

DOCUMENT “A”

MINISTER’S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

August 10, 2007

File Number: 4561-3-1096

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 28, 2006), as well as to those from all subsequent correspondence and reports during the registration review. Additionally, the proponent shall submit a summary table detailing the status of each Condition listed in this Determination to the Director of the Project Assessment and Approvals Branch every 6 months from the date of this Determination until such a time as the construction is complete and a Certificate of Approval to Operate has been issued for this facility.
4. The proponent shall obtain an Approval to Construct and Operate for the project from the Department the Environment prior to the start of any work on site. Please contact the Director of the Project Assessment and Approvals Branch, Department of Environment for additional information (506 444-4599).
5. The proponent shall obtain appropriate permission from the New Brunswick Department of Natural Resources for the establishment of an access road prior to the commencement of construction.
6. The proponent shall submit a well water sampling program the Director of the Project Assessment and Approvals Branch for review. The water sampling program must be approved prior to the commencement of peat harvesting operations. The samples will need to be analysed for inorganic parameters equivalent to the Department of Environment laboratory “*Package I**”. The sampling program will also need to consider the following:
 - Depth of the well, diameter of the well, type of well (drilled or dug), pump tests, casing length, static (non-pumping) water level, name of driller, year of construction, geologic unit log, well yield, type of pump, depth of pump or intake depth, depth of water bearing fractures, water treatment equipment, etc.

- Water quality results for each well with the inorganic parameters, including conductivity
- The well owner and mailing address should be noted in addition to the property identification number (PID) as well as the well identification number (if possible)

The results, as well as the above requested information, are to be submitted to the Director of the Project Assessment and Approvals Branch prior to the start of any activity on peat bog 579A & 579B. In the event that the water quantity or quality of neighboring residential wells is impacted by operations related to this facility (as raised by the residents(s)). It will be the proponent's responsibility to investigate and potentially rectify the situation. The proponent must immediately notify the Manager of the Water Sciences Section (506-457-4844), Department of Environment of any complaints received regarding water quantity or quality problems. If an agreement as to the cause of water problems cannot be reached between the proponent and the resident(s), the Department will provide independent third party arbitration.

7. The proponent shall submit an application for a Watercourse and Wetland Alteration Permit from the Department of Environment before commencing any work on site. For additional information please contact the Watercourse and Wetland Alteration Program Section of the Department of Environment at (506) 457-4850.
8. The level of suspended solids at the discharge point of the sedimentation pond shall not exceed 25 mg/l, even after heavy rains.
9. In order to ensure that any dust produced during peat extraction is maintained at an acceptable level, the vacuum harvesters will need to be outfitted with adequate dust control equipment (e.g.: cyclones on exit air ducts, dust collectors, modifications to the air exhaust system, etc.). Please submit details concerning the vacuum harvesters and more specifically the equipment proposed to minimise dust to the Director of the Project Assessment and Approvals Branch, Department of Environment along with the application for the Approval to Construct and Operate for this facility prior to the start of peat extraction.
10. A 50 m no-development, natural, buffer zone must be respected between the exploitation area and all adjacent private properties unless written landowner approval has been obtained.
11. Trucks transporting peat must be properly covered to reduce wind blown particulate.
12. 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.