

# Environmental Assessment Approval

**Approval Date:** June 22, 2020

## Liquid Asphalt Storage Facility

*General Liquids Canada*

Halifax County, Nova Scotia

---

The Liquid Asphalt Storage Facility Project (the “Project”), proposed by: General Liquids Canada (the “Approval Holder”) in Dartmouth, Halifax County, 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 Approval Holder 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 Definitions

- 1.1 Environment Act means Environment Act 1994-95, c.1, s.1, and includes, unless the context otherwise requires, the regulations made pursuant to the Act, as amended from time to time.
- 1.2 Department means the Department of Environment, and the contact for the Department for this Approval is:  
  
Nova Scotia Environment  
Central Region, Bedford Office  
30 Damascus Street, Nova Scotia B4A 0C1  
Phone: (902) 424-7773 Fax: (902) 424-0597
- 1.3 Minister means the Minister of Environment.

- 1.4 Commencement means the same as to commence work, as defined in the Environmental Assessment Regulations.
- 1.5 EA means Environmental Assessment

## **2 Scope**

- 2.1 This Approval (the "Approval") relates to the Approval Holder(s) and their Registration Document and all documentation submitted to the Department prior to the issuance of this approval for the Liquid Asphalt Storage Facility, situated at or near 750 Pleasant Street, Dartmouth, Nova Scotia, hereafter referred to as the "Project".
- 2.2 The Approval Holder(s) shall ensure the Project is carried out in accordance with this Approval and reference documents, including the Registration Document and supporting documentation.

## **3 General**

- 3.1 The Approval Holder shall conduct the Project in accordance with the Environment Act, as amended from time to time.
- 3.2 The Approval Holder shall, within two years of the date of issuance of this Approval, commence work on the Project unless granted a written extension by the Minister.
- 3.3 The Approval Holder shall provide written notification to the Department of the commencement date of the Project, at a minimum 30 days prior to the commencement.
- 3.4 The Approval Holder shall provide to the Department a concordance table detailing the status of the EA terms and conditions on January 31 of each year until released in writing by the Department.
- 3.5 Prior to any proposed expansion, modification or relocation of any aspect of the Project from that proposed in the Registration Information, the Approval Holder shall submit the proposal to the EA Branch for review and may require an EA.
- 3.6 Nothing in this Approval relieves the Approval Holder of the responsibility for obtaining and paying for all other licenses, permits, approvals or authorizations necessary for carrying out the Project which may be required by municipal by-laws or provincial or federal legislation. The Minister does not warrant that such licenses, permits, approvals or

authorizations will be issued.

- 3.7 No authority is granted by this Approval to enable the Approval Holder(s) to commence or continue the Project on lands which are not in the control or ownership of the Approval Holder(s). It is the responsibility of the Approval Holder(s) to ensure that such a contravention does not occur. The Approval Holder(s) shall provide, to the Department, proof of such control or ownership upon expiry of any relevant lease or agreement. Failure to retain said authorization may result in this Approval being cancelled or suspended.
- 3.8 The Approval Holder shall 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 this Approval from a parent company to a subsidiary or an affiliate is deemed to be a transfer requiring consent.
- 3.9 If there is a discrepancy between the Registration Documentation and the terms and conditions of this Approval, the terms and conditions of this Approval shall apply.
- 3.10 Upon any changes to the Registry of Joint Stock Companies information related to the Approval Holder, the Approval Holder shall provide a copy to the Department within 5 days of the changes.
- 3.11 Where a timeline is associated with a condition(s) of the Approval, the Approval Holder shall fulfil the requirements of the condition(s) within the prescribed timeline, unless otherwise authorized in writing by the Department.
- 3.12 The Approval Holder shall notify the Department in writing within 48 hours of any incidents of non-compliance with this Approval.
- 3.13 The Approval Holder shall bear all expenses incurred in carrying out the environmental management and monitoring required under the terms and conditions of this Approval.
- 3.14 Unless specified otherwise in this Approval, all samples required to be collected by this Approval shall be collected, preserved and analyzed, by qualified personnel, in accordance with recognized industry standards and procedures that are deemed acceptable to the Department.
- 3.15 The Approval Holder shall ensure that this Approval, or a copy, is present at the Project site while personnel are on site and that personnel directly involved in the Project are made fully aware of the terms and conditions

which pertain to this Approval.

- 3.16 The Approval Holder shall update and/or revise any of the plans, programs or other documents required in this Approval to reflect the progressive development of and/or changes to the Project at a schedule acceptable to, or upon the request of, the Department.
- 3.17 Based on the results of the monitoring plans required in this Approval, the Approval Holder shall make necessary modifications to mitigation plans and/or changes to Project operations to prevent unacceptable environmental effects, as required by the Department.
- 3.18 Where a condition of this Approval requires the Approval Holder to consult a particular party or parties regarding the content of a document, the Approval Holder shall: provide a written notice to each such party inviting comments on the document within a reasonable timeframe, provide a written explanation to each party how the comments are addressed and considered, as well as maintain a record of consultation with each party and provide a copy of such consultation to the Department.

If there is a conflict between the Approval Holder and a party or parties that they are required to consult, the Department will determine if suitable consultation has been completed.

#### **4 Facility Operation**

- 4.1 As part of a complete application for the Part V Approval under the *Environment Act*, the Approval Holder shall submit for review and acceptance:
  - a) Site plans and engineered drawings which includes but is not be limited to, storage tank construction/design, containment features and environmental controls identifying discharge points.
  - b) Provide details from Environmental Site Assessments referenced in the Registration Document which demonstrate the extent of the assessment and which establish the pre-existing site conditions of the Project site, including the Cherubini Metal works property (PID # 40228849) which will be used for the asphalt transfer by pipeline.
  - c) An inventory of all potential air contaminants of concern, including but not limited to speciated volatile organic compounds and polycyclic aromatic hydrocarbons, for the Project.
  - d) Air dispersion modelling to estimate the ground level concentrations for all potential air contaminants of concern for the Project. The predicted ground level concentrations of the air contaminants shall be compared to relevant ambient air quality criteria. In the absence of

NS adopted ambient air quality criteria, the Approval Holder shall utilize criteria from Federal and/or other Provincial jurisdictions.

- e) Operations and maintenance programs for all odour control systems.
- f) Results of a baseline noise monitoring program.
- g) Detailed operational procedures and contingency measures to manage plant upsets in order to mitigate potential impacts on the environment.
- h) Copies of Environmental Management Plans and Oil Pollution Prevention Plan referenced in the Registration Document
- i) A groundwater monitoring plan, prepared by a Professional Geoscientist or Hydrogeologist, including the proposed location of monitoring wells (minimum of three wells), monitoring parameters, and monitoring frequency. This plan shall be designed to determine groundwater flow conditions, evaluate potential impacts to groundwater quality and support the storage tank and pipeline inspection and leak detection system.
- j) A detailed surface water management plan and design developed by a qualified professional engineer licensed to practice in the Province of Nova Scotia including:
  - 1. Pre and post stormwater management conditions, location of and design calculations for all stormwater infrastructure associated with flows from the site
  - 2. Plans for monitoring, maintenance and upgrading of stormwater infrastructure. The plan should include engineered drawings, which include but are not limited to, containment features and environmental controls identifying discharge points. Impounded tank lot water or water is to be captured within secondary containment systems and/or oil water separation systems and adequately treated prior to discharge. All loading and unloading areas shall be constructed in a manner that directs runoff to an oil/water separator or in a manner acceptable to the Department. Design criteria shall recognize increased likelihood of more intense precipitation events in coming decades.
  - 3. Surface water quality and quantity monitoring plan including the proposed monitoring locations, monitoring parameters, and monitoring frequency

4. An erosion and sedimentation control plan

k) Complaint resolution plan to address all concerns associated with the Project. As part of the plan, the Approval Holder shall appoint a contact person designated to deal with complaints and shall provide the contact information to the Department.

l) Preliminary reclamation and closure plan.

4.2 All storage tanks shall be registered, installed, monitored and maintained in accordance with the Petroleum Management Regulations. The Nova Scotia Standards for Construction and Installation for Petroleum Storage Tanks Systems can be used as a reference.

4.3 The Approval Holder shall implement an inspection program for tanks, pipelines and systems, in accordance with industry standards. The Approval Holder shall make necessary modifications to the inspection program as required by the Department.

## **5 Air Quality, Odours and Noise**

5.1 The Approval Holder shall develop and implement an air quality monitoring and/or mitigation plan, at the request of the Department. Based on the results of the monitoring programs as proposed; the Approval Holder shall make necessary modifications to mitigation plans and/or operations as required by the Department.

5.2 At the request of the Department, the Approval Holder shall monitor odours. Based on the results of the monitoring program as proposed, the Approval Holder shall make necessary modifications to mitigation plans and/or operations as required by the Department.

5.2 At the request of the Department, the Approval Holder shall monitor noise. Based on the results of the monitoring program as proposed, the Approval Holder shall make necessary modifications to mitigation plans and/or operations as required by the Department.

## **6 Water Resources**

6.1 The Approval Holder shall not conduct any Project activities, or removal of vegetation within 30 metres of a watercourse and/or a wetland unless otherwise authorized in writing by the Department.

6.3 All discharges from the site shall meet the Department's requirements.

6.2 Surface water management and mitigations shall be considered during future decommissioning. These considerations and plans shall be included in the Approval Holder's plans submitted to the Department at the time of

closure.

## **7 Vegetation and Wildlife**

- 7.1 Should nesting birds or their young, or any species-at-risk, be encountered on site during construction the Approval Holder shall contact a Species at Risk Biologist, Wildlife Division, Nova Scotia Department of Lands and Forestry to discuss immediate actions and mitigation.

## **8 Archaeological and Cultural Resources**

- 8.1 The Approval Holder shall cease work and contact the Special Places Coordinator, Nova Scotia Department of Communities, Culture and Heritage (CCH) immediately upon discovery of an archaeological site or artefact unearthed during any phase of the Project. If the find is of certain or possible Mi'kmaq origin, the Approval Holder shall also contact the appropriate Mi'kmaq representatives as advised by CCH.

## **9 Public and Aboriginal Consultation**

- 9.1 At the request of the Department, the Approval Holder shall develop and implement a plan for the formation and operation of a Community Liaison Committee (CLC) including terms of reference, which meets the Department's Guide for the Formation and Operation of a Community Liaison Committee. The Approval Holder shall operate the CLC for the duration of the Project or until released in writing by the Department.

## **10 Contingency Plans**

- 10.1 Prior to further construction of the Project, the Approval Holder shall develop a contingency plan which meets the Department's Contingency Planning Guidelines. The plan shall address accidental occurrences, including but not limited to:
- a) spills and releases of dangerous goods and waste dangerous goods,
  - b) fires,
  - c) surface water control and spill containment structure failure,
  - d) impacts to surface waters (including marine),
  - e) procedures for responding to incidents occurring both when the facility is staffed and not staffed,
  - f) locations and descriptions of spill and emergency response equipment kept off-site,
  - g) and training to be delivered to staff and contractors.
  - h) The plan shall detail the potential worst-case scenario for potential incidents and describe the resources required to respond.

- 10.2 The Approval Holder shall implement the plan once deemed acceptable by the Department, over the lifetime of the Project.
- 10.3 The Approval Holder shall update and revise contingency plans as required by the Department throughout the life of the Project.

## **11 Site Reclamation**

- 11.1 Project operations shall be completed and reclaimed to the satisfaction of the Department and other appropriate regulatory departments.



Gordon Wilson, MLA  
Minister of Environment