

Nova Scotia Environment and Labour (“NSEL”)

Environmental Assessment Approval

Approval Date: *Original Dated March 26, 2004*

Sheet Harbour Grinding Plant

QMAX Solutions Incorporated, Proponent

**Sheet Harbour Industrial Park
Halifax Regional Municipality**

The grinding plant, proposed by QMAX Solutions Inc. (the “Proponent”), Sheet Harbour 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 Surface Water

- 2.1 The Proponent, as part of the application for Part V Approval, shall provide for review and approval:
 - a) details of a surface water collection system capable of diverting all site runoff, including extreme precipitation events, to the sedimentation pond system.
 - b) details regarding the maintenance of sedimentation ponds and drainage provisions.
 - c) details of a program for monitoring surface water quality, which includes but is not limited to proposed monitoring locations, sampling parameters and sampling frequency.
- 2.2 All discharges from the site must meet NSEL requirements.

3.0 Groundwater

- 3.1 The Proponent as part of the Application for Part V Approval, shall provide for review and approval:
 - a) a plan for ensuring that all stock barite used at the site meets the effluent guidelines committed to in the registration document, 1 mg/kg mercury and 3 mg/kg cadmium.
 - b) A contingency plan to address the handling of any barite shipments received that exceed 1 mg/kg of mercury or 3 mg/kg of cadmium.

4.0 Operations

- 4.1 No material, other than barite, limestone, or dolomite shall be processed at the grinding plant without prior approval from NSEL.
- 4.2 No processed barite, limestone, or dolomite shall be stored on the site except within the storage silos.
- 4.3 The proponent shall not process more than 30,000 tonnes of barite, or 5,000 tonnes of limestone and/or dolomite in a single year, without prior approval from the District Manager of the NSEL, Environmental Monitoring and Compliance Division, Bedford Office.

5.0 Dust and Noise

- 5.1 The Proponent, as part of the application for Part V Approval, shall submit to NSEL for review and approval:
 - a) plans for monitoring air particulates both prior to and after commissioning of the undertaking, as committed to in the registration document.
 - b) plans for monitoring noise levels as committed to in the registration document.
 - c) a contingency plan for addressing noise and dust complaints.
- 5.2 The hours of operation shall be limited to five days a week between the hours of 8:00 am and 5:00 pm unless otherwise approved by District Manager of NSEL, Environmental Monitoring and Compliance Division, Bedford Office.
- 5.3 The undertaking and associated activities shall comply with NSEL Noise Guidelines.
- 5.4 The Proponent shall participate in future airshed management programs as required by NSEL.

6.0 Contingency Plan

- 6.1 The Proponent, as part of the application for Part V Approval, shall submit a written emergency spills contingency plan which shall include, but not be limited to, contingencies for petroleum and hazardous material spills and surface water control structure failure.

Original Signed By

Kerry Morash
Minister of Environment and Labour