

AN ORDER OF THE CLEAN ENVIRONMENT COMMISSION
UNDER THE CLEAN ENVIRONMENT ACT

RE: THE CLEAN ENVIRONMENT COMMISSION and BISON ROCK AND ASPHALT PRODUCTS LTD., Applicant,

WHEREAS pursuant to the provisions of The Clean Environment Act, Bison Rock and Asphalt Products Ltd. filed a proposal with the department in connection with the operation of an asphalt batch plant located at or near 461 Panet Road in the City of Winnipeg, Manitoba;

AND WHEREAS in the absence of limits, terms and conditions prescribed by a regulation under the said Act, the proposal was referred to The Clean Environment Commission to prescribe limits, terms and conditions;

AND WHEREAS after giving notice of the proposal, the Commission did not receive notice of representation from any person who was likely to be affected by a Commission order concerning the said operation;

AND WHEREAS the Commission considered the proposal on the 27th day of February, 1986;

IT IS HEREBY ORDERED THAT

1. The Applicant shall not cause or permit the emission of particulate matter from any point of emission of the said operation in excess of 0.23 grams per dry standard cubic metre calculated at 25 degrees Celsius and 760 millimetres of mercury, corrected to 12 percent carbon dioxide for processes involving combustion.
2. The Applicant shall not cause or permit visible emissions from any point of emission of the said operation that exhibit an opacity equal to or greater than:
 - (a) 20 percent for more than 4 minutes in the aggregate in any one hour;
 - (b) 40 percent at any time.

3. The Applicant shall limit the emission of particulate matter from the said operation to such an extent that airborne particulate matter from any part or process of the said operation does not exhibit an opacity greater than 5% at any point beyond the property line of the said operation.

4. The Applicant shall limit odour emissions to such an extent that, at any point of impingement off the site of the said operation, odours emanating from the said operation are not detectable:
 - (a) in a residential area or commercial area when one volume of odorous air is diluted with one equal volume of odour-free air;

 - (b) in an industrial area when one volume of odorous air is diluted with six equal volumes of odour-free air.

5. The Applicant shall not cause or permit the emission of sound from any part of the said operation which, when measured in accordance with Appendix "A" to this order, in a residential area, exceeds the following hourly equivalent continuous sound level limits:
 - (a) subject to (b):
 - (i) 60 dBA during the daytime hours of 7:00 a.m. to 10:00 p.m., local time;

 - (ii) 50 dBA during the nighttime hours of 10:00 p.m. to 7:00 a.m., local time;

 - (b) when subjective evaluation or measurements indicate the intermittent or continuous noise has a significant impulsive character or predominant discrete tone:
 - (i) 55 dBA during the daytime hours of 7:00 a.m. to 10:00 p.m., local time;

 - (ii) 45 dBA during the nighttime hours of 10:00 p.m. to 7:00 a.m., local time.

6. The Applicant shall not cause or permit the emission of sound from any part of the said operation which, when measured in accordance with Appendix "A" to this order, in an industrial area or commercial area, is in excess of an $L_{eq}(1)$ of 70 dBA.
7. The Applicant shall ensure that a high standard of equipment maintenance and good housekeeping practices are carried out at all times consistent with meeting the requirements of this order.
8. The Applicant shall ensure that adequate stack sampling facilities are installed in a manner satisfactory to the Environmental Management Division; the said facilities shall include proper sampling ports, safe sampling platforms, safe access to the said sampling platforms, access to electrical power to operate the said sampling equipment and such additional sampling facilities as are requested by the said Division.
9. In this Order:
 - (a) "impulsive sound" means hammering type sound having peaks one second or more apart, with less than 60 impacts per minute;
 - (b) "predominant discrete tone" means a sound having a one-third octave band sound level which, when measured in a one-third octave band, exceeds the arithmetic average of the sound levels of the two adjacent one-third octave bands on either side of such one-third octave band by:
 - (i) 5 dB for such one-third octave band with a center frequency from 500 Hertz to 20,000 Hertz, inclusive, provided such one-third octave band sound level exceeds the sound level of each adjacent one-third octave band, or;
 - (ii) 8 dB for such one-third octave band with a center frequency from 160 Hertz to 400 Hertz, inclusive, provided such one-third octave band sound level exceeds the sound level of each adjacent one-third octave band, or;

9. (b) (iii) 15 dB for such one-third octave band with a center frequency from 25 Hertz to 125 Hertz, inclusive, provided such one-third octave band sound level exceeds the sound level of each adjacent one-third octave band.

(c) "Lequivalent" or " L_{eq} " - the equivalent, A-weighted sound level means the intensity (dBA) of the constant or steady sound level that would result in exposure to the same total A-weighted energy as would the specified time varying sound, if the constant sound level persisted over an equal time interval and " $L_{eq}(1)$ " means the equivalent sound level for a 1 hour period.

Order No. 1084

Dated at the City of Winnipeg

this 5th day of March, 1986.



Chairman,
The Clean Environment Commission.

File: 1979.0

A P P E N D I X A

TO ORDER NO 1084

Noise level determinations, pursuant to Clauses 5 and 6 of this order shall be based on measurements made as follows:

- (a) beyond the property line of Bison Rock and Asphalt Products Ltd.
- (b) excluding any significant interfering sounds from other sources; and
- (c) in terms of the equivalent continuous sound level averaged over a 1 hour period (60 minutes), using a sound level monitoring device which equals or surpasses the requirements of Canadian Standards Association Standard Z 107.1 - 1973 (or the equivalent) for Type 2 sound level meters, operated on the "A-weighting network" and "slow" meter response.