



Environmental Approvals Branch  
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File No.: 6107.00

August 25, 2021

Kate Matheson  
Advisor, Safety, Health and Environment  
Nutrien Ag Solutions (Canada) Inc.  
Unit E – 759 First Street  
Brandon MB R7A 2X5  
[Kate.Matheson@nutrien.com](mailto:Kate.Matheson@nutrien.com)

Dear Kate Matheson:

**Re: Environment Act Licence No. 3358**

Enclosed is revised Environment Act Licence No. 3358, issued to Nutrien Ag Solutions (Canada) Inc. The Licence is for the construction and operation of a bulk material handling facility located at civic address 340 Goldenrod Drive, Winnipeg, MB, legal land description as being Lots 1, 2, 3, 4, and 5, of Plan 64621, WLTO, on SE ¼ section 34-11-2 EPM in the Brookport Business Park.

In addition to the enclosed Licence requirements, please be informed that all other applicable federal, provincial and municipal regulations and by-laws must be complied with. A Notice of Alteration must be filed with the Director for approval prior to any alteration to the Development as licensed.

Should you have any questions on this matter, please contact Nada Suresh, Regional Supervisor, Environmental Compliance and Enforcement Branch, at [Nada.Suresh@gov.mb.ca](mailto:Nada.Suresh@gov.mb.ca) or 204-945-8214.

Pursuant to Section 27 of The Environment Act, this licensing decision may be appealed by any person who is affected by the issuance of this licence to the Minister of Conservation and Climate within 30 days of the date of the licence.

Sincerely,

Original Signed by

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Laura Pyles, A/Director  
The Environment Act

- c. Kristal Harman, Yvonne Hawryliuk, Nada Suresh - Environmental Compliance and Enforcement  
Jen Webb, Krystal Penner - Environmental Approvals  
Public Registry

THE ENVIRONMENT ACT  
LOI SUR L'ENVIRONNEMENT  
**LICENCE**



File No.: 6107.00

Licence No. / Licence n°: **3358**  
Issue Date / Date de délivrance : **August 25, 2021**

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 10(1) / Conformément au Paragraphe 10(1)

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

**NUTRIEN AG SOLUTIONS (CANADA) INC.; "the Licensee"**

for the construction and operation of a bulk material handling facility located at in the Brookport Business Park at civic address 340 Goldenrod Drive, Winnipeg, MB, legal land description Lots 1, 2, 3, 4, and 5, of Plan 64621, WLTO, in SE ¼ section 34-11-2 EPM, in the Rural Municipality of Rosser, Manitoba in accordance with the Proposal filed under The Environment Act on April 22, 2021 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 Manitoba Conservation and Climate 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;

**"agrichemical warehouse"** means any building(s) where pest control products are stored for either commercial or retail purposes;

**"approved"** means approved by the Director or assigned Environment Officer in writing;

**"chemical"** includes, but is not limited to petroleum products, fertilizers and pest control products;

**"dangerous goods"** means any product, substance or organism designated in the regulations, or conforming with the criteria set out in the regulations, or in any regulation adopted in accordance with The Dangerous Goods Handling and Transportation Act, and includes hazardous wastes;

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

**"Environment Officer"** 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 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; 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 5 written complaints received within a 90-day period, from 5 different persons who do not live in the same household;

**"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 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; 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 5 written complaints received within a 90-day period, from 5 different persons who do not live in the same household;

**"onsite wastewater management system"** means all or part of a treatment system, holding system or management system for wastewater, wastewater effluent or septage, including but not limited to a septic tank, disposal field, holding tank, aerobic treatment unit and composting toilet;

**"secondary containment area"** means, for an Agrichemical Warehouse (or crop protection products warehouse), an area designed and constructed to contain any liquids, including chemicals and fire water, resulting from a significant event such as a fire, and prevents the release of pollutants beyond the containment area;

**"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.

## **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.

### **Retain Copy of Licence**

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.

### **Sampling and Analysis**

2. 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) have all analytical determinations undertaken by an accredited laboratory; and
  - c) 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.

### **Additional Reporting**

3. The Licensee shall, in addition to any of the following specifications, limits, terms and conditions specified in this Licence, 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.

### **Reporting Format**

4. 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 labeled with the Licence Number and File Number associated with this Licence.

## **SPECIFICATIONS, LIMITS AND CONDITIONS**

### **Odour**

5. 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.

### **Noise**

6. 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.

### **Additional Permits**

7. The Licensee shall obtain all necessary municipal, provincial and federal permits and approvals for construction of relevant components of the Development prior to commencement of construction.

### **Maintenance**

8. The Licensee shall, at all times during the operation of the Development, implement a high standard of equipment maintenance and operational practices.

### **Recycling**

9. The Licensee shall reduce the production and dissemination of wastes by initiating and maintaining waste reduction and waste recycling programs.

### **Heritage Resources**

10. The Licensee shall comply with the requirements of The Heritage Resources Act, and suspend construction and immediately notify the Historic Resources Branch if heritage resources are encountered during the construction of the Development.

### **Environmental Accident Reporting**

11. 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.
12. The Licensee shall, following the reporting of an event pursuant to Clause 11,
  - 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 7 days of the repairs being done.
13. The Licensee shall in the event of a fire which continues in excess of thirty (30) minutes or requires implementation of the Emergency Response Contingency Plan or requires fire suppression assistance from personnel outside of the Development (e.g., fire department):
- a) call the fire department; and
  - b) report the fire by calling the 24 hour Environmental Emergency Report Line (204) 944-4888 (toll free 1-855-944-4888), identifying the type of materials involved and the location of the fire.

### **General Operations**

14. The Licensee shall comply with all the applicable requirements of:
- a) Manitoba Regulation 83/2003, or any future amendment thereof, respecting onsite wastewater management systems;
  - b) Manitoba Regulation 188/2001, or any future amendment thereof, respecting the Storage and Handling of Petroleum Products and Allied Products;
  - c) Manitoba Regulation 126/87, or any future amendment thereof, respecting water rights;
  - d) The Dangerous Goods Handling and Transportation Act C.C.S.M. c. D12 and regulations, or any future amendment thereof issued, respecting the handling, transport, storage and disposal of any dangerous goods and/or hazardous wastes brought onto or generated at the Development; and
  - e) The Manitoba Office of the Fire Commissioner.

### **Solid Waste**

15. The Licensee shall dispose of solid waste at a waste management facility operating under the authority of a permit issued pursuant to the Waste Management Facilities Regulation 37/2016, or any future amendment thereof, or a licence issued pursuant to The Environment Act.

### **Pest Control Products**

16. The Licensee shall meet or exceed the current guidelines for Agrichemical Warehousing Standards Association (AWSA) certification regarding the handling and storage of pest control products.
17. The Licensee shall design and construct the secondary containment area for agrichemical warehouses such that it is protected with a minimum of 45 centimetres of compacted clay material or other materials approved by the Director.
18. The Licensee shall inspect the surface of the secondary containment area semiannually for desiccation cracks, so that the secondary containment area's continuity is maintained.
19. The Licensee shall construct and maintain concrete floors with a minimum 10 centimetres retention curbing around the perimeter of all agrichemical warehouses so as to prevent spilled liquids from leaking into the soil.

20. The Licensee shall install and maintain, for all agrichemical warehouses, an automatic system for fire detection and security.
21. The Licensee shall create and maintain current duplicate inventories of all pest control products stored at the Development, with one copy stored at the premises of the Development, and the other copy stored at a location off-site from the Development.
22. The Licensee shall store only pest control products registered under the federal Pest Control Products Act at the Development.
23. The Licensee shall not mix pest control products or fill or re-fill pest control product containers at the Development.
24. The Licensee shall locate pest control products storage structures a minimum distance of:
  - a) 100 metres from any property zoned residential; and
  - b) 100 metres from single residences,unless a written consent form is obtained from the owner(s) and approved by the Director.

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

25. The Licensee shall ensure chemical storage containers incorporate secondary containment satisfactory to an Environment Officer.
26. 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 National Fire Code of Canada (2015), or any future amendment thereof, such that any product leakage or spillage and any contaminated liquid generated is contained within the Development and contamination of groundwater is prevented.
27. The Licensee shall, in a manner approved by the Director, remove and dispose of all spilled dangerous goods or hazardous wastes.

#### **Liquid Emissions**

28. The Licensee shall document all releases, spills, leaks or discharges of chemicals that occur within the Development in an incident log. The incident log shall document at a minimum the date, time, chemical, estimated volume and the clean up actions taken for each release, spill, leak or discharge. The incident log shall be updated within 24 hours of an incident occurrence and be made available at the request of an Environment Officer or Director.
29. The Licensee shall only remove or permit removal of storm water or surface water that has accumulated in the secondary containment area if there have been no documented releases, spills, leaks or discharges of chemicals (from the previous removal to the current). In the event a documented incident has occurred, the Licensee must receive authorization from a designated Environment Officer or Director prior to removal of any accumulated liquid. If any accumulated liquid may be contaminated, it shall be sampled and tested for appropriate parameters by an accredited laboratory prior to any request for removal.

30. The Licensee shall not direct any spillage, contaminated run-off or pollutant, to an approved onsite wastewater management system.
31. The Licensee shall remediate, within a time frame stipulated by the Director, all on and off-site environmental impacts as a result of any release of a chemical.

### **Emergency Response Planning**

32. The Licensee shall 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 document acceptable to the Director.

### **Alterations and Decommissioning**

33. The Licensee shall obtain approval, in writing, from the Director for any proposed alteration or expansion to the Development which is likely to cause a significant environment effect or could affect compliance with any Clause(s) of this Licence, before proceeding with the alteration.
34. The Licensee shall, at the request of the Director, in the event that the Development is permanently closed, conduct an investigation in accordance with "Environmental Site Assessments in Manitoba", (June 2016), or any future amendment thereof, to the satisfaction of the Director, to identify any contamination which may have resulted from the operation of the Development.
35. The Licensee shall, where the investigation referred to in Clause 34 of this Licence shows that contamination of the environment has occurred, submit a remediation proposal, within sixty (60) days, to the Director and, upon approval of this proposal by the Director, the required remediation shall be carried out by the Licensee.

### **REVIEW AND REVOCATION**

- A. If construction of the Development is not commenced within three years of the date of this Licence, the Licence is revoked.
- 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 of this Licence, the Director may require the filing of a new proposal pursuant to Section 10 of The Environment Act.

Original Signed by

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Laura Pyles, A/Director  
The Environment Act