

Environment Act Licence

Manitoba
Environment



Licence No. 1939
Issue Date October 24, 1994

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

THIS LICENCE IS ISSUED TO:

ROBERT STUTSKY O/A VIPERTECH RECYCLED AUTO SALVAGE;
"the Licencee"

for the operation of the Development being an auto/truck parts resale facility located at River Lots 13, 14 & 15 Parish of St. Andrews, in the Industrial Park in the Rural Municipality of St. Andrews, and subject to the following specifications, limits, terms, and conditions:

DEFINITIONS

"**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**" means a dimensionless measure of sound level or sound pressure level, where,
$$\text{sound level} = 20 \log_{10} \text{sound pressure(actual)} / \text{sound pressure (reference)};$$

"**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 on the sound being measured;

"**Leq(1)**" means the Leq for a one hour period;

"**motor vehicle**" means a vehicle not run upon rails that is designed to be self-propelled or propelled by electric power obtained from overhead trolley wires, and includes a snow vehicle capable of registration under subsection 5(13), of The Highway Traffic Act, but does not include a farm tractor, a self-propelled implement of husbandry, a special mobile machine, or an off-road vehicle;

"**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) 5dB for such one-third octave band with a centre 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) 8dB for such one-third octave band with a center frequency of 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) 15dB 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 SPECIFICATIONS

1. The Licencee shall ensure that a high standard of equipment maintenance, good housekeeping and operational practices are carried out with respect to the operation of the Development, at all times.
2. The Licencee shall erect a solid fence around the perimeter of the Development to a minimum height of six feet. This fence shall have a locking gate which shall remain locked at all times other than to gain access to the Development. The fence shall be constructed of such material which will not allow a view into the Development and shall be erected in a time frame approved by the Director.
3. The Licencee shall within 30 days of the date of this Licence submit a plan for review by the Director detailing the plans for the management of motor vehicles at the Development. This shall include details regarding the number, duration and storage details for motor vehicles.

LIMITS, TERMS, AND CONDITIONS

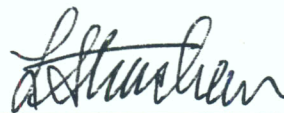
4. The Licencee shall ensure that all fluids are removed from the parts of the motor vehicles containing the fluids prior to the dismantling of these parts.
5. The Licencee shall ensure that all fluids collected from the motor vehicles are stored in appropriate containers which are clearly marked as to the contents of the container. These containers shall be constructed of a material which will prevent fluids from leaking out, and shall have a method of securing the lid to prevent spillage.
6. The Licencee shall ensure that the draining of the motor vehicle fluids is conducted on a surface which is impervious to the fluids and which is capable of collecting and containing all spilled fluids. No fluid draining or collection shall occur outside unless prior approval of the Director is obtained.
7. The Licencee shall ensure that all fluids classified as hazardous wastes pursuant to Manitoba Regulation 282/87 are collected and stored separate from the non hazardous wastes.

8. The Licencee shall ensure that all batteries removed from the motor vehicles, if indoors, are stored in a separate storage area. This area shall have a ventilation device and signs placed in conspicuous areas indicating access to authorized personnel only.
9. The Licencee shall ensure that batteries in the storage area are not stored more than three battery heights. Corrugated cardboard or similar material shall be placed between consecutive layers of batteries.
10. The Licencee shall ensure that an effective neutralizing material, in sufficient quantities to clean up a spill, is stored in the battery storage area in a conspicuous location.
11. The Licencee shall ensure that all hazardous wastes are removed from the development by a licensed transporter and transported to a licensed facility capable of disposing of such wastes. All manifests and duly completed records shall remain on the property for inspection by an Environment Officer.
12. 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 Leq(1) limits:
 - i)
 - 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.
13. 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, or agricultural, exceeds the following Leq(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.
14. 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 industrial, exceeds an Leq(1) of 70 dBA at any time.

15. The Licencee shall ensure that all tires removed from the motor vehicles are stored in accordance with current Manitoba Environment Guidelines.
16. The Licencee shall ensure that no stacks of parts for resale or storage are visible above the height of the perimeter fence.
17. The Licencee shall, within 30 days of the date of this Licence, post a permit bond issued by a surety company licensed to carry on business in Manitoba, irrevocable letter of credit, or other security with the Manitoba Department of Environment, to the satisfaction of the Director, in the amount of \$5,000.00. This security and renewals thereof shall remain in place for the duration of the Development. The Director may order forfeiture of the security, either in whole or in part, by giving written notice to that effect to the Licencee, upon the Director being satisfied that the Licencee is in breach of any term of this Licence, or for reimbursement of any costs or expenses incurred by the Province in rectifying environmental damage caused or contributed to by the Development.
18. The Licencee shall ensure that no open burning occurs within the property of the Development.
19. The Licencee shall ensure that all motor vehicles or parts of the motor vehicles are stored or placed within the property line of the Development.

REVOCATION

If in the opinion of the Director the Licencee has exceeded or is exceeding the specifications, limits, terms, and conditions set out herein, the Director may revoke, temporarily or permanently, this Licence.



**Larry Strachan, P. Eng.
Director
Environment Act**

File No.: 3842.00