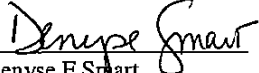


New
Nouveau Brunswick

This is Exhibit 4 referred to
in the affidavit of John Stubbart, P.Eng.
sworn before me on the 27th day of
August 27, 2010.


Denyse F. Smart
A Commissioner of oaths
Being a Solicitor

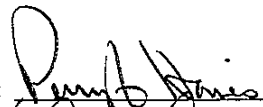
APPROVAL TO OPERATE

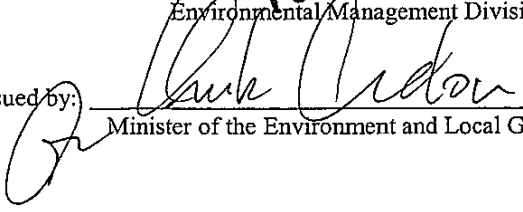
I-4126

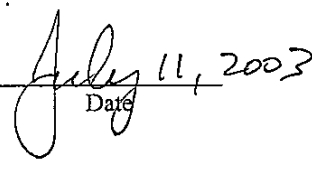
Pursuant to paragraph 8(1) of the *Water Quality Regulation - Clean Environment Act*, this Approval to Operate is hereby issued to:

Bowater Couturier Inc.
for the operation of the
Baker Brook Solid Waste Disposal Facility

Description of Source:	WOOD WASTE DISPOSAL FACILITY	
Source Classification:	Fees for Industrial Approvals Regulation - Clean Water Act	Class 3
Parcel Identifier:	35024975	
Mailing Address:	P.O. Box 1980 Baker Brook, NB E7A 1V8	
Conditions of Approval:	See attached Schedule (s) "A" and "B" of this Approval	
Supersedes Approval:	I-2818	
Valid From:	July 07, 2003	
Valid To:	June 30, 2004	

Recommended by: 
Environmental Management Division

Issued by: 
Minister of the Environment and Local Government


Date

SCHEDULE "A"

A. DESCRIPTION AND LOCATION OF SOURCE

The Bowater Couturier Inc. waste disposal facility identified with PID 35024975 located on Belmont Road, in the Parish of Baker Brook, County of Madawaska and the Province of New Brunswick is hereby approved subject to the following Terms and Conditions:

B. DEFINITIONS

1. "Minister" means the Minister of Environment and Local Government and includes any person designated to act on the Minister's behalf.
2. "Director" means the Director of the Approvals Branch of the Department of the Environment and Local Government and includes any person designated to act on the Director's behalf.
3. "Department" means the New Brunswick Department of the Environment and Local Government.
4. "Approval Holder" means Bowater Couturier Inc..

C. EMERGENCY REPORTING

5. The Approval Holder, operator or any person in charge of the Facility shall **immediately** report to the New Brunswick Department of the Environment and Local Government where:
 - a) there has been, or is likely to be, an unauthorized release of solid, liquid or gaseous material including wastewater, petroleum or hazardous materials, to the environment;
 - b) there has been a violation of the *Air Quality Regulation*, the *Water Quality Regulation* or any Approval issued thereunder; or
 - c) a release of a contaminant or contaminants is of such magnitude or period that there is concern for the health or safety of the general public, or there could be significant harm to the environment.

During normal business hours, contact the:

Grand Falls Regional Office
(506) 473 - 7744



After hours, or when there is no answer at the Regional Office contact the:

Canadian Coast Guard
1-800-565-1633

All reports shall include:

- a) a description of the source, including the name of the owner or operator;
- b) the nature, extent, duration and environmental impact of the release;
- c) the cause or suspected cause of the release; and
- d) any remedial action taken or to be taken to prevent a recurrence of the violation.

An Inspector will be contacted to return the call and provide direction, where required.

D. TERMS AND CONDITIONS

GENERAL CONDITIONS

6. This Facility has been classified as a **Class 3 Facility**, pursuant to the *Fees for Industrial Approvals Regulation 93-201* under the *Clean Water Act*. The Approval Holder shall pay the appropriate annual fee within 30 days of receiving an invoice.
7. The Approval Holder shall operate the Facility in compliance with the *Water Quality Regulation - Clean Environment Act* of the Province of New Brunswick. Violation of this Approval or any condition herein stated constitutes a violation of the *Clean Environment Act*.
8. The Approval Holder shall apply in writing to the Director and receive approval for an amendment of this Approval before making any changes to the currently approved Facility.
9. The Approval Holder shall ensure that surface water shall be prevented from entering the waste disposal area by the use of drainage ditches having a proper grade to direct surface water away from the waste disposal area.
10. The Approval Holder shall ensure that there is no burning of waste or open fires at the site. If a fire is accidentally started, efforts shall be taken to extinguish it immediately.
11. The Approval Holder shall take the necessary action to prevent unauthorized access or disposal at the Facility.
12. The Approval Holder shall ensure that the Facility is only used for the disposal of wood wastes from the Produits Forestiers Bowater Couturier Inc. sawmill in Baker Brook but does not include hazardous wastes, waste petroleum products, chemically treated wood or other wastes which may be designated by the Director from time to time.

13. The Approval Holder shall register the proposed leachate treatment system with the Department's Project Assessment Branch by September 1, 2003.

DISCHARGE LIMITS

14. The Approval Holder shall ensure that the effluent from the leachate treatment system is Non-Acutely Lethal when tested as per "Reference Method for Determining Acute Lethality of Effluents to Rainbow Trout" Report EPS 1/RM/13, July 1990, Environment Canada".

15. The Approval Holder shall operate the Wastewater Treatment Facility such that any effluent from the wastewater facility or any other discharge from an area discharged to a surface body of water shall have a pH in the 6.0 - 9.5 range, and shall contain without benefit of dilution no more than the following:

BOD5	40 mg/l
COD	100 mg/l
Iron	5 mg/l
Chromium	0.5 mg/l
Copper	0.5 mg/l
Nickel	0.5 mg/l
Zinc	0.5 mg/l
TSS	25 mg/l weekly average 80 mg/l grab sample

SOLID WASTE MANAGEMENT

16. The Approval Holder shall follow the Site Development Plan as presented in the letter and drawings of June 16, 2003 that accompanied the application form requesting renewal of the previous approval. To that end, the following work shall be completed by October 31, 2003:
- Relocate the northern berm to an alignment approximately 18 metres south of the existing location;
 - Construct a new visibility berm parallel to Ormes Street as shown on the drawings;
 - Extend the leachate collection system along the newly relocated north berm as shown on the drawings.
17. The Approval Holder shall ensure the depth of woodwaste does not exceed that shown in Drawings 03-BB02-02 and 03-BB02-03 by Bowater, June, 2003.
18. The Approval Holder shall ensure that the waste is transported to the facility by a method that prevents the loss of solids or liquids enroute.

19. Develop the facility to the final contours as indicated on the June 2003 drawings and construct a final cover of 600 mm of low permeable clay, 150 mm of growing medium and vegetation. The grading and final cover shall progress in phases over the preceding year's disposal area, on an annual basis, and the work shall be completed by September 1 of each year.
20. Repair, grade and stabilize the existing intermediate cover over the disposal area with hydroseed or equivalent to minimize erosion and infiltration.
21. Minimize the amount of wood waste accepted at the facility. To that end, by October 1, 2003, pave the appropriate areas of the mill to minimize the amount of yard scrapings requiring disposal.

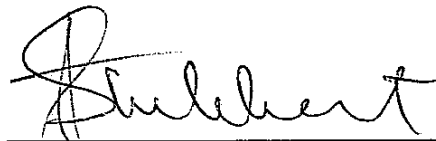
TESTING AND MONITORING

22. The Approval Holder shall carry out a monitoring program of such detail and frequency as described in Schedule "B" or such other detail and frequency as directed in writing by the Director from time to time.

REPORTING

23. **By March 31 of each year**, the Approval Holder shall submit an annual report for the previous calendar year to the Director, containing the information detailed in Schedule B including operating data showing volume of waste and type disposed, waste cells which were operated, started, closed out and revegetated.
24. The Approval Holder shall advise the Director immediately if testing or observation indicates that the site may pose a threat to the environment through the deterioration of surface water or groundwater quality; or if effluent from the leachate holding pond is acutely lethal.

Prepared by:



John Stubbert, P.Eng.
Industrial Approvals Engineer, Approvals Branch

Reviewed by:



Mark Glynn, P.Eng.
Industrial Approvals Engineer, Approvals Branch

SCHEDULE "B"

MONITORING SCHEDULE

1. Leachate Treatment System Effluent

Station(s)	Frequency	Parameter
Bowater Couturier - Leachate Influent,	May and September	PH
Bowater Couturier Leachate effluent	May and September	Biological Oxygen Demand
	May and September	Chemical Oxygen Demand
	May and September	Total Organic Carbon
	May and September	Colour
	May and September	Ammonia Total
	May and September	Total Kjeldahl Nitrogen
	May and September	Total Solids
	May and September	Total Phosphorus
	May and September	Resins and Fatty Acids, Total
	September	Toxicity
	May and September	Iron
	May and September	Chromium
	May and September	Copper
	May and September	Nickel
	May and September	Zinc
	May and September	Conductivity

2. Monitoring Wells

Station(s)	Frequency	Parameter
Monitoring Well(s)	May and September	PH
	May and September	Biological Oxygen Demand
	May and September	Conductivity
	May and September	Chemical Oxygen Demand
	May and September	Total Organic Carbon
	May and September	Colour
	May and September	Ammonia Total
	May and September	Total Kjeldahl Nitrogen
	May and September	Total Solids
	May and September	Total Phosphorus
	May and September	Resins and Fatty Acids, Total
	May and September	Iron
	May and September	Chromium
	May and September	Copper
	May and September	Nickel
	May and September	Zinc

3. Surface Water

Station(s)	Frequency	Parameter
Alliance Baker Brook SW- Surface Water - Upstream,	May and September	PH
	May and September	Biological Oxygen Demand
Alliance Baker Brook SW- Surface Water - Downstream	May and September	Conductivity
	May and September	Chemical Oxygen Demand
	May and September	Colour
	May and September	Total Organic Carbon
	May and September	Ammonia Total
	May and September	Total Kjeldahl Nitrogen
	May and September	Total Solids
	May and September	Total Phosphorus
	May and September	Resins and Fatty Acids, Total
	May and September	Iron
	May and September	Chromium
	May and September	Copper
	May and September	Nickel
	May and September	Zinc



July 8, 2003
File: 6630-A1
Paul Rossignol

Bowater Couturier Inc.
566, avenue Guérette
Dégelis, PQ G5T 1G5

Dear Mr. Rossignol:

Re: Bowater Couturier Inc – Baker Brook Disposal Facility – Approval I-4126

Attached please find your new approval to operate the wood waste disposal facility on PID 35024975. Note that the leachate treatment system must be registered with the Assessment Branch by September 1, 2003.

Please give me a call at (506) 453-2177 if you have any questions.

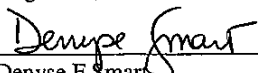
Sincerely,

John Stubbert, P.Eng.
Industrial Approvals Engineer
Approvals Branch
(506) 453-2177 phone
(506) 457-7805 fax
john.stubbert@gnb.ca

cc: Roger Belanger, DELG Grand Falls
js

New
Nouveau Brunswick

This is Exhibit 5 referred to
in the affidavit of John Stubbert, P.Eng.
sworn before me on the 27th day of
August 27, 2010.


Denyse F. Smart
A Commissioner of oaths
Being a Solicitor

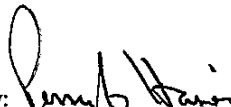
APPROVAL TO OPERATE

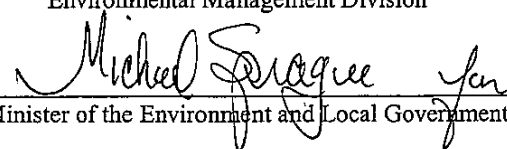
I-4438

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

Bowater Couturier Inc.
for the operation of the
Baker Brook Solid Waste Disposal Facility

Description of Source:	WOOD WASTE DISPOSAL FACILITY	
Source Classification:	Fees for Industrial Approvals Regulation - Clean Water Act	Class 3
Parcel Identifier:	35024975	
Mailing Address:	566 Guérette Ave Dégelis, QC G5T 1G5	
Conditions of Approval:	See attached Schedule (s) "A" and "B" of this Approval	
Supercedes Approval:	I-4126	
Valid From:	July 01, 2004	
Valid To:	June 30, 2005	

Recommended by: 
Environmental Management Division

Issued by: 
Minister of the Environment and Local Government

JUL 01 2004

Date

SCHEDULE "A"

A. DESCRIPTION AND LOCATION OF SOURCE

The Bowater Couturier Inc. waste disposal facility, identified with PID 35024975 and located on the Belmont Road, in the Parish of Baker Brook, County of Madawaska and the Province of New Brunswick, is hereby approved subject to the following Terms and Conditions:

B. DEFINITIONS

1. "Minister" means the Minister of Environment and Local Government and includes any person designated to act on the Minister's behalf.
2. "Department" means the New Brunswick Department of the Environment and Local Government.
3. "Director" means the Director of the Approvals Branch of the Department of the Environment and Local Government and includes any person designated to act on the Director's behalf.
4. "Approval Holder" means Bowater Couturier Inc..
5. "Inspector" means an Inspector designated under the *Clean Air Act*, the *Clean Environment Act*, or the *Clean Water Act*.

C. EMERGENCY REPORTING

6. The Approval Holder, operator or any person in charge of the Facility shall **immediately** report to the New Brunswick Department of the Environment and Local Government where:
 - a) there has been, or is likely to be, an unauthorized release of solid, liquid or gaseous material including wastewater, petroleum or hazardous materials, to the environment;
 - b) there has been a violation of the *Air Quality Regulation*, the *Water Quality Regulation* or any Approval issued thereunder; or
 - c) a release of a contaminant or contaminants is of such magnitude or period that there is concern for the health or safety of the general public, or there could be significant harm to the environment.

During normal business hours, contact the:

Grand Falls Regional Office
(506) 473 - 7744

After hours, or when there is no answer at the Regional Office contact the:

Canadian Coast Guard
1-800-565-1633

All reports shall include:

- a) a description of the source, including the name of the owner or operator;
- b) the nature, extent, duration and environmental impact of the release;
- c) the cause or suspected cause of the release; and
- d) any remedial action taken or to be taken to prevent a recurrence of the violation.

An Inspector will be contacted to return the call and provide direction, where required.

D. TERMS AND CONDITIONS

GENERAL CONDITIONS

7. This Facility has been classified as a **Class 3 Facility**, pursuant to the *Fees for Industrial Approvals Regulation 93-201* under the *Clean Water Act*. The Approval Holder shall pay the appropriate annual fee within 30 days of receiving an invoice.
8. The Approval Holder shall operate the Facility in compliance with the *Water Quality Regulation - Clean Environment Act* of the Province of New Brunswick. Violation of this Approval or any condition herein stated constitutes a violation of the *Clean Environment Act*.
9. The Approval Holder shall apply in writing to the Director and receive approval before making any changes to the currently approved Facility.
10. The Approval Holder shall ensure that surface water shall be prevented from entering the waste disposal area by the use of drainage ditches having a proper grade to direct surface water away from the waste disposal area.
11. The Approval Holder shall ensure that there is no burning of waste or open fires at the site. If a fire is accidentally started, efforts shall be taken to extinguish it immediately.
12. The Approval Holder shall take the necessary action to prevent unauthorized access or disposal at the Facility.

13. The Approval Holder shall ensure that the Facility is only used for the disposal of wood wastes from the Bowater Couturier Inc. sawmill in Baker Brook but does not include hazardous wastes, waste petroleum products, chemically treated wood or other wastes which may be designated by the Director from time to time.
14. The Approval Holder shall complete the proposed leachate treatment system by December 1, 2004.
15. It is understood at this time that the Approval Holder will construct the wetland treatment system in the summer of 2004. It is further understood that the wetland needs a commissioning period for the plants to acclimatize and develop sufficiently to provide effective treatment of the leachate. Limited quantities of leachate may be discharged to the completed wetland during the wetland's commissioning period in a manner and quantity such that the discharge from the wetland meets the discharge limits established in Condition 16.

Leachate that does not meet the discharge limits established in Condition 16 shall be transported in a watertight tanker to an Approved wastewater treatment facility for treatment and disposal. The Approval Holder shall provide a proposal to the Director, prior to beginning the commissioning phase of the wetland operation, on how the Approval Holder intends to meet this requirement.

DISCHARGE LIMITS

16. The Approval Holder shall ensure the wastewater treatment facility shall be operated such that the effluent from the leachate storage and treatment system, the sedimentation ponds or any other discharge from an area shall without benefit of dilution with other water, at all times be Non-Acutely Lethal when tested as per the latest version of "Reference Method for Determining Acute Lethality of Effluents to Rainbow Trout" Report EPS 1/RM/13, Second Edition, December 2000, Environment Canada" and meet the limits in the following Tables:

Concentration limits for:

All Stations of type Leachate Holding Pond

Parameter & Unit	Maximum Monthly Average	24-hour Average	Instantaneous
Biological Oxygen Demand / mg/L	40	60	80
Chromium / mg/L	0.5	.75	1

Copper / mg/L	.5	.75	1
Iron / mg/L	5	7.5	10
Nickel / mg/L	.5	.75	1
Zinc / mg/L	.5	.75	1
Suspended Solids, Total / mg/L	25	40	80

Other limits for:

Bowater Couturier - Leachate effluent

Parameter & Unit	Minimum	Maximum
PH	6.0	9.5

SOLID WASTE MANAGEMENT

17. The Approval Holder shall follow the Site Development Plan as presented in the letter and drawings of June 16, 2003.
18. The Approval Holder shall ensure the depth of wood waste does not exceed that shown in Drawings 03-BB02-02 and 03-BB02-03 by Bowater, June 2003.
19. The Approval Holder shall ensure that the waste is transported to the facility by a method that prevents the loss of solids or liquids enroute.
20. Develop the facility to the final contours as indicated on the June 2003 drawings and construct a final cover of 600 mm of low permeable clay, 150 mm of growing medium and vegetation. The grading and final cover shall progress in phases over the preceding year's disposal area, on an annual basis, and the work shall be completed by September 1 of each year.
21. Repair, grade and stabilize the existing intermediate cover over the disposal area with hydroseed or equivalent to minimize erosion and infiltration.

TESTING AND MONITORING

22. The Approval Holder shall carry out a monitoring program of such detail and frequency as described in Schedule "B" or such other detail and frequency as directed in writing by the Director from time to time.

It is assumed that the monitoring wells are comprised of the following:

Bowater Couturier Inc. Monitoring Wells

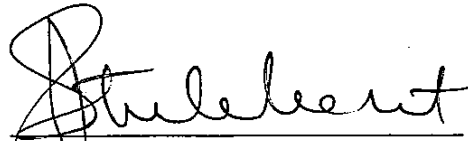
Monitoring Well Nest	Shallow (screened interval, m)	Deep (screened interval, m)
TW1	TW1-S (10.5-15.25)	TW1-D (20-24.7)
TW2	TW2-S (6.8-9.9)	TW2-D (26.8-31.4)
TW3	TW3-S (2.3-3.8)	TW3-D (32-36.6)
TW4	TW4 (0.8-3.8)	

23. The Approval Holder shall all monitoring wells have dedicated sampling tubing and footvalves.
24. The Approval Holder shall protect the monitoring wells against accidental damage and maintain the monitoring wells in good repair.

REPORTING

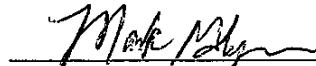
25. The Approval Holder shall advise the Director immediately if testing or observation indicates that the site may pose a threat to the environment through the deterioration of surface water or groundwater quality; or if effluent from the leachate holding pond is acutely lethal.
26. **By March 31 of each year**, the Approval Holder shall submit an annual report to the Director, in electronic format and two hardcopies signed by the supervisor responsible for landfill operations, concerning the previous year's operation of the facility. At a minimum, the annual report shall include:
 - an audit of the types and quantities of waste disposed within the year, a summary of total waste accumulation on the site and an estimate of available disposal capacity remaining at the site;
 - the results of all environmental monitoring and inspections conducted at the site within the year, a summary of monitoring conducted at the site in previous years and a yearly evaluation, conducted by the Approval Holder's in-house personnel for even numbered reporting years and a stamped report by an independent professional engineer or geologist, experienced in the work, for odd numbered years, of whether local groundwater or surface water has been significantly affected by the operation of the facility;
 - an up to date site plan detailing all significant features on the site, including but not limited to property lines, disposal cell(s) open and closed, leachate collection/treatment components (where applicable), surface water controls and monitoring locations;
 - a review of the landfill operations indicating whether the landfill operations have complied with the terms and conditions of the Approval to Operate;
 - other components that the Director may specify.

Prepared by:



John Stubbert, P.Eng.
Industrial Approvals Engineer, Approvals Branch

Reviewed by:



Mark Glynn, P.Eng., Manager
Energy and Manufacturing Section, Approvals Branch

SCHEDULE "B"

MONITORING SCHEDULE

1. Leachate Treatment System Effluent

Station(s)	Frequency	Parameter
Bowater Couturier - Leachate effluent	May and September	Chemical Oxygen Demand
	May and September	Total Organic Carbon
	May and September	Colour
	May and September	Ammonia Total
	May and September	Total Kjeldahl Nitrogen
	May and September	Total Solids
	May and September	Total Phosphorus
	May and September	Resins and Fatty Acids, Total
	Quarterly	Fish Toxicity
	Monthly	Biological Oxygen Demand
	Monthly	Iron
	Monthly	Chromium
	Monthly	Copper
	Monthly	Nickel
	Monthly	Zinc
	Monthly	Conductivity
	Monthly	PH

2. Monitoring Wells

Station(s)	Frequency	Parameter
Monitoring Well(s)	May and September	PH
	May and September	Biological Oxygen Demand
	May and September	Conductivity
	May and September	Chemical Oxygen Demand
	May and September	Total Organic Carbon
	May and September	Colour
	May and September	Ammonia Total
	May and September	Total Kjeldahl Nitrogen

	May and September	Total Solids
	May and September	Total Phosphorus
	May and September	Resins and Fatty Acids, Total
	May and September	Iron
	May and September	Chromium
	May and September	Copper
	May and September	Nickel
	May and September	Zinc

3. Surface Water

Station(s)	Frequency	Parameter
Alliance Baker Brook SW- Surface Water - Upstream,	May and September	PH
	May and September	Biological Oxygen Demand
	May and September	Conductivity
	May and September	Chemical Oxygen Demand
	May and September	Colour
Alliance Baker Brook SW- Surface Water - Downstream	May and September	Total Organic Carbon
	May and September	Ammonia Total
	May and September	Total Kjeldahl Nitrogen
	May and September	Total Solids
	May and September	Total Phosphorus
	May and September	Resins and Fatty Acids, Total
	May and September	Iron
	May and September	Chromium
	May and September	Copper
	May and September	Nickel
	May and September	Zinc



June 23, 2004
File: 2-6630-A1

Roger Grandmaison, P.Eng.
Bowater Couturier Inc.
566, avenue Guérette
Dégelis, PQ G5T 1G5

Dear Mr. Grandmaison:

Re: Bowater Couturier Inc – Baker Brook Disposal Facility – Approval I-4438

Attached is your new approval for the Baker Brook wood waste disposal facility.

Please give me a call if you have any questions.

Sincerely,

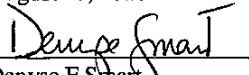
A handwritten signature in black ink, appearing to read "John Stubbert", written over the word "Sincerely,".

John Stubbert, P.Eng.
Industrial Approvals Engineer
Approvals Branch
(506) 453-2177 phone
(506) 457-7805 fax
john.stubbert@gnb.ca

cc: Richard Keeley, DELG Region 6
js

New
Nouveau Brunswick

This is Exhibit 6 referred to
in the affidavit of John Stubbett, P.Eng.
sworn before me on the 27th day of
August 27, 2010.


Denyse F. Smart
A Commissioner of oaths
Being a Solicitor

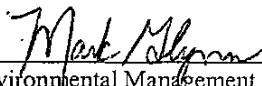
APPROVAL TO OPERATE

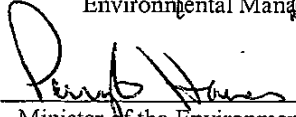
I-5098

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

Bowater Couturier Inc.
for the operation of the
Baker Brook Solid Waste Disposal Facility

Description of Source:	WOOD WASTE DISPOSAL FACILITY	
Source Classification:	Fees for Industrial Approvals Regulation - Clean Water Act	Class 3
Parcel Identifier:	35024975	
Mailing Address:	566 Guérette Ave Dégelis, QC G5T 1G5	
Conditions of Approval:	See attached Schedule (s) "A" and "B" of this Approval	
Supercedes Approval:	I-4911	
Valid From:	September 01, 2005	
Valid To:	June 30, 2010	

Recommended by: 
Environmental Management Division

Issued by: 
Minister of the Environment and Local Government

SEP 01 2005

Date

SCHEDULE "A"

A. DESCRIPTION AND LOCATION OF SOURCE

The Bowater Couturier Inc. waste disposal facility, identified with PID 35024975 and located on the Belmont Road, in the Parish of Baker Brook, County of Madawaska and the Province of New Brunswick, is hereby approved subject to the following Terms and Conditions:

B. DEFINITIONS

1. **"Minister"** means the Minister of Environment and Local Government and includes any person designated to act on the Minister's behalf.
2. **"Department"** means the New Brunswick Department of the Environment and Local Government.
3. **"Director"** means the Director of the Approvals Branch of the Department of the Environment and Local Government and includes any person designated to act on the Director's behalf.
4. **"Approval Holder"** means Bowater Couturier Inc..
5. **"Inspector"** means an Inspector designated under the *Clean Air Act*, the *Clean Environment Act*, or the *Clean Water Act*.
6. **"Facility"** means the property, buildings, and equipment as identified in the Description of Source above, and all contiguous property in the title of the Approval Holder at that location. Notwithstanding the above, this Approval deals mainly with the portion of the property used for the disposal of solid waste from the Bowater Couturier Inc. mill, including but not limited to:
 - 1) The leachate collection system;
 - 2) Leachate treatment constructed wetlands and associated manholes, pumps, piping and discharge;
 - 3) Leachate pump, controls and building;
 - 4) Leachate holding tanks and associated piping;
 - 5) Various mobile equipment including excavators, trucks, compactors and loaders;
 - 6) The disposal cells;
 - 7) Access roadways.
7. **"normal business hours"** means the hours between 8:15 a.m. and 4:30 p.m. from Monday to Friday excluding statutory holidays.

15

8. "after hours" means statutory holidays, weekends, and the hours before 8:15 a.m. and after 4:30 p.m. from Monday to Friday.
9. "statutory holiday", for the purpose of this approval, means New Year's Day, Good Friday, Easter Monday, Victoria Day, Canada Day, New Brunswick Day, Labour Day, Remembrance Day, Christmas Day and Boxing Day. If the statutory holiday falls on a Sunday, then the following day shall be considered to be the statutory holiday.

C. TERMS AND CONDITIONS

GENERAL CONDITIONS

10. This Facility has been classified as a **Class 3** Facility, pursuant to the *Fees for Industrial Approvals Regulation 93-201* under the *Clean Water Act*. The Approval Holder shall pay the appropriate annual fee within 30 days of receiving an invoice.
11. The Approval Holder shall operate the Facility in compliance with the *Water Quality Regulation - Clean Environment Act* of the Province of New Brunswick. Violation of this Approval or any condition herein stated constitutes a violation of the *Clean Environment Act*.
12. The Approval Holder shall apply in writing to the Director and receive approval before making any changes to the currently approved Facility.
13. The Approval Holder shall ensure that surface water shall be prevented from entering the waste disposal area by the use of drainage ditches having a proper grade to direct surface water away from the waste disposal area.
14. The Approval Holder shall ensure that there is no burning of waste or open fires at the site. If a fire is accidentally started, efforts shall be taken to extinguish it immediately.
15. The Approval Holder shall ensure that the Facility is only used for the disposal of wood wastes from the Bowater Couturier Inc. sawmill in Baker Brook but does not include hazardous wastes, waste petroleum products, chemically treated wood or other wastes which may be designated by the Director from time to time.
16. It is understood at this time that the Approval Holder constructed the wetland treatment system in the summer of 2004. It is further understood that the wetland needs a commissioning period for the plants to acclimatize and develop sufficiently to provide effective treatment of the leachate. Limited quantities of leachate may be discharged to the completed wetland during the wetland's commissioning period in a manner and quantity such that the discharge from the wetland meets the discharge limits established in Condition 18.

5

Leachate that does not meet the discharge limits established in Condition 18 shall be transported in a watertight tanker to an Approved wastewater treatment facility for treatment and disposal. The Approval Holder shall provide a proposal to the Director, prior to beginning the commissioning phase of the wetland operation, on how the Approval Holder intends to meet this requirement.

17. The Approval Holder shall restrict access to the Facility and take additional actions as necessary to prevent unauthorized access or disposal at the facility.

DISCHARGE LIMITS

18. The Approval Holder shall ensure the wastewater treatment facility shall be operated such that the effluent from the leachate storage and treatment system, the sedimentation ponds or any other discharge from an area shall without benefit of dilution with other water, at all times be Non-Acutely Lethal when tested as per the latest version of "Reference Method for Determining Acute Lethality of Effluents to Rainbow Trout" Report EPS 1/RM/13, Second Edition, December 2000, Environment Canada" and meet the limits in the following Tables:

Concentration limits for:

All Stations of type Leachate Holding Pond

Parameter & Unit	Maximum Monthly Average	24-hour Average	Instantaneous
Biological Oxygen Demand / mg/L	40	60	80
Chromium / mg/L	0.5	0.75	1
Copper / mg/L	0.5	0.75	1
Iron / mg/L	5	7.5	10
Nickel / mg/L	0.5	0.75	1
Zinc / mg/L	0.5	0.75	1
Suspended Solids, Total / mg/L	25	40	80

Other limits for:

Bowater Couturier - Leachate effluent

Parameter & Unit	Minimum	Maximum
PH	6.0	9.5

SOLID WASTE MANAGEMENT

19. The Approval Holder shall update the Site Development Plan to provide a final cover over the landfill cells, complete with an implementation schedule, and submit the plan to the Director by August 12, 2005 for review and approval and implement the new plan in accordance with the approved schedule.
20. The Approval Holder shall ensure the depth of wood waste does not exceed that shown in Drawings 03-BB02-02 and 03-BB02-03 by Bowater, June 2003.
21. The Approval Holder shall ensure that the waste is transported to the facility by a method that prevents the loss of solids or liquids enroute.
22. Develop the facility to the final contours as indicated on the June 2003 drawings and construct a final cover of 600 mm of low permeable clay, 150 mm of growing medium and vegetation, or Approved alternative. The grading and final cover shall progress in phases over the preceding year's disposal area, on an annual basis, and the work shall be completed by September 1 of each year.
23. **Prior to June 01, 2006**, the Approval Holder shall repair, grade and stabilize the existing intermediate cover over the disposal area with hydroseed or equivalent to minimize erosion and infiltration.
24. The Approval Holder shall submit a formal closure plan to the Director, for review and approval, a minimum of 6 months prior to closure of the facility. The Approval Holder shall implement the Approved closure plan.

TESTING AND MONITORING

25. The Approval Holder shall carry out a monitoring program of such detail and frequency as described in Schedule "B" or such other detail and frequency as directed in writing by the Director from time to time and the monitoring results shall be submitted to the Department in electronic format within 60 days of the sample event.

It is assumed that the monitoring program currently consists of the following:

Bowater Couturier Inc. Monitoring Wells:

Monitoring Well Nest	Shallow (screened interval, m)	Deep (screened interval, m)
MW1S-04	6.0-9.0	
MW2S-04	1.8-4.8	
MW3	TW3-S (2.3-3.8)	TW3-D (32-36.6)
MW4	TW4 (0.8-3.8)	
MW5S-04	0.6-3.6	
MW6S-04	0.6-3.6	

Bowater Couturier Inc. Surface Water Sampling Stations:

Surface Water Station	Relation to Site
SW04-1	Upstream
SW04-2	Downstream

26. The Approval Holder shall protect the monitoring wells against accidental damage and maintain the monitoring wells in good repair.

EMERGENCY REPORTING

27. Immediately following the discovery of an environmental emergency, a designate representing the responsible party shall notify the Department in the following manner:

During normal office hours, telephone the Department Regional Office **until personal contact is made** (i.e. no voice mail messages will be accepted) and provide as much information that is known about the environmental emergency. The telephone number for the Regional Office is provided below:

Grand Falls Regional Office (506) 473-7744

After hours, telephone the Canadian Coast Guard **until personal contact is made** and provide as much information that is known about the environmental emergency. The telephone number for the Canadian Coast Guard is provided below:

Canadian Coast Guard 1-800-565-1633

28. Within 24-hours of the time of initial notification, a faxed copy of a **Preliminary Emergency Report** shall be filed by a designate representing the responsible party to the Regional Office within the Department and the Department's Central Office using the fax numbers provided below. The Preliminary Emergency Report shall clearly communicate as much information that is available at the time about the environmental emergency.

Within five (5) days of the time of initial notification, a faxed copy of a **Detailed Emergency Report** shall be filed by a designate representing the responsible party to the Regional Office and the Department's Central Office using the fax numbers provided below. 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.

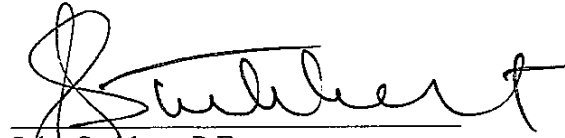
Grand Falls Regional Office (506) 475-2510
Central Office (506) 457-7805

JS

REPORTING

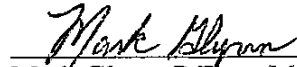
29. In the event the Approval Holder violates any Term and Condition of this Approval or the *Water Quality Regulation*, the Approval Holder is to immediately report this violation by facsimile to the Department's applicable Regional Office and the Central Office in Fredericton at (506) 457-7805. In the event the violation may cause the health or safety of the general public to be at risk and/or significant harm to the environment could or has resulted, the Approval Holder shall follow the Emergency Reporting procedures contained in this Approval.
30. The Approval Holder shall advise the Director immediately if testing or observation indicates that the site may pose a threat to the environment through the deterioration of surface water or groundwater quality; or if effluent from the leachate holding pond is acutely lethal.
31. **By March 31 of each year**, the Approval Holder shall submit an annual report to the Director, in electronic format and two hardcopies signed by the supervisor responsible for landfill operations, concerning the previous year's operation of the facility. At a minimum, the annual report shall include:
- an audit of the types and quantities of waste disposed within the year, a summary of total waste accumulation on the site and an estimate of available disposal capacity remaining at the site;
 - the results of all environmental monitoring and inspections conducted at the site within the year, a summary of monitoring conducted at the site in previous years and a yearly evaluation, conducted by the Approval Holder's in-house personnel for even numbered reporting years and a stamped report by an independent professional engineer or geologist, experienced in the work, for odd numbered years, of whether local groundwater or surface water has been significantly affected by the operation of the facility;
 - an up to date site plan detailing all significant features on the site, including but not limited to property lines, disposal cell(s) open and closed, leachate collection/treatment components (where applicable), surface water controls and monitoring locations;
 - a review of the landfill operations indicating whether the landfill operations have complied with the terms and conditions of the Approval to Operate;
 - other components that the Director may specify.

Prepared by:



John Stubbert, P.Eng.
Industrial Approvals Engineer, Approvals Branch

Reviewed by:



Mark Glynn, P.Eng., Manager
Energy and Manufacturing Section, Approvals Branch

SCHEDULE "B"**MONITORING SCHEDULE**

1. Leachate Treatment System Effluent

Station(s)	Frequency	Parameter
Bowater Couturier - Leachate effluent	May and September	Chemical Oxygen Demand
	May and September	Total Organic Carbon
	May and September	Colour
	May and September	Ammonia Total
	May and September	Total Kjeldahl Nitrogen
	May and September	Total Solids
	May and September	Total Phosphorus
	May and September	Resins and Fatty Acids, Total
	Quarterly	Fish Toxicity
	Monthly	Biological Oxygen Demand
	Monthly	Iron
	Monthly	Chromium
	Monthly	Copper
	Monthly	Nickel
	Monthly	Zinc
	Monthly	Conductivity
	Monthly	PH

2. Monitoring Wells

Station(s)	Frequency	Parameter
Monitoring Well(s)	May and September	PH
	May and September	Biological Oxygen Demand
	May and September	Conductivity
	May and September	Chemical Oxygen Demand
	May and September	Total Organic Carbon
	May and September	Colour
	May and September	Ammonia Total
	May and September	Total Kjeldahl Nitrogen
	May and September	Total Solids
	May and September	Total Phosphorus
	May and September	Resins and Fatty Acids, Total
	May and September	Iron
	May and September	Chromium
	May and September	Copper
	May and September	Nickel
	May and September	Zinc

3. Surface Water

Station(s)	Frequency	Parameter
Alliance Baker	May and September	PH
Brook SW-	May and September	Biological Oxygen Demand
Surface Water -	May and September	Conductivity
Upstream,	May and September	Chemical Oxygen Demand
	May and September	Colour
Alliance Baker	May and September	Total Organic Carbon
Brook SW-	May and September	Ammonia Total
Surface Water -	May and September	Total Kjeldahl Nitrogen
Downstream	May and September	Total Solids
	May and September	Total Phosphorus
	May and September	Resins and Fatty Acids, Total
	May and September	Iron
	May and September	Chromium
	May and September	Copper
	May and September	Nickel
	May and September	Zinc



September 1, 2005

File: 2-6630-A1

Roger Grandmaison, P.Eng.
Bowater Couturier Inc.
566, avenue Guérette
Dégelis, PQ G5T 1G5

Dear Mr. Grandmaison:

Re: Bowater Couturier Inc-Baker Brook Disposal Facility-Approval to Operate I-5098

Attached is your new Approval to Operate for the Baker Brook wood waste disposal facility. This approval supercedes the recently issued I-4911 and it is issued to correct a typo that incorrectly referred to another condition, there is another update to the emergency reporting protocol (added definitions and clarification on non-emergency reporting requirements) and there is an update to the table of the existing monitoring wells. Please remove the old approval (I-4911) from your active file and replace it with this one.

Please give me a call if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Stubbert".

John Stubbert, P.Eng.
Industrial Approvals Engineer
Approvals Branch
(506) 453-2177 phone
(506) 457-7805 fax
john.stubbert@gnb.ca

cc: Gerry Desjardins, DELG Region 6
js