

## **DOCUMENT “A”**

### **MINISTER’S DETERMINATION CONDITIONS OF APPROVAL**

Pursuant to Regulation 87-83 under the Clean Environment Act

February 3, 2005

File Number: 4561-3-994

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 re-evaluated under the *Environmental Impact Assessment Regulation (87-83)* – Clean Environment Act, unless otherwise stated by the Minister of the Environment and Local Government.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document (dated January 30, 2004), as well as all those identified in all 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 Project Assessment Branch of the Department of the 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, all activity shall be stopped near the find and the Resource Manager of the Archaeological Services Unit, Heritage Branch of the Culture and Sport Secretariat, shall be contacted at (506) 453-2756.
5. This project will require an approval from the Council of the Village of Belledune, as well as a permit from the Belledune District Planning Commission. For more information, please contact Marc Bouffard, Planning Director, Belledune District Planning Commission, at (506) 542-2688.
6. An Approval to Construct must be obtained before the start of any construction activities, and an Approval to Operate will subsequently be required. For more information, please contact Greg Shanks, Director, Stewardship Branch, Department of the Environment and Local Government (DELG), at (506) 453-7945.
7. Ernest Ferguson, Oceans and Habitat Area Chief, Department of Fisheries and Oceans, Tracadie-Sheila, NB, must be contacted at least 48 hours prior to the commencement of works. Mr. Ferguson can be reached at (506) 395-7722.

8. An Environmental Protection Plan (EPP) must be developed for the construction phase of this

project and submitted to the Director of the Project Assessment branch of DELG for review and approval prior to construction. This EPP should detail how the undertaking will be carried out in accordance with applicable best management practices, guidelines, and codes of practice. This EPP should also contain a detailed erosion and sedimentation prevention and control strategy.

9. A contingency plan must be developed for the construction and operation of this facility and submitted to the Director of the Project Assessment branch of DELG for review and approval prior to construction. In assessing the potential impacts of accidents and malfunctions, consideration should be given not only to spills of hazardous materials, but also to the failure of erosions control structures and treatment plant breakdowns. The plan should be deigned to take assessment results into account (e.g., site-specific conditions and sensitivities). It is recommended that the Canadian Standards Association publication Emergency Planning for Industry CAN/CSA-Z731-95 (Reaffirmed 2002) be consulted as a useful reference.
10. Hazardous materials, such as fuels, lubricants, hydraulic oil, waste oil and chemicals, must be stored, handled, used, transported and disposed of in an approved manner so as to minimize or prevent releases into the environment.
11. Any construction waste and other refuse associated with the proposed project should be reused or recycled on a priority basis. If reuse or recycling opportunities are not available, then the refuse must be disposed of at an approved site.