

Environmental Assessment Approval

Approval Date: *Original dated June 21, 2004*

East Uniacke Quarry Expansion

S.W. Weeks Construction Ltd., Proponent

**East Uniacke, Hants County
Nova Scotia**

East Uniacke Quarry Expansion (the "Undertaking"), proposed by S.W. Weeks Construction Ltd. (the "Proponent"), East Uniacke, Hants County, 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, 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 Proponent shall within 2 years of the date of issuance of this approval commence work on the undertaking 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 the NSDEL.

2.0 Groundwater Resources

- 2.1 The Proponent, as part of the application for amendments to the Part V Approval under the *Environment Act* shall provide for review and approval:
 - a) details of a groundwater monitoring program including location of monitoring wells and parameters. This program shall be designed to confirm impacts to both groundwater levels and groundwater quality. Based on the results of the monitoring programs, the Proponent shall make necessary modifications to mitigation plans and/or quarry operations to prevent continued unacceptable environmental effects to the satisfaction of NSDEL. This program shall be resubmitted over the lifetime of the project, at a schedule to be established by the NSDEL, and revised as determined by the NSDEL.
 - b) details of a monitoring program to determine the potential for and extent of sulphide bearing material and a plan to manage any acid generating material exposed and associated drainage.
 - c) details of an evaluation of groundwater-surface water interactions and a mitigation/monitoring program, if required.
 - d) details of plans to excavate below the water table.

3.0 Surface Water

- 3.1 All discharges from the site must meet the NSDEL requirements.
- 3.2 The Proponent, as part of the application for amendments to the Part V Approval under the *Environment Act*, shall provide for review and approval:
 - a) details regarding erosion and sediment control protection
 - b) details regarding the monitoring, maintenance and upgrading of the settling ponds. Settling pond design criteria shall include increased likelihood of more intense precipitation events in coming decades.
 - c) 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 quarry operations to prevent continued unacceptable environmental effects to the satisfaction of NSDEL.

- 3.3 All surface water protection and management programs shall be resubmitted over the lifetime of the project, at a schedule to be established by the NSDEL, and revised as determined by the NSDEL.
- 3.4 The Proponent shall not undertake any quarry related activities within 30 metres of a watercourse without receiving all necessary approvals and/or authorizations from NSDEL and all other applicable jurisdictions.
- 3.5 The Proponent shall not undertake any quarry related activities within 60 metres of the eastern brook.
- 3.6 The Proponent shall not undertake any quarry related activities within 30 metres of Wetlands 1, 2 and 3.

4.0 Blasting

- 4.1 The Proponent, as part of the application for amendments to the Part V Approval under the *Environment Act*, shall provide for review and approval:
 - a) details of an updated blast design plan. The plan shall demonstrate that air concussion and ground vibration limits are capable of being met at all proposed areas of the future quarry.
 - b) details of a flyrock mitigation and contingency plan.

5.0 Public Consultation

- 5.1 The Proponent shall form, at the request of the NSDEL, a Community Liaison Committee (CLC) in consultation with the NSDEL and with municipal and community representatives. The NSDEL *Guidelines for the Formation of a Community Liaison Committee* shall be used for the guidance of the Proponent and community.

6.0 Proximity to Residents

- 6.1 The Proponent shall maintain a 30 metre treed visual buffer between the quarry and the Beaver Bank Road.

7.0 Terrestrial Resource

- 7.1 The Proponent shall provide DNR Wildlife Division, for review and approval, a program to monitor and assess the impact of the quarry on the ecological character of Wetland 1.
- 7.2 The Proponent shall contact the Species-at-Risk Biologist, DNR Wildlife Division, to establish a standard for follow-up monitoring of the *Aster borealis*.

8.0 Archaeological Resources

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

9.0 Noise and Dust

- 9.1 All equipment is to be operated with standard noise suppression exhaust systems and kept in good repair.
- 9.2 Petroleum products shall not be used as a dust suppressant.
- 9.3 The Proponent shall monitor for noise and dust at the request of the NSDEL.
- 9.4 The Proponent shall participate in future airshed management programs as required by the NSDEL.
- 9.5 Hours of construction and operation are limited to five days per week, 12 hours per day, unless otherwise approved by the NSDEL.

10.0 Transportation

- 10.1 The Proponent shall address transportation related concerns by ensuring that:
 - a) dust on quarry site roads will be stabilized using water or other means as required by the NSDEL
 - b) transportation of material from the site is limited to Monday to

- Friday, between the hours of 7:00 a.m. and 7:00 p.m., unless otherwise approved by the NSDEL
- c) site staff will ensure that trucks are free of loose material before leaving the quarry site
 - d) ongoing vehicle inspections shall be undertaken to ensure that all contracted haulers have properly functioning engine noise muffling devices and other operating equipment
 - e) trucking contracts stipulate adherence to speed limits, use of tarpaulins, vehicle maintenance requirements and periodic inspections.

11.0 Quarry Plan and Operation

- 11.1 The Proponent shall operate the quarry within all NSDEL requirements
- 11.2 The Proponent shall plan and design the quarry according to the *NSDEL Pit and Quarry Guidelines*, 1999.
- 11.3 No hazardous materials or petroleum products are to be stored on the site unless otherwise approved by the NSDEL.
- 11.4 The Proponent, as part of the application for amendments to the Part V Approval, shall provide for review and approval:
 - a) a plan completed by a licensed surveyor delineating the boundaries of the quarry and identifying all pertinent structures, with no quarry extraction between Wetland 1 and the eastern brook
 - b) details of site development
 - c) details of stockpiling (aggregate, sediment removed from settling ponds, and overburden piles), including, as a minimum, stockpile locations, stockpile volumes, length of duration of any stockpiling activity on-site, and erosion protection measures
 - d) plans for shutdowns
 - e) prior to asphalt production, the Proponent shall provide details of the asphalt plant and associated approvals to NSDEL.
- 11.5 All plans related to quarry operation shall be resubmitted over the lifetime of the project, at a schedule to be established by the NSDEL, and revised as determined by the NSDEL.
- 11.6 The Proponent shall apply for renewals to the Part V Approval at intervals established by the NSDEL and provide additional information as deemed necessary by the NSDEL.

12.0 Site Reclamation

- 12.1 The Proponent, as part of the application for amendments to the Part V Approval under the *Environment Act*, shall provide for review and approval a preliminary reclamation plan, that includes progressive reclamation.
- 12.2 Quarry operations must be completed and reclaimed to the satisfaction of the NSDEL and other appropriate regulatory departments.

13.0 Contingency Plans

- 13.1 As part of the application for amendments to the Part V Approval under the *Environment Act*, the Proponent shall provide an acceptable contingency plan that addresses:
- a) accidental occurrences, including but not limited to contingencies for spills, including spill equipment kept on-site and location of emergency phone numbers
 - b) training to be delivered to staff
 - c) procedures for responding to incidents occurring during times when the facility is not staffed (e.g. evenings, weekends, holidays).

Original Signed By

Kerry Morash
Minister of Environment and Labour