



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: *February 17, 2016*

Approval No. AA16-025625A

Amendment : *January 9, 2017*

Expiration: *February 17, 2021*

File No. 716.006.10

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: **Mary's Harbour Diesel Generating Station**

Approval is hereby given for the operation of four (4) prime power generating units at Mary's Harbour, 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 Climate Change shall be obtained prior to any significant change in the design, construction, installation, or operation of the diesel generating units at the Mary's Harbour diesel generating station, including any future expansion of the diesel generating units. 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 Poth
For **MINISTER**

TERMS AND CONDITIONS FOR APPROVAL No. AA16-025625A

February 17, 2016

General

1. This Certificate of Approval is for the operation of four (4) prime power diesel generating units, as outlined in Table 1, located at Mary's Harbour diesel generating station in Labrador. Extensive future expansion or change of activities will require a separate Certificate of Approval.

Table 1 : Mary's Harbour Diesel Generating Units					
Number of Units	Unit No.	Date of Manufacture	Power Rating (kW)	Manufacturer	Model
1	2037	1994	600	Caterpillar	CAT3412
1	2083	2009	800	Caterpillar	CAT3508
1	2090	2013	725	Caterpillar	CAT C-27
1	2093	2016	545	Caterpillar	CAT C18

2. Certificate of Approval AA16-025625 is revoked and replaced by this Certificate of Approval.
3. 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.
4. In this Certificate of Approval:
 - **Department** means the Department of Environment and Climate Change and its successors;
 - **Director** means the Director of the Pollution Prevention Division of the Department;
 - **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 & 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.

5. 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.

6. 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.
7. NLH shall provide to the Department, within a reasonable time, any information, records, reports or access to data requested or specified by the Department.
8. NLH shall keep all records or other documents required by this Approval at the diesel generating site 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.
9. 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.

Waste Management

10. 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.

Noise

11. Efforts shall be made to minimize and control noise resulting from the operations and maintenance of the four (4) diesel generating units at Mary's Harbour diesel generating station.

Spill Prevention and Containment

12. 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 the Service NL. All aboveground storage tanks shall be clearly and visibly labelled with their GAP registration numbers.
13. 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

14. 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.
15. 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.
16. 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

17. 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 requirements of the *Air Pollution Control Regulations, 2004* are being met.

Annual Air Emission Reporting

18. 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: SO₂, NO_x, CO₂, CO and particulates; and
 - the actual calculations including factors, formulae and/or assumptions used.

Monitoring Alteration

19. 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

20. All incidents of:
- Emergency response activities for oil or hazardous materials spills associated with the operation of the Mary's Harbour diesel generating units; 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 operation of the diesel generating units 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 (30) days of the date of the initial incident. The address for written report submission is:

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

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

Expiration

22. This Certificate of Approval expires *February 17, 2021*.
23. Should NLH wish to continue to operate the Mary's Harbour diesel generating units 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
Environment Canada – Atlantic Region
45 Alderney Drive
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Mr. Robert Locke
Manager of Operations and Environmental Protection
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