

## **DOCUMENT "A"**

### **MINISTER'S DETERMINATION**

#### **CONDITIONS OF APPROVAL**

Pursuant to Regulation 87-83 under the Clean Environment Act

February 10, 2005

File Number: 4561-3-1027

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 December 16, 2004, as well as to those in all subsequent correspondence during the registration review.
4. This project will not include the importation of any hazardous materials as defined by the *Export and Import of Hazardous Wastes Regulations* under the Canadian Environmental Protection Act.
5. The proponent shall analyze a current (2005) sample of the wood fibre residue that is to be imported and submit the results to Mr. Paul Vanderlaan, Director, Project Assessment Branch, and Ms Heather Valsangkar, Engineer, Remediation Branch, of the Department of the Environment and Local Government. A description of the sample representativeness, and the collection method shall also be submitted. The sample shall be analyzed for the following:
  - all of the trace elements Listed in Table 2 (attached) from the Composting Council of Canada,
  - the standard suite of metals listed in Appendix I of the EIA Registration document dated December 2004,
  - a standard suite of chlorinated dioxins and furans as listed in Appendix I of the EIA Registration document dated December 2004, including the ITEF TEQ (ND =1/2).

6. All other terms and conditions of the Approval to Operate, Approval No. Comp #177 of the *Water Quality Regulation* (82-126) under the Clean Environment Act shall remain in effect.
7. Trucking and hauling associated with this activity must respect the weight restrictions, the spring weight restrictions for all roads to be utilized. For further information, please contact Mr. Roméo Poitras, District Engineer, at 506- 735-2088.
8. Crown Reserve Roads bound the property identified as PID 35003276 on both the north and the south sides. Should this project be expanded in the future, the Crown Lands - Land Use Application Service Centre must be contacted at 1-888-312-5600, or [cltc@gnb.ca](mailto:cltc@gnb.ca).
9. A yearly summary of the monitoring carried out as per Document “B” of the Approval to Operate, Approval No. Comp #177 shall be submitted to the Regional Biologist, Department of Natural Resources, District Office 4, 25 rue Guy, Edmundston, NB, E3V 3K5, Phone: 506-735-2040.

**Table 2: Maximum Trace Element Concentration Limits for Compost**

	BNQ Types AA and A Category A	CCME Type B** Category B <sup>2</sup> Maximum Acceptable Concentrations within Product	AAFC
Trace Elements*	(mg/kg, air-dried mass)	(mg/kg, air-dried mass)	
Arsenic (As)	13	75	
Cadmium (Cd)	3	20	
Cobalt (Co)	34	150	
Chromium (Cr)	210	1,060 (BNQ only); not stated in CCME/AAFC	
Copper (Cu)	100	757 (BNQ only); not stated in CCME/AAFC	
Mercury (Hg)	0.8	5	
Molybdenum (Mo)	5	20	
Nickel (Ni)	62	180	
Lead (Pb)	150	500	
Selenium (Se)	2	14	
Zinc (Zn)	500	1,850	

\*Other elements, such as boron, manganese, aluminum and iron, may eventually be regulated in certain provinces to accommodate regional and national concerns.

\*\*Type B limits for maximum trace element concentrations in compost are based on the standards enforced by AAFC under Trade Memorandum