

# Environmental Assessment Approval

Approval Date: January 27, 2023

Waste Oil Recycling and Water Treatment Facility

Envirosoil Limited

Halifax County, Nova Scotia

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## Terms and Conditions for Environmental Assessment Approval

### 1 Definitions

- 1.1 *Act* means Environment Act 1994-95, c.1, s.1, and includes, unless the context otherwise requires, the regulations made pursuant to the Act, as amended from time to time.
- 1.2 Department means the Department of Environment and Climate Change, and the contact for the Department for this Approval is:  
  
Nova Scotia Environment  
Central Region, Bedford Office  
30 Damascus Street, Nova Scotia B4A 0C1  
Phone: (902) 424-7773 Fax: (902) 424-0597
- 1.3 Minister means the Minister of Environment and Climate Change.
- 1.4 Commencement means the same as to commence work, as defined in the Environmental Assessment Regulations.
- 1.5 EA means Environmental Assessment.

### 2 Scope

- 2.1 This Approval (the "Approval") relates to the Approval Holder(s) and their Registration Document and Amendments, and all documentation submitted to the Department prior to the issuance of this approval for the Waste Oil Recycling and Water Treatment Facility, situated at or near 750 Pleasant Street, Dartmouth, Nova Scotia, hereafter referred to as the "Project."

- 2.2 The Approval Holder(s) shall ensure the Project is carried out in accordance with this Approval and reference documents, including the Registration Documents and supporting documentation.

### **3 General**

- 3.1 The Approval Holder shall conduct the Project in accordance with the Act, as amended from time to time.
- 3.2 The Approval Holder shall, within two years of the date of issuance of this Approval, commence work on the Project unless granted a written extension by the Minister.
- 3.3 The Approval Holder shall provide written notification to the Department of the commencement date of the Project, at a minimum 30 days prior to the commencement.
- 3.4 The Approval Holder shall provide to the Department a concordance table detailing the status of the EA terms and conditions on January 31 of each year until released in writing by the Department.
- 3.5 Prior to any proposed expansion, modification, or relocation of any aspect of the Project from that proposed in the Registration Document, the Approval Holder must submit the proposal to the EA Branch for review and may require an EA or amendment.
- 3.6 Nothing in this Approval relieves the Approval Holder of the responsibility for obtaining and paying for all other licenses, permits, approvals or authorizations necessary for carrying out the Project which may be required by municipal by-laws or provincial or federal legislation. The Minister does not warrant that such licenses, permits, approvals or authorizations will be issued.
- 3.7 No authority is granted by this Approval to enable the Approval Holder(s) to commence or continue the Project on lands which are not in the control or ownership of the Approval Holder(s). It is the responsibility of the Approval Holder(s) to ensure that such a contravention does not occur. Failure to retain said authorization may result in this Approval being cancelled or suspended.

- 3.8 The Approval Holder shall not transfer, sell, lease, assign or otherwise dispose of this Approval without the written consent of the Minister. The sale of a controlling interest of a business or a transfer of this Approval from a parent company to a subsidiary or an affiliate is deemed to be a transfer requiring consent.
- 3.9 Upon any changes to the Registry of Joint Stock Companies information related to the Approval Holder, the Approval Holder shall provide a copy to the Department within 5 days of the changes.
- 3.10 If there is a discrepancy between the Registration Documentation and the terms and conditions of this Approval, the terms and conditions of this Approval shall apply.
- 3.11 Where a timeline is associated with a condition(s) of the Approval, the Approval Holder shall fulfil the requirements of the condition(s) within the prescribed timeline, unless otherwise authorized in writing by the Department.
- 3.12 The Approval Holder shall notify the Department of any incidents of non-compliance with this Approval immediately and in accordance with the Act and Regulations.
- 3.13 The Approval Holder shall bear all expenses incurred in carrying out the environmental management and monitoring required under the terms and conditions of this Approval, the Act or the Regulations.
- 3.14 Unless specified otherwise in this Approval, all samples required to be collected by this Approval, the Act or the Regulations shall be collected, preserved, and analysed, by qualified personnel, in accordance with recognized industry standards and procedures and in accordance with any Standard under the Act or Regulations.
- 3.15 The Approval Holder shall ensure that this Approval, or a copy, is present at the Project site while personnel are on site and that personnel directly involved in the Project are made fully aware of the terms and conditions which pertain to this Approval.
- 3.16 The Approval Holder shall update and/or revise any of the plans, programs

or other documents required in this Approval to reflect the progressive development of the Project, and at any time at the request of the Department and make them available to the Department upon request.

- 3.17 Based on the results of the monitoring required in this Approval or otherwise completed for the Project, or at any time as determined by the Department, the Approval Holder shall make necessary modifications to mitigation plans and/or changes to Project operations to prevent unacceptable environmental effects, as required by the Department.
- 3.18 The Approval Holder shall provide to the Department a summary table detailing the results of the monitoring required in this Approval, or otherwise completed for the Project, on January 31 of each year until released in writing by the Department. The results shall clearly identify and summarize any exceedances.
- 3.19 Where a condition of this Approval requires the Approval Holder to consult a particular party or parties, the condition will be considered complete once the Approval Holder provides a written confirmation letter from the party or parties that the consultation is complete.

If there is a conflict between the Approval Holder and a party or parties regarding the consultation, the Department will determine if suitable consultation has been completed and/or if further action is required.

#### **4 Project Design and Operations**

- 4.1 The Approval Holder shall submit a detailed wastewater management and monitoring plan to the Department with the Industrial Approval application under the Act. This plan shall be developed in consultation with the Department.
- 4.2 The Approval Holder shall submit additional information to the Department with the Industrial Approval Application under the Act, to support the acceptance of incompatible materials (i.e., organic, acidic and caustic materials). This shall include, but not be limited to, handling and storage processes, equipment, infrastructure and treatment details, and sampling programs.

- 4.3 The Approval Holder shall be responsible for the costs of any third-party review of plans, reports, or monitoring results deemed necessary by the Department over the life of the Project.

## **5 Water Resources**

- 5.1 The Approval Holder shall submit additional information to the Department with the Industrial Approval application under the Act, to support determination of regulatory discharge limits, preventing adverse effects to surface water resources and aquatic life. This information shall be developed in consultation with the Department.
- 5.2 The Approval Holder shall submit a detailed surface water management and monitoring plan to the Department with the Industrial Approval application under the Act. This plan shall be developed by a qualified professional engineer licensed to practice in the Province of Nova Scotia and developed in consultation with the Department.
- 5.3 The Approval Holder shall submit a detailed sediment and erosion control plan to the Department with the Industrial Approval Application under the Act. The plan shall include all clearing, grubbing and stripping required for the Project and shall be designed by a professional engineer licensed to practice in Nova Scotia.
- 5.4 The Approval Holder shall submit a detailed groundwater quality and quantity monitoring plan to the Department with the Industrial Approval application under the Act. This plan shall be designed by a professional hydrogeologist licensed to practice in Nova Scotia.
- 5.5 Throughout the life of the Project, the Approval Holder shall conduct any additional effluent, surface water, or groundwater monitoring or studies, as required by the Department.

## **6 Flora and Fauna**

- 6.1 The Approval Holder shall provide the Wildlife Division, Department of Natural Resources and Renewables (NS NRR) with digital way points and shape files showing precise locations for species listed under the Species at Risk Act (SARA) and/or Endangered Species Act (ESA), as well as of Species of Conservation Concern identified during field work. The data provided to NRR shall include, at minimum, the date of the field

observances and habitat description. Data are to be provided within two months of their collection.

- 6.2 Prior to commencement, the Approval Holder shall develop a Wildlife Management Plan in consultation with NRR and Environment and Climate Change Canada (ECCC).

## **7 Air Quality, Odour and Noise**

- 7.1 At the request of the Department, the Approval Holder shall develop and implement a plan to monitor air quality. The plan shall include, but not be limited to, sampling locations, parameters, monitoring methods, protocols, and frequency.
- 7.2 The Approval Holder shall ensure that air emissions do not exceed Nova Scotia Ambient Air Quality Standards.
- 7.3 At the request of the Department, the Approval Holder shall develop and implement a plan to monitor noise levels under varying climatic conditions. The plan shall include, but not be limited to, sampling locations, parameters, monitoring methods, protocols and frequency.
- 7.4 The Approval Holder shall ensure that noise emissions do not contribute to an exceedance of the maximum permissible sound levels limits specified in the Nova Scotia Environment and Labour “Guidelines for Environmental Noise Measurement and Assessment” dated 18, 2005, as amended from time to time.

## **8 Archaeological and Heritage Resources**

- 8.1 The Approval Holder shall cease work and contact the Special Places Coordinator, Nova Scotia Department of Communities, Culture, Tourism and Heritage (CCTH) immediately upon discovery of an archaeological, or paleontological site, artifact or fossil specimen unearthed during any phase of the Project. If the find is of certain or possible Mi'kmaq origin, the Approval Holder shall also contact the appropriate Mi'kmaq representatives as advised by CCTH.

## **9 Public Engagement**

- 9.1 The Approval Holder shall develop and implement a comprehensive

complaint resolution plan for receiving and responding to complaints related to the Project, including a reporting system which records and documents steps taken to determine the cause of complaint, and a timeline for responding to complaints and for implementing corrective measures that will be taken to alleviate the cause and prevention of its recurrence. The plan shall be made available to the Department upon request.

- 9.2 The Approval Holder shall appoint a contact person designated to deal with complaints and shall provide the contact information to the Department.
- 9.3 At the request of the Department, the Approval Holder shall develop and implement a plan for the formation and operation of a Community Liaison Committee (CLC), including terms of reference, which meet the Department's Guide for the Formation and Operation of a Community Liaison Committee, as amended from time to time. The Approval Holder shall operate the CLC for the duration of the Project or until released in writing by the Department.

## **10 Engagement with the Mi'kmaq of Nova Scotia**

- 10.1 At the request of the Department, the Approval Holder shall develop and implement a Mi'kmaq Communication Plan, which will include but not be limited to a process for communicating Project details and seeking input from all thirteen Mi'kmaq communities on the development and implementation of Project mitigation and monitoring plans. The plan shall be updated regularly and be available to the Department upon request.

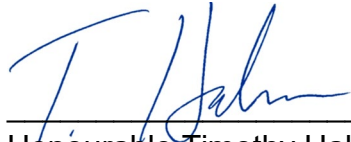
## **11 Contingency Plan**

- 11.1 The Approval Holder shall submit a comprehensive contingency plan to the Department, with the Industrial Approval application under the Act, which meets the Department's Contingency Planning Guidelines. The plan shall provide preventative measures and address accidental occurrences including, but not limited to, spills of hydrocarbons or other hazardous materials, failure of erosion and sediment control measures, fires, and vehicular collisions. The Plan shall be implemented, maintained and updated over the life of the project.
- 11.2 The Contingency Plan shall be kept on the Project site at all times when personnel are on site and be made available to the Department upon

request.

## **12 Bonding**

- 12.1 The Approval Holder shall submit sufficient security for activities identified in Division IV of the Activities Designation Regulations to the Department with the Industrial Approval application under the Act.



Honourable Timothy Halman, MLA  
Minister of Environment and Climate Change