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via: e-mail

May 31, 2021
File: 861-125.00

Mr. Richard Lindgren,
Counsel
Canadian Environmental Law Association
55 University Avenue, 15th Floor
Toronto, ON M5J 2H7

Subject: Update to: Summary Comments on the 2019 Long's Quarry ECA and
PTTW Compliance Reports

Dear Mr. Lindgren:

Malroz was retained by Citizens Against Melrose Quarry (CAMQ) to provide summary comments on the 2019 Long's Quarry Environmental Compliance Approval (ECA) and Permit to Take Water (PTTW) Annual Compliance Reports. We previously provided comments on the 2019 Long's Quarry ECA and PTTW Compliance reports in a May 25, 2020 letter (attached).

Since the May 25, 2020 letter I have continued to review information provided to me regarding the water-taking and discharge activities at the Long's Quarry and I have not identified new data or information with respect to the 2019 activities that would alter or change the opinions set out in last year's letter.

This summary is based on documents obtained by *Malroz*, or provided to *Malroz* by CAMQ. We have generated our comments based on the documents provided. Further areas of non-compliance may have occurred and were beyond the scope of this letter.

This summary is not an audit and as such is not intended to detect facts that were concealed, or omissions in the reports. The comments do not represent a legal opinion. Should further information become available we should be asked to revisit our opinions above.

Please contact the undersigned if you have any questions or concerns.

Yours truly,

Malroz Engineering Inc.


per/ John Pyke, P. Geo.
Environmental Geoscientist



Encl. Summary Comments on the 2019 Long's Quarry ECA and PTTW
Compliance Reports, dated May 25, 2020



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Mr. Richard Lindgren,
Counsel
Canadian Environmental Law Association
55 University Avenue, 15th Floor
Toronto, ON M5J 2H7

Subject: Summary Comments on the 2019 Long's Quarry ECA and PTTW
Compliance Reports

Dear Mr. Lindgren:

Malroz was retained by Citizens Against Melrose Quarry (CAMQ) to provide summary comments on the 2019 Long's Quarry Environmental Compliance Approval (ECA) and Permit to Take Water (PTTW) Annual Compliance Reports. Over the past several years, Malroz has been providing hydrogeological advice and peer review services to CAMQ in relation to the existing Long's Quarry and the proposed Melrose Quarry (see attached reports).

The documents considered in this review included:

1. Oakridge Environmental Ltd. (2019) Annual Summary Report, Permit to Take Water (PTTW) No. 8467-A32L6G, Long's Quarry, Part of Lot 6, Concession 3, Blessington, Township of Tyendinaga, Hastings County, March 2020.
2. Oakridge Environmental Ltd. (2019) Annual Performance Report, Long's Quarry Industrial Sewage Works ECA No. 9075 AHNKJD, Part of Lot 6, Concession 3, Blessington, Township of Tyendinaga, Hastings County, March 2020.

I previously provided a sworn affidavit on February 23, 2018, that identified items at the site in non-compliance with the PTTW and ECA.

Quinte Conservation Authority issued a Level 1 Low Water Condition message on August 21, 2019, and a Level 2 on September 17, 2019. The Low Water Condition ended on November 14, 2019. It is our understanding that during this time, Section 3.3 of the PTTW should have been applied as follows:

“It is the responsibility of the Permit Holder to keep advised of any low-water advisory within the jurisdiction of the Quinte Conservation Authority.

When a low-water advisory exists within the Quinte Conservation Authority, the Permit Holder shall only take an amount of water each day equal to the amount of precipitation received at the site in the preceding day. The calculation of the amount of precipitation received at the site for purposes of this provision shall be determined by the Permit Holder based on its on-site precipitation monitor and the area of the site.”

Appendix C of Document 1 contains the precipitation data recorded at site and the pumping volume records. Comparison of the precipitation and pumping data during the Low Water Condition from August 21 to November 14, 2019, it appears that:

- i. Pumping of water occurred where no precipitation data was recorded the preceding day on September 18, 19, 20, and 25, October 8, 10, and 21, and November 6, 7, and 8.
- ii. The pumping volume exceeded the previous day's precipitation volume on September 23, 24, and 26, October 4, 25, and 30, and November 4 and 5.
- iii. On a number of dates the precipitation is not reported as a daily value, but a total including 2 to 4 days.

The Permit Holder appears to have been in non-compliance with Section 3.3 of the PTTW for 18 days and of the record keeping requirements, during the 2019 Quinte Conservation Low Water event.

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This summary is not an audit and as such is not intended to detect facts that were concealed, or omissions in the reports. The comments do not represent a legal opinion. Should further information become available we should be asked to revisit our opinions above.

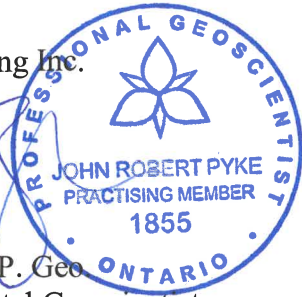
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Yours truly,

Malroz Engineering Inc.


per: John Pyke, P. Geo.
Environmental Geoscientist



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