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Department of the Environment

Canadian Environmental Protection Act, 1999

Notice is hereby given that, pursuant to section 127 of the *Canadian Environmental Protection Act, 1999*, Disposal at Sea Permit No. 4543-2-06744 authorizing the loading for disposal and the disposal of waste or other matter at sea is approved.

1. *Permittee*: Irving Oil Terminals and Pipelines, G.P., Saint John, New Brunswick.

2. *Waste or other matter to be disposed of*: Dredged material.

2.1. Nature of waste or other matter: Dredged material consisting of gravel, sand, silt and clay.

3. *Duration of permit*: Permit is valid from September 26, 2012, to September 25, 2013.

3.1. The loading and disposal at sea activities are restricted to the following period(s): from September 26, 2012, to November 11, 2012; from January 15, 2013, to March 31, 2013; and from July 1, 2013, to September 25, 2013.

4. *Loading site(s)*: Docks 1 and 2 of the East Saint John Marine Terminal, Courtenay Bay: 45°16.31' N, 66°02.25' W (NAD83), as described in Figure 1 submitted in support of the permit application.

5. *Disposal site(s)*: Black Point, Saint John, New Brunswick, bounded by 45°12.99' N, 66°01.58' W; 45°13.00' N, 66°01.06' W; 45°12.26' N, 66°00.27' W; 45°11.49' N, 66°00.23' W; and 45°11.45' N, 66°01.50' W (NAD 83).

6. *Method of loading*: Dredging will be carried out using barge-mounted mechanical dredges.

7. *Route to disposal site(s) and method of transport*: Most direct navigational route from the loading site to the disposal site via towed or self-propelled barges.

8. *Method of disposal*: Disposal shall take place in accordance with the dredged material disposal plan required by paragraph 14.2. of this permit.

9. *Total quantity to be disposed of*: Not to exceed 50 000 cubic metres, place measure.

10. Fees: The fee prescribed by the *Disposal at Sea Permit Fee Regulations* shall be paid by the Permittee in accordance with those regulations.

11. Inspection:

11.1. By accepting this permit, the Permittee and its contractors accept that they are subject to inspection pursuant to Part 10 of the *Canadian Environmental Protection Act, 1999*.

11.2. At all times, a copy of this permit and of documents and drawings referenced in this permit shall be available at the loading site and on all powered ships directly engaged in the loading and disposal operations.

11.3. Ships operating under the authority of this permit shall be marked in accordance with the *Collision Regulations* of the *Canada Shipping Act, 2001*, when located on or in the waterway.

12. Contractors:

12.1. The loading or disposal at sea referred to under this permit shall not be carried out by any person without written authorization from the Permittee.

12.2. The Permittee shall ensure that all persons involved in the loading, transport or disposal activities authorized by this permit conduct these activities in accordance with the relevant permit conditions.

13. Reporting and notification:

13.1. The Permittee shall provide the following information at least 48 hours before loading and disposal activities commence: name or number of ship, platform or structure used to carry out the loading and/or disposal, name of the contractor including corporate and on-site contact information, and expected period of loading and disposal activities. The above-noted information shall be submitted to

(a) Ms. Jayne Roma, Environmental Protection Operations Directorate, Department of the Environment, Atlantic Region, Queen Square, 16th Floor, 45 Alderney Drive, Dartmouth, NS, B2Y 2N6, 902-426-8373 (fax) or jayne.roma@ec.gc.ca (email);

(b) Mr. Mark Dalton, Environmental Enforcement Directorate, Department of the Environment, Atlantic Region, Queen Square, 16th Floor, 45 Alderney Drive, Dartmouth, NS, B2Y 2N6, 902-490-0775 (fax) or mark.dalton@ec.gc.ca (email);

(c) Ms. Rachel Gautreau, Canadian Wildlife Service, Department of the Environment, 17 Waterfowl Lane, Sackville, NB, E4L 1G6, 506-364-5062 (fax) or rachel.gautreau@ec.gc.ca (email); and

(d) Mr. Robert MacDougall, Fisheries and Oceans Canada, P.O. Box 1009, St. George, NB, E5C 3S9, 506-755-5061 (fax) or Robert.MacDougall@dfo-mpo.gc.ca (email).

13.2. The Canadian Coast Guard, Marine Communication and Traffic Services (MCTS) Sydney (1-800-686-8676) is to be notified in advance of the commencement of work so that appropriate Notices to Shipping/Mariners may be issued.

13.3 The Permittee shall submit a written report to the Minister, as represented by the Regional Director of Environmental Protection Operations Directorate, care of Ms. Jayne Roma, as identified in paragraph 13.1., within 30 days of the expiry of the permit. This report shall contain the following information: the quantity of matter disposed of at the disposal site and the dates on which disposal activities occurred.

14. Special precautions:

14.1 The loading and disposal at sea activities referred to under this permit shall be carried out in accordance with the mitigation measures summarized in sections 5.2.4.2 and 5.3 of the document titled "Environmental Assessment Report: Maintenance Dredging and Disposal at Sea Program at Docks 1 and 2 of the East Saint John Marine Terminal, Saint John, New Brunswick" (August 2011) submitted in support of the permit application.

14.2. The Permittee shall submit a dredged material disposal plan to Ms. Jayne Roma, as identified in paragraph 13.1., for approval by the Department of the Environment prior to the commencement of the first dredging operation authorized by this permit. The plan shall address procedures to accurately measure or estimate quantities of dredged material disposed of at the disposal site(s), the release zone, vessel tracking, and a schedule for use of the disposal site(s). Modifications to the plan shall be made only with the written approval of the Department of the Environment.

14.3. The Permittee shall submit a sampling and analysis plan in support of the 2013 dredging and disposal activities to Ms. Jayne Roma, as identified in paragraph 13.1, for approval by the Department of the Environment. The plan shall be submitted no later than May 15, 2013.

I. R. Geoffrey Mercer
Regional Director
Environmental Protection Operations Directorate
Atlantic Region

On behalf of the Minister of the Environment