

Environment Act Licence

Loi sur l'environnement Licence

Manitoba
Conservation
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Manitoba



Licence No./Licence n° 746 R

Issue Date/Date de délivrance September 6, 1977

Revised: January 23, 2002

**IN ACCORDANCE WITH THE MANITOBA ENVIRONMENT ACT (C.C.S.M. c. E125)
THIS LICENCE IS ISSUED PURSUANT TO SECTIONS 10(1) AND 14(2) TO:**

LAFARGE CANADA INC.; "the Licencee"

for the operation of the Development being a bulk material handling facility, that is equipped to receive, store and ship cement, located at or near 713 McGillivray Boulevard in the City of Winnipeg, in accordance with the Application dated May 27, 1977 filed under The Clean Environment Act, and the notice of alteration dated July 8, 1999 filed under The Environment Act and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this Licence,

"**accredited laboratory**" means facilities accredited by the Standard Council of Canada (SCC), or facilities accredited by another accrediting agency recognized by Manitoba Conservation to be equivalent to the SCC, or facilities which can demonstrate to Manitoba Conservation, upon request, that quality assurance/quality control (QA/QC) procedures are in place equivalent to accreditation based on the Canadian Standard Can/CSA-Z753, extension of the international standard ISO 9000, Guide 25;

"**affected area**" means a geographical area, excluding the property of the Development;

"**aggregate**" means any crushed stone or slag, crushed or uncrushed gravel, sand or mineral filler;

"**approved**" means approved by the Director in writing;

"**as-constructed drawings**" means engineering drawings complete with all dimensions which indicate all features of the Development as it has actually been built;

"**cement**" means a finely divided powder mixture of lime, alumina, silica and possibly other compounds which when combined with aggregates and admixed with water hardens and forms concrete;

"**Director**" means an employee so designated pursuant to The Environment Act;

"**Environment Officer**" means an employee so designated pursuant to The Environment Act;

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

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

if the noise

- d) 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 a), b), or c), who do not live in the same household; or
- e) 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 a), b) or c), and the Director is of the opinion that if the noise 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;

"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:

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

if the odour, smell or aroma

- d) 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 a), b), or c), who do not live in the same household; or
- e) 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 a), b), or c), and the Director is of the opinion that if the unwanted odour, smell of 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;

"point source" means any point of emission from the Development where pollutants are emitted to the atmosphere by means of a stack;

"stack" means a duct, pipe, chimney, vent, opening or other structure through which pollutants are emitted to the atmosphere;

LIMITS, TERMS AND CONDITIONS

Respecting Site Plans and Building Plans

6. The Licencee shall submit, within 90 days of the date of this Licence, detailed engineered as-constructed drawings of the Development sealed by a professional engineer registered with the Association of Professional Engineers and GeoScientists of the Province of Manitoba, containing:
- a) the existing scaled site layout showing and identifying property boundaries, all existing buildings, roadways, railways, storage areas, wells, fence lines, ponds, off-site drainage wastewater discharge locations and other man made structures; and
 - b) all material storage structures and conveyance equipment and dimensions thereof, identification of any processing equipment, air handling equipment, all air pollution control and treatment equipment, emission stacks, water supply and wastewater collection systems.

All drawings shall be of sufficient size, but no smaller than 11" by 17", so as to clearly identify all features including textural descriptions.

Respecting Air Emissions

7. The Licencee shall not emit from the Development:
- a) particulate matter in any air emission that:
 - i) exceeds 0.23 grams per dry standard cubic metre calculated at 25 degrees Celsius and 760 millimetres of mercury, from any point source of the Development;
 - ii) exhibits a visible plume with an opacity of greater than 5 percent at any point beyond the property line of the Development; or
 - iii) results in the deposition of visible particulate residue at any time beyond the property line of the Development; or
 - b) particulate matter from any point source with an opacity that equals or exceeds:
 - i) 20 percent as the average of any 24 consecutive opacity observations taken at 15 second intervals;
 - ii) 20 percent for more than 16 individual opacity observations within any 1 hour period; or
 - iii) 40 percent for any individual opacity observation.
8. The Licencee shall not cause or permit a noise nuisance to be created as a result of the construction, operation, or alteration of the Development, and shall take such steps as the Director may require to eliminate or mitigate a noise nuisance.
9. The Licencee shall not cause or permit an odour nuisance to be created as a result of the construction, operation, or alteration of the Development, and shall take such steps as the Director may require to eliminate or mitigate an odour nuisance.
10. The Licencee shall implement measures to prevent or minimize the entrainment of particulate matter in the air resulting from the transportation, storage or handling of cement at the Development.

Respecting Air Pollution Control Equipment

11. The Licencee shall not unload, convey, store, load or otherwise handle or transport cement at the Development unless the emissions created from any of these activities:
 - a) are directed to a fully operational air pollution control device(s); and
 - b) are emitted from the air pollution control device(s) in compliance with the specifications, limits, terms and conditions of this Licence.

12. The Licencee shall maintain a log book for all maintenance activities and all downtimes of the air pollution control devices. The log book shall be kept at the Development and shall be available upon request for inspection by an Environment Officer. The log shall record, at minimum, the following:
 - a) identification of the unit and the processes it serves;
 - b) time/date of log entry;
 - c) nature of event;
 - d) time and duration of event;
 - e) the accumulated downtime for these events for each calendar year; and
 - f) signature of employee/manager.

Respecting Air Emission Sampling and Analysis

13. The Licencee shall, at the written request of the Director, construct a stack or stacks for the sampling of emissions at the Development which are:
 - a) at a location(s);
 - b) completed within a time frame; and
 - c) to the specifications;stipulated by the Director.

14. The Licencee shall construct and maintain, when requested by the Director, stack sampling facilities at the Development. These facilities shall be constructed as needed and within time frames and to specifications as specified by the Director.

15. The Licencee shall, within 60 days of the Director's written request, submit a proposal which is acceptable to the Director for a sampling program, including sampling of stationary point sources, fugitive emissions or ambient air quality for the following parameters:
 - a) particulate matter; and
 - b) other parameters the Director may request.

16. The Licencee shall complete the sampling of emissions requested in Clause 15 of this Licence in accordance with the approved proposal.

17. The Licencee shall submit to the Director within 90 days of receipt of the analytical results of the sampling performed pursuant to Clause 16 of this Licence, a report that discusses the sampling and results. This report shall address any potential health or environmental impacts beyond the boundaries of the Development that might be caused by the emissions studied.

Respecting Wastewater

18. The Licencee shall not discharge wastewater beyond the property boundaries of the Development and shall prevent the seepage of wastewater such that the groundwater beneath the Development does not become contaminated.

Respecting Solid Waste

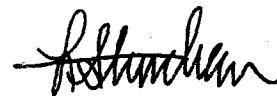
19. The Licencee shall dispose of all solid waste generated from any activity at the Development in a manner acceptable to the Director.

Respecting Emergency Planning

20. The Licencee shall submit to the Director for approval, within 90 days of the date of this Licence, a contingency plan, in accordance with the Manitoba Industrial Accidents Council (MIAC) *Industrial Emergency Response Planning Guide*, outlining procedures to be used in the event of a leak, spill, fire, or other hazardous condition at the Development.

REVIEW AND REVOCATION

- A. This Licence replaces Licence No. 746 which is hereby rescinded.
- B. 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.
- C. If, in the opinion of the Director, new evidence warrants a change in the specifications, limits, terms or conditions of 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