

Ministry of the Environment  
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Ministère de l'Environnement  
Région du Centre  
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230 Westney Rd. S., 5<sup>th</sup> Floor  
Ajax, ON L1S 7J5  
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October 13, 2011

Bob Dixon, Acting Commissioner, Legal & Development Services  
The Corporation of the Town of Newmarket  
395 Mulock Drive  
Newmarket, Ontario  
L3Y 4X7

Paul Minz, President  
Criterion Development Corporation  
3625 Dufferin Street, Suite 404  
Toronto, Ontario  
M3K 1N4

**RE: Notice of Decision - Risk Assessment #8812-7RBMXF  
Former Mulock Farm Property, Newmarket, Ontario  
Regional Municipality of York.**

Dear Sirs:

This is to acknowledge your submission to the Ministry of the Environment (Ministry) of the revised "Risk Assessment of the Former Mulock Farm Property, Newmarket, Ontario" prepared by Intrinsic Environmental Sciences Inc. (Intrinsic) received May 19, 2011. The Ministry's review of the Risk Assessment involved the following reports, documents and information/correspondence:

- "PSF for Former Mulock Farm Property, Town of Newmarket, Regional Municipality of York, by Intrinsic Environmental Sciences Inc. dated April 20, 2009
- "Risk Assessment of the Former Mulock Farm Property, Newmarket, Ontario", by Intrinsic Environmental Science Inc, dated April 2010;
- "A Risk Assessment of the Former Mulock Farm Property, Newmarket, Ontario", by Intrinsic Environmental Science Inc, dated September 2010;
- "Risk Assessment for the Former Mulock Farm Property, Newmarket, Ontario" prepared by Intrinsic Environmental Sciences Inc., dated May 2011

Based on the documents provided to the Ministry as part of the Risk Assessment, our reviewers can confirm that the Risk Assessment has been conducted in accordance with the Environmental Protection Act (Act), Ontario Regulation 153/04 (the Regulation), and the associated guidance documents. By way of this letter I am providing you written notice of the Director's decision to **ACCEPT** the Risk Assessment No. 8812-7RBMXF relating to the Property in accordance with Section 168.5 of the Act.

The Ministry's review pertained to whether the Risk Assessment was conducted in a manner consistent with the Act, the Regulation, and associated guidance documents. Although some data, formulae and calculations were looked at during the review of the Risk Assessment, the Ministry does not independently verify data nor calculations, the quality of which are solely the responsibility of the Qualified Person who prepared the Risk Assessment.

The decision to accept the Risk Assessment is based on the information and the assumptions set out in the Risk Assessment report. It is also based on the assumption that the Property will be used as described in the Risk Assessment and that the steps outlined in the risk management plan will be fully implemented.

Risk levels and property specific standards that are developed in the Risk Assessment apply only to the subject property. Any assessment of risk or development of property specific standards in the Risk Assessment that may be intended to apply to off site properties are beyond the scope of a risk assessment under the Regulation and accordingly are not part of the Ministry's review.

Please be advised that a draft Certificate of Property Use (CPU) that incorporates the risk management plan and any additional conditions that may be proposed by the Director will be circulated for comments in the near future and then posted on the Environmental Bill of Rights Registry for a minimum period of 30 days. In addition, the Communications Plan described in Section 8 of the Risk Assessment continues to apply and I look forward to working with the Town of Newmarket to update local stakeholders of the acceptance of the Risk Assessment and development of the CPU.

Following review of any comments received, the Director will make a decision on the issuance of the CPU (and conditions therein) which will be posted on the Registry. The CPU number for this site is **8812-7RBMXF-1**.

If you have any questions, please contact Andrea Brown, P.Eng. of the Ministry's York Durham District Office at 905-427-5624 or electronically at [Andrea.J.Brown@ontario.ca](mailto:Andrea.J.Brown@ontario.ca).

Yours truly,

*Original signed & mailed October 13, 2011*

Dave Fumerton  
Director for the purpose of s. 168.5 of the Environmental Protection Act

cc (email): Elliot Sigal, Intrinsic Environmental Sciences Inc.  
Jim Walls, R.J. Burnside & Associates Limited  
Denis Kelly, Regional Clerk, Corporate Services Department, York Region  
Anita Moore, Director, Legislative Services, Clerk's Office, Town of Newmarket  
Esther Armchuk-Ball, Director, Legal Services, Town of Newmarket  
Tim Moore, Director and Chief Building Official, Town of Newmarket  
Wanda Bennett, Director of Corporate Communications, Town of Newmarket  
Geoffrey Floyd, Co-ordinator, Standards Development Branch (SDB), MOE  
Andrea Brown, P.Eng, District Engineer, York Durham District Office, MOE  
Dr. Karim Kurji, Medical Officer of Health, York Region Health Services