



Ontario

Ministry of
Environment
and Energy

Ministère de
l'Environnement
et de l'Énergie

5775 Yonge Street
8th Floor
North York, Ontario
M2M 4J1

5775, rue Yonge
8ième étage
North York (Ontario)
M2M 4J1

Central Region

Région du Centre

April 29, 1996

Burlington Quarry
Nelson Aggregate Co.
P.O. Box 1070
Burlington, Ontario
L7R 4L8

Attention: Jim Sellan
 Property Manager

**RE: PERMIT TO TAKE WATER FOR: DEWATERING PURPOSES
BURLINGTON QUARRY
LOT 2, CONCESSIONS 2 AND 3
CITY OF BURLINGTON, REGIONAL MUNICIPALITY OF HALTON
PERMIT TO TAKE WATER NO. 96-P-3009
FILE: SI-HP-BU-220**

Please find attached Permit No. 96-P-3009 issued to Nelson Aggregate Co. which authorizes the withdrawal of water in accordance with the application for this Permit to Take Water, and Schedule "A" and Schedule "B" which are attached to and form part of this Permit.

This Permit is valid indefinitely and shall be kept available for inspection by Ontario Ministry of Environment staff.

Take notice that in issuing this Permit to Take Water, terms and conditions pertaining to the taking of water and to the results of the taking have been imposed on Nelson Aggregate Co.. The terms and conditions have been designed to allow for the development of water resources for beneficial purposes, while providing reasonable protection to existing water uses and users.

Our main concern is that the taking of water under the authority of this Permit does not cause negative impacts to other water supplies which were in use prior to the date of this Permit. If the taking of water should result in any negative impacts, the permittee will be required to restore the water supplies of those affected in a manner acceptable to the Ontario Ministry of Environment and Energy or to reduce the rate and amount of taking until any negative impacts are eliminated.

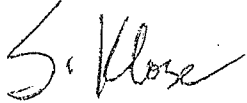
Any change of address or ownership of the property for which this Permit is issued must be reported promptly to the Director.

cont'd

The issuance of this Permit To Take Water does not relieve you from compliance with this or any other agencies' legislative requirements.

It is the responsibility of Nelson Aggregate Co. to ensure that any person taking water under the authority of this Permit is familiar with and complies with the terms and conditions.

Yours Truly,



S.Klose
Director, Section 34
Ontario Water Resources Act

cc: Halton-Peel District Office
File AP-08, City of Burlington

pttw\96-P-3009



Notice of Terms and Conditions
Section 100, Ontario Water Resources Act, R.S.O. 1990

Pursuant to Section 34 of the Ontario Water Resources Act, R.S.O. 1990 permission is hereby granted to:

Nelson Aggregate Co.
P.O. Box 1070
Burlington, Ontario
L7R 4L8

for the taking of water for commercial purposes in accordance with the application for this Permit to Take Water, and Schedule "A" and Schedule "B", which are attached to and form part of this Permit.

Located at: **Lot 2, Concessions 2 and 3**
City of Burlington
Regional Municipality of Halton

DEFINITIONS

1. (a) "Director " means a Director, Section 34, Ontario Water Resources Act, R.S.O. 1990.
- (b) "District Office" means Halton-Peel District Office, Central Region, Ontario Ministry of Environment and Energy.
- (c) "District Manager" means District Manager, Halton-Peel District Office, Central Region, Ontario Ministry of Environment and Energy.
- (d) "Ministry" means Ontario Ministry of Environment and Energy.
- (e) "Permit" means this entire Permit to Take Water including its schedules, if any, issued in accordance with Section 34 of the Ontario Water Resources Act, R.S.O. 1990.
- (f) "Permit Holder" means Nelson Aggregate Co.



GENERAL CONDITIONS

2. This Permit shall be kept available for inspection by Ministry staff.
3. The Director may, from time to time, where a situation of interference or anticipated interference with water supply exists, or in a situation requiring information on water takings for purposes of water resource inventory and planning, give written notice to the Permit Holder to undertake any of the following actions. The Permit Holder shall comply with any such notice:
 - (a) To establish and maintain a system for the measurement of the quantities of water taken;
 - (b) To operate such a system and to record measurements of the quantities of water taken on forms provided by the District Manager or the Director, with such a frequency or for such periods of time as the District Manager or the Director may specify;
 - (c) To return to the District Manager or the Director records made pursuant to clause 3(b) at such times or with such frequency as the District Manager or the Director may specify; and
 - (d) To keep records made pursuant to clause 3(b) available for inspection by Ministry staff until such time as they are returned to the District Manager or the Director pursuant to clause 3(c).
4. The Permit Holder shall immediately notify the District Manager 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.
5. For Groundwater Takings, if the taking of water is forecast to cause any negative impact, or is observed to cause any negative impact to other water supplies obtained from any adequate sources that were in use prior to the 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 the forecasted negative impact 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 cost of so doing.



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6. The Permit Holder shall report to the Director any changes of address or telephone number, or change of ownership of the property for which this Permit is issued within thirty days of any such change. The Permit Holder shall not assign his rights under this Permit to another person without the written consent of the Director.
7. This Permit does not release the Permit Holder from any legal liability or obligation and remains in force subject to all limitations, requirements and liabilities imposed by law. 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 officer, employees, agents, and contractors.
8. The Permit Holder must forthwith, upon presentation of credentials, allow Ministry personnel, or a Ministry authorized representative(s) to carry out any and all inspections authorized by Section 15, 16 or 17 of the Ontario Water Resources Act, R.S.O. 1990, Section 156, 157 or 158 of the Environmental Protection Act, R.S.O. 1990 or Section 19 or 20 of the Pesticides Act, R.S.O. 1990.





Schedule "A"

This Schedule "A" forms part of Permit to Take Water 96-P-3009 dated April 29, 1996.

Table 1

Source	1	2
Source Name or Description	Quarry Sump 0100	Quarry Sump 0200
Maximum Amount of Water Taken per Minute (Litres/Minute)	4090	945
Maximum Amount of Water Taken per Day (Litres/Day)	5,889,600	1,360,800
Maximum Number of Hours of Taking per Day	24	24
Average Number of Hours of Taking per Day	12	12
Maximum Number of Days of Taking per Year	365	365

Schedule "B"

This Schedule "B" forms part of Permit to Take Water 96-P-3009 dated April 29, 1996.

1. Application for Permit to Take Water dated January 23, 1996, signed by Graeme Goodchild.
2. Letter from J. Sellan of Nelson Aggregate Co. to R. Stewart of MOEE, dated January 23, 1996.





You may by written notice served upon me and the Environmental Appeal Board within 15 days after receipt of this Notice, require a hearing by the Board. Section 101 of the Ontario Water Resources Act, R.S.O. 1990, as amended, provides that the Notice requiring the hearing shall state:

1. The portions of the approval of 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.

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

3. The name of the appellant;
4. The address of the appellant;
5. The Permit to Take Water number;
6. The date of the Permit to Take Water;
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 Appeal Board
112 St. Clair Avenue West, Suite 502
Toronto, Ontario
M4V 1N3

AND

The Director, Section 34
Ontario Water Resources Act, R.S.O. 1990
Ministry of Environment and Energy
5775 Yonge Street, 8th Floor
North York, Ontario
M2M 4J1

AND

The Environmental Commissioner
1075 Bay Street, Suite 605, 6th Floor
Toronto, Ontario
M5G 2W5

DATED AT TORONTO this 29 day of April, 1996.

S. Klase
Director, Section 34
Ontario Water Resources Act