



May 12, 2023

ELECTRONIC MAIL

Dave Pinsent
Environment and Sustainability Manager
World Energy GH2 Inc.
dpinsent@worldenergygh2.com

Dear Mr. Pinsent,

SUBJECT: Designation Request for the Port au Port-Stephenville Wind Power and Hydrogen Generation Project, Newfoundland and Labrador

On April 18, 2023, the Minister of Environment and Climate Change (the Minister) received a request to designate the proposed Port au Port-Stephenville Wind Power and Hydrogen Generation Project (the Project) under subsection 9(1) of the *Impact Assessment Act* (the IAA). The letter requesting designation is attached for your information (Attachment 1).

Designated Projects

The IAA establishes the legislative basis for federal impact assessment. The [Physical Activities Regulations](#) (the Project List) identify designated projects that may require a federal impact assessment. Under subsection 9(1) of the IAA, the Minister has the discretionary authority to designate projects that are not identified in the Project List.

Proponents of designated projects must provide the Impact Assessment Agency of Canada (the Agency) with an Initial Project Description to commence the planning phase process under the IAA. Prohibitions under section 7 of the IAA prohibit proponents of designated activities from doing any act or thing in connection with the carrying out of the project if the act or thing may cause effects within federal jurisdiction.¹ Additional information regarding the process for federal impact assessments can be found at the following link:

¹ Unless the Agency determines that no impact assessment is required and posts the decision on the Canadian Impact Assessment Registry Internet site (the Registry); the proponent complies with the conditions included in the decision statement that is issued to it and is not expired or revoked; or the Agency permits the proponent to do that act or thing, subject to conditions set by the Agency, for the purpose of collecting information or details for the impact assessment process.

<https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/basics-of-impact-assessments.html>.

Prerequisite for Initiating a Designation Request

Before the Agency initiates its review of the request to designate the Project, the Agency must first review available information to evaluate whether or not the Project is described in the Project List. The evaluation may include seeking information from the proponent, as appropriate. If the Project is described on the Project List, the Proponent would be required to submit an Initial Project Description in accordance with subsection 10(1) of the IAA. If the Project is not on the Project List, the Agency will proceed with the designation request process.

Additional information regarding the process for designation requests can be found at the following link: <https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/designating-project-impact-assessment-act.html>.

Port au Port-Stephenville Wind Power and Hydrogen Generation Project

The Agency understands that World Energy GH2 Inc. is proposing to construct, operate and decommission a green hydrogen production facility at the Port of Stephenville, with wind farms and associated transmission and supporting infrastructure in Newfoundland and Labrador. The Agency notes several items on the Project List that relate to activities that could be part of an industrial project such as this (e.g., items 52, 53, 60, and 61).

To inform its initial review of whether or not the Project is described on the Project List, the Agency requires additional information regarding World Energy GH2 Inc.'s currently proposed and potential future activities related to the Project. This includes information regarding the nature and scope of these activities, as well as information to determine if World Energy GH2 Inc. is proposing separate stand-alone projects, or a single multi-phased project. The Agency requests World Energy GH2 Inc. to provide any available information that may aid in conducting the review, including the following:

- the key activities and components being proposed and, if applicable, the relationship of the Project to existing infrastructure (e.g., distance to existing infrastructure, use of existing infrastructure);
- activities currently underway and estimated timelines for planning, approvals, construction, operation, and decommissioning;
- a list of known or anticipated regulatory approvals (federal, provincial, municipal, other);
- World Energy GH2 Inc.'s views regarding whether any of its proposed or potential future activities are described on the Project List; and
- any other information World Energy GH2 Inc. is able to provide that may be relevant in the Agency's review.

Process for Designation Requests

If it is confirmed that the Project is not described on the Project List, the Agency will consider whether sufficient information has been provided by the requester to commence the designation request process. If sufficient information has been provided, the Agency will commence the designation request process. The Minister will have 90 days to respond to the request and indicate whether they designate the Project under subsection 9(1) of the IAA, and to provide a response to the requester with reasons for their decision.

The Minister may designate a physical activity if, in the Minister's opinion, the physical activity may cause adverse effects within federal jurisdiction or adverse direct or incidental effects (resulting from federal decisions), or public concerns related to those effects warrant the designation. The Agency would review information about the Project; any concerns expressed from the public and Indigenous groups; and expert advice from federal authorities and input from provincial ministries, in order to inform the Minister on whether to designate the Project.

World Energy GH2 Inc. is encouraged to contact the Agency by **Friday, May 19, 2023** to provide the information requested.

The Agency may request additional information from World Energy GH2 Inc. about the Project in considering a designation request. However, if any of this information is currently available, it may expedite the potential review process, or may be relevant to the Agency's initial review to determine if the Project is on the Project List. Additional information that may be requested is included as an attachment to this letter (Attachment 2). This information can be submitted subsequent to the deadline above.

The Agency requests that all information is in a machine-readable format. Machine readable means that a user can search for text within the document, can copy structured text, images, document information and is not password protected.

Important Note: All records produced, collected or received in relation to the designation request process – unless prohibited under the *Access to Information Act* or *Privacy Act* – will be considered public and may be released. Should you wish to provide any comments or documents that contain confidential or sensitive information that you believe should be protected from release to the public, please contact the Agency before submitting the information. Information marked as confidential will not be accepted without prior contact made with the Agency.

Further questions regarding the Project and this analysis can be directed to Lauchie MacLean at 902-476-2732 or lachlan.maclean@iaac-aeic.gc.ca.

Sincerely,

<Original signed by>

Lauchie MacLean
Project Manager, Atlantic Region

Attachments:

- Request for Designation Received by the Minister
- Information Requested by the Agency from World Energy GH2 Inc.