**Demolition of shed at the La Tabatière wharf, QC**

# NOTICE OF DETERMINATION

**Montreal – February 1st, 2024 –** Transport Canada has determined that the proposed proposed Demolition of shed at La Tabatière wharf, located in La Tabatière, Québec is not likely to cause significant adverse environmental effects.

This determination was based on a consideration of the following factors:

* impacts on rights of Indigenous peoples;
* Indigenous knowledge;
* community knowledge;
* comments received from the public; and
* technically and economically feasible mitigation measures.

Mitigation measures taken into account for this determination are:

**PHASE 1 – DEMOLITION OF THE BUILDING ENVELOPE AND CHARACTERIZATION OF SOILS AND MATERIALS**

## Migratory birds

* Before work begins, check the structures where the work will take place for nesting waterfowl. If a nest(s) is found, immediately notify the departmental representative who will contact ECCC's Canadian Wildlife Service (CWS) to ensure that the correct action is taken before the work begins.
* If a nest containing migratory bird eggs or chicks is found near or in the work area, stop all noisy activities in the vicinity of the nesting site, protect the nest(s) with a protection zone. Immediately notify the departmental representative who will be in charge of contacting ECCC's Canadian Wildlife Service (CWS) to ensure that the correct action is taken.

## Surface Water

* Appropriate work procedures shall be used to prevent the introduction of debris and hazardous products into the aquatic environment. No debris will be thrown into the water or natural environment and any debris accidentally introduced into the water or natural environment must be removed as soon as possible and disposed of in accordance with the regulations.
* Ensure that equipment and machinery are in good working order and free of oil leaks.
* Carry out maintenance, cleaning and refuelling of equipment and vehicles in the areas provided for this purpose, on a watertight surface, at a distance of at least 30 m from watercourses and 15 m from drainage ditches. If these distances cannot be respected, soil protection measures must be installed under the equipment or machinery (e.g. containment tank with a volume equivalent to at least 110% of the volume of the fuel tank).
* Check equipment daily for contaminant leaks and repair them immediately, if necessary.
* In the event of a breakage or leak, the machinery must be kept away from bodies of water, taken out of service and repaired as soon as possible. The leak will have to be contained and the spilled substances will have to be recovered. Contaminated soils and salvaged materials (absorbents, diapers and socks) should be managed in accordance with the Soil Protection and Contaminated Land Remediation Intervention Guide, if applicable. Documentation of a compliant arrangement will need to be provided to TC. This must be to the satisfaction of TC.
* If machinery is stored overnight or for short periods of time, if possible, place it on non-porous surfaces more than 30 metres from a body of water from which an accidental spill can be recovered. If these distances cannot be respected, soil protection measures must be installed under the equipment or machinery (e.g. containment tank with a volume equivalent to at least 110% of the volume of the fuel tank).
* Ensure that runoff from the project is free of petroleum hydrocarbons and hazardous materials, and that suspended particulate matter and turbidity remain low and meet federal and provincial criteria.
* Avoid leaving the soil bare and install a temporary soil retention system if necessary to prevent runoff from the site from entering the bay or a ditch associated with it.

## Air quality

* In dry weather, use work methods that minimize the emission of fine particles. The use of water to suppress dust should only be done with great care and with appropriate recovery and management of runoff water.
* Cover dry materials and debris to prevent wind from kicking up dust or washing away debris.
* Cover with tarps loads that may release particles into the air, as prescribed by the Highway Traffic Act.
* Use clean, serviceable and compliant machinery to minimize emissions (to air and noise).<
* Adopt a work method that minimizes oxide emissions and/or exhaust from motor vehicles and other machinery. If possible, turn off the engines of gasoline-powered vehicles and equipment when not in use.
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## Waste management

* Provide the site with all sanitary equipment in sufficient quantity to prevent any dispersion of waste into the environment (transportable chemical toilets, garbage cans, bins, etc.).
* Manage residual materials in compliance with the 3R (reduction at source, reuse, recycling, recovery). Only materials that cannot be disposed of in one of these channels are sent for disposal.
* At the end of the period of use of the site, the work areas must be cleared of equipment, machinery, demolition materials, garbage, garbage, rubble and excavated material from the work as quickly as possible. These materials will have to be managed in sites authorized to receive them according to the applicable regulations, for all types of waste that will be produced as part of this work.

## Accidental oil spills

* An environmental emergency response plan and an appropriate response kit for the recovery of hazardous materials must be present at all times on site and employees familiar with its use. This must take into account the proximity of a body of water.
* All personnel at the work site will be fully trained in spill emergency response procedures, methods, and the use of relevant equipment and materials.
* Any spill must be reported immediately to ECCC's emergency services (1-866-283-2333) and to the Environmental Emergency Service of the Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs du Québec (MELCCFP) (1-866-694-5454) and to the Canadian Coast Guard's Marine Pollution Alert and Warning Network (1-800-363-4735). Transport Canada will also need to be notified.
* Any contaminant spill will require immediate response measures to limit and recover pollutants. Pollutants will have to be managed according to current standards.
* Any waste or pollutants associated with this incident must be managed and disposed of off-site in accordance with current regulations. Documentation of a compliant arrangement shall be provided to the TC Project Manager.
* In the event of an equipment breakdown or spill, the emergency response plan must be implemented immediately. Notify the wharf keeper and TC Environmental Officer immediately.
* If soils are contaminated by a spill, they must be piled on a watertight membrane and covered with a watertight membrane, or placed in watertight containers, tested and managed according to their contamination levels at authorized sites that comply with current regulations.
* Equipment must use biodegradable oils to limit the impact of a possible accidental spill.

## Health and safety risk

* A security perimeter must be demarcated around the work area to restrict access to unauthorized persons.
* Ensure the safety of workers and the public by marking the work site and installing adequate signage.
* Maintain used traffic lanes in good condition at all times and take the necessary measures to ensure that they can be used and crossed by other users without problems.
* Following the work, restore the traffic lanes to a condition at least equal to their original condition and as soon as possible.
* Throughout the work, clean the traffic lanes when required.

## Hazardous waste management (if required)

* For all hazardous waste management work, comply with federal, provincial and local requirements as well as those in the specification and, in the event of a conflict, apply the most stringent of these requirements. Ensure that the work is carried out in compliance with the regulations in force.
* Provide the detailed hazardous waste management plan as well as written documentation regarding the weekly hazardous waste inspections with the monitoring report.
* Present this response plan to all site employees.
* No storage of hazardous materials is permitted on work site.
* It is forbidden to discharge hydrocarbons, solvents, thinners or any hazardous substances into waterways, storm sewers and sanitary sewers.
* If hazardous materials are present, they must be identified, protected from the elements and stored safely.
* If lead is present in the paint of the buildings, the proponent must ensure that the measures set out in the specifications are met.
* The Contractor must comply with all applicable regulations regarding the transportation, storage, handling and disposal of hazardous materials and hazardous waste. Hazardous materials used during the work must be stored in a secure place and transported in leak-proof containers clearly marked according to the regulations.
* Hazardous waste must be managed and disposed of in accordance with the regulations in force by a company that holds authorizations from the MELCCFP. Maintain the Hazardous Waste Transport Manifest

## Asbestos waste management (if required)

* Comply with federal, provincial, local and specification requirements and, in the event of conflicts, apply the most stringent of these requirements. Ensure that the work is carried out in compliance with the regulations in force.
* Carry out the work in such a way as to ensure that no dispersion of airborne asbestos fibres and asbestos waste or water leakage ever contaminates the areas outside the site.
* Provide all the protective equipment necessary to carry out the work in the presence of hazardous materials.
* All workers working in the asbestos-containing area must have the necessary training, as prescribed by the Construction Safety Code.
* Safely remove all debris on a regular basis (during shifts and at the end of the day) and dispose of it safely in a designated container.
* Identify all containers used for asbestos waste in accordance with the Construction Safety Code.
* For each load of waste leaving the work site, complete and submit to the Departmental Representative or delegate a Waste Transport or Disposal Document containing the information described in the Transportation of Dangerous Goods Act.

## Sound environment

* Restrict work to normal working hours (7:00 a.m. to 6:00 p.m., weekdays, avoiding holidays), or according to current regulations.
* Use clean, serviceable and compliant machinery to minimize emissions (to air and noise).
* Optimize maneuvers to minimize operating time.
* Limit the use of engine braking when transporting equipment and materials and comply with applicable regulations.
* As much as possible, avoid the breakdown of the truck bed panel;
* Truck drivers will respect the Highway Safety Code as well as speed limits.

## Specie at risk and the natural environment

* Do not encroach outside work zones.

**PHASE 2 – DEMOLITION AND RECONSTRUCTION OF THE FOUNDATION**

## Disturbance of migratory birds

* Before work begins, check the structures where the work will take place for nesting waterfowl. If a nest(s) is found, immediately notify the departmental representative who will contact ECCC's Canadian Wildlife Service (CWS) to ensure that the correct action is taken before the work begins.
* If a nest containing migratory bird eggs or chicks is found near or in the work area, stop all noisy activities in the vicinity of the nesting site, protect the nest(s) with a protection zone. Immediately notify the departmental representative who will be in charge of contacting ECCC's Canadian Wildlife Service (CWS) to ensure that the correct action is taken.

Soil and surface water

* Equipment must use biodegradable oils to limit the impact of a possible accidental spill;
* Use work procedures to prevent debris and hazardous products from entering the aquatic environment. No debris will be thrown into the water or natural environment and any debris accidentally introduced into the water or natural environment must be removed as soon as possible and disposed of in accordance with the regulations.
* Ensure that equipment and machinery are in good working order and free of oil leaks.
* Carry out maintenance, cleaning and refuelling of equipment and vehicles in the areas provided for this purpose, on a watertight surface, at a distance of at least 30 m from watercourses and 15 m from drainage ditches. If these distances cannot be respected, soil protection measures must be installed under the equipment or machinery (e.g. containment tank with a volume equivalent to at least 110% of the volume of the fuel tank).
* Provide a certificate of inspection of the machinery before the work is carried out;
* Check equipment daily for contaminant leaks and repair them immediately, if necessary.
* In the event of a breakage or leak, move machinery away from water, take it out of service and repair the break as soon as possible. The leak will have to be contained and the spilled substances will have to be recovered. Contaminated soils and salvaged materials (absorbents, diapers and socks) should be managed in accordance with the Soil Protection and Contaminated Land Remediation Intervention Guide, if applicable. Documentation of a compliant arrangement will need to be provided to TC. This must be to the satisfaction of TC.
* If machinery is stored overnight or for short periods of time, if possible, place it on non-porous surfaces more than 30 metres from a body of water from which an accidental spill can be recovered. If these distances cannot be respected, soil protection measures must be installed under the equipment or machinery (e.g. containment tank with a volume equivalent to at least 110% of the volume of the fuel tank).
* Avoid leaving the soil bare and install a temporary soil retention system if necessary to prevent runoff from the site from entering the bay or a ditch associated with it.
* No waste, equipment, construction materials or machinery may be left on site at the end of the work;
* Carry out backfilling work by developing excavated sites according to the slope of the site to minimize the accumulation of runoff in the excavated sites;
* Ensure that runoff from the project is free of petroleum hydrocarbons and hazardous materials, and that suspended particulate matter and turbidity remain low and meet federal and provincial criteria.
	+ Ensure that temporary storage of debris during work is done so that it is not blown away by the wind or leached into a body of water and use containment methods where appropriate. Any debris accidentally introduced into the water must be removed as soon as possible and disposed of in accordance with the regulations.
	+ Soils with exceedances of criteria C of the MELCCFP Intervention Guide or the CCME recommendations for commercial use (whichever is more restrictive) must be managed off-site and disposed of in accordance with the Excavated Soil Management Grid (Appendix 5) of the MELCCFP ['s Intervention Guide – Soil Protection and Rehabilitation of Contaminated Sites](http://www.environnement.gouv.qc.ca/sol/terrains/guide-intervention/).
	+ Soils with organoleptic indices of contamination (odours, colours, etc.) during demolition work and whose environmental quality will be in the B-C range will also have to be managed off-site in an appropriate location according to their level of contamination.
	+ Work involving the transportation of excavated soil containing contaminants from human activity, regardless of its concentration and volume, from the original site must be carried out in accordance with the [Regulation respecting the traceability of excavated contaminated](https://www.legisquebec.gouv.qc.ca/fr/document/rc/Q-2%2C%20r.%2047.01) *soils.* The owner or authorized person will also have to register the project in [Traces Québec](https://sols.tracesquebec.net/login) to ensure the traceability of contaminated soils excavated outside the original land, and complete the tracking slips for all excavated soils associated with the project. At the end of the work, provide Transport Canada with the traceability report generated by Traces Québec
	+ Packing slips will have to be provided by the contractor to demonstrate the sound management of the contaminated soil.
* The granular material used for backfilling should be clean and free of contaminants. The embankment must comply with the criteria set out by the Canadian Council of Ministers of the Environment and the most stringent Intervention Guide – Soil Protection and Rehabilitation of Contaminated Lands of the [MELCCFP Intervention Guide – Soil Protection and Rehabilitation of Contaminated Sites](http://www.environnement.gouv.qc.ca/sol/terrains/guide-intervention/). A certificate of chemical analysis must be provided to prove the quality and origin of this fill.
* If soils are to be stored temporarily, they must be placed on a polyethylene membrane and covered with an impermeable membrane to protect them;
* Excavated soil and residual materials must be transported in leak-proof containers, bags or dump boxes with a tarp covering the top of the tarp;
* Excavated soil must be transported to a treatment or authorization site authorized by the MELCCFP;
* If water accumulates in excavations, it must be pumped, stored, tested, and managed based on sample results;
* Excavations must be backfilled with contamination-free material from a known borrow bench;
* Perform backfilling by landscaping excavated sites according to the slope of the site to minimize the accumulation of runoff in excavated sites.
* For all work related to the removal of hazardous materials and the management of hazardous waste, comply with federal, provincial and local requirements as well as those of the specifications and, in the event of a conflict, apply the most stringent of these. Ensure that the work is carried out in compliance with the regulations in force.
* No storage of hazardous materials is permitted within thirty metres of a watercourse.
* It is forbidden to discharge hydrocarbons, solvents, thinners or any hazardous substances into waterways, storm sewers and sanitary sewers.
* If hazardous materials are present, they must be identified, protected from the elements and stored safely.
* Provide the site with all sanitary equipment in sufficient quantity to prevent any dispersion of waste into the environment (transportable chemical toilets, garbage cans, bins, etc.).
* Manage residual materials in compliance with the 3R (reduction at source, reuse, recycling, recovery). Only materials that cannot be disposed of in one of these channels are sent for disposal.
* At the end of the period of use of the site, the work areas must be cleared of equipment, machinery, demolition materials, garbage, garbage, rubble and excavated material from the work as quickly as possible. These materials will have to be managed in sites authorized to receive them according to the applicable regulations, for all types of waste that will be produced as part of this work;
* Carry out the concreting work in such a way as to prevent the concrete and the particles it contains from reaching the aquatic environment.
* Ensure that water that has been in contact with uncured or partially cured concrete or cement (such as cleaning water from cement mixers and other equipment) is not discharged into the aquatic environment.
* Adopt construction, renovation and demolition waste management practices consistent with the Greening Government Strategy, including the recovery and reclamation of concrete residues (aggregate residues).
* Trap dripping or dripping material from cast-in-place concrete and concrete mixers through interception ditches, settling ponds, reservoirs or other facilities. The sediment must be able to settle and reach a neutral pH before the clarified water is released into the drainage system or can drain into the soil.
* Concrete debris and dust resulting from the work must be removed to prevent the material from entering the aquatic environment. Any unused aggregate and concrete debris should be removed and the surface returned to its original condition once the work is complete.
* Ensure that poured concrete is protected from rain at all times during concreting work.

## Accidental oil spills

* An environmental emergency response plan and an appropriate response kit for the recovery of hazardous materials must be present at all times on site and employees familiar with its use. This must take into account the proximity of a body of water.
* All personnel at the work site will be fully trained in spill emergency response procedures, methods, and the use of relevant equipment and materials.
* Any spill must be reported immediately to ECCC's emergency services (1-866-283-2333) and to the environmental emergency service of the Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs du Québec (MELCCFP) (1-866-694-5454) and to the Canadian Coast Guard's alert network in the event of an aquatic incident (1-800-363-4735). Transport Canada will also need to be notified.
* Any contaminant spill will require immediate response measures to limit and recover pollutants. Pollutants will have to be managed according to current standards.
* Any waste or pollutants associated with this incident must be managed and disposed of off-site in accordance with current regulations. Documentation of a compliant arrangement shall be provided to the TC Project Manager.
* In the event of an equipment breakdown or spill, the emergency response plan must be implemented immediately. Notify the wharf keeper and TC Environmental Officer immediately.
* If soils are contaminated by a spill, they must be piled on a watertight membrane and covered with a watertight membrane, or placed in watertight containers, tested and managed according to their contamination levels at authorized sites that comply with current regulations.

Air quality

* In dry weather, use work methods that minimize the emission of fine particles. The use of water to suppress dust should only be done with great care and with appropriate recovery and management of runoff water.
* Cover dry materials and debris to prevent wind from kicking up dust or washing away debris.
* Cover with tarps loads that may release particles into the air, as prescribed by the Highway Traffic Act.
* Use clean, serviceable and compliant machinery to minimize emissions (to air and noise)
* Adopt a work method that minimizes oxide emissions and/or exhaust from motor vehicles and other machinery.
* Turn off engines of gasoline-powered vehicles and equipment when not in use.

Health and safety risk

* A security perimeter must be demarcated around the work area to restrict access to unauthorized persons.
* Ensure the safety of workers and the public by marking the work site and installing adequate signage.
* Movement of personnel and machinery should be minimized;
* Maintain used traffic lanes in good condition at all times and take the necessary measures to ensure that they can be used and crossed by other users without problems.
* Following the work, restore the traffic lanes to a condition at least equal to their original condition and as soon as possible;
* Throughout the work, clean the traffic lanes when required.

Sound environment

* Restrict work to normal working hours (7:00 a.m. to 6:00 p.m., weekdays, avoiding holidays), or according to current regulations.
* Use clean, serviceable and compliant machinery to minimize emissions (to air and noise).
* Optimize maneuvers to minimize operating time.
* Limit the use of engine braking when transporting equipment and materials and comply with applicable regulations.
* As much as possible, avoid the breakdown of the truck bed panel;
* Truck drivers will respect the Highway Safety Code as well as speed limits.
* Species at risk and natural environment
* Do not encroach outside work zones.

Transport Canada is satisfied that that the carrying out of the project is not likely to cause significant adverse environmental effects.

Therefore, Transport Canada may carry out the project, exercise any power, perform any duty or function, or provide financial assistance to enable the project to be carried out in whole or in part.