



GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR
Department of Municipal Affairs & Environment

CERTIFICATE OF APPROVAL

Pursuant to the Environmental Protection Act, SNL 2002 c E-14.2 Section 83

Issue Date: *June 30, 2017*

Approval No. AA17-065642

Expiration: *June 30, 2022*

File No. 712.206 A

Proponent: **Molson Coors Canada, St. John's**
P.O. Box 5308
131 Circular Road
St. John's, Newfoundland
A1C 5W1

Attention: **Mr. Kevin Fisher, Senior Manager Regional EHS QUE/ATL**

Re: **Molson Coors Canada, St. John's Brewery**

Approval is hereby given for: the operation of a brewery in St. John's, NL.

This Certificate of Approval does not release the proponent from the obligation to obtain appropriate approvals from other concerned provincial, federal and municipal agencies. Nothing in this Certificate of Approval negates any regulatory requirement placed on the proponent. Where there is a conflict between conditions in this Certificate of Approval and a regulation, the condition in the regulation shall take precedence. Approval from the Department of Municipal Affairs & Environment shall be obtained prior to any significant change in the design, construction, installation, or operation of the facility, including any future expansion of the brewery. This Certificate of Approval shall not be sold, assigned, transferred, leased, mortgaged, sublet or otherwise alienated by the proponent without obtaining prior approval from the Minister.

This Certificate of Approval is subject to the terms and conditions as contained therein, as may be revised from time to time by the Department. Failure to comply with any of the terms and conditions may render this Certificate of Approval null and void, may require the proponent to cease all activities associated with this Certificate of Approval, may place the proponent and its agent(s) in violation of the *Environmental Protection Act*, and will make the proponent responsible for taking such remedial measures as may be prescribed by the Department. The Department reserves the right to add, delete or modify conditions to correct errors in the Certificate of Approval or to address significant environmental or health concerns.


FOR **MINISTER**

TERMS AND CONDITIONS FOR APPROVAL No. AA17-065642

June 30, 2017

General

1. This Certificate of Approval is for the operation of a brewery in St. John's, Newfoundland and Labrador as per plans and specifications supplied by Molson Coors Canada, St. John's for this Certificate of Approval. Extensive future expansion or change of activities will require a separate Certificate of Approval.
2. Any inquiries concerning this approval shall be directed to the St. John's office of the Pollution Prevention Division (telephone: (709) 729-2556; or facsimile: (709) 729-6969).
3. In this Certificate of Approval:
 - **accredited** means the formal recognition of the competence of a laboratory to carry out specific functions;
 - **BOD₅** means biochemical oxygen demand (5 day test);
 - **composite sample** means a quantity of undiluted effluent collected continually at an equal rate or at a rate proportionate to flow over a designated sampling period;
 - **Department** means the Department of Municipal Affairs & Environment and its successors;
 - **Director** means the Director of the Pollution Prevention Division of the Department;
 - **discharge criteria** means the maximum allowable levels for the parameters listed in Table 2;
 - **DOC** means dissolved organic carbon;
 - **EDMS** means environmental data management system;
 - **grab sample** means a quantity of undiluted sample collected at any given time. In this approval it refers to waste oil and effluent;
 - **hazardous waste** means a product, substance or organism that is intended for disposal or recycling, including storage prior to disposal or recycling, and that:
 - (a) is listed in Schedule III of the *Export and Import of Hazardous Waste Regulations under the Canadian Environmental Protection Act, 1999*;
 - (b) is included in any of Classes 2 to 6, and 8 and 9 of the *Transportation of Dangerous Goods Regulations* under the *Transportation of Dangerous Goods Act, 1992*; or
 - (c) exhibits a hazard classification of a gas, a flammable liquid, an oxidizer,

or a substance that is dangerously reactive, toxic, infectious, corrosive or environmentally hazardous;

- **Molson** means Molson Coors Canada, St. John's;
- **licensed** means has a Certificate of Approval issued by the Minister to conduct an activity;
- **liquid waste** is defined by the *Slump Test* (Canadian Standards Association test method A23.2-5C for determining the slump of concrete). The liquid waste slump test involves placing the waste in a 30 cm open inverted cone. The cone is removed and the immediate decrease (slump) in height of the waste material is measured. If the material slumps such that the original height is reduced by 15 cm or more, the waste is considered liquid;
- **malfunction** means any sudden, infrequent and not reasonably preventable failure of air pollution control equipment, wastewater treatment equipment, process equipment, or a process to operate in a normal or usual manner. Failures caused in part by poor maintenance or careless operation are not malfunctions;
- **Minister** means the Minister of the Department;
- **Plan** means the specific plan as identified in the section of this Approval within which it is used. For example, in the *Waste Management Plan* section it refers to the Waste Management Plan;
- **proficiency testing** means the use of inter-laboratory comparisons to determine the performance of individual laboratories for specific tests or measurements;
- **QA/QC** means Quality Assurance/Quality Control;
- **register(ed)** means that information regarding the storage tank system has been submitted to a Service NL office and a registration number has been assigned to the storage tank system.
- **regulated substance** means a substance subject to discharge limit(s) under the *Environmental Control Water and Sewage Regulations, 2003*;
- **spill or spillage** means a loss of gasoline or associated product in excess of 70 litres from a storage tank system, pipeline, tank vessel or vehicle, or an uncontrolled release of any volume of a regulated substance onto or into soil or a body of water;
- **storage tank system** means a tank and all vent, fill and withdrawal piping associated with it installed in a fixed location and includes a temporary arrangement;
- **TDS** means total dissolved solids;
- **TSS** means total suspended solids;

- **used lubricating oil** means lubricating oil that as a result of its use, storage or handling, is altered so that it is no longer suitable for its intended purpose but is suitable for refining or other permitted uses;
 - **used oil** means a used lubricating oil or waste oil; and
 - **waste oil** means an oil that as a result of contamination by any means or by its use, is altered so that it is no longer suitable for its intended purpose.
4. All necessary measures shall be taken to ensure compliance with all applicable acts, regulations, policies and guidelines, including the following, or their successors:
- *Environmental Protection Act;*
 - *Air Pollution Control Regulations, 2004;*
 - *Environmental Control Water and Sewage Regulations, 2003;*
 - *Halocarbon Regulations;*
 - *Storage and Handling of Gasoline and Associated Products Regulations, 2003;*
 - *Used Oil Control Regulations;*
 - *Heating Oil Storage Tank System Regulations, 2003;*
 - *Storage of PCB Waste Regulations, 2003;*
 - *Ambient Air Monitoring Guidance Document;*
 - *Sampling of Water and Wastewater - Industrial Effluent Applications Guidance Document;*
 - *Accredited Laboratory Policy;*
 - *Compliance Determination Guidance Document;*
 - *Stack Emission Testing Guidance Document;*
 - *Plume Dispersion Modelling Guidance Document; and*
 - *Precipitation Drainage of Dyke Areas Guidance Document.*

This Approval provides terms and conditions to satisfy various requirements of the above listed acts, regulations, Departmental policies and guidelines. If it appears that any of the pertinent requirements of these acts, regulations, policies and guidelines are not being met, then a further review of the works shall be conducted, and suitable pollution control measures may be required by the Minister.

5. All reasonable efforts shall be taken to minimize the impact of the operation on the environment. Such efforts include minimizing the area disturbed by the operation, minimizing air or water pollution, finding alternative uses, acceptable to the Director, for waste or rejected materials, removing equipment or structures when they no longer have further use, and considering the requirement for the eventual rehabilitation of disturbed areas when planning the development of any area on the facility property.
6. Molson shall provide to the Department, within a reasonable time, any information, records, reports or access to data requested or specified by the Department.
7. Molson shall keep all records or other documents required by this Approval at the facility for a period of not less than three (3) years, beginning the day they were made. These records shall be made available for review by officials of the Department or Service NL when requested.
8. Should Molson wish to deviate in any way from the terms and conditions of this

Certificate of Approval, a written request detailing the proposed deviation shall be made to the Minister. Molson shall comply with the most current terms and conditions until the Minister has authorized otherwise. In the case of meeting a deadline requirement, the request shall be made at least 60 days ahead of the applicable date as specified in this Approval or elsewhere by the Department.

Point Source Inventory

9. Molson shall maintain a list of stationary point source emitters (i.e. boilers, process heaters, dryers, incinerators, induration machines, kilns, process vents, flares, etc.) in operation. Information to be included in the list shall be manufacturer, manufactured date, installation date, and specifications of outlet stack, associated pollution control equipment, fuel burned, and any other information which Molson considers appropriate.

Waste Management

10. All waste generated at the facility is subject to compliance with the *Environmental Protection Act*. All non-industrial waste shall be placed in closed containers and, on at least a weekly basis, removed from the site. If required, industrial waste shall be disposed of by a licensed operator. These wastes shall be disposed of at an authorized waste disposal site with the permission of the owner/operator of the site.
11. Molson shall ensure that all volatile chemical and solvent wastes, if they cannot be reused, are placed in suitable covered containers for disposal in a manner acceptable to the Department. Disposal of liquid wastes at waste disposal sites in the province is not permitted.
12. Disposal of hazardous waste in a municipal or regional waste disposal site in this Province is prohibited. Transporters of hazardous waste shall have an approval issued by the Minister. Those generating hazardous waste shall have a waste generators number issued by the Director and shall also complete the required information outlined in the Waste Manifest Form.

Waste Management Plan

13. Molson shall continue to implement the Waste Management Plan for the brewery. Every year the Plan shall be reviewed and revised as necessary, accounting for expanding or alteration of activities. All proposed revisions shall be submitted to the Director for review. The Department will acknowledge receipt of the Plan and/or revisions, and shall provide any review comments within a reasonable time frame.

Noise

14. Efforts shall be made to minimize and control noise resulting from Molson's operations and maintenance activities. All vehicles hauling materials within the facility shall have exhaust and muffling devices in good working order.

Spill Prevention and Containment

15. Areas in which chemicals are used or stored shall have impermeable floors and dykes or curbs and shall not have a floor drain system, nor shall it discharge to the environment. Areas inside the dykes or curbs shall have an effective secondary containment capacity of at least **110%** of the chemical storage tank capacity, in the case of a single storage container. If there is more than one storage container, the dyked area shall be able to retain no less than **110% of the capacity of the largest container or 100 % of the capacity of the largest container plus 10% of the aggregate capacity of all additional containers, whichever is greater.** These dyked areas shall be kept clear of material that may compromise the capacity of the dyke system. Once a year, the dykes shall be visually inspected for their liquid containing integrity, and repairs shall be made when required. Once every ten years, the dykes shall be inspected, by a means other than visual inspection, for their liquid containing integrity, and repairs shall be made when required.
16. All on site storage of petroleum shall comply with the ***Storage and Handling of Gasoline and Associated Products Regulations, 2003***, or its successor. Storage tank systems shall be registered with Service NL. All aboveground storage tanks shall be clearly and visibly labelled with their GAP registration numbers.
17. Where applicable, all tanks and fuel delivery systems shall be inspected to appropriate American Petroleum Institute or Underwriters' Laboratories of Canada standards, or any other standards acceptable to this Department. The required frequency of inspections may be changed at the discretion of the Director.
18. Molson shall maintain an inventory of all petroleum and chemical storage tanks. This inventory shall include a plan showing location, registration number (where applicable), identification number, material stored, capacity, annual throughput, tank material, tank type, tank diameter, tank height, tank colour, roof type, year of manufacture, date of installation, date of last inspection, failure history, maintenance history, dyke capacity and date of next planned inspection. Every two (2) years, an update of any significant changes to the inventory shall be submitted to the Director.

Contingency Plan

19. A Contingency Plan for the operation of the brewery shall be submitted to the Director for review by ***December 31, 2017***. The Plan shall clearly describe the actions to be taken in the event of a spill of a toxic or hazardous material. It shall include, as a minimum: notification and alerting procedures; duties and responsibilities of the "on-scene commander" and other involved staff; spill control and clean-up procedures; restoration of the spill site; information on disposal of contaminants; and resource inventory. Copies of the Plan shall be placed in convenient areas throughout the facility so that employees can easily refer to it when needed. Molson shall ensure that all employees are aware of the Plan and understand the procedures and the reporting protocol to be followed in the event of an emergency. An annual response exercise is recommended for response personnel. Every year, as a minimum, the Plan shall be reviewed and revised as necessary. Any proposed significant revisions shall be submitted to the Director for review. Changes which are not considered significant include minor variations in equipment or personnel characteristics which do not effect implementation of the Plan.

20. Every time Molson implements the Contingency Plan, information shall be recorded for future reference. This will assist in reviewing and updating the Plan. The record is to consist of all incidents with environmental implications, and include such details as: date; time of day; type of incident (i.e. liquid spill, gas leak, granular chemical spill, equipment malfunction, etc.); actions taken; problems encountered; and other relevant information that would aid in later review of the Plan performance. Each incident report shall be submitted to the Director as per the **Reporting** section.

Site Decommissioning & Restoration Plan

21. A Plan to restore areas disturbed by the operation shall be submitted to the Director for review by **December 31, 2017**. For guidance on the preparation of the Plan, refer to Appendix A. Wherever possible, the Plan shall promote progressive reclamation of disturbed areas. Molson shall proceed through a phased environmental site assessment process to closure.

Used Oil

22. Used oil shall be retained in an approved tank or closed container, and disposed of by a company licensed for handling and disposal of used oil products.

Boiler Ash

23. All boiler ash generated by Molson shall be considered as hazardous waste. Molson shall ensure all the boiler ash is disposed of by a licensed operator at a location acceptable to this Department. Disposal of hazardous waste in a municipal or regional waste disposal site in this Province is prohibited.

Effluent Monitoring and Discharge

24. Molson shall perform an Effluent Monitoring Program as per Table 1. All results shall be submitted to the Director as per the **Reporting** section.

Table 1: Effluent Monitoring Program			
Location	EDMS Location Code	Parameters	Frequency
Outfall	00348	BOD ₅ , TSS, pH	Weekly
		flow	Continuous
		Water chemistry analysis	Quarterly

Water Chemistry Analysis

25. Molson shall perform a Water Chemistry Analysis Program every three (3) months, as per Table 2. All results shall be submitted to the Director as per the **Reporting** section.

Table 2 - Water Chemistry Analysis Program		
Location	EDMS Location Code	Parameters
Outfall	00399	<p>General Parameters: temperature, dissolved oxygen (DO), nitrate + nitrite, nitrate, nitrite, pH, TSS, colour, sodium, potassium, calcium, sulphide, magnesium, ammonia, alkalinity, sulphate, chloride, turbidity, reactive silica, orthophosphate, phosphorous, DOC, conductance, TDS (calculated), phenols, carbonate (CaCO₃), hardness (CaCO₃), bicarbonate (CaCO₃)</p> <p>Metals Scan: aluminium, antimony, arsenic, barium, beryllium, bismuth, boron, cadmium, chromium, cobalt, copper, iron, lead, manganese, molybdenum, mercury, nickel, selenium, silver, strontium, thallium, tin, titanium, uranium, vanadium, zinc</p>

Stack Emissions Testing and Dispersion Modelling

26. Stack emissions testing and dispersion modelling will not be required if Molson continues to burn diesel oil, and the quantity of diesel oil consumed is less than 15,000,000 litres annually.

Analysis and QA/QC

27. Unless otherwise stated herein, all solids and liquids analysis performed pursuant to this Approval shall be done by either a contracted commercial laboratory or an in-house laboratory. Contracted commercial laboratories shall have a recognized form of accreditation. In-house laboratories have the option of either obtaining accreditation or submitting to an annual inspection by a representative of the Department, for which Molson shall be billed for each laboratory inspection in accordance with Schedule 1 of the *Accredited Laboratory Policy (PD:PP2001-01.02)*. Recommendations of the Director stemming from the annual inspections shall be addressed within 6 months, otherwise further analytical results shall not be accepted by the Director.
28. If Molson wishes to perform in-house laboratory testing and submit to an annual inspection by the Department then a recognized form of proficiency testing recognition shall be obtained for compliance parameters for which this recognition exists. The compliance parameters are listed in the *Effluent and Monitoring* section. If using a commercial laboratory, Molson shall contact that commercial laboratory to determine and to implement the sampling and transportation QA/QC requirements for those activities.
29. The exact location of each sampling point shall remain consistent over the life of the monitoring programs, unless otherwise approved by the Director.
30. Molson shall bear all expenses incurred in carrying out the environmental monitoring and analysis required under conditions of this Approval.

Monitoring Alteration

31. The Director has the authority to alter monitoring programs or require additional testing at any time when:
- pollutants might be released to the surrounding environment without being detected;
 - an adverse environmental effect may occur; or
 - it is no longer necessary to maintain the current frequency of sampling and/or the monitoring of parameters.
32. Molson may, at any time, request that monitoring program or requirements of this Approval be altered by:
- requesting the change in writing to the Director; and
 - providing sufficient justification, as determined by the Director.

The requirements of this Approval shall remain in effect until altered, in writing, by the Director.

Reporting

33. Monthly reports containing the environmental compliance monitoring and sampling information required in this Approval shall be received by the Director in digital format within 30 calendar days of the reporting month. All related laboratory reports shall be submitted with the monthly report in XML format and Adobe Portable Document Format (PDF). Digital report submissions shall be uploaded through the EDMS web portal. The Pollution Prevention Division shall provide details of the portal web address and submission requirements.
34. All incidents of:
- *Contingency Plan* implementation; or
 - non-conformance of any condition within this approval; or
 - spillage or leakage of a regulated substance; or
 - whenever discharge criteria is, or is suspected to be, exceeded (with the exception of TSS, BOD and pH non-compliances that occur under normal operating conditions and that are not the result of upset conditions); or
 - verbal/written complaints of an environmental nature from the public received by Molson related to the brewery, whether or not they are received anonymously;

shall be immediately reported, within one working day, to a person or message manager or facsimile machine by contacting this Department (St. John's office) by phoning (709) 729-2556.

A written report including a detailed description of the incident, summary of

contributing factors, and an Action Plan to prevent future incidents of a similar nature, shall be submitted to the Director. The Action Plan shall include a description of actions already taken and future actions to be implemented, and shall be submitted within thirty days of the date of the initial incident. The address for written report submission is:

Director, Pollution Prevention Division
Department of Municipal Affairs & Environment
P.O. Box 8700
St, John's, NL
A1B 4J6

35. Any spillage or leakage of gasoline or associated product shall be reported immediately through the Canadian Coast Guard at 1-(709)-772-2083.

Liaison Committee

36. The Department recognizes the benefits, and at times the necessity, of accurate, unbiased communication between the public and industrial operations which have an impact on the properties and residents in the area. The Department encourages the formation and regular meeting of a Liaison Committee comprised of representatives of Molson, the Department and independent members of the general population of central St. John's. Regular meetings of the Liaison Committee will provide a clear conduit of communication between concerned citizens and Molson. The Director reserves the right to require the formation of a Liaison Committee should it be deemed necessary.

Expiration

37. This Certificate of Approval expires *June 30, 2022*.
38. Should the proponent wish to continue to operate the brewery beyond this expiry date, a written request shall be submitted to the Director for the renewal of this approval. Such request shall be made prior to *December 30, 2021*.

APPENDIX A

Industrial Site Decommissioning and Restoration Plan Guidelines

As part of the Department of Municipal Affairs & Environment ongoing commitment to minimize the residual impact of industrial activities on the environment of the province, the Department requires that Molson develop a Decommissioning and Restoration Plan for the St. John's brewery at 131 Circular Road, St. John's and its associated property. The guidelines listed below are intended to provide some general guidance as to the expectations of the Department with regard to the development of the Plan, and to identify areas that are of particular concern or interest. The points presented are for consideration, and are open to interpretation and discussion.

Decommissioning and Restoration Plans are intended to present the scope of activities that a company shall undertake at the time of final closure and/or decommissioning of the industrial properties. Where it is useful and practical to do so the company is encouraged to begin undertaking some of the activities outlined in the Plan prior to final closure and decommissioning. The objectives of the restoration work to be undertaken can be summarized as follows:

- to ensure that abandoned industrial facilities do not endanger public health or safety;
- to prevent progressive degradation and to enhance the natural recovery of areas affected by industrial activities;
- to ensure that industrial facilities and associated wastes are abandoned in a manner that will minimize the requirement for long term maintenance and monitoring;
- to mitigate, and if possible prevent, the continued loadings of contaminants and wastes to the environment. The primary objective shall be to prevent the release of contaminants into the environment. Where prevention is not practical due to technical or economic limitations then activities intended to mitigate the consequence of such a release of contaminants shall become the objective of restoration work;
- to return affected areas to a state compatible with the original undisturbed condition, giving due consideration to practical factors including economics, aesthetics, future productivity and future use; and
- to plan new facilities so as to facilitate eventual rehabilitation.

The Decommissioning and Restoration Plan should:

- identify areas of known historical or current contamination;
- identify past or existing operational procedures and waste management practices that have, or may have, resulted in site contamination;
- highlight the issues or components to be addressed;
- identify operational procedures and waste management practices that can prevent or reduce site contamination;

- consider future land use, regulatory concerns and public concerns;
- enable estimation of the resources and time frame required to decommission the facility and restore the site to a condition acceptable to the Department;
- enable financial planning to ensure the necessary funds for decommissioning and restoration are set aside during the operational life of the facility, and;
- include arrangements for appropriate project management to ensure successful completion of the decommissioning and restoration program.

cc: Mr. Neil Codner
Environment and Climate Change Canada
6 Bruce Street
Mount Pearl, NL
A1N 4T3

Mr. Robert Locke
Manager of Operations and Environmental Protection
Service NL
5 Mews Place
P.O. Box 8700
St. John's, NL
A1B 4J6

Mr. Rick Curran - Regional Director
Service NL
5 Mews Place
P.O. Box 8700
St. John's, NL
A1B 4J6