

Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA #: 2397 - Bay de Verde Marine Residual Material Processing Facility (the Project)
Quinlan Brothers Limited (the Proponent)

During the environmental assessment of the Project, provincial and federal government departments and agencies offered the following advice on technical aspects as well as 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 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 - Climate Change Branch

- 1.1 Proponent is advised to consider Section 9.36 of the National Building Code for energy efficiency requirements for new buildings.
- 1.2 Proponent is advised to consider vertical elevation, in addition to horizontal distance from bodies of water, during Project planning, as low-lying areas may be more vulnerable to extreme precipitation events and sea-level change.
- 1.3 Proponent is advised to operate all heavy-duty equipment in a manner that maximizes fuel efficiency, thereby reducing greenhouse gas emissions that could contribute to climate change. For further information, contact the Climate Change Branch at (709) 729-1485.

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

- 2.1 Proponent is advised that activities associated with the Project are subject to the **Environmental Protection Act**, the **Water Resources Act** and their associated regulations.
- 2.2 All waste material generated during construction and operation should be considered for reuse, resale, or recycling prior to disposal. Waste requiring disposal shall be stored in suitable containers and removed to an approved waste disposal facility authorized to accept the type and quantity of waste.
- 2.3 Proponent is advised of the prohibitions of burning waste according to Schedule D of the Air Pollution Control Regulations, under the **Environmental Protection Act**.
- 2.4 Proponent is advised to ensure appropriate spill prevention, response, and reporting procedures are in place in accordance with provincial requirements. For further information, contact the Pollution Prevention Division at (709) 729-5782.

3 Department of Environment, Conservation and Climate Change - Water Resources Management Division

- 3.1 Proponent is advised to obtain a Water Use Licence under the **Water Resources Act** prior to the start of Project construction for the use of water from any source for any purpose.
- 3.2 Proponent is advised any effluent or runoff leaving the Project site shall comply with the Environmental Control Water and Sewage Regulations.
- 3.3 If the water line connecting the facility to the municipal system exceeds 150 mm in diameter, a Permit to Construct under Section 37 of the **Water Resources Act** will be required. For further information, contact the Water Resources Management Division at (709) 729-2563.

4 Department of Energy and Mines

- 4.1 Proponent is advised that quarry materials required during construction or operation shall be obtained from approved sources. For further information, contact the Mines Branch of the Department of Energy and Mines at (709) 729-5748.

5 Department of Fisheries and Aquaculture

- 5.1 Proponent is advised to consult with the local fish harvesters via the Small Craft Harbour authorities or through Fish, Food and Allied Workers Union to mitigate potential construction related disturbances. For further information, contact the Department of Fisheries and Aquaculture at (709) 637-2950.

6 Department of Forestry, Agriculture and Lands

- 6.1 Proponent is advised to operate in accordance with the **Lands Act**, the **Wild Life Act** and associated regulations.
- 6.2 Proponent is advised that activities within the 15-metre Shoreline Reserve of any water body are required to adhere to the regulations in Section 7 of the **Lands Act**.
- 6.3 Proponent is advised that activities and/or construction are not permitted until/unless a crown grant is issued, and the proponent must follow all terms and conditions set forth in any approval letter or issued title. The Department of Forestry, Agriculture and Lands acknowledge that the Project is registered under a Crown lands commercial grant application #165202 for the purpose of a fish plant.
- 6.4 Proponent is advised to maintain a five-metre buffer around all geodetic survey monuments within the Project area. The GIS and Mapping Division of the Department of Forestry, Agriculture and Lands shall be contacted via email at GMD@gov.nl.ca if Project activities have the potential to disturb an existing Control Survey Marker per Section 65 of the **Lands Act**. For further information, contact the Department of Forestry, Agriculture and Lands at (709) 637-2950.

7 Department of Government Services - Government Service Centre

- 7.1 Proponent is advised that plans and specifications for buildings, electrical systems, fuel storage, and wastewater systems shall be submitted to the Government Service Centre for review and approval.
- 7.2 Proponent is advised to consider developing a contingency plan specific to the proposed undertaking to enable a quick and effective response to a spill event.
- 7.3 Proponent is advised to ensure that spill response equipment is readily available on site and that any spills or releases of substances are reported in to the Government Service Centre by calling the Environmental Emergencies Telephone Line at 1-800-563-9089.
- 7.4 Upon closure of the facility, the site shall be rehabilitated to the satisfaction of the Department of Government Services, and all materials, equipment, and waste shall be removed and disposed of in accordance with part IV of the **Environmental Protection Act**.
- 7.5 Proponent is advised that water and sewage systems exceeding 4,546 litres shall comply with the Sanitation Regulations and the Private Sewage Disposal and Water Supply Standards 2006 and will require the submission of certified engineering drawings and specifications to Government Service Centre for review and approval.
- 7.6 Proponent is advised that Section 32 of the Cargo Securement Regulations under the **Highway Traffic Act** requires that any liquid or waste from transported fish be fully contained to prevent leakage during transport. Proponent is further advised that any contravention constitutes an offence under Section 206 of the **Highway Traffic Act**, and that enforcement may occur through ticketing under the **Provincial Offences Act**. For further information, contact the Government Service Centre at (709) 729-2008.

8 Department of Government Services - Occupational Health and Safety

- 8.1 Proponent is advised to ensure that activities are conducted in compliance with the **Occupational Health and Safety Act** and related regulations. This includes the responsibility for ensuring that should contractors be hired to perform work, they also comply with the legislation. For further information, contact the Occupational Health and Safety Division at (709) 729-7454.

9 Department of Municipal and Community Affairs

- 9.1 Proponent is advised to obtain any required municipal approvals or permits from the Town of Bay de Verde prior to commencing construction or operation, in accordance with applicable municipal by-laws under the **Towns and Local Service Districts Act**. For further information, contact the Department of Municipal and Community Affairs at (709) 729-3090.

10 Department of Tourism, Culture, Arts and Recreation

- 10.1 Proponent is advised to maintain ongoing consultation with local tourism operators regarding potential odour impacts associated with the Project, particularly during facility operations.
- 10.2 Proponent is encouraged to implement monitoring and adaptive management measures related to odour, and to adjust mitigation measures as required to avoid or minimize potential adverse effects on nearby tourism operations and visitor experience. For further information, contact the Department of Tourism, Culture, Arts and Recreation at (709) 729-6588.

11 Department of Transportation and Infrastructure

- 11.1 The Proponent is advised that, under the Access Policy Regulation pursuant to the **Work, Services and Transportation Act**, no development or land title issuance is permitted within 15 m of the centreline of Route 70 (Conception Bay North Highway).
- 11.2 The project is required to use the existing highway access. Any proposed changes will require an Access Permit issued through the Government Service Centre. Unauthorized access alterations may be removed by the Department of Transportation and Infrastructure. For further information, contact the Department of Transportation and Infrastructure at (709) 729-5972.

12 Environment and Climate Change Canada

- 12.1 Proponent is advised on the applicability of the **Canadian Environmental Protection Act**.
- 12.2 Proponent is advised of the applicability of Section 36(3) of the **Fisheries Act**, which prohibits the deposit of deleterious substances into waters frequented by fish. Proponent is responsible for ensuring that no deleterious substances enter marine or freshwater environments.
- 12.3 Proponent is advised to avoid vegetation clearing during the migratory bird nesting season (mid-April to mid-August) to prevent disturbance or destruction of nests and eggs protected in accordance with the **Migratory Birds Convention Act**.
- 12.4 Environment and Climate Change Canada-Canadian Wildlife Services recommend the Proponent to develop the following plans:
- A Contingency Plan that considers potential accidents and malfunctions, and site-specific conditions and sensitivities.
 - An Oil Spill Prevention Plan.
 - A Wildlife Emergency Response Plan
- 12.5 Proponent is advised to ensure compliance with the **Migratory Birds Convention Act** and the **Species at Risk Act**, and to implement appropriate measures to avoid harm to migratory birds and species at risk. For further information, please contact the Department of Environment and Climate Change Canada at (709) 772-4313 or (709) 853-1304.

13 Fisheries and Oceans Canada

- 13.1 Proponent is responsible for understanding the potential impacts of the project on fish and fish habitat, implementing measures to avoid and mitigate those impacts and obtaining authorization from the Minister of the Department of Fisheries and Oceans where avoidance and mitigation are not possible.
- 13.2 Proponent is advised to 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 conducting work in or near water. The 'Projects Near Water' website is located at <https://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>. For more information, please contact the Fisheries Protection Program at (709) 772-4140.

14 Transport Canada

- 14.1 Proponent is advised the proposed water intake or effluent outfall pipes would be located on a Scheduled waterway under the **Canadian Navigable Waters Act** (CNWA) and may require a CNWA approval from Transport Canada. For more information, please contact Transport Canada, Navigation Protection Program, at (506) 851-3113.