

To: Mayor and Council

Submitted by: Climate Change Advisory Committee (CCAC)

Date: October 22, 2026

Subject: CCAC review of EA Approval and Recommended Municipal Council Action Concerning the RIGS Gas Plant

BACKGROUND

On August 28, the Provincial Department of Environment and Local Government approved with 45 conditions the environmental assessment (EA) of the RIGS (Renewables Integration Grid Security) Project involving a fossil fuel burning gas turbine power generation plant at Centre Village within Tantramar boundaries.

During the September 8 Council meeting, while discussing this project, the Deputy Mayor and CCAC Councillor liaison indicated that the CCAC would provide advice to the Council regarding the 45 conditions listed in the New Brunswick environmental assessment approval.

CONSIDERATIONS

The CCAC discussed the 45 recommendations at their September and October meetings with a view to advise Council on each of the recommendations and more importantly what the town could do to ensure that the EA conditions best serve and address the concerns of the citizens and Municipality of Tantramar.

The CCAC found that many of the recommendations were boilerplate clauses found in many other New Brunswick environmental assessments and lacked specific conditions relative to this first-of-its-kind large industrial project with gas turbines in New Brunswick. We found that there were few if any “red lines” established by the Government of New Brunswick. For example, the maximum time spent burning fossil fuels and operating the jet engines in a year (17%) - a hard limit - could be revised upon application.

The CCAC is of the view that the requirements set by the Government of New Brunswick on ProEnergy represent minimum standards that do not adequately address concerns of this Council nor the people of Tantramar. In this regard, considering the concerns about the potential impacts of emissions on air quality and human health, groundwater quality and supply, poor communication of and unsatisfactory interactions by ProEnergy and the Government of New Brunswick, and our future regarding the burning of fossil fuels and global heating, the CCAC has attempted to identify areas where the EA recommendations are, in our opinion, weak. We further suggest actions the Municipality of Tantramar could take to be more engaged in the oversight of this project now and decades into the future.

SUMMARY

Of the 45 recommendations the CCAC has assessed that:

- **24% are of Very High Importance to Tantramar** especially concerning air quality, groundwater and residential wells, emissions and turbine plant operation, and public communication. 13% of

the recommendations are in the High importance category, 13% Medium, and 49% in the Low importance category.

- With **29% of the recommendations the Municipality of Tantramar should demand that higher standards** be required of the proponent ProEnergy. These recommendations are targeted at having such things as direct public access to environmental monitoring data, and reporting that is widely accessible and more frequent. As well, more robust monitoring programs of air and water, with higher frequency of data collection are needed for the public to understand toxic air emissions and impacts to residential ground water for the duration of the operation of the industrial plant.
- With **36% of the recommendations Tantramar should demand input and review of plans, and in some cases approval of plans** before approval by the Government of New Brunswick.
- In **78% of the recommendations, the Municipality of Tantramar should be receiving reports when submitted** to regulatory agencies, especially the Government of New Brunswick.

RECOMMENDATIONS

It is recommended that Council communicate Tantramar's needs to ProEnergy and all regulators of this project – NB Power, Government of New Brunswick, and Federal Government including:

- a) having input, review, and in some cases approval of identified plans (see list) before ProEnergy submits them for Provincial or other agency approval;
- b) having stricter requirements on ProEnergy for what is monitored and how data is reported. This is particularly important for stack emissions, air quality, and ground and well water quantity and quality;
- c) establishing regular public notification of plant operations, and alert systems for example when emissions are exceeded;
- d) having digital access to monitoring data on an ongoing basis; and,
- e) having full access to and being a recipient of all reports when submitted to regulatory agencies by ProEnergy.

Furthermore, the CCAC recognizes that most citizens in Tantramar have a low level of trust in ProEnergy and of NB Power concerning the RIGS industrial plant. Given this, the CCAC suggests that Council could indicate its hope to both corporations that they significantly improve their relationship and communication with the Municipality of Tantramar, residents who are potentially impacted by the plant operations, and the Tantramar public.

Note: The CCAC's analysis of EA each recommendation is found on the accompanying spreadsheet.

#	NB Approval Condition	CCAC assessment	Importance	Recommended Tantramar Action
Tantramar CCAC review of EA Approval and Recommended Municipal Council Action Concerning RIGS Gas Plant				
<i>Document A – Minister’s Determination Conditions of Approval</i>				
<i>Pursuant to Regulation 87-83 under the Clean Environment Act August 25, 2026 - File Number: 4561-3-1651 / SR 166386</i>				
				Summary of Recommendations:
	GNB – Government of NB in most case the Department of Environment and Local Government (DELG) (the regulator)			24% Very High Importance to Tantramar - air quality,
	NBP – NB Power			29% Tantramar desires a higher standard than EA approval
	PRO – ProEnergy (the proponent)			36% Tantramar desires input to plans prior to approval
	TAN – Municipality of Tantramar			78% Tantramar wants to receive the same information as the
	GoC - Government of Canada			
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8	Within 30 days, the proponent must submit an approved <u>public-notification strategy</u> with a reporting schedule covering construction activities, timelines, and progress.	Public notification and information sharing is a key concern. Tantramar should have input to this strategy and receive regular updates from the Proponent during any given year.	Very high	Tantramar requires input the strategy before submission to GNB. Tantramar wants PRO to create an open public portal to be available and information accessible to anyone on construction updates, monitoring data, reports, operational reports etc. Citizens need to be able to submit
14	The Approval to Operate application must include baseline and ongoing <u>ambient-air monitoring</u> and an approved response plan for pollution exceedances.	Air quality and human health a key concern of Tantramar. This is the only EA requirement regarding Air monitoring!!!!	Very high	Tantramar requires to review air monitoring and response plan before GNB approval. Tantramar wants a robust air quality monitoring network on-site and in the surrounding areas with alerts when thresholds are exceeded.
32	Before the project begins, the proponent must obtain approval for a comprehensive <u>groundwater-monitoring plan</u> covering well locations and logs, water quality and quantity, monitoring frequency, historical data, ~~maintenance, monitoring issues, impact~~	Water withdrawals from and water quality of aquifer a key concern of Tantramar. No mention of recording of nearby residents wells as baseline or over time to determine ~~impact~~	Very high	Tantramar to review ground-water monitoring plan and require monitoring of resident wells to determine off-site impacts. Residents well within 7km radius should be assessed before operation and be part of ongoing monitoring of water quality and flow.
28	Each production <u>well must have a flowmeter</u> . Usage must be recorded at least five days per week and reported annually within 90 days after year-end.	Water withdrawals from aquifer a key concern of Tantramar. Tantramar would benefit from having access to flow reports over a much shorter time span ,	Very high	Annually, Tantramar to receive report. Tantramar wants to receive reports on a monthly or bi-weekly basis. Tantramar also to have access to data on a monthly basis. Indicate to GNB

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33	The annual <u>groundwater-monitoring report</u> must be submitted within 90 days after year-end.	Aquifer impacts, quality and quantity a key concern for Tantramar. Annual reporting is too infrequent and all monitoring data should be available and accessible to Tantramar.	Very high	Annually, Tantramar requires ground water monitoring reports. Tantramar wants to receive such reports on a monthly basis. Tantramar be given digital access to all monitoring data collected. Indicate to GNB and PRO
34	The proponent must <u>investigate complaints</u> that project wells have affected a <u>neighbour's water supply</u> and notify DELG. If responsible, it must <u>provide temporary water or repair, remediate, or replace the affected well</u> .	Aquifer impacts, quality and quantity a key concern for Tantramar. Note water quality is not mentioned. Without a monitoring program of resident's wells such investigations cannot be based on facts.	Very high	Tantramar questions how the proponent can have the power to conduct such investigations. The GNB needs to be the investigating agency. Tantramar requires to be notified of complaints about water supply and quality. Tantramar requires that local residents' well should be independently monitored for the duration of the project at the expense of PRO.
37	An approved <u>wastewater-management plan</u> is required before wastewater infrastructure is built and before operations. It must address effluent, storage, receiving-facility capacity and approvals, transport and emissions, contingencies, and any required discharge approvals.	Wastewater disposal plan is not yet publically known. Discharge into the local environment is a key concern of Tantramar.	Very high	Tantramar to provide input to the draft wastewater management plan before it is approved by GNB. Tantramar to receive a copy of the approved wastewater management plan and associated permits or authorities. Indicate to GNB and PRO
9	Before project activities begin, the proponent must obtain approval for an <u>Environmental Management Plan</u> covering project-specific mitigation, noise, lighting, spills, refuelling, construction diesel emissions, wildlife emergencies, safety, and environmental	Environmental Management Plan is a key concern of Tantramar. Tantramar and its advisory CCAC should review and endorse plan before it is approved.	Very high	Tantramar require input of the Environmental Management Plan before GNB approval. Tantramar to receive plan after final approval. Indicate to GNB and PRO
11	The facility must operate primarily in <u>synchronous-condensing mode</u> . Generation is limited to EIA-assessed scenarios and, during system stress, may <u>not exceed 17% of operating hours</u> on a rolling 12-month basis. Higher	Air quality, noise, water quality and GHG emissions a key concern of Tantramar.	Very high	Tantramar requires to be consulted on any proposal to increase maximum time burning fuel in non-synchronous-condensing mode. Tantramar wants that PRO produces public alerts when they operate the jet engines i.e. Non-synchronous-condensor mode.

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12	The proponent must <u>record hours in condensing and generating modes</u> and submit an annual compliance report addressing the 7% and 17% thresholds and explaining all stress-condition generation.	Air quality, noise, water quality and GHG emissions a key concern of Tantramar.	Very high	Annually, Tantramar to receive this report when submitted to GNB. Tantramar would like NB Power to confirm annual compliance report. Indicate to GNB and PRO
26	After one full year of operation, the proponent must submit an approved <u>Net Zero Emissions Plan</u> with life-cycle projections, best-practices analysis, and a pathway to net zero by 2050. It must be renewed at least every five years.	Emissions and GHGs are a key concern for Tantramar. The CCAC does not understand how this is possible - Given that it burns fossil fuels with no alternatives? Would it not be NB Power's net zero plan?	Very high	Tantramar to indicated concerns about how they get to net-zero, and also require net-zero offsets to be applied within Tantramar. After one year, Tantramar to receive Net-Zero Emissions Plan and components, and renewals every five years. Indicate to GNB and PRO
10	The proponent must work with the Tantramar Fire Department on <u>Emergency Management and Fire Safety Plans</u> , including an adequate firefighting water supply, and obtain approval before the project begins.	Only recommendation which indicates municipality is involved in decisions.	High	Tantramar requires municipal review and approval before provincial approval. Tantramar will indicate the schedule and consultation necessary to develop such a plan to PRO and GNB. Indicate to GNB and PRO
4	The proponent must <u>meet all EIA commitments</u> , monitoring obligations, and mitigation measures. Every six months, it must submit a condition-status table to the Director until all conditions are met or reporting is no longer required.	Standard clause. Many instances where Tantramar wants to receive the same information as the GNB receives in the same timeline.	High	Every six months, Tantramar requires to receive this report when submitted to GNB. Indicate to GNB and PRO
27	Combined <u>withdrawal from production wells 3, 4, 6, and 7</u> is limited to 115 US gpm: well 3—30; well 4—40; well 6—30; and well 7—15. All four wells are on PID 70728688.	Aquifer impacts, quality and quantity a key concern for Tantramar. Water withdrawals reports are averaged over and hide short-term exceedances. So daily withdrawal data and reports should be provided to Tantramar.	High	Tantramar to request clarification about withdrawals and indicate that Tantramar would like reports on daily withdrawals, provided to Tantramar on a monthly basis. Indicate to GNB and PRO

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29	Any proposed <u>increase in pumping limits</u> or new supply well requires notice to DELG and may require further hydrogeological testing and approval.	Aquifer impacts, quality and quantity a key concern for Tantramar.	High	Tantramar to receive such notifications to increase water withdrawal when issued. Indicate to GNB and PRE.
30	Production <u>well water levels</u> must be recorded at least five days per week and reported annually within 90 days after year-end.	Water withdrawals from aquifer a key concern of Tantramar. Tantramar would benefit from having access to well level reports over a shorter time span monthly or bi-weekly.	High	Tantramar requires these reports when submitted to GNB and requires reports on a more frequent basis - bi-weekly or monthly. Tantramar also requires digital access to well monitoring data. Indicate to GNB and PRO
31	<u>Raw water</u> from all production wells must be <u>tested</u> monthly for microbiological parameters and annually for general chemistry and trace metals. Results are due annually within 90 days after year-end.	Aquifer impacts, quality and quantity a key concern for Tantramar.	High	Tantramar requires these reports when submitted to GNB. Tantramar also requires access to data and reports from PRO on a monthly basis.
39	Permanent <u>wetland impacts require compensation at a 2:1 ratio</u> . An approved compensation plan is due within six months; related permit applications will be held until approval.	Standard clause. Note Tantramar's unique international UN designation as a wetland municipality by RAMSAR, so the gold standard should apply.	Medium	Tantramar to require input to any compensation plan and that any compensation activities/offsets be applied within the municipal limits of Tantramar, initially starting in the immediate vicinity ie. Ward 4. Indicate to GNB and PRO
6	The proponent must continue <u>sharing information with Elsipogtog First Nation</u> about monitored effects on plants and wildlife, including moose.	Ongoing disclosure is positive, but the condition does not explain why other Indigenous communities or the municipal government are excluded? <u>Impacts on wildlife a concern to Tantramar</u>	Medium	Tantramar requires to receive such information sharing at the same time as other organizations. Tantramar would also like the review and provide input to the proposed monitoring plan.
22	An approved <u>Surface Water Monitoring Plan</u> is required before the project begins, with monitoring before, during, and after development, including locations, frequency, and aquatic-life protection parameters.	Water quality in watercourses is a concern to Tantramar especially since waste water is to be disposed.	Medium	Tantramar requires to review Surface Water Monitoring Plan before submission to GNB. Indicate to GNB and PRO

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13	Natural gas must be the primary fuel. Diesel may be used only as a limited backup, with DELG notified of its use and expected duration. Any other fuel requires prior approval.	Air quality and GHG emissions a key concern of Tantramar.	Medium	Tantramar requires to be notified of fuel changes at same time as GNB. Indicate to GNB and PRO
19	An approved <u>wildlife-monitoring and adaptive-management plan</u> covering all project phases is required before the project begins.	Standard clause	Medium	Tantramar requires to review and endorse the wildlife monitoring and management plan before GNB approval. Indicate to GNB and PRO
44	<u>Project modifications or expansions</u> require prior approval. Additional conditions may be imposed for approved phases or changes.	Standard clause	Medium	Tantramar to review and comment on project modifications before approval. Indicate to GNB and PRO
21	An approved <u>Storm Water Management Plan</u> is required before soil disturbance. It must prevent any net increase in flow to downstream receiving watercourses and NBDTI infrastructure and describe proposed attenuation measures.	Water quality in watercourses is a concern to Tantramar. Tantramar already reviews stormwater plans in urban areas.	Low	Tantramar requires to review storm water management plan as they do with development in town limits. Indicate to GNB and PRO
23	Before construction transport begins, the proponent must obtain an NBDTI special permit for <u>oversize or overweight loads and submit a Traffic Management Plan</u> identifying required road modifications. NBDTI must approve	Standard clause. But note that Tantramar is responsible for conditions of some of the roads.	Low	Tantramar requires to review traffic management plan before approval and to requires copyies of final special permit and traffic management plan. Indicate to GNB and PRO
24	An <u>Approval to Construct under the Air Quality Regulation</u> – Clean Air Act is required before construction; the application is due at least 90 days beforehand.	Standard clause	Low	Tantramar to request a copy of the authorization. Indicate to GNB and PRO
7	If <u>archaeological objects</u> are suspected, work near the find must stop and the Archaeology and Heritage Branch must be contacted immediately at 506-453-3115.	Standard clause	Low	Tantramar requires to receive notices of work stoppages from GNB and PRO

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42	A preliminary <u>Decommissioning and Closure Plan</u> is required before operations, covering planned and unplanned closure, restoration, and long-term management. A final plan is due at least one year before decommissioning.	Standard clause. This affects the long-term use of this property	Low	Tantramar requires review of plan. Indicate to GNB and PRO
43	Before any <u>sale, lease, conveyance, or change of control</u> , the proponent must give the Director written acknowledgement from the new party that it will comply with the Determination.	Standard clause	Low	Tantramar to be informed as well. Indicate to GNB and Pro
25	An <u>Approval to Operate under the Air Quality Regulation</u> – Clean Air Act is required before operations; the application is due at least 90 days beforehand and must address greenhouse-gas management and Output-Based Pricing	Standard clause. Emissions and GHGs are a key concern for Tantramar.	Low	Tantramar requires a copy of the authorization. Indicate to GNB and PRO
15	All activities must comply with <u>federal and provincial species-at-risk</u> legislation.	Standard clause The regulator is responsible for compliance monitoring.	Low	Tantramar requires copies of all permits and authorities provided to PRO or its contractors by GNB or GoC. Indicate to GNB , PRO and GoC
16	All activities must comply with the <u>Migratory Birds Convention Act</u> and its regulations.	Standard clause The regulator is responsible for compliance monitoring.	Low	Tantramar requires copies of all permits and authorities provided to PRO or its contractors by GNB or GoC. Indicate to GNB , PRO and GoC
17	An approved post-construction <u>bird-mortality monitoring plan</u> is required before surveys and before operations begin.	Standard clause	Low	Tantramar requires copy of plan. Indicate to PRO, GNB and GoC
18	If a <u>migratory-bird nest or chick is found during construction</u> , work must stop in the area and the Canadian Wildlife Service must be consulted at 1-800-565-1633.	Standard clause	Low	Tantramar requires to receive notices of work stoppages from PRO

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40	An approved <u>Wetland Monitoring Plan</u> is due within six months. It must establish baseline conditions, monitor boundaries and functions, assess residual effects, and use adaptive mitigation, with WESP-AC recommended.	Standard clause	Low	Tantramar request to review and endorse the wetland monitoring plan before GNB approval. Indicate to GNB and PRE.
41	<u>Wetland Monitoring Reports</u> are required in years 1, 3, and 5 for each phase. Reports must summarize methods, results, and next steps and include specified PDF, spreadsheet, GPS, and metadata deliverables. Monitoring and mitigation	Standard clause	Low	Tantramar requires copies of copies of these reports. Indicate to GNB and PRO
3	If a <u>partially completed project</u> remains inactive for five years or more, it must be registered again unless the Minister directs otherwise.	If activated, an opportunity for Tantramar to re-engage on review of the project.	Low	None
35	All EIA-identified <u>wellhead-protection measures</u> must be implemented for production and observation wells.	Standard clause	Low	None
36	<u>Unused test wells must be decommissioned</u> under current DELG guidance. A decommissioning plan and timeline are due within three months of the Determination.	Standard clause	Low	None
38	A <u>Watercourse and Wetland Alteration permit</u> is required before work in or within 30 metres of a watercourse or wetland. Permit conditions must be strictly followed.	Standard clause	Low	None
20	The project <u>footprint must be limited</u> to what is necessary, wildlife movement must be maintained, and existing vegetation must be retained where feasible.	Standard clause It is important that clearing and grubbing of the property not extend over the entire property and only be restricted to requirements for the	Low	Tantramar needs to understand just how much of the property will be cleared.

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1	The undertaking may proceed under section 6(6) of the Environmental Impact Assessment Regulation – Clean Environment Act, subject to approvals required under all other applicable legislation.	Standard clause	Low	None
2	Project-related physical <u>construction must begin within three years</u> of the Determination date. Otherwise, the undertaking must be registered again unless the Minister directs otherwise.	Given NB Power's timeline unlikely to be an issue.	Low	None
5	The proponent must <u>fulfil the commitments in its June 19, 2026 Technical Summary</u> of Concerns Mitigation/Commitments, including the design changes and accommodations in the consultation record.	Standard clause	Low	None
45	The proponent must ensure that <u>all project developers, contractors, and operators</u> comply with these requirements.	Standard clause	Low	None