

Environmental Assessment Approval

Approval Date: JUL 05 2019

Asbestos Waste Disposal Cell

Colchester Containers Limited

Colchester County, Nova Scotia

The Asbestos Waste Disposal Cell Project (the "Undertaking"), proposed by: Colchester Containers Limited (the "Approval Holder") in Middle Stewiacke, Colchester County, Nova Scotia is approved pursuant to Section 40 of the *Environment Act* and Section 13(1)(b) of the Environmental Assessment Regulations. This Approval is subject to the following conditions and obtaining all other necessary approvals, permits or authorizations required by municipal, provincial and federal acts, regulations and by-laws before commencing work on the Undertaking. It is the responsibility of the Approval Holder to ensure that all such approvals, permits or authorizations are obtained before commencing work on the Undertaking.

This Environmental Assessment Approval is based upon the review of the conceptual design, environmental baseline information, impact predictions, and mitigation presented in the Registration Document.

Terms and Conditions for Environmental Assessment Approval

1 Definitions

- 1.1 Approval means the environmental assessment (EA) Approval terms and conditions, which relates to the Approval Holder and their Project situated at or near Middle Stewiacke, Colchester County, Nova Scotia.
- 1.2 Environment Act means Environment Act 1994-95, c.1, s.1, and includes, unless the context otherwise requires, the regulations made pursuant to the Act, as amended from time to time.
- 1.3 Department means the Department of Environment (unless otherwise

specified in the Approval conditions), and the contact for the Department for this Approval is: Truro Office, Regional Inspector.

1.4 Minister means the Minister of Environment.

2 Scope

2.1 Project means the Asbestos Waste Disposal Cell Project described in the EA Registration Information. Registration Information means the Registration Document and/or Addendum for the Project submitted to the Department during the EA review.

3 General

3.1 The Approval Holder shall, within two years of the date of issuance of this Approval, commence work on the Project unless granted a written extension by the Minister.

3.2 The Approval Holder shall provide written notification to the Department of the commencement date of the Project, at a minimum 30 days prior to the commencement.

3.3 The Approval Holder shall provide to the Department a concordance table detailing the status of the EA terms and conditions on January 31 of each year until released in writing by the Department.

3.4 Any proposal by the Approval Holder for expansion, modification or relocation of any aspect of the Project from that proposed in the Registration Information shall be submitted to the EA Branch for review and may require an EA.

3.5 Nothing in this Approval relieves the Approval Holder of the responsibility for obtaining and paying for all other licenses, permits, approvals or authorizations necessary for carrying out the Project which may be required by municipal by-laws or provincial or federal legislation. The Minister does not warrant that such licenses, permits, approvals or authorizations will be issued.

3.6 The Approval Holder shall not transfer, sell, lease, assign or otherwise dispose of this Approval without the written consent of the Minister. The

sale of a controlling interest of a business or a transfer of this Approval from a parent company to a subsidiary or an affiliate is deemed to be a transfer requiring consent.

- 3.7 If there is a discrepancy between the Registration Information and the terms and conditions of this Approval, the terms and conditions of this Approval shall apply.
- 3.8 Upon any changes to the Registry of Joint Stock Companies information related to the Approval Holder, the Approval Holder shall provide a copy to the Department within 5 days of the changes.
- 3.9 Where a timeline is associated with a condition(s) of the Approval, the Approval Holder shall fulfil the requirements of the condition(s) within the prescribed timeline, unless otherwise authorized in writing by the Department.
- 3.10 The Approval Holder shall immediately notify the Department of any incidents of non-compliance with this Approval.
- 3.11 The Approval Holder shall bear all expenses incurred in carrying out the environmental management and monitoring required under the terms and conditions of this Approval.
- 3.12 Unless specified otherwise in this Approval, all samples required to be collected by this Approval shall be collected, preserved and analyzed, by qualified personnel, in accordance with recognized industry standards and procedures that are deemed acceptable to the Department.
- 3.13 The Approval Holder shall ensure that this Approval, or a copy, is present at the Project site while personnel are on site and that personnel directly involved in the Project are made fully aware of the terms and conditions which pertain to this Approval.
- 3.14 The Approval Holder shall update and/or revise any of the plans, programs or other documents required in this Approval to reflect the progressive development of and/or changes to the Project at a schedule acceptable to, or upon the request of, the Department.
- 3.15 Based on the results of the monitoring plans required in this Approval, the Approval Holder shall make necessary modifications to mitigation plans

and/or changes to Project operations to prevent unacceptable environmental effects, as required by the Department.

- 3.16 Where a condition of this Approval requires the Approval Holder to consult a particular party or parties regarding the content of a document, the Approval Holder shall: provide a written notice to each such party inviting comments on the document within a reasonable timeframe, provide a written explanation to each party how the comments are addressed and considered, as well as maintain a record of consultation with each party and provide a copy of such consultation to the Department.

4.0 Facility Operation

- 4.1 Asbestos disposal cells are to be constructed and operated in accordance with the Asbestos Waste Management Regulations and the Nova Scotia Guidelines for Construction and Demolition Debris Disposal Guidelines.
- 4.2 Only waste that has been double bagged or packaged in equivalent or greater standards should be accepted at the facility for disposal.
- 4.3 Asbestos waste shall not be stockpiled for burial at a later date.
- 4.4 The facility shall not accept any material that contains other hazardous characteristics including but not limited to material contaminated with lead paint or other heavy metals
- 4.5 As part of the application for the Part V Approval under the *Environment Act*, the Approval Holder shall submit for review and comment, an Environmental Management Plan (EMP). The EMP shall include:
- a) environmental management roles and responsibilities
 - b) environmental protection plans including but not limited to erosion and sedimentation control
 - c) all monitoring and inspection requirements and parameters
 - d) training and education requirements
 - e) communication and reporting protocols
 - f) process and schedule for EMP implementation and updating, through site development, construction and facility operations.

- g) a detailed site drainage and surface water management plan prepared and signed by a professional engineer, to the satisfaction of NSE.
 - h) a detailed plan for any waste staging area, waste receiving, placement of waste in disposal cells and all covering procedures.
 - i) a detailed procedure for when waste disposal operations are to be suspended due to inclement weather and/or poor site conditions.
- 4.6 The Approval Holder shall update and revise the EMP as required by NSE throughout the life of the Undertaking.
- 4.7 As part of the application for the Part V Approval under the *Environment Act*, the Approval Holder shall submit for review and comment, a detailed site design including proposed cell specifications, measured depth to water table and a complete site footprint.
- 4.8 The Approval Holder shall weigh and maintain accurate records of all asbestos waste accepted at the site for the life of the facility. These records shall be made available to NSE upon request.
- 4.9 Cover material for the waste shall not include construction and demolition waste material unless approved by an Administrator.

5.0 Flora and Fauna

- 5.1 Clearing, grubbing and construction work shall be conducted outside of the breeding/nesting/fledging season for most bird species (April 15th to August 15th), unless otherwise approved by NSE.

6.0 Wetlands and Water Resources

- 6.1 The Approval Holder shall not undertake any Undertaking related activities within 30 metres of a watercourse and/or wetland, unless otherwise approved by NSE. No development or removal of vegetation within this 30 metre buffer is permitted unless otherwise approved by NSE.
- 6.2 If avoidance of wetlands is not possible during the development of the

Undertaking, any loss of wetland habitat through direct infilling or indirectly through alteration of wetland hydrology will require a wetland evaluation and application for alteration under the Activities Designation Regulations.

- 6.3 All discharges from the site shall meet NSE requirements.
- 6.4 The Approval Holder shall monitor groundwater and surface water to the satisfaction of NSE.
- 6.5 The Approval Holder shall not bury asbestos waste within 1.0 m of the measured maximum high water table, unless otherwise approved in writing by NSE.

7.0 Public and Aboriginal Consultation

- 7.1 At the request of NSE, the Approval Holder shall submit to NSE for review and approval a public communication and complaint response plan.
- 7.2 At the request of NSE, the Approval Holder shall form a Community Liaison Committee (CLC) The NSE's Guidelines for the Formation of a Community Liaison Committee should be used for guidance. The Approval Holder shall operate the CLC for the duration of the Undertaking or until released in writing by NSE.

8.0 Archaeological and Heritage Resources

- 8.1 The Approval Holder shall cease work and contact the Special Places Coordinator, CCH immediately upon discovery of an archaeological site or artifact unearthed during any phase of the Project. If the find is of certain or suspected Mi'kmaq origin, the Approval Holder shall also contact the appropriate Mi'kmaq representatives as advised by CCH.

9.0 Contingency Plans

- 9.1 The Approval Holder, as part of the application for the Part V Approval under the *Environment Act*, shall prepare a contingency plan that meets NSE's Contingency Planning Guidelines and addresses (including but not limited to):
 - a) an Emergency Response Plan which is consistent with or exceeds the requirements of NSE's Contingency Planning Guidelines. The Plan shall be implemented to address spills, fire and environmental

emergencies throughout site development, construction and operation of the Undertaking.

- b) accidental occurrences, and includes the location of necessary spill equipment kept on-site and emergency phone numbers;
- c) training to be delivered to staff, including contractors;
- d) procedures for responding to incidents occurring during times when the facility is not staffed (e.g., evenings, weekends, holidays);
- e) impacts to watercourses and water resources and domestic water supplies;
- f) releases of dangerous goods or waste dangerous goods;
- g) potential fire at the facility (communicated to local fire and emergency service providers); and
- h) petroleum and hazardous material spills and surface water control structure failure.
- i) The contingency plan shall list the NSE 24-hour environmental emergency reporting number (1-800-565-1633).
- j) The contingency plan shall include that Nova Scotia's Emergency Spill Regulations require that an unauthorized release of 50 kg of asbestos waste is reportable unless alternate reporting requirements have been described in the approval. A lesser amount may also be considered reportable if it has the potential to cause an adverse effect.
- k) The contingency plan shall be kept on site at all times and made available to NSE upon request.
- l) such other information as required by NSE.

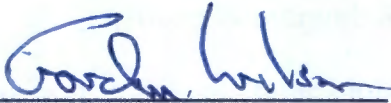
9.2 Contingency plans shall be updated/revised to reflect the progressive development of the waste dangerous goods facility (asbestos).

9.3 Hazardous materials or petroleum products that are to be stored on the site shall be stored in a manner that is approved by NSE.

9.4 Refueling shall not be conducted within 100 metres of any surface water resource, unless otherwise approved by NSE.

10.0 Site Reclamation

10.1 The Approval Holder shall submit a cell reclamation plan to NSE for review and approval at least 90 days prior to scheduled abandonment/closure for the facility.



Gordon Wilson, MLA
Minister of Environment