

**AMENDMENT TO ENVIRONMENTAL COMPLIANCE APPROVAL**

NUMBER 7667-8KCQDY

Notice No. 6

Issue Date: August 7, 2022

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

**Site Location:** Imperial Oil - Nanticoke Refinery  
225 Concession 2 Rd Lots 9, 10 and 11, Concessions 1, 2 and 3, Walpole  
Haldimand County,  
N0A 1L0

*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*:

- floating roof covers on each API Oil-Water Separator tank main bay that provide a minimum coverage of 95% of the bay's open surface;

all in accordance with the application for Environmental Compliance Approval (Air) dated March 19, 2021 and signed by Laura Robertson of Imperial Oil Limited and the Emission Summary and Dispersion Modelling Report dated March 17, 2021 and signed by Scott Manser of ORTECH Consulting Incorporated.

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

1. "*Acoustic Assessment Report*" means the report, prepared in accordance with *Publication NPC-233* and Appendix A of the *Basic Comprehensive User Guide* that documents all sources of noise emissions and *Noise Control Measures* present at the *Facility*;
2. "*Acoustical Consultant*" means a person currently active in the field of environmental acoustics and noise/vibration control, who is familiar with *Ministry* noise guidelines and procedures and has a combination of formal university education, training and experience necessary to assess noise emissions from a *Facility*;
3. "*Amendment to Approval*" means this Amendment to Environmental Compliance Approval No. 7667-8KCQDY issued on October 25, 2011 and any schedules to it;

4. "*Approval*" means this Environmental Compliance Approval, including the application and supporting documentation listed above;
5. "*Basic Comprehensive User Guide*" means the *Ministry* document titled "Basic Comprehensive Certificates of Approval (Air) User Guide" dated March 2011, as amended;
6. "*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*;
7. "*Director*" means a person appointed for the purpose of section 20.3 of the *EPA* by the *Minister* pursuant to section 5 of the *EPA*;
8. "*District Manager*" means the District Manager of the appropriate local district office of the *Ministry*, where the *Facility* is geographically located;
9. "*EPA*" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
10. "*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*;
11. "*Facility*" means the entire operation located on the property where the *Equipment* is located;
12. "*Manual*" means a document or a set of documents that provide written instructions to staff of the *Company*;
13. "*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;
14. "*Ministry*" means the ministry of the *Minister*;
15. "*Noise Control Measures*" means measures to reduce the noise emissions from the *Facility* and/or *Equipment* including, but not limited to, silencers, acoustic louvres, enclosures, absorptive treatment, plenums and barriers;
16. "*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.

*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.
  3. The *Company* shall submit an *Acoustic Assessment Report* for the *Facility*, prepared by an *Acoustical Consultant*, to the *District Manager* and the *Director* not later than twelve (12) months from the date of this *Approval*.
  4. The *Company* shall, at all times, ensure that the noise emissions from the *Facility* comply with the limits set out in *Ministry Publication NPC-300*.

*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 Ontario Land 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 ("the Notice") 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:

Registrar\*  
Ontario Land Tribunal  
655 Bay Street, Suite 1500  
Toronto, Ontario  
M5G 1E5  
OLT.Registrar@ontario.ca

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 Ontario Land Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349 or 1 (866) 448-2248, or [www.olt.gov.on.ca](http://www.olt.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 7th day of August, 2022

A handwritten signature in black ink that reads "Nancy Orpana". The signature is written in a cursive, flowing style.

Nancy E Orpana, P.Eng.

Director

appointed for the purposes of Part  
II.1 of the *Environmental Protection  
Act*

MS/

c: District Manager, MECP Hamilton - District  
Scott Manser, ORTECH Consulting Inc.