

Environmental Assessment Approval

Approval Date: **NOV 29 2018**

Asbestos Waste Disposal Cell

Yarmouth County Solid Waste Management Authority

Yarmouth County, Nova Scotia

The Asbestos Waste Disposal Cell Project (the "Undertaking"), proposed by: Yarmouth County Solid Waste Management Authority (the "Approval Holder") in South Ohio, Yarmouth 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

1.0 General Approval

- 1.1 The Environmental Assessment Approval for the Undertaking is limited to the Undertaking as described in the Environmental Assessment Registration Document. Any proposal by the Approval Holder for expansion, modification or relocation of any aspect of the Undertaking from that proposed in the Registration Document shall be submitted to the Environmental Assessment Branch for review and may require an environmental assessment (EA).
- 1.2 The Approval Holder shall, within two years of the date of issuance of this Approval, commence work on the Undertaking unless granted a written extension by the Minister. The Approval Holder shall notify Nova Scotia Environment (NSE) of the commencement date of the Undertaking, at a minimum 30 days prior to the commencement.

- 1.3 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.
- 1.4 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.
- 1.5 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 an approval from a parent company to a subsidiary or an affiliate is deemed to be a transfer requiring consent.

2.0 Facility Operation

- 2.1 As part of the application to amend 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 plan prepared and signed by a professional engineer, to the satisfaction of NSE
- 2.2 The Approval Holder shall update and revise the EMP as required by NSE throughout the life of the Undertaking.
- 2.3 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.
- 2.4 The Approval Holder shall post and maintain appropriate signage at each receiving facility at the Municipal Solid Waste Management Park to ensure no asbestos waste is delivered to any other facility at the park.

3.0 Flora and Fauna

- 3.1 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.

4.0 Wetlands and Water Resources

- 4.1 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.
- 4.2 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.
- 4.3 All discharges from the site shall meet NSE requirements.
- 4.4 The Approval Holder shall monitor groundwater and surface water to the satisfaction of NSE.
- 4.5 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.

5.0 Public and Aboriginal Consultation

- 5.1 At the request of NSE, the Approval Holder shall submit to NSE for review and approval a public communication and compliant response plan.
- 5.2 At the request of NSE, the Approval Holder shall form a Community Liaison Committee (CLC) prior to commencement of the Undertaking. 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.

6.0 Archaeological and Heritage Resources

- 6.1 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.

7.0 Contingency Plans

- 7.1 The Approval Holder, as part of the application to amend 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 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.

- 7.2 Contingency plans shall be updated/revised to reflect the progressive development of the waste dangerous goods facility (asbestos).
- 7.3 Hazardous materials or petroleum products that are to be stored on the site shall be stored in a manner that is approved by NSE.
- 7.4 Refueling shall not be conducted within 100 metres of any surface water resource, unless otherwise approved by NSE.

8.0 Site Reclamation

- 8.1 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.



Margaret Miller, MLA
Minister of Environment