

**DOCUMENT "A"**  
**MINISTER'S DETERMINATION**  
**CONDITIONS OF APPROVAL**

Pursuant to Regulation 87-83 under the Clean Environment Act

May 3, 2011

File Number: 4561-3-1239

---

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.
  3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document dated September 21, 2009, as well as all those identified in all subsequent 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 Manager of the Environmental Assessment Section of the Department of Environment (DENV) every 6 months from the date of this Determination until such a time as all the Conditions have been met.
  4. If it is suspected that remains of archaeological significance are found during construction, all activity shall be stopped near the find and the Resource Manager of the Archaeological Services Unit, Heritage Branch of the Department of Wellness, Culture and Sport, shall be contacted at (506) 453-3014.
  5. The maximum pumping rate for the water supply source well cannot exceed 416 igpm (500 usgpm) or 2723 m<sup>3</sup>/day. In addition, the water supply source well is to be equipped with a flow meter and the daily water usage is to be recorded. The daily water usage data and water levels are to be submitted to the Project Manager every 6 months from the date of this Determination. After three years, the proponent may apply to the Project Manager to have this requirement reduced.
  6. The water supply well and the return wells must be cased to the bottom of the shale unit or to a minimum of 47 m to protect the shallow freshwater aquifer.
  7. The proponent must install a monitoring well to monitor water chemistry of the shallow aquifer over time. This monitoring well must be sampled twice annually for conductivity and once every two years for general chemistry. The conductivity data is to be submitted to the Project Manager annually and the general chemistry results are to be submitted to the Project Manager every 2 years (at the time of analysis). After three years, the proponent may apply to the Project Manager to have this requirement reduced.
- Page 2 of 2
8. Should the proponent wish to increase the pumping rate of the source well above 416 igpm (500 usgpm) or 2723 m<sup>3</sup>/day, a new Registration under the *EIA Regulation* and an additional hydrogeological assessment will be required.

9. The water supply well and return wells must only be used for non-potable purposes and the water supply well, return wells and water supply lines should be clearly labelled as non-potable. Any work undertaken to the plumbing system on-site must be undertaken by a Licensed Plumbing Contractor under authority of a Plumbing Permit who can address potential concerns of cross connections in the system.
10. Any monitoring, observation or test wells drilled as a part of this project which will no longer be in use shall be decommissioned by a licensed Water Well Driller as per the *Guidelines for the Decommissioning (Abandonment) of Water Wells*.
11. If the water quantity or quality in a private well is found to be persistently/permanently adversely affected by the operation of the water supply source well or the return wells, it will be the proponent's responsibility to remedy the situation to the satisfaction of all parties. This may include, but is not limited to, modifying the pumping rate or schedule of water supply source well, operation of the geothermal system or replacing or modifying the construction of the affected well(s) and includes providing an interim water supply to the affected well owner(s).
12. The proponent shall ensure that all developers, contractors and operators associated with the construction and operation of the Project comply with the above requirements.