

Environmental Stewardship Division  
Environmental Approvals Branch  
123 Main Street, Suite 160, Winnipeg, Manitoba R3C 1A5  
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www.gov.mb.ca/conservation/eal

**CLIENT FILE NO.: 5814.00**

July 22, 2016

Tony Teixeira  
JMT Holdings Inc.  
3000 Main Street  
West St Paul MB R2V 4Z3

Dear Mr. Teixeira:

Enclosed is **Environment Act Licence No. 3186** dated July 22, 2016 issued to **JMT Holdings Inc.** for the installation and operation of the Development being a portable concrete and asphalt crushing/recycling plant and the construction of a bulk materials handling (recycling) facility at 60 Risque Ave in the Rural Municipality of Springfield, Manitoba, in accordance with the Proposal dated November 30, 2015, the additional information provided on March 11, 2016.

In addition to the enclosed Licence requirements, please be informed that all other applicable federal, provincial and municipal regulations and by-laws must be complied with. A Notice of Alteration must be filed with the Director for approval prior to any alteration to the Development as licensed.

For further information on the administration and application of the Licence, please feel free to contact Yvonne Hawryliuk, Environment Officer, at 204-945-5305.

Pursuant to Section 27 of *The Environment Act*, this licensing decision may be appealed by any person who is affected by the issuance of this Licence to the Minister of Sustainable Development within 30 days of the date of the Licence.

Yours truly,

***“original signed by”***

**Tracey Braun, M.Sc.**  
Director  
Environment Act

c: Don Labossiere, Donna Smiley, Yvonne Hawryliuk, Environmental Compliance and Enforcement  
Public Registries

**NOTE:** Confirmation of Receipt of this Licence No. 3186 (*by the Licencee only*) is required by the Director of Environmental Approvals. Please acknowledge receipt by signing in the space provided below and faxing a copy (letter only) to the Department by August 4, 2016.

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On behalf of JMT Holdings Ltd.

Date

# LICENCE

Licence No. / Licence n° 3186

Issue Date / Date de délivrance July 22, 2016

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 :

**JMT HOLDINGS INC.;**  
**"the Licencee"**

for the installation and operation of the Development being a portable concrete and asphalt crushing/recycling plant and the construction of a bulk materials handling (recycling) facility at 60 Risque Ave in the Rural Municipality of Springfield, Manitoba, in accordance with the Proposal dated November 30, 2015, the additional information provided on March 11, 2016, and subject to the following specifications, limits, terms and conditions:

### **DEFINITIONS**

In this Licence,

"**access road**" means a road that leads from a Provincial Trunk Highway, Provincial Road, or a municipal road;

"**accredited laboratory**" means an analytical facility accredited by the Standards Council of Canada (SCC), or accredited by another accrediting agency recognized by Manitoba Sustainable Development 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 or assigned Environment Officer in writing;

"**Closure Plan**" means a plan indicating the actions to be taken for the closure of the Development;

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

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

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

**"fugitive emissions"** means particulate matter escaping from sources within the Development into the atmosphere other than through any of the emission stacks or vents;

**"noise nuisance"** means an unwanted sound, in an affected area, which is annoying, troublesome, 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 members of the public;

if the unwanted sound

- 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 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 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 odour, smell or 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;

"**Post Closure plan**" means a plan indicating the actions to be taken for the care, maintenance, and monitoring of the Development after closure, that will prevent, mitigate, or minimize the threat to public health and the environment;

"**QA/QC**" means quality assurance/quality control;

"**solid waste**" means solid waste as defined in *Manitoba Regulation 37/2016*, or any future amendments thereto, respecting waste management facilities, excluding waste rock;

"**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. In addition to any of the limits, terms and conditions specified in this Licence, the Licencee shall, upon the request of the Director:
  - 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 pollutant(s) from the 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) have all analytical determinations undertaken by an accredited laboratory; and
  - d) report the results to the Director, in writing and in an electronic form acceptable to the Director, within 60 days of the samples being taken.
5. The Licencee shall carry out any remedial measures, modifications, or alterations, as deemed necessary by the Director, in respect to matters authorized under this Licence.
6. The Licencee shall provide notification for review by the Director of any proposed location for the operation of the concrete and asphalt crushing/recycling plant a minimum of twenty days prior to operation of the plant.
7. The Licencee shall submit all information required to be provided to the Director or Environment Officer under this Licence, in written and electronic format, in such form (including number of copies), and of such content as may be specified by the Director or Environment Officer, and each submission shall be clearly labelled with the Licence Number and Client File Number associated with this Licence.
8. The Licencee shall designate an employee, within 60 days of the date of issuance of this Licence, as the Licencee's Environmental Coordinator, whose job description will include assisting the Licencee in complying with the limits, terms and conditions in this Licence and assisting Senior Management of the Licencee to manage environmental issues at the Development. The name of the Environmental Coordinator shall be submitted in writing to the Director within 14 days of appointment and any subsequent appointment.

## **SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS**

### **Respecting Air Emissions – Limits**

9. The Licencee shall not emit particulate matter from the Development such that:
  - a) particulate matter:
    - i) 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;

- 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) opacity from any point source of the Development 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.
- 10. 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.
- 11. 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.

#### **Respecting Fugitive Air Pollution Control**

- 12. The Licencee shall prevent the entrainment of particulate matter into the air at the Development and on the access road resulting from the operation of vehicles or the transportation, storage or handling of aggregate or other material.
- 13. The Licencee shall manage the stockpiles of the raw or recycled materials in such manner as to minimize their size and dust emission.

#### **Respecting Air Emission Monitoring**

- 14. The Licencee, upon a written request from the Director, shall submit a detailed plan which is acceptable to and approved by the Director, for the sampling and analysis of potential air pollutants, released as stationary point and fugitive emissions, including any compounds determined by the Director. The plan shall identify the rationale for the sampling, the ways and means by which the sampling program will be implemented including any special measures or methods which would be necessitated by influencing factors such as unfavourable weather conditions, the need for large or additional sample volumes, the need for multiple sampling runs, the methods used for the sampling and the analysis for each compound, the detection level to be attained, a comprehensive QA/QC program, and other items as may be identified by the Director.
- 15. The Licencee shall arrange the scheduling of the sampling program approved pursuant to Clause 14 of this Licence such that a representative of Manitoba Sustainable Development is available to monitor and audit the implementation of the sampling program.

16. The Licencee shall complete the sampling of emissions according to the approved plan submitted pursuant to Clause 14 of this Licence, within a timeframe to be determined by the Director.
17. The Licencee shall submit a report, for the approval of the Director, of the completed sampling and analysis plan approved pursuant to Clause 14 of this Licence, within 60 days of the receipt of the analytical results of that sampling plan. The report shall contain at minimum:
  - a) the raw data collected;
  - b) a discussion of the sampling and analytical portions of the program including any anomalies of sampling and analysis; and
  - c) a discussion of the significance of the data gathered with specific attention to:
    - i) the significance for potential acute and chronic impacts to health or environment from exposure to concentrations of the compounds detected;
    - ii) the need for risk assessment of the impact of emissions;
    - iii) the need for the establishment of ambient air monitoring stations;
    - iv) the need for dispersion modeling of emissions;
    - v) results and conclusions of the QA/QC program; and
    - vi) other issues as may be determined by the Director.
18. The Licencee shall prepare, within 90 days of the issuance of this licence, and maintain a complaint handling plan that shall be kept at the Development and available for review upon request by an Environment Officer.
19. The Licencee, upon the written request of and in a timeframe stipulated by the Director, shall comply with any air emission or ambient air quality criteria specified by the Director for any pollutant of concern to the Director which has been identified pursuant to Clause 3, 9, or 17 of this Licence.

### **Respecting Chemical Storage and Spill Containment**

20. The Licencee shall provide containment for all vessels containing chemicals and in each area of the development where the chemicals are stored, loaded, transferred, used or otherwise handled, in compliance with the National Fire Code of Canada (2010), or any future amendment thereof, such that any product leakage or spillage and any contaminated liquid generated is contained within the Development and contamination of groundwater and surface water is prevented.
21. The Licencee shall, in a manner approved by the Director, remove and dispose of all spilled dangerous goods.

### **Respecting Wastewater**

22. 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**

23. The Licencee shall dispose of all solid waste generated from any activity at the Development, which is not recycled, only at a waste management facility operating under the authority of a permit issued pursuant to *Manitoba Regulation 37/2016* or any future amendment thereof, or a Licence issued pursuant to *The Environment Act*.

24. The Licencee shall not burn and/or bury any waste or unused materials at the site of the operation except in accordance with clause 23 of this licence.

### **Respecting Emergencies**

25. The Licencee shall, in the case of physical or mechanical equipment breakdown or process upset where such breakdown or process upset results or may result in the release of a pollutant in an amount or concentration, or at a level or rate of release, that causes or may cause a significant adverse effect, immediately report the event by calling the 24-hour environmental accident reporting line at 204-944-4888 (toll-free 1-855-944-4888). The report shall indicate the nature of the event, the time and estimated duration of the event and the reason for the event.

26. The Licencee shall, following the reporting of an event pursuant to Clause 25,

- a) identify the repairs required to the mechanical equipment;
- b) undertake all repairs to minimize unauthorized discharges of a pollutant;
- c) complete the repairs in accordance with any written instructions of the Director; and
- d) submit a report to the Director about the causes of breakdown and measures taken, within one week of the repairs being done.

27. The Licencee shall, within 60 days of the issue date of this licence, prepare and maintain an emergency response contingency plan in accordance with the Canadian Centre for Occupational Health and Safety “Emergency Response Planning Guide” or other emergency planning guidelines acceptable to the Director.

### **Respecting Closure of Temporary Locations**

28. Within one year prior to imminent closure of the Development, the Licencee shall submit, for the approval of the Director, a formal detailed Closure and Post-Closure Plan for the Development.



29. The Licencee shall implement and maintain the approved Closure and Post-Closure Plan.

**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 the Licencee has not commenced construction of the Development within three years of the date of this Licence, the Licence is revoked.
- C. If, in the opinion of the Director, new evidence warrants a change in the specifications, limits, terms or conditions set out in this Licence, the Director may require the filing of a new proposal pursuant to *The Environment Act*.

*“original signed by”*

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**Tracey Braun, M.Sc.**  
**Director**  
**Environment Act**

**Client File No.: 5814.00**