

DOCUMENT "A"

**MINISTER'S DETERMINATION
CONDITIONS OF APPROVAL**

Pursuant to Regulation 87-83 under the *Clean Environment Act*
January 20, 2012
File Number: 4561-3-1297

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 March 24, 2011 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 it is suspected that remains of archaeological significance are found during demolition activities, as per the *Heritage Conservation Act (2010)*, all activity shall be stopped near the find and the Resource Manager of the Archaeological Services Unit, Heritage Branch of the Department of Wellness, Culture and Sport, shall be contacted at (506) 453-3014.
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 Ms. Emilie Tremblay, Impact Management Branch at (506) 444-5601 for details.
6. The proponent shall ensure that all hazardous waste (as identified in the Hazardous Building Materials Assessment, Juniper Lumber Mill, dated December 9, 2011, is collected and transported to an approved disposal location by an approved Hazardous Waste Service Provider prior to the commencement of any demolition activities. All hazardous waste materials shall be removed from the site by December 31, 2013. An inventory of all hazardous waste 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. 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.

7. The proponent shall ensure that all equipment containing or that previously contained ozone depleting substances (ODS) 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 and as described in the "Ozone-Depleting Substances (ODS) Survey" document dated November 4, 2011. This will include written confirmation from the licensed Refrigeration and Air Conditioning Mechanic, to be provided to the DENV for review and approval, indicating that all refrigeration and air conditioning equipments have been removed from the buildings and providing a written record, as per section 14(2) of the Regulation, on the handling of regulated substances removed from the equipments. No building shall be demolished until the DENV is satisfied that all such equipment have been removed from the buildings and that the refrigerants have been sent for disposal or recycling. For more information please contact Mr. Réjean Doiron, PCB & ODS Program Manager, Impact Management Branch, DENV, at (506) 453-3796.
8. The proponent shall ensure that all equipment or materials containing Polychlorinated Biphenyls (PCB) 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 DENV 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 "Polychlorinated Biphenyls (PCB) Survey" document dated December 8, 2011. No building shall be demolished until the DENV is satisfied that all such equipment or material containing PCBs or potentially containing PCBs have been removed from the buildings, and that disposal plans are in place. For more information please contact Mr. Réjean Doiron, PCB & ODS Program Manager, Impact Management Branch, DENV, at (506) 453-3796.
9. The proponent shall, by December 31, 2012 submit a proposal for the closure of the wood waste disposal facility to the Manager of the Industrial Processes Section of the Impact Management Branch for review and approval. The proposal is not limited to, but shall contain engineered drawings of the work including details on the cover profile and shall be complete with an implementation schedule and an application for an *Approval to Construct and Operate* the facility. The full closure of the wood waste disposal facility shall be completed in accordance with the approved drawings by December 31, 2014. For additional information please contact Mr. John Stubbert, Impact Management Branch, DENV at (506) 453-2177.
10. The proponent shall ensure that the *New Brunswick Guideline for the Management of Contaminated Sites* process is followed. For additional information, please contact Mr. Ray Morin, Remediation Engineer, DENV at (506) 453-7945
11. Prior to the on-site disposal of construction and demolition waste, the proponent shall obtain a *Class 1 Land Reclamation Approval* for this project, which can be obtained from the DENV Region 6 (Grand Falls) Office. They can be contacted at (506) 473-7744.
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, as well as a schedule for decommissioning

all on-site water wells. The Demolition EMP must be submitted to the Manager of the Environmental Assessment Section for review and approval prior to the commencement of any demolition activities.

13. The proponent shall ensure that reclamation of all log yards and the hot pond is completed by December 31, 2012, and will be undertaken in a manner approved by the DENV. The reclamation plan shall be submitted to Ms. Emilie Tremblay, Impact Management Branch, DENV, for review and approval by April 1, 2012.
14. The proponent should notify Ms. Anne Turcotte, Area Chief, Oceans and Habitat Division, DFO, Tracadie, NB, at least 48-hours prior to the commencement of the project. She can be reached at (506) 393-3036.
15. The proponent must receive written approval from the DENV should a future benefit/alternative use of the infrastructure that is acceptable to the Minister be identified and thus results in that infrastructure not being decommissioned.
16. All of the above terms and conditions are an integral part of this Determination, and apply to the project notwithstanding the rights of any users, lessees, and or subsequent owners.
17. In the event of the sale, lease, or any other conveyance or change of control of the project, or any portion thereof:
 - a. The proponent shall provide written notice of the conditions to the lessee, controller, or purchaser; and
 - b. The proponent shall provide written notice of such lease, change of control, or conveyance to the Minister.
18. The proponent shall ensure that all developers, contractors and operators associated with the demolition of the project comply with the above requirements.