

Attachment B
Regulatory and Technical Advice from Government Departments/Divisions

EA #: 2373 - St. John's Shingle Recycling Facility (the Project)
Black Rock Construction Group / 86790 Newfoundland & Labrador Limited (the
Proponent)

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

- 1.1 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. For further information, contact CCB at (709) 729-1485.

2 Pollution Prevention Division (PPD), ECC

- 2.1 Proponent is advised activities associated with the Project are subject to the **Environmental Protection Act** and associated regulations.
- 2.2 Proponent is advised all waste material generated on site during construction and operation must be collected in appropriate refuse containers and removed to a waste disposal facility that is approved to accept the specific type and quantity of waste. All waste shall be considered for reuse, resale, or recycling prior to disposal.
- 2.3 Proponent is advised to comply with the Air Pollution Control Regulations under the **Environmental Protection Act** and be aware of the prohibitions of burning waste according to Schedule D of these Regulations.
- 2.4 Registration is required for fuel storage tank systems other than those connected to a heating appliance of a capacity of 2,500 litres or less. Those connected to a heating appliance of a capacity of 2,500 litres or less must comply with the Heating Oil Storage Tank System Regulations. Used oil and glycol must be stored and disposed of in accordance with Used Oil and Used Glycol Control Regulations.
- 2.5 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.
- 2.6 Proponent shall ensure that all equipment is operated in accordance with manufacturer instructions and maintained in good working order to minimize smoke and odours emissions. For further information, contact PPD at (709) 729-5782.

3 Water Resources Management Division (WRMD), ECC

- 3.1 Proponent is advised a Water Use Licence under the **Water Resources Act** is required for any non-domestic water use prior to the start of construction.

- 3.2 Proponent is advised any effluent or runoff leaving the site will be required to conform to the requirements of the Environmental Control Water and Sewage Regulations.
- 3.3 Proponent is advised to obtain a Permit for Constructing a Non-Domestic Well under the Water Resources Act and to follow necessary groundwater monitoring requirements prior to the start of construction. Water Use Licence under the Water Resources Act.
- 3.4 Proponent is advised to avoid placing stockpiles in environmentally sensitive areas, such as bogs or locations with high water tables. Stockpiles should be placed at least 1.5 meters above the highest groundwater level and a minimum of 15 meters away from surface water bodies. To prevent leaching, stockpiles should be stored in a manner that minimizes contact with water. For further information, contact WRMD at (709) 729-2563.

4 Department of Energy and Mines (EM) Comments

- 4.1 Quarry materials required during construction and operation must be obtained from approved sources.
- 4.2 Proponent is advised that the Project is located in the service area of Newfoundland and Labrador Power, as such it is recommended that the proponent consult with Newfoundland and Labrador Power to ensure there is no conflict with existing or planned infrastructure. For further information, contact Mines Branch at (709) 729-5748.

5 Department of Forestry, Agriculture and Lands (FAL)

- 5.1 The Proponent is advised that the **Migratory Birds Convention Act** and **Wild Life Act** and related regulations prohibit the disturbance or destruction (including incidental ones) of bird nests and eggs.
- 5.2 The Proponent is advised that activities on Crown lands require a Licence to Occupy. Development on private lands requires landowner permission. Activities within the 15m Shoreline Reserve must comply with Section 7 of the **Lands Act**.
- 5.3 The Proponent is advised that species listed under the **Newfoundland and Labrador Endangered Species Act** (NLESA) have potential to occur in the area. In addition, several species in the area are currently being assessed for designation and listing under the **NLESA** 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 **NLESA** and/or the federal **SARA** will apply and the Proponent may be required to develop mitigations, in consultation with FAL-Wildlife Division, for the protection and recovery of the species.
- 5.4 Proponent is advised that no vegetation clearing is permitted within the following buffer zones to protect nesting raptors: (a) 800 metres of a bald eagle or osprey nest between March 15 and July 31, and 200 metres during the remainder of the year; (b) 800 metres of a short-eared owl (ground) nest between May 15 and

August 15; and (c) 200 metres of any other raptor nests between March 15 and July 31. For further information, contact FAL at (709) 637-2950.

6 Government Service Centre (GSC), Department of Government Services (GS)

- 6.1 Proponent is advised that floor drains from service bays or other areas handling used or waste oils must be routed through an oil-water separator to remove oily waste prior to discharge. Plans and specifications for the oil-water separator system must be submitted to GSC for review and approval prior to installation.
- 6.2 Sewage systems exceeding 4,546 litres must comply with the Environmental Control Water and Sewage Regulations and the Guidelines for the Design, Construction and Operation of Water and Sewerage Systems, and require certified engineering drawings and specifications. Systems with a flow less than 4,546 litres must conform to the Sanitation Regulations and the Private Sewage Disposal and Water Supply Standards (2006) and be prepared by an approved designer. For further information, contact GSC-GS at (709) 729-2008.

7 Occupational Health and Safety (OHS), GMSD

- 7.1 Proponent is advised to ensure compliance with the **Occupational Health and Safety Act** and its associated regulations. This includes ensuring that contractors hired to perform work also comply with the legislation. For further information, contact OHS at (709) 729-7454.

8 Department of Municipal and Community Affairs (MCA)

- 8.1 Proponent must obtain development approval and permits from the City of St John's in accordance with the City's Municipal Plan and Development Regulations. For further information, contact MCA at (709) 729-3090.

9 Environment and Climate Change Canada (ECCC)

- 9.1 Proponent is advised to avoid vegetation clearing during the migratory bird nesting season (mid-April to mid-August) to prevent disturbance or destruction of nests and eggs protected under the **Migratory Birds Convention Act**.
- 9.2 Proponent is advised that the **Species at Risk Act** (SARA) "General Prohibitions" apply to this project. No person shall kill, harm, harass, capture, or take an individual of a listed species; possess, collect, buy, sell, or trade any individual or its parts; or damage or destroy the residence of one or more individuals.
- 9.3 ECCC-Canadian Wildlife Services 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 plan
 - A Wildlife Emergency Response Plan.

- A contingency plan that considers potential accidents and malfunctions, and site-specific conditions and sensitivities.

9.4 Proponent should develop strategies to prevent the nesting of migratory birds in stockpiles. For further information, please contact ECCC at (709) 772-4313 or (709) 853-1304.

10 Fisheries and Oceans Canada (DFO)

10.1 Proponent is responsible for understanding the potential impacts of the project on fish and fish habitat, implementing measures to avoid and mitigate those impacts and obtaining authorization from the Minister of DFO where avoidance and mitigation are not possible. For further information, contact DFO at (709) 772-4140.