

Nova Scotia Environment and Labour (“NSEL”)

Environmental Assessment Approval

Approval Date: *original dated November 18, 2004*

Battery Storage Facility

John Ross and Sons Limited, Proponent

**171 Chain Lake Drive, Bayers Lake Industrial Park
Halifax Regional Municipality**

The Battery Storage Facility (the “Undertaking”), proposed by John Ross and Sons Limited (the “Proponent”), 171 Chain Lake Drive, Bayers Lake Industrial Park, Halifax Regional Municipality, is approved pursuant to Section 13(1)(b). This Approval is 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 Facility Operation

- 2.1 The Proponent shall not store more than 1,100 used lead acid batteries at the facility at any one time without prior approval from the District Manager of the NSEL, Environmental Monitoring and Compliance Division, Bedford Office.
- 2.2 The Proponent shall not store batteries in any area except the “temporary used battery packaging and storage area” and the “exterior battery storage area” identified in the environmental assessment registration document.
- 2.3 Waste acid shall not be removed from batteries stored at the facility without prior approval from the District Manager of the NSEL, Environmental Monitoring and Compliance Division, Bedford Office.
- 2.4 The Proponent shall not dismantle any batteries at the facility.
- 2.5 The Proponent shall not handle any waste dangerous good at the facility other than spent lead acid batteries, without prior approval from the District Manager of the NSEL, Environmental Monitoring and Compliance Division, Bedford Office.
- 2.6 Three months prior to a permanent shutdown of the facility, the Proponent shall provide a facility abandonment plan for approval by NSEL Environmental Monitoring and Compliance Division, Bedford Office.
- 2.7 The Proponent shall comply with all applicable requirements of the Nova Scotia *Dangerous Goods Management Regulations*.
- 2.8 The Proponent shall ensure that any waste batteries sent to facilities in Nova Scotia for handling, recycling or disposal, are sent to only those

facilities holding the appropriate approvals for the handling and disposal of waste dangerous goods.

- 2.9 As part of the application for Part V Approval under the *Environment Act*, the Proponent shall provide the following for review and approval:
- a) a description, including supplier information, of the self-contained storage tubs used to hold leaking batteries.
 - b) details and specifications for environmental controls, including secondary containment, for the “used battery off-loading area”.
 - c) a plan for monitoring pH and presence of lead in liquids accumulated on the storage pad located under the external battery storage area, including procedures for disposal or release of liquids determined to be acidic or containing lead.

3.0 Contingency Plans

- 3.1 The Proponent shall revise the Contingency Plan for Battery Acid Releases and Spills to include:
- a) procedures for responding to spills that occur when the Proponent transports used batteries to or from the site.
 - b) a schedule for drills or exercises
 - c) a review schedule for the contingency plan
 - d) the identification of a muster area in the event of a fire or large spill
- 3.2 As part of the application for Part V Approval under the *Environment Act*, the Proponent shall provide an acceptable contingency plan that addresses short or long-term disruptions in the ability of the Proponent to distribute new and used batteries, including but not limited to, labour disruptions, and short or long-term loss of battery recycling options.
- 3.3 The Proponent shall provide within 60 days of issuance of this approval a contingency plan that addresses fire at the facility to be reviewed and approved by the Halifax Regional Municipality’s Fire and Emergency Service.

4.0 Transportation

- 4.1 The Proponent shall notify Nova Scotia Environment and Labour of any spills of acid occurring during transportation. Emergency Number 1-800-565-1633

- 4.2 Trucks transporting batteries from the Undertaking to recycling facilities shall be restricted to provincial highways and the most direct route from the Undertaking to the provincial highway.

original signed by

Kerry Morash
Minister of Environment and Labour