

“No action likely”

Ontario Ministry of Environment response to noise complaints at the Nation Rise wind power project in Ontario, Canada

A report by Wind Concerns Ontario, based on documents obtained via Freedom of Information legislation

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SUMMARY

The Nation Rise wind power project was the last industrial-scale or grid-scale wind power project approved in Ontario, despite controversy, opposition from the “host” community, and even agreement by the then environment minister himself that it should be stopped.

Problems surfaced early for the project, during the testing phase and months before it was granted formal commercial operation status, as residents complained to government about noise from the wind turbines.

In documents obtained via Freedom of Information legislation, it is apparent that the environment ministry staff had absolutely no intention of taking any sort of action about the citizen complaints. Instead, staff put on a public show of politely responding to complaints, logging them, and then doing precisely nothing. The phrase “no action” appears several times.

Worse, email correspondence between ministry staff and the wind power developer/operator demonstrates an unusually casual relationship, so much so that a senior environmental officer actually asked the developer what to do about the noise complaints.

The Ontario Ministry of Environment, Conservation and Parks is responsible for protecting the environment and enforcing existing regulations and the terms of the Renewable Energy Approval (REA) for wind power projects. In the case of Nation Rise, there is no evidence in the complaint records that the ministry staff are doing any of these things.

While statements from the now former Minister of Environment, Conservation and Parks reflected the government’s position that it was working for Ontario residents, the response to the complaint records indicates that the actions of ministry staff are not aligned with this overall government direction. This disconnect needs to be addressed.

Our specific findings:

- Complaints about noise from wind turbines arose early on in this power generation project, before Commercial Operation.
- Ministry staff seem unprepared in terms of wind turbine noise, how to deal with the public, the requirements of the REA and on the ministry’s own noise complaint process
- Local ministry staff seem to lack support from upper levels in the ministry.
- Correspondence indicates a preferential, even “cosy” relationship between the ministry which is the regulator and the wind power operators.
- The environment ministry continues to rely on outdated reference material for its position which underlies statements that no action to deal with wind turbine noise complaints will be taken.
- As found in other projects, complaints clearly indicate an association with adverse health effects due to long-term exposure to noise and sleep disturbance, but there is no effective mechanism to respond.
- There is a disconnect between the environment ministry and the Independent Electricity System Operator (IESO) with the result that in this case, no notice was given the IESO of problems with the project prior to granting Commercial Operation.

Contents

SUMMARY 2

INTRODUCTION 4

 Noise 5

 Health impacts 6

 MECP complaint handling process and staff preparedness 7

 IESO 14

Conclusion 15

Recommendations 16

INTRODUCTION

The approval process for the Nation Rise wind power project is well known in Ontario, because there was controversy when the 100-megawatt power facility was approved by the Ontario government in the last days of the regime under Premier Kathleen Wynne immediately prior to that government's fall in an election. The high profile is because of several legal actions taken by members of the community in North Stormont, and because the new Minister of the environment ministry cancelled the project due to concerns about the risk to wildlife, but then had his decision as a Minister of the Crown overturned by the courts.

Wind Concerns Ontario was informed of numerous complaints during the development of this project, including complaints about the use of chemicals on access roads during construction, construction noise outside of permitted hours according to local bylaws and then, when the turbines were erected and operating in test mode, many complaints about noise, vibration and associated health impacts.

Using the Freedom of Information process, we requested all "Incident Reports, summaries, emails and other documentation" related to the project between January and July, 2021; June was the expected date when Ontario's Independent Electricity System Operator or IESO could grant final approval for the project in the form of a Commercial Operation Date or COD. The request was made in October of 2021; fulfillment of the documents was achieved in April of 2023 (A-2021-03739). The delay in fulfillment was perhaps due to an appeal filed by an unknown third party to force the government to not release documents; that appeal failed, and the documents were released.

Key themes identified from our review of the 1,300 pages supplied are:

- Noise
- Health impacts from noise
- Environment ministry (MECP) complaint handling process
- Role of the IESO and connection with MECP

Although we asked for formal Incident Reports, which is how the ministry records complaints made to offices and the Spills Action reporting line, we did not receive a single formal Incident Report document for the seven-month period. We note also that records are redacted particularly where health impacts are noted—this would have nothing to do with protecting privacy which is nominally the reason for any redactions to documents.¹

As well, while emails indicate there were 149 noise complaints made during the prescribed time period, again, no formal Incident Reports are provided, and there are no detailed records of any type that align with the total number of 149 complaints reported.

¹ It is our understanding that while third parties may see documents and make recommendations for redaction, the final decision rests with the ministry. Why are descriptions of health impacts being hidden?

There is also correspondence missing. Wind Concerns Ontario wrote to the ministry with regard to this project several times, yet our letters, and the responses to them, are absent from these documents.

At the time of writing this report, we received documents from a separate Freedom of Information request for the last months of 2021. This time, there were copies of formal Incident Reports. The noise reports numbered 19 bringing the total number of complaints about noise from the Nation Rise project to 168. Interesting that yet another Freedom of Information request for the total number of complaints yielded just 54 formal reports for all of Ontario in 2021. If ministry staff were serious about comprehensively tracking reports of problems with wind turbine noise, the numbers from these various requests for the same time period should more closely align.²

Noise

The main reason for complaints to the Ministry was noise. In the early months of 2021, the complaints were about construction noise, complaints about the company working outside hours approved by the municipality, etc. but in the main complaints featured descriptions of wind turbine noise, often with descriptions of the effects on sleep and health.

In January 2021, one person expressed surprise at the level of noise and said

“I cannot bear the thought of living through this in the summer.” (P.000078)

Also in January,

“whooshing and hum...jet-like noise outside and feels like hum in house...”

The same person filed a complaint in March and said he/she felt “generally unwell if in the house” and “had to leave the house due to nois [sic]” followed by another complaint in April “excessive noise” and again through April to June, “hum in house continually,” and “at night brutal”. (PP. 000555-000556)

In March:

“I am logging my third noise complaint and Nation Rise is not even operational yet.” (000334)

In April:

“...was quite concerned about the noise levels at 4:30 am yesterday as [REDACTED]...I find the sound absolutely annoying and unacceptable this morning.” (PP. 000180-000181)

In May:

(Report prepared by staff at Spills Action Line)

² A02022-00396. This request was the subject of an appeal to the Office of the Information and Privacy Commissioner as we had evidence that a significant number of complaints were missing from the fulfillment, many from the Niagara Region Wind Farm and K2 Wind projects along with the Nation Rise project.

“May 21, 11 pm—noise from [REDACTED] described by Caller as ‘brutal’. Caller noted very high winds and had to shut the windows to block noise. Caller reports noise is there 24/7 ...”

And

“May 23rd: Caller reports noise from [REDACTED] is loud and that it was causing physical pain. Caller stated ‘noise is like a jet plane that don’t go anywhere’ ” (P. 000320)

In June:

“...there is no escape from the constant noise. It sounds like a jet passing over ALL THE TIME....it has become a nightmare to live here.” (P. 000529)

The complaints reported for the turbines being installed at Nation Rise are consistent with the types of noise reported by residents living close other wind turbine projects in previous complaints. These reports confirm that the separation between people and wind turbines set out in Regulation 359/09 is not sufficient.

Health impacts

Most of the complaints featured mentions of health impacts or used words like “feel”, which implies the presence of adverse health effects. As well, most of the complaints were made at night, or during the day referring to the experience at night, which suggests sleep disturbance, another cause of adverse health impacts if experienced over time.

“I am so tired I am [REDACTED] almost every day feeling the need to rest and worst of all when the turbine is running I am having [REDACTED]” (P.000562)

Note: The MECP is allowed to redact information if it betrays privacy of the individual reporting, but in this case, clearly, reports of serious health impacts are being redacted by ministry staff.

“I have repeatedly reported sleep annoyance and heart issues when the turbines are running...” (P. 000644)

“At times the noise is unbearable. I have developed health issues to where I am now [REDACTED] and am seeing [REDACTED]. I don’t even have to be outside to know when the turbines start [REDACTED];” (P.000668)

This is another example where details of the health impacts have been redacted.

As early as February, people were reporting adverse health effects and commenting on the lack of response by the MECP.

“What is the root cause of this and how do I stop the hum which is causing pressure/pain in my inner ears when the turbines spin?” (P. 000108)

In response to this latter complaint about ear pain, the Environmental Officer responded, “I understand that changes such as tree planting to provide addiotnal [sic] shielding etc. are the

types of things that would be considered.” (P.000131). No explanation was provided on how tree planting would address the concern raised by the resident.

Another feature of the response was that the operator was conducting noise testing to which one person said,

“Why is it that the wind turbine company gets a free pass until summer of [sic] later when noise monitoring will be completed? ...I am requesting that turbines not spin until real live noise monitoring (as limited as it is) is conducted. That is only fair.” (P.000145)

Some of the complaints reported suggest that the wind turbine noise had a tonal quality, which according to ministry rules should mean a 5 dB “penalty” is applied to any noise monitoring.

At this stage, the company was carrying out its mandatory audit on “worst case” turbine locations, and for this reason is not responding to specific complaints. Unless specific noise monitoring was done at this location, the company was not compliant with the REA. The reports of noise with a tonal quality at this specific location were not confirmed or disproven.

Another example:

The Environmental Officer relates a complaint to power developer EDPR and says

“The Caller reported to me on April 26th that [REDACTED] has been feeling a lot of pressure in [REDACTED] ears the past week. *Not noise so much as vibration or pressure.*” (Emphasis theirs) (P. 000242)

This complaint suggests the presence of low frequency noise or infrasound in the wind turbine noise emissions. The noise audit test is limited to frequencies of audible noise. There is no indication of any testing of noise outside of the normal audible frequencies was conducted despite these specific complaints.

MECP complaint handling process and staff preparedness

It is part of the Renewable Energy Approval for the Nation Rise power project that the operator must create a record of each complaint made about the operation including information such as date and time of the event, and “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.*”³

The records provided via the Freedom of Information request do not include records of how the operator managed complaints. In many of the emails between the MECP and Nation Rise staff is reference to telephone meetings to discuss issues and responses, for which records were not provided.

The intent of the REA is well understood: in the event the operator receives complaints, it is to investigate and take action so that complaints do not re-occur. The Ministry’s role is to oversee

³ Nation Rise Renewable Energy Approval, W2 (3), page 36, available at: [REANo.0871-AV3TFM.pdf \(edpr.com\)](#)

this process and ensure that regulations and the terms of the approval for the projects are followed.

It is evident early on in the progression of emails and other documents that the staff associated with the Cornwall District Office, who were responsible to respond to complaints about the Nation Rise power project, were not prepared.

In January of 2021, the officer assigned wrote to staff with the wind power operator, thanking them for their help with this explanation,

“While I have a significant amount of experience with a wide range of industrial facilities, as you can imagine, the opportunity to be involved in the industry of ‘wind farming’ was not one. The discussions and correspondence help me address the complaints/concerns brought forward by the public.” [Page 000016]

In other words, the staff of the *regulator* is asking for help from the actual power developer to do her job.

About a week after that email, the same senior environmental officer again contacts the power developer to ask whether the on-site workers think the noise being produced by the Nation Rise wind turbines is unusual. She also appears to have little understanding of the ministry’s process.

“Can you please ask those experienced on site workers their perception of the noise levels? I am especially interested in off-site levels and observations. It is my experience that a sound that is not observed at the source is often observed remotely. I presume that when there is a complaint that the person tasked with assessing the validity of the complaint travel down wind and listen as well? Please confirm that going forward noise assessment will includes [sic] some level of a ‘stop and listen’ 500 metres down wind, if possible, and especially if the complainant identifies a new or odd noise in characteristic or intensity.

“Please ask a few of the most experienced staff as to their general sense of whether noise/sound generated is similar or significantly different from other sites.” [Page 000063]

Only if the staff think the noise is louder, she says, will “other work” be done “before all 28 [turbines] are constructed.” [Page 000063]

So, what does this mean? Why is this comment important? The Environmental Officer, a staff member whose role is to enforce regulations on behalf of the ministry and the government, is actually asking the business itself, whether it thinks regulations might be being violated.

Incredibly, the officer also describes her understanding of sound or noise and says this:

“Obviously, the perception of noise levels is subjective.” [Page 000063]

MECP enforcement of wind turbine noise is not subjective but rather, is based on the specific noise levels set out in the approval for the project: 40 dBA. Sections B & C of the ministry’s “Compliance Protocol for Wind Turbine Noise” set out a series of actions that ministry staff

should take in response to noise complaints. Requesting subjective assessments of the noise levels from the project operator are not part of this process. The comments and actions by the Environmental Officer suggest that the officer is not aware of ministry protocols regarding wind turbine noise.

Again, in this particular interchange, the officer thanks the power developer for “continued assistance” and apologizes for inquiries adding an expression of hope that there will be “less onerous drawing on your time in the near future.”

There is evidence in these documents of “administrative bias”: it is apparent that the authority when dealing with complaints lies with the wind power operator, and little response is contemplated by the regulator.⁴

Response to complaints gradually became so erratic that one person resorted to creating a multi-page table documenting the complaints complete with Incident Report numbers and details, requesting that he/she get some help. [Pages 000377-000379] One line item described response from the operator as “basically a brush-off.”

This is in conflict with the requirements of the REA for the project which requires the project operator to investigate *each* complaint, identify the cause and correct it so that will not be repeated.

The underlying tone was that the complaints about noise, which more than one resident described as “unbearable” or “brutal”, and which were frequently associated with reports of health impacts, were never going to be acted on.

Why? The ministry’s “position” is the response.

The Senior Environmental Officer assigned to Nation Rise out of the Cornwall Office responded to a person who filed complaints by email in June with this comment:

“With respect to general health impacts being reported from noise or infrasound, the ministry will continue to log those calls. However, the expectation is that *no other action is likely* to be taken, given the ministry positions:

- The Ministry of the Environment and Climate Change’s (“ministry”) approach to measuring wind turbine noise is based on the best available science and was developed to protect human health and the environment. With respect to infrasound, based on available reports and research, it is concluded that MECP setbacks and other regulatory requirements address any concerns about health impacts and infrasound.
- Regulatory or compliance requirements are based on published reports of various medical organizations, including Medical Officers of Health, World Health

⁴ Administrative bias is discussed in “Access to Justice: Recommended Reforms to the Ontario Justice System using the Green Energy Act as an Example” by Whiteley, A, Dumbrille, A, and Hirsch, J, 2021, in the Open Journal of Social Sciences, 9, 1-15.

Organization (WHO) and Health Canada.⁵ It is important to note that in order to address potential of health effects from wind turbine noise and safeguard the public from noise related health impacts, the ministry developed the regulations and required setbacks for turbines to be consistent with the guidelines recommended by the health organizations.

...the MECP is not qualified to assess or diagnose an individuals [sic] health concerns. Anyone experiencing feelings of unwellness, are strongly encouraged to see a Health Care professional.”

This response is not supported by fact. The setbacks in Ontario to protect health are solely based on audible noise, with adjustments defined for noise with a tonal or cyclic quality. Infrasound/low frequency noise are not considered based on industry recommendations. Moreover, the organizations cited have not ever prescribed setback distances. The Ontario setback of 550 metres was developed in 2009 based on computer modeling of the distance required to limit exposures to 40 dBA. This entire response is a fiction, designed to deflect from the serious complaints. The complaints held by the ministry show that this setback is not sufficient and that infrasound/low frequency noises travel greater distances than audible noise emissions and do create adverse conditions for people exposed to these sounds. The reports of problems with the Nation Rise project are just another example of these problems.

It is also true that the Green Energy Act resulted in moving the responsibility for everything related to wind turbines to the environment ministry. Even after the repeal of the act, that responsibility never returned to the Ministry of Health.

While the Officer refers to authority of Medical Officers of Health, the reality is that they have no authority as regard wind turbines, as was revealed in a report from a health unit responding to local noise complaints. The epidemiologist leading the study said this:

“It is likely that Ontario public health units will continue to be asked to examine potential health hazards which the *Ontario Ministry of Health does not have the legislative authority to regulate*. Also, there will likely be more instances where a consistent data collection system is needed to better understand the experiences of those experiencing the potential health hazard. Further work is needed to examine how these issues can be addressed.”⁶

There is evidence that the Senior Environmental Officer assigned to deal with the public on Nation Rise was not prepared by the Ministry on issues of turbine noise. The information in the

⁵ If this reference is to the Health Canada community noise study and report, the study authors caution at the outset that the report is to be seen as a report on measurements taken at specific projects in Ontario and PEI, and NOT to be applied to other power projects, or used to develop policy or make decisions. We note that in documents obtained in another request, then environment minister Chris Ballard and Denton Miller make the same error in a 2017 document detailing ministry responses to questions about adverse health effects. [A-2020-00108, p. 000474]

⁶ Dr. Erica Clark, 2019. [Final Report - Huron County Wind Turbine Study about Noise, Vibration and Light, December 2019. \(uwaterloo.ca\)](#), page 4.

documents provided suggest that the officer does not understand the requirements of the REA for this project or the ministry's complaint handling process.⁷

In fact, the process itself is not clear to staff, and there was discussion about how to proceed. In one email interchange in May between the Cornwall Environmental Officer and a Divisional Program Specialist, the latter schools the Officer on how she is responding to, and logging, complaints.

“Unfortunately, the way you are currently capturing complaints does not allow us to roll up the complaint data as accurately as possible as we only see a single complaint. Actually, I have been capturing complaints properly. I have been capturing them with an event for every call.” [P. 000293]

And,

“I don't know why you would be calling in complaints received by the ministry to the company only to have them report them back to us...this seems redundant.”

Nevertheless, a few weeks later in June, she tells a resident following a complaint:

“I encourage Callers being impacted by noise or other Turbine concerns to (also) contact the company directly when possible. ... By contacting the company directly they can at that time (or call you back) to collect additional details if needed; it increases the likelihood of a site visit by the technicians/company to the turbine when the noise or impact is ongoing; *you are not relying on a third party* to forward the email/call...” [P. 000408]

“Third party”? The Environmental Officer is acting as the *regulator*.

Another email exchange shows a blurry understanding of responsibility:

“...complaints forwarded to the company if the caller has not...I have expl [sic] the value in them [complainants] calling the company for quicker site visit etc., but ultimately their choice...” [P. 000444]

As late as June, the same Officer demonstrated a poor level of understanding of the structure of the project and the responsibilities under the REA. The officer wrote an email to the project operator with several questions, asking for clarification, among which was this:

“Often I have been advised that while EDPR over sees the project, ENERCON is the Owner and is the company that retains the contractors etc. Please clarify and advise regards the following:

⁷ The ministry had a series of training workshops prepared and delivered in 2011 by the Guelph District Office which covered not only the process but also Environmental Officer responsibilities, and a general discussion on the nature of wind turbine noise emissions. It is apparent this level of preparation is not currently offered.

- ENERCON owns the wind turbines themselves?...
- Because ENERCON “owns the turbine” they exert control over proprietary information and all product operational requirements?
- When it comes to selecting companies to over see project development/construction is it ENERCON the owner of the units or Nation Rise Wind Farm GP Inc. who have that authority?” [Page 000498]

The Officer is not at all clear on who is responsible for what, and somehow has the mistaken idea that the turbine manufacturer is somehow also “the Owner” of the project. Responsibility for the project is clearly set out in the approval documentation of the project which shows that Nation Rise Wind Farm GP Inc was granted the approval to develop and operate the project. EDPR is under contract with the owner to act as manager of project operations.

The Cornwall response to citizen complaints varied over time. In January, the Officer advised people they could call the wind power operator directly, and/or the Spills Action line, but only for

“unusual noise rather than normal operating noise”. [P.000031]

Variations in the process were noticed by people making repeat complaints. In June, one resident sent these comments to the Environmental Officer by email:

“You had told me not to call the Spills Line but yet on the Report pollution online page they do have an option to report by calling 1-800-MOE-TIPS. Could you explain why it says on the website we can call to make a complaint and you say not to?” [P.000407]

The resident added:

“You make a naïve, incompetent or neglectful assumption that people who suffer with noise or shadow flicker from the industrial wind turbines...should first reach out to their abusers, and wait their feedback? This is like asking people who have been robbed to call the robbers and complain to them and ask for justice.” [P. 000407]

The company’s response to noise complaints is not included often in this tranche of documents but in one case, in response to complaints made in January, the company spokesperson claimed to have done “a visual inspection of turbine ■ ...indicate the turbine was operating normally.” [P.00039]

The company then said no action would be taken and

“Furthermore, we do not intend to stop or limit the turbine’s operation in any wind direction.” [P.000039]

According to these email records, this statement by the project operator indicates a clear violation of the approval for the project which requires a full investigation of the situation to identify the cause of the complaint so that it can be corrected to prevent repeated complaints.

“Visual inspections” or drive-bys of the turbine do not comply with the requirements of the approval.

Residents were clearly disappointed by the lack of response. In May:

“...no one has ever come out waiting instead for the proponents own measurements sometime in the next years or so.” [P.000334]

At least one person must have been told “You are the only one complaining” because he/she wrote back:

“I cannot be the only one complaining about the turbine noise. I personally know of others that are experiencing same and if I am the only person reporting...this means the residents of North Stormont have lost complete faith in the MECP’s ability or willingness to do anything about it.” [P.000321]

In another email exchange between a resident and staff in both the Cornwall and regional offices, a report is referred to apparently from the project operator which said a site visit had been done in response to the complaint:

“...observed that it was still windy. That is our sole observation. *We did not consider the excessive noise unusual* or even mention anything about noise in our report so no corrective action will be taken. We claim not to know the complainant’s contact info in this report and did not go to his location even though we documented his address...”

And, incredibly, the project operator’s response documents a clear violation of the terms of the project approval:

“Please disregard this complaint and close this file as *we are ignoring it* and hope you will too.” [000270]

The documents provided include no documentation of follow up on this violation of the terms of the approval.

With regard to health effects the Senior Environmental Officer at Cornwall opined in an email:

“I report what people advise is the ‘impact’. It is not my role to discriminate and remove information.” [P. 000445]

The officer then goes on to do exactly that, expressing an opinion on the cause of health effects.

“The issues could be due to many factors—and most ar [sic] already pre-existing (tinnitus and anxiety as example). Complaints of health primarily at one residence where both adults report issues. Other complaints tend to be ‘noise and being awakened at night’ The MECP has responded many times indicating nuisance could occur *but no health impacts.*” [P.000445]

In other words, the Officer has made her own determination as to the validity and seriousness of health impacts, and ultimately dismissed them.

As late as June 10 is an email from an MECP ... setting up a meeting to review the protocol for logging complaints, and what response should be. [P.000446]

The documents provided under a separate request, [A-2022-00040] were mainly copies of reports prepared by the Cornwall Office and consisted of a new form report titled the “Responsive Event Report”. It is not clear whether this is now a ministry-wide format but it varies substantially from the earlier Pollution Incident Reports. The new format contains multiple fields which are not always present and not consistently filled in. There were 19 files in all, of which 17 related to noise, and two to problems with well water.

Noise complaints continued with some referring to “physical health effects”. The response was:

“There is no further action possible at this time.” [P.000002]

One of the fields, which was filled out only twice, was the distance between the nearest wind turbine and the complainant’s location. The distances reported were 853 and 956m, with a complaint about a disturbed water well at 880m. There was also (sometimes) a line about whether the complainant is located more than 1500m from the nearest wind turbine. [A-2022-00040, p.000017]

IESO

As the date for the final stage in the contracting process approached, where the Independent Electricity System Operator or IESO granted Commercial Operation status some residents questioned the MECP on whether this should happen, given the number of noise complaints. On June 16 a resident sent an email to the IESO and copied the local Member of Provincial Parliament.

On June 17, the Cornwall Office Environmental Officer emailed the Regional Office management staff with this comment:

“IESO has never reached out to us and I suspect are well acquainted with the concerns of other wind farms – which went ahead to CO status. Not familiar with IESO ... I did tell Sandra that it was likely that yourself (Tracy) or a team may reach out to see how these emails might be best addressed. [REDACTED] we may need a longer meeting to update...as hope to have a complete, legible, summary of issues and proposed actions/responses”. [P. 000533]

The exchange brings up a question: is it up to the MECP to report problems to the IESO, or is it the responsibility of the IESO to confirm whether requirements of the Renewable Energy Approval have been met, prior to granting final contract status?

Conclusion

This report is the latest in a series begun by Wind Concerns Ontario to document environment ministry response to wind turbine noise complaints. As seen in other reports, the response is lacking with very little action being taken.

In the case of Nation Rise, the response from the outset was hampered by the lack of preparedness by the staff assigned and an apparent lack of support for staff. The process of collecting noise complaints seems flawed and inconsistent. There are variations between reports and the documents provided in response to Freedom of Information requests, certainly.

On a larger scale though, it appears the staff of the Ontario Ministry of Environment has simply made up its mind that wind turbine noise is not a problem, that the regulations work to protect people and the environment, and there is simply no use in pursuing further action: “No action likely.” The ministry intends only to “log” the complaints—there is no indication that any sort of review or evaluation takes place. Indeed, the assumption is that the complaints are essentially groundless, and therefore, no action is necessary.

The 1,500 metre figure crops up as in other report responses filed elsewhere, as in the industry has determined that it is not possible for noise to be perceived at 1,500 metres and beyond, therefore it isn’t happening, and no reports will be logged from people at that distance. Despite its claim to rely on “science,” the ministry is not collecting information that could be valuable in analyzing trends in noise complaints. This is not a scientific approach, and is certainly not one that betrays a willingness to deal with, and resolve, problems.

The Ministry is mistakenly relying on the 2014 publication by the federal health ministry, despite cautions from the authors of that study that the conclusions in it are not to be applied beyond the actual projects used in the exercise, and the fact that the study actually did show problems with wind turbine noise/ The ministry also relies on the now outdated 2010 statement by the Ontario Medical Officer of Health—even though that report concluded that more work needed to be done on an ongoing basis, including actual environmental noise assessments.

Indeed, the Cornwall Environmental Officer appears to have contacted the health ministry only to be told:

“they are not looking at doing more studies etc. – they have reviewed docs from Public Health and nothing has substantially changed.” [P. 000533]⁸

As in reports of noise complaints collected from other years, the reporting of noise and adverse health effects is very disturbing. At a minimum, the fact that many of the complainants discuss sleep disturbance is a significant concern: this effect alone can result in other, serious long-term

⁸ Wind Concerns Ontario has email correspondence from Dr. Ray Copes, one of the co-authors of the ministry’s original health statement, also a former head of Public Health Ontario, whose opinion was that an update policy document was probably a good idea, given new research and the length of time from the first paper.

health effects including cardio-vascular disease and diabetes. Environment ministry staff are not equipped to deal with these reports, and the responsibility has been removed from the health ministry. It should be a concern when members of the public are describing their lives as “unbearable.”

Recommendations

The complaints that the Ministry received regarding the Nation Rise project align with the complaints that have been received about the operation of other wind projects since 2006. Collectively, the information contained in these complaints provide evidence to the ministry that the regulations established under the Green Energy Act in 2009 are not sufficient to protect residents living among the turbines from excessive noise.

Regulation update: The number of complaints received confirm that the setback distances in Regulation 359/09 are out of date and require updating. These regulations need to be updated to reflect similar increases in setback distances in other jurisdiction. This situation is a particular concern in 2023 as the Independent Electricity System Operator (IESO) is launching a series of procurement efforts, some of which may attract proposals for new wind power projects. New regulations should be in place or at a minimum, a statement of intent to revise same by the government.

Noise: The complaints also show that the noise emissions from wind turbines are more complex than is assumed by the noise limits. Audible noise emissions at levels below 40 dBA are reported as problems. In addition, the complaints confirm that wind turbines also emit low-frequency noise and infrasound that are also disrupting sleep. The ministry needs to update its position on wind turbine noise, and conduct a new, up-to-date, objective, independent assessment of wind turbine noise emissions. At present, though it is acknowledged that wind turbines also emit low-frequency noise, the ministry continues to measure only audible noise.

IESO: There is clearly a disconnect between the IESO as the contracting authority and the MECP as the regulator. While the contracts for wind turbine projects require compliance with all regulation, there is no evidence that compliance with the terms of the REA is considered by the IESO. Documents referenced here show that MECP staff knew there were substantial noise complaints that could possibly have an effect on contracting requirements but did not communicate with the IESO; neither did the IESO check with the MECP to see if there had been any operational concerns.

Staff preparation: While this may only apply to one District Office, the fact that a “senior” Environmental Officer in charge of Ontario’s newest wind power facility should be so poorly prepared on the ministry processes, wind turbines, noise, and how to respond effectively to citizen complaints is a concern. We would ask what training is currently in place, and whether it is mandatory for staff in areas where wind turbines are operating.

Return of authority to Ministry of Health: Similar to previous complaints, a significant number of reports contain references to adverse health effects. Some of them are very serious such as cardiac issues, we recommend that the Ministry of Health once again be given authority to act. At the moment, the MECP has all the responsibility for everything to do with wind turbines, yet begs off any responsibility for responding to health complaints. In turn, the local health units say they have no authority. This has resulted in, frankly, a despicable abrogation of responsibility to the people of Ontario, who believed in a process that was said to be there to protect them.

Moreover, the suggestion of institutional bias is very worrying: the fact that the staff of the government department whose role is the regulator actually defer to the companies subject to the regulations poses questions about where the power really lies in this process. This should worry all people in Ontario, as it is a dangerous precedent.

Change is needed.

Wind Concerns Ontario is a coalition of community groups, families and individuals across Ontario concerned about the impacts of industrial-scale wind turbines on the environment, human health, and the economy.

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