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November 4, 2008

Alex Borges, Environmental Officer
Canadian National Railway Company
1 Administration Rd
Concord, Ontario, L4K 1B9
Canada

Dear Mr. Borges

RE: NOTICE OF VIOLATION

Unapproved Industrial Sewage Works
Reference Number 1757-71.2SU8

On Thursday October 30, 2008 a pro-active industrial sewage inspection was completed on the #2 Lagoon sewage works located at the east end of the Canadian National Railway yard in Hornepayne, ON. The inspection consisted of a ministry file review, site visit and end of pipe effluent samples.

This Notice of Violation is being issued under *Ontario Water Resources Act, Section 53* , which reads as follows:

(1) No person shall establish, alter, extend or replace new or existing sewage works except under and in accordance with an approval granted by a Director. R.S.O. 1990, c. O.40, s. 53 (1)

(2) A Director may require an applicant for an approval under subsection (1) to submit plans, specifications, engineer's report and other information and to carry out and report on tests or experiments relating to the location of the discharge of effluent or the work to be undertaken and , subject to subsection (4), the Director may grant the approval. R.S.O. 1990, c.

After reviewing the history of this file it appears as though some efforts have been made in regards to submitting an application for an industrial sewage works approval. The application submitted in the spring of 2007 was incomplete and therefore withdrawn.

This Notice of Violation is requiring the Canadian National Railway Company to submit an application for industrial sewage works **complete with the following information;**