

14. CHANGES TO THE ENVIRONMENTAL ASSESSMENT

If Bennett determines there is a need for changes to the EA, Bennett shall notify in writing, the Director of the Environmental Assessment and Approvals Branch (Director) of the proposed changes. Within 7 days, the Director will determine the nature of the proposed changes and shall advise Bennett accordingly.

14.1. ADMINISTRATIVE CHANGES

If the Director considers the change to be administrative in nature, the Director, will advise Bennett accordingly.

Where Bennett has made an administrative change to the EA, a copy of the amendment shall be provided to the Director and placed on the Public Record.

14.2. NEW UNDERTAKING

If the proposed change is considered a new undertaking, the Director will advise Bennett that a new EA will need to be submitted for review and approval under subsection 5(1) and 5(2) of the *Environmental Assessment Act*.

14.3. AMENDMENTS

The purpose of the amendment procedure is to allow for modifications to the approved environmental assessment that reflect a change in circumstance or new information.

Where the Director does not consider the changes to be administrative in nature, the Director, by notice in writing to Bennett shall require Bennett to follow the process outlined in the following ***amendment procedure***. ***The reasons for any such amendment may include:***

1. Changes to the nature and type of source materials;
2. Changes necessary for final design due to equipment availability, discovery of unknown conditions, changes in governing regulations, worker health and safety requirements and other causes; and
3. New and improved technologies for emission control, material handling, process control etc.;

It should be noted that such changes would be subject to approval under the *Environmental Protection Act* and the *Ontario Water Resources Act*, as required.

Should Bennett wish to make an amendment to the EA, Bennett shall make a request in writing to the Minister of Environment and Energy outlining the specific concern, the reason for the concern and the proposed modification to the EA.

The Minister may also initiate an amendment to the EA.

If Bennett initiates the request for an amendment, Bennett shall issue a public Notice of Proposed Amendment in a form and manner provided by the Director of the Environmental Assessment and Approvals Branch. The Director may require Bennett to consult with affected stakeholders and government agencies, where appropriate.

If the Minister initiates the request for an amendment, he or she shall issue a public Notice of Proposed Amendment after giving Bennett notice of the intention to amend.

There will be a 30 day public comment period to allow for comments to the Minister about the proposed change to the EA.

Based on the comments received, the Minister may approve, deny or approve with further amendment the proposed changes to the EA document in consultation with Bennett. If the Minister approves the changes with further amendments, the Minister may require additional public notification, as the Director may consider appropriate.

The Director shall determine the form and manner of any additional public notification he or she considers appropriate.

If the amendment is approved, the Minister shall issue a Notice of Amendment to those persons who provided comments in response to the Notice of Proposed Amendment.

Bennett shall produce to the Director upon his or her request, a new copy of the EA, incorporating and noting any changes, administrative or other, made to it.