

## **DOCUMENT “A”**

### **MINISTER’S DETERMINATION - AMENDMENT CONDITIONS OF APPROVAL**

Pursuant to Regulation 87-83 under the Clean Environment Act

April 18, 2007

File Number: 4561-3-1107

1. In accordance with section 6(6) of the Regulation, it has been determined that the undertaking may proceed following approval under all other applicable acts and regulations.
2. Commencement of this undertaking must occur within three years of the date of this Determination. Should commencement not be possible within this time period, the undertaking must be registered under the *Environmental Impact Assessment Regulation* (87-83) – Clean Environment Act again, unless otherwise stated by the Minister of the Environment and Local Government.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document dated January 19, 2007, and to those in all correspondence during the registration review. Additionally, the proponent shall submit a summary table detailing the status of each Condition listed in this Determination to the Director of the Project Assessment Branch every 6 months from the date of this Determination until such a time as the construction is complete and a New Brunswick Certificate of Approval to Operate has been issued for this facility.
4. The use of Petroleum Coke as a fuel at the Coleson Cove Generating Station is only authorized for the purposes of the Demonstration Project and not more than twelve months following completion of the test modification of Unit 3 at the station.
5. The proponent must obtain the appropriate approvals from the Approvals Branch, Environmental Management Division, Department of Environment before any construction activities may be commenced. Please contact Mr. Mark Glynn, Approvals Branch at (506) 444-4599 regarding this matter.
6. If it is suspected that remains of archaeological significance are found during construction, all activity shall be stopped near the find, and the Manager of Archaeological Services, Heritage Branch of the Department of Wellness Culture and Sport, shall be contacted at 453-2756 for direction.
7. A report on the impact, if any, of the project on wastewater effluent quality shall be produced and the results submitted to the Director, Project Assessment Branch at the end of the project.

8. The proponent must obtain a chemical analysis of each shipment of pet coke. Stack testing shall be carried out on shipments of pet coke that are significantly different than previous shipments for which stack testing was conducted. Stack testing must also be carried out on variations of pet coke to fuel oil ratios. Emissions of trace metals must also be tested during the operation of the project. The proponent must consult with the Approvals Branch to determine stack test requirements. Please contact Mr. Mark Glynn, Approvals Branch, at (506) 444-4599 for further details.
9. Results of monitoring carried out by the proponent to gauge the success of the project must be shared with the Project Assessment Branch (ENV), the Approvals Branch (ENV) and key stakeholder groups.
10. The current Environmental Management Plan and the Environmental Protection Plan must be updated to include the construction and operation of the Demonstration project where necessary. The updates must be submitted to the Director, Project Assessment, Department of Environment, for review and must be approved prior to the commencement of any construction activities associated with this project.
11. In the event that the emission limits in the Certificate of Approval to Operate issued under the *Air Quality Regulation – Clean Air Act* are exceeded, operations must cease, and the Approvals Branch, Department of Environment, contacted for further instructions. A plan with shut-down procedures must be developed and in place prior to the start of operations.