

DOCUMENT "A"

MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

10 November, 2009

File Number: 4561-3-1230

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 August 21, 2009, and subsequent addendums, 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 Project 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 submit an application for an *Approval to Construct/Operate* at least 90 days prior to commencing construction. For more information, please contact the Director of the Project Assessment and Approvals Branch at (506) 444-4599.
5. The proponent must ensure compliance with the federal Fisheries Act and Environment Canada's Fish *Processing Operations Liquid Effluent Guidelines, 1975*. Also, a copy of the DFO letter of advice dated September 23rd, 2009 should be kept on-site at all times.
6. 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 hazardous materials management (e.g., spill prevention, storage of treatment chemicals and a spill response contingency plan), best management practices, and a sludge management plan. 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 Project Assessment Section, Department of Environment for review and must be approved prior to the commencement of operation of the fish processing plant in 2010. Contractors working on the project shall be made aware of the contents of the EMP, and copies shall be made available at the site.
7. The proponent shall submit a comparative study of DAF units used globally in other food and in particular fish processing plants of similar size. The plan must be submitted to the Manager of the Project Assessment Section, Department of Environment for review and must be approved prior to the commencement of operation of the fish processing plant in 2010.
8. The proponent shall ensure that the Environmental Effects Monitoring program (EEM) outlined in the EIA report is followed and shall submit a copy of the baseline sampling results of the EEM program as well as follow-up sampling every 2 years, for 6 years to the Approvals Branch, DENV.
9. The proponent must develop a plan to have all effluent from both facilities (plant #10 & #21) undergo disinfection for disease pathogens prior to release to the receiving environment. A report outlining the chosen methodology for disinfection and an implementation schedule must be submitted to the Manager of the Project Assessment Section,

Department of Environment for review and approval by January 2012.