

NOTICE OF DETERMINATION
Pursuant to Section 67 of the Canadian Environmental Assessment Act, 2012
Respecting
Proposed Prince Rupert Marine Fuels Project, Prince Rupert, British Columbia

March 14, 2019 – Wolverine Terminals ULC is proposing to construct and operate the Prince Rupert Marine Fuels Project (the “Project”) near Westview Terminal in the Port of Prince Rupert. The Project will be located on lands leased from the Prince Rupert Port Authority. The Project requires a lease from the Prince Rupert Port Authority and an authorization under the *Navigation Protection Act* from Transport Canada.

Prince Rupert Port Authority and Transport Canada (together called the “Federal Authorities”) have determined, in accordance with the requirements of Section 67 of the *Canadian Environmental Assessment Act, 2012* (“CEAA 2012”), that the Project is not likely to cause significant adverse environmental effects within the meaning of CEAA 2012.

Prince Rupert Port Authority is requiring Wolverine Terminals ULC to comply with the terms and conditions contained in the Supplemental Conditions attached to this Notice. Mitigation measures have been identified in the Environmental Effects Evaluation Document (the “EEE”) submitted by Wolverine Terminals ULC dated May 7, 2018.

The Federal Authorities jointly made their determination after reviewing a description of the Project, the EEE, consultations conducted by Wolverine Terminals ULC and Federal Authorities, all comments received on the Project, and Wolverine Terminals ULC responses to those comments.

Supplemental Conditions: Prince Rupert Maine Fuels Project

Construction:

- 1) At a minimum of 45 days prior to Construction, the Proponent will submit a Construction Environmental Management Plan (CEMP) to Transport Canada and the Prince Rupert Port Authority which includes, at a minimum, the following components:
 - a. Fuel management, spill prevention and emergency response
 - b. Erosion and sediment control
 - c. Storm water management for construction activities
 - d. Waste management
 - e. Contaminated soil assessment and management
 - f. Vegetation clearing (if required)
 - i. Species at Risk mitigation measures
 - ii. Nesting survey and avoidance measures
 - g. Dust control
 - h. Noise control
 - i. Light management
 - j. Traffic management
 - k. Complaint reporting and resolution Plan
 - l. Decommissioning of existing redundant facilities
 - m. Monitoring and reporting

- 2) The Proponent and prime contractors will participate in a PRPA led Construction Coordination Committee if determined appropriate by the PRPA. The Committee is intended to facilitate a safe, productive, cooperative working environment between PRPA, Port tenants, contractors and other Port users. Such information will be used by PRPA to inform the development of plans, practices or procedures and to minimize conflicts and impacts between, and caused by, various construction projects underway on PRPA lands.

- 3) The Proponent will provide regular monitoring reports to Transport Canada and the Prince Rupert Port Authority as defined in the CEMP.

Post Construction:

- 4) Within 45 days of the completion of construction, the Proponent will submit a CEMP Implementation Summary Report to Transport Canada and the Prince Rupert Port Authority. This report will summarize the implementation of mitigation measures applied throughout the construction period and their efficacy. Any environmental incidents (both socio-economic and bio-physical) or adaptive management actions and a summary of the results of monitoring during construction will be described in this document.

Operations:

- 5) At a minimum of 60 days prior to operation of the facility, the Proponent will submit an Operations Management Plan to the Prince Rupert Port Authority. This plan will include:
 - a. Emergency Preparedness and Response
 - b. Bunkering Plan and Procedures Compliance
 - c. Storm water Management for Operations activities
 - d. Fugitive Emissions Control
 - e. Air emission management
 - f. Noise Control
 - g. Light Control
 - h. Provisions for a third-party operational objectives performance evaluation

- 6) At a minimum of 60 days prior to operation of the facility, the Proponent will submit a Monitoring and Reporting Plan to the Prince Rupert Port Authority which describes:
 - a. Environmental Emissions Reporting – liquid and air including CAC, GHG
 - b. Spills, Accidents and Malfunctions
 - i. Event notification
 - ii. Investigation reporting
 - c. Operational non-compliance notices and investigations
 - d. Public complaint reporting and resolution
 - e. Third party operational objectives performance evaluation

Decommissioning:

- 7) The Proponent will be subject to the lease provisions with respect to environmental requirements related to decommissioning of the facility. A *Navigation Protection Act* authorization may be required for any alterations or decommissioning of the works.