

OCT 13 2021

COR/2021/03393

Reg. # 2163

Bay de Verde Brewing Company.  
c/o Reg Gervais & Kim Sutton  
26 Tavenors Road  
Bay de Verde NL A0A 1E0

Dear: Mr. Gervais and Ms. Sutton:

**Re: Bay de Verde Brewing Company**

Your proposal has been reviewed by an interdepartmental environmental assessment screening committee and an opportunity to comment has been provided to the public as required by Part X of the Newfoundland and Labrador Environmental Protection Act, SNL 2002, cE-14.2. Please be advised that this undertaking is **released** from further environmental assessment subject to the following conditions:

- You are required to uphold all commitments made in your environmental assessment submission to mitigate the effects of the project on the environment.
- You are required to update the Environmental Assessment Division on the status of your project, including a copy of all permits, licences, certificates, approvals and other authorizations required for your project, one year from the date of this release letter and to provide additional updates if required. Please email your project updates to [EAProjectComments@gov.nl.ca](mailto:EAProjectComments@gov.nl.ca).

**Federal and provincial government departments and agencies that reviewed your project during the environmental assessment provide the following advice:**

The Environmental Assessment Division of my Department informs that Sections 37(1)(a) of the Environmental Assessment Regulations requires an undertaking engaged in the manufacture of animal feed to register for environmental assessment. Please submit a description of your proposed activities to use spent grain as animal feed to the Environmental Assessment Division for review, by sending your description to [EAProjectComments@gov.nl.ca](mailto:EAProjectComments@gov.nl.ca). For further information, please contact (709) 729-4223.



The Water Resources Management Division of my Department requires you to obtain a Water Use License and permits to work in or near a body of water. If the microbrewery connects to the municipal sewer and the connection is 200 millimetres or larger, a permit to construct under Section 36 of the Water Resources Act is required. For further information, please contact the Water Resources Management Division at (709)729-2563 or email [LeahBurry@gov.nl.ca](mailto:LeahBurry@gov.nl.ca).

The Pollution Prevention Division of my Department reminds that all water discharged from the proposed site during construction and operation is subject to compliance with the Environmental Control Water and Sewage Regulations, 2003, under the Water Resources Act. Additionally, please note that permission from the Town Council is required for the composting of organic material originating from the facility at residential properties located within the town boundary. For further information, please contact the Pollution Prevention Division at (709) 729-5782 or email [rlocke@gov.nl.ca](mailto:rlocke@gov.nl.ca).

The Pollution Prevention Division and the Department of Digital Government and Service NL require that all fuel storage tank systems, other than those connected to a heating appliance of capacity of 2,500 litres or less, shall be registered prior to installation. Used oil and used glycol shall be retained in a tank or closed container. Please contact Digital Government and Service NL to determine whether registration is required for the particular device/tank proposed in your registration document at (709) 945-3114.

The Government Service Centre of Digital Government and Service NL requires that all propane system installations exceeding 211,000 kilojoules (200,000 BTU) are subject to the Boiler, Pressure Vessel and Compressed Gas Regulations under the Public Safety Act and will require approval prior to installation. The Government Service Centre reminds you that the facility is not to be occupied until it is connected to the municipality's water supply and sewage disposal system, and an electrical permit must be issued before any electrical work/installation commences. Additionally, this undertaking requires a food establishment licence and may require a food and tobacco licence, and Certified Food Safety Training is required prior to operating a food establishment. A list of courses can be found here: <https://www.gov.nl.ca/hcs/files/Approved-courses-May-2021.pdf>. For further information, please contact (709) 729-3699.

The Occupational Health and Safety Division of the Department of Digital Government and Service NL advises you to ensure that the activities associated with the development are conducted in compliance with the Occupational Health and Safety Act and its regulations. This includes the responsibility for ensuring that contractors hired to perform work also comply



with this legislation. The Occupational Health and Safety Division reminds you to consider procedures related to the protection of workers related to COVID-19. Procedures must follow the requirements set forth by the Chief Medical Officer of Health for Newfoundland and Labrador (e.g. physical distancing, handwashing). For further information, please contact (709) 729-2706.

The Department of Health and Community Services recommends that you contact an Environmental Health Officer with the Department of Digital Government and Service NL prior to construction. Health and Community Services further recommends that you consult with nearby residential property owners regarding potential odours prior to any construction or expansion. For more information, please contact (709) 729-3422.

The Local Governance and Land Use Planning Division of the Department of Municipal and Provincial Affairs advises that the subject area is within the community-infilling limit for the Community of Bay de Verde. Permitted uses within an infilling limit are described in the Mixed Zone in the Protected Road Zoning Regulations, and include commercial uses, taverns, and light industrial uses. By definition under those regulations, a light industrial use must "be carried out without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust, grit or appearance". For further information, please contact (709) 729-4475.

Environment and Climate Change Canada recommends that you develop spill response contingency plans that considers potential accidents. For more information, please contact the Canadian Wildlife Service of Environment and Climate Change Canada at 1-800-668-6767.

Fisheries and Oceans Canada advises that the modernized Fisheries Act include fish and fish habitat protection provisions, which came into effect on August 28, 2019. If you are conducting work in or near water you should refer to the Projects Near Water website to get information about how to comply with the Fisheries Act and as well as information on the project review process. The "Projects Near Water" website is located at <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>. For further information, please contact the Fisheries Protection Program at (709) 772-4140.

Although the undertaking as proposed is released from further environmental assessment, it is still subject to other legislative requirements. A summary of the comments received from government agencies during the review is attached to provide an indication of likely applicable permits, approvals and legislative requirements. You must comply with all relevant legislation



and obtain all necessary permits and approvals. You are required to inform this Department of any proposed significant changes to the undertaking.

Please note that in accordance with Section 17 of the Environmental Assessment Regulations, the Minister's decision is valid for a period of three years from the date of this letter. If you have not commenced your project within this three year period, you may apply to extend the three-year period for a maximum of three one-year periods, if needed. For further information, please email [EAProjectComments@gov.nl.ca](mailto:EAProjectComments@gov.nl.ca).

If you have any questions, please contact Joanne Sweeney, Director, Environmental Assessment Division, at 709-729-0673 or [joannesweeney@gov.nl.ca](mailto:joannesweeney@gov.nl.ca).

Sincerely,

A handwritten signature in blue ink, appearing to be "BD", with a long horizontal line extending to the right.

**HON. BERNARD DAVIS, MHA**

District of Virginia Waters - Pleasantville Minister

Cc: Hon. Steve Crocker, MHA – District of Carbonear - Trinity - Bay de Verde

Enclosure