

DOCUMENT "A"

MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

May 31, 2006

File Number: 4561-3-1061

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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 December 19, 2005 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 Director of the Project Assessment Branch every 6 months from the date of this Determination until such a time as all the Conditions have been met.
 4. Trucking and hauling associated with this activity must respect the weight restrictions for all roads to be utilized. Please consult the following website for information on the appropriate New Brunswick Department of Transportation District Office: <http://www.gnb.ca/0113/contacts-e.asp>.
 5. All compost produced with the imported materials must meet the Category A compost as outlined in the Canadian Council of Ministers of the Environment's Guidelines for Compost Quality. No imported material shall be land-filled within New Brunswick. Any compost material produced that does not meet Category A compost shall be exported from New Brunswick.
 6. This project shall not include the importation of any material that is identified as a hazardous waste by the *Export and Import of Hazardous Waste and Hazardous Recyclable Materials Regulation (EIHWHRMR)* under the Canadian Environmental Protection Act, and/or is included in Class 1 and/or Class 7 of the federal Transportation of Dangerous Goods Regulation.
 7. All other terms and conditions of the current Approvals to Operate under the *Water Quality Regulation - Clean Environment Act* for each facility shall remain in effect. Prior to the importation of any feedstock materials, the proponent shall apply to the Director of the Remediation Branch for a modification to the Approval to Operate if new feedstock materials are

to be added to the approved list contained in the Approval to Operate, or if the volume of the approved feedstock is to be increased.

8. The proponent shall follow the New Brunswick Motor Vehicle Act to ensure that loads on vehicles used to transport feedstock material are properly secured, and that measures are in place to prevent fugitive emissions and feedstock spillage events.
9. Each time the proponent wishes to import a new type of feedstock or a feedstock sourced from a different location, he/she shall be required to obtain **written approval** from the following experts at the Department of Agriculture, Fisheries, and Aquaculture (DAFA) prior to importation:
 - Chief Aquaculture Veterinarian for imported feedstock derived from products of fish/shellfish;
 - Chief Agriculture Veterinarian for imported feedstock derived from products of animal origin; and
 - Manager of the Potato Development Centre for imported feedstock derived from products of potato origin.
10. Prior to the importation of any feedstock derived from fish/shellfish, animal, or potato products, the proponent is required to develop a bio-security procedure for the handling and transportation of these products. The procedure must be submitted to the Director of the Project Assessment Branch for review and approval prior to importation.
11. If the feedstock to be imported is not included on the “List of Potential Compost Feedstocks” as identified in Table 1 of the “EIA Registration for Screening”, dated December 2005, then the proponent shall be required to register a project under the *Environmental Impact Assessment Regulation* under the Clean Environment Act to import the proposed material.
12. The proponent shall demonstrate that they are utilizing, and attempting to increase the usage of compost feedstocks sources from within New Brunswick. In order to demonstrate that these local wastes are being expended, the proponent will be required to keep a record of the volume of feedstock imported, and the volume of material sourced from within New Brunswick, for use at their compost facilities. Beginning 1 year from the date of this Certificate of Determination, a summary of these records shall be submitted to the Director of the Remediation Branch for review **on an annual basis**.