Environmental Regulatory Approval Processes

Nova Scotia Department of Environment and Climate Change (ECC)



Legal Authority

The *Environment Act* is the main legal authority for most environmental approvals by which ECC regulates. Three primary regulations are:

Environmental Assessment (EA) Regulations

Describes types of projects that require environmental assessments and the assessment process.
Decisions are Ministerial, ~10-15 annually.

Activities Designation Regulations

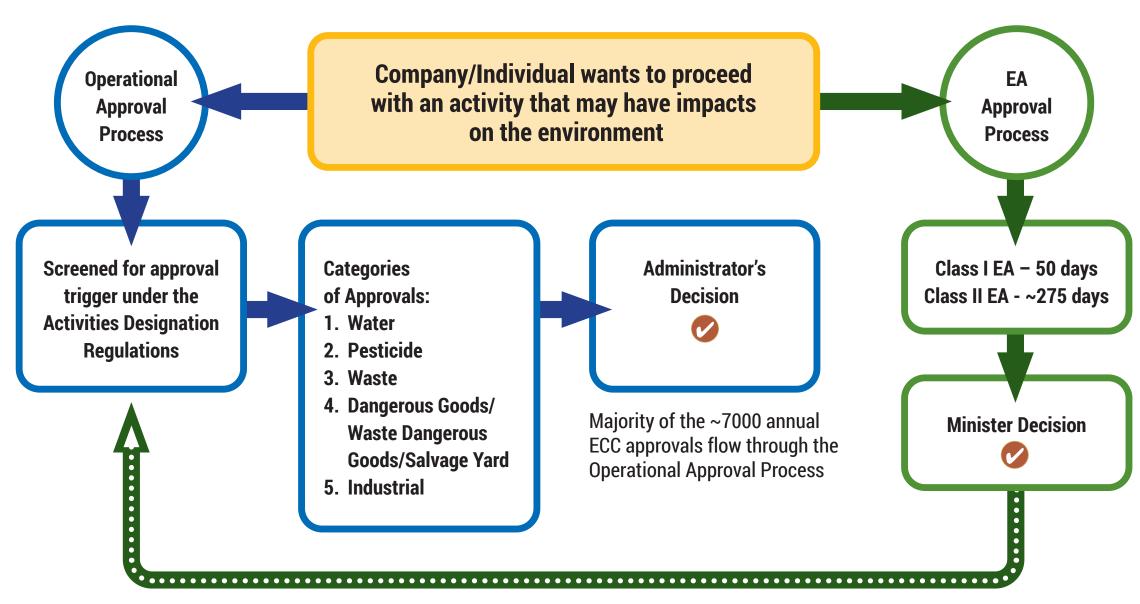
Describes more than 140 activities that require approvals. Decisions are made by administrators, ~7,000 annually.

Approval and Notification Procedure Regulations

Describes information an applicant has to submit and the approval process.



ECC Approval Process



Crown consultation with the Mi'kmaq of Nova Scotia on a particular project can also occur on other government permits in addition to the Environmental Assessment process.

If EA approved, operational approvals may also be required



Environmental Assessment

Environment Assessments (EA) support planning for large projects.

- EAs ensure that companies identify and mitigate potential impacts to the environment of their proposed projects prior to projects being constructed
- This allows sustainable development to occur while the environment is protected



Environmental Assessment (continued)

What projects need EA?

Any project listed in Schedule A of the *Environmental Assessment Regulations*

What is the outcome of an EA?

- A successful EA results in an approval with terms and conditions, set by the Minister
- The terms and conditions ensure the environment remains protected through the life of the project
- Terms and conditions are the basis for compliance



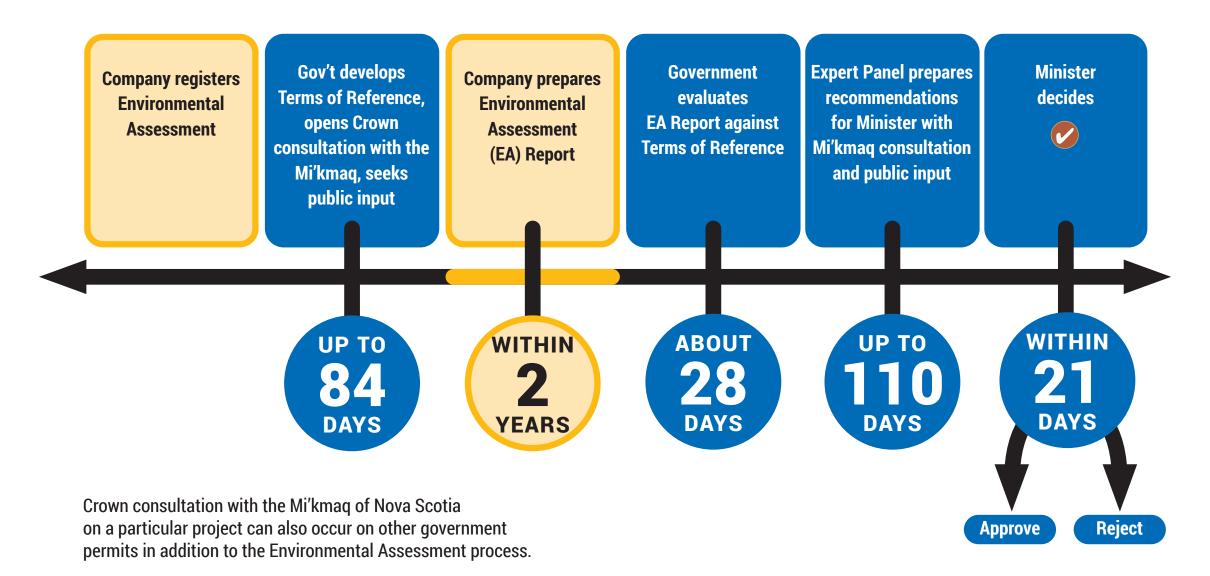
Class I Environmental Assessment Process

Approve Applies to projects like subject to mines, waste facilities and developments in wetlands terms and conditions **More Info** Minister **Company prepares** Company Government Government a specific **Environmental** registers project opens Crown compiles results decides issue needs consultation with **Assessment (EA)** to be Mi'kmaq on day one, documents with addressed seeks public input Mi'kmag engagement **Focus** and public input Report a broader issue needs more study DAY UP TO **EA Report** DAY **50** 30 **20** many areas need more **DAYS** DAYS study Reject Crown consultation with the Mi'kmag of Nova Scotia unacceptable risk to on a particular project can also occur on other government permits in addition to the Environmental Assessment process. environment



Class II Environmental Assessment Process

Applies to large-scale projects like solid waste incinerators, petrochemical facilities, and pulp plants





Operational Approvals

Operational approvals may also be required from ECC

They ensure that operations mitigate risk to the environment

What projects require operational approvals?

- Any activity listed in the *Activities Designation Regulations*
- Activities fall into the following five categories:
 - → Water;
 - Pesticide;
 - → Waste;
 - Dangerous Goods/Waste Dangerous Goods/Salvage Yard;
 - → Industrial



Operational Approvals (continued)

What is the process for operational approvals required under ADR?

The process is outlined in the *Approval and Notification Procedure Regulations*

What is the outcome of these approvals?

- Approvals contain terms and conditions, set by the administrator
- These terms and conditions are the basis for compliance of the activity



Operational Approval Process

to ensure adherence Applies to activities listed in the *Activities Designation Regulations* to terms and in the following categories: water; pesticide; waste; conditions. dangerous goods/waste dangerous goods; industrial **APPLICATION APPLICATION APPLICATION** PRE APPLICATION **APPROVAL Client discusses RECEIVED REVIEW DECISION ISSUED Client submits Department evaluates Administrator decides** potential project application and submission based on (60 days from submission environmental risk complete application) documents* **APPROVAL NOT ISSUED, →** Public Consultation **MORE INFO** written **Applicable ECC** asks for any missing **→** Financial Securities decision depending or additional information Crown consultation with the on activity required to make a decision provided Mi'kmag of Nova Scotia (90 days to provide).



A risk assessment

of the activity is done within 90 days of approval to

determine an inspection schedule