

Environmental Assessment Approval

Approval Date: *Original Dated May 28, 2010*

Waverley Liquid Asphalt Storage Terminal General Liquids Canada Ltd., Proponent

Halifax Regional Municipality, Nova Scotia

The Waverley Liquid Asphalt Storage Terminal (the "Undertaking"), proposed by General Liquids Canada Ltd. (the "Approval Holder"), Halifax Regional Municipality, Nova Scotia is approved pursuant to Section 40 of the *Environment Act* and Section 13(1)(b) of the *Environmental Assessment Regulations*. This Approval is subject to the following conditions and obtaining all other necessary approvals, permits or authorizations required by municipal, provincial and federal acts, regulations and by-laws before commencing work on the Undertaking. It is the responsibility of the Proponent to ensure that all such approvals, permits or authorizations are obtained before commencing work on the Undertaking.

This Environmental Assessment Approval is based upon the review of the conceptual design, environmental baseline information, impact predictions, and mitigation presented in the Registration Document.

Terms and Conditions for Environmental Assessment Approval

1.0 General Approval

- 1.1 The Environmental Assessment Approval for the project is limited to the project as described in the registration document. Any proposal by the Proponent for expansion, modification or relocation of any aspect of the project from that proposed in the Registration Document must be submitted to the Environmental Assessment Branch for review and may require an environmental assessment.
- 1.2 The Proponent must, within two years of the date of issuance of this approval, commence work on the Undertaking unless granted a written extension by the Minister.
- 1.3 The Proponent must not transfer, sell, lease, assign or otherwise dispose of this approval without the written consent of the Minister. The sale of a controlling interest of a business or a transfer of an approval from a parent company to a subsidiary or an affiliate is deemed to be a transfer requiring consent.
- 1.4 The Proponent must implement all mitigation and commitments in the Registration Document, unless approved otherwise by Nova Scotia Environment (NSE).

2.0 Facility Operations

- 2.1 Prior to construction, the Approval Holder must submit to NSE Central Regional Office for review and approval, a site plan, which includes but is not limited to,

containment features (including materials and volumes), environmental controls and discharge points.

- 2.2 All petroleum storage tanks must be registered, installed, monitored and maintained in accordance with the Petroleum Management Regulations and the Nova Scotia Standards for the Construction and Installation of Petroleum Storage Tank Systems (1997 edition or most recent version).
- 2.3 The Approval Holder must implement an inspection program, for tanks, pipelines and systems, in accordance with industry standards.
- 2.4 All loading and unloading areas shall be constructed in a manner that directs runoff to an oil/water separator or in a manner that is acceptable to NSE.
- 2.5 Impounded tank lot water shall be directed to a storm water holding pond for inspection and monitoring prior to release. The holding pond shall include a design for oil/water separation prior to release to the environment.
- 2.6 The Approval Holder must submit to NSE Central Regional Office prior to operation for review and approval, maintenance and operation plans for the odour emission control systems. This includes the maintenance and replacement procedures for activated carbon filters used for odour suppression.

3.0 Surface Water and Groundwater Resources

- 3.1 Prior to construction, the Approval Holder must submit to NSE Central Regional Office for review and approval:
 - a) a surface water monitoring program including sampling locations and parameters. Based on the results of the monitoring programs as proposed, the Approval Holder must make necessary modifications to mitigation plans and/or operations as required by NSE;
 - b) a stormwater management plan including details regarding the plans for monitoring, maintenance and upgrading of the flow retention/siltation treatment areas. Design criteria must recognize increased likelihood of more intense precipitation events in coming decades; and
 - c) a groundwater monitoring program including location of monitoring wells and monitoring parameters. Based on the results of the monitoring programs, the Approval Holder must make necessary modifications to mitigation plans and/or operations, if required, to prevent unacceptable environmental effects, to the satisfaction of NSE.
- 3.2 All discharges from the site must meet NSE requirements.

4.0 Air Quality and Odour

- 4.1 The Approval Holder must develop and implement an air quality monitoring and/or mitigation plan, at the request of NSE. Based on the results of the monitoring programs as proposed, the Approval Holder must make necessary modifications to

mitigation plans and/or operations as required by NSE.

5.0 Public Consultation

- 5.1 The Approval Holder must develop and submit to NSE, a complaint resolution program to address public concerns associated with the undertaking. The complaint resolution program must include but not be limited to the appointment of a contact person designated to deal with concerns from the public.
- 5.2 At the request of NSE, the Approval Holder must form a Community Liaison Committee (CLC). The NSE Guidelines for the Formation of a Community Liaison Committee should be used for guidance.

6.0 Archaeological & Heritage Resources

- 6.1 The Approval Holder must cease work and contact the Director, Heritage Division, Nova Scotia Department of Tourism, Culture and Heritage immediately upon discovery of an archaeological site or artifact unearthed during any phase of the proposed Undertaking. If the find is of certain or suspected Mi'kmaq origin, the Approval Holder must also contact the Executive Director of the Kwilmu'kw Mawklusuaqn Negotiation Office.

7.0 Contingency Plans

- 7.1 The Approval Holder must submit a contingency plan to NSE Central Regional Office for accidents, emergencies and malfunctions. The plan must be developed in accordance with NSE's Contingency Planning Guidelines and must address, but not be limited to, the following:
 - releases of dangerous goods and waste dangerous goods;
 - fires;
 - surface water control structure failure;
 - impacts to watercourses;
 - procedures for responding to incidents occurring both when the facility is staffed and not staffed;
 - locations and description of spill and emergency response equipment kept on-site; and
 - training to be delivered to staff, including contractors.

Original Signed By

Sterling Belliveau
Minister of Environment