

DOCUMENT "A"

**MINISTER'S DETERMINATION
CONDITIONS OF APPROVAL**

Pursuant to Regulation 87-83 under the Clean Environment Act

June 4, 2010

File Number: 4561-3-1247

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 January 13, 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. 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.
5. The proponent must obtain an *Approval to Construct* from the Impact Management Branch, DENV, before demolition activities may be commenced. An application for a *Watercourse and Wetland Alteration Permit* shall also be submitted in conjunction with the *Approval to Construct* application. For more information, please contact the Manager of the Water and Wastewater Management Section, at (506) 444-5194 for details.
6. The proponent shall contact Mr. Alan Kerr, Department of Transportation (DOT) District Engineer in Saint John well in advance of commencing the project to ensure that all of DOT's concerns are addressed. Mr. Kerr can be contacted at (506) 643-7463
7. The proponent shall ensure that all hazardous waste is collected and transported to an approved disposal location by an approved Hazardous Waste Service Provider. If the material is tested and is deemed not hazardous, the material may be disposed or recycled in a different manner. For further information on hazardous waste, please contact Ms. Sheryl Johnstone, Impact Management Branch, DENV, at (506) 453-3824.
8. The proponent shall ensure that all equipment containing or that previously contained ozone depleting substances or other halocarbons as listed in Schedule A of the *New Brunswick Ozone Depleting Substances and Other Halocarbons Regulation (Reg. 97-132)* shall be removed from buildings scheduled for demolition and handled as per the Regulation. No

building shall be demolished until all such equipment and refrigerants have been removed from the buildings. For more information please contact Mr. Réjean Doiron, PCB & ODS Program Manager, Impact Management Branch, DENV, at (506) 453-3796.

9. The proponent shall ensure that all equipment or materials containing PCBs or potentially containing PCBs must be removed from buildings scheduled for demolition. An inventory of all PCB materials removed from the buildings must be provided to the Department within 30 days of the materials having been removed from the buildings and prior to shipment off-site. Any PCB material identified shall be handled as per the "Discussion" section of the "Memorandum" prepared by CBCL Limited, dated and provided to the Department March 17, 2010. For more information please contact Mr. Réjean Doiron, PCB & ODS Program Manager, Impact Management Branch, DENV, at (506) 453-3796.
10. Prior to commencement of the project, the proponent shall contact Mr. Wayne Mercer, Building Inspector/Development Officer for the Local Service District of Sussex as a *Building Permit* may be required by the Royal District Planning Commission. Mr. Mercer can be contacted at (506) 432 – 7530.
11. The proponent shall obtain a *Class 1 Land Reclamation Approval* for this project, which can be obtained from the DENV Region 4 (Saint John) Office. They can be contacted at (506) 658-2558.
12. The proponent shall prepare a Demolition Environmental Management Plan (EMP) that will outline the handling and disposal methods for all waste / debris material that will result from demolition activities. The Demolition 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. The Demolition EMP must be submitted to the Manager of the Environmental Assessment Section and must be approved prior to the commencement of any demolition activities.
13. The proponent shall ensure that all developers, contractors and operators associated with the demolition of the project comply with the above requirements.