

DOCUMENT "A"

MINISTER'S DETERMINATION

CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

November 17, 2008

File Number: 4561-3-1092

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 August 1, 2008, 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 Project Assessment Section of the Department of Environment every 6 months from the date of this Determination until such a time as all the Conditions have been met.
4. The proponent must perform a Source Contribution Analysis for the facility for PM (including PM 10 and PM 2.5). The objective of this analysis is to provide an understanding of the impact of the major sources of Particulate Matter to the ambient air quality. A methodology to conduct such an analysis must be submitted on or before February 01, 2009 to the Manager of the Project Assessment Section for review and written approval. The methodology must include at a minimum: i) the procedure that is to be used to conduct the source contribution analysis; and ii) a description of how the results of the analysis will be used to focus the emission reduction planning efforts. The assessment must be based on actual recent emissions testing where available and supplemented by engineering calculations and estimates. It should identify the potential for and extent of exceedances of current ambient air quality regulations and future standards (i.e. Canada-wide Standards for PM and Ozone), for the facility as a whole and seek out appropriate emission reductions to ensure compliance with all relevant standards. A timetable for the implementation of the reduction measures is to be determined by the Project Assessment Section.
5. Prior to commencing construction of this project, the proponent must obtain an *Approval to Construct and Operate* from the Project Assessment and Approvals Branch, Department of Environment. For additional information, please contact Mr. Shawn Hamilton, Engineer, Resource Sector, at (506) 444-4599.
6. Prior to firing up the new boiler the proponent must submit specific details of the selected ash disposal option to the Manager, Project Assessment Section, Department of Environment for review, and any required approvals must be obtained prior to the ash disposal or use as fertilizer.

7. If it is suspected that remains of archaeological significance are discovered during construction, all activity shall be stopped near the find and the Project Executive, Archaeological Services Section of the Department of Wellness, Culture and Sport shall be contacted at (506) 453-2756.
8. The proponent must contact Mr. Norman Clouston, District Transportation Engineer in Fredericton at (506) 453-2611 two weeks prior to commencing the work and must consult with him as required throughout the construction period.
9. In the event that the boiler blow-down water can not be discharged to the Village of Chipman's municipal wastewater treatment facility, this waste stream must be disposed of in a manner approved by the Department.