

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 7095-DL8HG5
Issue Date: November 5, 2025

New Gold Inc.
5967 Highway 11/71
Emo, Ontario
P0W 1E0

Site Location: Rainy River Mine
5967 11/71 Hwy
Emo Township, District of Rainy River
P0W 1E0

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:

sewage works for the collection, transmission, treatment and disposal of stormwater, groundwater seepage and wastewater (process and domestic wastewater) from the open pit and underground gold mine at the above mentioned Site Location located at the District of Rainy River, with a proposed maximum gold ore processing throughput of up to 36,000 tonnes per day and an annual average of 27,000 tonnes per day, and ore processing carried out using conventional whole ore cyanidation for gold recovery followed by in-plant cyanide destruction, consisting of the following:

PROPOSED WORKS

Water Treatment Train Expansion

Upgrades to the process water treatment system following the 2025 reassessment to achieve a total treatment capacity of 50,000 m³/day (2,083 m³/h), consisting of the following:

Pumping and Conveyance

- One (1) new 50 cm (20 inch) discharge line from TMA pumps 23 & 24 junction to Biochemical Reactor #2 (BCR2) inlet;
- One (1) new 50 cm (20 inch) discharge line for BCR2 transfer pump;

- One (1) new 100 hp BCR2 transfer pump installed in existing sump downstream of BCR2;
- One (1) new 61 cm (24 inch) line from Outflow Basin to Water Management Pond;
- One (1) new pump from nitrification cell to BCR2 inlet.

BCR2 Modifications

- Enlargement of collection lateral slots and installation of new 70 cm (28 inch) NPS outtake piping;
- Confirmed treatment capacity of 2,635 kg-N/day (52.7 mg-N/L at 50,000 m³/day, with 15% contingency).

BCR2 Reagents

- One (1) glycerol (or liquid carbon source alternate) dosing skid with peristaltic metering pump (300–500 L/h);
- Additional storage tanks providing 57 m³ of storage (7-day capacity at design rate).

Nitrification Pond (NIT Pond)

- One (1) fixed-film Biofixe nitrification cell upstream of BCR2, designed for 50,000 m³/day;
- Equipped with Biofixe media modules, Aerofixe floating coarse bubble diffusers, and blower system;
- Designed to oxidize ammonia, cyanate, thiocyanate, and cyanide with a treatment capacity of 2,135 kg-N/day (42.7 mg-N/L at 50,000 m³/day with contingency).

NIT Cell Reagents

- One (1) caustic soda dosing skid with peristaltic pump; storage sized per reagent concentration;
- One (1) MKP dosing skid (1–3 L/h) and 0.4 m³ storage tank (≥7 days storage).

NIT Cell Influent and Effluent Monitoring

- Installation of pH, temperature, and dissolved oxygen probes as well as flow meters on both the inlets and outlets.
- Provision for future automated control to optimize dosing and minimize scaling.

Contingency Pond

- A contingency pond with a storage volume of 25,000 cubic metres, situated just north of the new Nitrification Pond, receiving water from the TMA and discharging it to the Nitrification Pond, providing

additional buffering and flow equalization if required, and serving an optional reaction/settling basin for alkalinity or hardness adjustment, solids handling, and potential retrofit of the BCR2 outflow basin for ammonia polishing.

Domestic Sewage Treatment Plant Expansion

Expansion of the existing domestic wastewater treatment system to accommodate site development and increased workforce (from 600 to 900 persons) by doubling the current rated capacity of 45 m³/day to 90 m³/day through installation of a second rotating biological contactor (RBC) unit and associated infrastructure, discharging treated effluent via the existing effluent line to the tailings management area, consisting of the following:

Rotating Biological Contactor

- Installation of one (1) RBC package unit (BIODISK Little John LJ-166 or equivalent) with a rated capacity of 45 m³/day, operating in parallel with the existing RBC.
- Connection to existing sewage collection network, including new force main tie-ins and controls integration.

Lift Stations and Buffer Tanks

- Two (2) new 50,000 L concrete buffer tanks (Lift Stations #3A and #3B) hydraulically connected, each equipped with duplex grinder pumps in duty/standby configuration, providing 100,000 L of equalization capacity.
- One (1) new larger-capacity Lift Station #4A to collect effluent from both RBC units and pump via existing 75 mm (3 inch) force main to the tailings management system.
- Installation of 75 mm and 100 mm HDPE forcemains and hydraulic interconnections.
- Controls and instrumentation upgrades including pump controls, sensors, and alarms.

Decommissioning

- Abandonment in place of existing Lift Stations #3 and #4 once new system is commissioned.

Septic System Servicing Underground Mine Operation

Construction of decentralized sanitary sewage works to replace temporary holding tanks and service new underground mine surface facilities (two office buildings and four dry facilities), with a total design flow of 22,625 L/day, consisting of the following:

Septic and Dosing Tanks

- Two (2) Equinox G-10000-P8 septic tanks, each dual-chambered, providing ~37,000 L capacity,

equipped with effluent filters, duplex pumps, and high-level alarms;

- One (1) Equinox G-3000-P2-6 dosing tank (~10,000 L) equipped with duplex pumps and alarm system.

Leaching Bed

- One (1) raised absorption trench leaching bed consisting of four (4) cells, each cell equipped with eight (8) runs of 22 m long (704 m total) 100 mm diameter perforated distribution pipes spaced 1.6 m apart from centre to centre and installed in a 300 mm stone layer, with effluent from the dosing tank being conveyed to each cell via a 50 mm HDPE forcemains and distributed to each cell via one (1) K-Rain Model 6404 indexing valve for sequential dosing of the cells and eight (8) concrete distribution boxes, with the entire bed to be constructed on a total disposal area of 2,340 m² with an additional 3,316 m² sand mantle area (extended a minimum horizontal distance of 15 m down-gradient of the last pipe to a minimum thickness of 300 mm), consisting of imported sand fill with a T-time of 6 min/cm;
- Associated pump control panel with local and wireless alarm and float-based controls for start/stop, lag, and high-level alarm.

Effluent Discharge System Expansion

Expansion of the Rainy River Mine effluent discharge system with an increased combined rated capacity of 126,000 m³/day, consisting of upgraded pipelines and pumps at the Water Management Pond (WMP) and the construction of new effluent mixing structures (EMS 1-2 and EMS 2-2) at the Pinewood River, discharging treated effluent via EDL 1 and EDL 2, consisting of the following:

Effluent Mixing Structures (EMS 1-2 and EMS 2-2)

- One (1) new effluent mixing structure (EMS 1-2) located approximately 65 m upstream of EMS 1-1 at EDL 1, equipped with a double-port diffuser assembly and two (2) 250 mm ND rubber duckbill check valves, designed for a maximum discharge of 45,000 m³/day;
- One (1) new effluent mixing structure (EMS 2-2) located approximately 90 m downstream of EMS 2-1 at EDL 2, equipped with a double-port diffuser assembly and two (2) 250 mm ND rubber duckbill check valves, designed for a maximum discharge of 45,000 m³/day;
- Riprap, gabion mats, pipe anchoring and burial for erosion control and stabilization, as well as articulated concrete mats for bank protection;
- Flow control valves and connections to existing pipelines for parallel operation with EMS 1-1 and EMS 2-1.

Pipeline Upgrades

- Twinning of above-ground sections of the existing ND 600 mm HDPE Pinewood Pipeline with an additional ND 600 mm HDPE DR17 pipe to reduce hydraulic losses and increase pipeline flow capacity to 66,000 m³/day at EDL 1;

- Replacement of approximately 3,000 m of the existing ND 400 mm HDPE Loslo Pipeline with ND 600 mm HDPE DR17 pipe, following the existing alignment, to increase pipeline flow capacity to 60,000 m³/day at EDL 2;
- Retention of existing buried crossings and directionally drilled sections, with no new HDD installations required.

Pump Station Upgrades

- Replacement of one (1) existing 300 hp vertical turbine pump in the WMP Pumphouse with one (1) 700 hp vertical turbine pump rated for a combined parallel duty point (i.e., two (2) installed 700 hp vertical turbine pumps) of 2,750 m³/h at 95 m head to feed the Pinewood Pipeline to EDL 1;
- Construction of three (3) pump pads at specified elevations adjacent to the Water Management Pond Intake Channel for the relocation and operation of two (2) seasonal shore-mounted pumps each rated for 1,250 m³/h at 90 m head to feed the Loslo Pipeline to EDL 2;
- Installation and configuration of Variable Frequency Drives (VFDs) and recirculation piping from the effluent discharge pumps back to the WMP as required to expand the range of pump discharge flow to remain stable under low-flow conditions (<20,000 m³/day).

Control and Instrumentation

- Installation of ND 250 mm resilient-seated wedge gate valves for isolation of new diffusers and recirculation lines;
- Replacement of two (2) existing knife gate valves with resilient-seated butterfly valves upstream of the Pinewood and Loslo pipelines to enable throttling during low-flow operations;
- Flow meters, sampling ports, and dye injection assemblies for compliance monitoring and verification of mixing performance.

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

EXISTING WORKS

Process Plant Wastewater Treatment System

One (1) approximately 1930 cubic metres per hour Rated Capacity (2500 cubic metres per hour maximum capacity) in-plant tailings slurry cyanide destruction (SO₂/Air) treatment facility located in the process plant, designed to handle process plant waste water from a gold ore processing facility of up to a maximum of 32,400 tonnes per day for an annual average of up to 27,000 tonnes per day throughput capacity, consisting of two (2) parallel 1,402 cubic metres reactors, each having the following: an operating volume of approximately 1,298 cubic metres, providing an average retention time of

approximately 80 minutes, equipped with one (1) dual impeller agitator, one (1) air compressor, one (1) liquid SO₂ or sodium metabisulphite reagent addition system, one (1) copper sulphate reagent addition system, one (1) lime reagent addition system, discharging to the Tailings Management Area (TMA). Oxygen addition may be used in place of compressed air.

The Process plant can receive water from the Mine Rock Pond (MRP), the Tailing Management Area (TMA), the Water Management Pond (WMP) as well as from sumps situated around the mill (north and south ponds). The process plant discharges tailings to the TMA area.

Tailings Line

An approximately 12 kilometre long, 60cm to 75cm outside diameter, high density polyethylene tailings pipeline to transport process plant tailings to the TMA, situated within an area of contained drainage to provide secondary containment up until the TMA, where the TMA acts as secondary containment, with the tailings discharge line being double-walled where it approaches or passes over the West Creek, including a booster pump to boost pressure in the pipeline prior to discharge in the TMA.

Mine Rock Pond

A Mine Rock Pond for collecting and transmitting contact water from the open pit and underground mine workings, the East Mine Rock Stockpile and Low Grade Ore stockpile areas to the processing plant to be used in ore processing, with a total design capacity of approximately 1,300,000 cubic metres, with available storage of up to 603,400 cubic metres encompassing a total pond area of up to 62 hectares, and being contained by a partial perimeter dam along its west and south margins, with no direct discharge to the environment. The MRP can also convey water to the Water Treatment plant, the nitrification pond described in the Proposed Works, or to the TMA.

Tailings Management Area (TMA)

A Tailings Management Area (TMA) with a total storage capacity of approximately 104 million tonnes (Mt) of deposited tailings, with provision for a water storage volume of up to approximately 20,000,000 cubic metres at full development, encompassing a total area of approximately 700 hectares, and being contained by north, west and south dams, with dams to be constructed in stages to a maximum dam height of approximately 25 to 30 metres. Water from the TMA can be reclaimed to the mill as process water or be sent to the Water Treatment Plant or the nitrification pond described in the Proposed Works.

Treatment Train Water Treatment

Lime Water Treatment Plant (WTP)

A Lime Water Treatment Plant (WTP) receiving flow from the TMA or from the Mine Rock Pond (MRP), with an average design capacity of 20,000 cubic metres per day and a maximum capacity of 26,400 cubic metres per day discharging to the Nitrification Cell (NC). The WTP treats for Total Suspended Solids (TSS), as well as the following metals and metalloids: antimony, arsenic, cadmium, cobalt, copper, mercury, molybdenum, nickel, and zinc. Water treated by the Water Treatment Plant can

be directed to the Nitrification Cell (NC) or recirculated back to the TMA or to the Process Plant.

Nitrification Cell (NC)

A nitrification system consisting of a settling cell followed by three nitrification cells receiving flow from the Lime Water Treatment Plant discharging to Biochemical Reactor #1 with a required hydraulic residence time of 10 days. The discharge capacity of the nitrification cell is 20,000 cubic metres per day and a maximum capacity of 24,000 cubic metres per day. The Nitrification Cell uses microbial nitrification to convert the nitrogen compounds (ammonia, cyanide, cyanate, and thiocyanate) to nitrate. Some amount of manganese is also expected to be removed in the Nitrification Cell. Additional settling of TSS is performed in the first section of the Nitrification Cell. Water from the NC is discharged to Biochemical Reactor #1.

Biochemical Reactor #1 (BCR1)

A biochemical reactor (BCR) receiving flow from the Nitrification Cell (NC), with a design capacity of 20,000 cubic metres per day and a maximum capacity of 24,000 cubic metres per day and 24 hours hydraulic residence time discharging to the Water Management Pond (WMP). BCR1 treats for nitrate and nitrite treatment through a microbial process termed 'denitrification'. Water from BCR1 is discharged to the WMP.

Water Management Pond (WMP)

A Water Management Pond (WMP) receives flow from BCR1, the Water Discharge Pond (WDP), the Outflow Basin (OB), non-contact water diversion, seepage pump back and potentially from BCR2, should water not meet criteria and necessitating a second treatment. The WMP discharges to BCR2 for further treatment or to the Pinewood River by way of a pipeline, if water meets receiving environment criteria. The WMP has a total design capacity of approximately 5,100,000 cubic metres, encompassing a total area of 109 hectares, and is contained by a perimeter dam equipped with a spillway designed to convey the Probable Maximum Flood to the future Constructed Wetlands. The WMP discharges water to the WDP, the OB or to BCR2 for further treatment or EDL1 and/or 2, if water meets receiving environment criteria.

Biochemical Reactor #2 (BCR2)

Up to two (2) biochemical reactors receiving flow from the WMP and Mine Rock Pond, the Water Discharge Pond (WDP) and eventually seepage directly from the TMA, with a design capacity of 20,000 cubic metres per day and a maximum capacity of 24,000 cubic metres per day and 24 hours hydraulic residence time. BCR2 treats metals and metalloids as well as sulphate and phosphate. Sulphate will be partially treated by reduction to sulphide by sulphide producing bacteria, after which metals and metalloids polishing through binding of metals to sulphides will occur. This process will precipitate some metals as insoluble metal-sulphides or as insoluble elemental precipitates. Treated water is discharged to the Outflow Basin. If it does not meet the criteria, it is pumped back from BCR2 to the WTP, WMP or the TMA for further treatment.

Constructed Wetlands (CW)

In the future, the Constructed Wetland (CW) will be located downstream of BCR2 and will provide polishing and redundancy in the treatment process, receive water in the event of the WMP spillway being activated and provide passive treatment at closure. The CW will reduce reliance on the lime WTP, WMP nitrification treatment cell, and BCRs as it will treat water for residual nitrogen compounds and metals/metalloids. This will reduce operational expenditures, increase contingency, and provide an opportunity to ultimately transition to a semi-passive system in later operations and closure.

Water Discharge Pond (WDP)

A Water Discharge Pond, for transferring effluent from the WMP and seepage from the TMA, having a total design capacity of approximately 100,000 cubic metres, and being contained by a partial perimeter dam with a maximum dam height of approximately 1.8 metres. Water from the WDP is directed to either TMA or WMP if further treatment is required, or BCR2.

Outflow Basin (OB)

An Outflow Basin (OB) having a capacity of approximately 40,000 cubic metres, receives treated effluent from BCR2. If it does not meet the criteria, it is pumped back from the OB to the WTP, WMP or BCR2 for further treatment. No tailings or untreated tailing contact water shall be directed into the OB.

Treatment Train Water Discharge Pipeline

Two (2) up to 24-inch diameter, HDPE above ground, non-insulated pipeline, for discharging treated final effluent from the OB to the Pinewood River.

Effluent Discharge Line 1 (EDL1)

The first effluent discharge pipeline is approximately 500 metres long and will tie into the WMP Water Discharge Pipeline which is equipped with a diffuser and will discharge to the Pinewood River downstream of the McCallum Creek confluence (EDL1).

Effluent Discharge Line 2 (EDL2)

The second effluent discharge pipeline is approximately 2000 metres long and is equipped with a diffuser and will discharge to the Pinewood at the Loslo Creek confluence (EDL2).

WMP Water Discharge Pipeline to Pinewood River

An approximately 10 kilometre long, 24-inch (60 centimetre) diameter, HDPE above ground, non-insulated pipeline, except at the Pinewood River and Tait Creek water crossings where the pipeline is buried for discharging treated effluent from the WMP or the OB to the Pinewood River at EDL1; fitted with variable frequency drive and diffuser.

Sediment Ponds #1, #2, and #3

Sediment Pond #1 collects surface water run-off and seepage from the north end of the West Mine Rock Stockpile, discharging to the WMP, WDP/BCR2, Sediment Pond 2 or the TMA dependent on quality, with a total design pond capacity of approximately 330,000 cubic metres, and is contained by a partial perimeter dam. Sediment Pond 1 water may be reused within the Rainy River Mine site for dust suppression and other industrial uses such as drilling.

Sediment Pond #2 collects run-off and seepage from south west end of the West Mine Rock Stockpile and receives water from Sediment Ponds #1 and #3, discharging to the Sediment Pond 1, WMP, WDP / BCR2, or TMA dependent on quality, with a total design capacity of approximately 356,000 cubic metres, and is contained by a partial perimeter dam. Sediment Pond 2 water may be reused for dust suppression and other industrial uses such as drilling. Sediment Pond 2 may be discharged to the environment, via a splash pad, at a ratio of 10:1 with the Pinewood River should water meet discharge criteria as listed in Table 4 of this Approval. If water discharged from Sediment Pond #2 meets all applicable provincial and federal water quality criteria (i.e., Provincial Water Quality Objectives and Canadian Water Quality Guidelines for the Protection of Aquatic Life) for all parameters sampled in accordance with Table 6 of the Approval, Sediment Pond 2 may be discharged to the environment, via a splash pad, at a ratio of 1:1 with the Pinewood River.

Sediment Pond #3 collects surface water run-off and seepage from the South East end of West Mine Rock Stockpile, with a total design capacity of approximately 180,000 cubic metres, and is contained by a partial perimeter dam. Sediment Pond 3 can also receive water from the pit sumps.

Contact Run-off and Seepage Collection System

A contact run-off and seepage collection system comprised of a series of perimeter ditches, ponds and pumping systems designed to collect and direct run-off and seepage from the processing plant and crusher site area, the East Mine Rock Stockpile and Low Grade Ore stockpile area, the West Mine Rock Stockpile, the open pit and from the TMA and WMP area, and potentially other sources, to one or more of the processing plant, the Mine Rock Pond, the Water Discharge Pond, the TMA, the WMP, and Sediment Ponds #1, #2, and #3; with such perimeter ditching systems being designed to accommodate the 25-year return period, 24-hour storm event condition for the associated catchment areas, with the exception of the East Mine Rock Stockpile and Low Grade Ore stockpile catchment area (containing potentially acid generating materials) where the design criteria is to accommodate the 100-year return period, 24-hour storm event condition.

Non-contact Run-off Collection System (i.e. Water Diversions)

A non-contact run-off collection system comprised of a series of ditches, sumps, and pumping system designed to collect and direct non-contact run-off from the Loslo Creek, Marr Creek, West Creek, and Clark Creek Catchments to the Water Management Pond, West Creek Diversion, Clark Creek Diversion or directly to the environment.

Water Recycle System

A water recycle system to provide water for processing plant operations and water for site area dust suppression, and other industrial uses such as drilling and truck washing; consisting of an approximately 20 inch (51 cm) diameter HDPE reclaim pipeline from the Mine Rock Pond, an approximately 24 inch (60 cm) diameter HDPE reclaim pipeline from the TMA, a 10 inch (25 cm) diameter HDPE reclaim pipeline from the Water Management Pond, and 4 to 10 inch (10 to 25 cm) diameter HDPE reclaim lines from processing plant site area storm water ponds; all fitted with vertical turbine pumps, or equivalent, with the exception of the reclaim system from the processing plant site area storm water ponds which would be fitted with submersible pumps.

Domestic Sewage Treatment Plant

A package type sewage treatment plant to serve a workforce of up to approximately 600 persons, to treat influent from various domestic sewage sources such as toilets, showers, and kitchen drains, comprising of a Biodisk Rotating Biological Contactor (RBC) or Approved Equivalent, providing primary and secondary sewage treatment with UV disinfection and sludge management and disposal, with treated effluent from the plant discharged to the TMA for the additional removal of nutrients through the mechanism of natural degradation. The Owner can use up to seventeen (17) holding tanks that can be discharged to the site RBC for treatment which discharge in the TMA.

Miscellaneous

All other controls, electrical equipment, instrumentation, piping, pumps, valves and appurtenances essential for 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:

"Approval" means this environmental compliance approval, any schedules attached to it, and the Application;

"Approved Equivalent" means a substituted product that meets the required quality and performance standards of a named product and has been approved for substitution in writing by the District Manager.

"BOD5" (also known as TBOD5) means five day biochemical oxygen demand measured in an unfiltered sample and includes carbonaceous and nitrogenous oxygen demand;

"CBOD5" means five day carbonaceous (nitrification inhibited) biochemical oxygen demand measured in an unfiltered sample;

"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;

"District Manager" means the District Manager of the appropriate local District Office of the Ministry, where the Works are geographically located;

"Environmental Design Flood (EDF)" means is the most sever flood to be managed without the release of untreated water to the environment.

"*E. coli* " refers to the thermally tolerant forms of Escherichia that can survive at 44.5 degrees Celsius;

"EPA" means the *Environmental Protection Act, R.S.O. 1990, c.E.19* , as amended;

"Equivalent Equipment" means a substituted equipment or like-for-like equipment that meets the required quality and performance standards of a named equipment;

"Existing Works" means those portions of the Works included in the Approval that have been constructed previously;

"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;

"Notice of Modifications" means the form entitled "Notice of Modifications to Sewage Works";

"Normal Operating Water Level (NOWL)" means the water level at which most flood events (such as 1:100 year storm) is to be managed without overtopping the facility water management structures spillway. Following flood events, water needs to be pumped out from the facility to bring the water level below the NOWL within a reasonable time-frame;

"Owner" means New Gold Inc., and includes its successors and assignees;

"OWRA" means the *Ontario Water Resources Act, R.S.O. 1990, c. O.40* , as amended;

"Professional Engineer" means a person entitled to practise as a Professional Engineer in the Province of Ontario under a licence issued under the *Professional Engineers Act* ;

"Proposed Works" means those portions of the Works included in the Approval that are under construction or to be constructed;

"Works" means the approved sewage works, and includes Proposed Works, Existing Works and modifications made under Limited Operational Flexibility.

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 PROVISIONS

- (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.
- (3) Where there is a conflict between a provision of any submitted document 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 listed submitted documents, the document bearing the most recent date shall prevail.
- (4) Where there is a conflict between the listed submitted documents, 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 requirements of this Approval are severable. If any requirement of this Approval, or the application of any requirement of this Approval to any circumstance, is held invalid or unenforceable, the application of such requirement 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 approval from the local conservation authority, DFO, MDMNRF necessary to construct or operate the 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) business days** of the change occurring:
 - a. change of Owner;
 - b. change of address of the Owner;
 - c. change of partners where the Owner or operating authority 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. B.17* ; and
 - d. change of name of the corporation where the Owner or operator is or at any time becomes a corporation, and a copy of the "Initial Return" or "Notice of Change" filed under the

Corporations Information Act, R.S.O. 1990, c. C.39 , shall be included in the notification to the District Manager.

- (2) In the event of any change in ownership of the works, 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 will refer to this Approval's number.

3.A. CHANGES IN PROCESSES OR PROCESS MATERIALS

The Owner shall give written notice to the District Manager of any plans to change(s) the processes or process materials in the Owner's enterprise serviced by the Works where the change(s) 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 and approval of the Director.

3.B. OPERATIONS MANUAL

- (1) The Owner shall prepare an operations manual prior to the commencement of operation of the sewage works, that includes, but is not necessarily limited to, the following information:
 - a. **operating procedures** for routine operation of the Works including normal operating water levels (NOWL) as defined by the Engineer of Record (EoR), for all water control structures, and the spillway is also to be built to the EDF;
 - 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. **complaint procedures** for receiving and responding to public complaints.
- (2) The Owner shall maintain the operations manual up to date through revisions undertaken from time to time and retain a copy at the location of the sewage works. Upon request, the Owner shall make the manual available for inspection and copying by Ministry personnel.

4. OPERATION AND MAINTENANCE

- (1) The Owner shall ensure that the Works and related equipment and appurtenances which are installed or used to achieve compliance with this Approval are properly designed,

constructed, operated and maintained.

- (2) The Owner shall carry out on a regular basis specific maintenance requirements and scheduling to ensure proper operation of the Works.
- (3) In furtherance of, but without limiting the generality of the obligation imposed by subsection (1), the Owner shall ensure that equipment and material for the containment, clean-up and disposal of contaminants are kept on hand and in good repair for immediate use in the event of:
 - a. upset.
 - b. bypass.
 - c. abnormal loss of contaminants to the environment or interior of any building.
 - d. a spill within the meaning of Part X of the EPA.
- (4) The Owner shall carry out and maintain an annual inspection and maintenance program on the operation of the oil/grit separators in accordance with the manufacturer's recommendation.
- (5) The Owner shall ensure that best efforts are used to design, construct, operate and maintain any oil/water separator(s) at the site with the objective that discharges from the oil/separator(s) do not exceed **10 milligrams per litre** Total Oil and Grease.
- (6) The Owner shall ensure that any surface water run-off or seepage is not discharged directly to the natural environment, but instead directed to the site water treatment system for further treatment. The Owner shall immediately investigate the source of the contaminated seepage and undertake such measures as may be necessary to abate the seepage.
- (7) The owner shall ensure records of maintenance; that there are up-to-date inventory of all septic holding tanks located around site. The owner shall maintain a record of all material transfers between the holding tanks and the RBC. All septic holding tanks shall be equipped with visual and audible high levels alarms.

Special Condition - Site Water Management

- (8) On an annual basis the Owner shall, conduct inspections of all non-contact water diversions, including the Loslo, Marr, and West Creek diversions to ensure erosion and sedimentation control measures are in place. The inspections shall take place in the spring immediately after snow free conditions.
- (9) Treated effluent shall only be discharged to the Pinewood River via Sediment Pond 2, EDL1 and/or EDL2 seasonally. No water shall be discharged after December 1st of each year until spring melt when the Pinewood River is largely ice free and meets the minimum flow threshold outlined in subsections (9) and (10) below.
- (10) No treated effluent shall be discharged via EDL1 and/or EDL2 or any other means unless the Pinewood River is flowing at 10,000 cubic metres per day or greater as measured at

hydraulic station H1 (formerly site 19) unless specified by the District Manager, in writing.

- (11) The Owner shall control the combined effluent discharge rate from Sediment Pond 2, EDL1 and EDL2 such that at all times the ratio of the combined effluent flow rate to the flow rate of the receiver at hydrometric station H1 (i.e., the flow rate of the Pinewood River downstream of the McCallum Creek confluence) is less than or equal to 1:1 (i.e. the cumulative flow rate of the effluent must be less than or equal to the flow rate of the receiver).
- (12) The Owner shall control the effluent discharge rate from EDL1 and EDL2 such that at all times the ratio of the combined flow rate of these effluents to the flow rate of the receiver (Pinewood River) is less than or equal to 1:1 (i.e. the cumulative flow rate of the effluent must be less than or equal to the flow rate of the receiver).
- (13) The Owner shall ensure that if water levels exceeds NOWL as identified in the sites operation manual required under condition 3.B., the Owner shall notify the Ministry forthwith and submit a plan to return water to the NOWL within an agreed upon time-frame in writing within 48 hours.
- (14) Continuous water level loggers and water level alarms shall be installed and maintained at all major water control structures currently managing water on site. Those structures are the TMA (at the reclaim station), WMP, WDP, OB and the MRP. Surveys of secondary structures, such as sediment ponds (1, 2 & 3) shall be performed, minimum weekly or more frequently as required (i.e., following large storm events and during spring freshet). Minimum weekly surveys of Sediment Ponds are not necessary in winter or when there is no input into the ponds, or the ponds are empty.
- (15) If there is a deviation from the GoldSim model, which results in a major change to the site water balance, as defined by an +/- 15% deviation in water volume for each of the structures (outlined in subsection 13 above) from GoldSim output data to measured onsite data, the Owner shall submit to the District Manager, **within sixty (60) days**, an updated water management plan. The Owner shall update the GoldSim model quarterly to ensure that model accuracy is maintained.
- (16) The Water Management Pond shall be operated and maintained as outlined in this approval and shall not receive tailings, or untreated tailings contact water mixture at any time.
- (17) All water diverted around the site shall be maintained within separate water management areas to avoid contamination with tailings contact water and to avoid any unnecessary introduction of suspended solids.
- (18) The Owner shall ensure that the appropriate erosion and sediment controls are applied for the onsite management of water and to avoid the introduction of suspended solids when storing in un-lined ponds.
- (19) All managed water, including active and passive diversions, leaving the site shall not exceed

a concentration of total suspended solids (TSS) of 30 mg/L; with a monthly average of 15 mg/L.

- (20) The Owner shall ensure that any surface water runoff or contaminated seepage with the exception of the Loslo, Marr, West and Clark Creek diversions is not discharged directly to the natural environment, but instead directed to the site water management system for further treatment. The Owner shall forthwith investigate the source of the contaminated seepage, and undertake such measures as may be necessary to abate the seepage. No site runoff or seepage shall be directed to the Natural Environment unless discharged at EDL1, or EDL2, or Sediment Pond 2 splashpad.

5. EFFLUENT OBJECTIVES

- (1) The Owner shall use best efforts to design, construct, operate and maintain the Works with the objective that the effluent parameters listed in Column 1 of Table 1 do not exceed their respective monthly average concentration objective listed in Column 2 of Table 1 for effluent discharges from Effluent Discharge Line #1 (EDL1), Effluent Discharge Line #2 (EDL2), Sediment Pond #1, and Sediment Pond #2:

Table 1 - Effluent Objectives	
Effluent Parameter	Monthly Average Concentration (milligrams per litre unless otherwise indicated)
CBOD5	25.0
Cadmium	0.0010
Cobalt	0.0044
<i>Escherichia coli</i>	100 organisms/100 mL (monthly geometric mean density)

- (2) The Owner shall ensure that best efforts are used to design, construct, operate and maintain the oil/water separator(s) with the objective that discharges from the separator(s) do not exceed 10mg/L total oil and grease.

6. EFFLUENT LIMITS

- (1) The Owner shall design, construct, operate and maintain the Works such that the effluent parameters listed in Column 1 of Table 2 do not exceed their respective daily maximum concentration limit listed in Column 2 of Table 2 or their respective monthly average concentration limit Column 3 of Table 2 for effluent discharges from Effluent Discharge Line #1 (EDL1) and Effluent Discharge Line #2 (EDL2):

Table 2 - Effluent Limits (at EDL1, and at EDL2)		
Effluent Parameter	Daily Maximum Concentration	Monthly Average Concentration

	(milligrams per litre unless otherwise indicated)	(milligrams per litre unless otherwise indicated)
Column 1	Column 2	Column 3
Total Suspended Solids	30	15
Un-ionized Ammonia (calculated)	0.08	0.04
Total Phosphorus	-	0.10
Total Cyanide	0.1	0.05
Free Cyanide	0.02	0.01
Total Arsenic	0.034	0.017
Total Copper*	0.028	0.014
Total Lead*	0.030	0.015
Total Nickel	0.094	0.047
Total Zinc*	0.348	0.174
Acute Toxicity: Rainbow Trout and <i>Daphnia</i> <i>Magna</i>	Non-acutely lethal (not greater than 50% mortality in undiluted effluent)	
pH of the effluent maintained between 6.0 to 9.5, inclusive, at all times		

Notes: * effluent criteria for Total Copper, Total Lead, and Total Zinc are based on a hardness of 200 mg/L CaCO₃. In the event that water quality sampling indicates that 75th percentile hardness concentrations are less than 200 mg/L CaCO₃, the effluent limits may be changed by the Director, consistent with achieving no impairment for receiving waters.

- (2) The Owner shall design, construct, operate and maintain the Works such that the effluent parameters listed in Column 1 of Table 3 do not exceed their respective daily maximum concentration limit listed in Column 2 of Table 3 or their respective monthly average concentration limit Column 3 of Table 3 for effluent discharges from Sediment Pond #2:

Table 3 - Effluent Limits (Sediment Pond #2)		
Effluent Parameter	Daily Maximum Concentration (milligrams per litre unless otherwise indicated)	Monthly Average Concentration (milligrams per litre unless otherwise indicated)
Column 1	Column 2	Column 3
Total Suspended Solids	30	15
Un-ionized Ammonia (calculated)	0.4	0.2
Total Arsenic	0.034	0.017
Total Copper*	0.028	0.014

Total Lead*	0.03	0.015
Total Nickel	0.094	0.047
Total Zinc*	0.348	0.174
Acute Toxicity: Rainbow Trout and <i>Daphnia Magna</i>	Non-acutely lethal (not greater than 50% mortality in undiluted effluent)	
pH of the effluent maintained between 6.0 to 9.5, inclusive, at all times		

Notes: * effluent criteria for Total Copper, Total Lead, and Total Zinc are based on a hardness of 200 mg/L CaCO₃. In the event that water quality sampling indicates that 75th percentile hardness concentrations are less than 200 mg/L CaCO₃, the effluent limits may be changed by the Director, consistent with achieving no impairment for receiving waters.

- (3) For the purposes of determining compliance with and enforcing subsections (1) through (2):
 - a. non-compliance with respect to a Daily Maximum Concentration Limit is deemed to have occurred when any grab sample analyzed, representing a day when effluent is discharging through the final effluent discharge point, for an effluent parameter named in Column 1 is greater than the corresponding maximum concentration set out in Column 2.
 - b. non-compliance with respect to a Monthly Average Concentration Limit is deemed to have occurred when the arithmetic mean concentration of all grab samples analyzed in a calendar month for an effluent parameter named in Column 1 is greater than the corresponding average concentration set out in Column 3.
 - c. non-compliance with respect to pH is deemed to have occurred when any in-situ measurement is outside of the indicated range.
 - d. non-compliance with respect to acute toxicity is deemed to have occurred when any grab sample (i.e., undiluted effluent) results in >50% mortality for Rainbow Trout or the *Daphnia magna*.
- (4) The Owner shall operate, and maintain the Works such that the effluent from Effluent Discharge Line #1 (EDL1), Effluent Discharge Line #2 (EDL2), and Sediment Pond #2 is non-acutely lethal to Rainbow Trout and *Daphnia magna* by ensuring that each Rainbow Trout acute lethality test and each *Daphnia magna* acute lethality test performed on any grab sample of effluent shall not result in >50% mortality of the test organism in undiluted final effluent (i.e. 100% effluent).
- (5) The Owner shall control the effluent discharge rate from Sediment Pond #2 such that at all times the ratio of the flow rate of the effluent to the flow rate of the receiver (Pinewood River) is less than or equal to 1:10 (i.e. the flow rate of the effluent must be less than or equal to 9.1% of the total flow rate of the receiver once mixed).

7. **EFFLUENT - VISUAL OBSERVATIONS**

- (1) Notwithstanding any other condition in this Approval, the Owner shall ensure that the

effluent from all discharges 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.

- (2) In the event of an occurrence, as defined in subsection (1), the Owner shall inform the District Manager as soon as reasonably possible, and again in writing within **seven (7) days** of the occurrence. The Owner shall implement appropriate mitigation measures and a sampling program to confirm mitigation measures are adequate.

8. **EFFLUENT MONITORING AND RECORDING**

The Owner shall upon commencement of operation of the Works, carry out the following monitoring program:

- (1) All samples and measurements taken for the purposes of this Approval are to be taken at a time and in a location characteristic of the quality and quantity of the effluent stream over the time period being monitored.
- (2) Samples shall be collected and analyzed at Effluent Discharge Line #1 (EDL1) and Effluent Discharge Line #2 (EDL2) during the active discharge period, at the sampling frequencies and using the sample type(s) specified for each effluent parameter listed.

Table 4 - Effluent Monitoring (EDL1 and EDL2)		
Effluent Parameter	Frequency	Sample Type
Temperature	Continuous / Weekly	On-line / Grab
pH	Continuous / Thrice Weekly / Weekly	On-line / Grab
Hardness	Weekly	Grab
Alkalinity	Weekly	Grab
Total Suspended Solids	Thrice Weekly / Weekly	Grab
Total Dissolved Solids	Weekly	Grab
Turbidity	Weekly	Grab
Conductivity	Weekly	Grab
Chloride	Weekly	Grab
Sulphate	Weekly	Grab
Orthophosphate	Weekly	Grab
Total Kjeldahl Nitrogen	Weekly	Grab
Total Ammonia	Weekly	Grab
Nitrate Nitrogen	Weekly	Grab
Nitrite Nitrogen	Weekly	Grab
Dissolved Organic Carbon	Weekly	Grab
Dissolved Oxygen	Weekly	Grab
CBOD ₅	Weekly	Grab
<i>Escherichia coli</i>	Weekly	Grab
Total Cyanide	Thrice Weekly	Grab

Weak Acid Dissociable Cyanide	Thrice Weekly	Grab
Free Cyanide	Thrice Weekly	Grab
Table 5 - Effluent Monitoring (Sediment Pond #1 and Sediment Pond #2) Thiocyanate	Weekly	Grab
Cyanate	Weekly	Grab
ICP Metal (Total and Dissolved) *	Weekly	Grab
Acute Toxicity to Rainbow Trout	Monthly	Grab
Acute Toxicity to <i>Daphnia magna</i>	Monthly	Grab

Note: * means ICP Metal Scan shall include: aluminum, antimony, arsenic, barium, beryllium, bismuth, boron, cadmium, calcium, cesium, chromium, cobalt, copper, iron, lead, lithium, magnesium, manganese, mercury, molybdenum, nickel, phosphorus, potassium, rubidium, selenium, silicon, silver, sodium, strontium, sulfur, tellurium, thallium, thorium, tin, titanium, tungsten, uranium, vanadium, zinc, and zirconium.

- (3) Sample shall be collected and analyzed at Sediment Pond #2 during the active discharge period, at the sampling frequencies and using the sample type specified for each effluent parameter listed:

Table 5 - Effluent Monitoring (Sediment Pond #2)		
Effluent Parameter	Frequency	Sample Type
Temperature	Weekly	Grab
pH	Weekly	Grab
Hardness	Weekly	Grab
Alkalinity	Weekly	Grab
Total Suspended Solids	Weekly	Grab
Total Dissolved Solids	Weekly	Grab
Turbidity	Weekly	Grab
Conductivity	Weekly	Grab
Chloride	Weekly	Grab
Sulphate	Weekly	Grab
Orthophosphate	Weekly	Grab
Total Kjeldahl Nitrogen	Weekly	Grab
Total Ammonia	Weekly	Grab
Nitrate Nitrogen	Weekly	Grab
Nitrite Nitrogen	Weekly	Grab
Dissolved Organic Carbon	Weekly	Grab
Dissolved Oxygen	Weekly	Grab
Total Cyanide	Annually	Grab
ICP Metal (Total and Dissolved) *	Weekly	Grab
Acute Toxicity to Rainbow Trout	Quarterly	Grab
Acute Toxicity to <i>Daphnia magna</i>	Quarterly	Grab

Note: * means ICP Metal Scan shall include: aluminum, antimony, arsenic, barium, beryllium, bismuth, boron, cadmium, calcium, cesium, chromium, cobalt, copper, iron, lead, lithium, magnesium, manganese, mercury, molybdenum, nickel, phosphorus, potassium, rubidium, selenium, silicon, silver, sodium, strontium, sulfur, tellurium, thallium, thorium, tin, titanium, tungsten, uranium, vanadium, zinc, and zirconium.

- (4) Sample shall be collected and analyzed at the oil/water separator(s), at the sampling frequencies and using the sample type specified for each effluent parameter listed:

Table 6 - Effluent Monitoring (Oil/Water Separators)		
Effluent Parameter	Frequency	Sample Type
Total Oil and Grease	Monthly	Grab

- (5) The methods and protocols for sampling, analysis, toxicity testing, and recording shall conform, in order of precedence, to the methods and protocols specified in the following:
- The Ministry's publication "Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater" (Version 2 - January 2016), as amended from time to time by more recent published editions.
 - The publication "Standard Methods for the Examination of Water and Wastewater" (23rd edition - 2017), as amended from time to time by more recent published editions.
 - The Environment Canada publications "Biological Test Method: Reference Method for Determining Acute Lethality of Effluents to Rainbow Trout" (EPS 1/RM/13 2nd Edition - December 2000) and "Biological Test Method: Reference Method for Determining Acute Lethality of Effluents to *Daphnia magna* " (EPS 1/RM/14 2nd Edition - December 2000), as amended from time to time by more recent published editions.
 - With respect to any parameters not mentioned in (a) - (c), the proposed sampling methods and/or protocols shall be approved in writing by the District Manager prior to sampling.
- (6) When collecting grab samples for total ammonia, the temperature and pH of the effluent from the Works shall be determined in the field at the time of sampling. The concentration of un-ionized ammonia shall be calculated using the pH, temperature, and total ammonia concentration, as per the methodology stipulated in "Ontario's Provincial Water Quality Objectives" dated July 1994, as amended, for ammonia (un-ionized).
- (7) The parameters and measurement frequencies specified in subsections (2) through (4) are the minimum requirements which may be modified by the Director in writing from time to time.
- (8) 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 this Approval.

9. **HYDROMETRIC MONITORING PROGRAM**

- (1) The Owner shall implement and maintain a hydrometric monitoring program for the Pinewood River, as approved by the District Manager, and in accordance with the most current version of the program accepted by the Ministry.
- (2) Hydrometric measurements shall be taken at the designated stations specified in the below table, as described within the hydrometric monitoring program.

Table 7 - Location of Hydrometric Stations		
Stations Number	Station Location	UTM Coordinates (Zone, Easting, Northing)
H1 (previously site 19)	Pinewood River - downstream of McCallum confluence	15, 414663, 5407005
H2	Pinewood River Upstream of EMS2-2	15, 5409031, 421844
H4	West Creek Diversion Channel - downstream of Sediment Pond #1 discharge splash pad	15, 423747, 5411254

- (3) The Owner shall undertake a long-term study to evaluate the potential effects of flow reductions on the biological communities within the Pinewood River watershed.
- (4) The hydrometric monitoring program specified in this Condition may be modified by the District Manager from time to time, in writing as required.
- (5) 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 this Approval.

10. SURFACE WATER MONITORING AND RECORDING

- (1) All samples and measurements taken for the purposes of this Approval are to be taken at a time and in a location characteristic of the quality and quantity of the surface water over the time period being monitored.
- (2) Except where prevented by unsafe conditions, in-situ measurements and grab samples for surface water shall be taken at the monitoring stations referenced in Table 8, at the sampling frequencies and using the sample type(s) specified for each parameter listed in Table 9.

Table 8 - Surface Water Sampling Locations		
Sampling Point	Location	UTM Coordinates, (Zone, Easting, Northing)
SW20	Pinewood River - at Heathwale Road	15, 431015, 5407720
SW10	Pinewood River - at former Hwy 600	15, 427720, 5407085

SW21A	Pinewood River - upstream of the confluence with Loslo Creek	15, 422189, 5409251
SW22A	Pinewood River - downstream of the confluence with Loslo Creek	15, 421846, 5409039
SW3	Pinewood River — upstream of realigned Hwy 600	15, 419555, 5408067
SW23	Pinewood River - upstream of EDL1	15, 415490, 5407225
SW24	Pinewood River - downstream of EDL1	15, 415455, 5407110
SW15	Pinewood River - upstream of the confluence with Rainy River	15, 404750, 5397655
SW28A	Clark Creek - downstream of the Clark Creek Diversion	15, 430150, 5408181
SW2	West Creek / Loslo Creek - within West Creek, near Roen Pit	15, 426295, 5411780
SW25	West Creek / Loslo Creek - within the West Creek Diversion, near Sediment Pond #1	15, 424080, 5411560
SW26	West Creek / Loslo Creek - within the West Creek Diversion, upstream of EDL2	15, 422560, 5410225
SW27	West Creek / Loslo Creek - within Loslo Creek, downstream of EDL2	15, 421785, 5409515
SW29A	McCallum Creek – on the North side of the culverts under Hwy 600	15, 418866, 541386
SW16	Rainy River - upstream of the Pinewood River confluence	15, 438855, 5385790
SW17	Rainy River - downstream of the Pinewood River confluence	15, 393195, 5394425

Table 9 – Surface Water Monitoring Program			
Monitoring Stations	Parameters *	Frequency	Sample Type
All SW20 SW10 SW21A SW22A SW3 SW23 SW24 SW15 SW28A SW2 SW25 SW26 SW27 SW29A SW16 SW17	Temperature, pH, dissolved oxygen	monthly	in-situ
	pH, acidity, alkalinity, hardness, total suspended solids, total dissolved solids, turbidity, conductivity, chloride, fluoride, sulfate, orthophosphate, total kjeldahl nitrogen, total ammonia, nitrate, nitrite, total organic carbon, dissolved organic carbon, colour, chemical oxygen demand, biological oxygen demand, total oil and grease ICP metal scan (total and dissolved): aluminum, antimony, arsenic, barium, beryllium, bismuth, boron, cadmium, calcium, cesium, chromium, cobalt, copper, iron, lead, lithium, magnesium, manganese, mercury, molybdenum, nickel, phosphorus, potassium, rubidium, selenium, silicon, silver, sodium, strontium, sulfur, tellurium, thallium, thorium, tin, titanium, tungsten, uranium, vanadium, zinc, and zirconium	monthly	grab
Subset SW21A, SW22A, SW3, SW23, SW24, SW15, SW25, SW26, SW27, SW16, SW17	Total cyanide, weak acid dissociable cyanide, free cyanide	monthly	grab

Note: * means the method detection limits shall be below applicable provincial and federal water quality criteria (e.g., Provincial Water Quality Objectives and Canadian Water Quality Guidelines) for all parameters.

- (3) The methods and protocols for sampling, analysis, and recording shall conform to those referenced in condition 8(5).
- (4) When collecting grab samples for total ammonia, the temperature and pH of the water at the surface water monitoring stations shall be determined in the field at the time of sampling. The concentration of un-ionized ammonia shall be calculated using the pH, temperature, and total ammonia concentration, as per the methodology stipulated in "Ontario's Provincial Water Quality Objectives" dated July 1994, as amended, for ammonia (un-ionized).
- (5) The surface water sampling locations, parameters, and frequencies (i.e., monitoring locations and requirements) specified in subsection (2) are minimum requirements which may be modified by the Director in writing from time to time.
- (6) Except where attributable to background conditions unrelated to mine operations, the Owner

shall ensure that the parameters listed in Column 1 of Table 10 do not exceed their respective trigger values listed in Column 2 of Table 10 at SW24 during periods of discharge from Effluent Discharge Line #1 (EDL1); and at SW22A during periods of discharge from the Effluent Discharge Line #2, and Sediment Pond #2:

Table 10 - Surface Water (Receiver) Trigger Values	
Parameter	Trigger Values (milligrams per litre unless otherwise indicated)
Column 1	Column 2
Un-ionized ammonia (calculated)	0.020
Total arsenic	0.010
Total copper	0.008
Total lead	0.008
Total nickel	0.025
Total zinc	0.090
Free cyanide	0.005

- (7) In the event a surface water (receiver) trigger value is exceeded for two consecutive months at SW24 or SW22A, , the Owner shall notify the District Manager in writing within seven **(7) days**, and submit to the District Manager, within **thirty (30) days**, a plan to assess the cause of the exceedance, define contingency measures and recommend actions to address potential impacts.
- (8) The Owner shall undertake a long-term study to evaluate the potential effects of effluent discharges to the Pinewood River watershed (i.e., Environmental Effects Monitoring Program for Effluent Discharges), as outlined in “Terms of Reference: Study to assess potential effects of effluent discharges to the Pinewood River watershed” (August 2016), as amended from time to time with approval from the District Manager. This study can be harmonized with, but is not limited to, requirements of the federal Environmental Effects Monitoring (EEM) program.
- (9) The Owner shall undertake a long-term study to evaluate the potential loadings of sulphate and mercury to the Pinewood River watershed. This study must incorporate the measures within the following Terms of References.
 - a. "Terms of Reference: Study to assess potential sulphate loadings to the Pinewood River watershed" (August 2016), as amended from time to time with approval from the District Manager.
 - b. "Terms of Reference: Study to assess potential mercury loadings to the Pinewood River watershed" (August 2016), as amended from time to time with approval from the District Manager.
- (10) 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

this condition.

- (11) The surface water monitoring program specified in this condition may be modified by the Director from time to time, in writing as required.

11. GROUNDWATER MONITORING

The Owner shall undertake the following groundwater monitoring program:

- (1) Within all annual Groundwater Monitoring Reports, the Owner shall provide a Groundwater Monitoring Plan (GWMP) that is to be carried out at the Site. The GWMP may be amended from time to time with concurrence from the District Manager in writing. The GWMP shall include, but not be limited to, monitoring locations, sampling frequency and parameter lists, and a sampling protocol which specifies sampling methodologies, field measurements and quality assurance and quality control measures to be undertaken.
- (2) The hydrogeological model shall be updated at least once every three (3) years during mine operations, with results and discussion provided in all annual Groundwater Monitoring Reports.
- (3) Subject to landowner access permission, any groundwater supply wells that are not owned by the Owner but are found to lie within the actual zone of influence (ZOI) based on 1 m drawdown, must be included in the GWMP.
- (4) Subject to landowner access permission, groundwater supply wells outside of the Owner's property boundary that could reasonably be affected by the project are to be included in the GWMP.
- (5) Contingency Plan: The Groundwater Monitoring Plan shall include a Contingency Plan that includes criteria for assessment of the groundwater monitoring data with respect to the Ministry's Guideline B-7 (Guideline B-7 (formerly Policy 15-08) titled "Incorporation of the Reasonable Use Concept into MOEE Groundwater Management Activities", dated April 1994, as amended) and the goals of the Environmental Assessment of the Project, and clearly defined contingency measures and trigger mechanisms. Groundwater monitoring results shall be assessed against the Groundwater Contingency Plan, originally submitted November 2015, as amended from time to time with concurrence from the District Manager in writing, with results and discussion provided in all annual Groundwater Monitoring Reports.
- (6) At least **ninety (90) days** prior to any placement of potentially acid generating (PAG) material within the west mine rock stockpile (WMRS), the Owner must provide written notification to the Ministry. This notification shall include details of the PAG material placement procedures, an updated WMRS cover design, design and operation procedures of the WMRS Pond, and an enhanced groundwater monitoring program. No PAG material shall be placed within the WMRS without Ministry concurrence with the adequacy of the required information.
- (7) The Owner shall maintain the Oil/Water Separator Sludge Disposal Plan (for the disposal of OWS sludge) current and retain a copy at the location of the Works for the operational life

of the Works.

12. **REPORTING**

- (1) Within **three (3) months** of the substantial completion of the Works, the Owner shall submit a Construction Completion Report to the District Manager that includes drawings showing design details and specifications of the components "as constructed". These drawings shall be kept up to date through revisions undertaken from time to time and a copy shall be retained at the Works for the operational life of the Works.
- (2) The Owner shall, in the event an effluent objective is exceeded for two consecutive months as specified in condition 5, notify the District Manager in writing within **seven (7) days**, and submit to the District Manager, within **sixty (60) days**, a plan to assess the cause of the exceedance and recommend actions to address potential impacts.
- (3) The Owner shall, in the event an non-compliant event as specified in condition 6(4), notify the District Manager orally, as soon as reasonably possible, and in writing within **seven (7) days**. Within **fifteen (15) days** of a toxicity test failure, the Owner shall submit a written report to the District Manager outlining the cause(s) of toxicity and proposed or implemented remedial measures to control toxicity.
- (4) In addition to the obligations under Part X of the EPA, the Owner shall, within **ten (10) working days** of the occurrence of any reportable spill as defined in Ontario Regulation 675/98, bypass or loss of any product, by-product, intermediate product, oil, solvent, waste material or any other polluting substance into the environment, submit a full written report of the occurrence to the District Manager describing the cause and discovery of the spill or loss, clean-up and recovery measures taken, preventative measures to be taken and schedule of implementation.
- (5) The Owner shall prepare and submit to the District Manager a monthly performance report by the last day of the month following the period being reported upon and an annual performance report by March 31 of every year for the Works. The reports shall be in a format acceptable to the District Manager and contain, but not be limited to, the following information:
 - a. an overview of the success and adequacy of the Works;
 - b. a summary of any non-routine maintenance and/or calibration activities that were carried-out (e.g., maintenance on any major structure, equipment, apparatus, mechanism or thing forming part of the Works; calibration and/or maintenance of effluent monitoring equipment; etc.);
 - c. a description of all site discharges, as well as any bypass or upset conditions (e.g., daily discharge volumes from Effluent Discharge Line #1 (EDL1), Effluent Discharge Line #2 (EDL2), and Sediment Pond #2, plus their associated flow rate ratios);
 - d. a summary of all effluent monitoring data collected for Effluent Discharge Line #1 (EDL1), Effluent Discharge Line #2 (EDL2), and Sediment Pond #2 with

- comparison to the objectives and limits specified in Conditions 5 and 6;
- e. other relevant information (e.g. effluent QA/QC measures; any occurrences requiring the implementation of an investigation, contingency, and/or remedial action plan, etc.);
 - f. a summary of all modifications completed to-date as a result of Schedule B, plus all documents relating to any proposed modifications (e.g., notice of modifications submissions, etc.);
 - g. any other information the District Manager may require from time to time.
- (6) The Owner shall prepare and submit, to the satisfaction of the District Manager, an Environmental Effects Monitoring Report for Effluent Discharges (i.e., a report which evaluates the potential effects of effluent discharges on the Pinewood River watershed) on a 3-year basis by March 31. The Owner shall continue to undertake this long-term monitoring program and submit reports on a 3-year basis, until the Owner receives a written acceptance from the District Manager indicating the fulfilment of this requirement.
- (7) The Owner shall prepare and submit an annual monitoring report for the Hydrometric Monitoring program (i.e. Annual Hydrometric Monitoring Report) to the District Manager on an annual basis by March 31 every year. The reports shall be in a format acceptable to the District Manager, and contain, but not be limited to, the following information:
- a. a summary and interpretation of all hydrometric data (e.g. tables in usable format such as Microsoft Excel and shall contain current and historical data; updates to rating curves, updates to hydrometric monitoring plan, calibration verification of the flow measurement devices, the establishment, calibration and ongoing maintenance of hydrometric stations and site visits conducted within the year; all updates to the site wide water balance, hydrographs from all stations to visualize flow, a summary of the daily flow rate ratios for each discharge, etc.);
 - b. a summary of the SonTek-IQ discharge results summarized in a figure showing the daily average discharge hydrograph for the entire period of record;
 - c. a summary of the developed rating curves for each of the stations and the daily average discharge hydrographs established using these rating curves for the entire period of record;
 - d. a comparison of the discharge calculated using the installed water level sensors and developed rating curves, with the discharge calculated by the SonTek-IQ instruments;
 - e. a summary of the manual discharge measurements with daily hydrographs;
 - f. discharge flow rates compared to the Pinewood River and WCD channel flows to confirm mixing ratios are maintained; and
 - (g) any other information the District Manager may require from time to time.

- (8) The Owner shall prepare and submit, to the satisfaction of the District Manager, a Biological Effects Monitoring Report for Flow Reductions (i.e., a report which evaluates the potential effects of flow reductions on the biological communities within the Pinewood River watershed) on a 3-year basis by March 31. The Owner shall continue to undertake this long-term monitoring program and submit reports on a 3-year basis, until the Owner receives a written acceptance from the District Manager indicating the fulfilment of this requirement.
- (9) The Owner shall prepare and submit an Annual Surface Water Monitoring Report to the District Manager on an annual basis by March 31 of every year. The reports shall be in a format acceptable to the District Manager, and contain, but not be limited to, the following information:
- a. a map of the entire site illustrating significant features (e.g., lakes, streams, ponds, seeps, ditches, waste rock piles, collection and treatment facilities, etc.), surface water sampling locations, and hydrometric stations. Specific UTM coordinates must also be provided for surface water sampling locations and hydrometric stations;
 - b. a summary and interpretation of all surface water monitoring data (e.g. tables in usable format such as Microsoft Excel and shall contain current and historical data; graphs to visualize spatial and temporal trends; indicators within tables/graphs to denote when measured values exceeded applicable provincial/federal objectives/guidelines and triggers; a summary of non-compliance incidences over the reporting period, for example effluent limits or dilution ratios were exceeded, and if receiver water quality was influenced/impacted; etc.);
 - c. other relevant information (e.g. field sampling protocol and QA/QC measures);
 - d. a summary of any potential effects that would necessitate investigation and abatement actions; and
 - e. any other information the District Manager may require from time to time.
- (10) The Owner shall prepare and submit, to the satisfaction of the District Manager, a Sulfate and Mercury Monitoring Report (i.e., a report which evaluates the potential loadings of sulphate and mercury to the Pinewood River watershed) on an annual basis by March 31. The Owner shall continue to undertake this long-term monitoring program and submit reports on an annual basis, until the Owner receives a written acceptance from the District Manager indicating the fulfilment of this requirement.
- (11) The Owner shall prepare and submit an annual monitoring report for the Groundwater Monitoring Program (i.e. an Annual Groundwater Monitoring Report) to the District Manager on an annual basis by March 31 of every year. The reports shall be in a format acceptable to the District Manager, and contain, but not be limited to, the following information:
- a. a scaled site plan or plans of the entire site illustrating significant site features such as mine facilities, rivers, seeps, ponds, ditches, collection and treatment facilities,

and roadways, and all sampling locations;

- b. a scaled location map illustrating the site relative to nearby potentially sensitive groundwater/surface water features (lakes, streams, wells, etc.);
- c. a scaled water table contour map. Where multiple groundwater flow regimes exist, a contour map for each groundwater flow regime shall be included;
- d. scaled stratigraphic cross-sections which clearly illustrate the subsurface distribution of geological materials;
- e. borehole logs for all monitoring wells;
- f. tables illustrating historical water chemistry and water level data;
- g. figures illustrating historical water quality trends with time for the key analytical parameters;
- h. an assessment of monitoring data to evaluate the impact on receiving bodies and offsite groundwater;
- i. assessment of the monitoring criteria with respect to the trigger mechanisms identified in the Contingency Plan, and discussion related to requirements for contingency measures to be implemented;
- j. a summary of the Groundwater Monitoring Program;
- k. results and discussion of the hydrogeological model and 1-D Pleistocene Aquitard model, with model updates once every 3 years;
- l. recommendations for future monitoring and/or remedial actions;
- m. a section detailing the field sampling protocols and QA/QC measures;
- n. an assessment of the seepage quantity and quality with a comparison to conditions predicted through model simulations; and
- o. any other information the District Manager may require from time to time.

(12) The frequency and requested content of all aforementioned report submissions may be modified by the District Manager, in writing, from time to time.

13. LIMITED OPERATIONAL FLEXIBILITY

- (1) The Owner may make modifications to the Works in accordance with the Terms and Conditions of this Approval and subject to the Ministry's "Limited Operational Flexibility Criteria for Modifications to Sewage Works", included under Schedule B of this Approval, as amended.
- (2) Sewage works under Limited Operational Flexibility shall adhere to the design guidelines contained within the Ministry's publication "Design Guidelines for Sewage Works 2008", as amended.

- (3) The Owner shall ensure at all times, that the Works, related equipment and appurtenances which are installed or used to achieve compliance are operated in accordance with all Terms and Conditions of this Approval.
- (4) For greater certainty, the following are not permitted as part of Limited Operational Flexibility:
 - a. Modifications to the Works that result in an increase of the Rated Capacity of the Works;
 - b. Modifications to the Works that may adversely affect the approved effluent quality criteria or the location of the discharge/outfall;
 - c. Modifications to the treatment process technology of the Works, or modifications that involve construction of new reactors (tanks) or alter the treatment train process design;
 - d. Modifications to the Works approved under s.9 of the EPA, and
 - e. Modifications to the Works pursuant to an order issued by the Ministry.
- (5) Implementation of Limited Operational Flexibility is not intended to be used for piecemeal measures that result in major alterations or expansions.
- (6) For greater certainty, any modification made under the Limited Operational Flexibility may only be carried out after other legal obligations have been complied with, including those arising from the *Environmental Protection Act*, *Lakes and Rivers Improvements Act* and the *Mining Act*.
- (7) At least thirty (30) days prior to implementing Limited Operational Flexibility, the Owner shall complete a Notice of Modifications describing any proposed modifications to the Works and submit it to the District Manager.
- (8) The Owner shall not proceed with implementation of Limited Operational Flexibility until the District Manager has provided written acceptance of the Notice of Modifications or a minimum of **thirty (30) days** have passed since the day the District Manager acknowledged the receipt of the Notice of Modifications.

14. **SPECIAL CONDITION**

- (1) The Owner shall submit to the satisfaction of the District Manager within 60 days of the issuance of this Approval, a plan or terms of reference for the effluent mixing zone validation for the increased discharge, as follows:
 - a. This sampling plan shall include, but not be limited to the following:
 - In-situ conductivity (or other appropriate tracer) and temperature measurements in the water column taken at regular intervals across the mixing zone in a transect or a radius to delineate the extent of the mixing zone;
 - The sampling shall occur during effluent discharge over a range of receiver flows, while

ensuring that the modelled worst-case scenario is targeted to be sampled; and

- Reporting requirements and proposed additional monitoring.
- b. Following acceptance of the plan by the Ministry, the Owner shall carry out the mixing zone assessment of the increased discharge including sampling within 8-12 months.
- (2) The Owner shall revise the loadings assessment to include phosphorus and variation in receiver flow.
 - (3) The Owner shall update the Surface Water Monitoring Plan and submit to the Ministry for review and approval.

The reasons for the imposition of these terms and conditions are as follows:

1. Condition 1 is imposed to ensure that the Works are built and operated in the manner in which they were described for review and upon which approval was granted. This condition is also included to emphasize the precedence of Conditions in this Approval and the practice that this Approval is based on the most current document, if several conflicting documents are submitted for review. Condition 1.6 is included to emphasize that the issuance of this Approval does not diminish any other statutory and regulatory obligations to which the Owner is subject in the construction, maintenance and operation of the Works. The condition specifically highlights the need to obtain any necessary conservation authority approvals. The condition also emphasizes the fact that this Approval doesn't limit the authority of the Ministry to require further information.
2. Condition 2 is included to ensure that the Ministry records are kept accurate and current with respect to approved Works and to ensure that subsequent owners of the Works are made aware of this Approval and continue to operate the Works in compliance with it.
3. Condition 3.A is included to ensure that the Works is 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 3.B is included to ensure that an operations manual governing all significant areas of operation, maintenance and repair is prepared, implemented and kept up-to-date by the Owner and made available to the Ministry. Such a manual is an integral part of the operation of the Works. Its compilation and use should assist the Owner in staff training and in identifying and planning for contingencies during possible abnormal conditions. The manual will also act as a bench mark for Ministry staff when reviewing the Owner's operation of the Works.
5. Condition 4 is included to ensure that the Works will be operated and maintained in a manner enabling compliance with the terms and conditions of this Approval, such that the environment is protected and deterioration, loss, injury or damage to any person or property is minimised and/or prevented.
6. Condition 5 is imposed to establish non-enforceable effluent quality objectives which the Owner is obligated to use best efforts to strive towards on an ongoing basis. These objectives are to be used as a mechanism to trigger corrective action proactively and voluntarily before environmental impairment occurs and before the compliance limits of condition 6 are exceeded.
7. Conditions 6 and 7 are imposed to ensure that the effluent discharged from the Works to the environment meets the Ministry's effluent quality requirements thus minimizing environmental impact on the receiver.

8. Conditions 8 to 11 are included to require the Owner to demonstrate on a continual basis that the quality and quantity of the effluent from the approved Works is consistent with the design objectives and effluent limits specified in the Approval and that the approved Works does not cause any impairment to the receiving environment.
9. Condition 12 is included to provide a performance record for future references and to ensure that the Ministry is made aware of problems as they arise, so that the Ministry can work with the Owner in resolving the problems in a timely manner.
10. Condition 13 is included to ensure that the Works are operated in accordance with the application and supporting documentation submitted by the Owner, and not in a manner which the Director has not been asked to consider. These conditions are also included to ensure that a Professional Engineer has reviewed the proposed modifications and attests that the modifications are in line with that of Limited Operational Flexibility, and provide assurance that the proposed modifications comply with the Ministry's requirements stipulated in the Terms and Conditions of this Approval, Ministry policies, guidelines, and industry engineering standards and best management practices.
11. Condition 14 is imposed to ensure that the Owner will conduct the mixing zone validation field study for the increased discharge and update the loadings assessment.

SCHEDULE 'A'

1. Application for Environmental Compliance Approval of Industrial Sewage Works submitted by Mr. Garnet Cornell, New Gold Inc., Rainy River Mine, dated July 8, 2025 and received on July 14, 2025, along with all supporting documentation and information.
2. Sewage Work Design Brief along with drawings, dated July 4, 2025, prepared by Pinchin Ltd.
3. Design Basis Memorandum - BCR2 Area Upgrade Rainy River Mine Treatment Enhancement Strategy, May 14, 2025, prepared by Integrated Sustainability.
4. Final Technical Memorandum – New Gold Inc. Rainy River site RBC Upgrade dated October 10, 2024, prepared by First Nations Engineering Services Ltd.
5. Final Memo - Final Rainy River Water Balance Model Results dated December 21, 2023, prepared by SRK Consulting (Canada) Inc.

SCHEDULE 'B'

Limited Operational Flexibility Criteria for Modifications to Industrial Sewage Works

1. The modifications to sewage works approved under an Environmental Compliance Approval (Approval) that are permitted under the Limited Operational Flexibility (LOF), are outlined below and are subject to the LOF conditions in the Approval, and require the submission of the Notice of Modifications. If there is a conflict between the sewage works listed below and the Terms and Conditions in the Approval, the Terms and Conditions in the Approval shall take precedence.
 - 1.1 Sewage Pumping Stations
 - a. Alter pumping capacity by adding or replacing equipment where new equipment is located within an existing sewage treatment plant site or an existing sewage pumping station site, provided that the modifications do not result in an increase of the sewage treatment plant Rated Capacity and the existing flow process and/or treatment train are maintained, as applicable.
 - 1.2 Sewage Treatment Process
 - a. Installing additional chemical dosage equipment including replacing with alternative chemicals for pH adjustment or coagulants (non-toxic polymers) provided that there are no modifications of treatment processes or other modifications that may alter the intent of operations and may have negative impacts on the effluent quantity and quality.
 - b. Expanding the buffer zone between a sanitary sewage lagoon facility or land treatment area and adjacent uses provided that the buffer zone is entirely on the proponent's land.
 - c. Optimizing existing sanitary sewage lagoons with the purpose to increase efficiency of treatment operations provided that existing sewage treatment plant rated capacity is not exceeded and where no land acquisition is required.
 - d. Optimizing existing sewage treatment plant equipment with the purpose to increase the efficiency of the existing treatment operations, provided that there are no modifications to the works that result in an increase of the approved Rated Capacity, and may have adverse effects to the effluent quality or location of the discharge.
 - e. Replacement, refurbishment of previously approved equipment in whole or in part with Equivalent Equipment, like-for-like of different make and model, provided that the firm capacity, reliability, performance standard, level of quality and redundancy of the group of equipment is kept the same or exceeded. For clarity purposes, the following equipment can be considered under this provision: pumps, screens, grit separators, blowers, aeration equipment, sludge thickeners, dewatering equipment, UV systems, chlorine contact equipment, bio-disks, and sludge digester systems.

1.3 Sewage Treatment Plant Outfall

- a. Replacement of discharge pipe with similar pipe size or diffusers provided that the outfall location is not changed.

1.4 Sanitary Sewers

- a. Pipe relining and replacement with similar pipe size within the Sewage Treatment Plant site, where the nominal diameter is not greater than 1,200 mm.

1.5 Pilot Systems

- a. Installation of pilot systems for new or existing technologies provided that:
 - i. any effluent from the pilot system is discharged to the inlet of the sewage treatment plant or hauled off-site for proper disposal,
 - ii. any effluent from the pilot system discharged to the inlet of the sewage treatment plant or sewage conveyance system does not significantly alter the composition/concentration of the influent sewage to be treated in the downstream process; and that it does not add any inhibiting substances to the downstream process, and
 - iii. the pilot system's duration does not exceed a maximum of two years; and a report with results is submitted to the Director and District Manager three months after completion of the pilot project.

1.6 Tailings Management Facilities

- a. Routine dam raises and dam extensions to allow continued management of tailings and storage of mineral materials and sewage, provided that:
 - i. Routine dam raises and extensions are in adherence to an approved tailings management plan.
 - ii. Routine dam raises and extensions are signed and stamped by a Professional Engineer licensed under the *Professional Engineers Act* in Ontario.
 - iii. Routine dam raises and extensions have an associated Erosion and Sediment Control Plan applying best management practices that is to be implemented during construction.
 - iv. Routine dam raises and extensions are designed in compliance with the *Lakes and Rivers Improvement Act* (LRIA) and as required the LRIA Permit is in place.
- b. New dams are not eligible under LOF, unless pre-approved under the tailings management plan.
- c. Pipe replacement or extension with similar pipe size within the Tailings Management area, where the nominal diameter is not greater than 1,200 mm.

- 2. Sewage works that are exempt from section 53 of the OWRA by O. Reg. 525/98 continue to be exempt and are not required to follow the notification process under this Limited Operational

Flexibility.

3. Normal or emergency operational modifications, such as repairs, reconstructions, or other improvements that are part of maintenance activities, including cleaning, renovations to existing approved sewage works equipment, provided that the modification is made with Equivalent Equipment, are considered pre-approved.
4. The modifications noted in section (3) above are not required to follow the notification protocols under Limited Operational Flexibility, provided that the number of pieces and description of the equipment as described in the Approval does not change.

Notice of Modification to Sewage Works

RETAIN COPY OF COMPLETED FORM AS PART OF THE ECA AND SEND A COPY TO THE WATER SUPERVISOR (FOR MUNICIPAL) OR DISTRICT MANAGER (FOR NON-MUNICIPAL SYSTEMS)

Part 1 – Environmental Compliance Approval (ECA) with Limited Operational Flexibility

(Insert the ECA's owner, number and issuance date and notice number, which should start with "01" and consecutive numbers thereafter)

ECA Number	Issuance Date (mm/dd/yy)	Notice number (if applicable)
ECA Owner		Municipality

Part 2: Description of the modifications as part of the Limited Operational Flexibility

(Attach a detailed description of the sewage works)

Description shall include:

1. A detail description of the modifications and/or operations to the sewage works (e.g. sewage work component, location, size, equipment type/model, material, process name, etc.)
2. Confirmation that the anticipated environmental effects are negligible.
3. List of updated versions of, or amendments to, all relevant technical documents that are affected by the modifications as applicable, i.e. submission of documentation is not required, but the listing of updated documents is (design brief, drawings, emergency plan, etc.)

Part 3 – Declaration by Professional Engineer

I hereby declare that I have verified the scope and technical aspects of this modification and confirm that the design:

1. Has been prepared or reviewed by a Professional Engineer who is licensed to practice in the Province of Ontario;
2. Has been designed in accordance with the Limited Operational Flexibility as described in the ECA;
3. Has been designed consistent with Ministry's Design Guidelines, adhering to engineering standards, industry's best management practices, and demonstrating ongoing compliance with s.53 of the Ontario Water Resources Act; and other appropriate regulations.

I hereby declare that to the best of my knowledge, information and belief the information contained in this form is complete and accurate

Name (Print)	PEO License Number
Signature	Date (mm/dd/yy)
Name of Employer	

Part 4 – Declaration by Owner

I hereby declare that:

1. I am authorized by the Owner to complete this Declaration;
2. The Owner consents to the modification; and
3. The modifications to the sewage works are proposed in accordance with the Limited Operational Flexibility as described in the ECA.
4. The Owner has fulfilled all applicable requirements of the *Environmental Assessment Act*.

I hereby declare that to the best of my knowledge, information and belief the information contained in this form is complete and accurate

Name of Owner Representative (Print)	Owner representative's title (Print)
Owner Representative's Signature	Date (mm/dd/yy)

**Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s).
2290-CAVKGN issued on April 14, 2022**

In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me and the Ontario Land Tribunal within 15 days after receipt of this notice, require a hearing by the Tribunal. 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 required 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 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**

The above noted activity is approved under s.20.3 of Part II.1 of the *Environmental Protection Act*.

DATED AT TORONTO this 5th day of November, 2025



Neryed Ragbar, P.Eng.
Director
appointed for the purposes of Part II.1 of the
Environmental Protection Act

YZ/

- c: Area Manager, MECP Kenora Area Office
- c: District Manager, MECP Thunder Bay - District Office
Monique Simair, Integrated Sustainability