

Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA #: 2351 - Green Bay Ming Mine (the Project)
FireFly Metals Canada Ltd. (the Proponent)

1 Climate Change Branch (CCB), Department of Environment and Climate Change (ECC)

- 1.1 Proponent is advised to consider provincial climate change projections for La Scie (nearest regional site) in Project planning.
- 1.2 Proponent is advised that all heavy-duty equipment is to be operated in a manner that maximizes fuel efficiency, thereby reducing greenhouse gas emissions that could contribute to climate change.
- 1.3 Proponent is advised the **Management of Greenhouse Gas Act (MGGA)** and regulations apply, and best available control technology (BACT) information must be submitted to the Minister of Environment and Climate Change for approval by the Lieutenant Governor-in-Council (LGIC). For further information, please contact the CCB at (709) 729-1485.

2 Pollution Prevention Division (PPD), ECC

- 2.1 Proponent is advised that all waste material generated on site shall be removed and disposed of at an approved waste disposal facility.
- 2.2 Proponent is advised the Project is subject to the Air Pollution Control Regulations.
- 2.3 A Pesticides Applicator License is required for the application of a pesticide, and any contractor hired to perform that service must have a valid Pesticide Operator License. For more information, please contact the Pesticides Control Section at (709) 729-6054.
- 2.4 Proponent is advised all fuel storage systems must meet the Storage and Handling of Gasoline and Associated Products Regulations.
- 2.5 Proponent is advised 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.
- 2.6 Proponent is advised the storage, handling and disposal of used and or waste oil/glycol must be in compliance with the Used Oil and Used Glycol Control Regulations.
- 2.7 Proponent is advised the use of halocarbons or other related substances in fire suppression, air conditioning or refrigeration systems associated with the Project are subject to the Halocarbon Regulations.
- 2.8 Collection and transportation of hazardous waste to approved recycling and final disposal facilities must be by transporters licensed and approved by PPD.

- 2.9 A Certificate of Approval is required for the construction and operation of the Project prior to project commencement. For further information, please contact PPD at (709) 729-5782.

3 Water Resources Management Division (WRMD), ECC

- 3.1 Proponent must apply for and obtain a permit under Section 48 of the **Water Resources Act** for any work in or within fifteen (15) metres of a body of water (including wetlands) prior to the start of construction.
- 3.2 Proponent is advised to apply for and obtain a Water Use Licence under the **Water Resources Act** prior to the start of construction.
- 3.3 Any effluent or runoff leaving the site will be required to conform to the requirements of the Environmental Control Water and Sewage Regulations.
- 3.4 All dams must be designed, operated and closed out according to the Canadian Dam Association, Dam Safety Guidelines.
- 3.5 A Permit for Constructing a Non-Domestic Well is required for any dewatering or drinking water wells, under the **Water Resources Act**. For further information, please contact the WRMD at (709) 729-2563.

4 Government Service Centre (GSC), Department of Government Modernization and Service Delivery (GMSD)

- 4.1 Proponent is advised all fuel storage tank system installations other than those connected to a heating appliance of a capacity of 2,500 litres or less are subject to the Storage and Handling of Gasoline and Associated Products Regulations and will require registration prior to installation.
- 4.2 Any proposed fuel cache will require approval by GMSD prior to installation.
- 4.3 The storage, handling, and disposal of used and or waste oil must be in compliance with the Used Oil and Used Glycol Control Regulations.
- 4.4 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 for review and approval by GMSD prior to installation.
- 4.5 Proponent is advised to have spill response equipment readily available on-site to enable a quick and effective response to a spill event, and any spill or leak of Gasoline or associate product is to be reported immediately to GMSD by calling the Environmental Emergencies Telephone Line at 772-2083 or 1-800-563-9089.
- 4.6 Electrical plans must be submitted to GMSD for review and approval.
- 4.7 Proponent is advised to apply to GMSD for Fire/Life Safety and Building Accessibility review/approvals.
- 4.8 Proponent is advised all propane system installations exceeding 211,000 kilojoules (200,000 BTU) require approval under the Boiler, Pressure Vessel and

Compressed Gas Regulations and **Public Safety Act**. For further information, please contact the GSC at (709) 729-2008.

5 Occupational Health and Safety (OHS), GMSD

- 5.1 Proponent must ensure all activities are conducted with compliance with the **OHS Act** and Regulations. This includes the responsibility for ensuring that contractors hired to perform work also comply with this legislation, as per **OHS Act** section 10. For further information, please contact OHS at 1 (800) 563-5471.

6 Department of Fisheries, Forestry and Agriculture (FFA)

- 6.1 Proponent is advised to operate under established legislation and regulations, such as the **Wild Life Act** and Wild Life Regulations, to avoid or minimize adverse impacts.
- 6.2 Proponent is advised to obtain a Licence to Occupy under the **Lands Act** prior to commencement of construction.
- 6.3 A Cutting Permit is required prior to any harvesting or timber removal in the area.
- 6.4 An Operating Permit is required under the Forest Fire Regulations prior to the start of any work during forest fire season.
- 6.5 A Permit to Burn is required to ignite a fire on or within 300 metres of forest land during the forest fire season.
- 6.6 Proponent is advised to operate under the **Wild Life Act** and **Migratory Birds Convention Act** and associated regulations to avoid or minimize adverse impacts.
- 6.7 Proponent is advised that several species are currently being assessed for designation and listing under the Newfoundland and Labrador **Endangered Species Act (ESA)** and the federal **Species at Risk Act (SARA)**. The Proponent should be aware that if species that are designated and listed under endangered species legislation are found within the Project area, the **ESA** and/or the federal **SARA** will apply and the Proponent may be required to develop mitigations, in consultation with FFA-Wildlife Division, for the protection and recovery of the species. For further information, please contact FFA at (709) 637-2950.
- 6.8 Proponent is advised that no vegetation clearing is to occur within 800 metres of a bald eagle or osprey nest during the nesting season (March 15 to July 31) and 200 metres during the remainder of the year. The 200-metre buffer also applies to all other raptor nests (e.g., Northern Goshawk, Sharp-shinned Hawk, Merlin, American Kestrel, Great-horned Owl, Boreal Owl, Northern Saw-whet Owl). Additionally, the location of any raptor nest sites should be reported to the Wildlife Division at wildlifereferrals@gov.nl.ca.
- 6.9 FFA advises several species of bats are listed as Endangered and protected under the Newfoundland and Labrador **Endangered Species Act**. These species have the potential to occur in areas proposed for clearing. The proponent

must ensure that mitigations are put in place to prevent disturbance, injury, or direct loss of bats or their residences.

- 6.10 FFA advises Black Ash are listed as Threatened and are protected under the Newfoundland and Labrador **Endangered Species Act**. This species has the potential to occur in areas proposed for clearing. The proponent must ensure that activities do not result in disturbance, injury, or direct loss of Black Ash or its residence.
- 6.11 Proponent is advised permission must be obtained from landowners if work is planned within issued title sites. For further information, please contact FFA at (709) 637-2950.

7 Department of Health and Community Services (HCS)

- 7.1 Proponent is advised that the Food Premises Regulations under the **Food Premises Act** apply to establishments involved in the preparation and sale of food. For further information, please contact HCS at (709) 729-3422.

8 Department of Industry, Energy and Technology (IET)

- 8.1 Proponent must submit a Development Plan, a Rehabilitation and Closure Plan to IET and provide Financial Assurance under the **Mining Act**.
- 8.2 Proponent must submit an updated Acid Rock Drainage/Metal Leaching (ARD/ML) Study and ARD/ML Management Plan to IET.
- 8.3 Proponent must provide the long-term closure strategy for the proposed Tailings Management Facility to IET.
- 8.4 Any area of the resource projected to surface must be covered by one or more mining leases.
- 8.5 The areal extent of mining infrastructure and related occupation of the surface must be covered by one or more surface leases. For further information, please contact IET at (709) 729-1582.

9 Department of Municipal Affairs and Community Engagement (MAC)

- 9.1 Proponent is advised that the Project is located in majority within the Municipal Planning Area of Baie Verte and requires a development approval and permit from the Town under the **Urban and Rural Planning Act** prior to commencement. For further information, please contact MAC at (709) 729-3090.

10 Department of Transportation and Infrastructure (TI)

- 10.1 Approval is required from TI for any work within the Department's Right of Way, Route 414, La Scie Highway, Route 418, and Ming's Bite Road prior to construction. For further information, please contact TI at (709) 729-7713.

11 Environment and Climate Change Canada (ECCC)

- 11.1 ECCC recommends the Proponent to develop the following plans:

- A management plan that includes appropriate preventive measures to minimize the risk of impacts on migratory birds.
- An oil spill prevention and response plan.
- A contingency plan that considers potential accidents and malfunctions that take into account site-specific conditions and sensitivities

11.2 ECCC advises that in order to avoid nest destruction and to accommodate the breeding season of migratory birds, operations should consider nesting locations between mid-April and mid-August in this region. ECCC requests that species-at-risk sightings be reported to the Canadian Wildlife Service (CWS) at ec.scfatldonneesei-cwsatliadata.ec@ec.gc.ca. For further information, please contact the ECCC-CWS at (709) 777-4221.

12 Fisheries and Oceans Canada (DFO)

12.1 Proponent is advised to submit a Request for Review through the 'Projects Near Water' website to receive information on how to comply with the **Fisheries Act** and information on the Project review process when conducting work in or near water. The 'Projects Near Water' website is located at <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>. For further information, please contact the Fisheries Protection Program at (709) 772-4140.

13 Transport Canada (TC)

13.1 Proponent is advised that several Project components may implicate navigable waters including a port access road, transmission lines and substations, water intake options, and a tailings management facility. The Proponent will need to consider that an authorization(s) under the **Canadian Navigable Waters Act (CNWA)** may be required for this Project. Contact the TC, Navigation Protection Program at (506) 851-3113.