

DOCUMENT "A"

MINISTER'S DETERMINATION

CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

November 10, 2015.

File Number: 4561-3-1405

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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 February 17, 2015; all subsequent reports submitted and to all those in correspondence during the course of the 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, Department of Environment and Local Government (DELG) every 6 months from the date of this Determination until such a time that it is determined to be no longer necessary.
 4. 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).
 5. Implementation of the project may require an *Approval to Construct* and/or a modification to the existing *Approval to Operate*. Please contact the Manager of the Industrial Processes Section for further information at (506) 453-7945.
 6. Well TH-15-02 is approved for use as a production well with a maximum pumping rate of 160 L/min. A flowmeter must be installed on the well and the data recorded to ensure compliance with this condition. Well TH-15-01 may not be used as a production well unless it undergoes hydrogeological testing, but it may be used for monitoring purposes. Wells TH-15-01 and TH-15-02 may not be used for potable purposes.
 7. If the proponent wants to increase the approved pumping rate of well TH-15-02 or requires a new water supply well the Manager of the Environmental Assessment Section, DELG, must be contacted as further hydrogeological testing may be required.

8. Wells TH-15-01 and TH-15-02 must be protected with vermin proof caps and be locked.
9. The proponent must submit for review and approval, a plan for the long-term groundwater monitoring and reporting for any production well(s) as part of the *Approval* application to the Manager of the Industrial Processes Section. The plan must include details on the required monitoring of water usage, water levels, and water quality for production well(s) on site, including monitoring frequency. In addition, the plan must detail requirements for data interpretation and analysis (including trending) and reporting. The plan must also indicate how results would be used to predict potential impacts to the well(s) and the surrounding environment and how these would be reported.
10. Details on the construction of the new pump house, pipeline, associated infrastructure and the route selection must be submitted to the Manager of the Environmental Assessment Section for approval prior to the onset of construction.
11. A detailed description of operation and maintenance characteristics for the new pump house, pipeline, associated infrastructure is required, including who will be responsible for operating and maintaining the water system for the life of the operation of the water treatment plant. This information must be submitted to the Manager of the Industrial Processes Section within 12 months of the date of this *Determination*.
12. The proponent must submit a decommissioning plan to the Manager of the Environmental Assessment Section, DELG, for the pump house at the Nepisiguit River and pipeline to the mine site for review and approval prior to decommissioning. The decommissioning must occur within 12 months of the date of this *Determination* or rationale provided as to why this timeline will not be met.
13. The proponent must ensure that project activities do not impact maintenance flows in the Nepisiguit River or the Pabineau River.
14. If any person discovers an archaeological object, burial object or human remains during project construction or implementation activities, they are required to report the discovery to the Minister Tourism, Heritage and Culture as soon as practical at (506) 453-2782.
15. The proponent must ensure that all contractors working at the sites are familiar and will comply with the requirements of the Migratory Birds Convention Act (MBCA) and associated Regulations.
16. The proponent shall ensure that all developers, contractors and operators associated with the construction and operation of the project comply with the above requirements.