

AMENDMENT TO ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 7667-8KCQDY

Notice No. 4

Issue Date: June 17, 2020

Imperial Oil Limited
225 Concession 2
Post Office Box, No. 500
Haldimand, Ontario
N0A 1L0

Site Location: Imperial Oil - Nanticoke Refinery
225 Concession 2 Road, Lots 9, 10 and 11, Concessions 1, 2 and 3, Walpole
Haldimand County, Ontario.

You are hereby notified that I have amended Approval No. 7667-8KCQDY issued on October 25, 2011 for a petroleum refinery, as follows:

The following equipment has been added to the *Approval* :

- A loading arm at the rail loading bays equipped with a vapour plate, associated piping, and a *Vapour Combustion Unit*, discharging into the air at a volumetric flow rate of 25.09 actual cubic metres per second, via a stack having an exit diameter of 1.71 metres, extending 13.7 metres above grade, to control emissions from rail car loading bays having a maximum petroleum products loading rate of 6,050 litres per minute;

all in accordance with the application for Approval (Air) and all supporting information dated December 4, 2019 and signed by Laura Robertson of Imperial Oil Limited.

All other Terms and Conditions in the *Approval* remain unchanged.

For the purpose of this Amendment to Approval, the following definitions apply:

1. "*Amendment to Approval*" means this Amendment to Environmental Compliance Approval No. 7667-8KCQDY issued on October 25, 2011 and any schedules to it;
2. "*Company*" means Imperial Oil Limited. that is responsible for the construction or operation of the *Facility* and includes any successors and assigns in accordance with section 19 of the *EPA*;
3. "*EPA*" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
4. "*Equipment*" means the equipment associated with the rail loading operation of

petroleum products, described in the *Company's* application, this *Amendment to Approval* and in the supporting documentation referred to herein, to the extent approved by this *Amendment to Approval*;

5. "*Facility*" means the entire operation located on the property where the *Equipment* is located;
6. "*Manual*" means a document or a set of documents that provide written instructions to staff of the *Company*;
7. "*Minister*" means the Minister of the Environment, Conservation and Parks or such other member of the Executive Council as may be assigned the administration of the *EPA* under the Executive Council Act;
8. "*Ministry*" means the ministry of the *Minister*;
9. "*Publication NPC-300*" means the *Ministry* Publication NPC-300, "Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning, Publication NPC-300", August 2013, as amended;
10. "*Vapour Combustion Unit*" means the vapour combustion unit associated with the rail car loading operation for petroleum products, described in the *Company's* application, this *Amendment to Approval* and in the supporting documentation referred to herein, to the extent approved by this *Amendment to Approval*.

You are hereby notified that this Amendment to Approval is issued to you subject to the terms and conditions outlined below:

TERMS AND CONDITIONS

1. The *Company* shall ensure that the *Vapour Combustion Unit* is properly operated and maintained at all times. The *Company* shall:
 - a. prepare, before commencement of operation of the *Vapour Combustion Unit* and update, as necessary, a *Manual* outlining the operating procedures and a maintenance program for the *Vapour Combustion Unit*, including:
 - i. routine operating and maintenance procedures in accordance with good engineering practices and as recommended by the *Vapour Combustion Unit* suppliers;
 - ii. emergency procedures;
 - iii. procedures for any record keeping activities relating to operation and maintenance of the *Vapour Combustion Unit*;
 - iv. all appropriate measures to minimize noise and odorous emissions from all potential sources;

- b. implement the recommendations of the *Manual*.
2. The *Company* shall ensure that the *Vapour Combustion Unit* is designed and operated to achieve a minimum combustion temperature of 760 degrees Celsius for at least 0.75 seconds, at all times during the operation of the *Vapour Combustion Unit*.
 3. The *Company* shall install, conduct and maintain a program to continuously monitor the combustion temperature in the *Vapour Combustion Unit*. The continuous temperature monitor shall be equipped with continuous recording devices and shall comply with the requirements in Schedule A.
 4. The *Company* shall ensure at all times that the noise emissions from the *Facility* comply with the limits set out in *Ministry Publication NPC-300*.
 5. The *Company* shall maintain and retain for a minimum of two (2) years from the date of their creation, all records and information related to or resulting from the operation of the *Equipment*, and monitoring and recording activities required by this *Amendment to Approval*. These records shall be made available to staff of the *Ministry* upon request in a timely manner.

SCHEDULE A

Continuous Temperature Monitor

PARAMETER:

Temperature

LOCATION:

The sample point for the continuous temperature monitoring and recording system shall be located at a location where the measurements are representative of the minimum temperature of the gases leaving the *Vapour Combustion Unit*.

PERFORMANCE:

The continuous Temperature Monitor shall meet the following minimum performance specifications for the following parameters.

PARAMETER SPECIFICATION

Type shielded "K" type thermocouple, or equivalent.

Accuracy +/- 5 degrees Celsius

DATA RECORDER:

The data recorder must be capable of registering continuously the measurement of the monitor without a significant loss of accuracy and with a time resolution of 5 minutes or better.

RELIABILITY:

The monitor and the recorder shall be operated and maintained so that accurate data is

obtained during a minimum of 90 percent of the time, on a monthly basis.

The reasons for the imposition of these terms and conditions are as follows:

1. Condition No. 1 is included to emphasize that the *Equipment* must be maintained and operated according to a procedure that will result in compliance with the *EPA*, the Regulations and this *Amendment to Approval*.
2. Conditions No. 2 and 4 are included to provide the minimum performance requirements considered necessary to prevent an adverse effect resulting from the operation of the *Facility*.
3. Condition No. 3 is included to require the *Company* to gather accurate information so that the environmental impact and subsequent compliance with the *EPA*, the regulations and this *Amendment to Approval* can be verified.
4. Condition No. 5 is included to require the *Company* to keep records and provide information to the *Ministry* so that the environmental impact and subsequent compliance with the *EPA*, the regulations and this *Amendment to Approval* can be verified.

This Notice shall constitute part of the approval issued under Approval No. 7667-8KCQDY dated October 25, 2011.

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me, the Environmental Review Tribunal and in accordance with Section 47 of the Environmental Bill of Rights, 1993, the Minister of the Environment, Conservation and Parks, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Minister of the Environment, Conservation and Parks will place notice of your appeal on the Environmental Registry. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:

- a. The portions of the environmental compliance approval or each term or condition in the environmental compliance approval in respect of which the hearing is required, and;
- b. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

Pursuant to subsection 139(3) of the Environmental Protection Act, a hearing may not be required with respect to any terms and conditions in this environmental compliance approval, if the terms and conditions are substantially the same as those contained in an approval that is amended or revoked by this environmental compliance approval.

The Notice should also include:

1. The name of the appellant;

2. The address of the appellant;
3. The environmental compliance approval number;
4. The date of the environmental compliance approval;
5. The name of the Director, and;
6. The municipality or municipalities within which the project is to be engaged in.

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

The Secretary* Environmental Review Tribunal 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5	AND	The Minister of the Environment, Conservation and Parks 777 Bay Street, 5th Floor Toronto, Ontario M7A 2J3	AND	The Director appointed for the purposes of Part II.1 of the Environmental Protection Act Ministry of the Environment, Conservation and Parks 135 St. Clair Avenue West, 1st Floor Toronto, Ontario M4V 1P5
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*** Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349, Fax: (416) 326-5370 or www.ert.gov.on.ca**

This instrument is subject to Section 38 of the Environmental Bill of Rights, 1993, that allows residents of Ontario to seek leave to appeal the decision on this instrument. Residents of Ontario may seek leave to appeal within 15 days from the date this decision is placed on the Environmental Registry. By accessing the Environmental Registry at <https://ero.ontario.ca/>, you can determine when the leave to appeal period ends.

The above noted activity is approved under s.20.3 of Part II.1 of the Environmental Protection Act.

DATED AT TORONTO this 17th day of June, 2020

Rudolf Wan, P.Eng.
Director
appointed for the purposes of Part
II.1 of the *Environmental
Protection Act*

QN/
c: District Manager, MECP Hamilton District Office
Scott Manser, Ortech Consulting Inc.