 Ontario Ministry of Natural Resources / Ministère des Richesses naturelles	<i>Subject:</i> Designation of Inspectors	<i>Policy No.:</i> A.R. 1.00.07	<i>New:</i> Yes
	<i>Compiled by – Branch:</i> Lands & Waters	<i>Section:</i> Aggregate & Petroleum Resources	<i>Date Issued:</i> December 29, 2005

Guiding Principle

Any person can be designated as an Inspector for the purposes of the Aggregate Resources Act (e.g. accountants or staff working for the Ontario Aggregate Resources Corporation, performing audits of tonnage production reports).

Memo:

To all Aggregate Inspectors
 To all Conservation Officers

Subject: Designation of Aggregate Inspectors and Conservation Officers as Inspectors for the purposes of the *Aggregate Resources Act*


Under the authority of subsection 4 (1) of the *Aggregate Resources Act*, and by the authority delegated to me by the Minister, I, Brian Messerschmidt, do hereby designate the following employees of the Ontario Ministry of Natural Resources as Inspectors for the purposes of the *Aggregate Resources Act* and the regulations thereunder.

Dave Munro, Craig Laing, Tim Ruthenberg, Mike Parker, Emilia Kuisma, Stephen Douglas, Paul Cutmore, Diane Schwier, Cathy Douglas, Steve Strong, Drew Young, Chris Verschuren, Butch Martelock, Gary McLaren, Keltie Milloy, Christopher Bierman, James Williams, Drew Hartman, Remi Labreche, Bill Keegan, Gord Martin, David Webster, Brian Hollingsworth, Alistair MacKinnon, Ryan Lenethen, Maria VandenHeuvel and Stuart Thatcher.

Furthermore, I hereby designate all conservation officers appointed under subsection 87 (1) of the *Fish and Wildlife Conservation Act* as Inspectors for the purposes of the *Aggregate Resources Act* and the regulations thereunder.

Dated at Peterborough this 29th day of December, 2005.

Approved
 Brian Messerschmidt, Manager
 Aggregate and Petroleum Resources Section
 Lands and Waters Branch
 Ministry of Natural Resources

 Ontario Ministry of Natural Resources / Ministère des Richesses naturelles	<i>Subject:</i> Delegation of Authority	<i>Policy No.:</i> A.R. 1.00.04	<i>New:</i> Yes
	<i>Compiled by – Branch:</i> Lands & Waters	<i>Section:</i> Aggregate & Petroleum Resources	<i>Date Issued:</i> July 17, 1998

Guiding Principles

Pursuant to section 7 of the Ministry of Natural Resources Act, the Minister is empowered to delegate any aspects of legislation that is under his authority to other public servants of the Ministry of Natural Resources and staff from other Ministries (e.g. Ministry of Transportation).

Delegation has been granted to the appropriate staff level administering the Aggregate Resources Act (ARA). Once delegation has been granted to a particular job function/job title, it cannot be re-delegated by an Area Supervisor and/or District Manager based on title. If an individual is going to be away for an extended period of time, he/she can delegate to the acting person and this must be done in writing.

If delegation is to an Aggregate Inspector, the Area Supervisor and/or the District Manager are not granted the delegated powers and cannot sign on behalf of the Aggregate Inspector. Similarly, District Managers cannot sign on behalf of another District Manager for his/her administrative area.

Policy

ARA section	Description	Position
Sec. 1(3)	issue order declaring land not to be a pit or quarry	Manager, Aggregate and Petroleum Resources Section
Sec. 1(4)&(5)	serve notice re declaring land not a pit or quarry	Inspector
Sec. 4(1)	designate in writing any person as an inspector	District Manager or Manager, Aggregate and Petroleum Resources Section
Sec. 7(2)	accept an application for a Class A or B licence	Inspector ✓
Sec. 7(3)	establish and charge a licence application fee	Director, Lands and Waters Branch
Sec. 8(4)	approval of a qualified person to prepare site plans for a Class A licence	Manager, Aggregate and Petroleum Resources Section
Sec. 10	determine information required to describe zoning	Inspector ✓
Sec. 11(1)	require the applicant to comply with prescribed notification and consultation procedures	Inspector ✓

*** THERE IS NO AUTHORITY PROVIDED UNDER THE A.R.A. TO AN M.N.R INSPECTOR TO IMPOSE OR CHANGE ANY CONDITIONS OF A LICENCE. S.I.N.**

Policy A.R. 1.00.04 REF: A.R.A. 13(2) 13(B)(A) 13(3)(B).

ARA section	Description	Position
Sec. 11(2)	receive notification from applicant when the prescribed notification procedures are complete	Inspector ✓
Sec. 11(3)	receive written objections to the application	Inspector ✓
Sec. 11(5)	refer application and objections to the Board for a hearing and direct the Board to determine only the issues specified in the referral	District Manager
Sec. 11(6)	party to a Board hearing	Inspector ✓
Sec. 12.1(2)	serve notice to applicant regarding doubt as to whether the location of the site complies with the zoning by-law	District Manager
* Sec. 13(2)	add, rescind or vary a condition on a licence	District Manager
* Sec. 13(3)(a)	serve notice with reasons to a licensee if a condition is proposed to be added, rescinded or varied to licence	District Manager signs notice, Inspector serves the notice
* Sec. 13(3)(b)	possibly serve notice with reasons to local municipality, regional municipality and/or county regarding adding, rescinding or varying a condition	District Manager signs notice, Inspector serves the notice
Sec. 13(7)	refer the matter to the Board for a hearing if a hearing is requested	District Manager
Sec. 13(11)	carry out the proposal if a hearing is not required	District Manager
Sec. 15.1(4)	establish a fee for a copy of an annual compliance assessment report	District Manager
Sec. 15.1(5)(a)(i)	extend period of remediation of more than 90 days	Inspector ✓
Sec. 16(1)	require a licensee to amend the site plan	Area Supervisor
Sec. 16(2)	give approval to a licensee to amend the site plan	Area Supervisor
Sec. 16(3)	require an amended site plan to be prepared and certified by a qualified person	Inspector ✓
Sec. 16(4)	establish and charge fees for amended site plan approval applications	Director, Lands and Waters Branch
Sec. 16(5)(a)	serve notice with reasons to a licensee regarding a site plan amendment	Area Supervisor signs notice, Inspector serves the notice
Sec. 16(5)(b)	serve notice with reasons to local municipality, regional municipality and/or county regarding a proposed site plan amendment	Area Supervisor signs notice, Inspector serves the notice
Sec. 16(9)	refer the matter to the Board for a hearing if a hearing is requested	District Manager
Sec. 16(13)	carry out proposal if a hearing is not required	Area Supervisor
Sec. 18(1)	transfer of a licence	District Manager

ARA section	Description	Position
Sec. 18(2)	establish application fee for transfer of a licence	Director, Lands and Waters Branch
Sec. 18(3)(1)	transfer licence with consent	District Manager
Sec. 18(3)(2)	serve notice of proposal to refuse transfer of the licence (licensee's consent)	District Manager signs notice, Inspector serves the notice
Sec. 18(4)(1)	serve notice of proposal to transfer the licence (no licensee consent)	District Manager signs notice, Inspector serves the notice
Sec. 18(4)(2)	serve notice of proposal to refuse transfer of the licence (no licensee consent)	District Manager signs notice, Inspector serves the notice
Sec. 18(6)	refer the matter to the Board for a hearing if a hearing is requested	District Manager
Sec. 18(10)	carry out proposal if a hearing is not required	District Manager
Sec. 19	accept the surrender of a licence	Inspector ✓
Sec. 20(2)	notice of intention to revoke a licence	District Manager
Sec. 20(6)	refer the matter to the Board for a hearing if a hearing is required	District Manager
Sec. 22(1)	suspend a licence	Inspector ✓
Sec. 23(3)	determination whether wayside application can be considered	Inspector ✓
Sec. 23(5)	require additional information on wayside permit application	Manager, Aggregate and Petroleum Resources Section
Sec. 23(6)	require the applicant to comply with prescribed notification and consultation procedures	Inspector ✓
Sec. 26	application of criteria governing issuance of permit	Area Supervisor
Sec. 27(1)	issuance of a wayside permit where location of the site contravenes a zoning by-law	Area Supervisor
Sec. 30(1)	issuance of a wayside permit with conditions	Area Supervisor
Sec. 30(2)	add, rescind or vary a condition on a wayside permit	Area Supervisor
Sec. 30(3)	require a permittee to amend the site plan	Area Supervisor
Sec. 30(4)	give approval to a permittee to amend the site plan	Area Supervisor
Sec. 30(5)	serve notice with reasons to local municipality, regional municipality and/or county regarding a proposed site plan amendment	Inspector ✓
Sec. 30(5)	serve notice with reasons when a condition has been added, rescinded or varied on a wayside permit	Inspector ✓
Sec. 31.1(1)	specify a period of time within which a permittee shall pay a prescribed fee	Area Supervisor
Sec. 31.2	extend the expiration date of a wayside permit	Area Supervisor

ARA section	Description	Position
Sec. 32(1)	suspend wayside permit	Inspector ✓
Sec. 32(1)	revoke wayside permit	Area Supervisor
Sec. 32(5)	revoke a suspended wayside permit for failure to remediate	Area Supervisor
Sec. 34(4.1)	establish and charge fee for an aggregate permit application	Director, Lands and Waters Branch
Sec. 34(4.2)	waive requirement to pay an aggregate permit application	Manager, Aggregate and Petroleum Resources Section
Sec. 34(5)	direct the person in writing to require a licence rather than a permit	District Manager
Sec. 34(7)(a)	exempt pit or quarry operation from requiring an aggregate permit	Manager, Aggregate and Petroleum Resources Section
Sec. 36(2)	require an applicant to furnish additional information before further consideration of an application	Manager, Aggregate and Petroleum Resources Section
Sec. 37(1)	issue aggregate permit with conditions	Area Supervisor
Sec. 37(6)	add, rescind or vary a condition of an aggregate permit	Area Supervisor
Sec. 37(7)	require an aggregate permittee to amend site plan	Area Supervisor
Sec. 37(8)	approve amendment to a site plan	Area Supervisor
Sec. 37.1(3)	waive the annual aggregate permit fee requirement	Manager, Aggregate and Petroleum Resources Section
Sec. 38	authorize the removal of undisturbed aggregate that is subject to an aggregate permit	District Manager
Sec. 40.1(4)	establish a fee for a copy of an annual compliance assessment report	District Manager
Sec. 40.1(5)(a)(i)	extend period of remediation of more than 90 days	Inspector ✓
Sec. 41	establish application fee for the transfer of an aggregate permit	Director, Lands and Waters Branch
Sec. 41	transfer aggregate permit	Area Supervisor
Sec. 41.1	accept the surrender of an aggregate permit	Inspector ✓
Sec. 42	refuse to issue, transfer or revoke an aggregate permit	Area Supervisor
Sec. 43(1)	serve notice of refusal to issue permit, revocation of permit, proposal to add, rescind or vary a condition, or for proposing to amend site plan	Area Supervisor sign notice, Inspector serves the notice
Sec. 43(4)	add, rescind or vary a condition of an aggregate permit, or require an amendment of a site plan if not referred to the Commissioner	Area Supervisor

ARA section	Description	Position
Sec. 44(2)	refer the matter to the Commissioner for a hearing if a hearing is required	Area Supervisor
Sec. 44(5)	serve decision notice on the parties to the hearing based on consideration of Commissioner's recommendations	Area Supervisor signs notice, Inspector serves the notice
Sec. 45(1)	suspend an aggregate permit	Inspector ✓
Sec. 45(5)	revoke a suspended aggregate permit for failure to remediate	Area Supervisor
Sec. 46(1)	determine the royalty per tonne (above minimum)	Manager, Aggregate and Petroleum Resources Section
Sec. 46(2)	establish deadline for submission of return	Manager, Aggregate and Petroleum Resources Section
Sec. 46(3)	require deposit payable to the Trust for any royalty payment	Inspector ✓
Sec. 48(1)	determine if progressive and final rehabilitation for the site has been satisfied	Inspector ✓
Sec. 48(2)	order prescribed progressive rehabilitation	Inspector ✓
Sec. 55(1)	permit entry onto a licensee/permittee's site, or a former licensee/permittee's site to undertake rehabilitation work	Inspector ✓
Sec. 63(1)	apply to a judge of the High Court for a restraining order	Area Supervisor
Sec. 68(1)	relieve a licensee or permittee from compliance with any provisions of the regulations and the Aggregate Resources of Ontario Provincial Standards	Manager, Aggregate and Petroleum Resources Section
Sec. 68(3)	rescind or vary relief from compliance	Inspector or Manager, Aggregate and Petroleum Resources Section
Sec. 68(4) & (5)	serve notice of relief from compliance upon the local municipality, regional municipality and/or county	Inspector or Manager, Aggregate and Petroleum Resources Section
Sec. 69	demand replacement site plans	Inspector ✓
Sec. 71(2)	determine if doubt exists whether a pit or quarry is an established pit or quarry	Inspector ✓
Sec. 71(6)	request site plans for licences issued to established pit and quarry operations in a newly designated area	Inspector ✓
Ontario Reg. 244/97 Sec. 5(3)	issue a third additional wayside permit if consultation is undertaken and written reasons provided to the municipality	Inspector ✓