

Attachment B

Regulatory and Technical Advice from Environmental Assessment Committee

EA # 2363 Avalon Isthmus North Atlantic Refining Corp. Green Energy Project (the Project) North Atlantic Refining Corporation (the Proponent)

During the review of the Environmental Preview Report (EPR), the Environmental Assessment Committee (EAC) offered the following advice on technical aspects and plans, permits, licences, approvals and/or other authorizations that are or may be required before your Project commences. This is not intended to be a comprehensive list and supplements the information sent to you on November 25, 2025, and you are responsible for consulting with federal and provincial government authorities regarding any additional authorizations that may be required by law.

1 Department of Environment, Conservation and Climate Change - Pollution Prevention Division

- 1.1 A Certificate of Approval is required for construction and operation of the Hydrogen Generation Plant and Hydrogenation Plant.
- 1.2 A Pesticide Applicator License is required if a pesticide is required. If pest control services are required from a business, the business must have a valid Pesticide Operator Licence. For further information, please contact the Pest Control Section of the Department of Environment, Conservation and Climate Change at (709) 729-6054.
- 1.3 All waters discharged from the proposed site, during construction and operation, are subject to compliance with the Environmental Control Water and Sewage Regulations. Analyses completed for the purposes of compliance determination are subject to the Accredited Laboratory Policy, PD: PP2001-01.2.
- 1.4 All fuel storage tank systems, other than those connected to a heating appliance of capacity of 2,500 litres or less, require registration prior to installation. For further information, please contact Pollution Prevention Division at (709) 729-5782.

2 Department of Environment, Conservation and Climate Change – Water Resources Management Division

- 2.1 Proponent must obtain the required permits under Section 48 of the **Water Resources Act, 2002**, for any work in or within 15 metres of a body of water (including wetlands), prior to the commencement of the work. This includes the installation of drainage structures within the wind turbine farm, even if these structures are intended solely for drainage purpose and do not directly impact any watercourses or waterbodies. These permits must be obtained prior to the commencement of any work to ensure that the proposed structures have adequate capacity to safely convey the design flood flow.

- 2.2 Proponent must obtain a water use licence under the **Water Resources Act, 2002** for the use of water from any water source for any purpose. This applies for all non-domestic uses with an existing, new or planned water use from any water source.
- 2.3 Any effluent or runoff leaving the site will be required to conform to the requirements of the Environmental Control Water and Sewage Regulations, 2003.
- 2.4 Proponent must obtain a permit under the Section 39 of the **Water Resources Act, 2002**, for any proposed development adjacent to or within the Butcher's Brook and Centre Cove Rive Protected Public Water Supply Area(s) servicing the Communities of Come by Chance and Sunnyside respectively. Also, any work adjacent to or within this designated Protected Public Water Supply Area must comply with this Department's Policy for Land and Water Related Developments in Protected Public Water Supply Areas http://www.env.gov.nl.ca/env/waterres/regulations/policies/water_related.html. For further information, please contact WRMD at (709) 729-1158.
- 2.5 All stream crossings within the wind turbine areas must be designed to accommodate a 1-in-50-year climate change flow, as these will only be used for operation and maintenance purposes. Stream crossings along access roads that will also be used by the public must be designed for a 1-in-100-year climate change flow.
- 2.6 A permit to construct is required for accommodation facilities that are connected to a public water and/or wastewater system, if the facilities at the Bull Arm fabrication facility is not selected.
- 2.7 As committed in the EPR, a detailed Water Resources Management Plan for the entire project, along with stormwater drainage plans for the turbine farm and the hydrogen production facility for both the construction phase and the operation and maintenance phase, must be submitted to the Water Resources Management Division for review and approval.
- 2.8 As committed in the EPR, a detailed Erosion and Sediment Control Plan for the entire project that would be implemented prior to Project construction and for the life of the Project, must be submitted to the Water Resources Management Division for review and approval.
- 2.9 As committed in the EPR, a detailed Project Decommissioning and Rehabilitation Plan for the project should be developed and include decommissioning of water related infrastructure. For further information, please contact the Water Resources Management Division at (709) 729-1158.

3 Department of Energy and Mines

- 3.1 Energy Branch advises that permits and licenses will be required from Newfoundland and Labrador Hydro and the Public Utilities Board.

- 3.2 Energy Branch advises that this Project is subject to the terms and conditions of the existing Wind Hydrogen Hub Application Recommendation Letter (WARL) between the Department of Energy and Mines and the Proponent.
- 3.3 Mines Branch advises that if quarry materials are required, a quarry permit or lease is required. For further information, please contact Quarry Rights Section at (709) 729-5748 or email quarries@gov.nl.ca.

4 Department of Forestry, Agriculture and Lands

- 4.1 Proponent is advised to operate under established legislation and regulations such as the **Wild Life Act** and Wild Life Regulations, to avoid or minimize adverse impacts.
- 4.2 The **Wild Life Act**, Wild Life Regulations, **Migratory Birds Convention Act**, and the Migratory Bird Regulations protect birds and prohibit the disturbance or destruction of bird nests and eggs in the province. For additional information visit: <https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds.html>.
- 4.3 A research permit is required under Section 18 of the **Endangered Species Act (ESA)** for any species at risk surveys.
- 4.4 An Economic Activity Permit may be required under Section 19 of the **ESA** for the development of project mitigations and continued monitoring of impacted species.
- 4.5 A Cutting Permit is required prior to any harvesting or timber removal in the Project area.
- 4.6 An Operating Permit under Section 13 of the Forest Fire Regulations is required prior to the start of any work during the forest fire season and can be obtained from the local forest management district office. During the Forest Fire Season, a permit to burn is required under section 3 of the Forest Fire Regulations to ignite a fire on or within 300 metres of forest land.
- 4.7 Any activities that occur within the 15 metres Shoreline Reserve of any water body must strictly adhere to the regulations in Section 7 of the **Lands Act**.
- 4.8 Proponent must obtain appropriate Crown lands title prior to commencement of construction. All constructed resource roads for this project are to remain open for public access to facilitate the operational requirements to access agriculture lands, cottages, forestry, mineral exploration, and areas of interest for other users into the future.
- 4.9 Proponent is advised that the Environmental Effects Monitoring Plan commits to address species of conservation concern only and not species at risk. A Species at Risk IMMP may be required as part of the Section 19 permit application process under the **Endangered Species Act** For further information, please contact the Department of Forestry, Agriculture and Lands at (709) 729-1364.

5 Department of Government Services – Government Service Centre (GSC)

- 5.1 Any spill or leak of gasoline or associate product is to be reported immediately to the GSC by calling the Environmental Emergencies Telephone Line at (709) 772-2083 or 1-800-563-9089. For further information, please contact the Government Service Centre at (709) 729-0248.
- 5.2 Devices or tanks used to separate and remove oily wastes from oil and water mixtures may require registration under the Used Oil and Used Glycol Control Regulations. For further information, please contact the GSC at (709) 256-1420.
- 5.3 Electrical plans must be submitted to the GSC for review and approval.
- 5.4 An electrical permit is required for each meter.
- 5.5 An approval for septic services under Section 4 of the Sanitation Regulations may be required during construction and on an ongoing basis should permanent structures be required.
- 5.6 Approval is required for the installation of a subsurface sewage disposal system.
- 5.7 Proponent must apply to GSC for Fire/Life Safety (Request for Approval of Plans Form) and Building Accessibility (Application for Building Accessibility Registration Form) review/approvals.
- 5.8 A permit is required from GSC in accordance with the **Urban and Rural Planning Act** for the construction of an access road in a protected area, or for any access onto a protected road.
- 5.9 Approval is required for access to provincial roadways. For further information, please contact the Government Service Centre at (709) 729-0248.

6 Department of Government Services - Occupational Health and Safety

- 6.1 Proponent must ensure all activities are conducted with compliance with the **Occupational Health and Safety Act** and Regulations. This includes the responsibility for ensuring that contractors hired to perform work also comply with this legislation, as per **Occupational Health and Safety Act** section 10. For further information, please contact OHS at 1 (800) 563-5471.

7 Department of Municipal and Community Affairs

- 7.1 Proponent must obtain approval and permit from the Authority (Town of Sunnyside) for all project components within the municipal planning area of Sunnyside prior to development commencing, under the Towns municipal plan and development regulations.
- 7.2 Proponent must obtain approval and permit from the Authority (Government Service Center – Department of Government Services) for all project components within the building control lines of the Trans-Canada Highway, under the Protected Road Zoning Regulations, 996/96.
- 7.3 Proponent must obtain approval and permit from the Authority (Town of Come By Chance) for all project components within the municipal planning area of Come By Chance prior to development commencing, under the Towns municipal

plan and development regulations. For further information, please contact the Department of Municipal and Community Affairs at (709) 729-6528.

8 Department of Tourism, Culture, Arts and Recreation

- 8.1 A temporary vehicle access permit is required if the T'Railway Provincial Park is to be used in construction or operations.
- 8.2 A construction and use permit is required if the if the Project is to be accessed from the T'Railway Provincial Park by any means that will disturb the natural state of the park. For further information, please contact the Provincial Parks Division at (709) 637-2040 or trailway@gov.nl.ca.

9 Department of Transportation and Infrastructure

- 9.1 An access permit is required for any road access to provincial roadways. It is the Proponent's responsibility to review the Department's Access policy <https://www.gov.nl.ca/ti/files/highway-access-policy-2019.pdf> to determine conformance with the policy requirements for access.
- 9.2 A licence is required under Section 9 of the **Works, Services and Transportation Act** for the use of lands within departmental right of ways.
- 9.3 A permit is required for the movement of over dimension and weight vehicles. For further information, please contact the Department of Transportation and Infrastructure at (709) 729-5770.

10 Environment and Climate Change Canada

- 10.1 Proponent is advised to develop the following plans:
 - A wildlife emergency response plan
 - A contingency plan that considers potential accidents and malfunctions, and site-specific conditions and sensitivities.
- 10.2 Proponent is advised to contact ECCC on new wind farm development before undertaking any significant planning activities. For further information, please contact ECCC at radarsmeteo-weatheradars@ec.gc.ca.
- 10.3 Proponent is advised that in order to avoid nest destruction and to accommodate the breeding season of migratory birds, operations should consider nesting locations between mid-April and mid-August in this region. Environment and Climate Change Canada request that species at-risk sightings be reported to the Canadian Wildlife Service at ec.scfatldonneesei-cwsatliadata.ec@ec.gc.ca. For further information, please contact the Canadian Wildlife Service at (709) 772-4313.

11 Fisheries and Oceans Canada

- 11.1 Proponent should refer to the Projects Near Water website for information about how to comply with the **Fisheries Act** as well as information on the Project review process when conduction work in or near water. The 'Projects New Water' website is located at <https://www.dfo-mpo.gc.ca/pnw-pppe/index-eng.html>. For

further information, please contact the Fisheries Protection Program at (709) 772-4140.

12 Transport Canada

- 12.1 Proponent is advised that a Licence to Occupy for certain components of the project that may be located on Transport Canada submerged lands in Come by Chance. For further information, please contact Transport Canada at TC.ATLPorts-portsATL.TC@tc.gc.ca.
- 12.2 Proponent is advised that information regarding marking and lighting requirements for wind turbines can be found under Standard 621 - Obstruction Marking and Lighting - Canadian Aviation Regulations of the **Aeronautics Act**. The Aeronautical Assessment Form (AAF) is located in *Appendix C - Aeronautical Assessment Form for Obstruction Marking and Lighting (Form 26-0427E)* and when completed can be submitted to: aviation.atl@tc.gc.ca.
- 12.3 Proponent is advised that approval may be required under the **Canadian Navigable Waters Act (CNWA)**. More information on this process can be found at <https://tc.canada.ca/en/marine/about-canadian-navigable-waters-act>. For further information, please contact Transport Canada at (709) 351-3200 or contact the Navigation Protection Program directly at (506) 851-3113 or NPPATL-PPNATL@tc.gc.ca.