



**NOTICE OF INTENTION TO CAUSE WORK TO BE DONE BY  
THE MINISTRY OF THE ENVIRONMENT, CONSERVATION AND PARKS**

**TO:** **962514 Ontario Inc.**  
201 Major Street  
Welland, Ontario L3B 6A9

**Pop & Lock Corporation**  
201 Major Street  
Welland, Ontario L3B 6A9

**4318072 Canada Inc.**  
38-10 Place du Commerce Bureau 116  
Ile-des-Soeurs Quebec H3E 1T8

**AND TO:** **Brian D. Mitchell**  
201 Major Street  
Welland, Ontario L3B 6A9

**Richard G. Limoges**  
201 Major Street  
Welland, Ontario L3B 6A9

**Christian Dupont Larocque**  
38-10 Place du Commerce Bureau 116  
Ile-des-Soeurs Quebec H3E 1T8

**Site:** 201 Major Street, Welland  
as described in Land Registry Office #59, Property Identification Number (PIN)  
64115-0002 (LT) LT 22, PL 579; LTS 32-37, PL 579; PT LANEWAY, PL 579, (AS  
CLOSED BY BB80171, RO281476 & BL37), AS IN RO681645; S/TBB44078,  
BB80172, RO702424 WELLAND

## PURPOSE OF THIS NOTICE

Subsection 147(1) of the *Environmental Protection Act*, R.S.O. 1990, c. E.19 (EPA) provides that where an order made under the legislation is not stayed, the Director may cause to be done anything required by it if the person ordered:

- (a) has not complied with the order;
- (b) requests the assistance of the Director;
- (c) in the Director's opinion, the person ordered is not likely to carry out the order promptly or competently; or
- (d) in the Director's opinion, it would be in the public interest to do so.

On June 29, 2017, a Director's Order, No. 0268-8Y8HS7, (Order) was issued to 962514 Ontario Inc., Pop & Lock Corporation, 4318072 Canada Inc., Brian D. Mitchell, Richard G. Limoges and Christian Dupont Larocque (Orderes) under the EPA requiring work to be done on the property located at 201 Major Street., Welland, Ontario (Site).

The Order was issued to the corporations that had ownership of the Site and to their directors because remedial efforts to date at the Site were inadequate and further contamination assessment and remedial activities and contingency measures should be completed to determine the acceptable environmental condition of the Site. The Orderes have not complied with the Order. In October 2021 some of the Orderes were convicted of offences relating to the failure to comply with the Order. As part of a guilty plea Messrs. Mitchell and Limoges have provided financial assurance to the Crown in the amount of \$20,000 to be used regarding the Site.

Additional information in relation to the current environmental condition of the Site is still needed. I am of the opinion that it is also in the public interest to proceed to obtain a delineation plan, a schedule and a cost estimate for remediation of the Site.

**TAKE NOTICE** of my intention to cause the following work to be done pursuant to the authority vested in me as a Director by subsection 147(1) of the EPA:

Retaining a Qualified Person (as defined in the Order) and developing a delineation plan, to better understand the nature and extent of the contamination on Site as well as a schedule and cost estimate for remediation that may be required.

Pursuant to subsection 147(3) of the EPA, upon service of this notice, you shall not do the work set out in this notice, unless you first obtain the permission of the Director at the address below.

## FOR YOUR INFORMATION

Subsection 150(1) of the EPA authorizes the Director to issue an order to pay the costs of any thing caused to be done pursuant to this notice to any person required by the Order to do the thing.

Pursuant to subsection 153(1) of the EPA, an order to pay costs may be filed with the Superior Court of Justice and enforced as if it were an order of the Court.

Subsection 154(2) of the EPA states that where an order to pay costs is directed to a person who owns land in a local municipality, and the Director instructs the municipality to recover amounts specified in the order that relate to things done in connection with that land, the municipality shall have a lien on the land for those amounts and they shall have priority lien status, as described in section 1 of the *Municipal Act, 2001*, and shall be added by the treasurer of the municipality to the tax roll.

If you have any questions regarding this notice, you may contact me at the address below:

Director, EPA s.147(1)  
Ministry of the Environment, Conservation and Parks  
119 King Street West, 12<sup>th</sup> Floor  
Hamilton, Ontario  
L8P 4Y7  
[Environment.Hamilton@ontario.ca](mailto:Environment.Hamilton@ontario.ca)

Issued this 1st day of February 2024

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Lubna Hussain, Director, EPA s.147(1)