



**Conservation**

Environmental Stewardship Division  
Environmental Assessment and Licensing Branch  
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[www.gov.mb.ca/conservation/envapprovals](http://www.gov.mb.ca/conservation/envapprovals)

Client File: 3764.00

November 22, 2007

Cameron Funk  
Cargill Law  
300-240 Graham Ave., PO Box 5900  
Winnipeg MB R3C 4C5

Dear Mr. Funk:

**RE: CARGILL LIMITED – ENVIRONMENT ACT LICENCE NO. 1828**

Further to your letter/fax of November 15, 2007 enclosed is revised Environment Act Licence 1828 R.

For further information on the administration and application of the Revised Licence please contact Mr. Ken Plews at 945-7067.

Please ensure that the original or copy of the Revised Environment Act Licence and covering letter are forwarded to the R.M. of Swan River development for their records.

Yours truly,

Tracey Braun, M.Sc.  
Director  
Environment Act

c B. Wright, Regional Director, Western Region  
R.M. of Swan River

**NOTE:** Confirmation of Receipt of this Revised Licence No. 1828 R (*by the Licencee only*) is required by the Director of the Environment Act. Please acknowledge receipt by signing in the space provided below and faxing a copy back to the Department by November 28, 2007.

\_\_\_\_\_  
On behalf of Cargill Limited

\_\_\_\_\_  
Date

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

# LICENCE

Licence No. / Licence n° 1828 R

Issue Date / Date de délivrance May 24, 1994

REVISED : November 22, 2007

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) and 14(1) / Conformément au Paragraphe 10(1) and 14(1)

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

CARGILL LIMITED – SWAN RIVER; “the Licencee”

for the construction and operation of the Development being a grain elevator and distribution system to be located on Canadian National Railway leased property under Lease # CNR 11269 on the SW1/4 21-36-27 WPM in the Rural Municipality of Swan River, 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

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**TIMES\*\***

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;

“**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.

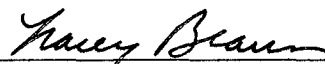
#### **III - SITE DECOMMISSIONING**

- 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. Environment Act Licence No. 1828 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.



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**Tracey Braun, M.Sc.**  
**Director**  
**Environment Act**

**File No.: 3764.00**