



Ministry of    Ministère des  
Natural        Richesses  
Resources    naturelles

353 Talbot Street West  
Aylmer West, Ontario  
N5H 2S8  
(519)773-4747

*"Registered Mail"*

October 16, 2003

Arrel, Brown, Osier and Murray  
Barristers and Solicitors  
41 Caithness Street West  
Caledonia, Ontario  
N3W 2J2

Attention: Paul J. Osier

Dear Sir:

**Subject: Nichols Gravel Limited  
Licence No. 103717  
Notice of Suspension**

This letter is in response to your letter dated October 14, 2003, sent via fax. This office cannot re-instate Licence No. 103717 until your client meets the requirements of the revised Notice of Suspension issued October 1, 2003. This allows your client a longer time period to address the items as outlined in the previous Notice of Suspension issued by Paul Cutmore. **At this time we have not received any written documentation or confirmation that any of these items have been addressed. Please forward this office all required information as soon as possible, or by December 15, 2003. The following items remain outstanding:**

1. Copies of the Spills Contingency Program, as required by Condition 5 of your clients licence, must be provided to this office by December 15, 2003.
2. As required by Condition 12 of your clients licence, all blast monitoring reports must be provided to this office by December 15, 2003.
3. As required by Condition 14 of your clients licence, all residences within 300 metres of the edge of the extraction area shall be thoroughly inspected by the licensee's consultant prior to the start of quarry blasting operations. Provide this office with copies/records of these inspections by December 15, 2003.
4. As required by Condition 15 of your clients licence, the first six quarry blasts shall be monitored for both vibration and over pressure (noise) at a minimum of four locations for each blast in order to accumulate site-specific data quickly. Provide this office with copies/records of the first six quarry blasts by December 15, 2003.

5. As required by Condition 17 of your clients licence, careful blast records shall be maintained. Provide this office with all blast records, post issuance of the aggregate licence 103717, by December 15, 2003.
6. As required by Condition 20 of your clients licence, the monitoring results of the first six quarry blasts monitored at a minimum of 4 locations in accordance with the recommendations of the Licensee's consultant, along with the consultant's analysis and recommendations, shall be submitted to the local offices of MNR and MOE. Provide this office with copies of the monitoring results and documentation that these results have been forwarded to the Ministry of the Environment by December 15, 2003.
7. As required by Condition 25 of your clients licence, residences within 300 metres of the quarry site, which will have been thoroughly inspected in accordance with the recommendations of the Licensee's consultant, shall be re-examined following the initial six blasting operations. Copies of the original examinations records and of the re-examination results shall be submitted to the property owner concerned. Provide this office with written confirmation/records that this condition has been met, by December 15, 2003.
8. As required by Condition 27 of your clients licence, the licensee will provide for the installation of monitoring well nests with upgradient, downgradient, and cross-gradient wells at the top of the Bois Blanc Formation, to the base of the Bois Blanc Formation and into the Bertie Formation at the property boundaries. Documentation/records that these wells have been installed must be supplied to this office, by December 15, 2003.
9. As required by Condition 29 of your clients licence, upon issuance of the quarry licence, the licensee's consultant will commence, with the permission of the property owner, monitoring of all water wells within 120 m of the quarry property boundary, and the wells presently owned by D. Wilson, D. Greenfield, and M. Roulson. Provide this office with records/documentation that monitoring of all water wells has begun, by December 15, 2003.
10. As required by Condition 49 of your clients licence, the licensee will ensure that the internal water collection system within the quarry will incorporate component storage for groundwater and surface runoff. Construct the internal water collection system by December 15, 2003.
11. As required by Condition 50 of your clients licence, external berming will be constructed around the quarry to prevent any surface water spillage into the quarry. Complete the berming requirement by December 15, 2003.

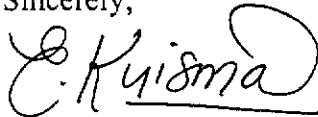
12. As required by Condition 51 of your clients licence, the licensee will ensure that water polishing measures will be incorporated into the internal collection system. Incorporate the water polishing measures into the internal collection system by December 15, 2003.
13. As required by Condition 52 of your clients licence, the licensee will ensure that the stormwater holding system be designed such that sufficient capacity is provided to hold a 100 year storm with zero discharge. Construct the stormwater holding system by December 15, 2003.
14. As required by Condition 53 of your clients licence, the licensee will obtain any required approvals, pursuant to the provision of the Drainage Act, for discharge of water to the Harrop Drain. Provide this office with copies of the required approvals by December 15, 2003.
15. As required by Condition 55 of your clients licence, all berms shall be graded smooth to a stable (2:1) slope and seeded to prevent erosion and to reduce dust. All berms must be graded, sloped and seeded by December 15, 2003.
16. Perimeter fencing is required around Phase 1a, 1b and 2, as detailed on your client's site plan. Erect all required fencing by December 15, 2003.
17. The interim berms surrounding the quarry area require sloping and seeding, in order to reduce dust in the local area. Interim berm height should be higher as per site plan details (minimum 6m above bedrock floor).  
Erect, slope and seed berms surrounding the quarry area, as per your clients approved site plans, by December 15, 2003.
18. The fuel tank existing in the quarry areas should be relocated near the scale house as specified in the site plan. Move and locate the fuel tank, as per your clients approved site plans, by December 15, 2003.
19. The roadway entrance and weigh scales should be moved eastward of the existing location, as an acoustic berm is required along the boundary of the adjacent farm residence. Move the roadway entrance and weigh scales to the location delineated on your clients approved site plans by December 15, 2003.

**As we have not received documentation/confirmation that any of these items have been completed, it is impossible to assess the current status of your clients licence and its reinstatement. As indicated within correspondence from yourself and your client, some of these items have been completed. Please provide supporting documentation to this office, conveying that these items have been completed.**

Although your clients licence is suspended, he still must complete the required on site work. Your client cannot remove aggregate from the site; however he can complete the required items on the Notice of Suspension. These items must be completed prior to your client starting up full on site-production and shipping of aggregate off-licence.

As previous requested I would like to have an on-site meeting with your client to discuss and clarify any of the requirements of the Notice of Suspension.

Sincerely,

A handwritten signature in black ink that reads "E. Kuisma". The signature is written in a cursive style with a large, looped initial "E" and a long, sweeping underline.

Emmilia Kuisma  
Aggregate Resources Inspector  
Aylmer District

ekuisma/2003

c.c. Gary Nichols- Nichols Gravel Limited.