

Environment Act Licence

Manitoba
Environment



Licence No. 1799

Issue Date APRIL 26, 1994

In accordance with the Manitoba Environment Act (C.C.S.M. c.E125)

THIS LICENCE IS ISSUED TO:

Lake Centre Farm Service Ltd.: "the Licencee"

for the construction and operation of the Development being a bulk fertilizer storage and handling facility, including all related activities, on the SE 1/4 Section 3, Township 23, Range 2 EPM and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this Licence,

"appreciable impulsive character" means sound which has a significant amount of impulsive or impact nature, such as hammering, explosions and clanking or banging. Impulsive or impact sounds are sounds of short duration, usually less than one second, characterized by an abrupt onset followed by a rapid decay;

"A-weighted sound level" means the sound level measured in dBA units with a sound level meter set on the A-weighting network, being a filter designed to approximate the relative sensitivity of the normal human ear to different frequencies of sound;

"dB" (decibel) means a dimensionless measure of sound level or sound pressure level, where,
$$\text{sound level} = 20 \log_{10} \frac{\text{sound pressure (actual)}}{\text{sound pressure (reference)}};$$

"chemical products" includes but is not limited to liquid fertilizers and liquid pesticides but excludes petroleum products used in the operation of machinery;

"4 minute period(s) in the aggregate" means any 16 readings, not necessarily contiguous, taken at 15 second intervals within a 1 hour sampling period;

"Leq (energy equivalent level)" means the A-weighted sound level (as decibels {dBA}) of a constant or steady sound, for a stated period, which has an amount of acoustic energy equivalent to that contained in the sound being measured;

"Leq(1)" means the Leq for a one hour period;

“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;

“predominant discrete tone” means sound (for example a whine or hum) 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:

- 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.

GENERAL SPECIFICATIONS

1. The Licencee shall ensure that a high standard of equipment maintenance and good housekeeping and operational practices are carried out with respect to the Development, at all times.

LIMITS, TERMS AND CONDITIONS


2. The Licencee shall not emit particulate matter from the Development such that:
 - i) particulate matter:
 - a) 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; or
 - b) exhibits a visible plume with an opacity of greater than 5 percent at any point beyond the property line of the Development; or
 - c) results in the deposition of visible particulate residue at any time beyond the property line of the Development; or
 - ii) opacity from any point source of the Development shall equal or exceed:
 - a) 20 percent for a 4 minute period(s) in the aggregate in any one hour; or
 - b) 40 percent at any time.

3. The Licencee shall not store or handle any chemical products at this Development.
4. The Licencee shall surface, both in a manner and using materials approved by the Director, all areas of the Development where fertilizer products are stored, loaded, blended, transferred or otherwise handled.
5. The Licencee shall grade or curb all areas where fertilizer products are stored, loaded, blended, transferred or otherwise handled such that all product spillage and contaminated run-off water from these areas is contained within the Development.
6. In case of dispute as to the areas referred to in Clauses 4 and 5 the Directors decision shall be final.
7. No spillage, contaminated run-off or containment referred to in Clause 5 shall be directed to a sewage disposal system.
8. The Licencee shall file an emergency response plan within 60 days of the date of this Licence for approval by the Director.
9. The Licencee shall immediately remove and dispose of all fertilizer product spillage or water contaminated with fertilizer product spillage in a manner so as to prevent any contamination of ground or surface water.
10. The Licencee shall establish and maintain monitoring wells around areas where fertilizer products are stored, loaded, blended, transferred or otherwise handled such that the ground water may be sampled. The location and the construction specifications of these wells is to be determined by the Director.
11. The Licencee shall install the monitoring wells referred to in Clause 10 and submit to the Director a copy of the well logs within sixty (60) days of the date of this Licence.
12. The Licencee shall sample each well referred to in Clause 10 :
 - i) within 30 days after their installation;
 - ii) once each year between April 15 and June 15; and
 - iii) once each year between September 15 and October 15.
13. The Licencee shall have each collected sample analyzed by an accredited laboratory using methods approved by the Director for the following parameters:
 - i) NH_3 - N (Sol.);
 - ii) NO_3 - NO_2 - N (Diss.);
 - iii) Kjeldhal, Total - N; and
 - iv) P - Total.
14. The Licencee shall submit copies of the analytical results completed in Clause 13 to the Director within 60 days of the samples having been submitted for analysis.

15. The Licencee shall not emit sound from any part or process of the development, such that any emission when measured at a point of reception within an adjacent area which is zoned or used as residential, exceeds the following $\{L_{eq}(1)\}$ limits:
- i) subject to sub-Clause 15 (ii):
 - a) 60 dBA during the daytime hours of 7:00 a.m. to 10:00 p.m., local time; or
 - b) 50 dBA during the nighttime hours of 10:00 p.m. to 7:00 a.m., local time; or
 - ii) when subjective evaluation or measurements indicate that the sound has an appreciable impulsive character or a predominant discrete tone:
 - a) 55 dBA during the daytime hours of 7:00 a.m. to 10:00 p.m., local time; or
 - b) 45 dBA during the nighttime hours of 10:00 p.m. to 7:00 a.m., local time.
16. The Licencee shall not emit sound from any part or process of the development, such that any emission when measured at a point of reception within an adjacent area which is zoned or used as commercial, exceeds the following $\{L_{eq}(1)\}$ limits:
- i) 70 dBA during the daytime hours of 7:00 a.m. to 10:00 p.m., local time; or
 - ii) 60 dBA during the nighttime hours of 10:00 p.m. to 7:00 a.m., local time.

REVOCATION

If in the opinion of the Director the Licencee has exceeded or is exceeding the specifications, limits, terms or conditions set out herein, the Director may revoke, temporarily or permanently, this Licence.



Larry Strachan, P. Eng.
Director
Environment Act