for the purposes specified in Table A.

**Table A**

	Source Name / Description:	Source: Type:	Taking Specific Purpose:	Taking Major Category:	Max. Taken per Minute (litres):	Max. Num. of Hrs Taken per Day:	Max. Taken per Day (litres):	Max. Num. of Days Taken per Year:	Zone/ Easting/ Northing:
1	Long's Quarry Pond	Pond	Other - Dewatering	Dewatering	2,740	24	3,945,600	365	18 320033 4901756
		Dugout							
2	Long's Quarry Pond (dust control)	Pond	Other - Industrial	Industrial	2,740	2	100,000	300	18 320033 4901756
		Dugout							
						<b>Total Taking:</b>	3,945,600		

- 3.3 It is the responsibility of the Permit Holder to keep advised of any Low Water Advisory within the jurisdiction of the Quinte Conservation Authority. For the purpose of this condition, Low Water Advisory means a Level 1, Level 2, or Level 3 low water condition as defined by the Ministry of Northern Development, Mines, Natural Resources and Forestry (MNDMNRF) in their Low Water Response Program, as may be amended from time to time by the MNDMNRF.

When a Low Water Advisory exists within the Quinte Conservation Authority watershed, the Permit Holder is only permitted to pump out an amount of water equivalent to the precipitation that has fallen onto the site since the beginning of the Advisory. The amount of precipitation received by the quarry for purposes of this Condition shall be calculated by the Permit Holder using a properly calibrated on-site precipitation monitor and area of the site or in accordance with a method otherwise accepted by the Director. The Permit Holder shall pump out the water from the quarry forthwith, subject to the water quality provisions of the Environmental Compliance Approval for the site and any other restrictions/requirements imposed in the Site Licence.

- 3.4 Notwithstanding Table A above, this Permit and the associated water taking are limited to the Long's Quarry and Melrose Quarry site only as defined in the current application.

#### **4. Monitoring**

- 4.1 The Permit Holder shall maintain a record of all water takings. The daily volume of water taken shall be measured by a flow meter or calculated in accordance with the method described in the application for this Permit, or as otherwise accepted by the Director. This record shall include the dates and times of water takings, the rates of pumping, and the total measured amounts of water pumped per day for each day that water is taken under the authorization of this Permit. A separate record shall be maintained for each source. The Permit Holder shall keep all required records up to date and available at or near the site of the taking and shall produce the records immediately for inspection by a Provincial

Officer upon his or her request. The Permit Holder shall submit, on or before March 31st in every year, the daily water taking data collected and recorded for the previous year to the ministry's Water Taking Reporting System.

The total amounts of water taken from the Long's Quarry Sump shall be measured using a flow meter and totalizer.

- 4.2 The Permit Holder shall adhere to the Groundwater and Surface Water Monitoring and Reporting Programs as described in **Item 1 of Schedule A** of this Permit. The annual monitoring report shall include a log of all complaints received during the preceding year and the actions taken to address the complaints. The annual monitoring report shall also include an assessment of water conservation measures with respect to best management practices and industry standards for water conservation at quarry sites. The annual monitoring reports shall be prepared by qualified person (P.Geo. or equivalent) and submitted to the Director by **March 31** of every year.
- 4.3 In addition to requirements specified in the Groundwater and Surface Water Monitoring Program included as **Item 1 of Schedule A** of this Permit, The Permit Holder shall undertake the following actions for all monitoring well locations where water level dataloggers have been installed:
  - a. As part of the first monitoring event of the calendar year, the Permit Holder shall ensure that water level dataloggers are present and functioning properly; and,
  - b. If a datalogger(s) is found to be missing or malfunctioning, the Permit Holder shall ensure that it is replaced forthwith and prior to the next planned quarterly data downloading event.
- 4.4 Any application submitted to the Ministry for renewal or amendment of this Permit shall be accompanied by a report prepared by a qualified person (P.Geo. or equivalent) which includes all records and the results of all investigations required by Conditions 4.1 through 4.3 of this Permit. The report shall include statistical analyses, interpretation and recommendations, documenting all well interference complaints and water supply activities. The report shall provide recommendations on the need for changes to monitoring locations and frequency, pumping patterns and/or the need for mitigation.
- 4.5 By May 1st of each calendar year the Permit Holder shall circulate to each civic address located within 500 metres of the quarry property the Complaint Response Procedure document provided in **Item 4 of Schedule A** of this Permit. The Complaint Response Procedure document may be updated from time to time as approved in writing by the Director. It is the responsibility of the Permit Holder to ensure that the complaint response procedure and the trigger mechanism and contingency plan are followed.

## **5. Impacts of the Water Taking**

5.1 Notification

The Permit Holder shall immediately notify the local District Office of any complaint arising from the taking of water authorized under this Permit and shall report any action which has been taken or is proposed with regard to such complaint. The Permit Holder shall immediately notify the local District Office if the taking of water is observed to have any significant impact on the surrounding waters. After hours, calls shall be directed to the Ministry's Spills Action Centre at 1-800-268-6060.

5.2 For Surface-Water Takings

The taking of water (including the taking of water into storage and the subsequent or simultaneous withdrawal from storage) shall be carried out in such a manner that streamflow is not stopped and is not reduced to a rate that will cause interference with downstream uses of water or with the natural functions of the stream.

For Groundwater Takings

If the taking of water is observed to cause any negative impact to other water supplies obtained from any adequate sources that were in use prior to initial issuance of a Permit for this water taking, the Permit Holder shall take such action necessary to make available to those affected, a supply of water equivalent in quantity and quality to their normal takings, or shall compensate such persons for their reasonable costs of so doing, or shall reduce the rate and amount of taking to prevent or alleviate the observed negative impact. Pending permanent restoration of the affected supplies, the Permit Holder shall provide, to those affected, temporary water supplies adequate to meet their normal requirements, or shall compensate such persons for their reasonable costs of doing so.

If permanent interference is caused by the water taking, the Permit Holder shall restore the water supplies of those permanently affected.

5.3 The Permit Holder shall adhere to the PTTW Contingency as outlined in **Item 2 of Schedule A** of this Permit.

5.4 The Permit Holder shall adhere to the Water Conservation Measures as described in **Item 3 of Schedule A** of this Permit.

**6. Director May Amend Permit**

The Director may amend this Permit by letter requiring the Permit Holder to suspend or reduce the taking to an amount or threshold specified by the Director in the letter. The suspension or reduction in taking shall be effective immediately and may be revoked at any time upon notification by the Director. This condition does not affect your right to appeal the suspension or reduction in taking to the Environmental Review Tribunal under the *Ontario Water Resources Act*, Section 100 (4).

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

1. Condition 1 is included to ensure that the conditions in this Permit are complied with and can be enforced.
2. Condition 2 is included to clarify the legal interpretation of aspects of this Permit.
3. Conditions 3 through 6 are included to protect the quality of the natural environment so as to safeguard the ecosystem and human health and foster efficient use and conservation of waters. These conditions allow for the beneficial use of waters while ensuring the fair sharing, conservation and sustainable use of the waters of Ontario. The conditions also specify the water takings that are authorized by this Permit and the scope of this Permit.

*In accordance with Section 100 of the Ontario Water Resources Act, R.S.O. 1990, you may by written notice served upon me, the Environmental Review Tribunal and the Minister of the Environment, Conservation and Parks, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Minister of the Environment, Conservation and Parks will place notice of your appeal on the Environmental Registry. Section 101 of the Ontario Water Resources Act, as amended provides that the Notice requiring a hearing shall state:*

1. The portions of the Permit or each term or condition in the Permit 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.

*In addition to these legal requirements, the Notice should also include:*

- a. The name of the appellant;
- b. The address of the appellant;
- c. The Permit to Take Water number;
- d. The date of the Permit to Take Water;
- e. The name of the Director;
- f. The municipality within which the works are located;

*This notice must be served upon:*

*The Secretary  
Environmental Review Tribunal  
Registrar  
Ontario Land Tribunal  
655 Bay Street, Suite 1500  
Toronto, Ontario  
M5G 1E5  
OLT.Registrar@ontario.ca*

*AND*

*The Minister of the Environment,  
Conservation and Parks  
777 Bay Street, 5th Floor  
Toronto, Ontario  
M7J 2J3*

*AND*

*The Director, Section 34.1,  
Ministry of the Environment,  
Conservation and Parks  
Floor 1, 135 St Clair Ave W  
Toronto, ON  
M4V 1P5*

***Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal:***

by Telephone at

(416) 212-6349

Toll Free 1(866) 448-2248

by Fax at

(416) 326-5370

Toll Free 1(844) 213-3474

by e-mail at

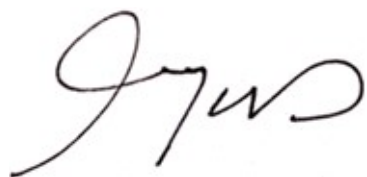
www.ert.gov.on.ca

*This instrument is subject to Section 38 of the **Environmental Bill of Rights** that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek to appeal for 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry, you can determine when the leave to appeal period ends.*

This Permit cancels and replaces Permit Number 4242-C2PM2T, issued on 2021/10/20.

Dated at Toronto this 17th day of April, 2024.



A handwritten signature in black ink, appearing to read 'J. Uprety'.

Archana Uprety

Director, Section 34.1

*Ontario Water Resources Act* , R.S.O. 1990

## Schedule A

This Schedule “A” forms part of Permit To Take Water 8664-D2DJK2, dated April 17, 2024.

### Item Number 1:

*Letter, Re.: Updated Items to Accompany Permit To Take Water No. 8664-D2DJK2, Long's and Melrose Quarries (C.H. Demill Holdings Inc.), Part of Lot 6, Concession 3, Blessington, Township of Tyendinaga, Hastings County, ORE File No. 23-3284, prepared by Oak Ridge Environmental Limited, signed by Dan MacIntyre and Brian R. King, P.Geo., dated March 26, 2024.*

Attachment #1: Long's Quarry and Melrose Quarry Groundwater and Surface Water Monitoring Program

### Item Number 2:

*Letter, Re.: Updated Items to Accompany Permit To Take Water No. 8664-D2DJK2, Long's and Melrose Quarries (C.H. Demill Holdings Inc.), Part of Lot 6, Concession 3, Blessington, Township of Tyendinaga, Hastings County, ORE File No. 23-3284, prepared by Oak Ridge Environmental Limited, signed by Dan MacIntyre and Brian R. King, P.Geo., dated March 26, 2024.*

Attachment #2: PTTW Contingency Plan

### Item Number 3:

*Letter, Re.: Updated Items to Accompany Permit To Take Water No. 8664-D2DJK2, Long's and Melrose Quarries (C.H. Demill Holdings Inc.), Part of Lot 6, Concession 3, Blessington, Township of Tyendinaga, Hastings County, ORE File No. 23-3284, prepared by Oak Ridge Environmental Limited, signed by Dan MacIntyre and Brian R. King, P.Geo., dated March 26, 2024.*

Attachment #3: Water Conservation and Water Use Audit

### Item Number 4:

April 17, 2024 Oakridge Environmental Inc., Complaint Procedure for Permit To Take Water (PTTW) Long's and Melrose Quarry.