

SCHEDULE 3

All that certain lot, piece or parcel of land situate, lying and being on 36 Fielding Ave. in the Burnside Industrial Park, Dartmouth, Nova Scotia. Site borders on the corner of Moore Rd. running west and runs south on Fielding Ave. to adjoining 38 and 40 Fielding Ave. On the other side Pepsi Bottling Group borders Moore Rd. and the back of the lot borders on power line.

Schedule 3

ALL that certain lot of land on the Northeastern side of Fielding Avenue in the City of DARTMOUTH, Province of Nova Scotia, being Lot 13-B on a Plan (Servant, Dunbrack, McKenzie & MacLeod Limited, Plan Number 6-115-0) showing Lots 13-A and 13-B subdivision of Lot 13, land conveyed to Donald E. MacLeod, signed by Grenville Leopold, N.S.L.S., dated August 21st, 1978, and described as follows:

BEGINNING on the Northeastern boundary of Fielding Avenue at the most Southern corner of Lot 13-A;

THENCE N 36 degrees 17' 28" E, 269.86 feet along the South-eastern boundary of the said Lot 13-A to the most Eastern corner thereof;

THENCE S 52 degrees 52' 36" E, 157.45 feet along a Southwestern boundary of lands owned by City of Dartmouth to its intersection with the Northwestern boundary of Moore Road;

THENCE S 37 degrees 10' 36" W, 253.92 feet along said Northwestern boundary of Moore Road to its intersection with a curved North-eastern boundary of the aforesaid Fielding Avenue;

THENCE Northwestwardly on a curve to the left which has a radius of 979.93 feet for a distance of 30.54 feet to a point of curvature;

THENCE N 58 degrees 59' 00" W, 123.58 feet along the aforesaid Northeastern boundary of Fielding Avenue to the place of beginning.

CONTAINING 40,671 square feet;

ALL bearings are Nova Scotia Co-Ordinate Survey System Grid Bearings and are referred to Central Meridian, 64 degrees 30' West.

SUBJECT to an Easement in favour of the City of Dartmouth over a portion of the above described Lot 13-B and which said Easement is more particularly described as follows:

BEGINNING on the aforesaid Northwestern boundary of Moore Road at the most Eastern corner of the above described Lot 13-B;

THENCE S 37 degrees 10' 36" W, 30.0 feet along said Northwestern boundary of Moore Road to a point thereon;

THENCE N 53 degrees 45' 00" W, 80.0 feet;

THENCE N 58 degrees 21' 30" W, 77.27 feet to its intersection with the Northwestern boundary of the said Lot 13-B;

THENCE N 36 degrees 17' 28" E, 41.40 feet along said Northwestern boundary of Lot 13-B to the most Northern corner thereof;

THENCE S 52 degrees 52' 36" E, 157.45 feet along the Northeastern boundary of the said Lot 13-B to the place of beginning.

CONTAINING 5,470 square feet.

ALL BEARINGS are Nova Scotia Co-ordinate Survey System Grid Bearings and are referred to Central Meridian 64 degrees 30' West.

BEING AND INTENDED TO BE those lands conveyed to the Grantor, Kathleen D. MacLeod, by Last Will and Testament of the late Donald E. MacLeod, duly admitted to Probate by the Court of Probate in and for the County of Pictou.

SCHEDULE 4

MARITIME BATTERY LTD.

CONTINGENCY PLAN

FOR RELEASES OF DANGEROUS AND HAZARDOUS WASTES

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SCHEDULE 4

1. Contingency Plan Scope

Purpose

The purpose of the contingency plan is to recognize the workplace hazards associated with the storage of dangerous goods and hazardous materials, and to show the responses and actions required to contain a spill, and minimize or nullify its impact on the environment.

Geographic Location

This contingency plan applies to Maritime Battery's warehouse location, at 36 Fielding Ave., in Dartmouth, Nova Scotia.

Responsibility

The contingency plan is the responsibility of Maritime Battery Ltd. as it applies to its operation at the above location.

2. Notification Procedures

Any spill no matter how small should be reported to the Canadian Coast Guard (local 426-6030) regardless of size. An example of a small spill; if a battery was dropped by accident and cracked there would be 4 litres of acid to contend with and would be dealt with as per Schedule 4, Section 5. An example of a large spill; as per volume, if an entire skid of batteries were damaged, 40 batteries with 4 litres of acid, there would be 160 litres of acid to contend with. This would also be dealt with as per Schedule 4, Section 5.

Reportable Spills – Transport Releases

Driver must report all spills must be reported with top priority.

On-site – Spill Reported By:

Andrew Watt – Inside Battery Sales/Warehouse Manager

On-site – Spill Reported To:

Derrick Moir – Service Manager/Response Team Leader

Wayne Nolter – Manager/Owner

Notification of Authorities:

Derrick Moir – Service Manager/Response Team Leader

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3. Notification List

Environment Canada

Regional Spill Reporting Numbers
1-800-565-1633

Canadian Coast Guard

24 hour Reporting Numbers
902-426-6030

Local Police or RCMP/Medical Help/Ambulance:

Emergency Number - 911

Maritime Battery Dartmouth Office:

1-800-468-8488 or 468-8488

Maritime Battery Dartmouth Personnel:

Derrick Moir – 902-468-8488 (Office)
902-758-3274 (After Office Hours)

Wayne Nolter –902-468-8488 (Office)
902-827-3446 (After Office Hours)

CANUTEC – Canadian Transport Emergency Centre

24 Hour emergency response – 1-613-966-6666 collect
Cellular Phone Number - *666 (Canada only)

4. Response Team Leader – Responsibilities

The response team leader is in charge of the countermeasures phase of any clean-up. This person is responsible for performing, or ensuring the performance of the following:

- ✓ Make decisions on the severity of the spill, best clean-up method, need for outside assistance, and notification of authorities and company personnel.
- ✓ Commit resources to clean up the spill, and source additional materials if required.
- ✓ Notify and communicate with personnel representing government agencies
- ✓ Direct the people and resources used in the clean- up operation
- ✓ Act as the focal point for information exchange on the spill and clean-up
- ✓ Preserve sample of contaminated materials, if any occur.
- ✓ Prepare and submit a report, detailing the spill response and clean-up, if necessary.

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5. Containment and Clean-Up Procedures

Non- Transport Releases

For small spills classified as less than 5 kilograms or 5 litres of acid, neutralize the acid by pouring on soda ash, and dispose of the residue as a hazardous material. Use pH paper to confirm the acid has been neutralized, and the resulting material should have a pH level as close to 7 as possible. Spills over 5 litres follow the same procedures. When cleaning up the spill, gloves, eye protection and protective clothing must be worn. Small spills on the warehouse floor should be neutralized with soda ash, and swept up and disposed of as a hazardous waste. The warehouse has a concrete floor, with capped drains and a 1.5" raised concrete footing around the outside wall which would contain the acid if there were a large spill. The surroundings outside the warehouse are paved with a concrete loading dock, so soil contamination would not happen there either.

Transport Releases

For small spills classified as less than 5 kilograms or 5 litres of acid, neutralize the acid by pouring on soda ash, and dispose of the residue as a hazardous material. Use pH paper to confirm the acid has been neutralized, and the resulting material should have a pH level as close to 7 as possible. Spills over 5 litres follow the same procedures. When cleaning up the spill, gloves, eye protection and protective clothing must be worn. Batteries that are leaking or have cracks are put into a self contained tub.

Emergency Response Capability

Equipment	- 40 litres of Soda Ash and water (See Schedule 2c for location) - Shovel, broom & pail - Eyewash - Safety glasses - Rubber gloves and apron - Dry chemical fire extinguisher - pH paper
Personnel	- up to seven employees on site

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Emergency Plan Activation

- notify the response team leader
- tend to any medical emergencies
- notify authorities as appropriate
- ensure the site is physically safe, with no moving or non-chemical hazards, and isolate the area.
- assemble all required equipment for the cleanup
isolate the batteries that are leaking, and prevent further leakage
- remove all batteries from the spill area
- ventilate enclosed areas
- neutralize the acid with soda ash
- contain the spill so it does not spread or leave the building
- test to ensure the acid is neutralized
- dispose of the residue

6. Site Restoration

Neutralize all acid and sweep up the residue. The concrete and pavement of the warehouse floor, and the surrounding area, if necessary may be swept, and washed. When this is done, the site may be used for handling batteries again, with no environmental impact.

7. Disposal

Neutralized acid, as a sodium sulphate salt may be disposed as a non-hazardous material. Batteries may be recycled into their lead, acid and plastic components, through regular recycling channels.

Battery Disposal / Picked up by John Ross & Sons with their own transport and disposed of through the proper channels.

Storage of scrap batteries – on site

Approvals required – none, for a regular shipment of scrap, using standard documentation.

8. Resources

Countermeasure equipment and manpower are shown in section 5 under Emergency Response Capability.

9. Public Relations

The response team leader is authorized to discuss the spill with authorities concerned with the clean-up of the spill. The Fire Department will be issued a standing inventory list, a contingency plan and all diagrams labeled as schedule 2a, 2b & 2c.

10. Reporting

Schedule 4

A spill report is enclosed, covering the reporting in the event of a spill (see schedule 8). The final report for a spill will be signed by Wayne Nolter, President of Maritime Battery Ltd. An MSDS sheet is also included for Lead Acid Battery, Wet, Filled with Acid (see schedule 9).

The materials involved in the spill are described as:

BATTERIES, WET, FILLED WITH ACID, PIN # UN2794, CLASS 8, PACKING GROUP III
BATTERY FLUID, ACID, PIN # UN2796, CLASS 8, PACKING GROUP II

Emergency Response Plan - Fire

Purpose:

To minimize loss and injury, any type of fire, indoor or outdoor, should be reported to the fire department by calling 911. Should there be a building fire, all building occupants are to be evacuated for their personal safety. Fire extinguishers have been provided within the building to extinguish small fires.

Scope:

All employees are to be aware of the fire emergency plan and take prompt action according to the following procedure.

Procedure:

□ ***BE PREPARED-***

Know the location of the fire exits, fire alarms, and fire extinguishers in your workplace. Familiarize yourself with the procedures below and participate in fire extinguisher training so that you are prepared in case of a fire.

□ ***IF YOU DISCOVER A FIRE-***

If you see or hear a fire, or smell smoke, **pull the closest fire alarm.**

□ ***TAKE IMMEDIATE ACTION AND DIAL 911-***

Dial 911 from a safe location and give the operator all the pertinent facts. When the 911 operator answers, give the following information: **YOUR NAME. THAT YOU ARE CALLING FROM Maritime Battery (Burnside) at 36 Fielding Avenue, Dartmouth, Nova Scotia. THAT THERE IS A FIRE CURRENTLY IN PROGRESS AT OUR FACILITY.**" Give the precise nature of the fire,(ie. car fire, chemical fire, electrical fire, outdoor grass fire, building fire, fuel fire). Tell the operator which entrance the fire truck should enter and describe our location. Indicate whether there are any injuries, and the number and extent of those injuries. Do not hang up until given permission to do so by the operator. Dispatch an employee to the entrance to guide the fire truck to the fire area.

□ ***USE OF EXISTING EQUIPMENT-***

You might try to put out the fire, if it is small enough, using existing equipment - use your best judgment - if trained and confident. In the event that the fire is small enough to be extinguished by a fire extinguisher, fire extinguishers have been placed around the building and are identified. Become aware of fire extinguisher locations and familiar with accessibility. If the fire does not go out or spreads after attempting to extinguish flames, leave the area immediately and close all doors on your way.

□ ***EVACUATION***

If the fire is clearly out of control, notify all others in danger, **YELL FIRE** and evacuate all personnel from the building to the designated muster station outside the building. Assist people with disabilities, and children, as required. Fire wardens are to ensure that all employees and visitors are out of the building and proceed out behind them, closing but not locking doors as they leave. Leave buildings by the nearest safe exit. All employees, guests and visitors are to proceed to the designated muster station in the employee parking area and

ensure that their names are on a list of those who are out of the building. This list will be prepared by a designated fire warden. Material Safety Data Sheets are to be taken by the fire warden and made available to the fire department, as required. All personnel are to wait outside the building as directed by the Fire Department. You are to re-enter the building only after the fire department has given permission to do so.

□ ***IF YOU ARE TRAPPED-***

- Dial 911 and give a description of your location.
- Place towels/clothes (wet if possible) at the bottom of the door.
- Open windows, if possible.
- Stay close to the floor if there is a lot of smoke

□ ***IF YOUR CLOTHES CATCH FIRE-***

- **Stop** whatever you are doing.
- **Drop** to the ground.
- **Roll** to smother the flames.

If someone else's clothes catch fire have them stop, drop and roll. Try to smother the flames with a piece of clothing.

□ ***USING AN EXTINGUISHER-***

Think "**PASS**":

- Pull the safety pin at the top of the extinguisher.
- Aim the nozzle/hose at the base of the flames
- Squeeze or press the handle.
- Sweep from side to side at the base of the fire until it is out.

□ ***KNOW YOUR EXTINGUISHER-***

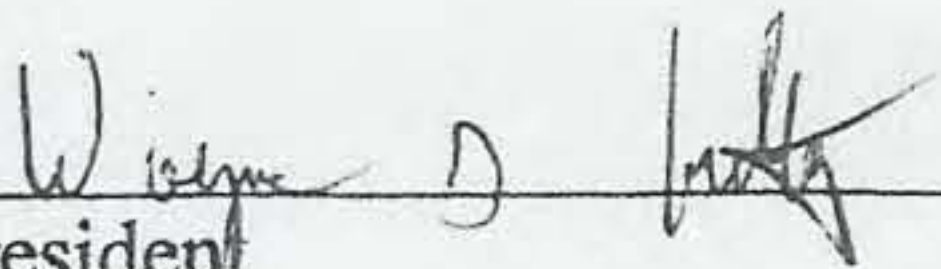
- **Type A (green triangle)** - use for paper and wood
- **Type B (red square)** - use for flammable liquids such as gas, oil, paint
- **Type C (blue circle)** - use for electrical fires involving wires or appliances.

□ ***NOTIFY MANAGEMENT-***

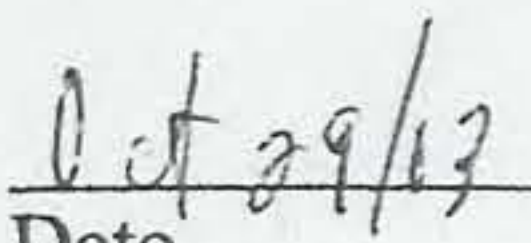
The manager, if not on-site, is to be notified immediately. Emergency numbers are posted on an emergency contact list.

Responsibility:

Fire wardens are responsible to ensure everyone is out of the building and directed to the specified muster station for a roll call and to take a copy of the MSDS listing to be presented to the Fire Department. Other employees are to report to the muster station and should not re-enter the building until advised to do so by the fire department. Supervisors are to ensure that senior management has been notified of the fire, if not on location.



President



Date