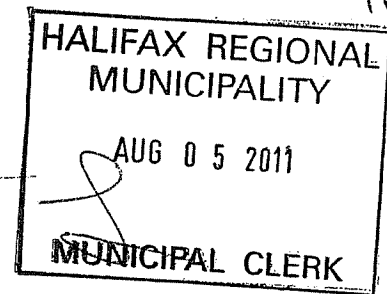


106#4

Re: 4.13
+ Inf #1

Environment
Environmental Monitoring & Compliance

30 Damascus Road
Bedford NS B4A 0C1

Tel: (902) 424-7773
Fax: (902) 424-0597

July 28, 2011

Mr. Bob Harvey, HRM Councillor
North West Community Council
PO Box 1749,
Halifax, Nova Scotia
B3J 3A5

Dear Councillor Harvey,

I am in receipt of your letter, dated June 28, 2011, requesting an update on the current situation relating to the Annapolis Group owned, Paper Mill Lake Dam in Bedford. Thank you for your continued interest in this matter.

In the Province of Nova Scotia, the operation of a dam structure for the purpose of impounding water, is an activity that requires an Approval from NSE, as legislated in Section 5(1)(c) of the *Activities Designation Regulations*, made pursuant to the *Environment Act*. Although NSE is designated as the lead provincial government agency for authorizing the impoundment of water behind a dam, NSE is not mandated to provide inspections of these structures, particularly in relation to their structural soundness or integrity. It is the responsibility of the owner of the structure to retain the services of a qualified Engineer or Engineering firm to assess the condition of these structures.

At present, NSE staff are working with Annapolis Group towards obtaining a new authorization to impound water at Paper Mill Lake to facilitate the continued operation of this dam. The current authorization held by Annapolis Group was set to expire on June 30th, 2011. Prior to this expiry date, NSE issued a six month extension to allow department staff time to evaluate the exact nature of the information that will be required from the Approval Holder before a new approval will be issued. As a term and condition of this extension, NSE is requiring Annapolis Group to provide staff with a copy of the most recent Engineering/Conditional Assessment report prepared for this dam structure, as well as, to provide a report outlining all maintenance work conducted on this structure over the past ten years. The terms and conditions of this extension require Annapolis Group to provide this information to the department by the end of September 2011.

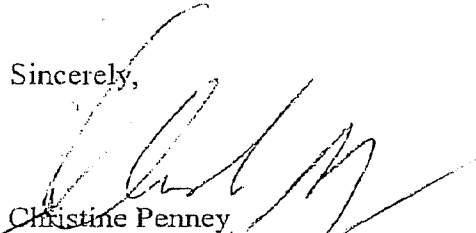
At present, I am not aware of any pending or outstanding regulatory actions or court orders relating to this dam structure, nor am I aware of any private or Government Bills being brought forward in the Legislature relating to this or any other dam structure in the province.

As mentioned above, when department staff have completed their evaluation of the process and information requirements relating to the renewal of existing authorizations to impound water in the

province, Annapolis Group will be informed of these expectations and will be required to comply with this process before any new approval will be issued.

I hope that the update I have provided on this issue is to your satisfaction. Should you have any questions or concerns related to this issue, please feel free to contact Norma Bennett, NSE District Manager, in our Bedford office (424-7773), at your convenience.

Sincerely,



Christine Penney
NSE Regional Director (Central Region)

cc:

MLA Kelly Regan, Bedford-Birch Cove (Fax: 407-3779)
Honourable Bill Estabrooks, Minister of Transportation and Infrastructure Renewal
Honourable Sterling Belliveau, Minister of Environment
Councillor Tim Ouhit, North West Community Council
Councillor Peter Lund, North West Community Council
Councillor Brad Johns, North West Community Council
Councillor Barry Dalrymple, North West Community Council
Norma Bennett, NSE District Manager
Jonathan MacDonald, NSE Inspector Specialist