

AMENDMENT TO ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 7667-8KCQDY

Notice No. 5

Issue Date: October 29, 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 petroleum refinery, as follows:

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

- operation of the ship loading docks (East Dock and West Dock) for the transfer of petroleum feed stocks, components and products;
- one (1) 200-hp emergency diesel fired water pump, having a fuel consumption rate of 56.7 litres per hour;
- one (1) diesel fired generator having a fuel consumption rate of 1.89 litres per hour for providing electrical service for dock lighting;

all in accordance with the application for Approval (Air) and all supporting information dated September 12, 2019, and signed by Laura Robertson of Imperial Oil Limited.

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 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*.

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 *Equipment* is properly operated and maintained at all times. The *Company* shall:
 - a. prepare, before commencement of operation of the *Equipment* and update, as necessary, a *Manual* outlining the operating procedures and a maintenance program for the *Equipment*, including:
 - i. routine operating and maintenance procedures in accordance with good engineering practices;
 - ii. emergency procedures;
 - iii. procedures for any record keeping activities relating to operation and maintenance of the *Equipment*;
 - 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 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*. These records shall be made available to staff of the *Ministry* upon request in a timely manner.

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 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.

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

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

*** 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 29th day of October,
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
Scott Manser, ORTECH Consulting Inc.