



Environment, Climate and Parks

Environmental Approvals Branch  
1007 Century Street, Winnipeg MB R3H 0W4  
T 204 945-8321 F 204 945-5229  
<http://www.manitoba.ca>

File No.: 5093.00

October 25, 2022

Ben Hale  
Sr. Environmental Advisor,  
Cenovus Energy Inc.  
225 – 6 Ave SW, Calgary AB T2P 3S9  
[Ben.hale@cenovus.com](mailto:Ben.hale@cenovus.com)

Dear Ben Hale:

**Re: Environment Act Licence No. 2698 RR**

Thank you for your notices of alteration to Environment Act Licence No. 2698 R dated January 4, 2022, and May 19, 2022.

I approve the notices as per Section 14(2) of The Environment Act. I am satisfied the alteration will not have a significant impact on the environment.

Environment Act Licence No. 2698 RR is enclosed. The licence is issued to Cenovus Energy Inc. to continue running an ethanol and dried grain manufacturing plant in the Town of Minnedosa.

Cenovus Energy Inc. must operate the development according to all licence requirements and federal, provincial, and municipal regulations and by-laws.

The licensee must secure approval from the director of the Environmental Approvals Branch before altering the development as licensed.

Anyone affected by the issuance of this licence may appeal the decision to the Minister of Environment, Climate and Parks. If anyone wishes to appeal, they can do so, in writing, to the Minister's attention by November 24, 2022.

Should you have any questions regarding this approval, please contact Kristy Forrestall, Regional Supervisor, Environmental Compliance and Enforcement Branch at [EnvCEWestern@gov.mb.ca](mailto:EnvCEWestern@gov.mb.ca) or 204-573-0518.

Sincerely,

Original Signed by

James Capotosto  
Director

- c. Kristal Harman, Yvonne Hawryliuk, Kristy Forrestall Environmental Compliance and Enforcement Branch  
Siobhan Burland Ross, Eshetu Beshada – Environmental Approvals Branch  
Public Registry

# LICENCE

File No.: 5093.00

Licence No. / Licence n°: 2698 RR  
Issue Date / Date de délivrance : September 29, 2005  
Revised : May 16, 2012  
Revised : October 25, 2022

In accordance with The Environment Act (C.C.S.M. c. E125) /  
Conformément à la Loi sur l'environnement (C.P.L.M. c. E125)

Pursuant to Section 11(1) and 14(2) / Conformément au Paragraphe 110(1) et 14(2)

THIS LICENCE IS ISSUED TO: / CETTE LICENCE EST DONNÉE À:

**CENOVUS ENERGY INC.; "the licensee"**

for the continued operation of the development being an ethanol and distillers dried grain with soluble products manufacturing plant. It is located in Parcels 1 to 4, 8 to 11 and 13 of Plan 5222 NLTO in NW ¼ of Section 2, the NE ¼ of Section 3, the SE ¼ of Section 10, and the SW ¼ of Section 11-15-18 WPM (496 - 510 1<sup>st</sup> Ave NW) in the Town of Minnedosa. The issuance of the licence is in accordance with the Proposal filed under The Environment Act on April 22, 2005, amended on September 20, 2005, the additional information submitted on October 17, 2011 and February 3, 2012, the notice alteration dated January 4, 2022, May 19, 2022 and subject to the following specifications, limits, terms and conditions:

## **DEFINITIONS**

In this licence;

**"accredited laboratory"** means an analytical facility accredited by the Standards Council of Canada (SCC), or accredited by another accrediting agency recognized by Environment, Climate and Parks to be equivalent to the SCC, or be able to demonstrate, upon request, that it has the quality assurance/quality control (QA/QC) procedures in place equivalent to accreditation based on the international standard ISO/IEC 17025, or otherwise approved by the director;

**"affected area"** means a geographical area, excluding the property of the development;

**"approved"** means approved by the director or assigned environment officer in writing;

**"approved facility"** means a facility operating in accordance with the requirements of The Environment Act and the regulations thereunder;

**"baghouse"** means a chamber containing fabric filter bags that remove particles from stack exhaust gases;

**"boiler"** means any combustion equipment fired with fossil fuel, biomass or a byproduct derived from fossil fuel, for the purpose of generating hot water or steam;

**"CCME"** means Canadian Council of Ministers of the Environment;

**"Closure Plan"** means a plan indicating the actions to be taken for the closure of the development;

**"CO"** means carbon monoxide;

**"dangerous good"** means a product, substance or organism as defined in The Dangerous Goods Handling and Transportation Act, or any amendments thereto;

**"DDGS"** means distillers dried grain with solubles;

**"director"** means an employee so designated pursuant to The Environment Act;

**"environment officer"** means an employee so designated pursuant to The Environment Act;

**"ethanol absorption column"** means a two-staged packed column designed to recover ethanol from the gas streams from the fermentation and distillation areas;

**"fugitive emissions"** means particulate matter escaping from sources within the development into the atmosphere other than through any of the emission stacks or vents;

**"hazardous waste"** means a product, substance or organism as defined in The Dangerous Goods Handling and Transportation Act, or any amendments thereto;

**"noise nuisance"** means an unwanted sound, in an affected area, which is annoying, troublesome, or disagreeable to a person:

- a) residing in an affected area;
- b) working in an affected area; or
- c) present at a location in an affected area which is normally open to members of the public; if the unwanted sound
- d) is the subject of at least five written complaints, received by the director in a form satisfactory to the director and within a 90-day period, from five different persons falling within clauses a), b), or c), who do not live in the same household; or
- e) is the subject of at least one written complaint, received by the director in a form satisfactory to the director, from a person falling within clauses a), b), or c) and the director is of the opinion that if the unwanted sound had occurred in a more densely populated area there would have been at least five written complaints received within a 90-day period, from five different persons who do not live in the same household;

**"NO<sub>x</sub>"** means oxides of nitrogen, including nitric oxide (NO) and nitrogen dioxide (NO<sub>2</sub>), expressed collectively as a nitrogen dioxide equivalent;

**"odour nuisance"** means a continuous or repeated odour, smell or aroma, in an affected area, which is offensive, obnoxious, troublesome, annoying, unpleasant, or disagreeable to a person:

- a) residing in an affected area;
- b) working in an affected area; or
- c) present at a location in an affected area which is normally open to members of the public; if the odour, smell or aroma
- d) is the subject of at least five written complaints, received by the director in a form satisfactory to the director and within a 90-day period, from five different persons falling within clauses a), b), or c), who do not live in the same household; or
- e) is the subject of at least one written complaint, received by the director in a form satisfactory to the director, from a person falling within clauses a), b), or c) and the director is of the opinion that if the odour, smell or aroma had occurred in a more densely populated area there would have been at least five written complaints received within a 90-day period, from five different persons who do not live in the same household;

**"opacity"** means the degree to which emissions reduce the transmission of light and obscure the view of an object in the background;

**"organic compounds"** means chemical compounds containing carbon combined with hydrogen, and often also with oxygen, nitrogen and other elements;

**"particulate matter"** means any finely divided liquid or solid matter other than water droplets;

**"particulate residue"** means that part or portion of an atmospheric emission which is deposited onto a surface;

**"permanent anhydrous ammonia tank(s)"** means any storage container certified for the storage of anhydrous ammonia which is attached to a fixed supporting structure;

"PM<sub>10</sub>" means particulate matter that is 10 micrometres (µm) or less in diameter;

"PM<sub>2.5</sub>" means particulate matter that is 2.5 micrometres (µm) or less in diameter;

**"point source"** means any point of emission from a development where pollutants are emitted to the atmosphere by means of a stack;

**"pollutant"** means a pollutant as defined in The Environment Act;

**"Post-Closure Plan"** means a plan indicating the actions to be taken for the care, maintenance, and monitoring of the development after closure, that will prevent, mitigate, or minimize the threat to public health and the environment;

**"ppm"** means parts per million;

**"QA/QC"** means quality assurance/quality control;

**"sanitary wastes"** means human body, toilet, liquid, waterborne culinary, sink or laundry waste;

**"specific gravity"** means the density of a substance relative to the density of water;

**"solid waste"** means solid waste as defined in the Waste Management Facilities Regulation, or any future amendments thereto, respecting waste disposal grounds;

**"stack"** means a duct, pipe, chimney, vent, opening or other structure through which pollutants are emitted to the atmosphere;

**"Standard Methods for the Examination of Water and Wastewater"** means the most recent edition of Standard Methods for the Examination of Water and Wastewater published jointly by the American Public Health Association, the American Waterworks Association and the Water Environment Federation;

**"thermal oxidizer"** means an enclosed combustion device for destroying organic compounds in the gas stream in the DDGS;

**"TPM"** means total particulate matter;

**"volatile organic compounds (VOCs)"** means any organic compound which participates in atmospheric photochemical reactions, excluding methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbides and carbonates, ammonium carbonate, and other compounds which may be exempted by the director; and

**"wastewater"** means any liquid containing a pollutant as defined in The Environment Act, associated with or resulting from the development which is discharged into the environment.

### **GENERAL TERMS AND CONDITIONS**

This section of the licence contains requirements intended to provide guidance to the licensee in implementing practices to ensure that the environment is maintained in such a manner as to sustain a high quality of life, including social and economic development, recreation and leisure for present and future Manitobans.

1. The licensee shall at all times maintain a copy of this licence at the development or at the premises from which the development's operations are managed.
2. The licensee shall implement a high standard of equipment maintenance and good housekeeping and operational practices with respect to the development, at all times.
3. The licensee shall reduce the production and dissemination of wastes by initiating and maintaining waste reduction and waste recycling programs.
4. In addition to any of the limits, terms and conditions specified in this licence, the licensee shall, upon the request of the director:

- a) sample, monitor, analyze and/or investigate specific areas of concern regarding any segment, component or aspect of pollutant storage, containment, treatment, handling, disposal or emission systems, for such pollutants or ambient quality, aquatic toxicity, leachate characteristics and discharge or emission rates, for such duration and at such frequencies as may be specified;
  - b) determine the environmental impact associated with the release of any pollutant(s) from the development;
  - c) conduct specific investigations in response to the data gathered during environmental monitoring programs; or
  - d) provide the director, within such time as may be specified, with such reports, drawings, specifications, analytical data, descriptions of sampling and analytical procedures being used, bioassay data, flow rate measurements and such other information as may from time to time be requested.
5. The licensee shall, unless otherwise specified in this licence:
- a) carry out all preservations and analyses on liquid samples in accordance with the methods prescribed in the most current edition of Standard Methods for the Examination of Water and Wastewater or in accordance with equivalent preservation and analytical methodologies approved by the director;
  - b) carry out all sampling of, and preservation and analyses on, soil and air samples in accordance with methodologies approved by the director;
  - c) have all analytical determinations undertaken by an accredited laboratory; and
  - d) report the results to the director, in writing and in an electronic format acceptable to the director, within 60 days of the samples being taken.
6. The licensee shall carry out any remedial measures, modifications, or alterations, as deemed necessary by the director, in respect to matters authorized under this licence.
7. The licensee shall submit all information required to be provided to the director or environment officer under this licence, in written and electronic format, in such form (including number of copies) and of such content as may be required by the director or environment officer, and each submission shall be clearly labelled with the licence number and file number associated with this licence.
8. The licensee shall designate an employee, within 14 days of the date of issuance of this licence, as the licensee's environmental coordinator, whose job description will include assisting the licensee in complying with the limits, terms and conditions in this licence and assisting Senior Management of the licensee to manage environmental issues at the development. The name of the environmental coordinator shall be submitted in writing to the director or environment officer within 14 days of appointment and any subsequent appointment.

## **SPECIFICATIONS, LIMITS, TERMS, AND CONDITIONS**

### **Respecting Post Construction Assessment of Surface Drainage Impacts**

9. The licensee shall, after the completion of construction of the development
  - a) inspect the sites where work occurred to evaluate the effectiveness of erosion control and sediment control measures and the physical stability of roadside ditches and watercourse crossings; and
  - b) where the inspections identify any problems, immediately take appropriate action to rectify the situation and advise the Department of Fisheries and Oceans – Winnipeg Office of the situation and any corrective measures taken.

### **Respecting Air Emissions – Limits**

10. The licensee shall not emit particulate matter from the development such that:
  - a) particulate matter:
    - i) exceeds 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, from any point source of the development;
    - ii) exhibits a visible plume with an opacity of greater than five per cent at any point beyond the property line of the development; or
    - iii) results in the deposition of visible particulate residue at any time beyond the property line of the development; or
  - b) opacity from any point source of the development equals or exceeds:
    - i) 20 percent as the average of any 24 consecutive opacity observations taken at 15 second intervals;
    - ii) 20 percent for more than 16 individual opacity observations within any one hour period; or
    - iii) 40 percent for any individual opacity observation.
11. The licensee shall not cause or permit an odour nuisance to be created as a result of the construction, operation, or alteration of the development, and shall take such steps as the director may require to eliminate or mitigate an odour nuisance.
12. The licensee shall not cause or permit a noise nuisance to be created as a result of the construction, operation, or alteration of the development, and shall take such steps as the director may require to eliminate or mitigate a noise nuisance.
13. The licensee shall control, by methods acceptable to the director or environment officer, the emission of dust into the air at the development resulting from the operation of vehicles or the transportation, storage or handling of aggregate or other material.
14. The licensee shall not emit ammonia from the development such that the ambient concentration of ammonia in air is in excess of:
  - a) 10 parts per million at any time when measured at any point beyond the property line of the development; or
  - b) 2 parts per million as a one hour average when measured at any point beyond the property line of the development.



15. The licensee shall not allow airborne emissions from the DDGS production process to impact any public roadway beyond the development property boundaries such that a safety hazard is created.
16. The licensee shall not emit from any boiler at the development:
  - a) nitrogen oxides (NO<sub>x</sub>) in excess of 40 grams per gigajoule of energy input (g/GJ), on a higher heating value basis; and
  - b) carbon monoxide (CO) in excess of 125 grams per gigajoule of energy input (g/GJ); on a higher heating value basis.
17. The licensee shall not emit VOCs from the DDGS dryer at a rate greater than 0.32 g/s.
18. The licensee shall not emit VOCs from the ethanol absorber column in excess of 52 tonnes/year.
19. The licensee shall install, calibrate, maintain, and operate the integrated thermal oxidizer according to manufacturer's specifications and shall install, calibrate, maintain, and operate a temperature indicating transmitter on the exhaust stack, the steam loop and the burner.
20. The licensee shall operate the integrated thermal oxidizer in the temperature range of 800°C to 880°C.
21. The licensee shall install, calibrate, maintain, and operate the ethanol absorption column according to manufacturer's specifications and shall install, calibrate, maintain, and operate temperature indicators to monitor the temperature of the liquid streams in the ethanol absorber. The ethanol absorber column shall be operated so that the temperature of the condensate stream entering the ethanol absorber is maintained below 30°C.
22. The licensee shall conduct the following air emission testing, every two years from the date of the last stack test, unless otherwise approved by the director, to demonstrate compliance with air emission limits using standardized methodologies:
  - a) boiler: NO<sub>x</sub>, CO;
  - b) ethanol absorption column: VOC; and
  - c) DDGS dryer: VOC, NO<sub>x</sub>, CO.
23. The licensee shall conduct the following air emission testing every three years beginning in 2014, unless otherwise approved by the director, to demonstrate compliance with air emission limits using standardized methodologies:
  - a) boiler: TPM;
  - b) bag houses: TPM;
  - c) DDGS dryer: TPM.
24. The licensee shall provide an annual report on air emissions to the director for the following parameters:
  - a) total particulate matter (TPM), NO<sub>x</sub>, CO, VOC; and
  - b) greenhouse gas emissions ( as individual species and as CO<sub>2</sub> (equivalent)):  
The emissions should be subdivided into the categories of fermentation emissions and combustion emissions.

### **Respecting Remedial Measures to Reduce VOC Emissions**

25. The licensee, upon written request from the director, shall initiate remedial measures to reduce the impingement of emissions from the development associated with the use of materials containing VOC substances, beyond the property boundaries of the development, if in the opinion of the director, based on representation to the director from the community, or other significant forthcoming information, such emissions are resulting in or could result in a negative impact to the community. The remediation shall be implemented to the satisfaction of the director by such measures as:
- a) a reduction in VOC emissions by means of operational or equipment modifications;
  - b) an appropriate dispersion of emissions by means of alterations to the stack design as approved by the director;
  - c) the treatment of emissions by an appropriate air pollution control device; or
  - d) other appropriate approved alternative reduction measure(s).

### **Respecting Maintenance and Operation**

26. The licensee shall operate and maintain storage tanks (including ethanol shift A; ethanol shift B; recycle; denaturant; ethanol storage A; ethanol storage B) not specifically exempted by Section 2.2 (Exemptions) of the Canadian Council of Ministers of the Environment (CCME) document Environmental Guidelines for Controlling Emissions of Volatile Organic Compounds from Aboveground Storage Tanks (CCME-EPC-87E), to conform with Part 4 (Requirements) and Part 5 (Specifications) of this CCME document.
27. The licensee shall inspect and keep records for those tanks not specifically exempted by Section 2.2 (Exemptions) of the Canadian Council of Ministers of the Environment (CCME) document "Environmental Guidelines for Controlling Emissions of Volatile Organic Compounds from Aboveground Storage Tanks" (CCME-EPC-87E), to conform with Part 6 (Inspections) and Part 7 (Record Keeping) of this CCME document.

### **Respecting Air Pollution Control Equipment**

28. The licensee shall direct all air streams that contain a pollutant(s) of concern to the director to a pollution control device which has been designed for and demonstrated to be capable of reducing, altering, eliminating or otherwise treating the pollutant(s).
29. The licensee shall prepare, within 90 days of the issuance of this licence, and maintain the following manuals which shall be kept at the development and available for review upon request by an environment officer:
- a) a standard operating procedural manual and a maintenance schedule for each air emission pollution control device based on the manufacturer's specifications and recommendations;
  - b) an updated standard operating procedural manual and a maintenance procedure for each air emission pollution control device within 120 days of the addition, elimination or change regarding any air emission control device; and
  - c) a copy of the manufacturer's operational and maintenance manual.

30. The licensee shall not operate any process directing an emission to an air pollution control device at the development unless:
- a) the operating and maintenance measures and status of the device are in full compliance with the procedures and timetables as per clause 29;
  - b) all emissions from the process are directed to the fully operational air pollution control device;
  - c) all discharges of treated emissions from the air pollution control devices are immediately directed to a stack;
  - d) the emissions do not contain concentrations of pollutants which:
    - i) are in violation of any other applicable legal instrument including an Act, Regulation or by-law; or
    - ii) otherwise create a significant negative environmental or health impact in the affected area.
31. The licensee shall maintain a log of the most recent 24 month period to record any downtime of an air pollution control device due to either the breakdown or maintenance of that air pollution control device. The log shall be kept at the development and shall be available upon request for inspection by an environment officer. The log shall record, at minimum, the following information:
- a) identification of the air pollution control device and the process(es) it serves;
  - b) time/date of log entry;
  - c) nature of event;
  - d) time and duration of event;
  - e) action taken;
  - f) the accumulated downtime of this air pollution control device for the events for each calendar year; and
  - g) approval by the Environmental coordinator.
32. The licensee shall handle, store and dispose of all pollutants collected by the air pollution control equipment in a manner suitable to their characterization as type of waste or dangerous good.

### **Respecting Air Emission - Sampling, Analysis, Reporting**

33. The licensee shall provide and maintain a stack or stacks including all necessary sampling facilities for the sampling of air emissions at the development. The stack or stacks shall be provided:
- a) at a location(s) and within a time frame satisfactory to the director; and
  - b) to the specifications and in accordance with the most recent version of Environment, Climate and Parks Guideline, "Guideline for Stack Sampling Facilities", unless otherwise approved by the director.

34. The licensee shall, upon written request from the director, submit a detailed plan which is acceptable to and approved by the director, for the sampling and analysis of potential air pollutants, released as stationary point and fugitive emissions, including any compounds determined by the director. The plan shall identify the rationale for the sampling, the ways and means by which the sampling program will be implemented including any special measures or methods which would be necessitated by influencing factors such as unfavourable weather conditions, the need for large or additional sample volumes, the need for multiple sampling runs, the methods used for the sampling and the analysis for each compound, the detection level to be attained, a comprehensive QA/QC program, and other items as may be identified by the director.
35. The licensee shall perform all stack sampling in accordance with the most recent version of Environment, Climate and Parks Report No. 96-07, "*Interim Stack Sampling Performance Protocol*", unless otherwise approved by the director.
36. The licensee shall arrange the scheduling of the sampling program submitted pursuant to clause 34 of this licence such that a representative of Environment, Climate and Parks is available to monitor and audit the implementation of the sampling program.
37. The licensee shall complete the sampling of emissions according to the approved plan submitted pursuant to clause 34 of this licence, within a timeframe to be determined by the director.
38. The licensee shall submit a report, for the approval of the director, on the completed sampling and analysis plan approved pursuant to clause 34 of this licence, within 60 days of the receipt of the analytical results of that sampling plan. The report shall contain at minimum:
  - a) the raw data collected;
  - b) a discussion of the sampling and analytical portions of the program including any anomalies of sampling and analysis; and
  - c) a discussion of the significance of the data gathered with specific attention to:
    - i) the significance for potential acute and chronic impacts to health or environment from exposure to concentrations of the compounds detected;
    - ii) the need for risk assessment of the impact of emissions;
    - iii) the need for the establishment of ambient air monitoring stations;
    - iv) the need for dispersion modeling of emissions;
    - v) results and conclusions of the QA/QC program; and
    - vi) other issues as may be determined by the director.
39. The licensee, upon the written request of and in a timeframe stipulated by the director, shall comply with any air emission or ambient air quality criteria specified by the director for any pollutant of concern to the director which has been identified pursuant to clause 4, 10, 14, 16, 17, 18, 28 or 38 of this licence.

#### **Respecting Ambient Air Quality Monitoring**

40. The licensee shall submit, upon the written request and for the approval of the director, a program for:

- a) the sampling, analysis and reporting of levels of pollutants, as determined by the director, at a selected location(s) beyond the property boundaries of the development; and
  - b) the location, installation and operation of a meteorological monitoring station.
41. The licensee shall implement the approved program submitted pursuant to clause 40 of this licence within a timeframe stipulated by the director.

#### **Respecting Air Dispersion Modeling**

42. The licensee, upon a written request from the director, shall submit a plan for approval by the director to perform a refined air dispersion modeling for the facility.
43. The licensee shall:
- a) complete the air dispersion modeling according to the plan approved pursuant to clause 42 of this licence within a timeframe to be determined by the director; and
  - b) submit a report of the completed air dispersion modeling result and analysis of the plan, approved pursuant to clause 42 of this licence, within the time frame determined pursuant to clause 43 a), to the director.

#### **Respecting Chemical Storage and Spill Containment**

44. The licensee shall install and maintain, for all chemical storage structure(s), an automatic system(s) for fire detection and security.
45. The licensee shall construct and maintain concrete floors with a minimum 10 cm retention curbing around the perimeter of all chemical structure(s) so as to prevent spilled liquids from leaking into the soil.
46. The licensee shall contain on the development:
- a) any on-site chemical spill;
  - b) waste water generated from any response action due to an on-site release of chemicals; and
  - c) contaminated water resulting from the extinguishing of any fire involving chemicals.
47. The licensee shall provide containment within any curbed chemical tank farm storage area for a volume of liquid equal to 110% of the volume of the largest storage tank located therein.
48. The licensee shall maintain the containment area volume capacity in clause 47 of this licence by the immediate removal and disposal, in a manner approved by the director, of all accumulated fluids.
49. The licensee shall provide containment for all vessels containing chemicals in each area of the development where the chemicals are stored, loaded, transferred, used or otherwise handled, in compliance with the current Fire Code Regulation, or any future amendment thereof.

50. The licensee shall prevent contamination of groundwater and surface water from any product leakage or spillage and any contaminated liquid generated on site.
51. The licensee shall comply with all the applicable requirements of:
  - a) the Storage and Handling of Petroleum Products and Allied Products Regulation;
  - b) The Dangerous Goods Handling and Transportation Act, and regulations issued thereunder, respecting the handling, transport, storage and disposal of any dangerous goods brought onto or generated at the development; and
  - c) the Office of the Fire Commissioner – Province of Manitoba.
52. The licensee shall not receive at the development any hazardous waste from any generator off site of the development.

### **Respecting Anhydrous Ammonia Setback Distances**

53. The licensee shall not locate any permanent anhydrous ammonia tank(s) used for the on-site storage of ammonia prior to redistribution, within:
  - a) 800 metres of residential areas, schools, hospitals or other institutions;
  - b) 100 metres of a single isolated residence; or
  - c) 100 metres of the edge of the right of way of a highway.

### **Respecting Waste Stillage and Liquid Wastes Disposal**

54. The licensee shall dispose of any waste stillage from the development in accordance with the provisions of The Environment Act and the regulations issued thereunder.
55. The licensee shall direct all liquid wastes from the DDGS production process to the Town of Minnedosa wastewater collection system.

### **Respecting Solid Waste**

56. The licensee shall dispose of all solid waste generated at the development, which is not recycled, only to a waste disposal ground operating under the authority of a permit issued pursuant to the Waste Management Facilities Regulation or any future amendment thereof, or a licence issued pursuant to The Environment Act.

### **Respecting Emergencies**

57. The licensee shall, in the case of physical or mechanical equipment breakdown or process upset where such breakdown or process upset results or may result in the release of a pollutant in an amount or concentration, or at a level or rate of release, that causes or may cause a significant adverse effect, immediately report the event by calling the 24-hour environmental accident reporting line at 204-944-4888 (toll-free 1-855-944-4888). The report shall indicate the nature of the event, the time and estimated duration of the event and the reason for the event.
58. The licensee shall, following the reporting of an event pursuant to clause 57:
  - a) identify the repairs required to the mechanical equipment;
  - b) undertake all repairs to minimize unauthorized discharges of a pollutant;

- c) complete the repairs in accordance with any written instructions of the director; and
- d) submit a report to the director about the causes of breakdown and measures taken, within one week of the repairs being done.

59. The licensee shall, within 30 days of the issuance of this licence, prepare and maintain an emergency response contingency plan in accordance with the Canadian Centre for Occupational Health and Safety "Emergency Response Planning Guide" or other emergency planning guidelines acceptable to the director.

### **Respecting Insurance and Financial Assurance**

60. The licensee shall prepare, within two years of the date of this licence, a remediation and closure plan assessment, satisfactory to the director, that includes, but is not limited to, the following:

- a) Estimated cost to assess the impacts of the development to soil and groundwater
- b) Estimated cost to remediate impacts of the development identified in the assessment referred to in clause 60 a)
- c) Estimated cost to decommission the development

61. The licensee shall maintain and post with Environment, Climate and Parks, in the amount determined in clause 60 of this licence

- a) A permit bond issued by a surety company licensed to do business in the Province of Manitoba
- b) An irrevocable letter of credit, or
- c) Another acceptable security satisfactory to the director.

This permit bond, irrevocable letter of credit, or other security and renewals thereof shall remain in place for the duration of the operation and decommissioning of the facility. The director may order forfeiture of the permit bond, irrevocable letter of credit, or other security, either in whole or in part, by giving written notice to that effect to the licensee, upon the director being satisfied that the licensee is in breach of any specification, limit, term or condition of this licence, or for reimbursement of any costs or expenses incurred by the Province of Manitoba in rectifying environmental damage caused or contributed to by the operation of the facility.

62. The licensee shall, every 5 years or more frequently at the licensee's preference or the request of the director, carry out a review of the assessment completed pursuant to clause 60 of this licence and accordingly update the amount of the permit bond, irrevocable letter of credit or other security required by clause 61 of this licence.

63. The licensee shall maintain a valid Environmental Impairment Liability insurance providing coverage subject to a minimum limit of \$5,000,000 Cdn per occurrence or claim, including coverage for gradual, and sudden and accidental pollution. Coverage to include on-site and off-site clean up costs, and be placed with insurers satisfactory to the Province of Manitoba. The Province of Manitoba is to be added as an Additional Insured on the policy. The policy shall contain a clause stating that the Insurer will give Manitoba 60 days prior written notice in case of a reduction in coverage or policy cancellation.

### **Respecting Closure and Post-Closure**

64. The licensee shall submit, within six months of the date of issuance of this licence, for the approval of the director, a Preliminary Closure and Post Closure Plan for the development outlining the methods and procedures to be initiated at the decommissioning of the development. The plan shall include, but not be limited to, information with respect to:
  - a) removal of all ancillary equipment associated with the development;
  - b) ground water monitoring; and
  - c) restoration of the site to the satisfaction of the director.
65. Within one year prior to imminent closure of the development, the licensee shall submit, for the approval of the director, a formal detailed Closure and Post-Closure Plan for the development.
66. The licensee shall implement and maintain the approved Closure and Post-Closure Plan.

### **REVIEW AND REVOCATION**

- A. This licence replaces Environment Act licence 2698 R which is hereby rescinded.
- B. If, in the opinion of the director, the licensee has exceeded or is exceeding or has or is failing to meet the specifications, limits, terms or conditions set out in this licence, the director may, temporarily or permanently, revoke this licence.
- C. If, in the opinion of the director, new evidence warrants a change in the specifications, limits, terms or conditions set out in this licence, the director may require the filing of a new proposal pursuant to Section 10 of The Environment Act or request the filing of a Notice of Alteration.

Original Signed by  
James Capotosto  
Director