

DOCUMENT "A"

MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

18 April 2011

File Number: 4561-3-1283

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 January 2011, and subsequent addendums, 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 Environmental Assessment Section of the Department of Environment (DENV) upon completion of the project and the Conditions herein.
4. The proponent shall obtain an Approval to Construct and Operate (Air and Water) as per the Clean Environment Act for this development prior to the onset of construction. The proponent must submit an application at least 90 days prior to commencing construction. Please contact the Manager, Industrial Process Section, at 453-7495 for more information.
5. Although no individuals of the plant species at risk, *Listera australis* were discovered within the project footprint, the proponent shall ensure any individuals discovered throughout the life span of this project are duly protected.
6. In the event of the sale, lease, or any other conveyance or change of control of the Project, or any portion thereof, the proponent shall provide written notice of the conditions to the lessee, controller, or purchaser.
7. The proponent shall ensure that all developers, contractors and operators associated with the construction and operation of the project comply with the above requirements.