

ONTARIO PROPERTY AND ENVIRONMENTAL RIGHTS ALLIANCE

Unit A – 135 Church Street, North, Mount Forest, Ontario, N0G 2L2

Phone: (519) 323-2308 / Fax: (519) 323-0289

E-Mail: opera@bmts.com / Web Page: www.bmts.com/~opera/

May 23, 2006

The Honorable Laurel Broten, Minister
Ontario Ministry of Environment
135 St. Clair Avenue, West
Toronto, Ontario, M4V 1P5

Dear Minister: **Re: Wood Burning Devices**

The Ontario Property and Environmental Rights Alliance (OPERA) is a provincial coalition of trade associations and citizen groups launched in 1994 under a common mandate “to protect, and entrench in law, the rights and responsibilities of private landowners against arbitrary restrictions and decisions of government”. Our organization monitors, publicizes and, where indicated, officially protests government statutes that unilaterally inhibit use, title, mortgage worth and market value of private property by regulation without compensation.

An OPERA member operates a small rural enterprise in which a wood burning furnace is utilized as a central heat source. We understand a field inspector attached to an MOE district office has ruled this infrastructure violates provincial environmental regulations although the targeted taxpayer states that such regulations include an exemption for the application in question.

To assist our detailed review of this matter, please have your staff forward to the letterhead address a brief response with related documentation concerning the following queries:

1. which section of which environmental statute(s) deals specifically with wood burning furnaces?
2. are residential and commercial wood burning installations separately defined by regulation?
3. are all wood burning devices subject to arbitrary MOE inspection without prior notice or consent?
4. do MOE furnace inspections routinely occur across the province or are they a district initiative only?
5. can a list of heating systems MOE is authorized to inspect without owner notice be provided?
6. does MOE prefer burying scrap wood in a landfill or burning it in a furnace?
7. how many MOE furnace inspections on Mennonite property were conducted in the last 2 years?
8. will the Ontario government cover taxpayer legal expenses arising from MOE furnace inspections?

By copy of this letter OPERA members have been advised of these queries for each of which an early response from your office is requested and will be appreciated.

Yours truly

R.A. (Bob) Fowler, OPERA Secretary

“to protect, and entrench in law, landowner rights and responsibilities”