

**DOCUMENT "A"**

**MINISTER'S DETERMINATION  
CONDITIONS OF APPROVAL**

Pursuant to Regulation 87-83 under the Clean Environment Act  
December 4, 2017  
File Number: 4561-3-1408

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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 (DELG).
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the document entitled, "Environmental Impact Assessment Registration Document, McLaughlin Soil Management Facility, Revised Registration Document dated March 7, 2017", 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 Director of the Environmental Impact Assessment Branch of DELG every 6 months from the date of this Determination until such a time that all the Conditions have been met.
4. The proponent shall ensure that if a nest or chick of a migratory bird is detected, work in the area shall be halted and the Canadian Wildlife Service be consulted for advice at (902) 426-9152. The proponent shall ensure that activities are conducted in a manner that would be in compliance with the Migratory Birds Convention Act.
5. The proponent shall ensure that prior to importing petroleum contaminated soil from Maine (USA), Quebec or Nova Scotia, that all applicable permits are obtained from the Canadian Food Inspection Agency (CFIA). For more information, please contact the Grand Falls CFIA office at: (506) 473-8711.
6. The proponent shall renew their *Approval to Operate* for the Bioremediation Facility issued by the Authorizations Branch, before any contaminated soil can be imported from another jurisdiction. The *Approval to Operate* will include, but is not limited to, groundwater monitoring and a maximum site capacity. For more information, please contact the Authorizations Branch, DELG, at (506) 453-7945.
7. The proponent will be responsible for any negative impacts to private water wells caused by the facility. The proponent will be required to provide a temporary water supply for short term impacts or to repair, remediate or replace any permanently impacted well(s), which might include, but is not limited to, deepening a well or drilling a new well.

8. The proponent shall ensure that any proposed project modifications are submitted for review and approval to the Director, Environmental Impact Assessment Branch, DELG, prior to implementing the changes.
9. In the event of the sale, lease, or any other conveyance or change of control of the project, or any portion thereof, the proponent must provide written acknowledgement from the lessee, controller or purchaser confirming that they will comply with the Conditions of this Determination to the Director, Environmental Impact Assessment Branch, DELG.
10. The proponent shall ensure that all developers, contractors and operators associated with the project comply with the above requirements.