
EMISSIONS MANAGEMENT AND CLIMATE RESILIENCE ACT

BEING SA 2003 CHAPTER E-7.8 (the “Act”)

COMPLIANCE ORDER NO. CO-EMCRA- 40900

Les Liska (Richardson Oilseed Ltd.)
2415 2nd A Avenue North
Lethbridge, Alberta T1H 6P5

WHEREAS Richardson Oilseed Ltd. is the holder of Approval No. 281-03 under the *Environmental Protection and Enhancement Act* for the Richardson Oilseed Processing Plant (Lethbridge Canola Crushing Plant) (the “Site”);

WHEREAS the Site had submitted an application to be designated as an opted-in facility on May 24, 2018 under the *Carbon Competitiveness Incentive Regulation*;

WHEREAS the Site was designated an opted in facility by the director for 2018 and subsequent reporting periods under the *Carbon Competitiveness Incentive Regulation*;

WHEREAS the Site remains designated as an opted in facility according to section 36(2) of the *Technology Innovation and Emissions Reduction Regulation* (the “Regulation”) and Richardson Oilseed Ltd. was notified via email on November 1, 2019 of confirmation of regulation under the Regulation;

WHEREAS Richardson Oilseed Ltd. is the “person responsible” for the Site under section 1(2)(a) of the Regulation;

WHEREAS the deadline in section 15 of the Regulation to submit a compliance report for 2022 was June 30, 2023;

WHEREAS on June 30, 2023, Richardson Oilseed Ltd. submitted an incomplete compliance report (“Compliance Report”) to Alberta Environment and Protected Areas (“AEPA”) for the Site for 2022 under section 15(1) of the Regulation;

WHEREAS the Compliance Report indicated that the Site’s allowable emissions for 2022 was 35,468 tonnes, expressed on a CO_{2e} basis, under section 9(1) of the Regulation;

WHEREAS the Compliance Report indicated the Site's total regulated emissions for 2022 was 39,294 tonnes, expressed on a CO_{2e} basis, which exceeded the Site's allowable emissions for 2022 by 3,826 tonnes of CO_{2e};

WHEREAS the Compliance Report indicated that 3,826 fund credits, 3,826 emission performance credits, and 0 emission offset credits were obtained and used in the calculation of the Site's net emissions;

WHEREAS AEPA records indicate Richardson Oilseed Ltd. did not obtain any fund credits and retired emission performance credits in exceedance of the credit usage limit for use in calculating the Site's net emissions, therefore the Site's net emissions for 2022 was 36,999 tonnes, expressed on a CO₂e basis, which exceeded the Site's allowable emissions for 2022 by 1,531 tonnes of CO₂e;

WHEREAS under section 12(1) of the Regulation, the person responsible for an opted-in facility shall comply with the requirement that the net emissions for opted-in facility for a year shall not exceed the allowable emissions for the opted-in facility for the year;

WHEREAS in a meeting with AEPA on July 17, 2023, Les Liska, the Site's representative, stated that he did not understand there was a credit usage limit and had planned to use emission performance credits to meet the Site's true-up obligation;

WHEREAS section 10(1) of the *Act* establishes the Technology Innovation and Emissions Reduction Fund ("Fund");

WHEREAS the Minister may, by order, establish the amount of money that a person responsible must contribute to the Fund to obtain one fund credit;

WHEREAS under Ministerial Order 62/2022 – Technology Innovation and Emissions Reduction Fund Credit Amount Order, a person responsible must contribute \$50.00 to the Fund to obtain one fund credit for the year 2022;

WHEREAS a fund credit represents one tonne of specified gas emissions, expressed on a CO₂e basis, under section 21(3) of the Regulation;

WHEREAS Richardson Oilseed Ltd. could have obtained and used fund credits, emission performance credits, and/or emission offset credits to determine the net emissions for the Site for 2022 under section 13 of the Regulation;

WHEREAS the total cost for Richardson Oilseed Ltd. to purchase 1,531 fund credits prior to June 30, 2023 at a rate of \$50.00 per fund credit for 2022 would have been \$76,550.00;

WHEREAS Maggie Scott, Director, Alberta Environment and Protected Areas, Climate Change Compliance (the "Director") has been designated as director for the purposes of issuing compliance orders under the *Act*;

AND WHEREAS the Director is of the opinion that Richardson Oilseed Ltd. has contravened sections 12(1) and 15 of the Regulation;

THEREFORE, I, Maggie Scott, Director, pursuant to sections 29 and 30 of the *Emissions Management and Climate Resilience Act*, DO HEREBY ORDER THAT:

1. Richardson Oilseed Ltd. is required to pay the Government of Alberta the remaining true-up obligation based on the verified compliance report that was submitted to AEPA on June 30, 2023 at a rate of \$50.00 tonne of credit owed, into the Fund by August 4, 2023.

DATED at the City of Edmonton, in the Province of Alberta, this 28th day of July 2023.

Maggie Scott, P.Eng.
Director, Climate Change Compliance

Section 42 of the *Emissions Management and Climate Resilience Act* may provide a right of appeal against this decision to the Alberta Environmental Appeals Board. There may be a strict time limit for filing such an appeal. A copy of section 42 is enclosed. For further information, please contact the Board Secretary at #306 Peace Hills Trust Tower, 10011- 109 Street, Edmonton, Alberta, T5J 3S8; telephone (780) 427-6207; fax (780) 427-4693.

Take notice that this compliance order is a remedial tool only, and in no way precludes any enforcement proceedings being taken regarding this matter under this or any other provincial or federal legislation.