

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 0586-CBXT24
Issue Date: July 11, 2022

De Beers Canada Inc.
Unit 310 - 1601 Airport Rd NE
Calgary, Alberta, Canada
T2E 6Z8

Site Location: Victor Diamond Mine
90 km west of the community of Attawapiskat
Leased Mine Claim No. CLM435
Unsurveyed Territory (Timmins District Office)
Unorganized Area, District of Kenora

You have applied under section 20.2 of Part II.1 of the Environmental Protection Act, R.S.O. 1990, c. E. 19 (Environmental Protection Act) for approval of:

the establishment and operation of sewage works for the collection, transmission, treatment, reuse and disposal of fine processed kimberlite (PK) solids, consisting of the following:

- Central Quarry disposal/polishing pond, with a surface area of approximately 10 hectares and a depth of approximately 46 metres with a storage volume of approximately 2.25 million cubic metres, for the purpose of treating and disposal of PK slurry solids, including silt barrier and a flow control and monitoring structure located at the outlet, with treated effluent being discharged to North Granny Creek via a 2 kilometre long drainage channel and provision to direct excess treated effluent to the open pit in accordance with Permit to Take Water No. 8161-C8KPLR, as amended from time to time;
- PK Facility Cell #1, located west of the Central Quarry, for the purpose of treating and disposal of PK slurry solids, with a surface area of approximately 79 hectares and a depth of approximately 9.0 metres with a storage volume of approximately 5.7 million cubic metres, having permeable dams with an ultimate dam crest elevation of 97.5 metres, draining to the Central Quarry via a spillway, and with toe collection ditches that drain to the Central Quarry;
- PK Facility Cell #2, located southwest of the Central Quarry, for the purpose of treating and disposal of PK slurry solids, with a surface area of approximately 120 hectares and a depth of approximately 2.5 metres with a storage volume of approximately 7.1 million cubic metres, having permeable dams with an ultimate dam crest elevation of 91.0 metres, draining to the Central Quarry via a spillway, and with toe

collection ditches that drain to the Central Quarry;

including all other controls, electrical equipment, instrumentation, piping, pumps, valves and appurtenances essential for the proper operation of the aforementioned sewage works;

all in accordance with supporting documents listed in **Schedule A**.

For the purpose of this environmental compliance approval, the following definitions apply:

1. "Approval" means this entire Environmental Compliance Approval and any Schedules attached to it;
2. "Closure Plan" means the De Beers Victor Mine Closure Plan Amendment 5 per Part VII of the *Mining Act* , as amended from time to time;
3. "Daily Concentration Limit" means the maximum concentration of a contaminant in the effluent approved for discharge over any single day, as measured by a composite or grab sample, whichever is required;
4. "Director" means a person appointed by the Minister pursuant to section 5 of the EPA for the purposes of Part II.1 of the EPA;
5. "District Manager" means the District Manager of the appropriate local district office of the Ministry where the Works is geographically located;
6. "EPA" means the *Environmental Protection Act* , R.S.O. 1990, c.E.19;
7. "Grab Sample" or "Grab" means an individual sample of at least 1000 millilitres collected in an appropriate container at a randomly selected time over a period of time not exceeding 15 minutes;
8. "Ministry" means the ministry of the government of Ontario responsible for the EPA and OWRA and includes all officials, employees or other persons acting on its behalf;
9. "Owner" means De Beers Canada Inc., including any successors and assignees;
10. "OWRA" means the *Ontario Water Resources Act* , R.S.O. 1990, c. O.40;
11. "Single Sample Result" means the test result of a parameter in the effluent discharged on any day, as measured by a probe, analyzer or in a composite or grab sample, as required;
12. "Works" means the sewage works described in the Owner's application and this Approval.

You are hereby notified that this environmental compliance approval is issued to you subject to the terms and conditions outlined below:

TERMS AND CONDITIONS

1. GENERAL CONDITIONS

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 Approval 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 Approval, and the application for approval of the Works.
3. Where there is a conflict between a provision of any document in the schedule referred to in this Approval and the conditions of this Approval, the conditions in this Approval shall take precedence, and where there is a conflict between the documents in the schedule, the document bearing the most recent date shall prevail.
4. Where there is a conflict between the documents listed in Schedule A 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 conditions of this Approval are severable. If any condition of this Approval, or the application of any requirement of this Approval to any circumstance, is held invalid or unenforceable, the application of such condition to other circumstances and the remainder of this Approval shall not be affected thereby.
6. The issuance of, and compliance with the conditions of, this Approval does not:
 - a. relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement, including, but not limited to, the obligation to obtain approvals from the Ministry of Northern Development, Mines, Natural Resources and Forestry necessary to construct or operate the sewage Works; or
 - b. limit in any way the authority of the Ministry to require certain steps be taken to require the Owner to furnish any further information related to compliance with this Approval.

2. CHANGE OF OWNER

1. The Owner shall notify the District Manager and the Director, in writing, of any of the following changes within **thirty (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; or
 - 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 Approval, and a copy of such notice shall be forwarded to the District Manager and the Director.
 3. The Owner shall ensure that all communications made pursuant to this condition refer to the number at the top of this Approval.

3. CHANGES IN PROCESS OR MATERIALS

1. The Owner shall give written notice to the District Manager of any plans to change the processes or process materials in the Owner's enterprise serviced by the Works where the change may significantly alter the quantity or quality of the influent to or effluent from the Works, and no such change(s) shall be made unless with the written concurrence of the District Manager.

4. EROSION AND SEDIMENT CONTROL

1. The Owner shall ensure that adequate erosion and sediment control protection measures, including daily inspection, are installed at the V-notch weir and at locations downstream, as needed, to prevent the transport of sediment to the North Granny Creek during removal of the weir.
2. The Owner shall maintain records of inspections and maintenance which shall be made available for inspection by the Ministry, upon request. The record shall include the name of the inspector, date of inspection, and the remedial measures, if any, undertaken to maintain the sediment and erosion control measures.

5. OPERATIONS AND MAINTENANCE

1. The Owner shall make all necessary investigations, take all necessary steps and obtain all necessary approvals so as to ensure that the physical structure, siting and operations of the Works do not constitute a safety or health hazard to the general public.
2. The Owner shall ensure that, at all times, the Works and the related equipment and appurtenances used to achieve compliance with this Approval are properly operated and maintained. Proper operation and maintenance shall include appropriate process controls, effective performance, adequate laboratory facilities, adequate staffing and training, including training in all procedures and

other requirements of this Approval and the OWRA and relevant regulations made under the OWRA.

3. The Owner shall maintain an operations manual for the Works that includes, but is not necessarily limited to, the following information:
 - a. operating and maintenance 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. contingency plans and procedures for dealing with potential spill, bypasses and any other abnormal situations and for notifying the District Manager; and
 - e. procedures for receiving, responding and recording public complaints, including recording any follow-up actions taken.
4. The Owner shall maintain an up to date operations manual and make the manual readily accessible for reference at the Works for the operational life of the Works. Upon request, the Owner shall make the manual available to Ministry staff.
5. The Owner shall ensure that the operator(s) of the Works possess the level of training and experience sufficient to allow safe and environmentally sound operation of the Works.
6. The Owner shall ensure the immediate clean-out of the Works after a fuel or oil spill capture.
7. The Owner shall ensure that equipment and material for the containment, clean-up and disposal of fuel and oil and materials contaminated with such, is on hand and in good repair for immediate use in the event of:
 - a. loss of fuel or oil to the Works; or
 - b. a spill within the meaning of Part X of the EPA.
8. The Owner shall maintain a logbook to record the results of all inspections, repair and maintenance undertaken, calibrations, monitoring and spill response or contingency measures undertaken and shall make the logbook available for inspection by Ministry staff. The logbook shall include the following:
 - a. the name of the operator making the entry; and
 - b. the date and results of each inspection, repair, maintenance, calibration, monitoring, spill

response and contingency measure.

9. The Owner shall retain for a minimum of **five (5) years** from the date of their creation, all records and information related to or resulting from the operation and maintenance activities required by this Approval.

6. EFFLUENT REQUIREMENTS

1. The Owner shall design, construct and operate the Works such that the concentrations of the materials named in **Table 1** included in **Schedule B** as effluent parameters are not exceeded in the effluent from the works discharged to North Granny Creek.
2. For the purposes of determining compliance with and enforcing Paragraph 1, non-compliance with respect to a Daily Concentration Limit is deemed to have occurred when any Single Sample Result for a parameter named in Column 1 of **Table 1** is greater than the corresponding maximum concentration set out in Column 2 of **Table 1**.
3. In furtherance to Paragraphs 1 and 2, PKC effluent discharged to North Granny Creek shall not be acutely lethal, based on the pass/fail determinations outlined in the protocols referenced in Paragraph 2.c. of Condition 7 using Rainbow Trout and *Daphnia magna* (i.e., no more than 50% mortality in undiluted effluent for each organism).
4. Notwithstanding any other condition in this Approval, the Owner shall 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, sheen or foam on the receiving waters.

7. EFFLUENT MONITORING AND RECORDING

1. The Owner shall, upon commencement of operation of the Works and during periods of discharge to the North Granny Creek, carry out the scheduled monitoring program of collecting samples at the required sampling location, at the frequency specified or higher, by means of the specified sample type and analyzed for each parameter listed in **Table 2** included in **Schedule C** and record all results, as follows:
 - a. all samples and measurements are to be taken at a time and in a location characteristic of the quality and quantity of the sewage stream over the time period being monitored.
 - b. definitions and preparation requirements for each sample type are included in the document referenced in Paragraph 2.a.
 - c. definitions for frequency:
 - i. Weekly means once every week;

- ii. Thrice Weekly means three times every week;
 - iii. Monthly means once every month;
 - iv. Quarterly means once every three months.
2. The methods and protocols for sampling, analysis and recording shall conform, in order of precedence, to the methods and protocols specified in the following documents and all analysis shall be conducted by a laboratory accredited to the ISO/IEC:17025 standard or as directed by the District Manager:
- a. the Ministry's publication "Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater Version 2.0" (January 2016), PIBS 2724e02, as amended;
 - b. the publication "Standard Methods for the Examination of Water and Wastewater", as amended; and
 - c. the Environment Canada publications "Biological Test Method: Reference Method for Determining Acute Lethality of Effluents to Rainbow Trout" (EPS 1/RM/13 Second Edition - December 2000) and "Biological Test Method: Reference Method for Determining Acute Lethality of Effluents to *Daphnia magna* " (EPS 1/RM/14 Second Edition - December 2000), as amended, subject to the following:
 - i. the use of pH stabilization in the determination of acute lethality of final effluent to Rainbow Trout in accordance with the Environment Canada publication "Procedure for pH Stabilization during the Testing of Acute Lethality of Wastewater Effluent to Rainbow Trout (EPS 1/RM/50)" (2008), as amended, is permitted only if:
 - a. all the three criteria stipulated in the Environment Canada EPS 1/RM/50 are met; and
 - b. the final effluent is not discharged to a receiver in which the final effluent contributes more than 50% of the total flow in the receiving water, unless the District Manager, having reviewed additional information submitted regarding the final effluent and the receiving water approves on the use of RM50 on a site-specific basis.
 - d. for any parameters not mentioned in the documents referenced in Paragraphs 2.a, 2.b and 2.c, the written approval of the District Manager shall be obtained prior to sampling.
3. Notwithstanding Paragraph 2 of this condition, total and methyl mercury shall be analyzed using ultra trace level analysis at a laboratory recognized by the District Manager for these parameters.
4. The effluent monitoring program may be amended from time to time when approved in writing by the District Manager. The request must be supported by data that clearly identifies continued and statistically significant declines over time and/or stable concentrations to the acceptance of the

Ministry.

5. A continuous flow measuring device shall be installed and maintained to measure the flowrate of the effluent from the Works, with an accuracy to within plus or minus 15 per cent of the actual flowrate for the entire design range of the flow measuring device and the Owner shall measure, record and calculate the flowrate on each day of sampling. The effluent flow measurement requirement will only be required for one ice-free discharge season (i.e., 3-4 months) on commencement of discharge from the facility.
6. The Owner shall retain for a minimum of **five (5) years** from the date of their creation, all records and information related to or resulting from the monitoring activities required by Condition 7 and other conditions in this Approval.

8. RECEIVER MONITORING AND RECORDING

1. The Owner shall, during periods of discharge from the sewage works to North Granny Creek, carry out the scheduled monitoring program of collecting samples at the required sampling locations, at the frequency specified or higher, by means of the specified sample type and analyzed for each parameter listed in **Table 3** included in **Schedule D** and record all results, as follows:
 - a. all samples and measurements are to be taken at a time and in a location characteristic of the quality and quantity of the sewage stream over the time period being monitored.
 - b. definitions and preparation requirements for each sample type are included in the document referenced in Paragraph 2.a. of Condition 7.
 - c. definitions for frequency are outlined in Paragraph 1.c. of Condition 7.
2. The methods and protocols for sampling, analysis and recording shall conform to those outlined in Paragraph 2 of Condition 7.
3. Notwithstanding Paragraph 2 of this condition, total and methyl mercury shall be analyzed using ultra trace level analysis at a laboratory recognized by the District Manager for these parameters.
4. The Owner shall carry out the hydrological monitoring programs for the Granny Creek System as described in the hydrological monitoring locations and frequencies indicated in **Table 4** included in **Schedule D**, and shall also incorporate the following in the programs:
 - a. If manual verifications are not completed due to unsafe ice conditions or high water hazards, the Owner shall include this information in the annual monitoring reports;
 - b. The flow shall be measured with an accuracy to within plus or minus 15 per cent of the actual flowrate for the entire design range of the flow measuring device.
 - c. The hydrological monitoring program will only be required for one ice-free discharge season

(i.e., 3-4 months) on commencement of discharge from the facility.

5. The Owner shall, in accordance with the requirements and timeframe set out in the Closure Plan, carry out the sediment and benthic monitoring program defined in the Terms of Reference, Aquatic Environmental Effects Assessment and Biological Monitoring Study for the Receiving Waters of North Granny Creek, as per Condition 8(6) of Certificate of Approval No. 6909-76ZGYP, April 2008 prepared by AMEC Earth & Environmental.
6. The receiver monitoring programs may be amended from time to time when approved in writing by the District Manager. The request must be supported by data that clearly identifies continued and statistically significant declines over time and/or stable concentrations to the acceptance of the Ministry.
7. The Owner shall retain for a minimum of **five (5) years** from the date of their creation, all records and information related to or resulting from the monitoring activities required by Condition 8 and other conditions in this Approval.

9. REPORTING

1. The Owner shall report to the District Manager orally **as soon as possible** any non-compliance with the compliance limits, and in writing within **fourteen (14) days** of non-compliance.
2. In addition to the obligations under Part X of the EPA and O. Reg. 675/98 (Classification and Exemption of Spills and Reporting of Discharges), the Owner shall, within **fifteen (15) days** of the occurrence of any reportable spill as provided in Part X of the EPA and Ontario Regulation 675/98, submit a full written report of the occurrence to the District Manager describing the cause and discovery of the spill, clean-up and recovery measures taken, preventative measures to be taken and a schedule of implementation.
3. The Owner shall, upon request, make all reports, manuals, plans, records, data, procedures and supporting documentation available to Ministry staff.
4. The Owner shall prepare a summary monitoring report covering the effluent and receiver monitoring listed in **Tables 2 and 3** for the monitoring frequency designated as “First three months following issuance of the Approval” and submit to the District Manager in an electronic format within **seven (7) months** of issuance of the Approval. The reports shall contain, but shall not be limited to, the following information pertaining to the reporting period:
 - a. a summary and interpretation of all effluent monitoring data collected in accordance with Condition 7, including concentrations, flow rates and a comparison to the design objectives and compliance limits in this Approval;
 - b. a summary and interpretation of receiving water monitoring data collected in accordance with Condition 8.

5. The Owner shall prepare performance reports on a calendar year basis and submit to the District Manager in an electronic format by **March 31** of each calendar year following the first year when operations commence. The reports shall contain, but shall not be limited to, the following information pertaining to the reporting period:
 - a. a summary and interpretation of all effluent monitoring data collected in accordance with Condition 7, including concentrations, flow rates and a comparison to the design objectives and compliance limits in this Approval, including an overview of the success and adequacy of the Works;
 - b. a description of efforts made and results achieved in meeting the effluent objective outlined in Condition 6.4.
 - c. a summary and interpretation of receiving water monitoring data collected in accordance with Condition 8;
 - d. a summary of all operating issues encountered and corrective actions taken.
 - e. a summary of all normal and emergency repairs and maintenance activities carried out on any major structure, equipment, apparatus or mechanism forming part of the Works;
 - f. a summary of any effluent quality assurance or control measures undertaken;
 - g. a summary of the calibration and maintenance carried out on the effluent monitoring equipment to ensure that the accuracy is within the tolerance of that equipment as required in this Approval or recommended by the manufacturer;
 - h. a summary of any complaints received and any steps taken to address the complaints;
 - i. a summary of all spills within the meaning of Part X of EPA and abnormal discharge events;
 - j. 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 regarding general provisions is imposed to ensure that the Works are constructed and operated in the manner in which they were described and upon which approval was granted.
2. Condition 2 regarding change of Owner is included to ensure that the Ministry records are kept accurate and current with respect to ownership and Operating Authority of the Works and to ensure that subsequent owners of the Works are made aware of the Approval and continue to operate the Works in compliance with it.
3. Conditions 3 regarding changes in process or materials is included to ensure that the Works are operated in accordance with the information submitted by the Owner relating to the process and materials which are served by the Works, and to ensure that any contemplated changes in them which could potentially affect the characteristics of effluent from the Works will be properly reviewed and approved.
4. Condition 4 regarding erosion and sediment control is included as installation, regular inspection and maintenance of the sediment and erosion control measures are required to mitigate the impact on the downstream receiving watercourse during the removal of the V-notch weir and work on the channel.
5. Condition 5 regarding operation and maintenance 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. 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 Works.
6. Conditions 6 regarding effluent requirements are imposed to ensure that the effluent discharged from the works to the North Granny Creek meets the Ministry's effluent quality requirements thus minimizing environmental impact on the receiver.
7. Conditions 7 and 8 regarding effluent & receiver monitoring and recording are 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 compliance limits.
8. Condition 9 regarding reporting 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 this Approval.

Schedule A

1. Application for Environmental Compliance Approval for Industrial Sewage Works, dated and received on February 14, 2022, submitted by De Beers Canada Inc., including all supporting documentation.
2. Memorandum Re: De Beers Canada Inc., Victor Diamond Mine, Pre-Submission Consultation - Amendment to Certificate of Approval #6909- 76ZGYP Industrial Sewage Works, Fine Processed Kimberlite Containment Facility Surface Water/Hydrology Technical Review, prepared by Jacinth Gilliam-Price, Surface Water Specialist and Brooke Campbell-Paterson, Regional Hydrologist, Technical Support Section, Northern Region, dated April 28, 2022.

Schedule B

Table 1 - Effluent Limits	
Effluent Parameter	Daily Concentration Limit (milligrams per litre unless otherwise indicated)
Column 1	Column 2
Total Suspended Solids	25
Chloride	120

Schedule C

Table 2 - Effluent Monitoring ³

Parameter	Sampling Location(s)	Sample Type	Frequency (First three months following issuance of the Approval)	Frequency (Long-term)
Total Suspended Solids	CQ/DN/SILT: Discharge ditch prior to effluent flowing over the weir. UTM: Zone 17, 302986 E 5856892 N	Grab	Thrice Weekly	Monthly
pH ¹		Grab	Weekly	Monthly
Temperature ¹		Grab	Weekly	Monthly
Alkalinity		Grab	Weekly	Monthly
Hardness		Grab	Weekly	Monthly
Total Ammonia (as N)		Grab	Weekly	Monthly
Chloride		Grab	Weekly	Monthly
Sulphate		Grab	Weekly	Monthly
Mercury (total and methyl)		Grab	Monthly	Monthly
ICP Metals Scan ²		Grab	Monthly	Monthly
Acute Toxicity (Rainbow Trout and Daphnia magna)		Grab	Monthly	Quarterly

Note 1: The temperature and pH of the effluent from the Works shall be determined in the field at the time of sampling for total ammonia. 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).

Note 2: ICP metals scan shall include: aluminium, arsenic, beryllium, cadmium, calcium, chromium, cobalt, copper, iron, lead, magnesium, manganese, molybdenum, nickel, phosphorus, silver, sodium, strontium, titanium, vanadium and zinc.

Note 3: Sampling to occur only during periods of active discharge from the Polishing Pond to the North Granny Creek.

Schedule D

Table 3 - Receiver Monitoring ⁴

Parameter	Sampling Location(s)	Sample Type	Frequency (First three months following issuance of the Approval)	Frequency (Long-term)
Total Suspended Solids	See Note 3 below	Grab	Weekly	Monthly
pH ¹		Grab	Weekly	Monthly
Temperature ¹		Grab	Weekly	Monthly
Total Ammonia (as N)		Grab	Weekly	Monthly
Chloride		Grab	Weekly	Monthly
Sulphate		Grab	Monthly	Monthly
Total Mercury		Grab	Monthly	Monthly
Methyl Mercury		Grab	Monthly	Monthly
ICP Metals Scan ²		Grab	Monthly	Monthly
Dissolved Organic Carbon		Grab	Weekly	Monthly
Total Phosphorus		Grab	Weekly	Monthly
Nitrate (as N)		Grab	Weekly	Monthly
Calcium		Grab	Weekly	Monthly
Iron		Grab	Weekly	Monthly
Magnesium		Grab	Weekly	Monthly
Sodium	Grab	Weekly	Monthly	

Note 1: The temperature and pH of the effluent from the Works shall be determined in the field at the time of sampling for total ammonia. 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).

Note 2: ICP metals scan shall include: aluminium, arsenic, beryllium, cadmium, calcium, chromium, cobalt, copper, iron, lead, magnesium, manganese, molybdenum, nickel, phosphorus, silver, sodium, strontium, titanium, vanadium and zinc.

Note 3: Samples shall be collected of the water in North Granny Creek at Sampling Locations G1 and G2, as identified on Figure 24 of Request for a Certificate of Approval to Manage and Discharge Wastewater Associated with a Fine Processed Kimberlite Containment Facility - Victor Project, dated August 2007, prepared by AMEC Earth and Environmental.

Note 4: Sampling to occur only during periods of active discharge from the Polishing Pond to the North Granny Creek.

Table 4 - Receiver Flow / Water Level Monitoring

Monitoring Site (Site ID)	Watershed	Type of Measurement	Frequency of Manual Measurements	Data Download Frequency
04FC011	Granny Creek (confluence)	Flow / water level	Monthly	Measure and/or record daily average flows. Weekly download.

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 6909-76ZGYF issued on November 26, 2007.

In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me, the Ontario Land Tribunal and in accordance with Section 47 of the *Environmental Bill of Rights, 1993*, 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 142 of the *Environmental Protection Act* provides that the notice requiring the hearing ("the Notice") shall state:

- a. The portions of the environmental compliance approval or each term or condition in the environmental compliance approval in respect of which the hearing is required, and;
- b. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

Pursuant to subsection 139(3) of the *Environmental Protection Act*, a hearing may not be available with respect to any terms and conditions in this environmental compliance approval, if the terms and conditions are substantially the same as those contained in an approval that is amended or revoked by this environmental compliance approval.

The Notice should also include:

1. The name of the appellant;
2. The address of the appellant;
3. The environmental compliance approval number;
4. The date of the environmental compliance approval;
5. The name of the Director, and;
6. The municipality or municipalities within which the project is to be engaged in.

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

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
M7A 2J3

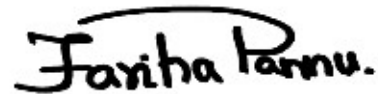
and

The Director appointed for the purposes of
Part II.1 of the *Environmental Protection Act*
Ministry of the Environment,
Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
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, 1993*, that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek leave to appeal within 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry at <https://ero.ontario.ca/>, you can determine when the leave to appeal period ends.

The above noted activity is approved under s.20.3 of Part II.1 of the *Environmental Protection Act*.
DATED AT TORONTO this 11th day of July, 2022



Fariha Pannu, P.Eng.

Director

appointed for the purposes of Part II.1 of the
Environmental Protection Act

SW/

c: District Manager, MECP Timmins District Office
David Simms, Wood Environment & Infrastructure Americas