

PERMIT TO TAKE WATER

Surface Water & Groundwater

NUMBER P-300-1117477652

Version: 1.0

Effective Date: September 29, 2022

Expiry Date: September 27, 2032

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

ICL MANAGEMENT INC

330 Fiddlers Court

Pickering

ONTARIO

Canada

L1V 6P3

For the water taking from

Quarry Pond

Located at:

2638 BRUNEL Road , HUNTSVILLE, HUNTSVILLE, ONTARIO, CANADA, P1H 2J3

DEFINITIONS

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

- 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 of the 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 the ministry of the government of Ontario responsible for the administration of the OWRA, currently named the Ministry of the Environment, Conservation and Parks.
- d. "District Office" means the Barrie District Office of the Ministry.
- e. "Permit" or "PTTW" means this Permit to Take Water No. P-300-1117477652 including its Schedules, if any, issued in accordance with Section 34.1 of the OWRA, as may amended.
- f. "Permit Holder" means ICL MANAGEMENT INC.
- g. "OWRA" means the *Ontario Water Resources Act*, R.S.O. 1990, c. O. 40.

TERMS AND CONDITIONS

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

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, attested to by David Kennedy, on May 4, 2022, 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.
- 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. A change in ownership in the property shall cause this Permit to be cancelled.

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.

2.3. 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 September 27, 2032. 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 (litres)

	Source Name / Description	Source Type	Purpose Category	Specific Purpose	Activity	Maximum Taken per minute	Maximum Number of Hours Taken per day	Maximum volume per Day	Maximum days in a year	Zone / Easting / Northing
1	Quarry Pond (Quarry Pond)	Pond	Mining, quarrying, and oil and gas extraction	Aggregate Extraction	Dewatering	550	24	792000	365	17 / 645270 / 5010142
Total Taking								792000		

3.3. Notwithstanding the **Maximum Taken Per Minute** and the **Maximum Volume Per Day** identified in Condition 3.2, Table A, the Permit Holder may increase water taking to a maximum of 2,200 Litres/minute and a maximum of 3,168,000 Litres/day for up to 60 days per annum for the purpose of quarry dewatering.

3.4. Notwithstanding the **Specific Purpose** identified in Condition 3.2, Table A, the Permit Holder may use water taken from the Quarry Pond for dust suppression, truck washing, on-site landscape irrigation and aggregate washing. Water used for these purposes that is re-circulated within the quarry floor, is not required to be metered (as otherwise required by Condition 4.1), and is not subject to the **Maximum Taken Per Minute** and the **Maximum Volume Per Day** identified in Condition 3.2, Table A.

4. Monitoring

4.1. Under section 9 of O. Reg. 387/04, and as authorized by subsection 34(6) of the Ontario Water Resources Act, the Permit Holder shall, on each day water is taken under the authorization of this Permit, record the date, the volume of water taken on that date and the rate at which it was taken. The daily volume of water taken shall be measured by a flow meter. This record shall include the dates and times of water takings, the rates of pumping, and a calculation of the total amounts of water pumped per day for each day that water is taken under the authorization of this Permit. 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 request. The Permit Holder, unless otherwise required by the Director, shall submit, on or before March 31st in every year, the records required by this condition to the Ministry's Regulatory Self Reporting System.

4.2. The Permit Holder shall conduct water level monitoring with the use of pressure transducers (water level dataloggers) in monitoring wells MW101-21, MW102-21, MW103-21, MW104-21, MW105-21, MW106-21, MW107-21, MW108-21, MW109-21, MW110-21, MW111-21, MW112-21, MW113-21 and PW1. Water levels shall be recorded at minimum four-hour intervals and be monitored year-round. Dataloggers shall be inspected and downloaded at least annually, and the Director shall be notified of any missing data due to instrument malfunction. Electronic water level records shall be made available to Ministry staff at any time upon request.

4.3. With permission of the property owners, the Permit Holder shall maintain continuous water level recorders in the private water wells denoted as 2631, 2612, 2588 and 2594 in Figure 5 and Figure 10 of **Item 2** in **Schedule A**. Water levels shall be recorded at minimum four-hour intervals and be monitored year-round. Dataloggers shall be inspected and downloaded at least annually, and the Director shall be notified of any missing data due to instrument malfunction. Electronic water level records shall be made available to Ministry staff at any time upon request.

request.

- 4.4. Any request for an amendment or renewal of this Permit shall be accompanied by a report by a Qualified Person (P.Geo. or equivalent) assessing all data collected. The Report shall summarize operational work related to water takings and interpret monitoring data and records collected under this Permit. Meteorological data (precipitation) from the nearest meteorological station shall be included in the report. The Report shall also assess the effectiveness of the monitoring work and make recommendations for future monitoring programs. An electronic copy of the data collected shall accompany the report.

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. Impacts for Water Situation Type

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 implement necessary treatment to ensure that the discharge water does not contain total suspended sediments (TSS) in excess of 25 mg/L prior to it entering the receiving natural environment.

- 5.4. The discharge of water shall be controlled in such a way as to avoid flooding, erosion, scour and/or sedimentation in the receiver, neighbourhood properties and the natural environment. Erosion and Sediment Control measures shall be properly implemented and regularly inspected to ensure the discharge of water will not negatively impact the receiving stream and its channel.

6. Director May Amend Permit

- 6.1. 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).

REASONS

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.

APPEAL PROVISIONS

In accordance with Section 100 of the *Ontario Water Resources Act*, you may by written notice served upon me and the Ontario Land Tribunal within 15 days after the service of this notice, require a hearing by the Tribunal. You must also provide notice to, the Minister of the Environment, Conservation and Parks in accordance with Section 47 of the *Environmental Bill of Rights, 1993* who will place notice of your appeal on the Environmental Registry. Section 101 of the *Ontario Water Resources Act* provides that the notice requiring the hearing ("the Notice") shall state:

- I. The portions of the Permit or each term or condition in the Permit in respect of which the hearing is required, and;
- II. 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:

- I. The name of the appellant;
- II. The address of the appellant;
- III. The permit to take water number;
- IV. The date of the permit to take water;
- V. The name of the Director;
- VI. The municipality within which the works are located;

This notice must be served upon:

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

and

The Minister of the Environment,
Conservation and Parks
777 Bay Street, 5th Floor
Toronto, ON
M7A 2J3

and

The Director, Section 34.1,
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, ON
M4V 1P5

*** Further information on the Ontario Land Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349 or 1 (866) 448-2248, or www.olt.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 at ero.ontario.ca, you can determine when the leave to appeal period ends.

Dated at Toronto this 29th day of September, 2022



Gregory Meek

Director, Section 34.1

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

c: David Kennedy, ICL MANAGEMENT INC

SCHEDULE 1

This Schedule "A" forms part of Permit To Take Water P-300-1117477652 Version Number 1.0, dated September 29, 2022.

1. Application for Permit to Take Water for Brunel Road Quarry, 2638 Brunel Rd. Ontario, P1H 2J3; dated May 4, 2022 and signed by David Kennedy, General Manager, ICL Management Inc.
2. MTE Report, ICL Management Inc. Brunel Road Quarry Hydrogeological Study Written in support of a Category 3 Permit to Take Water Application, Project Location: Part Lot 16, Concession 4, Huntsville; dated April 29, 2022 and signed and stamped by both Fraser Cummings, P. Geo. and Peter A. Gray, P. Geo. of MTE Consultants Inc.
3. MTE Technical Memo: Settling Basin Design – In Support of ECA and PTTW, Brunel Road Quarry, dated May 5, 2022, and signed by Charles Carré, P. Eng. Design Engineer
4. MTE Technical Memo: Description of the Proposed Works – In Support of a PTTW and ECA, Brunel Road Quarry, dated August 22, 2022, and signed by Fraser Cummings, M.Sc., P.Geo. Manager, Hydrogeological Services

Table: List of Monitoring Wells

Well Name	Well Record Number	Easting	Northing	Well Type
MW101-21	A323736	645153.1	5009855	bedrock
MW102-21	A323737	644980.6	5009966	bedrock
MW103-21	A323738	644920.7	5010262	bedrock
MW104-21	A323739	645184.1	5010355	bedrock
MW105-21	A281980	645292.1	5010113	bedrock
MW106-21	A323740	645356.4	5009944	bedrock
MW107-21	A323744	645152.5	5009857	overburden
MW108-21	A337864	645046.4	5010181	overburden
MW109-21	A323746	644989.1	5010070	overburden
MW110-21	A323745	645031.5	5010305	overburden
MW111-21	A323742	645171.9	5010120	overburden
MW112-21	A323743	645290.8	5010116	overburden
MW113-21	A323747	644956.4	5010160	overburden
PW1	N/A	644971.1	5009850	overburden