

## Document A – Minister’s Determination Conditions of Approval

**Pursuant to Regulation 87-83 under the Clean Environment Act  
May 14, 2024 - File Number: 4561-3-1617 - SR 096012**

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1. In accordance with section 6(6) of the *Environmental Impact Assessment Regulation – Clean Environment Act*, it has been determined that the undertaking may proceed following approval under all other applicable acts and regulations.
2. Commencement of this undertaking must occur within three years of the date of this Determination. Commencement is defined as the start of project-related physical construction activities as identified during the Environmental Impact Assessment (EIA) review. Should commencement not be possible within this time period, the undertaking must be registered under the *Environmental Impact Assessment Regulation – Clean Environment Act* again, unless otherwise stated by the Minister of Environment and Climate Change.
3. In the event the project is commenced (i.e., partially completed) and becomes inactive for a period of five years or more after commencement, the undertaking must be registered under the *Environmental Impact Assessment Regulation – Clean Environment Act* again, unless otherwise stated by the Minister of Environment and Climate Change.
4. The proponent shall adhere to all obligations, commitments, monitoring, and mitigation measures presented in the EIA registration document dated June 28th, 2023, including but not limited to the recommendations outlined in the Tetra Tech Landfill Gas Master Plan, and updated Greenhouse Gas Management Plan, as well as all those identified in subsequent correspondence during the registration review. Additionally, the proponent shall submit a summary table detailing the status of each Condition listed in this Determination to the Director, EIA Branch, Department of Environment and Local Government (DELG) every six months from the date of this Determination until such a time as all the Conditions have been met or until it is deemed by the Director to be no longer required.
5. If it is suspected that remains of archaeological significance are discovered during construction, operation, maintenance or during any other project related activity, as per the *New Brunswick Heritage Conservation Act*, all activity shall be stopped near the find and the Archaeology and Heritage Branch, New Brunswick Department of Tourism, Heritage and Culture (THC), must be contacted immediately at (506) 453-2738 for further direction.

6. The Fundy Regional Service Commission's Environmental Management Plan for the Crane Mountain Landfill must be updated to include any applicable obligations, commitments, monitoring, and mitigation measures presented in the EIA registration document as well as those identified in subsequent correspondence during the registration review, such as all mitigation efforts regarding air quality, noise, and odour. The Environmental Management Plan must be submitted to and approved by the Director, EIA Branch, DELG prior to project commencement. Additionally, the updated Environmental Management Plan must be maintained and kept on site at the Landfill.
7. The proponent must apply to DELG's Authorization Branch for an *Approval to Construct* upon issuance of this Certificate of Determination. The *Approval to Construct* must be issued by the Authorizations Branch prior to beginning any new project-related activities.
8. The proponent must apply to DELG's Authorization Branch for a revised *Approval to Operate* upon issuance of this Certificate of Determination. The revised *Approval to Operate* must be issued by the Authorizations Branch prior to beginning any new project-related activities.
9. This project is limited to a final elevation of municipal solid waste in the containment cells from a previous approved height of +90 metres (geodetic) to +117.5 metres (geodetic) without any increase in the overall ground footprint of the cells, while ensuring a stable 4 Horizontal to 1 Vertical (4H:1V) slope is maintained.
10. The proponent shall ensure that any proposed project modifications or future expansions are submitted to the Director, EIA Branch, DELG, for review and approval prior to implementing the changes. Additional Conditions may be imposed by the Director, EIA Branch, DELG if subsequent phases/modifications are approved.
11. In the event of the sale, lease, or any other conveyance or change of control of the property, or any portion thereof, the proponent must provide written acknowledgement from the lessee, controller, or purchaser confirming that they will comply with the Conditions of this Determination to the Director, EIA Branch, DELG.
12. The proponent shall ensure that all developers, contractors, and operators associated with the project comply with the above requirements.
13. The proponent must work with the Saint John Fire Department in the preparation of a revised Emergency Management Plan and Fire Safety Plan that specifically addressed the provision of a water supply for fire fighting purposes for potential fires at the landfill. This revised Emergency Management Plan and Fire Safety Plan must be submitted to and approved by the Director, EIA Branch, DELG prior to project commencement.