

# HALDIMAND-NORFOLK HEALTH UNIT: "LEADERS IN RURAL HEALTH" ?

page 1 of 2

Throughout the last several years many representations have been made by Norfolk County officials denying the municipality's responsibilities for the industrial wind energy health crisis.

Contrary to these representations, the Ontario regulations, the Health Protection and Promotion Act (HPPA) defines responsibilities for officials of a municipal government.

For example, section c. H.7, s. 11 (1) notes that where complaints are made to a Medical Officer of Health or a Board of Health related to environmental health, a Medical Officer of Health must investigate to determine whether the health hazard exists or whether the health hazard does not exist.

The HPPA also notes there is liability for negligence.

Since the Clear Creek, Cultus and Frogmore industrial wind energy projects began operating in 2008 residents have complained of adverse health effects.

In 2009, more than 70 people signed a petition that was presented to all levels of government complaining of being adversely affect by the IWTs.

In November 2014, one victim asked the Medical Officer of Health serving Norfolk and Haldimand Counties, Dr. Malcolm Lock, MD, whether he had investigated, and if so, whether he had determined that health hazards existed, or whether he had determined that health hazards did not exist, as is required by the HPPA.

Dr. Lock responded to the victim in a letter dated Nov. 20, 2014, sent via Canada Post in an envelope postmarked Nov. 27, 2014, and received by the victim after the inauguration of the new Norfolk County Mayor (and Chairperson of the Haldimand-Norfolk Board of Health), Mr. Charlie Luke on December 3, 2014.

Included with Dr. Lock's Nov. 20, 2014 letter was a copy of correspondence from Dr. Lock to Mr. Geoffrey Knapper, District Manager with the Ontario Ministry of the Environment (MOE), dated August 15, 2012, and Mr. Knapper's response to Dr. Lock dated August 27, 2012. Dr. Lock had inquired about the status of the MOE's ongoing investigation into noise- and health-related complaints, and Mr. Knapper had replied, stating:

*"The ministry reviews of the AIM windfarm at Cultus, Clear Creek, Frogmore have **revealed** no significant environmental issues. Inspections were carried out using the ministry's field noise protocol."* [emphasis added]

However, in his Nov. 20, 2014 letter, Dr. Lock wrote:

*"reviewing Mr. Knapper's correspondence, which assured me that **there are no significant environmental issues**"* [emphasis added]

There is a big difference between the MOE bureaucrat's statement that Ministry reviews did not "reveal" significant environmental impacts and Dr. Lock's representation that there are none.

Mr. Knapper's statement is also questionable in light of the findings of the MOE's commissioned expert, Mr. Brian Howe, a licensed Professional Engineer, who submitted in his commissioned report to the MOE in 2010, "Low Frequency Noise and Infrasound Associated with Wind Turbine Generator Systems - A Literature Review", that:

*"The audible sound from wind turbines, at the levels experienced at typical receptor distances in Ontario, is nonetheless expected to result in a non-trivial percentage of persons being highly annoyed. As with sounds from many sources, research has shown that annoyance associated with sound from wind turbines can be expected to contribute to stress related health impacts in some persons. [...] Stress symptoms associated with noise annoyance, and in particular low frequency annoyance, include sleep interference, headaches, poor concentration, mood swings"*

# HALDIMAND-NORFOLK HEALTH UNIT: "LEADERS IN RURAL HEALTH" ?

page 2 of 2

The term "annoyance" used in this context is a medical term, and is defined as an adverse health effect by the World Health Organization.

Clearly the regulations including the noise-monitoring protocol used by the MOE are not adequate to protect public health. The public health implications may not be understood and/or are neglected by Medical Officer of Health Dr. Malcolm Lock.

Also included in Dr. Lock's Nov. 20, 2014 letter is reference to the Ontario Chief Medical Officer of Health's May 2010 report, "The Potential Health Impact of Wind Turbines".

In his letter to Mr. Knapper dated Aug. 15, 2012, Dr. Lock wrote:

*"the Chief Medical Officer of Health Ontario report of 2010, which confirmed **no causal evidence** connecting industrial wind turbines and adverse health effects"* [emphasis added]

However, the report actually stated:

*"The review concludes that while some people living near wind turbines report symptoms such as dizziness, headaches, and sleep disturbance, the scientific evidence available to date does not demonstrate a **direct** causal link between wind turbine noise and adverse health effects. The sound level from wind turbines at common residential setbacks is not sufficient to cause hearing impairment or other **direct** health effects, although some people may find it annoying."* [emphasis added]

Under oath at the Ontario Environmental Review Tribunal hearing in 2011, *Erickson v. Director, Ministry of the Environment*, Dr. Gloria Rachamin (Ph.D.), lead author of the CMOH report, testified that in reaching its conclusions the report had not considered the "indirect" causal pathway to adverse health effects, which includes sleep disturbance and annoyance. Nevertheless, in its decision the Tribunal found that "serious harm to human health" includes harm caused via the "indirect" pathway. This is how the devastating impacts to peoples' health and lives have been ignored by public health officials.

Furthermore, as is clearly stated in the CMOH report of 2010, the opinions expressed in the report apply for industrial wind energy projects where the minimum separation between IWTs and homes is 550 metres, the minimum separation distance stipulated by the Green Energy Act of 2009. However, because the complaints referred to above pertain to industrial wind energy projects built prior to the Green Energy Act when the municipality of Norfolk County was responsible for enacting minimum separation distances, many of the complaints come from homes located significantly closer than 550 metres from one or more IWTs, for example, 400 metres, and therefore the report is not applicable to the Clear Creek, Cultus, Frogmore IWT zone.

## *Conclusion*

Many communities are currently affected or threatened by the proliferation of industrial wind energy projects and an emerging public health tragedy. A breach in public health safeguards is of concern to everyone.

There remain unanswered questions about Haldimand-Norfolk Medical Officer of Health, Dr. Malcolm Lock: does he consider that he performed an investigation into the IWT-related health complaints he received? Did he determine that health hazards exist created by the industrial wind energy projects, or did he determine that health hazards do not exist?

What kind of medical doctor who has responsibilities as a public health officer would be satisfied with an investigation that did not include consulting the people who are reporting the injuries? If we compare to other public health disasters like the Walkerton water contamination, it is clear that literature reviews are not an adequate response to increasing reports of adverse health effects in the environs of industrial wind turbines.