



APPROVAL TO OPERATE

S-4048

Pursuant to paragraph 8(1) of the *Water Quality Regulation - Clean Environment Act*, this Approval to Operate is hereby issued to:

D & N METALS CO. LTD.
for the operation of the
Kelly Road Construction and Demolition Debris Facility

Description of Source: A site to be used for the disposal of inert debris from the construction, renovation, or demolition of a building/structure

Source Classification: Fees for Industrial Approvals Regulation - Clean Water Act Class 17

Parcel Identifier: 65214280

Mailing Address: 304 Kelly Road
Grand Falls, NB E3Z 1K3

Conditions of Approval: See attached Schedule "A" of this Approval

Supersedes Approval: S-3380

Valid From: March 02, 2026

Valid To: March 01, 2031

Recommended by: 

Issued by: 
for the Minister of Environment and Climate Change

Feb. 25, 2026
Date

SCHEDULE "A"

DEFINITIONS:

“**Accredited**” means accreditation to ISO/IEC 17,025 by the Standards Council of Canada (SCC), the Canadian Association for Laboratory Accreditation Inc. (CALA), or accreditation to ISO/IEC 17025:2005 from another body that is recognized to grant such accreditation per ISO/IEC 17,011 criteria.

“**After Hours**” means the hours when the *Department*’s offices are closed. These include statutory holidays, weekends, and the hours before 8:15 a.m. and after 4:30 p.m. from Monday to Friday.

“**Approval Holder**” means the name listed on the Certificate page of this Approval.

“**C&D Debris**” means:

- i) concrete, brick and untreated wood;
- ii) siding, ceiling tile, gypsum board and insulation;
- iii) asbestos that is not *Friable Asbestos*;
- iv) solid roofing materials such as asphalt shingles;
- v) glass from doors and windows;
- vi) metal, wood, fibreglass and durable plastic structural materials;
- vii) wiring and incandescent light fixtures that do not contain fluorescent tubing/lighting;
- viii) toilets, bathtubs, wash basins and plumbing fixtures;
- ix) floor coverings attached to a building during demolition;
- x) broken and aged asphalt or chip seal pavement;
- xi) any mixture of (i) through (x); and
- xii) other inert material approved by the *Department* that has been obtained during the construction, renovation or demolition of a building or structure.

“**Department**” means the New Brunswick Department of the Environment and Local Government.

“**Designated Sorting Area**” means a location at the *Facility*, approved in writing by the *Department*, which may be used to scrutinize loads of material intended for disposal.

“**Disposal Cell**” means the area at the *Facility* approved in writing by the *Department* for the disposal of *C&D Debris*.

“**Environmental Emergency**” means a situation where there has been or will be a release, discharge, or deposit of a contaminant or contaminants to the atmosphere, soil, surface water, and/or groundwater environments of such a magnitude or duration that it could cause significant harm to the environment or put the health of the public at risk.

“**Facility**” means the property, buildings and equipment located on the property identified by the Parcel Identifier(s) on the certificate page (first page) of this approval, and all contiguous property in the title and/or control of the *Approval Holder* at that location.

“**Friable Asbestos**” means waste material containing asbestos fibre or asbestos dust in a concentration greater than 1% by weight that is not tightly bound within a solid matrix such that it is easily crumbled by the hands.

“**Normal Business Hours**” means the hours when the *Department’s* offices are open. These include the period between 8:15 a.m. and 4:30 p.m. from Monday to Friday excluding statutory holidays.

“**Petroleum Product**” means a mixture of hydrocarbons, or their by-products, of any kind and in any form, including airplane fuel, asphalt, bunker “C” oil, crude oil, diesel fuel, engine oil, fuel oil, gasoline, kerosene, lubricants, mineral spirits, naphtha, petroleum-based solvents regardless of specific gravity, transformer oil and waste petroleum products and excluding propane and paint.

“**Site Operations Plan**” means a detailed document containing visual depiction of the *Facility*, delineation of the *Disposal Cell(s)*, surface water management features, locations of groundwater monitoring wells, and location of *Designated Sorting Area* as approved by the *Department* and required by the *Construction and Demolition Debris Disposal Site Siting Standard and Application Requirements* document.

“**Unacceptable Materials**” means, but is not limited to:

- i) cans, drums, or other packages (empty or otherwise) of sealers, adhesives, tar or waterproofing compounds or new asphalt product
- ii) burnt *C&D Debris*;
- iii) wastes or other materials obtained from commercial, industrial and manufacturing sources;
- iv) debris from a building that has or may have manufactured, contained, transferred or distributed contaminated or hazardous products;
- v) debris that contains polychlorinated biphenyls (PCBs);
- vi) debris that contains lead paint of a known concentration greater than 1000 ppm, or that has been deemed lead leachable toxic (exceeding 5 mg/L) or contains lead paint that is flaking/chipping/peeling;
- vii) wastes or debris that originates from outside of the Province of New Brunswick unless specifically approved by the *Department* following an evaluation under *Environmental Impact Assessment Regulation - Clean Environment Act*; and
- viii) any debris not listed under *C&D Debris*.

TERMS AND CONDITIONS

The *Approval Holder* shall operate the *Facility* in accordance with the following:

EMERGENCY REPORTING

1. **Immediately** following the discovery of an *Environmental Emergency*, a designate representing the *Approval Holder* shall notify the *Department* in the following manner:

During *Normal Business Hours*, telephone the *Department's* applicable Regional Office **until personal contact is made** (i.e. no voice mail messages will be accepted) and provide all information known about the *Environmental Emergency*. The telephone number for the applicable Regional Office is provided below.

Region	Office location	Phone
6	Grand Falls Regional Office	(506) 473-7744

After Hours, telephone **Environment and Climate Change Canada's National Environmental Emergencies Centre (NEEC) until personal contact is made** and provide all information known about the *Environmental Emergency*. The telephone number for the **NEEC is 1-800-565-1633**.

Within 24 hours of the time of initial notification, a copy of a Preliminary Emergency Report shall be submitted by a designate representing the *Approval Holder* to the *Department's* applicable Regional Office. The Preliminary Emergency Report shall clearly communicate all information available at the time about the *Environmental Emergency*.

2. **Within five (5) days** of the time of initial notification, a copy of a Detailed Emergency Report shall be submitted by a designate representing the *Approval Holder* to the *Department's* applicable Regional Office. The Detailed Emergency Report shall include, as a minimum, the following:
 - i) a description of the problem that occurred;
 - ii) a description of the impact that occurred;
 - iii) a description of what was done to minimize the impact; and
 - iv) a description of what was done to prevent recurrence of the problem.

FACILITY MANAGEMENT

3. The *Approval Holder* shall ensure that odour, dust, noise, and/or site run-off being released or discharged from the *Facility* does not cause adverse impacts to any off-site receptor. In the event impacts are suspected by the *Department* to be adversely impacting any off-site receptor, the *Approval Holder* may be required to investigate the degree of impact and/or develop, submit, and implement a Prevention and Control Plan in accordance with a timetable established by the *Department*. The plan shall be submitted in writing to the *Department* for review and approval prior to implementation.
4. The *Approval Holder* shall ensure that the *Facility* is operated in compliance with the *Facility's Site Operations Plan* and the *Department's Construction and Demolition Debris Disposal Site Siting Standard and Application Requirements* document.

5. The *Approval Holder* shall restrict access to the *Facility* during non-working hours or when no on-site supervision is being provided by means of a fence, locked gate, or other barriers approved by the *Department*.
6. The *Approval Holder* shall maintain a minimum of three (3) groundwater monitoring wells. The determination of the location, the construction and monitoring of these wells shall be established by a qualified professional.
7. In the event of *Facility* closure, the *Approval Holder* shall ensure that a Closure Plan is submitted to the *director* **at least six (6) months** before the planned closure date. The plans must be prepared by a Professional Engineer licenced to practise in the Province of New Brunswick.

OPERATING CONDITIONS


8. The *Approval Holder* shall provide on-site supervision when *C&D Debris* is being disposed at the *Facility*.
9. The *Approval Holder* shall ensure that all *Unacceptable Materials*, including those in a *Designated Sorting Area*, are either placed in an approved storage container or removed immediately from the *Facility* and taken to an approved facility for disposal.
10. The *Approval Holder* shall not burn *C&D Debris* or any other material.
11. The *Approval Holder* shall ensure that no *C&D Debris* is disposed of in standing water.
12. The *Approval Holder* shall ensure that no *C&D Debris* is placed within ten (10) metres of any groundwater monitoring well(s).
13. The *Approval Holder* shall ensure that the *Disposal Cell* is shaped as prescribed in the *Facility's Site Operations Plan* approved by the *Department*.
14. The *Approval Holder* shall follow the frequency prescribed in the *Facility's Site Operations Plan* for covering exposed *C&D Debris* in the *Disposal Cell* with **at least 150 mm** of clean granular material.
15. The *Approval Holder* shall ensure that portions of the *Disposal Cell* having reached final grade, or which are no longer in use are covered with **at least 300 mm** of low permeability soil and **150 mm** of growing medium, and vegetated.
16. The *Approval Holder* shall ensure that written permission from the *Department* is obtained if calcium chloride or other chemical compounds are to be used for dust control at the *Facility*. The use of a *Petroleum Product* for dust control is prohibited.

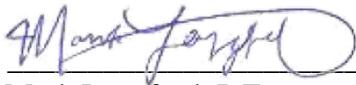
TESTING AND MONITORING

17. The *Approval Holder* shall ensure that the groundwater monitoring wells and surface water monitoring locations are sampled three (3) times per year (May, August, November) for the parameters listed below. The parameters must be analyzed by an *Accredited* laboratory.
- i) BTEX/TPH
 - ii) General Chemistry ⁽¹⁾
 - iii) Trace Metals ⁽²⁾
- ⁽¹⁾ Alkalinity (as CaCO₃), Ammonia (as N), Bromide, Carbon – Total Organic, Chemical Oxygen Demand, Chloride, Colour, Fluoride, Hardness, Magnesium, Manganese, Nitrate + Nitrite (as N), Nitrate, Nitrite, o-Phosphate (as P), Potassium, r-Silica (as SiO₂), Sulfate, Suspended Solids, Total Phosphorus, Turbidity, Total Kjeldahl Nitrogen (TKN),
- ⁽²⁾ Aluminum, Arsenic, Barium, Boron, Cadmium, Calcium, Chromium, Copper, Cyanide, Iron, Lead, Lithium, Magnesium, Manganese, Mercury (CVAAS), Nickel, Potassium, Sodium, Zinc
18. During each sampling event, the *Approval Holder* shall, at each monitoring location, measure the following:
- i) Conductivity
 - ii) Dissolved Oxygen
 - iii) pH
 - iv) Temperature
 - v) Groundwater elevations (referenced to geodetic datum)

REPORTING

19. The *Approval Holder* shall **immediately** notify the *Department* if testing or observation indicates that the site may pose a threat to the environment through the deterioration of surface water or groundwater quality.
20. **By March 31 of each year**, the *Approval Holder* shall submit an annual report, prepared by a Professional Engineer licensed to practice in New Brunswick, for the previous calendar year to the *Department* containing the following information:
- i) a site map showing the current extent of *C&D Debris* placement, the property lines, the monitoring wells, and the interpreted groundwater flow direction;
 - ii) the quantity of *C&D Debris* accepted at the *Facility* during the reporting period;
 - iii) a summary of the *Disposal Cells* which were started, operated and closed out during the reporting period;
 - iv) an evaluation and discussion of the monitoring results;
 - v) a copy of the laboratory certificates;
 - vi) a list of the *Environmental Emergencies* that were reported through the Emergency Reporting procedure described in this approval;
 - vii) a summary of all spills or leaks of liquid materials which occurred during the reporting period;
 - viii) an assessment of whether there has been or there will likely be a significant impact to the environment as a result of the operation of the *Facility*; and,
 - ix) if applicable, any relevant additional information.

Prepared by: 
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