

DOCUMENT "A"

MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

April 26, 2006

File Number: 4561-3-1060

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 EIA registration document dated November, 2005, 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, Project Assessment Branch, Department of the Environment and Local Government every 6 months from the date of this Determination until such a time as all the Conditions have been met.
4. Prior to commencement of any construction activities on site, the proponent shall obtain an Approval to Construct from Approvals Branch, Department of the Environment and Local Government. For additional information, please contact Mr. Shawn Hamilton, Approvals Branch at (506) 444-4599.
5. Prior to commencement of any on-site works the proponent shall prepare and submit to the Director, Project Assessment Branch, Department of the Environment and Local Government for approval, an erosion and sediment control plan providing a description of the erosion and sediment controls to be employed during site grubbing, grading and related activities. The controls must be designed to prevent the transfer of sediments from the site to adjacent properties, ditches, drainage swales and the storm sewer system .
6. Prior to the commencement of production, the proponent shall prepare and submit to the Director, Project Assessment Branch, Department of the Environment and Local Government for approval a Materials Management and Spill Prevention Plan providing a description of proposed methods for the storage, handling, and transportation of hazardous substances and chemicals such as fuels, waste oils, etc., such that the risk of a spill or a release to the environment is minimized. The plan shall include a contingency plan describing measures that will enable an effective and timely response to a spill event. As part of the contingency plan, all fuel or chemical spills taking place during business hours (8am to 4:30pm) shall be reported to the Department of the Environment and Local Government Regional office at (506) 547-2092. Spills occurring outside business hours shall be reported to the Canadian Coast Guard's 24 hour spill reporting line at 1-800-565-1633.

7. Prior to commencement of production, the proponent shall obtain an Approval to Operate from Approvals Branch, Department of the Environment and Local Government. For additional information, please contact Mr. Shawn Hamilton, Approvals Branch at (506) 444-4599.
8. Should the proponent decide to subsequently increase the scale of production of the facility by adding additional ovens, the proponent shall register the production increase for review under the EIA Regulation, Clean Environment Act prior to proceeding, and shall await the results of that review.