

## Provincial Officer's Order

Environmental Protection Act, R.S.O. 1990, c. E.19 (EPA)  
Ontario Water Resources Act, R.S.O. 1990, c. O.40 (OWRA)  
Pesticides Act, R.S.O. 1990, c. P.11 (PA)  
Safe Drinking Water Act, 2002, S.O. 2002, c.32 (SDWA)  
Nutrient Management Act, 2002, S.O. 2002, c.4 (NMA)

**Order Number**  
1700-B88MYE

**Incident Report No.**  
6560-B69JBV

**To:** Varna Wind, LP  
Suite 605 - 65 Queen St W  
Toronto, Ontario, M5H 2M5

**Site:** Blackbush/Bronson Line (west) Mill Rd (north) Concession 5 Rd (east)  
Danceland Rd/Staffa Rd south  
Bluewater, County of Huron

Pursuant to my authority under EPA Section 157.1, EPA Section 196(1) and EPA Section 157, I order you to do the following:

### Work Ordered

Item No. 1	Compliance Date	2019/01/31 (YYYY/MM/DD)
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By January 31, 2019, retain the services of an Acoustical Consultant satisfactory to the Provincial Officer to complete the work required by Item Nos. 4 and 5 of this Order.

Item No. 2	Compliance Date	2019/01/31 (YYYY/MM/DD)
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By January 31, 2019, provide written confirmation to the Provincial Officer from the Acoustical Consultant that it has, or they have,

1. received a copy of the Order;
2. been retained to carry out the work specified in Items 3 and 4 of the Order; and,
3. the experience and qualifications necessary to carry out the work. The written confirmation shall include the name, address, and contact information of the consultant.

Item No. 3	Compliance Date	2019/01/25 (YYYY/MM/DD)
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Provide biweekly updates to the Director and District Manager on January 25, February 8 and 22, March 8 and 22, 2019.

**Item No. 4** **Compliance Date** 2019/03/29  
(YYYY/MM/DD)

By March 29, 2019, complete an RAM I-Audit and Tonal Assessment in accordance with Part D and E of the Compliance Protocol.

**Item No. 5** **Compliance Date** 2019/04/26  
(YYYY/MM/DD)

By April 26, 2019, submit to the Director and District Manager a Summary Report of the RAM I-Audit and Tonal Assessment in accordance with Part D and E of the Compliance Protocol.

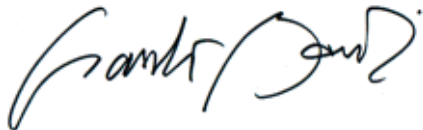
**Item No. 6** **Compliance Date** 2019/04/26  
(YYYY/MM/DD)

Any request for an extension to a compliance date in this order shall be submitted in writing to the Provincial Officer, for his approval, a minimum of five (5) days prior to the relevant compliance date.

- A. While this Order is in effect, a copy or copies of this order shall be posted in a conspicuous place.
- B. While this Order is in effect, report in writing, to the District or Area office, any significant changes of operation, emission, ownership, tenancy or other legal status of the facility or operation.
- C. Unless otherwise specified, all requirements of this Order are effective upon service of this Order.

This Order is being issued for the reasons set out in the annexed Provincial Officers Report which forms part of this Order.

Issued at Toronto this 8th day of January, 2019.



Laszlo Barti  
Badge No: 1234  
Owen Sound District Office  
Tel: (579) 371-7318

## REQUEST FOR REVIEW

You may request that this Order be reviewed by a Director.

Your request must be made (i) in writing (or if made orally, with written confirmation) and (ii) served on the Director at the address below within seven (7) calendar days after being served with a copy of this Order.

In the written request or written confirmation of an oral request, you must include:

- (a) the portions of the Order in respect of which the review is requested;
- (b) any submissions that you wish the Director to consider; and
- (c) an address for service to be used by the Director.

In response to your request for review, the Director may confirm, alter or revoke this Order and will serve you with a copy of the Director's decision or Order.

A request for review does not automatically stay this Order. If you wish to have the Director stay the Order you must also include this in your request and the Order is not stayed unless the Director makes an order granting a stay.

### DEEMED CONFIRMATION OF THIS ORDER

If you do not receive oral or written notice of the Director's decision on your request for review within (7) calendar days of receipt of your request, and the Director has not stayed the Order, this Order shall be deemed to be confirmed by order of the Director and deemed to be served upon you.

In the case of a deemed confirmation, you may require a hearing before the Environmental Review Tribunal (Tribunal), if, within fifteen (15) calendar days from the deemed date of service of the Director's order, you serve written notice of your appeal on the Tribunal and the Director. Your notice must state:

- (a) the portion(s) of the Order in respect of which the hearing is required; and
- (b) the grounds on which you intend to rely at the hearing.

Except with leave of the Tribunal, you are not entitled to appeal a portion of the Order or to rely on a ground that is not stated in the notice requiring the hearing. Unless stayed by the Tribunal, the Order remains in effect from the date of service.

Written notice requiring a hearing can be served upon:

The Secretary  
Environmental Review Tribunal  
655 Bay Street, 15th Floor  
Toronto ON  
M5G 1E5  
Fax: (416) 326-5370  
Email: ERTTribunalsecretary@ontario.ca

and

Director  
Ministry of the Environment, Conservation and Parks  
Owen Sound District Office  
3rd Flr  
101 17th St  
Owen Sound ON N4K 0A5  
Fax: (519) 371-2905  
Tel:

Further information on the Tribunal and requirements for an appeal can be obtained directly from the Tribunal by :

Tel: (416) 212-6349 or 1(866) 448-2248  
TTY 1-800-855-1155 via Bell Relay

Fax: (416) 326-5370 or 1(844) 213-3474  
Web: [www.ert.gov.on.ca](http://www.ert.gov.on.ca)

### FOR YOUR INFORMATION

The following is for your information:

Service of the documentation referred to above can be made personally, by mail, by fax, by commercial courier or by email in accordance with the legislation under which the Order is made and any corresponding Service Regulation. Further information can be obtained from e-Laws at [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca). Please note that choosing service by mail does not extend any of the

above mentioned timelines.

Unless stayed, this Order is effective from the date of service. Non-compliance with the requirements of this Order constitutes an offence.

The requirements of this Order are minimum requirements only and do not relieve you from complying with the following :

- (a) any applicable federal legislation,
- (b) any applicable provincial legislation or requirements that are not addressed in this Order, and
- (c) any applicable municipal law.

The requirements of this Order are severable. If any requirement of this Order or the application of any requirement to any circumstances is held invalid, the application of such requirement to other circumstances and the remainder of the Order are not affected.

Further orders may be issued in accordance with the legislation as circumstances require.

The procedures and other information provided above are intended as a guide. The legislation and/or regulations should be consulted for additional details and accurate reference.