

**RENEWABLE ENERGY APPROVAL**NUMBER 8658-9EZK95  
Issue Date: July 24, 2014

Port Hope General Partner 1 Inc., and Port Hope General  
Partner 2 Inc., operating as Port Hope Solar Farm  
Partnership  
620 Righters Ferry Road  
Bala Cynwyd, Pennsylvania USA 19004

Project 2300 Wesleyville / Morrish Church Road  
Location: Lots 23 and 24, Concession 2, PT 23-24, Reference Plan  
9R-2113  
Municipality of Port Hope, County of Northumberland

*You have applied in accordance with Section 47.4 of the Environmental Protection Act for approval to engage in a renewable energy project in respect of a Class 3 solar facility consisting of the following:*

the construction, installation, operation, use and retiring of a Class 3 solar facility with a total name plate capacity of up to approximately 10 megawatts (AC).

*For the purpose of this renewable energy approval, the following definitions apply:*

1. "Acoustic Assessment Report" means the report included in the Application and entitled Acoustic Assessment Report, Pen Energy - VanDorp Solar Farm, dated November 27, 2013, prepared by HGC Engineering Limited and signed by Petr Chocensky and Ian Bonsma, HGC Engineering Limited on November 27, 2013;
2. "Act" means the *Environmental Protection Act*, R.S.O 1990, c.E.19, as amended;
3. "Adverse Effect" has the same meaning as in the Act;
4. "Application" means the application for a Renewable Energy Approval dated December 21, 2012, and signed by Glen Tomkinson, Project Manager / REA Coordinator, Penn Energy Renewables, on behalf of Port Hope General Partner 1 Inc., and Port Hope General Partner 2 Inc., and all supporting documentation submitted with the application, including amended documentation submitted up to the date the Renewable Energy Approval was issued;

5. "Approval" means this Renewable Energy Approval issued in accordance with Section 47.4 of the Act, including any schedules to it;
6. "A-weighting" means the frequency weighting characteristic as specified in the International Electrotechnical Commission (IEC) Standard 61672, and intended to approximate the relative sensitivity of the normal human ear to different frequencies (pitches) of sound. It is denoted as "A";
7. "A-weighted Sound Pressure Level" means the Sound Pressure Level modified by application of an A-weighting network. It is measured in decibels, A-weighted, and denoted "dBA";
8. "Class 1 Area" means an area with an acoustical environment typical of a major population centre, where the background sound level is dominated by the activities of people, usually road traffic, often referred to as "urban hum";
9. "Class 2 Area" means an area with an acoustical environment that has qualities representative of both Class 1 and Class 3 Areas:
  1. sound levels characteristic of Class 1 during daytime (07:00 to 19:00 or to 23:00 hours);
  2. low evening and night background sound level defined by natural environment and infrequent human activity starting as early as 19:00 hours (19:00 or 23:00 to 07:00 hours);
  3. no clearly audible sound from stationary sources other than from those under impact assessment.
10. "Class 3 Area" means a rural area with an acoustical environment that is dominated by natural sounds having little or no road traffic, such as the following:
  1. a small community with less than 1000 population;
  2. agricultural area;
  3. a rural recreational area such as a cottage or a resort area; or
  4. a wilderness area.
11. "Company" means Port Hope General Partner 1 Inc., and Port Hope General Partner 2 Inc., operating as Port Hope Solar Farm Partnership, the partnership under the laws of Ontario, and any successor partnership or firm carrying on the same business to which this approval relates;
12. "Decibel" means a dimensionless measure of Sound Level or Sound Pressure Level, denoted as dB;
13. "Director" means a person appointed in writing by the Minister of the Environment pursuant to section 5 of the Act as a Director for the purposes of section 47.5 of the Act;

14. "District Manager" means the District Manager of the appropriate local district office of the Ministry where the Facility is geographically located;
15. "Equipment" means the inverters, transformers, and one (1) transformer substation, and associated ancillary equipment identified in this Approval and as further described in the Application, to the extent approved by this Approval;
16. "Equivalent Sound Level" is the value of the constant sound level which would result in exposure to the same total A-weighted energy as would the specified time-varying sound, if the constant sound level persisted over an equal time interval. It is denoted  $L_{eq}$  and is measured in dB A-weighting (dBA);
17. "Facility" means the renewable energy generation facility, including the Equipment, as described in this Approval and as further described in the Application, to the extent approved by this Approval;
18. "Ministry" means the ministry of the government of Ontario responsible for the Act and includes all officials, employees or other persons acting on its behalf;
19. "Noise Control Measures" means measures to reduce the noise emissions from the Facility and/or Equipment including, but not limited to, barriers, silencers, acoustical louvres, hoods and acoustical treatment, described in the Acoustic Assessment Report;
20. "Noise Receptor" has the same meaning as in O. Reg. 359/09;
21. "O. Reg. 359/09" means Ontario Regulation 359/09 "Renewable Energy Approvals under Part V.0.1 of the Act" made under the Act;
22. "Point of Reception" has the same meaning as in Publication NPC-300, as applicable, and is subject to the same qualifications described in those documents;
23. "Publication NPC-104" means the Ministry Publication NPC-104, "Sound Level Adjustments", August 1978;
24. "Publication NPC-300" means the Ministry Publication NPC-300, "Environmental Noise Guideline, Stationary and Transportation Sources - Approval and Planning", August 2013, as amended;
25. "Publication NPC-233" means the Ministry Publication NPC-233, "Information to be Submitted for Approval of Stationary Sources of Sound", October 1995;
26. "Sound Level" means the A-weighted Sound Pressure Level;
27. "Sound Level Limit" is the limiting value described in terms of the one hour A-weighted Equivalent Sound Level  $L_{eq}$ ;

28. "Sound Power Level" means is ten times the logarithm to the base of 10 of the ratio of the sound power (Watts) of a noise source to standard reference power of  $10^{-12}$  Watts;
29. "Sound Pressure" means the instantaneous difference between the actual pressure and the average or barometric pressure at a given location. The unit of measurement is the micro pascal ( $\mu\text{Pa}$ );
30. "Sound Pressure Level" means twenty times the logarithm to the base 10 of the ratio of the effective pressure ( $\mu\text{Pa}$ ) of a sound to the reference pressure of  $20 \mu\text{Pa}$ ;
31. "UTM" means Universal Transverse Mercator coordinate system.

*You are hereby notified that this approval is issued to you subject to the terms and conditions outlined below:*

## **TERMS AND CONDITIONS**

### **A - GENERAL**

- A1. The Company shall construct, install, use, operate, maintain and retire the Facility in accordance with the terms and conditions of this Approval and the Application and in accordance with the following schedules attached hereto:
  - (a) Schedule A - Facility Description
  - (b) Schedule B - Coordinates of the Equipment and Noise Specifications
- A2. Where there is a conflict between a provision of this Approval and any document submitted by the Company, the conditions in this Approval shall take precedence. Where there is a conflict between one or more of the documents submitted by the Company, the document bearing the most recent date shall take precedence.
- A3. The Company shall ensure a copy of this Approval is:
  - (1) accessible, at all times, by Company staff operating the Facility and;
  - (2) submitted to the clerk of each local municipality and upper-tier municipality in which the Facility is situated.
- A4. If the Company has a publicly accessible website, the Company shall ensure that the Approval and the Application are posted on the Company's publicly accessible website within five (5) business days of receiving this Approval.
- A5. The Company shall, at least six (6) months prior to the anticipated retirement date of the entire Facility, or part of the Facility, review its Decommissioning Plan Report to ensure that it is still accurate. If the Company determines that the Facility cannot be decommissioned in accordance with the Decommissioning Plan Report, the Company shall provide the Director and District Manager a written description of plans for the decommissioning of the Facility.

- A6. The Facility shall be retired in accordance with the Decommissioning Plan Report and any directions provided by the Director or District Manager.
- A7. The Company shall provide the District Manager and the Director at least ten (10) days written notice of the following:
- (1) the commencement of any construction or installation activities at the project location; and
  - (2) the commencement of the operation of the Facility.
- A8. The Company shall, at least six (6) months prior to the anticipated retirement date of the entire Facility, or part of the Facility, contact the Ministry of Agriculture, Food and Rural Affairs to discuss its plans for the decommissioning of the Facility, and follow any directions provided by that ministry in respect of the Company's plans to restore the project location to its previous agricultural capacity.

#### **B - EXPIRY OF APPROVAL**

- B1. Construction and installation of the Facility must be completed within three (3) years of the later of:
- (1) the date this Approval is issued; or
  - (2) if there is a hearing or other litigation in respect of the issuance of this Approval, the date that this hearing or litigation is disposed of, including all appeals.
- B2. This Approval ceases to apply in respect of any portion of the Facility not constructed or installed before the later of the dates identified in Condition B1.

#### **C - NOISE PERFORMANCE LIMITS**

- C1. The Company shall ensure that:
- (1) the Sound Levels from the Equipment, at the Points of Reception identified in the Acoustic Assessment Report, comply with the Sound Level Limit of 40 dBA as described in Publication NPC-300, subject to adjustment for tonality as described in Publication NPC-104;
  - (2) the Equipment is constructed and installed at either of the following locations:
    - (a) at the locations identified in Schedule B of this Approval; or
    - (b) at a location that does not vary by more than 10 metres from the locations identified in Schedule B of this Approval and provided that,
      - i) the Equipment will comply with Condition C1(1), and
      - ii) all setback prohibitions established under O. Reg. 359/09 are complied with.

- (3) the Equipment complies with the noise specifications set out in Schedule B of this Approval; and
  - (4) all of the Noise Control Measures are fully implemented prior to the commencement of the operation of the Facility.
- C2. If the Company determines that some or all of the Equipment cannot be constructed in accordance with Condition C1(2), prior to the construction and installation of the Equipment in question, the Company shall apply to the Director for an amendment to the terms and conditions of the Approval.
- C3. Within three (3) months of the completion of the construction of the Facility, the Company shall submit to the Director a written confirmation signed by an individual who has the authority to bind the Company that the UTM coordinates of the “as constructed” Equipment comply with the requirements of Condition C1(2).

#### **D - STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL**

- D1. The Company shall employ best management practices for stormwater management and erosion and sediment control during construction, installation, use, operation, maintenance and retiring of the Facility, including, but not limited to, the best management practices described in the report included in the Application and entitled Port Hope / VanDorp 10 MW Solar Farm, Municipality of Port Hope, Northumberland County, Ontario, Site Drainage and Stormwater Management, dated February 10, 2014 and prepared by Stantec Consulting Ltd., and “Exhibit A: VanDorp\_Port Hope Erosion Control”, and “Exhibit B: Penn Energy VanDorp – Proposed TSS Monitoring Locations v4, June 4, 2014”
- D2. The Company shall not commence construction of the Facility until a detailed contingency plan and including a stormwater management pond for capturing, containing, and treating stormwater runoff, erosion and sediment control have been approved, in writing by the Director.
- D3. The Company shall install and maintain temporary erosion and sediment control measures during construction and conduct inspections daily, during melt and/or after each significant storm event (a significant storm event is defined as a minimum of 10 mm of rain in any 24 hours period). The inspections and maintenance of the temporary sediment and erosion control measures shall continue until they are no longer required and at which time they shall be removed and all disturbed areas reinstated properly.
- D4. The Company shall implement a total suspended solids (TSS) monitoring program 2 weeks prior to ground breaking through the construction phase until the Facility is in commercial operation. The monitoring program shall be as follows:
- (1) the tributary to Port Britain Creek adjacent to the site shall be monitored at locations upstream of, and downstream of, the location(s) where stormwater runoff discharges from the site.
  - (2) the sampling for TSS shall take place weekly. During any melt and/or significant rainfall events (10 mm or more in a 24 hour period), monitoring shall also be conducted at least once per day during the rainfall event and/or melt event, and for one day following the completion of the runoff associated with the rainfall and/or melt event.

- (3) the Company shall notify the District Manager, cease discharging to the tributary to Port Britain Creek, and immediately implement the approved contingency plan as per Condition D2, if downstream TSS concentrations exceed the upstream TSS concentrations by more than 20 percent.
- D5. The discharge shall be controlled in such a way as to avoid erosion and sedimentation in the Tributary to Port Britain Creek, and to avoid scouring, erosion or physical alteration of stream channels or banks and that there is no flooding in the receiving area or water body, downstream water bodies, ditches or properties caused or worsened by this discharge.
- D6. Any discharge facilities installed at or downstream of the discharge point(s) such as discharge diffusers, settlement ponds, silt bags, flow checks, or filters shall be designed and constructed to capture and treat the discharge of suspended solids prior to release to any watercourse. Discharge facilities shall be maintained for the full duration of the discharge.
- D7. The Company shall take all measures necessary to prevent damage to buildings, bridges, structures, roads and/or railway lines that may be impacted by the discharge.
- D8. The measurement frequencies and locations specified in Condition D4 in respect to TSS are minimum requirements which may be modified by the District Manager in writing from time to time during the construction period.
- D9. Notwithstanding Condition D4, the Company shall implement daily visual inspection and observation of water clarity in the Tributary of Port Britain Creek at locations upstream of, and downstream of, the location(s) where stormwater runoff discharges from the site.
- D10. The Company shall immediately notify the Peterborough District Manager if visual inspection and observations indicate that the clarity of the watercourse downstream of the site is not substantially the same as water clarity upstream of the site.
- D11. The Company shall maintain records of inspections, monitoring and maintenance, which shall be made available for inspection by the Ministry, upon request. The record shall include the name and qualifications of the inspector, date of inspection, and the remedial measures if any, undertaken to maintain the temporary erosion and sediment control measures.

## **E - WATER TAKING ACTIVITIES**

- E1. The Company shall not take more than 50,000 litres of water on any day by any means during the construction, installation, use, operation, maintenance and retiring of the Facility.

## **F - SEWAGE WORKS OF THE TRANSFORMER SUBSTATION SPILL CONTAINMENT FACILITY**

- F1. The Company shall design and construct a transformer substation oil spill containment facility which meets the following requirements:

- (1) the spill containment facility serving the transformer substation shall have a minimum volume equal to the volume of transformer oil and lubricants plus the volume equivalent to providing a minimum 24-hour duration, 50-year return storm capacity for the stormwater drainage area around the transformer under normal operating conditions. This containment area shall have:
  - (a) an impervious floor with walls usually of reinforced concrete or impervious plastic liners, sloped toward an outlet / oil control device, allowing for a freeboard of 0.25 metres terminating approximately 0.30 metres above grade to prevent external stormwater flows from entering the facility. The facility shall have a minimum of 300mm layer of crushed stoned (19mm to 38mm in diameter) within, all as needed in accordance to site specific conditions and final design parameters; or
  - (b) a permeable floor with impervious plastic walls and around the transformer pad; equipped with subsurface drainage with a minimum 50mm diameter drain installed on a sand layer sloped toward an outlet for sample collection purposes; designed with an oil absorbent material on floor and walls, and allowing for a freeboard of 0.25 metres terminating approximately 0.30 metres above grade to prevent external stormwater flows from entering the facility. The facility's berm shall be designed as needed in accordance to site specific conditions and the facility shall have a minimum 300mm layer of crushed stoned (19mm to 38mm in diameter) on top of the system, as needed in accordance to site specific conditions and final design parameters.
- (2) the spill containment facility shall be equipped with an oil detection system; it also shall have a minimum of two (2) PVC pipes (or equivalent material) 50mm diameter to allow for visual inspection of water accumulation. One pipe has to be installed half way from the transformer pad to the vehicle access route;
- (3) the spill containment facility shall have appropriate sewage appurtenances as necessary, such as but not limited to: sump, oil/grit separator, pumpout manhole, level controllers, floating oil sensors, etc., that allows for batch discharges or direct discharges and for proper implementation of the monitoring program described under Condition F4; and
- (4) the Company shall have a qualified person on-site during construction to ensure that the system is installed in accordance with the approved design and specifications.

F2. The Company shall:

- (1) within six (6) months after the completion of the construction of the transformer substation spill containment facility, provide to the District Manager an engineering report and as-built design drawings of the sewage works for the spill containment facility and any stormwater management works required for it, signed and stamped by an independent Professional Engineer licensed in Ontario and competent in electrical and environmental engineering. The engineering report shall include the following:
  - (a) as-built drawings of the sewage works for the spill containment facility and any stormwater management works required for it;



- (b) a written report signed by a qualified person confirming the following:
    - (i) on-site supervision during construction
    - (ii) in case of a permeable floor systems: type of oil absorbent material used (for mineral-based transformer oil or vegetable-based transformer oil, make and material's specifications)
    - (ii) use of stormwater best management practices applied to prevent external surface water runoff from entering the spill containment facility, and
    - (iv) confirm adequacy of the installation in accordance with specifications.
  - (c) confirmation of the adequacy of the operating procedures and the emergency procedures manuals as it pertains to the installed sewage works.
  - (d) procedures to provide emergency response to the site in the form of pumping and clean-up equipment within 24 hours after an emergency has been identified. Such response shall be provided even under adverse weather conditions to prevent further danger of material loss to the environment.
- (2) as a minimum, the Company shall check the oil detection systems on a monthly basis and create a written record of the inspections;
  - (3) ensure that the effluent is essentially free of floating and settle-able solids and does not contain oil or any other substance in amounts sufficient to create a visible film, sheen or foam on the receiving waters;
  - (4) immediately identify and clean-up all losses of oil from the transformer;
  - (5) upon identification of oil in the spill containment facility, take immediate action to prevent the further occurrence of such loss;
  - (6) ensure that equipment and material for the containment, clean-up and disposal of oil and materials contaminated with oil are kept within easy access and in good repair for immediate use in the event of:
    - (a) loss of oil from the transformer,
    - (b) a spill within the meaning of Part X of the Act, or
    - (c) the identification of an abnormal amount of oil in the effluent.
  - (7) in the event of finding water accumulation in the PVC pipes at the time of inspection, as per Condition F4, the Company shall: (a) for impervious floors, inspect the sewage appurtenances that allow drainage of the concrete pit; or (b) for permeable systems, replace the oil absorbent material to ensure integrity of the system performance and design objectives.

- (8) for permeable floor systems, the Company shall only use the type of oil specified in the design, i.e. mineral-based transformer oil or vegetable-based transformer oil. If a change is planned to modify the type of oil, the Company shall also change the type of the oil absorbent material and obtain approval from the Director to amend this Approval before any modification is implemented.

F3. The Company shall design, construct and operate the sewage works such that the concentration of the effluent parameter named in the table below does not exceed the maximum Concentration Objective shown for that parameter in the effluent, and shall comply with the following requirements:

<b>Effluent Parameters</b>	<b>Maximum Concentration Objective</b>
Oil and Grease	15mg/L

- (1) notify the District Manager as soon as reasonably possible of any exceedance of the maximum concentration objective set out in the table above;
- (2) take immediate action to identify the cause of the exceedance; and
- (3) take immediate action to prevent further exceedances.

F4. Upon commencement of the operation of the Facility, the Company shall establish and carry out the following monitoring program for the sewage works:

- (1) the Company shall collect and analyze the required set of samples at the sampling points listed in the table below in accordance with the measurement frequency and sample type specified for the effluent parameter, oil and grease, and create a written record of the monitoring:

<b>Effluent Parameters</b>	<b>Measurement Frequency and Sample Points</b>	<b>Sample Type</b>
Oil and Grease	Quarterly, i.e. four times over a year, relatively evenly spaced having a minimum two (2) of these samples taken within 48 hours after a 10mm rainfall event.	Grab

- (2) in the event of an exceedance of the maximum concentration objective set out in the table in Condition F3, the Company shall:
  - (a) increase the frequency of sampling to once per month, for each month that effluent discharge occurs, and
  - (b) provide the District Manager, on a monthly basis, with copies of the written record created for the monitoring until the District Manager provides written direction that monthly sampling and reporting is no longer required; and

- (3) if over a period of twenty-four (24) months of effluent monitoring under Condition F4, there are no exceedances of the maximum concentration set out in the table for Concentration Objective, the Company may reduce the measurement frequency of effluent monitoring to a frequency as the District Manager may specify in writing, provided that the new specified frequency is never less than annual.

F5. The Company shall comply with the following methods and protocols for any sampling, analysis and recording undertaken in accordance with Condition F4:

- (1) Ministry of the Environment publication "Protocol for the Sampling and Analysis of Industrial/ Municipal Wastewater", January 1999, as amended from time to time by more recently published editions, and
- (2) the publication "Standard Methods for the Examination of Water and Wastewater", 21st edition, 2005, as amended from time to time by more recently published editions.

## **G - ARCHAEOLOGICAL RESOURCES**

G1. The Company shall implement all of the recommendations, if any, for further archaeological fieldwork and for the protection of archaeological sites found in the consultant archaeologist's report included in the Application, and which the Company submitted to the Ministry of Tourism, Culture and Sport in order to comply with clause 22 (2) (b) of O. Reg. 359/09.

G2. Should any previously undocumented archaeological resources be discovered, the Company shall:

- (1) cease all alteration of the area in which the resources were discovered immediately;
- (2) engage a consultant archaeologist to carry out the archaeological fieldwork necessary to further assess the area and to either protect and avoid or excavate any sites in the area in accordance with the *Ontario Heritage Act*, the regulations under that act and the Ministry of Tourism, Culture and Sport's *Standards and Guidelines for Consultant Archaeologists*; and
- (3) notify the Director as soon as reasonably possible.

## **H - NATURAL HERITAGE**

### **GENERAL**

H1. The Company shall implement the commitments made in the Natural Heritage Assessment, dated October 2012, prepared by Niblett Environmental Associates Inc., and included in the Application.

## **I - TRAFFIC MANAGEMENT PLANNING**

I1. Within three (3) months of receiving this Approval, the Company shall prepare a Traffic Management Plan and provide it to the Municipality of Port Hope and the County of Northumberland.

- I2. Within three (3) months of having provided the Traffic Management Plan to the Municipality of Port Hope and the County of Northumberland, the Company shall make reasonable efforts to enter into a Road User Agreement with the Municipality of Port Hope and the County of Northumberland.
- I3. If a Road User Agreement has not been signed with the Municipality of Port Hope and the County of Northumberland within three (3) months of having provided the Traffic Management Plan to the Municipality of Port Hope and the County of Northumberland, the Company shall provide a written explanation to the Director as to why this has not occurred.

## **J - OPERATION AND MAINTENANCE**

- J1. Prior to the commencement of the operation of the Facility, the Company shall prepare a written manual for use by Company staff outlining the operating procedures and a maintenance program for the Equipment that includes as a minimum the following:
  - (1) routine operating and maintenance procedures in accordance with good engineering practices and as recommended by the Equipment suppliers;
  - (2) emergency procedures;
  - (3) procedures for any record keeping activities relating to operation and maintenance of the Equipment; and
  - (4) all appropriate measures to minimize noise emissions from the Equipment.
- J2. The Company shall;
  - (1) update, as required, the manual described in Condition J1; and
  - (2) make the manual described in Condition J1 available for review by the Ministry upon request.
- J3. The Company shall ensure that the Facility is operated and maintained in accordance with the Approval and the manual described in Condition J1.

## **K - RECORD CREATION AND RETENTION**

- K1. The Company shall create written records consisting of the following:
  - (1) an operations log summarizing the operation and maintenance activities of the Facility;
  - (2) within the operations log, a summary of routine and Ministry inspections of the Facility; and
  - (3) a record of any complaint alleging an Adverse Effect caused by the construction, installation, use, operation, maintenance or retirement of the Facility.
- K2. A record described under Condition K1(3) shall include:

- (1) a description of the complaint that includes as a minimum the following:
  - (a) the date and time the complaint was made;
  - (b) the name, address and contact information of the person who submitted the complaint;
- (2) a description of each incident to which the complaint relates that includes as a minimum the following:
  - (a) the date and time of each incident;
  - (b) the duration of each incident;
  - (c) the wind speed and wind direction at the time of each incident;
  - (d) the ID of the Equipment involved in each incident and its output at the time of each incident;
  - (e) the location of the person who submitted the complaint at the time of each incident; and
- (3) a description of the measures taken to address the cause of each incident to which the complaint relates and to prevent a similar occurrence in the future.

K3. The Company shall retain, for a minimum of five (5) years from the date of their creation, all records described in Condition K1, and make these records available for review by the Ministry upon request.

#### **L - NOTIFICATION OF COMPLAINTS**

- L1. The Company shall notify the District Manager of each complaint within two (2) business days of the receipt of the complaint.
- L2. The Company shall provide the District Manager with the written records created under Condition K2 within eight (8) business days of the receipt of the complaint.
- L3. If the Company receives a complaint related to groundwater, the Company shall contact the District Manager within one (1) business day of the receipt of the complaint to discuss appropriate measures to manage any potential groundwater issues.

#### **M - CHANGE OF OWNERSHIP**

- M1. The Company shall notify the Director in writing, and forward a copy of the notification to the District Manager, within thirty (30) days of the occurrence of any of the following changes:
  - (1) the ownership of the Facility;
  - (2) the operator of the Facility;

- (3) the address of the Company;
- (4) the partners, where the Company is or at any time becomes a partnership and a copy of the most recent declaration filed under the *Business Names Act* , R.S.O. 1990, c.B.17, as amended, shall be included in the notification; and
- (5) the name of the corporation where the Company is or at any time becomes a corporation, other than a municipal corporation, and a copy of the most current information filed under the *Corporations Information Act* , R.S.O. 1990, c. C.39, as amended, shall be included in the notification.

## **SCHEDULE A**

### **Facility Description**

The Facility shall consist of the construction, installation, operation, use and retiring of the following:

- (a) Six (6) arrays of photovoltaic (PV) modules or panels with a total name plate capacity of up to approximately 10 megawatts (AC), with each array containing one (1) cluster consisting of two (2) 800 kW inverters and one (1) 1.75 MVA transformer; and
- (b) associated ancillary equipment, systems and technologies including, but not limited to, one (1) transformer substation, on-site access roads, below and above grade cabling, and below and above grade distribution lines,

all in accordance with the Application.

## SCHEDULE B

**Table 1: Coordinates of the Equipment and Noise Specifications**

Coordinates of the Equipment are listed below in UTM, Z17-NAD83 projection:

<b>Source ID</b>	<b>Maximum Sound Power Level (dBA)</b>	<b>Easting (m)</b>	<b>Northing (m)</b>	<b>Source Description</b>
NS-01	<b>100</b>	709,163	4,869,692	Inverter/Transformer House 1
NS-02	<b>100</b>	709,155	4,869,549	Inverter/Transformer House 2
NS-03	<b>100</b>	709,202	4,869,386	Inverter/Transformer House 3
NS-04	<b>100</b>	709,258	4,869,236	Inverter/Transformer House 4
NS-05	<b>100</b>	709,401	4,869,145	Inverter/Transformer House 5
NS-06	<b>100</b>	709,336	4,869,029	Inverter/Transformer House 6
NS-07	<b>92</b>	709,594	4,869,168	Transformer Substation
NS-08	<b>83</b>	709,583	4,869,171	HVAC

Note: Each Sound Power Level value in all the above tables corresponds to the combined output of all the identified equipment in each cluster, and includes the 5 decibel (dB) adjustment for tonality as prescribed in Publication NPC-104.



*The reasons for the imposition of these terms and conditions are as follows:*

1. Conditions A1 and A2 are included to ensure that the Facility is constructed, installed, used, operated, maintained and retired in the manner in which it was described for review and upon which Approval was granted. These conditions are also included to emphasize the precedence of conditions in the Approval and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review.
2. Conditions A3 and A4 are included to require the Company to provide information to the public and the local municipality.
3. Conditions A5 and A6 are included to ensure that final retirement of the Facility is completed in an aesthetically pleasing manner, in accordance with Ministry standards, and to ensure long-term protection of the health and safety of the public and the environment.
4. Condition A7 is included to require the Company to inform the Ministry of the commencement of activities related to the construction, installation and operation of the Facility.
5. Condition A8 is included to require that the Company consult with the Ministry of Agriculture and Food for guidance relating to decommissioning and returning the property back to its agricultural capacity.
6. Condition B is intended to limit the time period of the Approval.
7. Condition C1 is included to provide the minimum performance requirement considered necessary to prevent an Adverse Effect resulting from the operation of the Equipment and to ensure that the noise emissions from the Equipment will be in compliance with applicable limits set in Publication NPC-300.
8. Conditions C2 and C3 are included to ensure that the Equipment is constructed, installed, used, operated, maintained and retired in a way that meets the regulatory setback prohibitions set out in O. Reg. 359/09.
9. Conditions D, E, F, H, and I are included to ensure that the Facility is constructed, installed, used, operated, maintained and retired in a way that does not result in an Adverse Effect or hazard to the natural environment or any persons.
10. Condition G is included to protect archaeological resources that may be found at the project location.
11. Condition J is included to emphasize that the Equipment must be maintained and operated according to a procedure that will result in compliance with the Act, O. Reg. 359/09 and this Approval.
12. Condition K is included to require the Company to keep records and provide information to the Ministry so that compliance with the Act, O. Reg. 359/09 and this Approval can be verified.
13. Condition L are included to ensure that any complaints regarding the construction, installation, use, operation, maintenance or retirement of the Facility are responded to in a timely and efficient manner.

14. Condition M is included to ensure that the Facility is operated under the corporate name which appears on the application form submitted for this Approval and to ensure that the Director is informed of any changes.

## NOTICE REGARDING HEARINGS

*In accordance with Section 139 of the Environmental Protection Act, within 15 days after the service of this notice, you may by further written notice served upon the Director, the Environmental Review Tribunal and the Environmental Commissioner, require a hearing by the Tribunal.*

*In accordance with Section 47 of the Environmental Bill of Rights, 1993, the Environmental Commissioner will place notice of your request for a hearing on the Environmental Registry.*

*Section 142 of the Environmental Protection Act provides that the notice requiring the hearing shall state:*

1. The portions of the renewable energy approval or each term or condition in the renewable energy approval in respect of which the hearing is required, and;
2. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

*The signed and dated notice requiring the hearing should also include:*

3. The name of the appellant;
4. The address of the appellant;
5. The renewable energy approval number;
6. The date of the renewable energy approval;
7. The name of the Director;
8. The municipality or municipalities within which the project is to be engaged in;

*This notice must be served upon:*

The Secretary\*  
Environmental Review Tribunal  
655 Bay Street, 15th Floor  
Toronto, Ontario  
M5G 1E5

AND

The Environmental Commissioner  
1075 Bay Street, 6th Floor  
Suite 605  
Toronto, Ontario  
M5S 2B1

AND

The Director  
Section 47.5, *Environmental Protection Act*  
Ministry of the Environment  
2 St. Clair Avenue West, Floor 12A  
Toronto, Ontario  
M4V 1L5

**\* Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 314-4600, Fax: (416) 314-4506 or [www.ert.gov.on.ca](http://www.ert.gov.on.ca)**

*Under Section 142.1 of the Environmental Protection Act, residents of Ontario may require a hearing by the Environmental Review Tribunal within 15 days after the day on which notice of this decision is published in the Environmental Registry. By accessing the Environmental Registry at [www.ebr.gov.on.ca](http://www.ebr.gov.on.ca), you can determine when this period ends.*

*Approval for the above noted renewable energy project is issued to you under Section 47.5 of the Environmental Protection Act subject to the terms and conditions outlined above.*

DATED AT TORONTO this 24th day of July, 2014

A handwritten signature in black ink, appearing to read 'V. Schroter', written over a horizontal line.

Vic Schroter, P.Eng.  
Director  
Section 47.5, *Environmental Protection Act*

RA/

c: District Manager, MOE Peterborough  
Max Frable  
Glen Tomkinson