

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. P11 (PA)
Safe Drinking Water Act, S.O. 2002, c.32 (SDWA)
Nutrient Management Act, 2002, S.O. 2002, c.4 (NMA)

Order Number
1231-8MYS4V

Incident Report No.
3015-8L3J5P

To: 2241960 Ontario Inc.
159 Roseborough Drive
Port Perry, ON L9L 2E3

Site: 171 County Road No. 2 Lot 3 Concession A former South Monaghan Township
Otonabee-South Monaghan, County of Peterborough

Pursuant to my authority under OWRA Section 16.1 and EPA Section 157.1, I order you to do the following:

Work Ordered

Item No. 1	Compliance Date	2011/11/16 (YYYY/MM/DD)
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By November 16, 2011, 2241960 Ontario Inc. shall submit to the undersigned Provincial Officer an Action Plan. The Action Plan shall be authored by a qualified consultant/ person and shall include, but not necessarily be limited to the following information:

- a detailed description of the necessary action(s) that need to be undertaken to properly characterize the soil material that 2241960 Ontario Inc. deposited at the above site,
- a detailed sampling plan and description of work,
- a detailed schedule of work with provides dates of when the work will be completed by no later than November 23, 2011.

Item No. 2	Compliance Date	2011/11/16 (YYYY/MM/DD)
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Upon receiving written notice of the acceptance or alteration of the Action Plan by the Ministry, 2241960 Ontario Inc. shall forthwith implement the Action Plan. The Action Plan shall be carried out in the specified timeframes contained in the Action Plan.

Item No. 3	Compliance Date	2011/11/16 (YYYY/MM/DD)
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With seven (7) days of the completion of the action(s) specified in the Ministry approved Action Plan, 2241960 Ontario Inc. shall submit to the undersigned Provincial Officer a report authored by a qualified consultant/ person detailing all of the results and findings from the work

completed to implement the Action Plan.

- 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 Otonabee-South Monaghan this 10th day of November, 2011.



Chris Johnston
Badge No: 782
Peterborough District Office
Tel: (705) 755-4308

APPEAL/REVIEW INFORMATION

REQUEST FOR REVIEW

You may request that this order be reviewed by the Director. Your request must be made in writing (or orally with written confirmation) within seven days of service of this order and sent by mail or fax to the Director at the address below. In the written request or written confirmation you must,

- specify the portions of this order that you wish to be reviewed;
- include any submissions to be considered by the Director with respect to issuance of the order to you or any other person and with respect to the contents of the order;
- apply for a stay of this order, if necessary; and provide an address for service by one of the following means:
 1. mail
 2. fax

The Director may confirm, alter or revoke this order. If this order is revoked by the Director, you will be notified in writing. If this order is confirmed or amended by order of the Director, the Director's order will be served upon you. The Director's order will include instructions for requiring a hearing before the Environmental Review Tribunal.

DEEMED CONFIRMATION OF THIS ORDER

If you do not receive oral or written notice of the Director's decision within seven days of receipt of your request, this order is deemed to be confirmed by order of the Director and deemed to be served upon you.

You may require a hearing before the Environmental Review Tribunal if, within 15 days of service of the confirming order deemed to have been made by the Director, you serve written notice of your appeal on the Environmental Review Tribunal and the Director. Your notice must state the portions of the order for which a hearing is required and the grounds on which you intend to rely at the hearing. Except by leave of the Environmental Review Tribunal, you are not entitled to appeal a portion of the order or to rely on grounds of appeal that are not stated in the notice requiring the hearing. Unless stayed by the Environmental Review Tribunal, the order is effective from the date of service.

Written notice requiring a hearing must be served personally, by mail or facsimile on the following:

The Secretary Environmental Review Tribunal 655 Bay Street, 15th Floor Toronto ON M5G 1E5 Fax: (416) 314-4506	and	Director (Provincial Officer Orders) Ministry of the Environment Peterborough District Office 2nd Floor South Tower 300 Water St S Peterborough ON K9J 8M5 Fax: (705)755-4321 Tel: (705)755-4300
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Where service is made by mail, it is deemed to be made on the fifth day after the date of mailing and the time for requiring a hearing is not extended by choosing service by mail.

Further information on the Environmental Review Tribunal 's requirements for an appeal can be obtained directly from the Tribunal by:

Tel: (416) 314-4600

Fax: (416) 314-4506

www.ert.gov.on.ca

FOR YOUR INFORMATION

- Unless stayed by the Director or the Environmental Review Tribunal, 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:
 - any applicable federal legislation;
 - any applicable provincial requirements that are not addressed in the order; and
 - 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 circumstance 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 to request a review by the Director and other information provided above are intended as a guide. The legislation should be consulted for additional details and accurate reference.

