



NOVA SCOTIA
Environment
Office of the Minister

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Our File number:
10700-40-52144

JUL 24 2017

Valerie Poole
President
Arlington Heights C&D Limited
General Delivery 8281 Shore Road W.
Hampton NS B0S 1L0

Dear Ms. Poole:

**Re: Environmental Assessment – Arlington Heights C&D Limited
Asbestos Waste Disposal Facility Project, Hampton, Annapolis County, NS**

The environmental assessment of the proposed Asbestos Waste Disposal Facility Project in Hampton, Annapolis County, Nova Scotia has been completed.

This is to advise that I have approved the above project in accordance with Section 40 of the Nova Scotia *Environment Act*, S.N.S., 1994-95 and subsection 13(1)(b) of the Environmental Assessment Regulations, N.S. Reg. 348/2008, made under the Act. Following a review of the information provided by Arlington Heights C&D Limited, and the information provided during the government and public consultation of the environmental assessment, I am satisfied that any adverse effects or significant environmental effects of the undertaking can be adequately mitigated through compliance with the attached terms and conditions.

This approval is subject to any other approvals required by statute or regulation, including but not limited to, approval under Part V of the *Environment Act* (Approvals and Certificates section).

If you have any questions regarding the approval of this project, please contact Helen MacPhail, Supervisor, Environmental Assessment Branch, at (902) 483-2696 or via email at Helen.MacPhail@novascotia.ca.

Sincerely,

A handwritten signature in blue ink that reads "Iain Rankin".

Iain Rankin, MLA
Minister of Environment

Encl.

c: Helen MacPhail

Environmental Assessment Approval

Approval Date: JUL 24 2017

Asbestos Waste Disposal Facility Project

Arlington Heights C&D Limited

Hampton, Annapolis County, Nova Scotia

The Asbestos Waste Disposal Facility Project (the "Undertaking"), proposed by: Arlington Heights C&D Limited (the "Approval Holder") in Hampton, Annapolis County, Nova Scotia is approved pursuant to Section 40 of the *Environment Act* and Section 13(1)(b) of the Environmental Assessment Regulations. 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 and by-laws before commencing work on the Undertaking. It is the responsibility of the Approval Holder 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 Document.

Terms and Conditions for Environmental Assessment Approval

1.0 General Approval

- 1.1 The Environmental Assessment Approval for the Undertaking is limited to the Undertaking as described in the Environmental Assessment Registration Document. Any proposal by the Approval Holder for expansion, modification or relocation of any aspect of the Undertaking from that proposed in the Registration Document must be submitted to the Environmental Assessment Branch for review and may require an environmental assessment (EA).
- 1.2 The Approval Holder must, within two years of the date of issuance of this Approval, commence work on the Undertaking unless granted a written extension by the Minister. The Approval Holder must notify Nova Scotia Environment (NSE) of the commencement date of the Undertaking, at a

minimum 30 days prior to the commencement.

- 1.3 The Approval Holder must 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 Approval Holder must implement all mitigation and commitments in the Registration Document, unless approved otherwise by NSE.

2.0 Facility Operation

- 2.1 As part of the application to amend the Part V Approval under the Environment Act, the Approval Holder must submit for review and comment, an Environmental Management Plan (EMP) to be implemented and updated in a phased approach for site development, construction and facility operations. The EMP shall include:
 - a) environmental management roles and responsibilities
 - b) environmental protection plans including but not limited to erosion and sedimentation control
 - c) all monitoring and inspection requirements and parameters
 - d) training and education requirements
 - e) communication and reporting protocols
 - f) process and schedule for plan updating
- 2.2 As part of the application to amend the Part V Approval under the Environment Act, the Approval Holder must submit to NSE for review and approval written assurance that all transporters of asbestos waste are required to comply with the requirements set forth in the Asbestos Waste Management Regulations.
- 2.3 The Approval Holder must update and revise the EMP as required by NSE throughout the life of the Undertaking.
- 2.4 The Approval Holder must weigh and maintain accurate records of all asbestos waste accepted at the site. These records must be made

available to NSE upon request.

- 2.5 The Approval Holder must limit asbestos waste disposal to no more than 3000 metric tonnes per year, unless otherwise approved by NSE.
- 2.6 The Approval Holder must develop a plan in consultation with Nova Scotia Transportation and Infrastructure Renewal (TIR) to address issues related to trucking and traffic on Arlington Road West. The plan must consider the adequacy of the road infrastructure, including rehabilitation and strengthening requirements. The plan must satisfy TIR and must be provided to NSE within 6 months of this Approval.
- 2.7 There will be no increase in the approved asbestos disposal volume until Arlington Road West has been rehabilitated and strengthened to the satisfaction of TIR.

3.0 Flora and Fauna

- 3.1 Prior to commencement of the Undertaking, the Approval Holder must complete a bird survey during the breeding bird period (April to August) and submit the results to Nova Scotia Department of Natural Resources (DNR), Wildlife Division and NSE. Based on the results of the survey, the Proponent must make necessary modifications to mitigation measures, design and/or operations in consultation with DNR and as required by NSE.
- 3.2 Clearing, grubbing and construction work must be conducted outside of the breeding/nesting/fledging season for most bird species (April 15th to August 15th), unless otherwise approved by NSE.
- 3.3 If soils from offsite are required for the Undertaking, prior to soils being brought to site, the Approval Holder must develop and implement an invasive plant species management program to the satisfaction of DNR. The Approval Holder must notify NSE when the invasive plant species management program has been accepted by DNR.

4.0 Wetlands and Water Resources

- 4.1 The Approval Holder must not undertake any Undertaking related activities within 30 metres of a watercourse and/or wetland, unless otherwise approved by NSE. No development or removal of vegetation within this 30 metre buffer is permitted unless otherwise approved by NSE.

- 4.2 If avoidance of wetlands is not possible during the development of the Undertaking, any loss of wetland habitat through direct infilling or indirectly through alteration of wetland hydrology will require a wetland evaluation and application for alteration under the Activities Designation Regulations.
- 4.3 All discharges from the site must meet NSE requirements.
- 4.4 As part of the application to amend the Part V Approval under the Environment Act, the Approval Holder must address groundwater and surface water monitoring to the satisfaction of NSE.

5.0 Public and Aboriginal Consultation

- 5.1 At the request of NSE, the Approval Holder shall submit to NSE for review and approval a public communication and compliant response plan.
- 5.2 The Approval Holder must form a Community Liaison Committee (CLC) prior to commencement of the Undertaking. The NSE's Guidelines for the Formation of a Community Liaison Committee should be used for guidance. The Approval Holder must operate the CLC for the duration of the Undertaking or until released in writing by NSE.

6.0 Archaeological and Heritage Resources

- 6.1 Prior to commencement of the Undertaking, the Approval Holder must address outstanding archaeological concerns associated with the archaeology report to the satisfaction of Nova Scotia Department of Communities, Culture and Heritage (CCH). The Approval Holder must notify NSE when the revised archaeology report has been accepted by CCH. Based on the result of the report, the Approval Holder must make necessary modifications to mitigation measures, design and/or operations in consultation with CCH and as required by NSE.
- 6.2 The Approval Holder must cease work and contact the Special Places Coordinator, CCH immediately upon discovery of an archaeological site or artifact unearthed during any phase of the Project. If the find is of certain or suspected Mi'kmaq origin, the Approval Holder must also contact the appropriate Mi'kmaq representatives as advised by CCH.

7.0 Contingency Plans

- 7.1 The Approval Holder, as part of the EMP, must submit for review and comment, an Emergency Response Plan which is consistent with or exceeds the requirements of NSE's Contingency Planning Guidelines. The

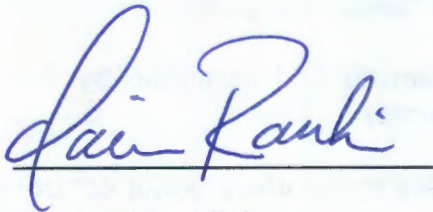
Plan shall be implemented to address spills, fire and environmental emergencies throughout site development, construction and operation of the Undertaking and must be developed in consultation with local emergency service providers.

- 7.2 The Approval Holder, as part of the application to amend the Part V Approval under the Environment Act, must submit to NSE for review and comment details a contingency plan that meets NSE's Contingency Planning Guidelines and addresses (including but not limited to):
- a) accidental occurrences, and includes the location of spill equipment kept on-site and emergency phone numbers
 - b) training to be delivered to staff, including contractors
 - c) procedures for responding to incidents occurring during times when the facility is not staffed (e.g., evenings, weekends, holidays)
 - d) impacts to watercourses and water resources and domestic water supplies
 - e) releases of dangerous goods or waste dangerous goods
 - f) potential fire at the facility (to be reviewed and approved by the local fire and emergency service providers)
 - g) petroleum and hazardous material spills and surface water control structure failure
 - h) such other information as required by NSE
- 7.3 Contingency plans must be updated/revised to reflect the progressive development of the waste dangerous goods facility (asbestos). This is to take place over the lifetime of the Undertaking, at a schedule acceptable to NSE, and revised as approved by NSE.
- 7.4 Hazardous materials or petroleum products that are to be stored on the site must be stored in a manner that is approved by NSE.
- 7.5 Refueling must not be conducted within 100 metres of any surface water resource, unless otherwise approved by NSE.
- 7.6 The Approval Holder must provide a copy of the site plan with details outline in Section 20(1) of the Asbestos Waste Management Regulations.

- 7.7 The contingency plan must list the NSE 24-hour environmental emergency reporting number (1-800-565-1633).
- 7.8 The contingency plan must include that Nova Scotia's Emergency Spill Regulations require that an unauthorized release of 50 kg of asbestos waste is reportable unless alternate reporting requirements have been described in the approval. A lesser amount may also be considered reportable if it has the potential to cause an adverse effect.
- 7.9 The contingency plan must be kept on site at all times and made available to NSE upon request.

8.0 Site Reclamation

- 8.1 The Approval Holder must submit a cell reclamation plan to NSE for review and approval at least 90 days prior to scheduled abandonment/closure for the facility.



Iain Rankin, MLA
Minister of Environment