

DOCUMENT "A"

MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act
June 10, 2013.

File Number: 4561-3-1146

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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 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 2008; all subsequent reports submitted and to all those in correspondence during the course of the registration review. Additionally, the proponent shall submit a summary table detailing the status of each Condition listed in this Determination to the Manager of the Environmental Assessment Section, Department of Environment and Local Government (DELG) every 6 months from the date of this Determination until such a time that it is determined that it is no longer necessary.
 4. Work in the area shall cease in the event that any heritage resource is encountered during construction activities. The find must be reported to Archaeological Services, Heritage Branch at (506) 453-3014, and a plan of action agreed upon.
 5. The project will require an *Approval to Construct & Operate*. Please contact the Industrial Processes Section, DELG, at (506) 453-7945 for further details. Detailed plans for the landfill cover, berms and ditches must be submitted with the application for the *Approval to Construct*, and must be approved prior to the onset of Construction.
 6. Application for a *Watercourse and Wetland Alteration Permit* must be made prior to any activity within 30 metres of a watercourse or wetland. Please contact the

Manager of the Surface Water Protection Section, at (506) 457-4850, for further information. Please be advised that distances between the watercourses and the proposed work must be noted on the application.

7. The proponent shall submit a post-closure monitoring plan proposal to the Environmental Assessment Section, DELG, for review and approval. The proposal shall indicate the number of proposed monitoring stations and wells, well locations, well depths, assumed groundwater flow directions and monitoring schedule. It must be designed to evaluate long-term impacts to ground and surface water down-gradient of the landfill. The plan will also contain a schedule for submission of reports to DELG. The plan must receive approval and be implemented prior to ground disturbance.
8. Refueling and maintenance of equipment must take place in designated areas, on level terrain a minimum of 30 metres from any surface water or wetland boundary. Appropriate spill response equipment must be kept in a readily accessible location during project construction and operation. All spills and releases must be promptly reported to the 24 hour emergency response line at 1-800-565-1633 after hours and to the DELG office in Saint John during regular work hours (506) 658-2558.
9. A Site Specific Environmental Protection Plan (SSEPP) shall be developed for the Project to outline environmental protection measures to be utilized by the proponent and their contractor(s), during closure activities. The SSEPP must be submitted to the Manager of the Environmental Assessment Section for review and must receive approval prior to commencing closure activities. Upon review and approval, the proponent will follow the SSEPP. The SSEPP shall:
 - a) provide specific environmental protection measures to be followed when working near wetlands and watercourses;
 - b) describe the appropriate course of action if an existing monitoring well is impacted during construction;
 - c) provide a sediment and erosion control plan; a spill prevention plan; an Emergency Response plan (i.e. in the event of an accidental chemical release/spill or encountering of unforeseen contaminants or conditions); and
 - d) include a description of post-closure maintenance and inspection programs.
10. Wetland compensation will be required for permanently impacted areas of the wetland. A wetland compensation plan must be submitted to the Manager, Environmental Assessment Section for review and approval within 6 months of disturbance to the wetland.
11. It is the proponent's responsibility to ensure that all activities are managed so as to ensure compliance with the Species at Risk Act and the Migratory Birds Convention Act and associated Regulations.
12. The proponent shall ensure that all developers, contractors and operators

associated with the project comply with the above requirements.