

**ENVIRONMENTAL PROTECTION AND ENHANCEMENT ACT**

**BEING CHAPTER E-12 R.S.A. 2000 (the "Act")**

**ENFORCEMENT ORDER NO. EO-EPEA-38541**

Richardson Oilseed Limited  
2415 –A Ave N  
Lethbridge, AB T1H 6P5  
["Richardson"]

WHEREAS Richardson Oilseed Limited is a registered corporation in the Province of Alberta;

WHEREAS Richardson operates an oil seed processing plant on lands legally described as Plan 1612060, Block 2, Lot 4, Plan 00111281, Block 2, Lot 3 and Plan 9512824, Block 2, Lot 2, Legal subdivision 8, section 5, Township 9, Range 21, West of the 4<sup>th</sup> Meridian [the "Lands"], municipally known as 2415-2 Avenue North, Lethbridge, Alberta;

WHEREAS a land title certificate shows Richardson Oilseed Limited as the owner of the Lands;

WHEREAS Richardson holds Environmental Protection and Enhancement Act [the "Act"] Approval No. 00000281-03-00, as amended (the "Approval"), for the construction, operation and reclamation of the oil seed processing plant (the "Plant");

WHEREAS the Approval sets out the terms and conditions regulating the release of emissions from the Plant to the atmosphere;

WHEREAS effective October 31, 2020, section 4.1.15 of the Approval requires that releases of hydrogen sulphide from the Plant to the atmosphere shall not exceed the limit specified in TABLE 4.1-E;

WHEREAS section 4.1.15 and TABLE 4.1-E of the Approval require that Richardson shall not release more than 0.50 kilograms/hour of hydrogen sulphide from the mineral oil vent stack [the "Mineral Oil Vent Stack"] at the Plant;

WHEREAS section 4.1.17 of the Approval requires that Richardson shall monitor the air emission sources as described in TABLE 4.1-F;

WHEREAS TABLE 4.1-F of the Approval requires that Richardson conduct a manual stack survey on the Mineral Oil Vent Stack for hydrogen sulphide once every two years;

WHEREAS between November 16 – 20, 2021, Richardson conducted a manual stack survey on the Mineral Oil Vent Stack for hydrogen sulphide;

WHEREAS section 4.1.18 and TABLE 4.1-F of the Approval requires Richardson to report to the Director the results of the air emission source monitoring for hydrogen sulphide from the Mineral Oil Vent Stack during the month following the month in which the information was collected;

WHEREAS on February 14, 2022, Richardson provided to Alberta Environment and Parks (AEP) the results of the November 16 – 20, 2021 manual stack survey, within a document titled “Richardson International LTD LETHBRIDGE, ALBERTA 2021 TEST PROGRAMRWDI # 2200870” [the “Manual Stack Test Results”]. The results of the manual stack survey were required to be submitted to the Director no later than December 30, 2021;

WHEREAS the Manual Stack Test Results provided to AEP indicate that Richardson released hydrogen sulphide at a rate of 6.59 kilograms/hour on or between November 16 – 20, 2021 from the Mineral Oil Vent Stack;

WHEREAS the release of hydrogen sulphide from the Mineral Oil Vent Stack at a rate of 6.59 kilograms/hour is in excess of the 0.50 kilograms/hour limit specified in Table 4.1-E of the Approval;

WHEREAS the Alberta Ambient Air Quality Objectives (AEP, Air Policy, 2016, No.2 © 2019 Government of Alberta) [“AAAQO”] lists the AAAQO for hydrogen sulphide as 10 parts per billion for an one hour averaging period, and as three parts per billion for a 24 hour averaging period;

WHEREAS on May 10, 2022, an AEP Air Monitoring Technologist installed air monitoring equipment, being an AirPointer [the “AirPointer”] on the predominantly downwind and eastern side of the Plant, at a location approximately 180 meters from the Plant, and outside the perimeter the Lands, to monitor hydrogen sulphide levels at ground level in the vicinity of the Plant;

WHEREAS between May 13, 2022 to July 18, 2022, the AirPointer collected 1580 hours of valid data, which indicated there were 371 one-hour periods during which the 10 parts per billion one hour AAAQO for hydrogen sulphide was exceeded;

WHEREAS between May 13, 2022 to July 18, 2022, the AirPointer collected 70 days of valid data, which indicated there was a total of 37 days exceeding the hydrogen sulphide 24-hour AAAQO of 3 parts per billion;

WHEREAS between May 13, 2022 and July 18, 2022, the AirPointer data confirmed the highest recorded level of hydrogen sulphide to be 146.9 parts per billion, which occurred during the hour of 23:00 on July 10, 2022, and was 14 times over the AAAQO for a one hour averaging period;

WHEREAS between May 13, 2022 and July 18, 2022, the AirPointer data confirmed the highest recorded 24 hour concentration of hydrogen sulphide to be 36.8 parts per billion, which occurred on May 25, 2022 and June 21, 2022 and was 12 times over the AAAQO for a 24 hour averaging period;

WHEREAS between May 13, 2022 and July 18, 2022, exceedances of the AAAQO for hydrogen sulphide occurred primarily when the wind direction was primarily from the Richardson Oilseed facility to the Airpointer;

WHEREAS all AirPointer data was collected and validated by an AEP Air Monitoring Technologist;

WHEREAS the Plant has no pollution abatement equipment in place to manage hydrogen sulphide emissions from the Mineral Oil Vent Stack;

WHEREAS Coreen Bates, Compliance Manager, Southern Region, has been appointed as a Director [the "Director"] for the purposes of issuing Enforcement Orders under the Act;

WHEREAS the Director is of the opinion that Richardson has contravened section 227(e) of the Act;

WHEREAS the Director is of the opinion that the release of hydrogen sulphide from the Plant has not been compliant with the Approval, and that action is required to reduce the emission of hydrogen sulphide to the atmosphere from the Plant;

THEREFORE I, Coreen Bates, Director, pursuant section 210(1)(d) and (e) of the Act, DO HEREBY ORDER;

1. Richardson shall, by not later than January 31, 2023 submit to the Director a complete written Approval amendment application.
2. Richardson shall complete the written Approval amendment application referred to in clause 2 of this Order in accordance with the *Environmental Protection and Enhancement Act* Guide to Content for Industrial Approval Applications, Government of Alberta June 2, 2014.

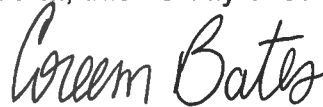
3. In the complete Approval amendment application referred to clause 2, Richardson shall include at least each of the following:
  - a. all design and performance specifications of all equipment;
  - b. all hydrogen sulphide treatment processes; and
  - c. a detailed schedule of implementation, including an operation start date of December 31, 2024;

required to meet the limits in TABLE 4.1 – E of the Approval.

4. The completeness of the Approval amendment application will be determined solely by the AEP Lethbridge District Approvals Manager.
5. Richardson shall, by not later than August 31, 2022, submit to the Director, for the Director's written approval, a written ambient air monitoring plan [the "Ambient Air Monitoring Plan"] signed by an independent third party qualified professional.
6. Richardson shall complete the written Ambient Air Monitoring Plan, in accordance with the 2016 Air Monitoring Directive (AMD), for monitoring releases of hydrogen sulphide emitted by the Plant.
7. In the Ambient Air Monitoring Plan, Richardson shall include at least each of the following:
  - a. On a detailed map, the location of at least one ambient air monitoring site that is:
    - i. selected in compliance with Chapter 3 of the AMD; and
    - ii. at a location primarily downwind of the Plant, as illustrated by historical (last 5 years) meteorological data collected in the area;
  - b. A detailed list of all parameters that will be monitored, including at least each of the following:
    - i. hydrogen sulphide;
    - ii. wind speed; and
    - iii. wind direction;
  - c. A detailed list of the types and models off all equipment that will be used to implement the Ambient Air Monitoring Plan, which must include at a minimum, a continuous analyzer(s) that are compliant with Chapter 4 of the AMD;
  - d. A detailed description, in accordance with the AMD, of each of the following
    - i. operation,
    - ii. calibration, and
    - iii. routine preventative maintenanceprocedures and schedule that will be carried out for the duration of the implementation of the Ambient Air Monitoring Plan;

- e. A detailed quality assurance and control plan, in accordance with Chapter 5 of the AMD;
  - f. A detailed reporting plan, in accordance with Chapter 9 of the AMD and shall include:
    - i. daily reporting to the Director of all monitoring results from October 31, 2022;
    - ii. from November 1, 2022 onward, weekly reporting of all monitoring results, unless otherwise required by the Director in writing; and
    - iii. A monthly report, submitted to the Director on the first Tuesday of the month following the month in which the data was collected, of all monitoring results with validated data.
  - g. A schedule of implementation for the Ambient Air Monitoring Plan with a commencement date of not later than October 31, 2022 and continuing until otherwise directed in writing by the Director.
8. Richardson shall implement the Ambient Air Monitoring Plan as approved by the Director in writing.
9. Nothing in this Order directly or impliedly rescinds, varies or otherwise amends any terms or conditions of Approval No. 00000281-09-00, as amended.

DATED at the City of Lethbridge in the Province of Alberta, this 29 day of July 2022.



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Coreen Bates  
Compliance Manager  
Southern Region

**Section 91 of the *Environmental Protection and Enhancement 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 91 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.**

**Notwithstanding the above requirements, the Party(ies) shall obtain all necessary approvals in complying with this order.**

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