

# DOCUMENT "A"

## MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

**December 6, 2011**

File Number: 4561-3-1305

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 implement measures to require adherence by all contractors, sub-contractors and workers on this project, to all obligations, commitments, monitoring and proposed mitigation measures presented in the EIA registration document dated April 29, 2011, as well as all those identified in subsequent correspondence during the registration review. Additionally, the proponent must 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. An Environmental Management Plan (EMP) shall be submitted for review, and be approved by, the Manager of the Environmental Assessment Section, DENV, prior to the onset of construction. The EMP shall demonstrate mitigation measures for all aspects of the project including but not limited to the following:
  - a. An erosion and sedimentation prevention and control strategy;
  - b. A Routine Inspection Plan to ensure that all components of the project are functioning properly (which shall include monitoring of flow rates, investigating blockages in a timely fashion to ensure potential leaks in the system are detected quickly and repaired, etc);
  - c. An Emergency Response Contingency Plan(s) in case of environmental emergencies (which shall contain provisions for the immediate notification of the Dept. of Environment, the Dept. of Health, and any downstream water users in the event of overflow or other environmental emergencies, details of appropriate spill response equipment on site, etc);
  - d. Refueling and maintenance of equipment; and
  - e. An Environmental Effects Monitoring Plan.

This EMP must be submitted to the Manager of the Environmental Assessment Section, DENV, for review and approval prior to commencement of construction.

5. Restoration of the site following construction will include replacing the duff where appropriate and restoring disturbed areas to original grades and elevations. Monitoring results of restoration efforts in years 1, 3, and 5 must be submitted to the Manager of the Environmental Assessment Section, DENV, for review and approval.
6. The system operator is required to complete training by the manufacturer and should be familiar with the general operational requirements and troubleshooting components. The operator must also be knowledgeable about obtaining spare parts that may be required should there be a break down or malfunction.
7. An application to repair or replace the existing on-site sewage disposal system must be submitted by a licensed installer in conjunction with the engineering firm through Service New Brunswick (SNB). Information regarding the application process can be found at the following link: [http://www2.gnb.ca/content/gnb/en/services/services\\_renderer.2996.html](http://www2.gnb.ca/content/gnb/en/services/services_renderer.2996.html).
8. Annual sampling results for effluent leaving the RBC units, including *E. coli*, chemical/biological oxygen demand (CBOD5) and total suspended solids (TSS) must be submitted annually to the Department of Health, Inspection Services, at PO Box 5001, Moncton, NB E1C 8R3 or by fax at (506) 869-6122. Please contact the Regional Office, NB Department of Health at (506) 856-2814 for further information.
9. Failure of any component of the on-site sewage disposal system under normal or emergency circumstances must be reported to the Department of Health for approval to remediate the system. Please contact the Regional Office, NB Department of Health at (506) 856-2814 or (506) 861-5078.
10. Prior to commencement of any construction activities within 30 metres of any watercourse or wetland, the proponent must obtain a *Watercourse and Wetland Alteration Permit* from the DENV. Please contact the Manager of the Surface Water Protection Section, DENV at (506) 444-5149.
11. The A/Area Chief, Oceans and Habitat Management, DFO, Tracadie-Sheila, NB, Ms. Anne Turcotte, should be notified 48 hours prior to commencement of construction activities. Ms. Turcotte can be reached at (506) 393-3036. A copy of the letter from Fisheries and Oceans Canada (dated May 17, 2011) must be kept on site during construction (attached).
12. If it is suspected that remains of archaeological significance are discovered during construction, all activity shall be stopped near the find and the Resource Manager of the Archaeological Services Section, NB Department of Wellness, Culture and Sport, shall be contacted at (506) 453-2756 for further direction.

13. Refuelling and maintenance of equipment must take place in designated areas, on level terrain, a minimum of 30 m from any surface water bodies and potable water supply wells, on a prepared impermeable surface with a collection system to contain oil, gasoline and hydraulic fluids. Appropriate spill response equipment must be maintained in a readily accessible location during project construction and operation. All spills and releases shall be promptly contained, cleaned up and reported to the 24-hour emergency response line (1-800-565-1633).