

DOCUMENT "A"

**MINISTER'S DETERMINATION
CONDITIONS OF APPROVAL**

Pursuant to Regulation 87-83 under the Clean Environment Act

October 14, 2010

File Number: 4561-3-1263

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 June 28, 2010, as well as all those identified in 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. The proponent must obtain an *Approval to Construct and Operate* from the Impact Management Branch, DENV, before construction activities may be commenced. For more information, please contact the Manager of the Industrial Processes Section, at (506) 444-4599.
5. The proponent shall ensure that the project is designed to easily accommodate an electrostatic precipitator, should one be required in the future.
6. The proponent shall install and operate an ambient air quality monitor which will measure PM_{2.5}. The location of the monitor, sampling frequency, monitor type, and other aspects related to monitoring will be reviewed and approved by the Manager of the Environmental Assessment Section prior to installation.
7. If anything of known or suspected heritage significance is encountered during project implementation, work in the area must cease and Archaeological Services be contacted immediately at (506) 453-3014 for direction.
8. An Environmental Management Plan (EMP) must be prepared illustrating mitigation measures to be put in place for the construction, operation and maintenance phases of the project. The EMP shall consider erosion and sedimentation control in general and for any aspect of the project that has potential to deposit sediment into any adjacent watercourses, spill prevention, hazardous materials management (fuels, lubricants, hydraulic oil, waste oil etc.) and clean up.

The plan shall also include emergency response plans to be put in place in the event of an accident or facility malfunction. The plan must be submitted to the Manager of the Environmental Assessment Section, DENV for review and must be approved prior to the commencement of all construction associated with the project. Contractors working on the project shall be made aware of the contents of the EMP, and copies shall be made available at the site.

9. The proponent shall ensure that all developers, contractors and operators associated with the project comply with the above requirements.