



345 Carlingview Drive
Toronto, Ontario M9W 6N9
Tel.: 416.734.3300
Fax: 416.231.1626
Toll Free: 1.877.682.8772

www.tssa.org

April 11, 2023

WALEED HATHAT
IMPERIAL OIL
1961 MERIVALE RD,
NEPEAN ON K2G 1G1
CANADA
waleed.h.hathat@esso.ca

Work Order Type: FS Variance - Multiple Fuels
Work Order No.: 8178633
Facility Type: LF Bulk Plant
Located at: 1961 MERIVALE RD, NEPEAN, ON, K2G 1G1

Re: Variance from 2.4.2.1 of the Liquid Fuels Handling Code, O. Reg. 217/01

Dear WALEED HATHAT,

This is in response to your variance application dated June 4, 2022.

Please be advised that your variance application dated June 4, 2022, to abandon one (1) out of use underground fuel storage tank in place located at 1961 Merivale Road in Ottawa, Ontario has been approved.

Section 2.4.2.1 of the Liquid Handling Fuel Code 2017 requires the removal of all underground fuel storage tank system upon permanent disuse. You have requested a variance to this requirement in order to permit the abandonment of one (1) out of use underground fuel storage tank, due to constraints to removal. The constraints to tank removal are associated with the location of the tank being in close proximity of the overhead pipe racks containing active pressurized lines and electrical cable trays. In addition, the tank excavation may cause significant sloughing due to high water table present at the site and may potentially undermining the integrity of the other equipment in the area. The environmental information provided by Golder Associates Ltd. (Golder) pertaining to soil and groundwater conditions, confirms that impacts of petroleum hydrocarbon related concentrations above the Ministry of the Environment Conservation and Parks (MECP) Table 3 Site Condition Standards (SCS) exist in the soil and groundwater surrounding the tank. Golder reports that the existing contaminant management plan (CMP) has been revised to include the newly installed groundwater monitoring wells surrounding the abandoned underground fuel storage tank (TK-850). Your application is approved based on the merit of the proposal.

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.

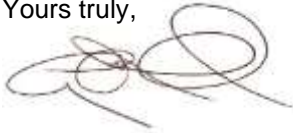
This variance is allowed under the authority of subsection 36.(3)(c) of the *Technical Standards and Safety Act, 2000*, (the “Act”) and subject to such conditions as may be specified herein, being that:

- The applicant shall ensure that the fill and vent pipes associated with the subject tank has been removed.
- The applicant shall empty the tank of all product and material and clean and purge the tank and ensure that the tank is completely filled with concrete.
- The applicant shall provide the TSSA an annual report as per the current contaminant management plan (CMP) in place for the site. The current CMP is comprised of monitoring of thirty (30) on-site monitoring wells for depth to groundwater, well headspace vapour concentrations and presence or absence of liquid petroleum hydrocarbon (LPH). In addition, the CMP includes the groundwater sampling from twenty-five (25) select monitoring wells for the chemical analysis of benzene, toluene, ethylbenzene, xylenes (BTEX) and petroleum hydrocarbon fractions F1 to F4 (PHC F1-F4), and annual report submission to the TSSA. The newly installed monitoring wells (MW21-01 and MW21-02) surrounding the tank (TK-850) must be included in the current CMP program.
- The applicant must provide TSSA with notification outlining the date and time of abandonment. An inspector from TSSA may visit the site either during or after the abandonment to confirm the fulfilment of the above-noted requirements. The installation/system/appliance dealt with in this variance must be inspected and may be periodically audited by TSSA. Please contact fuelsinspection@tssa.org or 1-833-937-8772 (1-833-WFP-TSSA) to book an inspection.
- 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 may be subject to an inspection to ensure compliance with the terms of the variance.

Should you have any questions or require further assistance, please contact Farzana Islam at +1 416-734-3598 or by email at fisham@tssa.org. When contacting TSSA regarding this file, please refer to the Work Order number provided above.

Yours truly,

A handwritten signature in black ink, appearing to read 'Gary Highfield', with several loops and flourishes.

Gary Highfield, P. Eng.
Engineering Manager, Fuels
Delegated Authority under section 36(3) (c) of TSS Act

c.
Travis Banks – Imperial Oil (via email)