

ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER A-500-2208768659

Version: 1.1

Issue Date: February 15, 2024

Pursuant to section 20.3 of the Environmental Protection Act, Revised Statutes of Ontario (R.S.O.) 1990, c. E. 19 and subject to all other applicable Acts or regulations this Environmental Compliance Approval is issued to:

ONTARIO POWER GENERATION INC.

700 UNIVERSITY AVENUE (AVE) ,FLOOR (FL) 19
TORONTO ONTARIO
M5G 1X6

For the following site:

Alexander Generating Station
District of Thunder Bay, Ontario
Zone 16; 400915 E; 5443431 N

You have applied under section 20.2 of Part II.1 of the Environmental Protection Act, R.S.O. 1990, c. E. 19 (Environmental Protection Act) for approval of:

Proposed Works

establishment of sewage works at the Alexander Generating Station, consisting of the following:

Oil-Water Separator System

Oil-water separator (OWS)

- one (1) new oil/water separator that will discharge treated effluent to the Nipigon River designed to provide:
 - total volume capacity equal to 7570 litres (2000 US gallons);
 - design flow rate equal to 757 liters per minute (200 US gallons per minute);
 - normal operating oil storage capacity equal to 1026 liters (271 US gallons) and;
 - maximum emergency oil spill storage capacity equal to 4103 liters (1084 US gallons);
 - the oil collected within the OWS will be pumped to the waste oil tank described below;

Waste Oil Tank

- one (1) new single walled Waste Oil tank, with an overall volume capacity of at least 2000 liters (528 US gallons), that will collect oil until it can be disposed of by an authorized off-site facility;

all other controls, electrical. equipment, instrumentation, piping, pumps, valves and appurtenances essential for the proper operation of the aforementioned Works.

all in accordance with supporting documents listed in Schedule 1.

DEFINITIONS

For the purpose of this environmental compliance approval, the following definitions apply:

1. "Approval" means this entire Environmental Compliance Approval and any Schedules attached to it;
2. "Director" means a person appointed by the Minister pursuant to section 5 of the EPA for the purposes of Part II.1 of the EPA;
3. "District Manager" means the District Manager of the appropriate local District Office of the Ministry, where the Works are geographically located;
4. "EPA" means the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended;
5. "Grab Sample" means an individual sample of at least 1000 millilitres collected in an appropriate container at a randomly selected time over a period of time not exceeding 15 minutes;
6. "mg/L" means milligrams per litre;
7. "Licensed Engineering Practitioner" means a person who holds a licence, limited licence or temporary licence under the Professional Engineers Act, R.S.O. 1990, c. P.28;
8. "Ministry" means the ministry of the government of Ontario responsible for the EPA and OWRA and includes all officials, employees or other persons acting on its behalf;
9. "Owner" means Ontario Power Generation Inc. and its successors and assignees;
10. "OWRA" means the Ontario Water Resources Act, R.S.O. 1990, c. O.40, as amended;
11. "Proposed Works" means those portions of the Works included in the Approval that are under construction or to be constructed;
12. "Quarterly" means four times over a year, relatively evenly spaced where possible, commencing with the start-up of the Works;
13. "Works" means the approved sewage works, and includes Proposed Works.

TERMS AND CONDITIONS

You are hereby notified that this environmental compliance approval is issued to you subject to the terms and conditions outlined below:

1. GENERAL CONDITION

1. The Owner shall ensure that any person authorized to carry out work on or operate any aspect of the Works is notified of this Approval and the terms and conditions herein and shall take all reasonable measures to ensure any such person complies with the same.
2. The Owner shall design, construct, operate and maintain the Works in accordance with the conditions of this Approval.
3. Where there is a conflict between a provision of any document referred to in this Approval and the conditions of

this Approval, the conditions in this Approval shall take precedence.

4. The issuance of, and compliance with the conditions of, this Approval does not:
 - a. relieve any person of any obligation to comply with any provision of any applicable statute, regulation or other legal requirement, including, but not limited to, the obligation to obtain approval from the local conservation authority necessary to construct or operate the Works; or
 - b. limit in any way the authority of the Ministry to require certain steps be taken to require the Owner to furnish any further information related to compliance with this Approval.

2. EXPIRY OF APPROVAL

1. This Approval will cease to apply to those parts of the Works which have not been constructed within **five (5) years** of the date of this Approval.
2. In the event that completion and commissioning of any portion of the Works is anticipated to be more than five (5) years, the Owner shall submit an application for extension at least twelve (12) months prior to the end of the five (5) years from the day of issuance of this Approval. The application shall include the reason(s) for the delay, whether there is any design change(s) and a review of whether the standards applicable at the time of Approval of the Works are still applicable at the time of request for extension, to ensure the ongoing protection of the environment.

3. CHANGE OF OWNER

The Owner shall notify the District Manager and the Director, in writing, of any of the following changes within thirty (30) days of the change occurring:

1.
 - a. change of address of Owner;
 - b. change of Owner, including address of new owner;
 - c. change of partners where the Owner is or at any time becomes a partnership, and a copy of the most recent declaration filed under the Business Names Act, R.S.O. 1990, c. B.17 shall be included in the notification; or
 - d. change of name of the corporation, and a copy of the most current information filed under the Corporations Information Act, R.S.O. 1990, c. C39 shall be included in the notification.
2. In the event of any change in ownership of the Works, the Owner shall notify in writing the succeeding owner of the existence of this Approval, and a copy of such notice shall be forwarded to the District Manager and the Director.
3. The Owner shall ensure that all communications made pursuant to this condition refer to the number of this Approval.

4. CONSTRUCTION OF PROPOSED WORKS

1. The Owner shall ensure that the design and construction of the Works is supervised by a Licensed Engineering Practitioner.
2. Upon the construction of the Works, the Owner shall prepare a statement, certified by a Licensed Engineering Practitioner, that the Works are constructed in accordance with this Approval, and upon request, shall make the written statement available for inspection by Ministry personnel.
3. Within **six (6) months** of the construction of the Proposed Works a set of as-built drawings showing the Works "as constructed" shall be prepared. These drawings shall be kept up to date through revisions undertaken from time to time and a copy shall be retained for the operational life of the Works.

5. OPERATION AND MAINTENANCE

1. The Owner shall ensure that the Works and related equipment and appurtenances which are installed or used to achieve compliance with this Approval are properly operated and maintained. The Owner shall check the Works on a monthly basis, as a minimum, and keep a record of the inspections in a log-book at the Station or the offices

of the operating authority for as long as the works are in operation. Upon the request of the Owner, the District Manager may reduce the frequency of inspection, in writing.

2. The Owner shall use best efforts to immediately identify and clean up all losses of oil in the station.
3. The Owner shall, upon identification of oil loss, take appropriate action to prevent the further occurrence of such loss.
4. In furtherance of, but without limiting the generality of, the obligation imposed by Subsection (1), the *Owner* shall ensure that equipment and material for the containment, clean-up and disposal of oil and materials contaminated with oil are kept on hand and in good repair for immediate use in the event of:
 - a. a spill within the meaning of Part X of the EPA; or
 - b. the identification of an abnormal amount of oil in the spill containment areas, or in the Oil/Water Separator/Holding Tanks.

6. OPERATIONS MANUAL

1. In furtherance of, but without limiting the generality of the obligation imposed by Condition 5, the Owner shall prepare an operations manual within six (6) months of Substantial Completion of the Works.
2. The Owner shall ensure that the manual includes, but is not necessarily limited to, the following information:
 - a. operating procedures for routine operation of the Works and for periodic self-monitoring of the oil-water separator effluents;
 - b. inspection programs, including frequency of inspection, for the Works and the methods or tests employed to detect when maintenance is necessary;
 - c. repair and maintenance programs, including the frequency of repair and maintenance, for the Works;
 - d. a spill prevention, control and countermeasures plan to address loss of oil from the station and oil discharge offsite, including procedures for notifying the District Manager; and
 - e. procedures for receiving, responding and recording public complaints, including recording any follow-up actions taken.
3. The Owner shall maintain an up to date operations manual and make the manual readily accessible for reference at the Works or the offices of the operating authority for the operational life of the Works. Upon request, the Owner shall make the manual available to Ministry staff.

7. EFFLUENT OBJECTIVES

1. The Owner shall use best efforts to design, construct and operate the Works with the objective that the concentrations of the materials named as effluent parameters in the Effluent Objectives Table listed in Schedule 2 are not exceeded in the effluent from the Works
2. In the event of an exceedance of the objectives set out in Subsection (1), the Owner shall,
 - a. notify the District Manager as soon as possible during normal working hours
 - b. take immediate action to identify the source of contamination, and
 - c. take immediate action to prevent further exceedance.

8. EFFLUENT - VISUAL OBSERVATIONS

1. Notwithstanding any other Condition in this Approval, the Owner shall ensure that the effluent from the Works is essentially free of floating and settleable solids and does not contain oil or any other substance in amounts sufficient to create a visible film, sheen, foam or discolouration on the final receiver.

9. SAMPLES AND MEASUREMENTS

1. The Owner shall ensure that samples and measurements taken for the purposes of this Approval are taken at a time and in a location characteristic of the quality of the effluent stream over the time period being monitored.

10. EFFLUENT QUALITY MONITORING

1. The Owner is exempted from the requirement of a regular, Approval-imposed, effluent monitoring program for the effluent from the oil-water separator under the following conditions:
 - a. The Works shall be operated using Best Management Practices and in compliance with the established effluent objective as set out in Condition 7, Subsection (1), as confirmed from time to time by recorded self-monitoring data
 - b. Ministry staff may enter the site of the Works at any reasonable time to inspect the Works which can include, but not be limited to, the taking of samples and copying of monitoring information from the station record, and
 - c. The monitoring requirements as described under Subsection (2) below will be undertaken for **twelve (12) months** directly following a spill, with termination of the monitoring requirements to be determined by the District Manager at the end of the twelve month period.
2. The Owner shall carry out the following effluent monitoring program immediately after a spill as defined under Condition 5, Subsection (4)(b):
 - a. The effluent from the spill affected **oil-water separator** shall be sampled at the **designated outlet**, in accordance with the monitoring frequency and sample type specified for each parameter listed in the Effluent Monitoring Table included in Schedule 2, unless otherwise required in writing by this Approval or by the District Manager.
 - b. In the event of an exceedance of the objective set out in Condition 7, Subsection (1), the Owner shall increase the frequency of sampling of the affected effluent from the **oil-water separator** to once per month for each month that discharge occurs until it is demonstrated to the District Manager that the effluent complies with the said objective.
3. The methods and protocols for sampling, analysis and recording shall conform, in order of precedence, to the methods and protocols specified in the following:
 - a. Ministry of the Environment publication "Protocol for the Sampling and Analysis of Industrial/Municipal Wastewater", January 2016, as amended from time to time by more recently published editions.
 - b. the publication "Standard Methods for the Examination of Water and Wastewater", 21st edition, 2005, as amended from time to time by more recently published editions.
4. The Owner shall retain for a minimum of **five (5) years** from the date of their creation, or longer if requested in writing by the District Manager, all records and information related to, or resulting from, the monitoring, inspection and maintenance activities required by this Approval.

REASONS

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

1. Condition 1 is imposed to ensure that the Works are built and operated in the manner in which they were described for review and upon which approval was granted. This condition is also included to emphasize the precedence of Conditions in the Approval and the practice that the Approval is based on the most current document, if several conflicting documents are submitted for review. Condition 1.(4) is included to emphasize that the issuance of this Approval does not diminish any other statutory and regulatory obligations to which the Owner is subject in the construction, maintenance and operation of the Works. The Condition specifically highlights the need to obtain any necessary conservation authority approvals. The Condition also emphasizes the fact that this Approval doesn't limit the authority of the Ministry to require further information.
2. Condition 2 is included to ensure that, when the Works are constructed, the Works will meet the standards that apply at

the time of construction to ensure the ongoing protection of the environment.

3. Condition 3 is included to ensure that the Ministry records are kept accurate and current with respect to approved Works and to ensure that subsequent owners of the Works are made aware of the Approval and continue to operate the Works in compliance with it.
4. Condition 4 is included to ensure that the Works are constructed in accordance with the approval and that record drawings of the Works "as constructed" are maintained for future references.
5. Condition 5 is included to ensure that the Works will be operated and maintained in a manner enabling compliance with the terms and conditions of this Approval, such that the environment is protected and deterioration, loss, injury or damage to any person or property is minimized and/or prevented.
6. Condition 6 is included to ensure that an operations manual governing all significant areas of operation, maintenance and repair is prepared, implemented and kept current by the Owner and made available to the Ministry, upon request. Such a manual is an integral part of the operation of the Works. Its compilation and use should assist the Owner in staff training and in identifying and planning for contingencies during possible abnormal conditions. The manual will also act as a bench-mark for Ministry staff when reviewing the Owner's operation of the Works.
7. Condition 7 is imposed to establish non-enforceable effluent quality objectives which the Owner is obligated to use best efforts to meet on an ongoing basis. Also imposed are procedures to be followed to minimize environmental impact in the event the objectives are exceeded.
8. Condition 8 is imposed to ensure that the effluent discharged from the Works meets the Ministry's effluent quality requirements, as specified, on a continuous basis, thus minimizing environmental impact on the receiver.
9. Conditions 9 and 10 are related to sampling, monitoring and record keeping. They have been imposed to require the Owner to demonstrate, when required, that the performance of the Works is at a level consistent with the design and effluent objectives specified in the Approval, that it does not cause any impairment to the receiving areas and that required operational information is available for review.

APPEAL PROVISIONS

In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me and the Ontario Land Tribunal, within 15 days after the service of this notice, require a hearing by the Tribunal. You must also provide notice to, the Minister of the Environment, Conservation and Parks in accordance with Section 47 of the *Environmental Bill of Rights, 1993* who 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:

- I. 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;
- II. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

The Notice should also include:

- I. The name of the appellant;
- II. The address of the appellant;
- III. The environmental compliance approval number;
- IV. The date of the environmental compliance approval;
- V. The name of the Director, and;
- VI. 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:

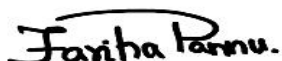
Registrar* Ontario Land Tribunal 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5 OLT.Registrar@ontario.ca	and	The Minister of the Environment, Conservation and Parks 777 Bay Street, 5th Floor Toronto, Ontario M7A 2J3	and	The Director appointed for the purposes of Part II.1 of the <i>Environmental Protection Act</i> 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 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**

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 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 15th day of February, 2024



Fariha Pannu

Director

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

c: Heather Brown, Ontario Power Generation Inc.
Jacob Barbara, Ontario Power Generation Inc.

The following schedules are a part of this environmental compliance approval:

SCHEDULE 1

Environmental Compliance Approval Application for Industrial Sewage Works submitted by Jacob Barbara of Ontario Power Generation Inc., on January 18, 2023, and certified by Aaron Del Pino of Ontario Power Generation Inc. on January 20, 2023, and all supporting documentation and information.

SCHEDULE 2

Effluent Objectives Table

Effluent Parameter	Concentration Objective (milligrams per litre unless otherwise indicated)
Oil and Grease	15 mg/L

Effluent Monitoring Table (measured at the discharge outlet from the OWS)

Parameters	Frequency	Sample Type
Oil and Grease	Quarterly	Grab