

Nova Scotia Environment and Labour (“NSEL”)

Environmental Assessment Approval

Approval Date: *original dated December 14, 2004*

Bulk Tank Farm, Blending, Packaging and Storage Facility

Alpha Chemical Limited, Proponent

**Waverley, Halifax Regional Municipality,
Nova Scotia**

The dangerous goods bulk tank farm, blending, packaging and storage facility (the “Undertaking”), proposed by Alpha Chemical Limited. (the “Proponent”) to be located at 533 Rocky Lake Drive, Halifax Regional Municipality, Nova Scotia is given environmental assessment approval subject to the following conditions and obtaining all other necessary approvals, permits or authorizations required by municipal, provincial and federal acts, regulations, by-laws, guidelines, policies or standards before commencing work on the Undertaking. It is the responsibility of the Proponent to ensure that all such approvals, permits or authorizations are obtained before commencing work on the Undertaking.

This Environmental Assessment Approval is based upon the review of the conceptual design, environmental baseline information, impact predictions, and mitigation presented in the Registration Information.

Terms and Conditions for Environmental Assessment Approval

1.0 General Approval

- 1.1 The Environmental Assessment Approval for the project is limited to the project as described in the registration document. Any proposal by the Proponent for expansion, extension, modification or relocation of any aspect of the project from that proposed in the registration document must be submitted to the Environmental Assessment Branch for review and may require an environmental assessment.

- 1.2 The Environmental Assessment Approval shall expire within two years of the date of its issuance unless the Proponent commences work on the Undertaking by the end of the two year period, unless granted a written extension by the Minister.
- 1.3 The Proponent 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 an approval from a parent company to a subsidiary or an affiliate is deemed to be a transfer requiring consent.
- 1.4 The Proponent shall implement all mitigation and commitments in the Registration Document, unless approved otherwise by NSEL.

2.0 Groundwater Resources

- 2.1 The Proponent shall construct primary, secondary and tertiary spill containment systems as presented in the November 16, 2004 Addendum.
- 2.2 The Proponent, as part of the application for the Part V Approval under the *Environment Act*, shall provide for review and approval:
 - details of a groundwater monitoring program including location of monitoring wells and parameters. The groundwater monitoring plan should include analyses for products stored on-site including N-Methyldiethanolamine (MDEA). Based on the results of the monitoring programs, the Proponent shall make necessary modifications to mitigation plans and/or facility operations to prevent continued unacceptable environmental effects to the satisfaction of NSEL. This program shall be resubmitted over the lifetime of the project, at a schedule to be established by the NSEL, and revised as determined by the NSEL.

3.0 Surface Water Resources

- 3.1 All discharges from the site must meet the NSEL requirements.
- 3.2 The Proponent shall provide NSEL, for review and approval, details regarding stormwater discharges via the trench collection system to the yard to assess whether suitable measures are in place to protect surface waters.
- 3.3 The Proponent shall provide NSEL, for review and approval, design details of an additional trench along track no.2 to contain any liquid flowing along the spur line.

- 3.4 The Proponent, as part of the application for Part V Approval under the *Environment Act*, shall provide for review and approval:
- details regarding the program to monitor surface water, including location and parameters. Based on the results of monitoring programs, the Proponent shall make necessary modifications to mitigation plans and/or facility operations to prevent continued unacceptable environmental effects to the satisfaction of NSEL.

4.0 Facility Operation

- 4.1 The Proponent shall provide, as part of the application for Part V Approval, written confirmation that the Halifax Regional Municipality's zoning by-law permits the processing, production, or warehousing of dangerous goods at 533, Rocky Lake Drive.
- 4.2 The Proponent shall provide an NSEL approved facility abandonment plan three months prior to the permanent shut down of the new facility.
- 4.3 The Proponent shall participate in future airshed management programs as required by the NSEL.
- 4.4 As part of the application for the Part V Approval under the *Environment Act*, the Proponent shall provide the following:
- a) a detailed description of the products to be handled and manufactured and their composition
 - b) a detailed description of the method of storage for all dangerous goods
 - c) detailed up-to-date Material Safety Data Sheets for all dangerous goods used at any time in each of the facilities
 - d) a detailed layout of the facility indicating the location of all dangerous goods, including the handling and manufacturing equipment
 - e) detailed procedures regarding the handling of flammable liquids, including secondary spill containment and vapours
 - f) details, specifications and drawings of all primary, secondary and tertiary spill containment structures, including details on the effective sealing of all floor drains
 - g) a detailed step-by-step description of each blending and/or packaging process, including plans that achieve the commitment to zero discharges to the environment
 - h) detailed description of the air emissions to be generated and the air

emission control system

i) plans to equip the facility to the municipal fire marshal's requirements, and details as to the location of a permanent alarm, or monitor that will indicate if explosive vapours are present in the building

j) details of an appropriate training plan and schedule, for all employees, that includes:

i) WHMIS

ii) federal *Transportation of Dangerous Goods Act* and Regulations

5.0 Archaeological Resources

5.1 The Proponent shall provide to the Director, Heritage Division, Nova Scotia Department of Tourism, Culture and Heritage, an archaeological assessment of the property by a qualified professional consisting of: background research, site pedestrian survey, and sub-surface testing, if warranted.

5.2 The Proponent shall cease work and contact the Director, Heritage Division, Nova Scotia Department of Tourism, Culture and Heritage, and the Executive Director, Confederacy of Mainland Mi'kmaq immediately upon discovery of an archaeological site or artifact unearthed during any phase of the proposed project.

6.0 Contingency Plans

6.1 As part of the application for the Part V Approval under the *Environment Act*, the Proponent shall provide an acceptable contingency plan, for the facility, that meets NSEL's Contingency Planning Guidelines, September 2004, or equivalent, that addresses accidental releases of dangerous goods or waste dangerous goods, including but not limited to, procedures for responding to incidents occurring during times when the facility is not staffed (e.g. evenings, weekends, holidays).

6.2 The contingency plan shall include an assessment of any reasonable foreseeable emergency scenario associated with the release of a dangerous good or waste dangerous good, including both on-site and off-site, which could adversely affect public health and safety, the environment and property. The assessment, as a minimum, should take into consideration the following:

- species of special concern and species at risk
- access roads to and from the site
- adjacent water bodies

- rail lines
- municipal infrastructure (if applicable)

- 6.3 Personnel shall have appropriate Emergency Response Plan training to deal with emergencies.
- 6.4 The Proponent shall carry out simulated emergency response exercises to test the contingency plan on an annual basis.
- 6.5 All spills must be reported to NSEL's hotline (1-800-565-1633, or as updated) for environmental emergencies.
- 6.6 The proponent shall confirm as to whether the requirements of Environment Canada's *Environmental Emergencies Regulations*, apply to the facility, and if not, provide NSEL with written confirmation from Environment Canada that the *Environmental Emergency Regulations* do not apply to the facility.

original signed by

Kerry Morash
Minister of Environment and Labour