

DOCUMENT “A”

MINISTER’S DETERMINATION

CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

January 22, 2008

File Number: 4561-3-1094

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 5, 2006, September 7, 2007, and to those in all 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 and Approvals Branch 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 Manager of Archaeological Services, Heritage Branch of the Department of Wellness, Culture and Sport, shall be contacted at 453-2756 for direction.
5. The proponent must obtain a Watercourse and Wetland Alteration Permit from the Regional Services Branch, Department of Environment, for any activities that are carried out within 30 meters of any watercourse or wetland before any construction activities commence. It is recommended that submission of this application occur at least 90 days prior to the commencement of any construction activity. Please contact Mr. Serge Gagnon, Director, Watercourse Alteration and Wetlands Program (506) 444-5149 for further information.
6. The proponent must obtain an Approval to Construct from the Project Assessment and Approvals Branch, Environmental Management Division, Department of Environment before construction activities may be commenced, and an amendment to the current Approval to Operate. Please contact Mr. Paul Vanderlaan, P.Eng., Director, Project Assessment and Approvals Branch at (506) 444-5382 for details regarding this matter.
7. The proponent shall ensure that, as a result of implementation of project initiatives, there are no resulting impacts to the quality of the wastewater effluent released from the facility.

8. Verification of predicted emissions as presented in the EIA must be submitted to the Director, Project Assessment and Approvals Branch, Department of Environment, within one year of project implementation.
9. The proponent is required to perform a Source Contribution Analysis for the facility for PM (including PM 10 and PM 2.5). The objective of this analysis is to provide an understanding of the impact of the major sources of Particulate Matter to the ambient air quality. A methodology to conduct such an analysis must be submitted on or before March 31, 2008 to the Director of the Project Assessment and Approvals Branch for review and approval in writing. The methodology shall include as a minimum: i) the procedure that is to be used to conduct the source contribution analysis; and ii) a description of how the results of this analysis will be used to focus the emission reduction planning efforts. The assessment will be based on actual recent emissions testing where available and supplemented by engineering calculations and estimates. It should identify the potential for and extent of exceedances of current ambient air quality regulations and future standards (i.e. Canada-wide Standards for PM and Ozone), for the facility as a whole and seek out appropriate emission reductions to ensure compliance with all relevant standards. A timetable for the implementation of the assessment is to be determined by the Project Assessment and Approvals Branch.
10. A detailed sediment and erosion plan and an emergency response plan should be prepared and implemented for all project works to prevent the release of sediment, sediment laden water or other deleterious substances into the environment, specifically into any waterbody (i.e. watercourse, drainage channel, etc.). These plans must be submitted for review to the Director, Project Assessment and Approvals Branch and be approved prior to any construction activity associated with this project.
11. The height of the boiler stack(s) shall be no less than 15.2 metres.