

## DOCUMENT “A”

### MINISTER’S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act  
6 February 2012  
File Number: 4561-3-1276

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 September 2010, and subsequent addendums, 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. A *Certificate of Approval to Construct and Operate* the facility is required from the New Brunswick Department of Environment prior to the commencement of construction. Please contact the Manager of the Industrial Processes Section at (506) 453-7945 for further information;
5. All water intake structures shall be screened as per the requirements of Department of Fisheries and Oceans’ “Freshwater Intake End-of-Pipe Fish Screen Guidelines (March 1995)”;
6. The proponent shall decommission the existing sediment pond, as per the plan submitted to DENV dated January 12, 2012. This is to prevent organic contamination of the sand/gravel aquifer, with the work to be completed no later than 36 months from the date of this Determination and shall include mitigation measures

to prevent further bio-accumulation within the sediment pond/wetland area;

7. In the event of the sale, lease, or any other conveyance or change of control of the Project, or any portion thereof, the proponent shall provide written notice of the conditions to the lessee, controller, or purchaser, and
8. The proponent shall ensure that all developers, contractors and operators associated with the construction and operation of the project comply with the above requirements.