

## AN ORDER OF THE CLEAN ENVIRONMENT COMMISSION.

## UNDER THE CLEAN ENVIRONMENT ACT

**RE: THE CLEAN ENVIRONMENT COMMISSION and LADCO COMPANY LIMITED, Applicant,**

**WHEREAS**

pursuant to the provisions of the Clean Environment Act, Ladco Company Limited filed an application with the Department of Mines, Resources and Environmental Management in connection with emissions to the air arising from the operation of the Wandlyn Birchwood Inn located at or near 2520 Portage Avenue in the City of Winnipeg, Manitoba;

**AND WHEREAS**

in the absence of limits being prescribed by a Regulation under the said Act, the application was referred to The Clean Environment Commission for the prescribing of limits;

**AND WHEREAS**

no representation was made to the Commission by any person who is or who is likely to be affected by an Order of the Commission prescribing limits in connection with the said operation;

**AND WHEREAS**

the Commission considered the application on the 14th day of November, 1977;

**IT IS HEREBY ORDERED THAT**

1. The Applicant shall ensure that on and after the 1st day of February, 1978, odors emitted by the said operation are not detectable at any point of impingement off the premises of the said operation and within an area zoned residential when one volume of odorous air is diluted with an equal volume of odor-free air.
2. The Applicant shall ensure that, on and after the 1st day of February, 1978, sound emissions from the said operation, as measured in accordance with Appendix "A" of this Order, beyond the premises of the said operation and within an area zoned residential, and excluding any significant interfering sounds from other sources:
  - (a) subject to Clause 3 (b) of this Order, the hourly continuous sound level shall not exceed:
    - (i) 60 dBA during the day-time hours of 7:00 a.m. to 10:00 p.m.;
    - (ii) 55 dBA during the night-time hours of 10:00 p.m. to 7:00 a.m.

*Assignment  
to JFW  
EJH  
- 77/2/2*

Cont'd . . .

2. (b) where subjective evaluation or measurements indicate impulsive characteristics\* (for example - hammering) and/or prominent discrete tone\*\* (for example - a whine or hum), the hourly continuous sound level shall not exceed:

(i) 55 dBA during the day-time hours of  
7:00 a.m. to 10:00 p.m.;

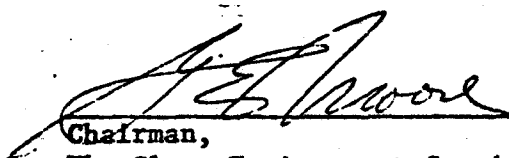
(ii) 50 dBA during the night-time hours of  
10:00 p.m. to 7:00 a.m.

3. The Applicant shall carry out a high standard of equipment maintenance and good housekeeping practices consistent with meeting the limits set out in Clauses 1 and 2 of this Order.

Order No. 759

Dated at the City of Winnipeg

this 6th day of December, 1977.

  
Chairman,  
The Clean Environment Commission.

(Attachement forming part of this Order - Appendix "A")

C-b-1745

- \* - Impulsive characteristics means hammering type sound having peaks one second or more apart - i.e. less than 60 impacts per minute.
- \*\* - Prominent discrete tone(s) 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 on the two adjacent one-third octave bands on either side of such one-third octave band by:
- (a) 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
  - (b) 8 dB for such one-third octave band with a center frequency from 160 Hertz to 400 Hertz, inclusive, provided that such one-third octave band sound level exceeds the sound level of each adjacent one-third octave band; or
  - (c) 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.

Appendix "A"

To Order No. 759

Issued on the 6th

day of December, 1977.

#### NOISE LEVEL MEASUREMENTS

The hourly continuous sound level shall be measured in terms of the equivalent continuous sound level averaged over a one 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.

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