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December 24, 2020
File: SR 2964664

VIA EMAIL

HOLLY LOSIGNORE
SUNCOR ENERGY PRODUCTS PARTNERSHIP
3275 REBECCA ST
OAKVILLE ON L6L 6N5
hlosignore@suncor.com

Dear HOLLY LOSIGNORE,

Re: Application for a Variance from Clause 2.4.2.1 of the Liquid Fuels Handling Code, Technical Standards & Safety Act R.S.O. 2000 for 2908 YONGE ST TORONTO

Suncor has requested a further extension to March 31, 2021 to remove the three underground tank systems.

Clause 2.4.2.1. of the Liquid Fuels Handling Code (LFHC) requires that where an underground storage tank is out of service for two years or more, the tank and piping must be removed from the ground.

The facility has been shut down for two years and the deadline to remove the tanks was on June 30, 2020. The site is located close to TTC infrastructure. Suncor needs to obtain a permit from the TTC to remove the tanks and piping and are actively working to finalize the agreement with the TTC. As part of the agreement Suncor is required to provide some documentation and complete some pre-construction work prior to removing the tanks. Suncor is in the process of obtaining this information but based on timing and with upcoming holidays and winter weather, they would like to schedule the tank removal for the first quarter 2021 to give them adequate time to ensure all documentation is in place.

This variance is approved because

- Product has been removed from the three underground tanks;
- All dispensers and aboveground equipment have been removed from the site;
- Tank fill pipes are secured (locked); and
- Tanks are monitored monthly for water infiltration

in accordance with clause 2.4.1.2 of the LFHC. This variance replaces the variance that was granted under SR 2864598.

Please be advised that this variance will not take effect until 15 days from the date of posting the decision on the environmental registry. This decision of the Director is subject to a right of appeal, under the Environmental Bill of Rights, if such an appeal is filed within 15 days from date of posting. In the event an appeal is filed, this decision of the director may be subsequently stayed, disallowed or significantly altered. Notice of an appeal will be placed on the Environmental Bill of Rights registry.

This variance is allowed under the authority of subsection 36.(3)(c) of the *Technical Standards and Safety Act, 2000*, (the "Act") and subject to such conditions as may be specified herein, being that:

- The three underground tank systems shall be removed from the ground by March 31, 2021 and Suncor shall submit an environmental assessment as required by clause 8.3.1 of the LFHC;

- Non-conformity with the conditions specified shall thereby cause the allowed variance to become null and void;
- The applicant accepts full responsibility for any and all damages resulting from the use of the thing to which the variance applies. The applicant further accepts full responsibility for any impacts to the health and safety of any person in consequence of the allowance of the variance or of non-conformity with the conditions specified. The Technical Standards and Safety Authority accepts no responsibility for any such damages or impacts;
- In the event of any claims against the Technical Standards and Safety Authority arising from allowance of the variance or non-conformity with the conditions specified, the applicant agrees to indemnify the Technical Standards and Safety Authority and agrees to hold it harmless from such claims and attendant costs;
- The variance process is subject to public access under the TSSA Access and Privacy Code (available upon request). The fact that a variance has been granted, and information about any public conditions, such as a requirement to post a sign, may be released on request. Subject to law and the TSSA Access and Privacy Code, proprietary information will not be subject to release;
- The applicant shall pay the fee associated with the review of the variance; and
- A copy of the variance letter shall always be kept readily available and permanently legible in the vicinity of the appliance/equipment.

This variance only relates to the Act and regulations made thereunder and does not exempt you from compliance with other applicable regulatory requirements. The installation will be subject to an inspection to ensure compliance with the terms of the variance. Please contact Mary Ferrari at 416-768-5306 to arrange for the inspection.

Should you have any questions or require further assistance, please contact Ann-Marie Barker at 416-734-3354, or by e-mail at abarker@tssa.org. When contacting TSSA regarding this file, please refer to the Service Request number provided above.

Yours truly,



Kourosh Manouchehri, P. Eng, PMP
 Acting Engineering Manager, Fuels Safety Program
 Delegated Authority, 36. (3)(c) of the Technical Standards and Safety Act, 2000

c. Mary Ferrari, TSSA, mferrari@tssa.org