

Nova Scotia Environment and Labour (“NSEL”)

Environmental Assessment Approval

Approval Date: *original dated May 3, 2004*

Tufts Cove #5

Nova Scotia Power Incorporated, Proponent

**Tufts Cove
Dartmouth, Nova Scotia**

The Tufts Cove #5 Combustion Turbine proposed by Nova Scotia Power Incorporated for Tufts Cove, Dartmouth, Nova Scotia is approved pursuant to Section 13(1)(b). 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, by-laws, guidelines, policies or standards 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 Information.

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, extension, 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 Environmental Assessment Approval shall expire within two years of the date of its issuance unless the Proponent commences work on the Undertaking by the end of the two year period, unless granted a written

extension by the Minister.

- 1.3 The Proponent 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 an approval from a parent company to a subsidiary or an affiliate is deemed to be a transfer requiring consent.
- 1.4 The Proponent shall implement all mitigation and commitments in the Registration Document, unless approved otherwise by NSEL.

2.0 Greenhouse Gas Emissions / Energy Efficiency

- 2.1 The Proponent will be required to convert Tufts Cove #5 to a combined cycle operation, subject to Nova Scotia Utility and Review Board and other regulatory approvals, within three years if the plant exceeds a 20% capacity factor measured on an annual basis.

3.0 Air Quality

- 3.1 The Proponent, as a part of any application for amendments to the Industrial Approval, shall provide NSEL's Regional or District Manager, Central Region, for review and approval, information on the following:
 - a) an air quality and reporting program that includes the Unit #5 LM6000 addition to the Tufts Cove facility and details of a plan to mitigate emissions exceeding *Air Quality Regulations* of the Province of Nova Scotia, should air quality monitoring show these are occurring
 - b) an air quality monitoring and reporting program to ensure that the Unit #5 LM6000 is meeting the *National Emission Guidelines for Stationary Combustion Turbines* of the Canadian Council of Ministers of the Environment
- 3.2 The Proponent shall install a continuous emissions monitoring system (CEMS) for NOx on Unit #5 stack as committed to in the registration document.
- 3.3 The Proponent shall participate in future air shed management programs as required by NSEL.

4.0 Noise

- 4.1 The Proponent shall provide NSEL's Regional or District Manager, Central Region, with a Noise Management Plan that includes details regarding noise monitoring and noise mitigation, for review and approval, prior to

operation.

- 4.2 The Proponent shall implement the following noise mitigation measures as committed to in the registration document:
- a) Inclusion of all measures currently implemented on Tufts Cove #4 applied to Tufts Cove #5
 - b) Nine acoustical louvres to replace existing Unit 1, 2, and 3 building louvres on the East side of the existing plant
 - c) Absorptive barrier to envelope the Unit 2 and 3 transformer area
 - d) Acoustic seals to existing equipment doors on the South side of Unit 3
- 4.3 The proponent shall not exceed current operational noise levels associated with Tufts Cove Units 1 to 4.

5.0 Facility Development and Operation

- 5.1 The Proponent shall use natural gas only in Tufts Cove #5, unless otherwise approved by NSEL.
- 5.2 In the event that impacted soils are encountered, the Proponent shall comply with the NSEL "Guidelines For the Management of Contaminated Sites in Nova Scotia."
- 5.3 The Proponent, prior to application for approval to construct, shall provide NSEL's Regional or District Manager, Central Region, with a site-specific Environmental Management Plan for review and approval. This plan shall include, but not be limited to, the following information:
- a) the disposal of hazardous and non-hazardous waste from the site
 - b) the recycling and re-use of material where practicable
 - c) the prevention, clean up, including transportation of materials, and reporting of environmental releases
 - d) proper vehicle and equipment cleaning, re-fuelling and maintenance
 - e) procedures for managing the excavation of materials, under all conditions
 - f) details on the disposal of filtration sludges and different types of solid waste resulting from the water treatment plant
 - g) maintenance activities on the LM6000, water treatment plant and natural gas compressor and the associated potential environmental impacts
 - h) a commitment to provide copies of all effluent monitoring data which is required for submission to the HRM
 - i) details of a program to monitor wastewater quality which identifies sources of wastewater, the frequency of monitoring, location and number of monitoring sites, parameters to be monitored, and the duration of monitoring

- j) details of a plan to mitigate discharges affecting wastewater quality, or other impacts, should water monitoring show these are occurring
- k) details of a plan to manage potential contaminated soils during construction including mitigation measures for potential impacts to groundwater
- l) details of a plan to manage stormwater during and after construction

6.0 Public Consultation

- 6.1 The Proponent shall have in place procedures to address complaints associated with the Facility. Records of these complaints and associated actions shall be made available to NSEL's Regional or District Manager, Central Region, upon request.

7.0 Archaeological and Cultural Resources

- 7.1 The Proponent shall arrange for an archaeologist to examine any soils from excavations that reach the interface with the original ground surface to confirm the presence or absence of artifacts and/or archaeological remains.
- 7.2 The Proponent shall cease work and contact the Curator of Special Places, Heritage Division, Nova Scotia Department of Tourism and Culture; and Executive Director, Confederacy of Mainland Mi'kmaq, immediately upon discovery of an archaeological site or artifact unearthed during any phase of the proposed project.

8.0 Decommissioning and Reclamation

- 8.1 The Proponent shall provide NSEL's Regional or District Manager, Central Region, with a finalized abandonment plan, for review and approval, three months prior to the permanent shut down of the undertaking.

9.0 Contingency Plan

- 9.1 As part of the application for amendment of the Part V Approval, the Proponent shall submit to NSEL's Regional Manager or District Manager, Central Region, a written contingency plan which shall include, but not be limited to, contingencies for storage and potential spills of dangerous goods during the construction and operation of the undertaking.

original signed by

Kerry Morash
Minister of Environment and Labour