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Ministry of the Environment
Ministère de l'Environnement

AMENDMENT TO ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 0904-6SRHAX

Notice No. 6

Issue Date: October 3, 2014

Ontario Power Generation Inc.
34 Haldimand Road 55 S
Post Office Box, No. 2000
Haldimand, Ontario
N0A 1L0

Site Location: Nanticoke Generating Station
Lots 7, 8, 9, Concession 1
Haldimand County, Ontario

You are hereby notified that I have amended Approval No. 0904-6SRHAX issued on August 24, 2006 for the power generating units , as follows:

The following boiler operation is added to the approved Equipment listed in the Environmental Compliance Approval No. 0904-6SRHAX issued on August 24, 2006:

"Operation of Unit No. 6 boiler with natural gas, using the existing natural gas igniters, producing up to a maximum of 75 megawatt gross electrical output, discharging to the air at a maximum volumetric flow rate of 210 cubic metres per second, at an approximate temperature of 117 degrees Celsius, through an independent flue in Stack 2, with an exit diameter of 5.49 m , extending 198 metres above grade;" and

The following additional records related condition is added to the Environmental Compliance Approval No. 0904-6SRHAX issued on August 24, 2006:

"The Company shall retain, for a minimum of two (2) years from the date of their creation, and make these records available for review by staff of the Ministry upon request:

(1) records of the gross electric output of Unit No. 6 in megawatts;

(2) all records produced by the continuous monitoring and recording systems, including continuous monitoring readings for the concentrations of nitrogen oxides in the undiluted gas emitted from Unit No. 6 boiler during the firing of natural gas."

The following definitions are revoked from the Environmental Compliance Approval No. 0904-6SRHAX issued on August 24, 2006:

"(2) "Acoustical Consultant" means a qualified professional currently active in the field of environmental acoustics and noise/vibration control, who has a combination of formal university education, training and experience necessary to assess noise emissions from a Facility and to develop or evaluate appropriate Noise Control Measures.

(16) "Point of Reception" means any point on the premises of a person where sound or vibration originating from other than those premises is received and as described in Publications NPC-205/232.

(18) "Publication NPC-205" means the Ministry Publication NPC-205, Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban), October 1995, as amended.

(19) "Publication NPC-207" means the Ministry draft technical publication Impulse Vibration in Residential Buildings, November 1983, as amended from time to time, supplementing the Model Municipal Noise Control By-Law, Final Report, August 1978, published by the Ministry, as amended.

(20) "Publication NPC-232" means the Ministry Publication NPC-232, Sound Level Limits for Stationary Sources in Class 3 Areas (Rural), October 1995, as amended."

and replaced with:

"(2) "Acoustical Consultant" means a person currently active in the field of environmental acoustics and noise/vibration control, who is familiar with Ministry noise guidelines and procedures and has a combination of formal university education, training and experience necessary to assess noise emissions from a Facility and to develop or evaluate appropriate Noise Control Measures.

(23) "Publication NPC-300" means the Ministry Publication NPC-300, "Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning, Publication NPC-300", August, 2013, as amended."

The following definition numbers 12, 7 and 11 are revoked from Environmental Compliance Approval No. 0904-6SRHAX and Notice Nos. 1 and 2 of Environmental Compliance Approval No. 0904-6SRHAX respectively:

""Ministry" means the Ontario Ministry of the Environment".

and replaced with:

""Ministry" means the Ontario Ministry of the Environment and Climate Change".

The following definitions are revoked from Notice No. 5 to the Environmental Compliance Approval No. 0904-6SRHAX issued on August 24, 2006:

"(14) "Noise Control Measures" means measures to reduce the noise emission from the Facility including, but not limited to silencers, acoustic louvres, enclosures, absorptive treatment, plenums and barriers. It also means the noise control measures, as outlined in the Acoustic Assessment Report.

(22) "Acoustic Assessment Report" means the report, prepared in accordance with Publication NPC-233 submitted in support of the application, that documents all sources of noise emissions and Noise Control Measures present at the Facility. "Acoustic Assessment Report" also means the Acoustic Assessment Report prepared by SENES Consultants, dated May 2013 and signed by Jennifer Hodowsky, P.Eng."

and replaced with:

"(14) "Noise Control Measures" means measures to reduce the noise emissions from the Facility and/or Equipment including, but not limited to, silencers, acoustic louvres, enclosures, absorptive treatment, plenums and barriers. It also means the noise control measures outlined in the Acoustic Assessment Report.

(22) "Acoustic Assessment Report" means the report, prepared in accordance with Publication NPC-233 submitted in support of the application, that documents all sources of noise emissions and Noise Control Measures present at the Facility. It also means the acoustic assessment report prepared by SENES Consultants, dated June 2014 and signed by Jennifer Hodowsky and John Peters."

The following terms and conditions are revoked from Notice No. 5 to the Environmental Compliance Approval No. 0904-6SRHAX issued on August 24, 2006:

" NOISE

4. The Company shall:

(1) implement by not later than December 31, 2014, the Noise Control Measures as outlined in the Acoustic Assessment Report prepared by SENES Consultants, dated May 2013 and signed by Jennifer Hodowsky, P.Eng.;

(2) ensure, subsequent to the implementation of the proposed Noise Control Measures that the noise emissions from the Facility comply with the limits set in Ministry Publication NPC-205;

ACOUSTIC AUDIT

5.1 (2) shall submit an Acoustic Audit Report on the results of the Acoustic Audit, prepared by an Independent Acoustical Consultant, in accordance with the requirements of Publication NPC-233, to the District Manager and the Director not later than June 30, 2015."

and replaced with:

" PERFORMANCE LIMITS

4. The Company shall:

(1) ensure that the Noise Control Measures as described in the Acoustic Assessment Report are implemented at the Facility not later than twelve (12) months from the date of the start of operation of the Unit No. 6 boiler using natural gas;

(2) ensure, subsequent to the full implementation of the Noise Control Measures, that the noise emissions from the Facility comply with the limits set in Ministry Publication NPC-300.

ACOUSTIC AUDIT

5.1 (2) shall submit an Acoustic Audit Report on the results of the Acoustic Audit, prepared by an Independent Acoustical Consultant, in accordance with the requirements of Publication NPC-233, to the District Manager and the Director, not later than six (6) months after the full implementation of the Noise Control Measures."

all in accordance with the application for an Approval submitted by Ontario Power Generation Inc., dated June 27, 2014 and signed by Jeffrey L. Hansen; the supporting information, including the Emission Summary and Dispersion Modelling Report, submitted by SENES Consultants, dated June 27, 2014 and signed by Jeffrey L. Hansen and Malcolm Smith; and additional air related information provided by SENES Consultants by e-mail dated August 21, 2014; and the Acoustic Assessment Report, prepared by SENES Consultants, dated June 2014 and signed by Jennifer Hodowsky and John Peters.

This Notice shall constitute part of the approval issued under Approval No. 0904-6SRHAX dated August 24, 2006.

In accordance with Section 139 of the Environmental Protection Act, you may by written Notice served upon me, the Environmental Review Tribunal and in accordance with Section 47 of the Environmental Bill of Rights, 1993, S.O. 1993, c. 28 (Environmental Bill of Rights), the Environmental Commissioner, within 15 days after receipt of this Notice, require a hearing by the Tribunal. The Environmental Commissioner will place notice of your appeal on the Environmental Registry. Section 142 of the Environmental Protection Act provides that the Notice requiring the hearing shall state:

1. 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;
2. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

Pursuant to subsection 139(3) of the Environmental Protection Act, a hearing may not be required with respect to any terms and conditions in this environmental compliance approval, if the terms and conditions are substantially the same as those contained in an approval that is amended or revoked by this environmental compliance approval.

The Notice should also include:

3. The name of the appellant;
4. The address of the appellant;
5. The environmental compliance approval number;
6. The date of the environmental compliance approval;
7. The name of the Director, and;
8. 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:

The Secretary* Environmental Review Tribunal 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5	AND	The Environmental Commissioner 1075 Bay Street, Suite 605 Toronto, Ontario M5S 2B1	AND	The Director appointed for the purposes of Part II.1 of the Environmental Protection Act Ministry of the Environment 2 St. Clair Avenue West, Floor 12A Toronto, Ontario M4V 1L5
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*** Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349, Fax: (416) 314-4506 or www.ert.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 www.ebr.gov.on.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 3rd day of October, 2014

Rudolf Wan, P.Eng.

Director

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

SA/

c: District Manager, MOE Hamilton - District
Malcolm Smith, SENES Consultants