

DOCUMENT “A”

MINISTER’S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the *Clean Environment Act*

March 19, 2021

File Number: 4561-3-1544

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 Climate Change.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document dated June 1, 2020, and to all those identified in correspondence during the review. Additionally, the proponent shall submit a summary table detailing the status of each Condition listed in this *Determination* to the Director of the Environmental Impact Assessment (EIA) Branch, Department of Environment and Local Government (ELG) every 6 months from the date of this Determination until such a time that the Director determines that it is no longer necessary.
4. Appropriate spill response equipment must be maintained in a readily accessible location during construction and operation. All spills and releases must be promptly contained, cleaned up and reported to the ELG Moncton Office (506-856-2374) during regular business hours, or to the 24-Hour Environmental Emergencies Report System outside of regular business hours (1-800-565-1633).
5. From the date of issuance of this Certificate, the proponent has approval to proceed with the treatment facility as described in the EIA registration document dated June 1, 2020. Any modifications to the undertaking including expansion, must be submitted for review and receive approval from the Director of ELG’s EIA Branch prior to implementing the changes. Additional Conditions may be imposed if future phases are approved.
6. An *Approval to Construct* and *Approval to Operate* must be obtained for this project. For more information, please contact ELG’s Authorizations Branch at (506) 453-7945 well in advance of project construction. Any applicable *Watercourse and Wetland Alteration Permit (WAWA)* conditions for construction can be included in the *Approval to Construct*.
7. The City of Moncton (Environmental Planning and Management (506-853-3495) must be contacted prior to initiation of project construction to ensure that the proper permits have been obtained and an appropriate sampling plan is in place.

8. The proponent must follow the *Odour Mitigation Plan* dated Sept 22, 2020. If the proponent or ELG receives complaints concerning odour, additional measures must be proposed by the proponent and submitted for review and approval by the Director of ELG's EIA Branch.
9. The proponent shall ensure that the site is graded such that all surface runoff from developed areas of the site is directed away from the septic treatment infrastructure and towards the stormwater retention pond where it will be captured.
10. The proponent must develop a protocol that will be used for inspection of the concrete holding tanks. The protocol will describe the frequency of inspections, qualifications of the person(s) who will carry out inspections, a checklist of items to be inspected and methods of inspection. The protocol shall be submitted to the Director of the ELG's EIA Branch prior to implementation.
11. The proponent must develop a contingency plan to be followed in the event that one of the concrete holding tanks develops a leak. The protocol shall be submitted to the Director of the ELG's EIA Branch prior to operation of the facility for review and approval.
12. The facility is located within a preliminary wellfield (preliminary Zone C) that has not yet been formally designated as a protected wellfield. Although it is not yet designated, best management practices must be implemented to ensure that no contamination leaves the site as this parcel of land is located upgradient from the wellfield. If the wellfield is designated in the future, the property (i.e., the septage treatment facility) may be subject to the the *Wellfield Protected Area Designation Order*.
13. The proponent must develop a proposal for monitoring well(s) to be located on the perimeter of the property along with a sampling and reporting plan. The program shall monitor the impact if any, of the facility on the groundwater environment. The plan must be reviewed and approved by the Director, EIA Branch, ELG prior to commencement of the operational phase of the project
14. The proponent shall ensure that all developers, contractors and operators associated with the project comply with the above requirements.
15. In the event of the sale, lease, or any other conveyance or change of control of the property, or any portion thereof, the proponent must provide written acknowledgement from the lessee, controller, or purchaser confirming that they will comply with the Conditions of this Determination to the Director of ELG's EIA Branch.