

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

COPY

RE: THE CLEAN ENVIRONMENT COMMISSION and MANDAK METAL PROCESSORS LTD.,
Applicant,

- WHEREAS** pursuant to the provisions of The Clean Environment Act, Mandak Metal Processors Ltd. submitted an application to The Clean Environment Commission to prescribe limits in connection with the operation of a scrap metal recovery and processing plant located on River Lots 21, 22, 23, 24, and 25 in the Parish of St. Clements;
- AND WHEREAS** the Commission held a public hearing in Selkirk, Manitoba, on the 27th day of November, 1972, and issued Order No. 271 on the 25th day of May, 1973; the said order being subsequently amended by Order-in-Council but the amendment having no longer any force or application;
- AND WHEREAS** the Applicant requested a variation of the order to provide sufficient time to develop, install and test a complete system for the reduction of smoke emissions arising from the burning of railway freight cars;
- AND WHEREAS** the Commission held a public hearing in Selkirk, on the 3rd day of May, 1976; and issued Order No. 271VC on the 16th day of June, 1976, prescribing opacity limits for emissions;
- AND WHEREAS** the Applicant filed an appeal with the Minister on the 14th day of July, 1976, pursuant to Section 17(1) of the act to modify the smoke opacity limits;
- AND WHEREAS** the Minister decided on the 4th day of August, 1976, to hold the appeal in abeyance until a proposal was submitted in accordance with clause 3 of Order No. 271VC;
- AND WHEREAS** on the 30th day of June, 1977, the Applicant submitted a proposal to the Environmental Management Division for a method of reducing the release of smoke and particulate from the burning of derelict railway cars;

AND WHEREAS the Division recommended new opacity limits on the 22nd day of April, 1982, for the proposed method of burning and the Applicant concurred with the recommended opacity limits on the 23rd day of August, 1982;

AND WHEREAS after a meeting with the Applicant, the Minister requested the formation of an interdepartmental committee to review options for control programs from both an economic and environmental perspective; and the review committee provided options and recommendations on the 4th day of November, 1983;

AND WHEREAS on the 21st day of May, 1984, he, the Minister, directed the Commission, pursuant to Section 17(3)(c) of the said Act, to issue a new order in accordance with Order-in-Council No. 522/84 issued on the 2nd day of May, 1984, prescribing conditions on the said operation and requiring a review of the terms of the Order on or about the 1st day of May, 1987;

AND WHEREAS after giving notice of its intention to review the Order and consider a variation under Section 14(7) of the act, the Commission did not receive an objection from any person and considered the variation on the 11th day of September, 1987;

IT IS HEREBY ORDERED THAT ORDER NO. 1021 SHALL BE VARIED TO READ AS FOLLOWS:

1. The Applicant shall ensure that:
 - (a) no rubber materials are burned;
 - (b) no derelict vehicles other than railway cars are burned;
 - (c) burning is commenced only when the wind is not blowing towards a concentration of residences; and

1. (d) a monthly report is submitted by the 15th day of the following month to the said Department detailing the number of railway cars burned each day, the wind direction at the time of burning and the duration of each period of burning in compliance with the guidelines laid down by the Department.

2. The burning of box cars is carried in compliance with the guidelines developed by the department.

3. This order shall be reviewed on or about the 1st day of May, 1992.

4. Order No. 1021 as varied by the Commission is hereby designated as Order No. 1021VC.

Order No. 1021VC

Dated at the City of Winnipeg

this 15th day of September, 1987.



Chairman,
The Clean Environment Commission.

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