

DOCUMENT "A"

**MINISTER'S DETERMINATION
CONDITIONS OF APPROVAL**

Pursuant to Regulation 87-83 under the Clean Environment Act
July 19, 2013
File Number: 4561-3-1342

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 document entitled, "Cardwell Farms Compost Products Inc. EIA Assessment 2012", registered on August 1, 2012, 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 and Local Government (DELG) 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, operation or maintenance of the proposed development, as per the Heritage Conservation Act (2010), all activity shall be stopped near the find and the Resource Manager of the Archaeological Services Unit shall be contacted at (506) 453-3014.
5. 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 and Infrastructure District Office: <http://www.gnb.ca/0113/contacts-e.asp>.
6. 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.
7. 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.
8. 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.

9. All other terms and conditions of the current Approvals to Operate under the *Water Quality Regulation - Clean Environment Act* shall remain in effect. Prior to the importation of any feedstock materials, the proponent shall apply to the DELG Regional Office Approvals Engineer (Phone # 658-2558) 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.
10. The proponent shall ensure that prior to importing a feedstock shown in the attached list of “Potential Compost Feedstocks”, approval shall be obtained from the DELG Regional Office Approvals Engineer. The DELG Regional Office Approvals Engineer shall coordinate a review and sign off by the following experts at the Department of Agriculture, Aquaculture and Fisheries (DAAF) prior to issuing the approval:
 - a. Chief Aquaculture Veterinarian for imported feedstock derived from products of fish/shellfish;
 - b. Chief Agriculture Veterinarian for imported feedstock derived from products of animal origin; and
 - c. Manager of the Potato Development Centre for imported feedstock derived from products of potato origin.
11. 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 DELG Regional Office Approvals Engineer for review and approval prior to importation.
12. The proponent shall ensure that prior to the importation of diseased feedstock or high risk feedstock as determined by the Canadian Food Inspection Agency (CFIA) or Department of Agriculture, Aquaculture and Fisheries (DAAF), approval is obtained from the DELG Regional Office Approvals Engineer, for each waste diseased feedstock project. The DELG Regional Office Approvals Engineer shall coordinate a review and obtain sign off from the DAAF and CFIA prior to issuing the approval.
13. If the feedstock to be imported is not included on the attached list of “Potential Compost Feedstocks”, 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.
14. The proponent shall ensure that agricultural related dead stock remains are not used as feedstock for composting purposes.
15. The proponent shall ensure that wood wastes and bark products that have been treated with preservative chemicals or heavy metals (e.g. copper or mercury) shall not be used as feedstock for composting purposes.
16. The proponent shall ensure that all developers, contractors and operators associated with the development project comply with the above requirements.

Potential Compost Feedstocks
Cardwell Farms Compost Products Inc
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Feedstock/Input	Source/Location	Volumes	Truck Traffic
Wood Wastes (ex: mill Yard chips, barks, fines)	Lumber Mills – Atlantic Canada, Quebec, Northeast US	0-100K tonnes	0-6 t/l per day
Barks (ex: from debarkers, chippers)	Lumber Mills – Atlantic Canada, Quebec, Northeast US	0-100K tonnes	0-6 t/l per day
Livestock Manures (ex: hen, hog, equine, sheep, cattle)	Agriculture Operations – Atlantic Canada, Quebec, Northeast US	0-100K tonnes	0-6 t/l per day
Aquaculture Fin Fish (mortalities, net washings & processing residue)	Fisheries Operations – Atlantic Canada, Quebec, Northeast US	0-100K tonnes	0-6 t/l per day
Aquaculture Shell Fish (lobster, clam, mussel, shrimp, & oyster)	Fisheries Operations – Atlantic Canada, Quebec, Northeast US	0-100K tonnes	0-6 t/l per day
Agriculture (ex: crop residues, cull potatoes, blueberry-processing residue)	Agriculture Operations – Atlantic Canada, Quebec, Northeast US	0-50K tonnes	0-3 t/l per day
Organics (ex: leaf & yard compost, peat moss waste)	Miscellaneous Sources – Atlantic Canada, Quebec, Northeast US	0-50K tonnes	0-3 t/l per day
Food Processing (ex: dairy, potato skins, vegetable oils, fermented grains)	Food Processors – Atlantic Canada, Quebec, Northeast US	0-50K tonnes	0-3 t/l per day