

Environment Act Licence

Loi sur l'environnement Licence

Manitoba
Conservation
Conservation
Manitoba



Licence No./Licence n° 2346 R
Issue Date/Date de délivrance July 22, 1998

Revised: July 26, 2004

IN ACCORDANCE WITH THE ENVIRONMENT ACT (C.C.S.M. c. E125)
THIS LICENCE IS ISSUED PURSUANT TO SECTION 10(1) TO:

AGRICORE UNITED – MINNEDOSA; "the Licencee"

for the construction and operation of the Development being a steel grain elevator and distribution system to be located on Lot 1, Plan 27823 NLTO in the SE¼ 10-15-18 WPM in the Town of Minnedosa, and in accordance with the Proposal filed under The Environment Act on May 12, 1998, and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this Licence,

"**affected area**" means a geographical area beyond the property line of the Development;

"**ambient concentration**" means the measurement of a substance contained in an air sample (corrected to a temperature of 25° C and to a pressure of 101.3 kilopascals) which has been collected from any point beyond the property line of the Development;

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

"**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 the members of the public;

if the unwanted sound

- d) is the subject of at least 5 written complaints, received by the Director in a form satisfactory to the Director, and within a 90 day period, from 5 different persons falling within clauses a), b), or c), who do not live in the same household;

****A COPY OF THE LICENCE MUST BE KEPT ON SITE AT THE DEVELOPMENT AT ALL TIMES****

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

"**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;

"**point source**" means any point of emission from a Development where pollutants are ducted into the atmosphere;

"**sewage**" means human body, toilet, liquid, waterborne culinary, sink or laundry waste.

GENERAL TERMS AND CONDITIONS

This Section of the Licence contains requirements intended to provide guidance to the Licencee 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 Licencee shall, at all times during the operation of the Development, ensure that a high standard of equipment maintenance and operational practices are implemented.
2. The Licencee shall reduce the production and dissemination of wastes by initiating and maintaining waste reduction and waste recycling programs.
3. The Licencee 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 5 percent 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 1 hour period; or
 - iii) 40 percent for any individual opacity observation.

4. The Licencee shall develop, and provide for the approval of the Director, a program to mitigate against any increased road dust levels arising from increased traffic to and from the development.
5. The Licencee shall not cause or permit a noise nuisance to be created as a result of the operation of the Development, and shall take such steps as the Director may require to eliminate or mitigate a noise nuisance.
6. The Licencee, at the request of the Director, shall conduct soil, air (stack and/or ambient), ground water, surface water or noise monitoring at or adjacent to the Development.
7. The Licencee shall have each air sample collected pursuant to Clause 6 of this Licence, analyzed by a laboratory approved by the Director and using methods approved by the Director for Particulate Matter (in air).
8. The Licencee shall submit a copy of the sampling report complete with analytical results as specified pursuant to Clauses 6 and 7 of this Licence, to the Director within 60 days of the completion of the sampling program.

I - REMEDIAL ACTION

9. The Licencee, subject to obtaining approval from an Environment Officer, shall immediately dispose of any contaminated material in accordance with the approval.

II - EMERGENCY CONTINGENCY PLAN

10. The Licencee shall submit, within ninety (90) days of the issuance of this Licence, an emergency response contingency plan to be approved by the Director. This plan shall include, but not be limited to, items which will address: measures implemented for security; personnel training; fire and other response arrangements.

III - SITE DECOMMISSIONING

11. The Licencee shall submit within one (1) year prior to closure of the facility, for the approval of the Director, a formal detailed Decommissioning Plan for the facility.
12. The Licencee shall implement, on closure of the facility, the approved Decommissioning Plan.

REVIEW AND REVOCATION

- A. This Licence replaces Licences No. 2346 which is hereby rescinded.
- B. If, in the opinion of the Director, the Licencee 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 construction of the development is not commenced within three years of the date of this Licence, the Licence is revoked.
- D. If, in the opinion of the Director, new evidence warrants a change in the specifications, limits, terms, or conditions of this Licence, the Director may require the filing of a new proposal pursuant to Section 10 of The Environment Act.


Larry Strachan, P. Eng.
Director
Environment Act

Client File No.: 3256.10



Conservation

Environmental Stewardship Division
Environmental Approvals Branch

123 Main Street, Suite 160
Winnipeg MB R3C 1A5
CANADA

www.gov.mb.ca/conservation/envapprovals

Fax: (204) 945-5229

FAXED

CLIENT FILE NO.: 3256.10

July 26, 2004

Brett Christie
Agricore United
201 Portage Avenue
Winnipeg MB R3C 3A7

Dear Mr. Christie:


Further to your correspondence of May 3, 2004 our records have been updated to reflect the transfer of Manitoba Pool Elevators' Environment Act Licence No. 2346 to Agricore United. Enclosed is Revised Environment Act Licence No. 2346 R dated July 26, 2004 re-issued in the name of **Agricore United**.

In addition to the enclosed Revised Licence requirements, please be informed that all other applicable federal, provincial and municipal regulations and by-laws must be complied with.

For further information on the administration and application of the Licence, please feel free to contact the Brandon Conservation Office at (204) 726-6064.

Please ensure that the original or copy of the revised Licence and covering letter are available on site.

Yours truly,


Larry Strachan, P. Eng.
Director
Environment Act

Enc.

c: B. Wright, Regional Director, Western Region, Conservation
c: R.M. of Minto

NOTE: Confirmation of Receipt of this Licence No. 2346 R (*by the Licencee only*) is required by the Director of Approvals. Please acknowledge receipt by signing in the space provided below and faxing a copy back to the Department by July 30, 2004.

On behalf of Agricore United

Date

****A COPY OF THE LICENCE MUST BE KEPT ON SITE AT THE DEVELOPMENT AT ALL TIMES****