

CLIMATE CHANGE AND EMISSIONS MANAGEMENT ACT

Chapter C-16.7

Appeal to Environmental Appeals Board

42(1) A notice of appeal may be submitted to the Environmental Appeals Board by the following persons in the following circumstances:

(a) where the director issues a compliance order under section 29, the person to whom the order is directed may submit a notice of appeal;

(b) where the director requires a person to pay an administrative penalty under section 38, the person to whom the notice of administrative penalty is directed may submit a notice of appeal.

(2) A notice of appeal must be submitted to the Environmental Appeals Board

(a) not later than 7 days after receipt of a copy of the compliance order, in a case referred to in subsection (1)(a), and

(b) not later than 30 days after receipt of the notice of administrative penalty, in a case referred to in subsection (1)(b).

(3) The Environmental Appeals Board may, on application made before or after the expiry of the period referred to in subsection (2), extend that period, where the Board is of the opinion that there are sufficient grounds to do so.

(4) A notice of appeal must contain the information and be made in the manner provided for in the *Environmental Protection and Enhancement Act* and the regulations under that Act.

(5) Sections 99 and 100 of the *Environmental Protection and Enhancement Act* apply in a case where the Environmental Appeals Board conducts a hearing of an appeal in respect of a compliance order.

(6) Section 98 of the *Environmental Protection and Enhancement Act* applies in a case where the Environmental Appeals Board conducts a hearing of an appeal in respect of a notice of administrative penalty.

(7) Sections 92 to 97 and 101 to 104 of the *Environmental Protection and Enhancement Act* apply in respect of an appeal under this section.