

Environment Act Licence

Manitoba
Environment



Licence No. 1664
Issue Date APRIL 30, 1993

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

THIS LICENCE IS ISSUED TO:

INTERLAKE AGRO SERVICES, LTD: "The Licencee"

for the construction and operation of the Development being an anhydrous ammonia storage and handling facility, located on the property described as the easterly 1320 feet of the southerly 1320 feet of SW30-14-4E in the Rural Municipality of St. Andrews, subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this Licence:

"**A-weighted sound level**" means the sound level measured in dBA units with a sound 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;

"**appreciable impulsive or impact 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;

"**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 operation.

"**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 petroleum products, fertilizers and pesticides;

"**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;

"permanent anhydrous ammonia tank(s)" means any storage container certified for the storage of anhydrous ammonia which is attached to a fixed, non-moveable supporting structure;

"point source" means any point of emission from a Development where pollutants are directed 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) 5dB 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;
- ii) 8 dB for such one-third octave band with a center frequency of 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;

"sewage" means human body, toilet, liquid, waterborne culinary, sink or laundry waste.

GENERAL SPECIFICATIONS

1. The Licencee shall ensure a high standard of equipment maintenance and good housekeeping and operational practices are carried out with respect to the Development, at all times.
2. The Licencee shall reduce the production and dissemination of wastes by initiating and maintaining waste reduction and waste recycling programs.

LIMITS, TERMS, AND CONDITIONS

3. The Licencee shall not store or handle any chemical products at the Development other than anhydrous ammonia.

4. The Licencee shall not emit ammonia from the Development such that the ambient concentration of ammonia in air is in excess of:
 - i) 10 parts per million at any time when measured at any point beyond the property line of the Development; or
 - ii) 2 parts per million on an 1-hour average when measured at any point beyond the property line of the Development.

5. 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 area which is zoned as residential, exceeds the following Leq [(1)] limits:
 - i) subject to sub-clause 4(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 the sound has an appreciable impulsive or impact 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.

6. 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 area which is zoned as commercial, exceeds the following [Leq(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.

7. 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, beyond the property line of the Development and within an area which is zoned as industrial, exceeds an Leq(1) of 70 dBA at any time.

8. The Licencee shall not direct any spillage, contaminated run-off or pollutant, other than sewage, to a sewage disposal system.

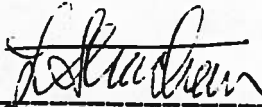
9. The Licencee shall contain spills within the property line of the Development such that soil, surface water and ground water contamination are prevented.

10. The Licencee, upon obtaining approval from an Environment Officer, shall immediately dispose of any material contaminated by a chemical product.

11. The Licencee shall remediate, to the satisfaction of, and within a time frame stipulated by the Director, all on and off-site environmental impacts as a result of any release of anhydrous ammonia.
12. The Licencee shall locate any permanent anhydrous ammonia tank(s) used for the on-site storage of ammonia prior to redistribution, a minimum distance of:
 - i) 800 metres from residential areas, schools, hospitals and other institutions;
 - ii) 100 metres from a single isolated residence; and
 - iii) 100 metres from the edge of the right of way of a highway.
13. 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 limited to, items which will address: measures to be implemented for spill prevention and containment; security; personnel training; fire and other response arrangements.
14. The Licencee, at the request of the Director, shall conduct soil and/or ground water sampling at or adjacent to the Development.
15. The Licencee shall have each sample collected pursuant to Clause 14 analyzed by a certified laboratory approved by the Director and using methods approved by the Director for any of the following analyses as may be specified by the Director:
 - i) NH_3 - N(Sol.)
 - ii) NO_3 - NO_2 - N(Diss.)
 - iii) Kjeldhal, Total - N
16. The Licencee shall submit a copy of the sampling report complete with analytical results as specified pursuant to Clauses 14 and 15, to the Director within 60 days of the completion of the sampling program.

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