

Environment Act Licence Loi sur l'environnement Licence

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Licence No./Licence n° 2204
Issue Date/Date de délivrance July 3, 1996

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

THIS LICENCE IS ISSUED TO:

LAFARGE CANADA INC.: "the Licencee"

for the operation of the Development being a concrete batching facility, including all related activities, located in Lot 1 Block 8 Plan 14629 WLTO in RL 61 to 70 Parish of St. Clements in the Rural Municipality of St. Clements, in accordance with the Proposal filed under The Environment Act on April 15, 1996, and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this License,

"**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;

"**affected area**" means a geographical area affected by an odour nuisance;

"**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,

$$\text{sound level} = 20 \log_{10} \frac{\text{sound pressure (actual)}}{\text{sound pressure (reference)}};$$

"**L_{eq}**" (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;

"**L_{eq}(1)**" means the L_{eq} for a one hour period;

"**odour nuisance**" means a continuous or repeated odour, smell or aroma, in an affected area, which is offensive, obnoxious, troublesome, annoying, unpleasant, or disagreeable to a person:

- i) residing in an affected area;
- ii) working in an affected area; or
- iii) present at a location in an affected area which is normally open to the members of the public;

if the odour, smell or aroma

- iv) is the subject of at least 5 written complaints, received by the Director in a form satisfactory to the Director, and within a 90 day period, from 5 different persons falling within clauses i), ii), or iii), who do not live in the same household; or
- v) is the subject of at least one written complaint, received by the Director in a form satisfactory to the Director, from a person falling within clauses i), ii), or iii), and the Director is of the opinion that if the odour, smell or aroma had occurred in a more densely populated area there would have been at least 5 written complaints received within a 90 day period from 5 different persons who do not live in the same household.

“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;

“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 TERMS AND CONDITIONS

1. The Licencee shall implement good housekeeping and operational practices with respect to the Development, at all times.
2. The Licencee shall reduce and prevent the production and dissemination of wastes by initiating and maintaining waste reduction and waste recycling programs.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS


3. 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 as the average of any 24 consecutive opacity observations taken at 15 second intervals;
 - b) 20 percent for more than 16 individual opacity observations within any 1 hour period; or
 - c) 40 percent for any individual opacity observation.
- 4. The Licencee shall not cause or permit an odour nuisance to be created as a result of the construction or operation of the Development, and shall take such steps as the Director may require to eliminate or mitigate an odour nuisance.
- 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 or used as residential, exceeds the following $\{L_{eq}(1)\}$ limits:
 - i) subject to sub-Clause 5 (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;
 - 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 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.
- 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 or used as industrial, exceeds 70 dBA at any time.
- 8. The Licencee shall notify the Director of an intended alteration of process, which may effect in any manner a waste discharge or emission, prior to implementing such alteration.

9. The Licencee shall, at the request of the Director monitor wastewater and groundwater at such locations and for such parameters as are prescribed by the Director.
10. The Licencee shall construct the containment structures for the storage, evaporation or treatment of wastewater in such a manner that the interior surfaces of the containment structures are underlain with not less than one metre of suitable material having a hydraulic conductivity of 10^{-7} centimetres per second or less.
11. The Licencee shall forthwith report to the Director any process upset or breakdown which may cause emissions in excess of the limits prescribed in this Licence.
12. The Licencee shall not dispose of sludge or solid wastes, either on-site or off-site, except in a manner which has received the approval of the Director.
13. The Licencee shall store and handle all gasoline and associated products on the site of the Development in accordance with the provisions of Manitoba Regulation 97/88 R.

REVIEW AND REVOCATION

- A. If in the opinion of the Director, the Licencee has exceeded or is exceeding or has or is failing to meet the specifications, limits, terms or conditions set out in this Licence, the Director may, temporarily or permanently, revoke this Licence.
- B. If the Development has not commenced construction within three years of the date of this Licence, the Licence is revoked.
- C. If, in the opinion of the Director, new evidence warrants a change in the specifications, limits, terms or conditions set out in this Licence, the Director may require the filing of a new proposal pursuant to Section 10 of The Environment Act.



Larry Strachan, P. Eng.
Director
Environment Act

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