



GOVERNMENT OF  
NEWFOUNDLAND AND LABRADOR  
Department of Environment and Climate Change

**CERTIFICATE OF APPROVAL**

Pursuant to the Environmental Protection Act, SNL 2002 c E-14.2 Section 83

Issue Date: *April 12, 2023*

Approval No. AA23-045697

Expiration: *March 12, 2028*

File No. 714.033

Proponent: **Newfoundland Transshipment Limited**  
201 Whiffen Head Road  
P.O. Box 451  
Arnold's Cove, Newfoundland  
A0B 1A0

Attention: Mr. Kurt Goodwin, Terminal Manager

Re: **Newfoundland Transshipment Terminal**

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Approval is hereby given for: the operation of the Newfoundland Transshipment Terminal (NTT) located at Whiffen Head, Arnold's Cove, NL.

This Certificate of Approval does not release the proponent from the obligation to obtain appropriate approvals from other concerned provincial, federal and municipal agencies. Nothing in this Certificate of Approval negates any regulatory requirement placed on the proponent. Where there is a conflict between conditions in this Certificate of Approval and a regulation, the requirement in the regulation shall take precedence. Approval from the Department of Environment and Climate Change shall be obtained prior to any significant change in the design, construction, installation, or operation of the facility, including any future expansion of the works. This Certificate of Approval shall not be sold, assigned, transferred, leased, mortgaged, sublet or otherwise alienated by the proponent without obtaining prior approval from the Minister.

This Certificate of Approval is subject to the terms and conditions as contained therein, as may be revised from time to time by the Department. Failure to comply with any of the terms and conditions may render this Certificate of Approval null and void, may require the proponent to cease all activities associated with this Certificate of Approval, may place the proponent and its agent(s) in violation of the *Environmental Protection Act*, and will make the proponent responsible for taking such remedial measures as may be prescribed by the Department. The Department reserves the right to add, delete or modify conditions to correct errors in the Certificate of Approval or to address significant environmental or health concerns.

  
For **Minister**

## TERMS AND CONDITIONS FOR APPROVAL No. AA23-045697

April 12, 2023

### General

1. This Certificate of Approval is for: the operation of the Newfoundland Transshipment Terminal located at Whiffen Head, Arnold's Cove, NL, as per plans and specifications supplied before by Newfoundland Transshipment Limited to this Department. Extensive future expansion or alteration of activities will require a separate Certificate of Approval.
2. Any inquiries concerning this Approval shall be directed to the St. John's office of the Pollution Prevention Division (telephone: (709) 729-2556; or facsimile: (709) 729-6969).
3. In this Certificate of Approval:
  - **accredited** means the formal recognition of the competence of a laboratory to carry out specific functions;
  - **acutely lethal**, in respect of an effluent, means that the effluent at 100 per cent concentration kills more than 50 per cent of the
    - rainbow trout subjected to it for a period of 96 hours, when tested in accordance with Reference Method EPS 1/RM/13; or
    - Daphnia magna subjected to it for a period of 48 hours, when tested in accordance Reference Method EPS 1/RM/14;
  - **air contaminant** means any discharge, release, or other propagation into the air and includes dust, fumes, mist, smoke, particulate matter, vapours, gases, odorous substances, acids, soot, grime or any combination of them;
  - **ALT (acute lethality test)** means a test conducted to determine whether an effluent is acutely lethal;
  - **associated product** means petroleum or a derivative of it, except gasoline, which is in a liquid state at ambient temperature and pressure;
  - **CCME Guidelines** means those guidelines supported by the Canadian Council of Ministers of the Environment;
  - **composite sample** means a quantity of undiluted effluent collected continually at an equal rate or at a rate proportionate to flow over a designated sampling period;

- **Department** means the Department of Environment and Climate Change and its successors;
- **DFO** means Fisheries and Oceans Canada;
- **DGSNL** means Digital Government Service NL and its successors;
- **EDMS** means Environmental Data Management System;
- **effluent discharge criteria** (EDC) means the maximum allowable levels for the parameters listed in Table 4;
- **GAP** means *Storage and Handling of Gasoline and Associated Products Regulations, 2003*;
- **grab sample** means a quantity of undiluted sample collected at any given time. In this Approval it refers to used oil and effluent;
- **licensed** means has a Certificate of Approval issued by the Minister to conduct an activity;
- **malfunction** means any sudden, infrequent and not reasonably preventable failure of air pollution control equipment, wastewater treatment equipment, process equipment, or a process to operate in a normal or usual manner. Failures, caused in part by poor maintenance or careless operation, are not malfunctions;
- **Minister** means the Minister of the Department;
- **NTL** means Newfoundland Transhipment Limited;
- **NTT** means Newfoundland Transhipment Terminal;
- **oil separator** means a device used to separate and remove oily wastes from oil and water mixtures;
- **Plan** means the specific plan as identified in the section of this Approval within which it is used. For example, in the *Contingency Plan* section it refers to the Contingency Plan;
- **proficiency testing** means the use of inter-laboratory comparisons to determine the performance of individual laboratories for specific tests or measurements;
- **Province** means Province of Newfoundland and Labrador;
- **QA/QC** means Quality Assurance/Quality Control;

- **register(ed)**, in the context of:
    - storage tanks, means that information regarding the storage tank system has been submitted to a DGSNL office and a registration number has been assigned to the storage tank system; and
    - environmental site assessment and impacted site management work, means approved by the Department in accordance with departmental policy and guidelines;
  - **regulated substance** means a substance subject to discharge limit(s) under the *Environmental Control Water and Sewage Regulations, 2003*;
  - **Site Professional** means an individual who is registered with the Department to oversee environmental site assessment, remediation and contaminated site management work in Newfoundland and Labrador;
  - **storage tank system** means a tank and all vent, fill and withdrawal piping associated with it installed in a fixed location and includes a temporary arrangement;
  - **TDS** means total dissolved solids;
  - **toxic pass** means a mortality rate of no more than 50 per cent during the ALT;
  - **TPH** means total petroleum hydrocarbons, as measured by the Atlantic PIRI method;
  - **TSS** means total suspended solids;
  - **used glycol** means glycol that, through use, storage or handling, can no longer be used for its original purpose; and
  - **used oil** means oil that, through use, storage or handling, can no longer be used for its original purpose.
4. All necessary measures shall be taken to ensure compliance with all applicable acts, regulations, policies, guidance documents and guidelines, including the following, or their successors:
- *Environmental Protection Act*;
  - *Effluent Schedule Determination Policy for Industries*;
  - *Water Resources Act*;
  - *Air Pollution Control Regulations, 2022*;
  - *Environmental Control Water and Sewage Regulations, 2003*;
  - *Halocarbon Regulations*;
  - *Storage and Handling of Gasoline and Associated Products Regulations, 2003*;

- *Used Oil and Used Glycol Control Regulations;*
- *Sampling of Water and Wastewater - Industrial Effluent Applications Guidance Document;*
- *Accredited Laboratory Policy;*
- *Environmental Guidelines for Controlling Emissions of Volatile Organic Compounds from Aboveground Storage Tanks; and*
- *Guidance Document for the Management of Impacted Sites*

This Approval provides terms and conditions to satisfy various requirements of the above listed acts, regulations, policies, guidance documents and guidelines. If it appears that any of the pertinent requirements of these acts, regulations, policies, guidance documents and guidelines are not being met, then a further review of the works shall be conducted, and suitable pollution control measures may be required by the Minister.

5. All reasonable efforts shall be taken to minimize the impact of the operation on the environment. Such efforts include:
  - minimizing the area disturbed by the operation,
  - minimizing air, water or soil pollution,
  - finding alternative uses, acceptable to the Department, for waste or rejected materials,
  - removing equipment or structures when they no longer have further use, and
  - considering the requirement for the eventual rehabilitation of disturbed areas when planning the development of any area on the facility property.
6. NTL shall provide to the Department, within a reasonable time, any information, records, reports or access to data requested or specified by the Department.
7. NTL shall keep all records or other documents required by this Approval at the NTT location for a period of not less than three years, beginning the day they were made. These records shall be made available for review by officials of the Department or DGSNL when requested.
8. Should NTL wish to deviate in any way from the terms and conditions of this Certificate of Approval, a written request detailing the proposed deviation shall be made to the Minister. NTL shall comply with the most current terms and conditions until the Minister has authorized otherwise. In the case of meeting a deadline requirement, the request shall be made at least 60 days ahead of the applicable date as specified in this Approval or elsewhere by the Department.

### **Waste Management**

9. The management of waste generated at the facility is subject to compliance with the ***Environmental Protection Act***. All non-industrial waste shall be stored in a manner acceptable to the Department and, on at least a weekly basis, be disposed of:

- at an authorized waste disposal site, with the permission of the owner/operator of the site; or
- by some other means acceptable to the Department.

If required, industrial waste shall be disposed of by a licensed operator.

10. NTL shall ensure that all volatile chemical and solvent wastes, if they cannot be reused, are placed in suitable covered containers for disposal in a manner acceptable to the Department. Disposal of liquid wastes at waste disposal sites in the Province is not permitted.
11. Disposal of hazardous waste in a municipal or regional waste disposal site in this Province is prohibited. Transporters of hazardous waste shall have an Approval issued by the Minister. Those generating hazardous waste shall have a waste generator's number issued by the Department and shall also complete the required information outlined in the Waste Manifest Form.

### **Burning Prohibition**

12. Materials listed in Table 1 shall not be burned in a fire, unless the burning of the material is recommended, in writing, by the Office of the Fire Commissioner or the burning occurs in combustion process equipment that has been approved, in writing, by the Department for that purpose.

<b>Table 1 - Materials Prohibited from Burning in a Fire</b>	
(a) tires	(k) manure
(b) plastics	(l) rubber
(c) treated lumber	(m) tar paper
(d) asphalt and asphalt products	(n) railway ties
(e) drywall	(o) paint and paint products
(f) demolition waste	(p) fuel and lubricant containers
(g) hazardous waste	(q) used oil
(h) biomedical waste	(r) animal cadavers
(i) domestic waste	(s) hazardous substances
(j) trash, garbage, or other waste from commercial, industrial or municipal operations	(t) materials disposed of as part of the removal or decontamination of equipment, buildings or other structures

13. The Department shall be notified prior to the burning of any materials not listed in Table 1.

## **Noise**

14. Efforts shall be made to minimize and control noise resulting from the NTT's operations and maintenance activities. All vehicles operating within the facility shall have exhaust and muffling devices in good working order.

## **Chemical Operations**

15. All chemical loading and blending shall be done inside the facility, with no chemical containers being opened outside. All vessels will be blanketed to eliminate vapour or odorous substance releases.
16. Empty chemical drums, totes or packaging shall be either sent:
  - back to the original equipment manufacturer for re-use;
  - to a recognized disposal company, or;
  - to a recognized re-cycling facility.

When deemed necessary, waste material from drums, totes or packaging will be retained on-site for collection and disposal by a recognized waste treatment company according to provincial and federal regulations.

## **Spill and Leak Prevention and Containment**

17. Areas in which chemicals are used or stored shall have spill and leak containment systems constructed with impermeable floors, walls, dykes or curbs as applicable and be configured, maintained, inspected and repaired as follows:
  - they shall not discharge to the environment;
  - they shall have an effective secondary containment capacity of at least 110 per cent of the chemical storage tank capacity, in the case of a single storage container;
  - if there is more than one storage container, they shall have an effective secondary containment capacity of at least 110 per cent of the capacity of the largest container, or 100 per cent of the capacity of the largest container plus 10 per cent of the aggregate capacity of all additional containers, whichever is greater;
  - they shall be kept clear of material that may compromise the containment capacity;
  - they may include a floor drain system provided that the floor drains, and the place or device to which they drain, are configured in such a manner that the required effective secondary containment capacity is maintained;
  - every year they shall be visually inspected for their liquid containing integrity, and repairs shall be made when required; and

- once every 10 years, spill and leak containment systems shall be inspected, by a means other than visual inspection, for their liquid containing integrity, and repairs shall be made when required.
18. All on site storage of petroleum shall comply with the *Storage and Handling of Gasoline and Associated Products Regulations, 2003*, or its successor. Storage tank systems shall be registered with DGSNL.
  19. Where applicable, all tanks and fuel delivery systems shall be inspected to appropriate American Petroleum Institute or Underwriters' Laboratories of Canada standards, or any other standards acceptable to this Department. The required frequency of inspections may be changed at the discretion of the Department.
  20. NTL shall implement the API Standard 653, "Tank Inspection, Repair, Alteration and Reconstruction" in accordance with common industry practice.
  21. NTL shall maintain an inventory of all petroleum and chemical storage tanks. This inventory shall include the following:
    - site plan showing tank location,
    - registration number (where applicable),
    - identification number,
    - material stored,
    - capacity,
    - annual throughput,
    - tank material,
    - tank type,
    - tank diameter,
    - tank height,
    - tank colour,
    - roof type,
    - year of manufacture,
    - date of installation,
    - date of last inspection,
    - failure history,
    - maintenance history,
    - effective secondary containment capacity, and
    - date of next planned inspection.

An update of the complete storage tank inventory including any changes to it shall be submitted to the Department within three months of the change having occurred.



## Contingency Plan

22. NTL shall continue to implement the Contingency Plan submitted to this Department on **January 06 2023** for the NTT, including all revisions. This Plan describes the actions to be taken in the event of a spill or leak of a toxic or hazardous material. Copies of the Plan shall be placed in convenient areas throughout the facility so that employees can easily refer to it when needed. NTL shall ensure that all employees are aware of the Plan and understand the procedures and the reporting protocol to be followed in the event of an emergency. An annual response exercise is recommended for response personnel. Every year, as a minimum, the Plan shall be reviewed and revised as necessary. Any proposed significant revisions shall be submitted to the Department for review. Changes which are not considered significant include minor variations in equipment or personnel characteristics which do not affect implementation of the Plan.
23. Every time NTL implements the Contingency Plan, information shall be recorded for future reference. This will assist in reviewing and updating the Plan. The record is to consist of all incidents with environmental implications, and include such details as:
- date;
  - time of day;
  - type of incident (i.e. liquid leak/spill, gas leak, granular chemical leak/spill, equipment malfunction, etc.);
  - actions taken;
  - problems encountered; and
  - other relevant information that would aid in later review of the Plan performance.

Each incident report shall be submitted to the Department as per the **Reporting** section.

## Crude Oil Tank Farm

24. All hydrocarbon storage tanks shall conform to the conditions specified in the ***Environmental Guidelines for Controlling Emissions of Volatile Organic Compound from Aboveground Storage Tanks (CCME-EPC-87E)***.
25. All hydrocarbon storage tanks shall comply with the monitoring and record keeping requirements of the ***Environmental Guidelines for Controlling Emissions of Volatile Organic Compounds from Aboveground Storage Tanks (CCME-EPC-87E)***. Inspection reports as per Part 6.0 Section 6.1 (Internal Floating Roof) of the CCME Guidelines shall be submitted to the Department by **January 31** of each year for the previous calendar year.
26. Tank inspection and associated reporting and remedial follow-up shall be in accordance with API-653, ***Tank Inspection, Repair, Alteration and Reconstruction***.

27. The remote impoundment pond for dyke arrangements containing multiple tanks shall be maintained at all times with a minimum nominal storage capacity as specified in the *Storage and Handling of Gasoline and Associated Products Regulations, 2003*.
28. NTL shall make all reasonable efforts to prevent the discharge, leak or spill of petroleum products or other contaminated liquids, as defined by the *Environmental Control Water and Sewage Regulations, 2003*, to the remote impoundment pond. Intentional discharges to the remote impoundment pond shall require prior written approval from the Department.
29. Any free petroleum product or other contaminated liquid discharged, leaked or spilled to the remote impoundment pond is to be recovered within a reasonable period of time. The reasonable period of time will be determined in consultation with the Department based on the circumstances at the time of discharge, leak or spill.

### **Decommissioning and Restoration**

30. A Plan titled “*2021 – UPDATED STUDY REPORT FOR DECOMMISSIONING OF IMTT - NEWFOUNDLAND TRANSSHIPMENT TERMINAL AT WHIFFEN HEAD – PLACENTIA BAY, NEWFOUNDLAND*” to restore areas disturbed by the operation has been submitted to the Department (*February 15, 2023*). The Plan shall be implemented progressively as required and completed upon site closure. All proposed revisions shall be submitted to the Department for review.
31. As part of the site decommissioning and restoration process, NTL shall employ a registered Site Professional to complete a site-wide environmental site assessment, as defined in the *Guidance Document for the Management of Impacted Sites*. Should impacts be identified, NTL shall proceed through the process outlined in the Guidance Document to achieve regulatory site closure.

### **Used Oil and Used Glycol**

32. Used oil and used glycol shall not be mixed and shall be stored in separate:
  - closed containers;
  - registered tanks; or
  - tanks that have an active approval from DGSNL.
33. Where greater than 205 litres of used oil or used glycol is stored in one or more containers, the storage shall require approval from the Department or DGSNL.
34. Used oil and used glycol shall be disposed of by a company licensed for the handling and disposal of such products.

35. Information on used oil and used glycol that is generated at the facility each year shall be submitted to the Department by **January 31** of the following year for review. This shall include a description of the:
- type(s) of oil and/or glycol used;
  - approximate total volume of used oil and/or used glycol generated during the previous year; and
  - method of disposal for the used oil and/or used glycol.

### **Wastewater Treatment System**

36. The wastewater treatment system has been constructed and shall be operated as per the drawings and specifications submitted by NTL (**November 27, 1997**). The design capacity of the system shall not be exceeded. NTL shall not accept any tanker wash water without the prior written approval of the Department.
37. The Department reserves the right to require the submission of written reports on any wastewater treatment system malfunctions, unplanned shutdowns, emergency diversions or failure of equipment.
38. The effluent from the activated carbon filters shall be re-circulated, for periods of time such as during start-up, until analysis of samples indicates that effluent is acceptable for discharge, as per the effluent discharge criteria specified in Table 4.
39. The wastewater characteristics of the NTT and methods of handling are contained in Table 2.

<b>Table 2: Wastewater Characteristics of the NTT and Methods of Handling</b>		
<b>Type / Source of Wastewater</b>	<b>Characteristics</b>	<b>Handling Methods</b>
Tanker / Tug Bilge Waters	Normal ship bilges will be handled as per regulations which require separation and testing before discharging. The Department acknowledges that NTL is not in control of and cannot ensure the wastewater handling methods detailed above where such is carried out by a party other than NTL.	<p><b>Tankers:</b></p> <p>1). Treated bilges, after going through the vessel's oil pollution monitor, will be discharged directly into the sea offshore; or</p> <p>2). Bilges can also be off loaded via pipeline to shore for handling by a waste disposal contractor.</p> <p><b>Tugs:</b></p> <p>1). Treated bilges, after going through the vessel's oil pollution monitor, will be discharged directly into the sea; or</p> <p>2). Bilges can be off loaded by means of a waste disposal contractor.</p>
Oily Wastewater / Diesel Loading	If diesel is delivered by truck rather than tanker, barge, or pipe, leaks and spills may occur at the onshore unloading facility.	The unloading facility will be drained to the central sump which shall either be drained to the wastewater treatment system or be pumped out and disposed

		of by a licensed waste disposal contractor.
Ship Ballast Water	All tankers will normally have their ballast segregated from the crude.	Ballast water will be discharged directly into the sea, as per international regulations, after passing through the vessel's oil pollution monitor.
Sanitary Wastewater	Sinks, toilets, showers and kitchen facilities will be provided in the office / maintenance building.	Sanitary sewage from the office(s) will be discharged to an approved septic disposal field(s).
Oily Wastewater / Wharf Area	Leaks and spills may occur from tanker loading and unloading operations.	The area where loading and unloading occurs will be impermeable and curbed. The curbed area shall drain to central sump and any oily wastewater shall be pumped to the wastewater treatment system or shall be pumped out and disposed of by a licensed waste disposal contractor.
Oily Wastewater / Laboratory and Maintenance Warehouse	Minimal discharges are expected from these facilities. Solvents and oil (other than crude) from the lab will be segregated and kept out of the drain.	Oily drains shall be provided for these facilities.
Storm Water	Storm water is expected to have minimal contamination because maintenance will occur inside buildings or curbed / bermed areas and oily wastewater will be drained to sumps.	Rain falling on the tanks will accumulate within the berms. It will be visually inspected and (1) if clean, discharged to Placentia Bay, or (2) if contaminated, piped to the wastewater treatment system for treatment before being discharged to Placentia Bay.  Storm water from building roofs, parking and office areas and the jetty (except for the contaminated area on the loading platform) will be drained to the surrounding environment.  Storm water from undeveloped areas will not be collected and will run naturally towards low spots or to the bay.
Tanker Wash Waters (sea water used to clean ship tanks for inspection and repairs).	Wash waters expected to have minimal contamination.	Tanker wash waters received by NTL shall be pumped to the wastewater treatment system.

### **Effluent Monitoring and Discharge**

40. NTL shall perform an Effluent Monitoring Program as per Table 3. Refer to Table 4 for the effluent discharge criteria. Analytical results shall be submitted to the Department as per the **Reporting** section.

<b>Table 3 - Effluent Monitoring Program</b>			
<b>Location</b>	<b>EDMS Location Code</b>	<b>Parameters</b>	<b>Frequency</b>
RIP	00330	Flow <sup>‡</sup> pH TSS TPH ALT <sup>c</sup>	Every Batch <sup>a</sup>
S1	00323	pH TSS TPH	Quarterly <sup>b</sup>
S2	00324		
S3	00325		
S4	00326		
S5	00327		
S6	00328		
ST	00329		
Oil Separator*	00331	Flow <sup>‡</sup> pH TSS TDS TPH ALT <sup>c</sup>	Every Batch <sup>a</sup>
<p><sup>a</sup> Should discharge become continuous, sampling shall be required biweekly. For the purpose of storm water drainage from each dyke, “batch” means the water contained in the entirety of each berm area after a heavy rain.</p> <p><sup>b</sup> In the event there is a spill, leak or sheen detected, the frequency of sampling shall revert back to every batch and shall remain at this frequency, unless otherwise approved in writing by the Department.</p> <p><sup>c</sup> ALT sample shall be taken at the time of discharge at discharge point.</p> <p>* ALT will not be required if transferred into the RIP.</p> <p><sup>‡</sup> Flow is the volume of water discharged or transferred.</p>			
S1	means Sump associated with Tank 1	ST	means Support Tanks area
S2	means Sump associated with Tank 2	RIP	means the Remote Impoundment Pond
S3	means Sump associated with Tank 3		
S4	means Sump associated with Tank 4		
S5	means Sump associated with Tank 5		
S6	means Sump associated with Tank 6		

<b>Table 4 - Effluent Discharge Criteria</b>	
<b>Parameter</b>	<b>Allowable Limits</b>
Flow <sup>‡</sup>	----
pH	5.5 to 9.0
TSS	30 mg/L
TPH	15 mg/L
TDS	36,000 <sup>d</sup> mg/L
<sup>d</sup> based on a background concentration of 35,000 mg/L in Placentia Bay	

41. If there is a leak or spill or if oil is detected in storm water, the need for monitoring wells will be reviewed and or required in consultation with the Department.
42. Verification that water discharged from the wastewater treatment system complies with the effluent discharge criteria shall be achieved using the sampling protocol as shown in Table 3. NTL shall cease discharging effluent from the wastewater treatment system when such effluent does not meet the effluent discharge criteria. NTL shall require written authorization from the Department to resume discharging. If unable to make the system perform, NTL shall consult with the Department on a plan to resolve the matter.
43. If effluent is determined to be acutely lethal for three consecutive ALTs, NTL shall implement a Toxicity Identification Evaluation (TIE) to identify the toxin, and from this

develop measures to prevent or reduce the toxin. The report, written as a result of these identification activities, shall be submitted to the Department for review, *within 60 days* of the third consecutive failed ALT result. After review of the report, the Department may place additional requirements upon the proponent for treatment of effluent prior to discharge.

44. The oil separator shall be checked routinely and maintained in accordance with the manufacturer's instructions to ensure it is working properly. A log of these checks shall be maintained by NTL.

### **Environmental Effects Monitoring**

45. NTL in conjunction with DFO shall determine the scope and frequency of the Environmental Effects Monitoring (EEM) program. Copies of reports and correspondence with DFO regarding the EEM shall be submitted to the Department for review. Any comments received from the Department in response to the EEM program shall be forwarded to DFO by NTL for consideration prior to future EEM programs.

### **Analysis and QA/QC**

46. Unless otherwise stated herein, all solids and liquids analysis performed pursuant to this Approval shall be done by either a contracted commercial laboratory or an in-house laboratory. Contracted commercial laboratories shall have a recognized form of accreditation. In-house laboratories have the option of either obtaining accreditation or submitting to an annual inspection by a representative of the Department, for which NTL shall be billed for each laboratory inspection in accordance with Schedule 1 of the *Accredited Laboratory Policy (PD:PP2001-01.2)*. Recommendations of the Department stemming from an annual inspection shall be addressed within six months, otherwise further analytical results shall not be accepted by the Department.
47. If NTL wishes to perform in-house laboratory testing and submit to an annual inspection by the Department then a recognized form of proficiency testing recognition shall be obtained for compliance parameters for which this recognition exists. The compliance parameters are listed in the *Effluent and Monitoring* section. If using a commercial laboratory, NTL shall contact that commercial laboratory to determine and to implement the sampling and transportation QA/QC requirements for those activities.
48. The exact location of each sampling point shall remain consistent over the life of the monitoring programs, unless otherwise approved by the Department.
49. NTL shall bear all expenses incurred in carrying out the environmental monitoring and analysis required under conditions of this Approval.

## **Monitoring Alteration**

50. The Department has the authority to alter monitoring programs or require additional testing at any time when:
- pollutants might be released to the surrounding environment without being detected;
  - an adverse environmental effect may occur; or
  - it is no longer necessary to maintain the current frequency of sampling and/or the monitoring of parameters.
51. NTL may, at any time, request that monitoring programs or requirements of this Approval be altered by:
- requesting the change in writing to the Department; and
  - providing sufficient justification, as determined by the Department.

The requirements of this Approval shall remain in effect until altered, in writing, by the Department.

## **Reporting**

52. Monthly reports containing the environmental compliance monitoring and sampling information required in this Approval shall be received by the Department in digital format within 30 calendar days of the reporting month. All related laboratory reports shall be submitted with the monthly report in Extensible Markup Language (XML) format and Adobe Portable Document Format (PDF). Digital report submissions shall be uploaded through the EDMS web portal.
53. Each monthly report shall include a summary of all environmental monitoring components and shall include an explanation for the omission of any requisite data. The monthly summary reports shall be in Microsoft Word or Adobe PDF and shall be uploaded through the EDMS web portal with the data submissions.
54. All incidents of:
- *Contingency Plan* implementation; or
  - non-conformance of any condition within this Approval; or
  - a spill or leak of any amount of a regulated substance; or
  - effluent discharge criteria being, or suspected of being, exceeded; or
  - verbal or written complaints of an environmental nature received from the public by NTL and related to the NTT, including complaints submitted anonymously;

shall be immediately reported, within one working day, to the Department.

A written comprehensive incident report including a detailed description of the incident, a summary of contributing factors, and an Action Plan to prevent future incidents of a similar nature, shall be prepared. The report shall include a description of actions already taken and future actions to be implemented, and shall be submitted to the Department within 30 days of the date of the initial incident.

55. Any:

- spill of gasoline or associated product in excess of 70 litres from a storage tank system, pipeline, or vehicle, or
- leak of gasoline or associated product in any amount from a storage tank system, pipeline, tank car or tank vehicle, or
- spill of used oil or used glycol in excess of 70 litres from a storage tank system, or
- leak of used oil or used glycol in any amount from a storage tank system;

shall be reported immediately through the Environmental Emergencies 24-hour report line at 1-800-563-9089.

### **Liaison Committee**

56. The Department recognizes the benefits, and at times the necessity, of accurate, unbiased communication between the public and industrial operations which have an impact on the properties and residents in the area. NTL shall continue their Community / Fisheries Liaison Committee meetings on a semi-annual basis as currently scheduled. Regular meetings of this Committee will provide a clear conduit of communication between concerned citizens and NTL. Copies of Minutes of such meetings as well as copies of any materials presented or presentations made during such meetings shall be provided to the Department no later than thirty days after the meeting.

### **Expiration**

57. This Certificate of Approval expires *March 12, 2028*.

58. Should NTL wish to continue to operate the NTT beyond this expiry date, a written request shall be submitted to the Department for the renewal of this Approval. Such request shall be made prior to *September 12, 2027*.



cc: Ms. Julie Robbins  
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