



GOVERNMENT OF  
NEWFOUNDLAND AND LABRADOR  
Department of Environment and Conservation

## CERTIFICATE OF APPROVAL

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

Issue Date: **February 08, 2016**

Approval No. AA16-025616

Expiration: **February 17, 2021**

File No. 716.006

Proponent: **Newfoundland and Labrador Hydro**  
Hydro Place, 500 Columbus Drive  
P.O. Box 12400, St. John's, NL  
A1B 4K7

Attention: Marion Organ, Manager – Environmental Services

Re: **L'Anse Au Loup Diesel Generating Station**

Approval is hereby given for the operation of five (5) permanent and one (1) mobile prime power diesel generating units at L'Anse Au Loup, Labrador.

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 condition in the regulation shall take precedence. Approval from the Department of Environment and Conservation shall be obtained prior to any significant change in the design, construction, installation, or operation of the diesel generating units at the L'Anse Au Loup, including any future expansion of the L'Anse Au Loup diesel generating station. 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.



*Debra Patten*  
For MINISTER

## TERMS AND CONDITIONS FOR APPROVAL No. AA16-025616

February 08, 2016

### General

1. This Certificate of Approval is for the operation of five (5) permanent and one (1) mobile prime power diesel generating units, as outlined in Table 1, located at the L'Anse Au Loup diesel generating station in Labrador, as per plans and specifications supplied by Newfoundland and Labrador Hydro for this Certificate of Approval Dated March 2, 2015. Extensive future expansion or change of activities will require a separate Certificate of Approval.

Table 1 : L'Anse Au Loup Diesel Generating Units				
Number of Units	Unit Number	Power Rating (kW)	Manufacturer	Model
1	2091	1825	Caterpillar	3516B
1	246	600	Caterpillar	D398
1	2041	1000	Caterpillar	D3512
1	2012	1100	Caterpillar	3516
1	2005	800	Caterpillar	3512
1	2082 (Mobile)	1825	Caterpillar	3516B

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:
  - **Department** means the Department of Environment and Conservation and its successors;
  - **Director** means the Director of the Pollution Prevention Division of the Department;
  - **DPF** means diesel particulate filter;
  - **hazardous waste** means a product, substance or organism that is intended for disposal or recycling, including storage prior to disposal or recycling, and that:
    - (a) is listed in Schedule III of the *Export and Import of Hazardous Waste Regulations under the Canadian Environmental Protection Act, 1999*;
    - (b) is included in any of Classes 2 to 6, and 8 and 9 of the *Transportation of Dangerous Goods Regulations* under the *Transportation of Dangerous Goods Act, 1992*; or

(c) exhibits a hazard classification of a gas, a flammable liquid, an oxidizer, or a substance that is dangerously reactive, toxic, infectious, corrosive or environmentally hazardous;

- **GAP** means Gasoline and Associated Products;
- **licensed** means has a Certificate of Approval issued by the Minister to conduct an activity;
- **Minister** means the Minister of the Department;
- **NLH** means Newfoundland and Labrador Hydro;
- **register(ed)**, in the context of storage tanks, means that information regarding the storage tank system has been submitted to a Service NL office and a registration number has been assigned to the storage tank system;
- **regulated substance** means a substance subject to discharge limit(s) under the *Environmental Control Water and Sewage Regulations, 2003*;
- **spill or spillage** means a loss of gasoline or associated product in excess of 70 litres from a storage tank system, pipeline, tank vessel or vehicle, or an uncontrolled release of any volume of a regulated substance onto or into soil or a body of water;
- **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;
- **used lubricating oil** means lubricating oil that as a result of its use, storage or handling, is altered so that it is no longer suitable for its intended purpose but is suitable for refining or other permitted uses;
- **used oil** means a used lubricating oil or waste oil; and
- **waste oil** means an oil that as a result of contamination by any means or by its use, is altered so that it is no longer suitable for its intended purpose.

4. All necessary measures shall be taken to ensure compliance with all applicable acts, regulations, policies and guidelines, including the following, or their successors:

- *Environmental Protection Act*;
- *Water Resources Act*;
- *Air Pollution Control Regulations, 2004*;
- *Environmental Control Water and Sewage Regulations, 2003*;
- *Halocarbon Regulations*;
- *Storage and Handling of Gasoline and Associated Products Regulations, 2003*; and
- *Used Oil Control Regulations*.

This Approval provides terms and conditions to satisfy various requirements of the above listed acts, regulations, Departmental policies and guidelines. If it appears that all of the pertinent requirements of these acts, regulations, policies 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 or water pollution, finding alternative uses, acceptable to the Director, 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. NLH shall provide to the Department, within a reasonable time, any information, records, reports or access to data requested or specified by the Department.
7. NLH shall keep all records or other documents required by this Approval at the L'Anse Au Loup diesel generating station for a period of not less than three (3) years, beginning the day they were made. These records shall be made available for review by officials of the Department or Service NL when requested.
8. Should NLH 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. NLH 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

### **Diesel Particulate Filter**

9. NLH shall install a DPF (Model DCF2X2X5-14-18 MINE-X SOOTFILTER) on Unit-2091 (Caterpillar, 1825 kW, Model 3516B) as specified in the application dated March 2, 2015.
10. The DPF shall be maintained and operated as per manufacturer guidelines/standards.
11. The ash and / or used filters recovered during the process of cleaning the DPF shall be tested (complete metal scan, including mercury) to verify that it does not contain any hazardous constituents, or shall be treated as hazardous waste to be disposed of in a manner acceptable to the Department.

### **Waste Management**

12. All waste generated at the site is subject to compliance with the ***Environmental Protection Act***. All non-industrial waste shall be placed in closed containers and, on at least a weekly basis, removed from the site. If required, industrial waste shall be disposed of by a licensed operator. These wastes shall be disposed of at an authorized waste disposal site with the permission of the owner/operator of the site.
13. NLH shall ensure that all hazardous waste is disposed of by a licensed operator at a location acceptable to this Department. 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 generators number issued by the Director and shall also complete the required information outlined in the Waste Manifest Form.

### **Noise**

14. Efforts shall be made to minimize and control noise resulting from the operations and maintenance of the six (6) diesel generating units located at L'Anse Au Loup in Labrador.

### **Spill Prevention and Containment**

15. 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 Service NL. All aboveground storage tanks shall be clearly and visibly labelled with their GAP registration numbers.
16. 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 Director.

### **Used Oil**

17. Used oil shall be retained in an approved tank or closed container, and disposed of by a company licensed for handling and disposal of used oil products.
18. Information on used oil that is generated by the diesel generating units shall be submitted to the Director for review within 30 days of the beginning of each calendar year. This shall include a description of:
  - the type(s) of oil used;
  - the method of disposal for the used oil; and
  - the approximate total volume of used oil generated during the previous year.
19. In the event that off-site used oil is stored in the on-site storage tank(s), the information listed above shall also be required for the off-site systems.

### **Ambient Air**

20. Pending the results of any ambient air monitoring, stack emission testing, and/or dispersion modeling, the Director may require that NLH take measures deemed necessary to ensure the requirement of the *Air Pollution Control Regulations, 2004* are being met.

## **Annual Air Emission Reporting**

21. NLH shall submit an annual Air Emission Report to the Director by *February 28* of each year. The report shall include:
- the estimated annual emissions of the following flue gas constituents: SO<sub>2</sub>, NO<sub>x</sub>, CO<sub>2</sub>, CO and particulates; and
  - the actual calculations including factors, formulae and/or assumptions used.

## **Monitoring Alteration**

22. Although a monitoring program is not part of this approval, the Department may require a monitoring program when it is the judgement of the Director that:
- pollutants might be released to the surrounding environment without being detected; or
  - an adverse environmental effect may occur.

## **Reporting**

23. All incidents of:
- Emergency response activities for oil or hazardous materials spills associated with the operation of the L'Anse Au Loup diesel generating station; or
  - non-conformance of any condition within this approval; or
  - verbal/written complaints of an environmental nature from the public received by NLH related to the L'Anse Au Loup diesel generating station, whether or not they are received anonymously;

shall be immediately reported, within one (1) working day, to this Department as follows:

- contact this Department (St. John's office) by phoning (709) 729-2556.

A written report including a detailed description of the incident, summary of contributing factors, and an Action Plan to prevent future incidents of a similar nature, shall be submitted to the Director. The Action Plan shall include a description of actions already taken and future actions to be implemented, and shall be submitted within thirty days of the date of the initial incident. The address for written report submission is:

Director, Pollution Prevention Division  
Department of Environment and Conservation  
P.O. Box 8700  
St. John's, NL  
A1B 4J6

24. Any spillage or leakage of gasoline or associated product shall be reported immediately through the Canadian Coast Guard at 1-(709)-772-2083.

## **Expiration**

25. This Certificate of Approval expires on ***February 17, 2021***.
26. Should NLH wish to continue to operate L'Anse Au Loup diesel generating station beyond this expiry date, a written request shall be submitted to the Director for the renewal of this approval, such request shall be made prior to ***August 17, 2020***.

cc: Ms. Maria Dober - Head  
Compliance Promotion and Expert Support  
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