



Conservation and Climate

Environmental Stewardship Division
Environmental Approvals Branch
1007 Century Street, Winnipeg Manitoba R3H 0W4
T 204-945-8321 F 204-945-5229

FILE NO.: 3515.00

July 1, 2020

Randi Kozak
Safety, Health and Environment Manager
Nutrien Ag Solutions (Canada) Inc.
Unit E – 759 First St.
Brandon MB R7A 2X5

Dear Randi Kozak:

Re: Correction Regarding – Cancellation Letter for Licence No. 1617 R

This letter is a correction respecting correspondence sent from this office dated November 13, 2019 regarding the cancellation of Environment Act bearing Licence No. 1617 R for the operation of a crop protection products warehouse, and bulk granular fertilizer blending, storage and distribution facility sited at NE ¼ 32-5-21 in the Municipality of Grassland (formerly Rural Municipality of Whitewater).

Nutrien Ag Solutions (Canada) Inc. assumed Licence No. 1617 RRR from legacy company Viterra Inc. This letter serves to formally cancel said Licence No. 1617 RRR. All aspects of the correspondence from November 13, 2019 remains relevant to the cancellation of Licence 1617 RRR.

If you have any questions on this matter, please contact Krystal Penner of this office at Krystal.Penner@gov.mb.ca or 204-945-7107. For any operational issues please contact Kristy Forrestall, Acting Regional Manager at Kristy.Forrestall@gov.mb.ca or 204-573-0518.

Yours sincerely,

Original Signed by Siobhan Ross Burland for

Shannon Kohler
Director
Environmental Approvals Branch

cc: Kristal Harman/Tim Prawdzik/Kristy Forrestall/Nicole Lavallee: Environmental Compliance and Enforcement
Krystal Penner: Environmental Approvals Branch
Public Registries



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www.gov.mb.ca/sd

CLIENT FILE NO.: 3515.00

November 13, 2019

Randi Kozak
Safety, Health and Environment Manager
Nutrien Ag Solutions (Canada) Inc.
Unit E – 759 First Street
Brandon MB R7A 2X5
Randi.kozak@nutrien.com

Dear Ms. Kozak:

Re: Cancel Licence – Manitoba Pool Elevators – Licence No. 1617 R

This is further to your closure request of December 21, 2015, you have requested the cancellation of Environment Act Licence No. 1617 R issued January 12, 1998 issued to legacy company Manitoba Pool Elevators. for the construction and operation of a crop protection products warehouse, and bulk granular fertilizer blending, storage and distribution facility sited at NE ¼ 32-5-21 in the Municipality of Grassland (formerly Rural Municipality of Whitewater). As per the recommendation of our Compliance and Enforcement officials, this letter is to formally notify that Environment Act Licence No. 1617 R is hereby cancelled.

While the licence for this facility is herein cancelled, this correspondence does not imply that any prior environmental impacts to the soil or groundwater from the operation of the facility have been corrected/addressed. Other decommissioning work may be required in the future if subsequent inspections or new information highlight deficiencies or environmental impacts.

If you have any questions on this matter, please contact Krystal Penner of this office at (204) 945-7107. For any operational issues please contact Environment Officer, Peter Crocker at (204) 726-6565.

Sincerely,

Siobhan Burland Ross, M.Eng., P. Eng.
Director
The Environment Act

c: Shannon Kohler/Peter Crocker, Environmental Compliance and Enforcement
Krystal Penner, Environmental Approvals Branch
Public Registries



Conservation

Environmental Stewardship Division
Environmental Assessment and Licensing Branch
123 Main Street, Suite 160, Winnipeg, Manitoba R3C 1A5
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FAXED

CLIENT FILE NO.: 3515.00

May 9, 2008

Dwayne Blatt
Viterra
201 Portage Avenue
Winnipeg MB R3B 3K6

Dear Mr. Blatt:

Our records have been updated to reflect the transfer of Agriculture and Environment Act Licence No. 1617 RR to Viterra. Enclosed is Revised Environment Act Licence No. 1617 RRR dated May 9, 2008 re-issued in the name of **Viterra**.

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) 726-6153.

Please ensure that the original or copy of the revised Licence and covering letter are available on site.

Yours truly,

Tracey Braun, M. Sc.
Director
Environment Act

Enc.
cc: B. Wright, Regional Director, Western Region, Conservation
R.M. of White Water

NOTE: Confirmation of Receipt of this Licence No. 1617 RRR (*by the Licencee 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 May 16, 2008.

On behalf of Viterra

Date

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



LICENCE

Licence No. / Licence n° 1617 RRR

Issue Date / Date de délivrance January 7, 2003

REVISED : January 12, 1999
REVISED : May 23, 2004
REVISED : May 9, 2008

In accordance with The Environment Act (C.C.S.M. c. E125) /
Conformément à la Loi sur l'environnement (C.P.L.M. c. E125)

Pursuant to Section / Conformément au Paragraphe

THIS LICENCE IS ISSUED TO : / CETTE LICENCE EST DONNÉE À :

VITERRA - ELGIN; "the Licencee"

for the construction and operation of the Development being crop protection products warehouse, a bulk granular fertilizer blending/storage, and distribution facilities, located on property leased from the CNR, being in the NE 1/4 32-5-21 W4M in the Rural Municipality of Whitewater, and in accordance with the Proposal filed under The Environment Act on October 15, 1992, and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this Licence,

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

"**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 Development;

"**chemical**" includes, but is not limited to petroleum products, fertilizers and pesticides;

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

"**noise nuisance**" means an unwanted sound, in an affected area, which is annoying, troublesome, or disagreeable to a person:

- a) occurring 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 unwanted sound

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- 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 sound 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 and who do not live in the same household;

"**opacity**" means the degree to which emissions reduce the transmission of light or 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; and

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

GENERAL TERMS AND CONDITIONS

This Section of the Licence contains requirements intended to provide guidance to the Licencee in implementing practices which ensure that the environment is maintained in such a manner as to sustain a high quality of life, including social and economic development, recreation and leisure for present and future Manitobans.

1. The Licencee shall comply with the current edition of the Crop Protection Institute of Canada's warehouse standards regarding the handling and storage of crop protection chemicals, and with all applicable federal and provincial regulations.
2. The Licencee shall install and maintain, for all pesticide storage structure(s), an automatic system(s) for fire detection and security.
3. The Licencee shall, at all times during the operation of the Development, ensure that a high standard of equipment maintenance and operational practices are implemented.

4. The Licencee shall reduce the production and dissemination of wastes by initiating and maintaining waste reduction and waste recycling programs.
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 point beyond the property line of the Development; or
 - ii) opacity from any point source of the Development equal 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.
6. The Licencee shall not cause or permit noise nuisance to be created as a result of the operation of the Development, and shall take such steps as the Director may require to eliminate or mitigate a noise nuisance.
7. The Licencee shall at the request of the Director, conduct soil, air (stack and/or ambient), ground water, surface water or noise monitoring at locations adjacent to the Development.
8. The Licencee shall have each soil, air, or water sample collected pursuant to Clause 7, of this Licence, analyzed by a laboratory approved by the Director and using methods approved by the Director. The following analytes as may be specified by the Director:
 - i) NO₃-NO₂ - N (Diss.);
 - ii) Kjeldahl Total - N
 - iii) P - Total;
 - iv) Pesticides; and
 - v) Particulate Matter (in air).
9. The Licencee shall submit a copy of the sampling report complete with analytical results as specified pursuant to Clauses 7 and 8 of this Licence, to the Director within 60 days of the completion of the sampling program.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

I - LIQUID EMISSIONS

10. The Licencee shall not direct any spillage, contaminated run-off or pollutant, other than sewage, to an approved sewage disposal system.
11. The Licencee shall contain and clean up immediately any chemical spills in order to prevent soil, surface water or ground water contamination.
12. The Licencee shall ensure that the site retention area is protected with a minimum 45 cm of compacted clay material or other materials approved by the Director.
13. The Licencee shall ensure that the Development is adequately diked and that mechanical control culverts are installed at the low end of the diked area and these control culverts remain in the closed position. The Regional Office of Manitoba Environment in Brandon shall be contacted for prior approval to open the control culverts to permit land drainage.
14. The Licencee shall ensure that the surface of the site retention area is inspected semiannually for desiccation cracks, and that the site retention area's continuity is maintained.

II - REMEDIATION ACTION

15. The Licencee, subject to obtaining approval from an Environment Officer, shall immediately dispose of any contaminated material in accordance with the approval.

III - EMERGENCY CONTINGENCY PLAN

16. 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 - FERTILIZER PRODUCTS

17. The Licencee shall surface all areas of the Development where fertilizer is stored, loaded, blended, transferred or otherwise handled, in a manner and using materials approved by the Director.

18. The Licencee shall grade, dike or curb all areas where fertilizer is stored, loaded, blended, transferred or otherwise handled in a manner and using materials approved by the Director, such that all product spillage and contaminated run-off water from these areas is contained within the Development.

V - PESTICIDES

19. The Licencee shall construct and maintain the concrete floors and curbs of all pesticide storage structure(s) so as to prevent spilled liquids from leaking into the soil.
20. The Licencee shall create and maintain a current duplicate inventory of all pesticides stored at the Development, with one copy stored at the premises of the Development, and the other copy stored at a location off-site from the Development.
21. The Licencee shall store only pesticides registered under the Pest Control Products Act of Canada at the Development.
22. The Licencee shall contain on the Development:
- i) any on-site pesticide spill;
 - ii) waste water 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.
23. The Licencee shall locate the pesticide storage structure(s) a minimum distance of:
- i) 100 metres from any property zoned residential; and
 - ii) 100 metres from single residences
- unless a written consent form is obtained from the owner(s).

VI - SITE DECOMMISSIONING

24. The Licencee shall submit within one (1) year prior to closure of the facility, for the approval of the Director, a formal detailed Decommissioning Plan for the facility.
25. The Licencee shall implement, on closure of the facility, the approved Decommissioning Plan.

REVIEW AND REVOCATION

- A. This Licence replaces Environment Act Licence No. 1617 RR.
- 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 construction of the development is not commenced within three years of the date of this Licence, the Licence is revoked.
- D. If, in the opinion of the Director, new evidence warrants a change to 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.


Tracy Braun, P. Sc.
Director
Environment Act

Client File No.: 3515.00

CANCELLED