

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

COPY

RE: THE CLEAN ENVIRONMENT COMMISSION and THE CANADIAN BRONZE COMPANY LIMITED, Applicant,

- WHEREAS pursuant to the provisions of The Clean Environment Act, The Canadian Bronze Company Limited submitted an application to The Clean Environment Commission to prescribe limits in connection with the operation of a non-ferrous foundry located at or near 15 Bury Avenue in the City of Winnipeg, Manitoba;
- AND WHEREAS after giving notice of the application and receiving notice of representation, the Commission held a hearing in Winnipeg on the 25th day of September, 1972, and issued Order No. 285 on the 8th day of June 1973;
- AND WHEREAS on the 6th day of July, 1973, the Applicant filed an appeal from the order with the Minister and he, the Minister, after receiving new evidence, referred the matter to the Commission and the Commission held a hearing in Winnipeg on the 4th day of June, 1974, and submitted its report and recommendations to the Minister on the 15th day of July, 1974;
- AND WHEREAS at the direction of the Minister, the Commission issued varied Order No. 285V on the 4th day of October, 1974, to comply with the intent of Order-in-Council No. 1161 dated the 11th day of September, 1974;
- AND WHEREAS on the 24th day of March, 1976, the Applicant filed a proposal in connection with the alteration of the said foundry by the installation of pollution control equipment to facilitate compliance with Order No. 285V, and, in the absence of limits, terms and conditions prescribed by a regulation, the proposal was referred to the Commission;
- AND WHEREAS after giving notice of the proposal and not receiving a representation from any person who was likely to be affected, the Commission issued Order No. 670 on the 21st day of April, 1977, prescribing limits, terms and conditions with respect to noise emissions from the said operation;

AND WHEREAS in view of the control exercised by Canada under the Secondary Lead Smelter National Emission Standards Regulations, Part 2, such smelters were exempted from registration under The Clean Environment Act by Manitoba Regulation 140/77 on the 29th day of June, 1977, and, when new concerns were expressed respecting sulphur dioxide and acid mist emissions from such operations, Regulation 140/77 was repealed on the 22nd day of October, 1986;

AND WHEREAS the Applicant filed a registration with the department in connection with the continued operation the said foundry on the 9th day of February, 1987, and, in the absence of limits, terms and conditions prescribed by a regulation, the registration was referred to the Commission;

AND WHEREAS after giving notice of the registration and of its intention to prescribe limits, terms and conditions and to rescind Orders No. 285V and 670, the Commission did not receive notice of representation from any person likely to be affected;

AND WHEREAS the Commission considered the matter on the 9th day of October, 1987;

IT IS HEREBY ORDERED THAT:

1. Subject to 4, the Applicant shall not cause or permit the emission of particulate matter from any point of emission of the said operation in excess of 0.023 grams per standard cubic metre for processes involving the use of electric induction melting furnaces, kettle and pot furnaces, or for processes involving scrap and material handling, crushing, furnace tapping, furnace slagging, furnace cleaning or casting whether emitted separately or in combination with emissions from other sources, when measured dry and undiluted in accordance with the methods described in Environment Canada Report EPS-1-AP-74-1, entitled "Standard Reference Methods for Source Testing: Measurement of Emissions of Particulates from Stationary Sources" dated February 1974 or as measured in accordance with any other source testing method approved in advance in writing by the Environmental Management Division.

2. Subject to Clause 4, the Applicant shall not cause or permit the emission of lead from the operations referred to in Clause 1 in excess of 0.0145 grams per standard cubic metre, when measured by the methods described in Environment Canada Report EPS-1-AP-78-3, "Standard Reference Methods for Source Testing: Measurement of Emissions of Particulate Matter and Lead from Secondary Lead Smelters", dated June 1979 or as measured by any other method approved in advance in writing by the Environmental Management Division.

3. The Applicant shall not cause or permit the emission of particulate matter into the air from the storage of lead-bearing scrap or lead-bearing material in or about the the said foundry, except as a result of handling.

4. The Applicant shall not exceed the emission limits prescribed by Clauses 1 and 2 except in the event of a malfunction or breakdown in the air pollution control or process equipment associated with the operations referred to in Clause 1 provided that the time during which the emission limits are exceeded does not exceed, with respect to a holding furnace, electric induction furnace or kettle furnace:
 - (a) 15 minutes for a single malfunction or breakdown;

 - (b) a total of one hour per month.

5. The Applicant shall, in a manner satisfactory to the said Division,
 - (a) conduct emission testing for the emissions referred to in Clause 1 of this Order, not less than once within every three year period from the date of issuance of this Order, or as otherwise requested by the Division;

 - (b) submit a report containing the emission testing data and all other related data to the said Division within 90 days after the completion of testing.

6. Where the said Division requests information relating to malfunctions or breakdowns in the air pollution control equipment or the process equipment associated with the operations referred to in Clause 1, the Applicant shall submit the information requested to the Division on a regular monthly basis commencing not more than two months after the request is made by the Division.

7. The Applicant shall limit the emission of particulate matter from the said operation to such an extent that airborne particulate matter from any part or process of the said operation does not exhibit an opacity greater than 5 percent at any point beyond the property line of the said operation.

8. The Applicant shall not cause or permit the emission of sound from any part of the said operation which,
 - (a) when measured in accordance with Clause 9 of this order, in a residential area,
 - (i) subject to (ii) exceeds the following hourly equivalent continuous sound level limits:
 - (A) 60 dBA during the daytime hours of 7:00 a.m. to 10:00 p.m., local time;
 - (B) 50 dBA during the nighttime hours of 10:00 p.m. to 7:00 a.m., local time;
 - (ii) when subjective evaluation or measurements indicate the intermittent or continuous noise has a significant impulsive character or predominant discrete tone:
 - (A) 55 dBA during the daytime hours of 7:00 a.m. to 10:00 p.m., local time;
 - (B) 45 dBA during the nighttime hours of 10:00 p.m. to 7:00 a.m., local time;
 - (b) when measured in accordance with Clause 9 of this Order, in an industrial area or commercial area, is in excess of an $L_{eq}(1)$ of 70 dBA.

9. Noise level determinations, pursuant to Clause 8 of this Order shall be based on measurements made as follows:
 - (a) beyond the property line of The Canadian Bronze Company Limited;
 - (b) excluding any significant interfering sounds from other sources; and
 - (c) in terms of the equivalent continuous sound level averaged over a 1 hour period (60 minutes), using a sound level monitoring device which equals or surpasses the requirements of Canadian Standards Association Standard Z 107.1 - 1973 (or the equivalent) for Type 2 sound level meters, operated on the "A-weighting network" and "slow" meter response.

10. The Applicant shall maintain a high standard of equipment maintenance and good housekeeping practices at all times consistent with meeting the requirements of this Order.

11. The Applicant shall install adequate stack sampling facilities in a manner satisfactory to the Environmental Management Division; the said facilities shall include proper sampling ports, safe sampling platforms, safe access to the said sampling platforms, access to electrical power to operate the sampling equipment and such additional sampling facilities as are requested by the said Division.

12. In this Order:
 - (a) "impulsive sound" means hammering type sound having peaks one second or more apart, with less than 60 impacts per minute;
 - (b) "predominant discrete tone" means a sound having a one-third octave band sound level which, when measured in a one-third octave band, exceeds the arithmetic average of the sound levels of the two adjacent one-third octave bands on either side of such one-third octave band by:

- 12.(b) (i) 5 dB for such one-third octave band with a center frequency from 500 Hertz to 20,000 Hertz, inclusive, provided such one-third octave band sound level exceeds the sound level of each adjacent one-third octave band, or;
- (ii) 8 dB for such one-third octave band with a center frequency from 160 Hertz to 400 Hertz, inclusive, provided such one-third octave band sound level exceeds the sound level of each adjacent one-third octave band, or;
- (iii) 15 dB for such one-third octave band with a center frequency from 25 Hertz to 125 Hertz, inclusive, provided such one-third octave band sound level exceeds the sound level of each adjacent one-third octave band.
- (c) "Leq," the equivalent, A-weighted sound level, means the intensity (dBA) of the constant or steady sound level that would result in exposure to the same total A-weighted energy as would the specified time varying sound, if the constant sound level persisted over an equal time interval and "Leq(1)" means the equivalent sound level for a 1 hour period.

13. Orders No. 285V and No. 670 shall be and are hereby rescinded.

Order No. 1128

Dated at the City of Winnipeg

this 10th day of November, 1987.



Chairperson,
The Clean Environment Commission.

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