

NOV - 9 2021

COR/2021/04064

Reg. # 2171

Charlene Penney
Penney's Pit Stop
200 Route 510
Port Hope Simpson, NL A0K 4E0
Email: penneypitstop@outlook.com

Dear Ms. Penney:

Re: Port Hope Simpson Scrapyard

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.
- The Department of Fisheries, Forestry and Agriculture requires that vegetation clearing is not to occur within 800 metres of a bald eagle or osprey nest during the nesting season (March 15 to July 31) and 200 metres during the remainder of the year; the 200-metre buffer applies to all other raptor nests (e.g. Northern Goshawk, Sharp-shinned Hawk, Merlin, American Kestrel, Great-horned Owl, Boreal Owl, Northern Saw-whet Owl); and, the location of any raptor nest site must be reported to the Wildlife Division. For further information, please contact the Wildlife Division at (709) 637-2025.
- The Department of Tourism, Culture, Arts and Recreation notes that tourism operators in Port Hope Simpson have received significant provincial and federal government assistance to help develop the tourism industry to attract non-resident visitors. You are required to erect a tall fence and/or effective tree screening to obscure the view of the scrapyard from the Trans Labrador Highway. For further information, please contact the Tourism Product Development Division at (709) 729-4518.

- You are required to advise the Environmental Assessment Division when the conditions of release have been met, by emailing a written description, documents, and images (where applicable) to demonstrate that the conditions have been fulfilled to EAProjectComments@gov.nl.ca.
- 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.

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

The Pollution Prevention Division of my Department advises you to refer a document entitled "Best Management Practices for the Storage of Waste Dangerous Goods/Hazardous Waste at Business Sites." This document can be found online at <https://www.gov.nl.ca/ecc/files/env-protection-waste-guidancedocs-gd-ppd-077-best-management-practices-for-the-storage-of-waste-dangerous-goodshazardous-waste-wdghw-at-business-sites.pdf>. The Pollution Prevention Division recommends that you prepare and follow an Environmental Protection Plan and an Environmental Health and Contingency Plan for this operation. For further information, please contact the Pollution Prevention Division at (709) 729- 1810.

The Pollution Prevention recommended that a concrete pad be constructed as a lay-down area. The pad should be impermeable and have a means of containment for fluid. The Pollution Prevention Division advises that prior to crushing vehicles or other metals, the following must be removed: batteries, tires, lead wheel weights, mercury switches (if present), oil, gas, lubricants, halocarbons, windshield wash, coolants, brake fluid, steering fluid, transmission fluid, and other fluids. The Used Oil and used Glycol Control Regulations, <https://www.assembly.nl.ca/Legislation/sr/regulations/rc180100.htm>, govern the storage of many liquids that may be drained from vehicles. These regulations also allow the storage of such liquids in a registered storage tank. Batteries shall be safely stored off the ground on an impermeable liner/surface and secured from the elements in a covered ventilated area. Combustible materials and other incompatible hazardous wastes shall not be stored near the battery storage area. Lead wheel weights shall be recovered and stored indoors or in a leak-proof container, separately from other metals.

You are advised that if you wish to crush metals in the future, a certificate of approval is required. In addition, if you wish to burn used oil (fluids) in a waste burning furnace, the Air Pollution Control Regulations <https://www.assembly.nl.ca/legislation/sr/regulations/rc040039.htm> require you to obtain prior approval from the Pollution Prevention Division. If you plan to accept other types of metals, in addition to vehicles the following shall apply;

- Refrigeration and air conditioning equipment shall be handled in a manner to prevent release of halocarbons, as per the Halocarbon Regulations, <https://www.assembly.nl.ca/legislation/sr/regulations/rc050041.htm>.
- Only approved persons as defined in the Halocarbon Regulations shall recover and contain regulated substances. The recovered regulated substance shall be put into approved containers and the drained equipment shall then be labelled "Halocarbon Free".
- The recovered regulated substances must be disposed of in accordance with the Halocarbon Regulations.

For further information, please contact the Pollution Prevention Division at (709) 729- 5782.

Finally, the Pollution Prevention Division advises you to contact the Multi Material Stewardship Board for information on the proper storage and collection of tires. For more information, please contact the Multi Material Stewardship Board at (709) 753-0955.

The Water Resources Management Division of my Department notes there is a waterbody located on your project site. A map indicating the waterbody is included in the attached document entitled "Comments for the Proponent." The Water Resources Management Division reminds you that permits are required for any work within any body of water (including wetlands), for any work in a shore water zone, and infilling within 15 metres of bodies of water. You are advised to comply with my Department's policies on Developments in Shore Water Zones, and Infilling Bodies of Water. These policies are found on the Department's web page at <https://www.gov.nl.ca/ecc/waterres/regulations/policies>. The Water Resources Management Division advises that any effluent leaving the site must conform to the requirement of the Environmental Control water and Sewage Regulations. For more information, please contact the Water Resources Management Division at (709) 729-1646. The Government Service Centre of the Department of Digital Government and Service NL advises of permits that may be required for fire/life safety, building accessibility, access road construction, and electrical work. The Government Service Centre further advises that the proposed development is not to be occupied until it is connected to the municipal water supply and sewage disposal system, or to a private sewage disposal system. The Government

Service Centre notes that the disposal of passenger tires is banned at waste disposal sites. If you choose to accept tires for collection by an approved reuse or recycling facility, the tires are to be stored in a separate tire storage pile. For more information, please contact the Government Service Centre at (709) 896-5428.

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 associated with the protection of workers related to COVID-19. Procedures must follow the requirements set forth by the Chief Medical Officer of Newfoundland and Labrador (e.g. physical distancing, handwashing).

The Department of Fisheries, Forestry and Agriculture notes that you have an active Crown land application for the proposed site of the scrapyard and reminds you that no development is to occur on the site until a title is issued. For more information, please contact the Crown Lands Administration Division at 1-833-891-3249.

The Department of Municipal and Provincial Affairs advises that the Town of Port Hope Simpson Development Regulations require a 10-metre buffer where an industrial use area abuts a residential zone or use. Municipal and Provincial Affairs further advises that a development permit is required from the Town. For more information, please contact the Local Governance and Land Use Planning Division at (709) 729-3090.

The Department of Transportation and Infrastructure advises that the construction of a perimeter fence is not to take place within a road right-of-way. For more information, please contact the Department of Transportation and Infrastructure at (709) 729-5493.

Transport Canada advises that compliance with the **Transportation of Dangerous Goods Act** is mandatory when handling and/or transporting any regulated dangerous goods. For more information, please see the Transportation of Dangerous Goods website at <https://tc.canada.ca/en/dangerous-goods/transportation-dangerous-goods-canada>.

The Department of Fisheries and Oceans advises that the modernized *Fisheries Act* includes 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. Failure to apply for an extension will result in the expiry of the Minister's decision, and your project will have to be registered again for environmental assessment, should you wish to proceed. For further information, please email 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.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bernard Davis", with a long horizontal line extending to the right.

HON. BERNARD DAVIS, MHA
District of Virginia Waters – Pleasantville
Minister

Enclosures

cc: Hon. Lisa Dempster
MHA, Cartwright – L'Anse au Clair