

Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA # 2350 - 150 MW (Nominal) Avalon (Holyrood) Combustion Turbine (the Project)
Newfoundland and Labrador Hydro (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 St. John's (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 applies, 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. A Waste Management Plan is required prior to the start of construction.
- 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 a 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 Any spill or leak of gasoline or associated product shall be reported immediately by calling the Environmental Emergencies Telephone Line at 1-800-563-9089.
- 2.8 Proponent is advised all waters discharged from the proposed site, during construction and operation, are subject to compliance with the Environmental Control Water and Sewage Regulations.

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. For further information, please contact 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 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.
- 4.3 Any proposed fuel cache will require approval by GMSD prior to installation.
- 4.4 The storage, handling, and disposal of used and or waste oil must be in compliance with the Used Oil and Used Glycol Control Regulations.
- 4.5 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.
- 4.6 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.
- 4.7 Proponent is advised that the extent of land clearing and grubbing should be restricted such that a 30-metre undisturbed buffer is maintained between the site and any surrounding watercourse or water body.
- 4.8 Proponent is advised that a tree screen of 30 metres is to be maintained between the highway right-of-way and the Project. For further information, please contact the GSC – GMSD at (709) 729-0248.

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 Office of Women and Gender Equality (WGE), Executive Council

6.1 Proponent is advised to develop a Women's Employment Plan, in collaboration with WGE, to encourage the recruitment and retention of women and gender diverse persons in the skilled trades. For further information, please contact the WGE at (709) 729-5009.

7 Department of Fisheries, Forestry and Agriculture (FFA)

7.1 Proponent is advised permission must be obtained from landowners if work is planned within issued title sites, including private lands that may not be recorded with the Crown Lands Office

7.2 Proponent is advised to operate under the established legislation and regulations of the **Lands Act**.

7.3 Proponent is advised to operate under the **Wild Life Act** and **Migratory Birds Convention Act** and associated regulations to avoid or minimize adverse impacts.

7.4 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.

8 Department of Industry, Energy and Technology (IET)

8.1 Mines Branch: Proponent is advised that quarry materials must be obtained from approved sources. For further information, please contact the Mines Branch at (709) 729-5748.

8.2 Energy Branch: Proponent is advised that Public Utilities Board (PUB) approval is required for the Project for compliance with the **Electrical Power Control Act**. 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 within the Municipal Planning Area for the Town of Holyrood and requires a 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 Proponent is advised to submit an access to a provincial road request to the GSC -GMSD for access to the Project from Thermal Station Road.

10.2 Proponent is advised a permit to work within the right-of-way will be required from Foxtrap Depot for any work within the TI right-of-way (15 metres from centerline)

on R60-23, Thermal Station Road. 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 further 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.scatdonnesei-cwsatlidata.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 a water intake pipe and associated infrastructure at Quarry Brook 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 tel. (506) 851-3113.

13.2 Proponent is advised a fuel pipeline from the marine jetty in Holyrood to the upland facility or any activities listed under Schedule 4 of the Public Ports and Public Port Facilities Regulations will require an authorization from TC. For further information, please contact the TC Ports Programs at TC.ATLPorts-portsATL.TC@tc.gc.ca.