

October 12, 2010

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VIA FACSIMILE

File 01207.00058

The Secretary
Environmental Review Tribunal
655 Bay Street, 15th Floor
Toronto, On

Dear Sir/Madame:

Re: St. Marys Cement Inc. v. Director, Ministry of the Environment
Your Reference Number: 7115-85TLN5 / ERT Case No. 10-031

We write to advise that St. Marys Cement Inc. hereby withdraws its appeal of the Director's Notice of Refusal Permit To Take Water Number 3708-862GHB dated June 3, 2010. There is no settlement agreement with the Director.

Yours truly,

WeirFoulds LLP



John M. Buhlman

JMB:hc

cc: (via E-Mail):

- David I. Crocker / Laura K. Bisset (for FORCE)
- Neil Gobardhan / Frederika Rotter (for Director, MOE)
- Nancy Smith (for City of Hamilton)
- Tracee Wessam, Case Manager, ERT
- Danny Duhan
- Glenn Lawson
- Karen Gourlay
- Ray Rivers
- Carole Bradley-Kennedy and Malcolm Kennedy
- Cindy and Mike McPherson
- Percy Harcourt
- Nora Curran-Blaney and Daniel Curran-Blaney
- Bill Wright
- John Tummers
- John Quinn
- Lowell Wilson and Ethel Wilson

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