



Conservation

Environmental Stewardship Division
Environmental Approvals Branch

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CANADA

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Fax: (204) 945-5229

FAXED

CLIENT FILE NO.: 3637.00

August 19, 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 United Grain Growers' Environment Act Licence No. 1720 to Agricore United. Enclosed is Revised Environment Act **Licence No. 1720 R** dated August 19, 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 Brandon Conservation Office at (204) 726-6563.

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: B. Wright, Regional Director, Western Region, Conservation

c: R.M. of Turtle Mountain

NOTE: Confirmation of Receipt of this Licence No. 1720 R (*by the Licensee 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 August 26, 2004.

On behalf of Agricore United

Date

****A COPY OF THE LICENCE MUST BE KEPT ON SITE AT THE DEVELOPMENT AT ALL TIMES****

Environment Act Licence Loi sur l'environnement Licence

Manitoba
Conservation
Conservation
Manitoba



Licence No./Licence n° 1720 R
Issue Date/Date de délivrance November 5, 1993

Revised: August 19, 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 – KILLARNEY; “the Licencee”

for the construction and operation of the Development being a crop protection products storage warehouse and handling facility, and a dry bulk fertilizer storage/blending facility, including all related activities, to be located on Lot 2 & 3, Block 2, Plan 785, NE 1/4 of 2-3-17 WPM, Killarney, in the Rural Municipality of Turtle Mountain, and 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 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;

“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;

“dB” (decibel) means a dimensionless measure of sound level or sound pressure level, where;

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

“Director” means the Director of The Environment Act;

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“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;

“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;

“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;
- 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;

“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 any applicable federal or provincial regulations.

2. The Licencee shall install and maintain, in each pesticide storage structure, an automatic system(s) for fire detection and security.
3. 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.
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 - 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;

AND,

 - ii) opacity from any point source of the Development equals or exceeds:
 - a) 20 percent for a 4 minute period(s) in the aggregate in any one hour; or
 - b) 40 percent at any time.

6. The Licencee shall not emit odour from any part or process of the Development such that any emission is detectable when measured at a point of reception:
 - i) within an area which is zoned as residential or commercial when one volume of odorous air is diluted with one equal volume of odour-free air; or
 - ii) within an area which is zoned as industrial when one volume of odorous air is diluted with six equal volumes of odour-free air.
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 within an area which is zoned as residential, exceeds the following $\{L_{eq}(1)\}$ limits:

- i) subject to sub-Clause 7 (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.

- 8. 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 $\{L_{eq}(1)\}$ 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.
- 9. 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 70 dBA at any time.
- 10. 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;by either:
 - iv) the installation of a synthetic impervious barrier, approved by the Director, under and/or around the perimeter of the Development;
 - v) the installation of an automatic foam dispensing fire-extinguishing system within the pesticide storage building(s) of the Development; or
 - vi) an alternative method to be approved by the Director.
- 11. The Licencee shall not direct any spillage, contaminated run-off or pollutant, other than sewage, to a sewage disposal system.
- 12. The Licencee shall contain and clean up immediately any chemical product spills to prevent soil, surface water or ground water contamination.

II - CHEMICAL STORAGE / HANDLING

13. The Licencee shall surface all areas of the Development where chemical products are stored, loaded, blended, transferred or otherwise handled, in a manner and using materials approved by the Director.
14. The Licencee shall grade or curb all areas where chemical 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.
15. In case of dispute as to the areas referred to in Clauses 13 and 14 the Directors decision shall be final.
16. The Licencee shall maintain a current duplicate inventory of all chemical product materials stored at the Development and keep one copy at the Development, and the other copy at a location off-site.
17. The Licencee shall ensure that only pesticides registered under the Pest Control Products Act of Canada are stored at the Development.
18. The Licencee shall neither mix pesticides nor fill or re-fill pesticide containers at the Development.

III - EMERGENCY CONTINGENCY PLAN

19. 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 and other response arrangements.

IV - STORAGE LOCATION

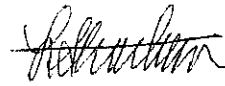
20. The Licencee shall locate each pesticide storage structure(s) a minimum distance of:
 - i) 100 meters from any property zoned residential; and
 - ii) 100 meters from single residences unless a written consent form is obtained from the owner(s).

V - SAMPLING AND ANALYSIS

21. The Licencee shall, at the request of the Director, conduct soil and/or ground water sampling and analysis around the Development to ensure that there is no accumulation or off property movement of pollutants.

REVOCATION

- A. This Licence replaces Licence No. 1720 which is hereby rescinded.
- B. 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**

File No.: 3637.00