

Environment Act Licence

Loi sur l'environnement Licence

Manitoba
Conservation
Conservation
Manitoba



Licence No./Licence n° _____ 2717 _____

Issue Date/Date de délivrance March 3, 2006 _____

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

MIX ALL CONCRETE LTD.; "the Licencee"

for the construction and operation of the Development being a concrete batch plant, in the Rural Municipality of Stanley located at NW ¼ of Section 6, Township 3, Range 4 WPM, in accordance with the Proposal dated September 16, 2005 filed under The Clean Environment Act, and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this Licence,

"accredited laboratory" means an analytical facility accredited by the Standard Council of Canada (SCC), or accredited by another accrediting agency recognized by Manitoba Conservation to be equivalent to the SCC, or be able to demonstrate, upon request, that it has the quality assurance/quality control (QA/QC) procedures in place equivalent to accreditation based on the international standard ISO/IEC 17025, or otherwise approved by the Director;

"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;

"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;

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

"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;

"permanently closed" means that the Development is not operated for a period of 12 months or more;

"**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;

"**Standard Methods for the Examination of Water and Wastewater**" means the most recent edition of Standard Methods for the Examination of Water and Wastewater published jointly by the American Public Health Association, the American Waterworks Association and the Water Environment Federation; and

"**wastewater**" means any liquid containing a pollutant as defined in The Environment Act, associated with or resulting from the Development which is discharged into the environment.

GENERAL TERMS AND CONDITIONS

This Section of the Licence contains requirements intended to provide guidance to the Licencee in implementing practices to 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 implement a high standard of equipment maintenance and good housekeeping and operational practices with respect to the Development, at all times.
2. The Licencee shall reduce the production and dissemination of wastes by initiating and maintaining waste reduction and waste recycling programs.
3. The Licencee shall, upon the request of the Director and in addition to any of the limits, terms or conditions specified in this Licence:
 - a) sample, monitor, analyze and/or investigate specific areas of concern regarding any segment, component or aspect of pollutant storage, containment, treatment, handling, disposal or emission systems, for such pollutants or ambient quality, aquatic toxicity, leachate characteristics and discharge or emission rates, for such duration and at such frequencies as may be specified;
 - b) determine the environmental impact associated with the release of any pollutants from the said Development; or
 - c) provide the Director, within such time as may be specified, with such reports, drawings, specifications, analytical data, descriptions of sampling and analytical procedures being used, bioassay data, flow rate measurements and such other information as may from time to time be requested.
4. The Licencee shall, unless otherwise specified in this Licence:
 - a) carry out all preservations and analyses on liquid samples in accordance with the methods prescribed in the most current edition of Standard Methods for the Examination of Water and Wastewater or in accordance with equivalent preservation and analytical methodologies approved by the Director;

- b) carry out all sampling of, and preservation and analyses on, soil and air samples in accordance with methodologies approved by the Director;
 - c) ensure that all analytical determinations are undertaken by an accredited laboratory; and
 - d) report the results to the Director within 60 days of the samples being taken.
5. The Licencee shall provide to the Director, upon request, all information required under this Licence, in writing and in such form and content (including number of copies), as may be specified by the Director.
6. 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.

LIMITS, TERMS AND CONDITIONS

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 solid materials such as aggregate and cement at the Development.

Respecting Air Pollution Control Equipment

11. The Licencee shall not load or unload, convey, store, or otherwise handle or transport solid materials such as aggregate and cement at the Development where a pollution control device(s) has been proposed for the control of emissions into the atmosphere from that process, unless the pollution control device(s) is properly maintained in accordance with the manufacturer's recommendations, and is fully operational.
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.
13. 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.

Respecting Air Emission Sampling and Analysis

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 programme, 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 pursuant to 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 submit to the Director, within 90 days of the issuance of this licence, a detailed plan which is acceptable to and approved by the Director, for the collection and treatment of wastewater generated at the Development. The plan shall identify how the wastewater will be collected and stored prior to reuse.
19. The Licencee shall base the plan referred to in Clause 18 on the recommendations listed in Chapter Three entitled Water Management in the document "Environmental Management Practices for Ready Mixed Concrete Operations in Canada" published by the Canadian Ready Mixed Concrete Association, dated May 2004, or latest edition.
20. The Licencee shall construct all containment structures for the storage, evaporation or treatment of wastewater in such a manner that any containment structure includes an impermeable membrane.
21. 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.
22. 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.

Respecting Dangerous Goods

23. The Licencee shall store and handle all gasoline and associated products on site at the Development in accordance with the provisions of Manitoba Regulation 188/2001 R.

Respecting Solid Waste

24. The Licencee shall not dispose of sludge or solid wastes, either on-site or off-site, generated from any activity at the Development, except in a manner which has received the approval of the Director.

Respecting Emergency Planning

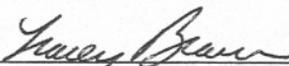
25. The Licencee shall submit to the Director for approval, within 90 days of the date of this Licence, a contingency plan, in accordance with the Manitoba Industrial Accidents Council (MIAC) *Industrial Emergency Response Planning Guide*, outlining procedures to be used in the event of a leak, spill,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

Respecting Closure of Development

26. The Licencee shall, in the event that the Development is to be permanently closed as a concrete batch plant, or is offered for sale, conduct an investigation, to the satisfaction of the Director, to identify any contamination that may have resulted from the operation of the Development.
27. The Licencee shall, where the investigation referred to in Clause 26, of this Licence, shows that contamination of the environment has occurred, submit a remediation proposal to the Director and, upon approval of this proposal by the Director, the required remediation shall be carried out by the Licencee.

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, 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.



Tracey Braun, M. Sc.
Director
Environment Act

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