



Conservation

Environmental Stewardship Division
Environmental Assessment and Licensing Branch
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FAXED

CLIENT FILE NO.: 3490.00

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 Agricore United Environment Act Licence No. 1603 R to Viterra. Enclosed is Revised Environment Act **Licence No. 1603 RR** 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 Darcy Chrisp at (204) 239-3187.

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.

- c: B. Gillespie, Regional Director, Central Region, Conservation
- c: D. Chrisp, Environment Officer, Conservation
- c: R.M. of Grey

NOTE: Confirmation of Receipt of this Licence No. 1603 RR (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****

Manitoba
spirited energy

LICENCE

Licence No. / Licence n° 1603 RR

Issue Date / Date de délivrance October 9, 1992

REVISED : August 25, 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 10(1) / Conformément au Paragraphe 10(1)

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

VITERRA – FANNYSTELLE; “the Licencee”

for the construction and operation of the Development being a crop protection products storage warehouse and handling facility, bulk granular fertilizer storage and blending facility, and liquid fertilizer storage including all related activities, at Lot 1, Plan 28397, S1/2 15-9-3 WPM at Fannystelle, in the Rural Municipality of Grey and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this Licence,

“appreciable impulsive 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;

“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;

“dB” (decibel) means a dimensionless measure of sound level or sound pressure level, where,
$$\text{sound level} = 20 \log_{10} \frac{\text{sound pressure (actual)}}{\text{sound pressure (reference)}};$$

“chemical” includes but is not limited to pesticides and fertilizers, but excludes petroleum products used in the operation of machinery;

“Director” means the Director of The Environment Act;

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“4 minute period(s) in the aggregate” means any 16 readings, not necessarily contiguous, taken at 15 second intervals within a 1 hour sampling period;

“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 in the sound being measured;

“Leq(1)” means the Leq for a one hour period;

“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 a Development where pollutants are ducted into the atmosphere;

“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 SPECIFICATIONS

1. The Licencee shall comply with the current edition of the Crop Protection Institute of Canada's warehousing standards regarding the handling and storage of crop protection chemicals, and with any applicable federal or provincial regulations.
2. The Licencee shall ensure that a high standard of equipment maintenance and good housekeeping and operational practices are carried out with respect to the Development, at all times.
3. The Licencee shall provide and maintain for the approval of the Director an approved facility emergency response contingency plan, including proposed actions in response to potential accidents related to the operation of the Development (including fires).
4. The Licencee shall ensure that an automatic system for fire detection and security is provided and maintained.

LIMITS, TERMS AND CONDITIONS

I - EMISSIONS

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 time beyond the property line of the Development.
 - ii) opacity from any point source of the Development shall equal or exceed:
 - a) 20 percent for a 4 minute period(s) in the aggregate in any one hour; or
 - b) 40 percent at any time.
6. The Licencee shall not discharge any liquid beyond the property line of the Development as a result of:
 - i) any on-site chemical spill;
 - ii) wastewater generated from any response action due to onsite release of chemicals; or
 - iii) contaminated water resulting from fire extinguishing.
7. The Licencee shall ensure that no spillage, contaminated run-off or pollutant is directed to a sewage disposal system.
8. The Licencee shall, at the request of the Director, conduct soil analysis and/or ground water analysis around the Development to ensure that there is no build up or off property movement of pollutants.
9. 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 9 (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; or
 - ii) when subjective evaluation or measurements indicate that the sound has an appreciable impulsive 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.

10. 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.

II - CHEMICAL STORAGE / HANDLING

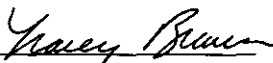
11. The Licencee shall surface all areas of the Development where chemicals are stored, loaded, blended, transferred or otherwise handled, in a manner and using materials approved by the Director.
12. The Licencee shall grade or curb all areas where chemicals are stored, loaded, blended, transferred or otherwise handled such that all product spillage and contaminated run-off water from these areas is contained within the Development.
13. In case of dispute as to the areas referred to in Clauses 11 and 12 the Directors decision shall be final.
14. The Licencee shall ensure that any chemical spills are contained and cleaned up immediately to prevent soil contamination and reduce possibility of surface run off into ground and/or surface waters.
15. The Licencee shall maintain a list and inventory, onsite and offsite, of all chemical materials stored at the Development.
16. The Licencee shall ensure that only pesticides registered under the Pest Control Products Act of Canada are stored at the Development.
17. The Licencee shall ensure that the above ground liquid fertilizer tanks are surrounded by a containment dike with a minimum height of 60 cm., and the diked area shall be so designed, constructed and maintained to retain not less than 110 % of the capacity of the largest tank within the diked area.
18. The Licencee shall ensure that:
 - a) i) the base and inside walls of the dike are covered with an approved impermeable resistant liner or with a minimum 15 cm layer of homogenous, compacted soil with a coefficient of permeability to water of at least 10^{-7} cm/sec; and
 - ii) the impermeable layer shall be covered with at least 15 cm of gravel or crushed rock; or
 - b) i) the dike shall be constructed of concrete or masonry extending to a depth of at least 45 cm below grade and joined to the impermeable base in a manner capable of preventing infiltration at the dike-base interface; and
 - ii) the interior of the diked area is graded to a collection sump in one corner to facilitate removal of accumulated liquid.

III - STORAGE LOCATION

19. The Licencee shall locate the Development a minimum distance of:
- i) 100 meters from any property zoned residential;
 - ii) 100 meters from single residences unless a written consent form is obtained from owner;

REVOCAATION

- A. This Licence replaces Licence No. 1603 R which is hereby rescinded.
- B. If in the opinion of the Director the Licencee has exceeded, or is exceeding any of the specifications, limits, terms or conditions set out herein, the Director may revoke, temporarily or permanently, this Licence.



Tracey Brauh, M. Sc.
Director
Environment Act

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