

JAN 17 2022

Reg. # 2174

COR/2022/00085

Diane Hollett & Anita Walsh  
Windy Heights Farm & 63562 Newfoundland and Labrador Ltd  
374 Bauline Line Extension  
Portugal Cove-St. Philips NL A1M 2W1

Dear Diane and Anita:

**Re: Portugal Cove St. Philips Marine Ingredients Plant**

Your proposal has been reviewed by an interdepartmental environmental assessment screening committee and an opportunity to comment has been provided to the public as required by Part X of the Newfoundland and Labrador **Environmental Protection Act**, SNL 2002, cE-14.2. Please be advised that this undertaking is **released** from further environmental assessment subject to the following conditions:

- You are required to uphold all commitments made in your environmental assessment submission to mitigate the effects of the project on the environment.
- The Pollution Prevention Division of my Department requires the following:
  - For odour monitoring purposes, you are to notify the Pollution Prevention Division, prior to receiving shipments of fish, with the particulars of that shipment including date, volume and source. For further details, please contact Barrie Lawrence at (709) 729-6052 or email [BLawrence@gov.nl.ca](mailto:BLawrence@gov.nl.ca).
  - You are required to develop a contingency plan specific to the proposed undertaking to enable a quick and effective response to a spill event, including a spill of feedstock or a hazardous material, and to have spill response equipment readily available on-site.
  - You are required to submit a Waste Management Plan that identifies how to manage all potential waste streams generated at the facility, for the approval prior to project commencement. The plan should be comprehensive and include details on odour and vector management during all stages of processing, including storage of preprocessed feedstock. Contingency plans must be included that identify disposal options for preprocessed feedstock, process and wash water, and residual solids in the event that these waste streams cannot be fully utilized. For further information, please contact the Pollution Prevention Division at (709) 729-1810 or email [ryanm@gov.nl.ca](mailto:ryanm@gov.nl.ca).



- The Water Resources Management Division of my Department requires that the wash water used for irrigation be tested for bacteria and pathogens, prior to discharge or use, to verify there are no potential adverse effects to other groundwater users in the area.
- You are required to advise the Environmental Assessment Division when the conditions of release have been met, by emailing a written description, documents, and images (where applicable) to demonstrate that the conditions have been fulfilled to [EAProjectComments@gov.nl.ca](mailto:EAProjectComments@gov.nl.ca).
- You are required to update the Environmental Assessment Division on the status of your project, including a copy of all permits, licences, certificates, approvals and other authorizations required for your project, one year from the date of this release letter and to provide additional updates if required. Please email your project updates to [EAProjectComments@gov.nl.ca](mailto:EAProjectComments@gov.nl.ca).

**Federal and provincial government departments and agencies that reviewed your project during the environmental assessment provide the following advice:**

The Climate Change Branch (CCB) of my Department advises you to review the National Building Code, which includes energy efficiency requirements for new buildings and major renovations. The CCB has developed a Guide to Building Energy Efficient Homes and Small Buildings, available at <https://www.gov.nl.ca/ecc/files/publications-efficient-home-building-guide.pdf>. The CCB informs that better energy efficiency can lower operating costs and energy bills by reducing energy required for heating, cooling, lighting, etc. The CCB advises that any heavy-duty equipment used in the construction and operation of this project should be operated in a manner to maximize fuel efficiency. For further information, please contact the CCB at (709) 729-1485.

The Pollution Prevention Division of my Department advises that all waters discharged from the proposed site during construction and operations are subject to compliance with the Environmental Control Water and Sewage Regulations. Analysis completed for the purposes of compliance determination are subject to the Accredited Laboratory Policy, PD: PP2001-01.2. The Pollution Prevention Division recommends that you follow best management practices for the storage of waste dangerous goods/hazardous waste at business sites, which can be found at: [env-protection-waste-guidancedocs-gd-ppd-077-best-management-practices-for-the-storage-of-waste-dangerous-goodshazardous-waste-wdghw-at-business-sites.pdf\(gov.nl.ca\)](https://www.gov.nl.ca/env-protection-waste-guidancedocs-gd-ppd-077-best-management-practices-for-the-storage-of-waste-dangerous-goodshazardous-waste-wdghw-at-business-sites.pdf). For further information, please contact the Pollution Prevention Division at (709) 729-5782.

The Water Resources Management Division requires you to obtain a Water Use Licence for the use of water from any source for any purpose, including all non-domestic uses with an existing,



new or planned water use, prior to project construction. Additionally, you must obtain a Permit for Constructing a Non-Domestic Well for drilled well(s) and follow the necessary groundwater monitoring requirements, prior to project construction. For further information, please contact the Water Resources Management Division at (709) 729-1671.

The Department of Digital Government and Service NL (DGSNL) requires that all fuel storage tank systems connected to a heating appliance of a capacity of 2,500 litres or less must comply with the Heating Oil Storage Tank System Regulations. Floor drains from service bays or other areas handling used or waste oils are to be routed through an oil water separator to remove oily waste before being discharged. Plans and specifications must be submitted to the Government Service Centre (GSC) for approval prior to installation or repair of electrical services, and application must be made for Fire/Life Safety and Building Accessibility approvals. For further information, please contact DGSNL at (709) 729-3699.

The Occupational Health and Safety Division (OHS) of DGSNL requires that you must generally ensure that activities associated with the undertaking, including those of contractors, are conducted in compliance with the **Occupational Health and Safety Act** and its regulations. OHS reminds you to ensure that employees are trained in Workplace Hazardous Materials Information Systems and all regulations are followed. You are to consider procedures related to the protection of workers related to COVID-19 and must follow the requirements set forth by the Chief Medical Officer of Health for the province of Newfoundland and Labrador. For further information, please contact OHS at (709) 729-6690.

The Department of Fisheries, Forestry and Agriculture advises that if the undertaking accepts aquaculture products, you will need to work with aquaculture licensees to prepare suitable 'standard operating procedures' in order to ensure that waste management addresses biosecurity. Depending on the material received, the facility may be subject to audits by Fisheries Forestry and Agriculture. If raw material is accepted from an aquaculture facility under a Quarantine Order issued by the Chief Aquaculture Veterinarian, additional requirements would need to be met. You are advised to consult with Fisheries, Forestry and Agriculture regarding standard operating procedures for this development. For further information, please contact the Aquatic Animal Health Division at (709) 729-6872.

The Department of Health and Community Services advises that approvals for water/sewage disposal system plans must be obtained from the Department of Digital Government and Service NL prior to construction. Health and Community Services recommends that you develop a mitigation plan and process to ensure that any complaints regarding odor, noise and/or air quality are collected and addressed, as necessary. For further information, please contact Health and Community Services at (709)729-4984.



The Department of Municipal and Provincial Affairs (MPA) advises that the project site is located within the Portugal Cove St. Philips municipal boundary and municipal planning area, and a permit must be issued by the Town for this development. The site is zoned rural and agriculture is a permitted use in this zone. The bio-processing facility may be interpreted by the Town as being general industry or light industry, and both are listed as discretionary uses in this zone. The Town's Municipal Development Regulations require that a discretionary use be advertised, with a 7-day period for public response. For further information please contact the Local Governance and Land Use Planning Division of MPA at (709) 729-3090.

Although the undertaking as proposed is released from further environmental assessment, it is still subject to other legislative requirements. A summary of the comments received from government agencies during the review is attached to provide an indication of likely applicable permits, approvals and legislative requirements. You must comply with all relevant legislation and obtain all necessary permits and approvals. You are required to inform this Department of any proposed significant changes to the undertaking.

Please note that in accordance with Section 17 of the Environmental Assessment Regulations, the Minister's decision is valid for a period of three years from the date of this letter. If you have not commenced your project within this three year period, you may apply to extend the three-year period for a maximum of three one-year periods, if needed. Failure to apply for an extension will result in the expiry of the Minister's decision, and your project will have to be registered again for environmental assessment, should you wish to proceed. For further information, please email [EAProjectComments@gov.nl.ca](mailto:EAProjectComments@gov.nl.ca).

If you have any questions, please contact Joanne Sweeney, Director, Environmental Assessment Division, at (709) 729-0673 or [joannesweeney@gov.nl.ca](mailto:joannesweeney@gov.nl.ca).

Sincerely,

A handwritten signature in blue ink, appearing to read "B. DAVIS".

**HON. BERNARD DAVIS, MHA**  
District of Virginia Waters – Pleasantville  
Minister

Enclosures

cc: David Brazil, MHA Conception Bay East-Bell Island