

DOCUMENT "A"

MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the *Clean Environment Act*

November 20, 2019

File Number: 4561-3-1520

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, 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 Environmental Impact Assessment (EIA) registration document dated April 2019 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 Director of the EIA Branch, Department of Environment and Local Government (DELG) every six months from the date of this *Determination* until such a time as the Director (EIA) determines it is no longer required.
4. Well 2 on PID 70410089 is approved for use as a production well for the facility. The maximum allowable pumping rate for Well 2 is 18.4 imperial gallons per minute (ipgm) equivalent to 120.5 m³/day. A flowmeter must be installed on the well and the water usage data recorded daily (minimum 5 days/week). Wells 1, 3, and 4 may be used for monitoring purposes only. If, in the future, Wells 1, 3, and 4 are not being used for monitoring, decommissioning may be required.
5. The water level in Well 2 must be monitored and the level recorded daily (minimum of 5 days/week). In addition, a water quality sample must be collected from Well 2 (a minimum of annually) and analysed for general chemistry, trace metals, and microbiology. The results must be submitted to the Director of the EIA Branch, DELG (see Condition 6 below).
6. Groundwater Monitoring Reports for the January to December time frame must be submitted no later than March 1st of the following year to the Director, EIA Branch, DELG. The report must include the water quality results, flowmeter, and water level data collected during that time frame. Note that the first report will be due March 1, 2021 and will include data from approximately November 2019 to December 2020. The report must also include an assessment of whether the well usage is meeting the water withdrawal limit, long term trending of the water flows, water level, and water quality data, and an evaluation of the impact of facility operation on the groundwater environment. A figure showing the location of the wells must be included in the reports. Based on the information in the report, the monitoring requirements and reporting schedule may be altered by DELG. The report must include details on the use of Wells 1, 3 and 4 for monitoring purposes and/or future plans for the wells.

7. If at any time the proponent wants to increase the approved maximum allowable pumping rate or total daily water withdrawal for Well 2, and/or requires a new water supply well and/or wishes to use one of the monitoring wells as a production well, DELG must be contacted as further hydrogeological testing and other information will be required.

Page 1 of 2

8. In the event of a complaint by a neighbouring water-user that the operation of this water supply well has negatively impacted the quality or quantity of their private water supply, the proponent must investigate the complaint and notify DELG. If it is determined that the proponent is responsible for any negative impacts, the proponent will be required to provide a temporary water supply for short-term impacts, or repair, remediate, or replace any permanently impacted well(s), which might include, but is not limited to, deepening a well or drilling a new well.

9. In the event of the sale, lease, or any other conveyance or change of control of the property, or any portion thereof, the proponent must provide written acknowledgement to the Director of DELG's EIA Branch from the lessee, controller, or purchaser confirming that they will comply with the *Conditions* of this *Determination*.

10. The proponent must ensure that all developers, contractors, and operators associated with the construction and operation of the project comply with the above.