

APPENDIX A

PROPERTY INFORMATION

Environmental Assessment Registration
Document for Irish Cove Quarry Expansion

Profile

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PROFILE - MUNICIPAL ENTERPRISES LIMITED - as of: 2014-06-11 11:04 AM

Business/Organization Name:	MUNICIPAL ENTERPRISES LIMITED
Registry ID:	3251748
Type:	N.S. Limited Company
Nature of Business:	
Status:	Active
Jurisdiction:	Nova Scotia
Registered Office:	927 ROCKY LAKE DRIVE BEDFORD NS Canada B4A 3Z2
Mailing Address:	927 ROCKY LAKE DRIVE BEDFORD NS Canada B4A 3Z2

PEOPLE

Name	Position	Civic Address	Mailing Address
CARL B. POTTER	Director	927 ROCKY LAKE DRIVE BEDFORD NS B4A 3Z2	
CARL VINCENT	COMPTROLLER	927 ROCKY LAKE DRIVE BEDFORD NS B4A 3Z2	
DAVID PANGMAN	VICE PRESIDENT, FINANCE	927 ROCKY LAKE DRIVE BEDFORD NS B4A 3Z2	
KURT JACOBS	PRESIDENT	927 ROCKY LAKE DRIVE BEDFORD NS B4A 3Z2	
CECIL G. VANCE	GENERAL MANAGER	927 ROCKY LAKE DRIVE BEDFORD NS B4A 3Z2	
DAVID A. WOOD	CFO & SECRETARY	927 ROCKY LAKE DRIVE BEDFORD NS B4A 3Z2	
SONDRA CLEGG	ASSISTANT SECRETARY	927 ROCKY LAKE DRIVE BEDFORD NS B4A 3Z2	
		927 ROCKY LAKE DRIVE	

CARL B. POTTER	CHAIRMAN	BEDFORD NS B4A 3Z2	
CHRISTINE C. POUND	Recognized Agent	900-1959 UPPER WATER STREET HALIFAX NS B3J 2X2	PO BOX 997 HALIFAX NS B3J 2X2

ACTIVITIES

Activity	Date
Annual Renewal	2014-02-03
Annual Statement Filed	2014-02-03
Change of Directors	2013-09-12
Change of Directors	2013-03-18
Annual Renewal	2013-02-18
Annual Statement Filed	2013-02-18
Change of Directors	2012-06-22
Annual Statement Filed	2012-02-29
Annual Renewal	2012-02-29
Change of Directors	2011-11-10
Change of Directors	2011-06-20
Appoint an Agent	2011-06-16
Special Resolution	2011-02-10
Change of Directors	2011-02-01
Appoint an Agent	2011-02-01
Effective Date of Amalgamation	2011-02-01
Address Change	2011-02-01
Date of Filing Amalgamation	2011-01-31

Show All [Collapse](#)

RELATED REGISTRATIONS

This Company ...	
MUNICIPAL ENTERPRISES LIMITED	Amalgamated From
GRAY ROCK CONSTRUCTION LIMITED	Amalgamated From
WARD AGGREGATES LIMITED	Amalgamated From

MUNICIPAL PIPELINE CONSTRUCTION INCORPORATED	Amalgamated From
GIBRALTAR ENVIRONMENTAL INCORPORATED	Amalgamated From
3102991 NOVA SCOTIA LIMITED	Amalgamated From
3104179 NOVA SCOTIA LIMITED	Amalgamated From
DALSAAN INVESTMENTS LIMITED	Amalgamated From
MUNICIPAL GROUP OF COMPANIES	Registered
R. B. PAVING COMPANY LIMITED	Amalgamated From
MEL MILL RENTAL PROPERTIES	Registered
DEXTER ASPHALT PLANT	Registered
SOUTH SHORE DEVELOPMENT PARTNERSHIP	Registered
ROCKY LAKE QUARRY	Registered
DEXTER MARITIMES LIMITED	Amalgamated From
A.C.L. CONSTRUCTION LIMITED	Amalgamated From
CARL B. POTTER	Registered

Our File Number: 95100-30-SYD-2012-084182

Mr. Gavin Isenor
Municipal Enterprises Limited
927 Rocky Lake Dr
PO Box 48100
Bedford, NS
B4A 3Z2

Dear Mr. Isenor:

**RE: Approval to Construct - Diversion
Unnamed Watercourse - Approval No. 2012-084182
PID # 75204032**

Enclosed please find Approval # 2012-084182 to construct the Diversion on Unnamed Watercourse at 195 Irish Cove Rd, Irish Cove, Richmond County, Nova Scotia.

This approval or a copy is to be kept on-site at all times. All personnel involved in the project must be made fully aware of the terms and conditions of this approval. The terms and conditions are shown as attached and it is the Approval Holder's responsibility to ensure that they are followed. Failure to comply with the terms and conditions is an offence under the *Environment Act*.

It is the Approval Holder's duty to advise the Department of any new and relevant information respecting any adverse effect that results or may result from the approved activity, which comes to the Approval Holder's attention after the issuance of the approval. This is required under Section 60 of the *Environment Act*.

This Approval does not constitute an Authorization to harmfully alter, disrupt or destroy fish habitat as regulated under 35(1) of the Fisheries Act. The Department of Fisheries and Oceans (DFO) may assess whether a harmful alteration, disruption or destruction of fish habitat (HADD) will occur as a result of the work and its interaction with fish including species protected under the Species at Risk Act (SARA).

If the activity is altered, extended or modified beyond the description given in this Approval, please reapply as a new Approval may be required.

The Approval Holder must provide the undersigned with three days notice prior to the commencement of the work.

Within 14 days of completion of the work authorized under this Approval, the Approval Holder or contractor is required to submit, to the Department, the enclosed form entitled

"Completion of the Approved Work".

Despite the issuance of this Approval, the Approval Holder is still responsible for obtaining any other authorization which may be required to carry out the activity, including those which may be necessary under provincial, federal or municipal law.

Please call at once, if you have any questions about the conditions of this approval, especially those pertaining to the actual construction.

Should you have any questions, please contact Lorne J MacNeil, Eastern Region, Sydney Office at (902) 563-2100.

Yours truly,



Janet MacKinnon
District Manager

cc DFO
Lorne J MacNeil

Eimas #: 2012-084182

APPROVAL

Province of Nova Scotia
Environment Act, S.N.S. 1994-95, c.1

APPROVAL HOLDER: Municipal Enterprises Limited

SITE PID: 75204032

APPROVAL NO: 2012-084182

EXPIRY DATE: December 31, 2013

Pursuant to Part V of the *Environment Act*, S.N.S. 1994-95, c.1 as amended from time to time, approval is granted to the Approval Holder subject to the Terms and Conditions attached to and forming part of this Approval, for the following activity:

Construction of a Diversion on Unnamed Watercourse at or near 195 Irish Cove Rd, Irish Cove, Richmond County in the Province of Nova Scotia.

Administrator


Janet MacKinnon

Effective Date

June 1, 2013

TERMS AND CONDITIONS OF APPROVAL

Nova Scotia Environment

Approval Holder: Municipal Enterprises Limited

Project: Diversion
Site: On Unnamed Watercourse
195 Irish Cove Rd,
Irish Cove, Richmond County
PID # 75204032

Approval No: 2012-084182

File No: 95100-30-SYD-2012-084182

Map Series: 11F15

Grid Reference: E - 681696 N - 5075625

Reference Documents:

- Application dated Dec 18, 2012 and attachments.

1.0 Definitions:

- a) "Act" means the *Environment Act* S.N.S. 1994-1995, c.1 and includes all regulations made pursuant to the Act.
- b) "Department" means the Eastern Region, Sydney Office, of Nova Scotia Environment located at the following address:

Nova Scotia Environment
Environmental Monitoring and Compliance Division
Eastern Region, Sydney Office,
1030 Upper Prince Street, unit 2
Sydney, Nova Scotia, B1P 5P6.

Phone: (902) 563-2100
Fax: (902) 563-2387

- c) "Minister" means the Minister of Nova Scotia Environment.
- d) "Watercourse" means
 - (i) the bed banks and shore of every river, stream, lake, creek, pond, spring, lagoon or other natural body of water, and the water therein, within the jurisdiction of the Province, whether it contains water or not, and
 - (ii) all groundwater;
- e) "Wetland" means lands commonly referred to as marshes, swamps, fens, bogs, and shallow water areas that are saturated with water long enough to promote wetland of aquatic processes which are indicated by poorly drained soil, vegetation and various kinds of activity which are adapted to a wet environment.

2.0 Scope of Approval

- a) This Approval (the "Approval") relates to the Approval Holder and their application and supporting documentation, as listed in the reference documents above, to construct the Diversion on Unnamed Watercourse situated at or near 195 Irish Cove Rd, Irish Cove, Richmond County.
- b) Under authority of this approval, the watercourse alterations specified in 2 a) shall be conducted between June 1st and September 30th (inclusive) of the same calendar year unless otherwise stated in the site specific terms and conditions.
- c) This Approval supercedes previous approval number (s) which is/are now null and void.

3.0 General Terms and Conditions

- a) The Approval Holder shall construct the watercourse alterations in accordance with provisions of the:
 - i) *Environment Act* S.N.S. 1994-1995, c.1;
 - ii) Regulations pursuant to the above Act;
 - iii) Nova Scotia Watercourse Alteration Specifications, Diversion of a Watercourse current edition.
- b) Nothing in this Approval relieves the Approval Holder of the responsibility for obtaining and paying for all licences, permits, approvals or authorizations necessary for carrying out the work authorized to be performed by this Approval which may be required by municipal by-laws or provincial or federal legislation.

The Minister does not warrant that such licences, permits, approvals or other authorizations will be issued.

- c) No authority is granted by this Approval to enable the Approval Holder to construct the watercourse alterations on lands which are not in the control or ownership of the Approval Holder. It is the responsibility of the Approval Holder to ensure that such a contravention does not occur.
- d) If there is a discrepancy between the reference documents and the terms and conditions of this Approval, the terms and conditions of this Approval shall apply.
- e) The Minister or Administrator may modify, amend or add conditions to this Approval at anytime pursuant to Section 58 of the Act.
- f) This Approval is not transferable without the consent of the Minister or Administrator.
- g) (i) If the Minister or Administrator determines that there has been non-compliance with any or all of the terms and conditions contained in this Approval, the Minister or Administrator may cancel or suspend the Approval pursuant to subsections 58(A)(1) and 58(A)(2) of the Act, until such time as the Minister or Administrator is satisfied that all terms and conditions have been met.

(ii) Despite a cancellation or suspension of this Approval, the Approval Holder remains subject to the penalty provisions of the Act and regulations.
- h) The Approval Holder shall notify the Department prior to any proposed extensions or modifications of the activities outlined in the original Application for Approval.
- i) Pursuant to Section 60 of the Act, the Approval Holder shall submit to the Administrator any new and relevant information respecting any adverse effect that actually results, or may potentially result, from any activity to which the Approval relates and that comes to the attention of the Approval Holder after the issuance of the Approval.
- j) The Approval Holder shall immediately notify the Department of any incidents of non-compliance with this Approval.
- k) The Approval Holder shall bear all expenses incurred in carrying out the environmental monitoring required under the terms and conditions of this Approval.

- l) Unless specified otherwise in this Approval, all samples required to be collected by this Approval shall be collected, preserved and analysed, by qualified personnel, in accordance with recognized industry standards and procedures.
- m) Unless written approval is received otherwise from the Administrator, all samples required by this Approval shall be analysed by a laboratory that meets the requirements of the Department's "Policy on Acceptable Certification of Laboratories" as amended from time to time.
- n) The Approval Holder shall submit any monitoring results required by this Approval to the Department. Unless specified otherwise in this Approval, all monitoring results shall be submitted within 30 days following the month of monitoring.
- o) The Approval Holder shall ensure that this Approval, or a copy, is kept on Site at all times and that personnel directly involved in the watercourse alterations are made fully aware of the terms and conditions which pertain to this Approval.
- p) Failure to comply with the Terms and Conditions is an offence under the *Environment Act*.
- q) The Approval Holder shall notify the Department three business days prior to commencing construction of the Activity. The notification must include the Approval Number.
- r) Within 14 days of completion of the work authorized under this Approval, the Approval Holder or contractor is required to submit, to the Department, the enclosed form entitled "Completion of the Approved Work".

4.0 Covenant Conditions

- a) The Approval Holder may alter the watercourse, or store water in any watercourse as authorized and, without limiting the generality of the foregoing, shall not alter or use the watercourse so as to:
 - (i) prejudice any riparian rights of any owner or of any person lawfully in possession of or holding any lands abutting the watercourse or any rights therein;
 - (ii) suffer any loss, damage or nuisance to adjacent or abutting lands.
- b) The Approval Holder shall not, at any time or for any purpose, place a pecuniary value on or claim any pecuniary value for the rights and privileges granted by this Approval, whether considered alone or in conjunction with any other

property rights or privileges, over and above the amounts, if any, actually paid to the minister by the Approval Holder for said rights and privileges.

- c) It is recognized and agreed that this Approval does not give sole or exclusive rights to any watercourse, and the Minister reserves the right to use the watercourse and water therein for any purpose and to allow others to use the watercourse and water for any purpose, provided that such use or purpose does not constitute a substantial interference with the rights granted to the Approval Holder.
- d) The Approval Holder shall be responsible for obtaining and paying the costs of any and all approvals, services, easements, rights of way and authorizations of any kind necessary for the performance of any activities undertaken pursuant to this Approval. The Minister does not covenant that such approvals, services, easements, rights of way and authorizations of any kind will be issued by the Province of Nova Scotia, any other body or person.
- e) The Approval Holder shall maintain any bridge, culvert, dam, sluice, flume, conduit or other structure built or used in or on the watercourse in a state of good repair and in a clean and tidy condition to the satisfaction of the Minister. The Approval Holder shall conform to any and all directions of the Minister concerning the rehabilitation of a watercourse or the construction, reconstruction, maintenance, removal, operation and location of any bridge, culvert, dam, sluice, flume, conduit or other structure built, used or maintained in and on the watercourse.
- f) The Approval Holder shall indemnify and save harmless the Minister against any loss, cost or damage occasioned by the Approval Holder's relocation of a watercourse or the construction of, repair, alteration or addition to any culvert, bridge, dam, sluice, flume, conduit or other structure. Such indemnity shall include, but not be restricted to, all losses, costs or damages occasioned by the improper or faulty relocation of a watercourse or the improper or faulty construction of repair, alteration or addition to any culvert, bridge, dam, sluice, flume, conduit or other structure in or on the watercourse, or by any trespass, negligence or wilful act of the Approval Holder or any employees, agents, contractors, or guests of the Approval Holder.
- g) On the expiry or termination of this Approval or at the end of the useful life of the structure, as determined by the Minister, the Approval Holder shall immediately cease operations and peaceably and quietly yield up and deliver possession of the watercourse in a condition satisfactory to the Minister, and the Minister shall incur no further expense, liability or cost in this regard.
- h) The Approval Holder shall remove any bridge, culvert, dam, sluice, flume, conduit or other structure or remnants thereof, and any equipment or personal

property built, used or maintained in and on the watercourse at the end of the useful life of the structure, to the satisfaction of the Minister. In the event the Approval Holder fails to remove such bridge, culvert, dam, sluice, flume, conduit or other structure or remnants thereof and any equipment or personal property, the Minister may, without any attaching liability, remove or demolish the same in whatever manner the Minister deems necessary. The Approval Holder shall pay all expenses and costs of such removal or demolition.

- i) The Minister or any employee, servant or agent of the Department will not be liable for any damage, loss or claim of any kind which may or hereafter arise.
- j) If the Approval Holder assigns or sublets their Approval or any part thereof except as is expressly provided herein, if the contractor becomes bankrupt or insolvent, if a receiver is appointed for any part of the assets of the Approval Holder, if any assignment is made for the benefit of the creditors of the Approval Holder, or if it is wound up or goes into liquidation, the Minister may terminate the Approval.
- k) This Approval shall ensure to the benefit of and be binding upon the Minister, the Minister's successors, assigns and authorized representatives, and upon the Approval Holder, and the heirs, administrators, executors and assigns of the Approval Holder.
- l) The failure of the Minister to insist upon a strict performance of any covenant, proviso or Terms and Conditions contained in this Approval shall not be deemed a waiver of any rights or remedies that the Minister may have and shall not be deemed a waiver of any subsequent breach or default in the covenants, provisos or Terms and Conditions contained in this Approval.

5.0 Construction Terms and Conditions

- a) All construction activities within or immediately adjacent to the watercourse channel must be carried out in isolation of the streamflow (in the dry).
- b) Prior to the commencement of the proposed activity, sediment control measures shall be installed to prevent sedimentation of the watercourse and maintained as required until all exposed erodible soil adjacent to both a watercourse and the road surface are stabilized. Erosion control measures include but are not limited to flow checks, sediment traps and/or filters.
- c) Erosion control materials shall be clean, non-erodible, non-ore-bearing, non-watercourse derived and non-toxic materials.
- d) Slates or shales are not to be used without prior written consent from the

Minister or Administrator. The Approval Holder shall notify the Department immediately when slates or shales are encountered during any part of construction. Compliance with the Sulphide Bearing Materials Disposal Regulations is required.

- e) All potentially erodible areas shall be stabilized with erosion protection material as work progresses (not at the end of the project).
- f) All work operations shall be conducted in a manner to protect the watercourse from siltation and disturbance to the adjacent and downstream areas. Silted water is not to be released directly into the watercourse. Any silt laden water pumped from work areas is to be directed to heavily vegetated areas, settling ponds, or other treatment devices.
- g) Any overland flow which has the potential to enter the construction area is to be diverted away from the construction site, into vegetated areas.
- h) All construction site and roadway runoff shall be directed through natural vegetation or through erosion and sediment control devices before it reaches the watercourse. Where direction through natural vegetation is not possible, all construction site runoff shall be treated to prevent siltation of watercourses.
- i) Road drainage must not be discharged over a cut or fill unless additional appropriately vertically staged erosion control measures are in place on the slope from the crest to the toe along the face of the embankment.
- j) Settling ponds shall meet a minimum requirement of 1/16 acre-ft. of storage for every acre of exposed construction area. Settling ponds are to be cleaned out when they are half full of sediment or when they no longer provide for the precipitation of solids.
- k) The Approval Holder shall ensure that the following discharge limits are met for any water which is discharged from the site to a watercourse or wetland:

Clear Flows (Normal Background Conditions):

- i) Maximum increase of 25 mg/L from background levels for any short term exposure (24 hours or less)
- ii) Maximum average increase of 5 mg/L from background levels for longer term exposure (inputs lasting between 24 hours and 30 days)

High Flow (Spring Freshets and Storm Events)

- i) Maximum increase of 25 mg/L from background levels at any time when background levels are between 25 mg/L and 250 mg/L
 - ii) Shall not increase more than 10% over background levels when background is >250 mg/L.
- l) The Approval Holder shall limit the size of the disturbed area to the area of the watercourse alteration. Once the soils in the area of installation have been exposed for installation, the structure installation shall commence immediately.
- m) The Approval Holder shall limit the removal of riparian vegetation to the area of the watercourse alteration only.
- n) All excavated material shall be placed in a location where it will not enter the watercourse. All debris resulting from construction activities shall be disposed of at a facility which is Approved to accept the specific material. Any material not regulated by the Department shall be removed to an area where flood water will not come in contact with the debris and excavated material must be removed from the areas adjacent to the watercourse and be disposed of in a manner acceptable to the Department.
- o) On-site machinery and potential pollutants are to be stored in an area above the flood water limits.
- p) Fuel storage and refuelling or lubrication of equipment is to take place in an area such that an accidental pollutant discharge will not enter surface water or domestic water supplies. Under no circumstances will the designated area be within 30 metres of a watercourse or wetland. Note: this clause is not applicable to pile-driving equipment.
- q) Equipment required to work within a watercourse is to be mechanically sound, having no leaking fuel tanks or leaking hydraulic connections.
- r) Machinery and equipment (e.g., concrete trucks) are not to be washed out within 30 metres of a body of water or in an area where wash water will run into a watercourse.
- s) Blasting in or near a watercourse is not permitted unless authorized in writing by the Minister or Administrator.

6.0 Spills or Releases

- a) All spills or releases shall be reported in accordance with the *Act* (Part VI) and the *Emergency Spill Regulations*.

- b) Spills or releases shall be cleaned up immediately in accordance with the *Act*.
- c) A quantity of spill/release response material is to be maintained on Site at all times.

COMPLETION OF THE APPROVED WORK

A condition of this Approval requires that the Approval Holder notify Nova Scotia Environment that the work authorized is complete.

Please enter the information on this sheet and return it to the Nova Scotia Environment at the following address:

Nova Scotia Environment
Environmental Monitoring and Compliance Division
Eastern Region, Sydney Office,
1030 Upper Prince Street, unit 2
Sydney, Nova Scotia, B1P 5P6.

Phone: (902) 563-2100
Fax: (902) 563-2387
NSE Contact: Lorne J MacNeil

APPROVAL NUMBER: 2012-084182

NAME OF APPROVAL HOLDER: Municipal Enterprises Limited

NAME OF WATERCOURSE: Unnamed Watercourse

WORK AUTHORIZED: Diversion

NAME OF CONTRACTOR: _____

DATE WORK WAS COMPLETED: _____

COMMENTS: _____

SIGNATURE

Date

COMPLETION OF THE APPROVED WORK

A condition of this Approval requires that the Approval Holder notify Nova Scotia Environment that the work authorized is complete.

Please enter the information on this sheet and return it to the Nova Scotia Environment at the following address:

Nova Scotia Environment
Environmental Monitoring and Compliance Division
Eastern Region, Sydney Office,
1030 Upper Prince Street, unit 2
Sydney, Nova Scotia, B1P 5P6.

Phone: (902) 563-2100
Fax: (902) 563-2387
NSE Contact: Lorne J MacNeil

APPROVAL NUMBER: 2012-084182

NAME OF APPROVAL HOLDER: Municipal Enterprises Limited


NAME OF WATERCOURSE: Unnamed Watercourse

WORK AUTHORIZED: Diversion

NAME OF CONTRACTOR: Dexter Construction

DATE WORK WAS COMPLETED: September 25, 2013

COMMENTS: _____


SIGNATURE
Gavin Isernor

Sept 26, 2013
Date

Our File Number: 92100-30-SYD-2012-082777

August 16, 2013

Mr. Gary Rudolph
Municipal Enterprises Limited
927 Rocky Lake Dr
PO Box 48100
Bedford, NS
B4A 3Z2

Dear Mr. Rudolph:

**RE: Approval to Construct and Operate - Quarry
Approval No. 2012-082777
PID # 75075309**

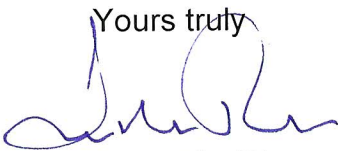
Enclosed please find Approval # 2012-082777 to construct and operate the Quarry at 195 Irish Cove Rd, Irish Cove, Richmond County, Nova Scotia.

Strict adherence to the attached terms and conditions is imperative in order to validate this approval.

Despite the issuance of this Approval, the Approval Holder is still responsible for obtaining any other authorization which may be required to carry out the activity, including those which may be necessary under provincial, federal or municipal law.

Should you have any questions, please contact the Port Hawkesbury District Office at (902) 625-0791.

Yours truly



Terry MacPherson
District Manager

APPROVAL

Province of Nova Scotia
Environment Act, S.N.S. 1994-95, c.1

APPROVAL HOLDER: Municipal Enterprises Limited

SITE PID: 75075309

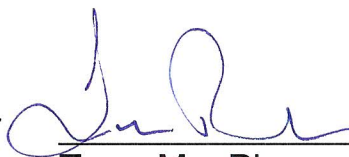
APPROVAL NO: 2012-082777

EXPIRY DATE: August 16, 2023

Pursuant to Part V of the *Environment Act*, S.N.S. 1994-95, c.1 as amended from time to time, approval is granted to the Approval Holder subject to the Terms and Conditions attached to and forming part of this Approval, for the following activity:

Construction and operation of a Quarry, and associated works, at or near 195 Irish Cove Rd, Irish Cove, Richmond County in the Province of Nova Scotia.

Administrator


Terry MacPherson

Effective Date

August 16th, 2013

TERMS AND CONDITIONS OF APPROVAL

Nova Scotia Environment

Approval Holder: Municipal Enterprises Limited
Project: Quarry
Site: 195 Irish Cove Rd,
Irish Cove, Richmond County
PID # 75075309

Approval No: 2012-082777

File No: 92100-30-SYD-2012-082777

Map Series: 11F15

Grid Reference: E681637 N5075381

Reference Documents:

- Application dated July 23, 2012 and attachments.
- Pit and Quarry Guidelines

1. Definitions

- a) "Abandonment" means cessation of production of aggregate for a period of twelve (12) months.
- b) "Act" means the *Environment Act* S.N.S. 1994-1995, c.1 and includes all regulations made pursuant to the Act.
- c) "Active Area" means the area required to operate a quarry and includes the working face and associated works.
- d) "Associated works" means any building, structure, processing facility, pollution abatement system or stockpiles of aggregate.
- e) "Department" means the Eastern Region, Port Hawkesbury Office, of Nova Scotia Environment located at the following address:

Nova Scotia Environment
Environmental Monitoring and Compliance Division
Eastern Region, Port Hawkesbury Office
218 MacSween Street, Suite 12
Port Hawkesbury, NS B9A 2J9

Phone: (902) 625-0791

Fax: (902) 625-3722

- f) "Disturbed Area" means any area on a quarry site that has been stripped of vegetation and is susceptible to erosion.
- g) "Facility" means the Quarry and associated works.
- h) "Minister" means the Minister of Nova Scotia Environment.
- i) "Rehabilitation" means restorative work performed or to be performed in accordance with the rehabilitation plan.
- j) "Structure" includes but is not limited to a private home, a cottage, an apartment building, a school, a church, a commercial building or a treatment facility associated with the treatment of municipal sewage, industrial or landfill effluent, an industrial building, infrastructure or construction, a hospital, and a nursing home, etc.

2. Scope of Approval

- a) This Approval (the "Approval") relates to the Approval Holder and their application and supporting documentation, as listed in the reference documents above, to construct and operate the Facility, situated at or near 195 Irish Cove Rd, Irish Cove, Richmond County (the "Site").
- b) The Facility shall be constructed and operated as outlined in the application for industrial approval dated July 23, 2012 and supporting documentation.
- c) The Site shall not exceed the area as outlined in the application and supporting documentation.
- d) Should the work authorized by this Approval not be commenced within a year, this Approval shall automatically be null and void, unless extended in writing by an Administrator.

3. General Terms and Conditions

- a) The Approval Holder shall construct, operate and reclaim its Facility in accordance with provisions of the:
 - i) *Environment Act* S.N.S. 1994-1995, c.1, as amended from time to time;
 - ii) Regulations, as amended from time to time, pursuant to the above Act;
- b) The Approval Holder is responsible for ensuring that they operate the Facility on lands which they own or have a lease or written agreement with the landowner or occupier. The Approval Holder shall be responsible for ensuring that the Department has, at all times, a copy of the most recent lease or written agreement with the landowner or occupier. Breach of this condition may result in cancellation or suspension of the Approval.
- c) If there is a discrepancy between the reference documents and the terms and conditions of this Approval, the terms and conditions of this Approval shall apply.
- d) The Minister or Administrator may modify, amend or add conditions to this Approval at anytime pursuant to Section 58 of the Act.
- e) This Approval is not transferable without the consent of the Minister or Administrator.
- f)
 - (i) If the Minister or Administrator determines that there has been non-compliance with any or all of the terms and conditions contained in this Approval, the Minister or Administrator may cancel or suspend the Approval pursuant to subsections 58(A)(1) and 58(A)(2) of the Act, until such time as the Minister or Administrator is satisfied that all terms and conditions have been met.
 - (ii) Despite a cancellation or suspension of this Approval, the Approval Holder remains subject to the penalty provisions of the Act and regulations.
- g) The Approval Holder shall notify the Department prior to any proposed extensions or modifications of the Facility, including the active area, process changes or waste disposal practices which are not granted under this Approval. An amendment to this Approval will be required before implementing any change. Extensions or modifications to the Facility may be subject to the Environmental Assessment Regulations.
- h) Pursuant to Section 60 of the *Act*, the Approval Holder shall submit to the Administrator any new and relevant information respecting any adverse effect

that actually results, or may potentially result, from any activity to which the Approval relates and that comes to the attention of the Approval Holder after the issuance of the Approval.

- i) The Approval Holder shall immediately notify the Department of any incidents of non-compliance with this Approval.
- j) The Approval Holder shall bear all expenses incurred in carrying out the environmental monitoring required under the terms and conditions of this Approval.
- k) Unless specified otherwise in this Approval, all samples required to be collected by this Approval shall be collected, preserved and analysed, by qualified personnel, in accordance with recognized industry standards and procedures.
- l) Unless written approval is received otherwise from the Administrator, all samples required by this Approval shall be analysed by a laboratory that meets the requirements of the Department's "Policy on Acceptable Certification of Laboratories" as amended from time to time.
- m) The Approval Holder shall submit any monitoring results or reports required by this Approval to the Department. Unless specified otherwise in this Approval, All monitoring results shall be submitted within 30 days following the month of monitoring.
- n) The Approval Holder shall ensure that this Approval, or a copy, is kept on Site at all times and that personnel directly involved in the Facility operation are made fully aware of the terms and conditions which pertain to this Approval.
- o) The Approval Holder will be required to register their project under Part IV of the *Environment Act* should the Facility and associated works including access roads exceed an area of four (4) hectares.

4. Construction of Facility

- a) Erosion and sedimentation controls are to be in place prior to construction at this facility. Additional controls shall be implemented if Site runoff exceeds the discharge limits contained herein.
- b) Erosion and sedimentation controls are to be maintained and remain in place until the disturbed areas are stabilized.

- c) The Approval Holder shall ensure that the following discharge limits are met for any water which is discharged from the Site to a watercourse or wetland:

Clear Flows (Normal Background Conditions):

- i) Maximum increase of 25 mg/l from background levels for any short term exposure (24 hours or less)
- ii) Maximum average increase of 5 mg/l from background levels for longer term exposure (inputs lasting between 24 hours and 30 days)

High Flow (Spring Freshets and Storm Events)

- i) Maximum increase of 25 mg/l from background levels at any time when background levels are between 25 mg/l and 250 mg/l
 - ii) Shall not increase more than 10% over background levels when background is > 250 mg/l
- d) Signage including emergency telephone numbers and contacts are to be posted at the entrance to the Facility.

5. Particulate Emissions (Dust)

- a) Particulate emissions shall not exceed the following limits at or beyond the Site property boundaries:

Annual Geometric Mean 70 $\mu\text{g}/\text{m}^3$

Daily Average (24 hr.) 120 $\mu\text{g}/\text{m}^3$

- b) The use of used oil as a dust suppressant is strictly prohibited. The generation of dust from the Site shall be suppressed as required.
- c) Monitoring of particulate emissions shall be conducted at the request of the Department. The location of the monitoring station(s) for particulate will be established by a qualified person retained by the Approval Holder and submitted to the Department for approval, this may include point(s) beyond the property boundary of the Site.
- d) When requested, suspended particulate matter shall be measured by the EPA standard; EPA/625/R-96/010a; Sampling of Ambient Air for Total Suspended Particulate Matter (SPM) and PM_{10} . Using High Volume (HV) Sampler.

6. **Sound Levels**

- a) Sound levels measured at the Site property boundaries shall not exceed the following equivalent sound levels (Leq):

Leq 65 dBA 0700-1900 hours (Days)
60 dBA 1900-2300 hours (Evenings)
55 dBA 2300-0700 hours (Nights)

- b) Monitoring of sound levels shall be conducted at the request of the Department. The location of the monitoring station(s) for sound will be established by a qualified person retained by the Approval Holder and submitted to the Department for approval, this may include point(s) beyond the property boundary of the Site.

7. **Surface Water**

- a) The site shall be developed and maintained to prevent siltation of the surface water which is discharged from the property boundaries into the nearest watercourse or beyond the property boundary. Additional controls shall be implemented if site runoff exceeds the discharge limits contained herein.
- b) No authority is granted by this Approval to enable the Approval Holder to discharge surface water beyond the property boundary and onto adjoining lands without the authorization of the affected landowner(s). It is the responsibility of the Approval Holder to ensure that the authorization of said landowner(s) is current and valid. Failure to maintain said authorization will result in this Approval being null and void. The Approval Holder shall provide, to the Department, proof of the continued authorization of the adjoining landowner(s) when the current agreement has expired.
- c) Erosion and sedimentation control devices shall be installed prior to any excavation of material.
- d) The Approval Holder shall ensure the following liquid effluent levels are met and that the effluent is monitoring at the frequency and locations indicated.

- i) **Total Suspended Solids**

Clear Flows (Normal Background Conditions):

- 1) Maximum increase of 25 mg/l from background levels for any short term exposure (24 hour or less)

- 2) Maximum average increase of 5 mg/l from background levels for longer term exposure (inputs lasting between 24 hours and 30 days)

High Flow (Spring Freshets and Storm Events):

- 1) Maximum increase of 25 mg/l from background levels at any time when background levels are between 25 mg/l and 250 mg/l
- 2) Shall not increase more than 10% over background levels when background is > 250 mg/l

ii) **pH**

- 1) Maximum 5 to 9 in grab sample
- 2) Maximum 6 to 9 as a Monthly Arithmetic Mean

iii) **Monitoring Locations**

- 1) The Approval Holder shall sample at the following locations: Quarry Access Road Ditch prior to entering Irish Cove Brook, Irish Cove Brook upstream of quarry location for background sample and Irish Cove Brook downstream of quarry location. Monitoring locations are to be agreed upon between NSE and the consultant prior to sampling.

iv) **Sampling Frequency**

- 1) The Approval Holder shall sample at the following frequency: At NSE Request
- e) If it becomes necessary to drain the Site, the wastewater shall be treated to meet the suspended solids limits outlined in this Approval.
 - f) All wash water systems shall be arranged in closed circuit.
 - g) Additional monitoring stations for liquid effluent may be specified as required by the Department.
 - h) An annual summary of results of monitoring shall be submitted to the Department. The Approval Holder shall immediately notify the Department of any incidents of non-compliance with this Approval.

8. **Groundwater**

- a) The Approval Holder shall replace at their expense any water supply which has been lost or damaged as a result of extracting aggregate.
- b) The Approval Holder shall secure from the Administrator an approval amendment prior to excavating below the watertable.

9. **Separation Distances**

- a) The Approval Holder shall not locate the Active Area of the quarry within:
 - i) 30 m of the boundary of a public or common highway.
 - ii) 30 m of the bank of any watercourse or ordinary high water mark.
 - iii) 30 m of the boundary of the quarry property.
- b) The Approval Holder shall not blast within:
 - i) 30 m of the boundary of a public or common highway.
 - ii) 30 m of the bank of any watercourse or ordinary high water mark.
 - iii) 800 m of the foundation or base of a structure located off site, unless written consent is received from the property owner.
 - iv) 15 m of the property boundary when a structure on the abutting property is not involved.

10. **Blasting**

- a) The Approval Holder shall have a technical blast design prepared by a qualified person which ensures the ground vibration and air concussion limits in this Approval can be achieved.
- b) The Approval Holder shall conduct a pre-blast survey including a water quality analysis of all structures within 800 metres of the Facility. The survey shall be conducted in accordance with the Department's 'Procedure For Conducting a Pre-Blast Survey' and the results of this survey sent to the Department prior to any blasting on the Site. Water quality parameters will be determined by NSE staff.

- c) The Approval Holder shall call the nearest weather office, to assess the climatic conditions prior to conducting any blasting. No blasting will be permitted if a thermal inversion is anticipated at the time of the proposed blast.
- d) No blasting shall occur on Sunday, on a statutory holiday prescribed by the Province, or on any day between 1800 and 0800 hours.
- e) The Approval Holder shall ensure that all blasts are monitored for concussion and ground vibration to ensure that the limits in Table 2 are not exceeded:

Table 2			
Blasting Limits			
Parameters	Maximum	Monitoring Frequency	Monitoring Station
Concussion (Air Blast)	128 dBL	Every Blast	Within 7 m of the nearest structure not located on the Site
Ground Vibration	0.5 in/sec (12.5 mm/s)	Every Blast	Below grade or less than 1 m above grade in any part of the nearest structure not located on the Site

- f) The monitoring station for blasting shall be as indicated in Table 2. Additional monitoring stations for blasting may be specified as required by the Department.
- g) A monthly summary of results of monitoring shall be submitted to the Department.

11. Rehabilitation

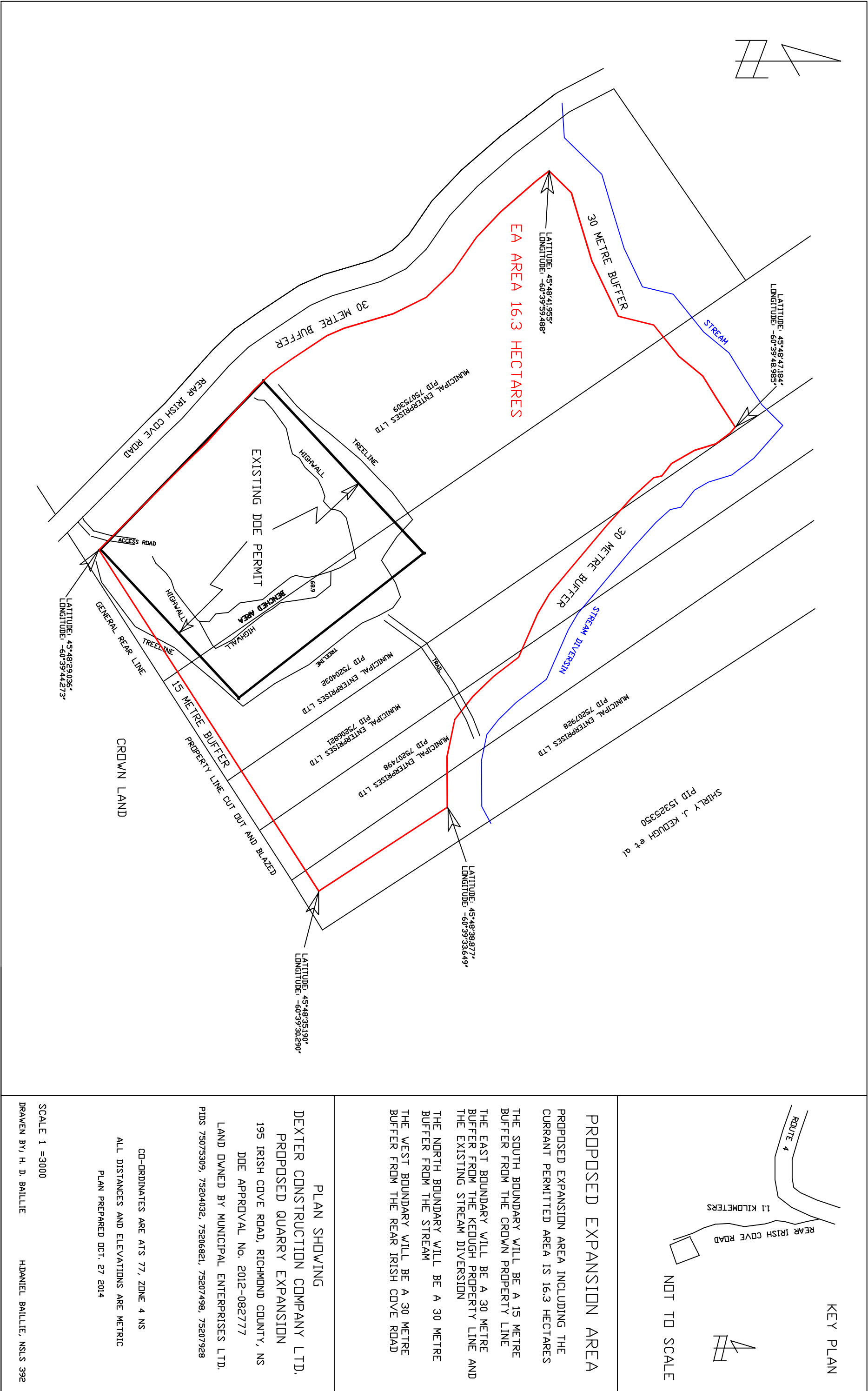
- a) The Approval Holder shall post an interim security in a form acceptable to the Department in the amount of \$2,500.00 an acre of disturbed area.
- b) The interim security shall not exceed one (1) year unless otherwise agreed in writing by the Administrator.
- c) The Approval Holder shall submit a rehabilitation plan to the Department for review by April 17, 2014. The rehabilitation plan shall be revised and updated every three year thereafter and submitted for review. The rehabilitation plan

shall include the estimated total cost for labour, equipment, supplies and services of a third party contractor to undertake the following activities:

- i) surface contouring
 - ii) establishing proper drainage
 - iii) revegetation work
 - iv) any work necessary to reclaim the quarry
- d) Before the expiry of the interim security, the Approval Holder shall post a final security which shall be calculated using the rehabilitation plan and factors in item c) above. The final security shall be revised every three years in accordance with the revised rehabilitation plan.
- e) The Approval Holder shall rehabilitate the Site within twelve (12) months of abandonment and in accordance with the latest rehabilitation plan submitted by the Approval Holder in 11 (c) or other terms as specified by the Department,
- f) Nova Scotia Environment shall release the security to the Approval Holder after final rehabilitation of the Site has been completed to the satisfaction of the Minister or Administrator. The Approval Holder shall notify the Department when rehabilitation has been completed.
- g) The Approval Holder shall ensure that any security posted for rehabilitation be kept valid for the term of the Approval.

12. Site Specific Conditions

- a) The boundaries of the Site will be cut out and kept reasonably clear of new growth and the corner boundaries shall be clearly marked with permanent markers no less than four feet high.



Gavin Isenor
Property Manager - Aggregates
Dexter Construction Company Limited

November 5, 2012

Re Irish Cove Quarry Watercourse Diversion.

On November 2, 2012 the Irish Cove Quarry site was visited to determine the potential location for the diversion of a small un-named tributary to Irish Cove Brook around current and future quarry operations.

This watercourse has no access for fish, goes dry in the summer, and has no sign of aquatic insect life, so is not fish habitat. It does not appear on the 1:10,000 scale map.

The watercourse is approximately 0.80 m wide bank to bank and 0.24 m bank height and had a velocity of approximately 0.5 m/sec. The substrate is large gravel and cobble with bedrock controls. The watershed area of the unnamed stream is 0.202 sq km and the diversion will pick up an additional watershed area of 0.125 sq km. The one in two year bank full flow would be 0.3 cu meters/sec for the stream and 0.45 cu meters /sec for the one in one hundred year flow based on Nova Scotia Environment runoff calculations and this is consistent with the on-site channel size. The diversion channel will have a one in two flow 0.49 cu meters /sec and a one in one hundred year flow of 0.74cu meters/sec at the outlet.

The watercourse was followed upstream from where it enters the quarry at 45 48 36.9 N 60 39 41.2W (20T 681696 5075625) to a point 155 m upstream where there is a falls approximately 2m high. At this location, the right bank (looking downstream) is low and the watercourse could be diverted along the contour to the west with only excavation for the channel itself. The diversion could then continue south-west dropping on an approximately 2 to 3% slope across the contours until it meets the old logging trail then down the trail route. This route will pass above all defined small surface flows and bring the diversion to just above the Irish Cove Road and close to a major unnamed tributary to Irish Cove Brook, at this point the flow will be directed over a rock cliff as a falls into the major tributary.

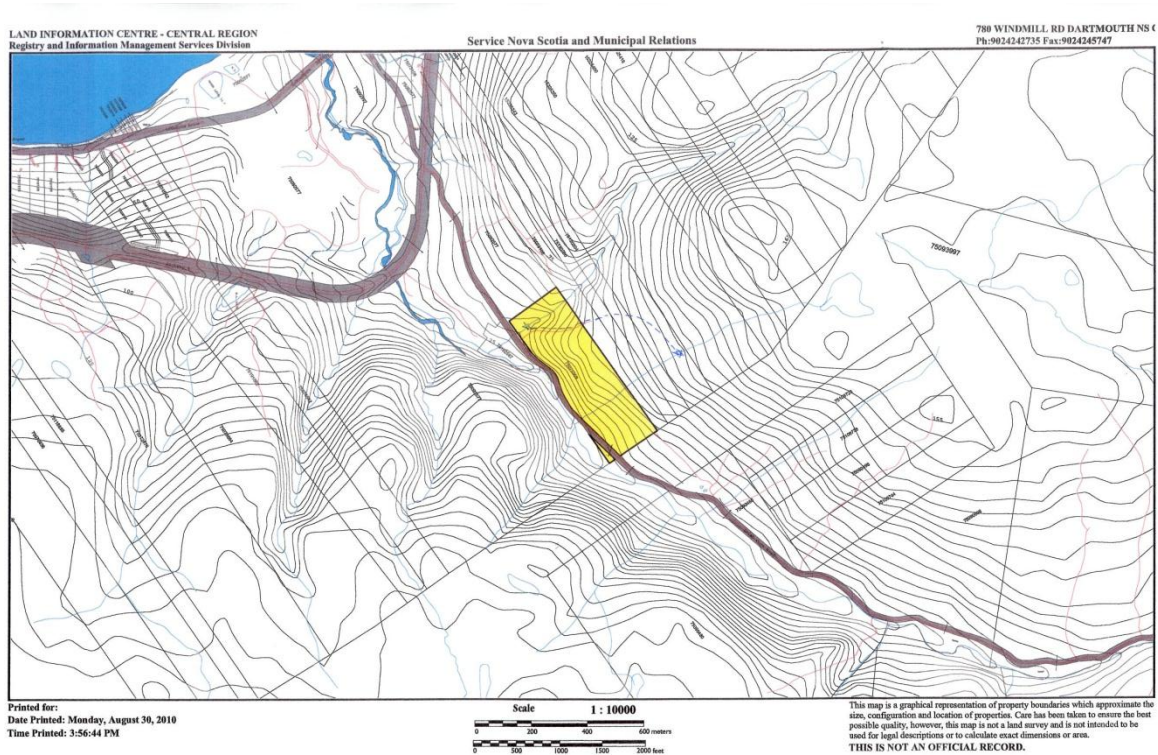
The whole course of the diversion only requires excavation of the channel there are no hills to cut through. The old forest trail has eroded badly in the past but is now vegetated. Using this route will minimize the excavation needed and stabilize this trail preventing future potential erosion.

Calculations on the diversion channel size have to be confirmed but preliminary calculations indicate a channel 3m wide and 0.5m deep would carry in excess of the one

in a hundred year storm. Detailed design and location of the channel will be defined if the proposed route is acceptable to the regulators. In addition to channel size, consideration will be given to taking up the head drop over built falls and pools to lower the grade, slow the velocities, and erosion potential on the steep grades. In this way lining the lower grade channel sections with 0.15m to 0.30 m rip rap would be stable. The channel will be built in the dry allowing for over land runoff to cross the channel until completed.

Run off into the pit from the area between the diversion and the pit clearing, plus the runoff entering to the east of the stream location, has to be captured in a stable ditch down to and through the Irish Cove road to prevent on-site erosion and siltation of Irish Cove Brook.

The map shows the location of the stream as a blue line and potential diversion location as a dotted blue line and



Bob Rutherford.
President