

Environment Act Licence Loi sur l'environnement Licence

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Licence No./Licence n° 2137 RR
Issue Date/Date de délivrance October 31, 1995

Revised: November 28, 1995
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 – NIVERVILLE; “the Licencee”

for the construction and operation of the Development being a crop protection products warehouse, grain elevator, and distribution facilities to be located on land leased from the Canadian Pacific Railway on Lot 2, Block 13, Plan 19955 on the SW 1/4 31-7-4 EPM in the Town of Niverville, subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this Licence,

"ambient concentration" means the measurement of a substance contained in an air

"**pesticide storage structure(s)**" means any building(s) where agricultural crop protection products are stored for either commercial or retail purposes;

"**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 SPECIFICATIONS

1. The Licencee shall comply with the current edition of the Crop Protection Institute of Canada's warehousing standards regarding the handling and storage of crop protection chemicals, and with all applicable federal and provincial regulations.
2. The Licencee shall install and maintain, for any structures used for the storage of crop protection chemicals, an automatic system(s) for fire detection and security.
3. The Licencee shall, at all times during the operation of the Development, ensure that a high standard of equipment maintenance and good housekeeping and operational practices are implemented.
4. The Licencee shall reduce the production and dissemination of wastes by initiating and maintaining waste reduction and waste recycling programs.

LIMITS, TERMS AND CONDITIONS

I - AIR EMISSIONS

5. 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;
 - 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 equals or exceeds:
 - a) 20 percent for a four minute period(s) in the aggregate in any one hour; or
 - b) 40 percent at any time.

II - LIQUID EMISSIONS

6. The Licencee shall not direct any spillage, contaminated run-off or pollutant, other than sewage, to an approved sewage disposal system.
7. The Licencee shall contain and clean up immediately any chemical spills in order to prevent soil, surface water or ground water contamination.
8. The Licencee shall ensure that the Development is adequately diked and that control culverts are installed at the low end of the dyked area and those control culverts remain in the closed position. The Regional Office of Manitoba Environment in Steinbach shall be contacted for approval to open the control culverts to permit land drainage.
9. The Licencee shall ensure that the surface of the containment area is inspected semiannually for desiccation cracks, and that the containment area's continuity is maintained.

III - REMEDIAL ACTION

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

IV - EMERGENCY CONTINGENCY PLAN

11. 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 spill prevention and containment; security; personnel training; fire, floods and other response arrangements.

V - PESTICIDES

12. The Licencee shall construct and maintain the concrete floors and curbs of all pesticide storage structure(s) so as to prevent spilled liquids from leaking into the soil.
13. The Licencee shall create and maintain a current duplicate inventory of all pesticides 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.

14. The Licencee shall store only pesticides registered under the Pest Control Products Act of Canada at the Development.
15. The Licencee shall contain on the Development:
 - i) any on-site pesticide spill;
 - ii) wastewater generated from any response action due to an on-site release of pesticides; and
 - iii) contaminated water resulting from the extinguishing of any fire involving pesticides.
16. The Licencee shall locate the pesticide storage structure(s) a minimum distance of:
 - i) 100 metres from any property zoned residential; and
 - ii) 100 metres from single residencesunless a written consent form is obtained from the owner(s).

VI - SAMPLING AND ANALYSIS

17. 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.
18. The Licencee shall have each soil, air or water sample collected pursuant to Clause 17 analyzed by a laboratory approved by the Director, using methods approved by the Director for any of the following analytes as may be specified by the Director:
 - i) Particulate Matter (in air); and
 - ii) Pesticides.
19. The Licencee shall submit a copy of the sampling report complete with analytical results as specified pursuant to Clauses 17 and 18, to the Director within 60 days of the completion of the sampling program.

VII - SITE DECOMMISSIONING

20. 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.
21. The Licencee shall implement, on closure of the facility, the approved Decommissioning Plan.

REVOCATION

- A. This Licence replaces Licence No. 2137 R which is hereby rescinded.
- B. If in the opinion of the Director the Licencee has exceeded or is exceeding the limits, or has not or is not complying with the specifications, terms or conditions set out herein, the Director may revoke, temporarily or permanently, this Licence.



Larry Strachan, P. Eng.
Director
Environment Act

File No.: 4084.00

Manitoba



Conservation

Environmental Stewardship Division
Environmental Approvals Branch

www.gov.mb.ca/conservation/envapprovals

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

Fax: (204) 945-5229

FAXED

CLIENT FILE NO.: 4048.00

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. 2137 R to Agricore United. Enclosed is Revised Environment Act **Licence No. 2137 RR** 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 Steinbach Conservation Office at (204) 346-6060.

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: C. Lee, A/Regional Director, Red River Region, Conservation
- c: Steinbach Conservation Office
- c: R.M. of Hanover

NOTE: Confirmation of Receipt of this Licence No. 2137 RR (*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****