

# Environment Act Licence

## Loi sur l'environnement Licence

Manitoba  
Conservation  
Conservation  
Manitoba



Licence No./Licence n° 2705  
Issue Date/Date de délivrance October 11, 2005

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

**BOEING CANADA TECHNOLOGY LIMITED; "the Licencee"**

for the construction and operation of the Development being a fibre composite aircraft parts manufacturing facility, located at or near 1451 Saskatchewan Avenue in the City of Winnipeg, in accordance with Proposal filed under the Environment Act on April 29, 2005, and subject to the following specifications, limits, terms and conditions:

**DEFINITIONS**

In this Licence,

"affected area" means a geographical area, excluding the property of the Development;

"as-constructed drawings" means engineering drawings complete with all dimensions which indicate all features of the Development as it has actually been built;

"boiler" means any combustion equipment fired with fossil fuel, biomass or a by-product derived from fossil fuel, for the purpose of generating hot water or steam;

"carbon monoxide (CO)" means an inorganic compound comprised of one atom of carbon and one atom of oxygen;

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

"nitrogen oxides (NO<sub>x</sub>)" means the sum of nitric oxide (NO) and nitrogen dioxide (NO<sub>2</sub>) expressed collectively as a nitrogen dioxide equivalent;

"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

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

- c) present at a location in an affected area which is normally open to the 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 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;

**"point source"** means any point of emission from the Development where pollutants are ducted into the atmosphere;

**"stack"** means a duct, pipe, chimney, vent, opening or other structure through which pollutants are emitted to the atmosphere;

"waste(s)" means any matter, substance, or emission which is or has been created or emitted by the transportation, storage, treatment or handling of any product whatsoever and which is or should be intended for discard or disposal; 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 programmes.
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 sampling of, and preservation and analyses on, air samples in accordance with methodologies approved by the Director;
  - b) use an accredited laboratory or a laboratory approved by the Director for all analytical determinations; and
  - c) 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 carry out, as deemed necessary by the Director, any remedial measures or modifications in respect to matters authorized under this Licence.
7. The Licencee shall obtain approval in writing from the Director for any proposed alterations to the facility before proceeding with an alteration.

### LIMITS, TERMS AND CONDITIONS

#### Respecting Site Plans and Building Plans

8. The Licencee, within 60 days of the issuance of this Licence, shall submit to the Director:
  - a) engineered and scaled as-constructed drawings of the site of the existing Development sealed by a professional engineer registered with the Association of Professional Engineers and Geoscientists of the Province of Manitoba, showing and identifying by means of a legend: property boundaries, all existing buildings, roadways, storage areas, parking areas, sewer drains, off-site surface drainage discharge locations and other man made structures; and
  - b) engineered and scaled as-constructed drawings of the plant layout sealed by a professional engineer registered with the Association of Professional Engineers and Geoscientists of the Province of Manitoba, showing and identifying by means of a legend: all work stations and process areas, all equipment, all ductwork and all air emission control systems.

All drawings shall be of sufficient size, but no smaller than 11" by 17", so as to clearly identify all features including textual descriptions.

9. The Licencee, within 60 days of the completion of any significant change to any physical structure at the Development which could impact an emission, shall submit to the Director:
  - a) as warranted, updated engineered and scaled as-constructed drawings of the site of the existing Development sealed by a professional engineer registered with the Association of Professional Engineers and Geoscientists of the Province of Manitoba, showing and identifying by means of a legend existing and changed: property boundaries, buildings, roadways, storage areas, parking areas, sewer drains, off-site surface drainage discharge locations and other man made structures; and
  - b) updated engineered and scaled as-constructed drawings of the plant layout sealed by a professional engineer registered with the Association of Professional Engineers and Geoscientists of the Province of Manitoba, showing and

identifying by means of a legend existing and changed: work stations and process areas, equipment, ductwork and air emission control systems.

All drawings shall be of sufficient size, but no smaller than 11" by 17", so as to clearly identify all features including textual descriptions.

### Respecting Air Emissions

10. 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, 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) 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.
11. The Licencee shall, upon the written request of and in a timeframe stipulated by the Director, comply with any air emission or ambient air quality criteria specified by the Director for any pollutant of concern to the Director.
12. 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.
13. 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 The Operation of Boilers And Heaters

14. The Licencee, shall operate new or upgraded boilers or heaters, in compliance with the appropriate emission limits for nitrogen oxides and carbon monoxide contained in the most recent edition of the Canadian Council of Ministers of the Environment publication entitled "*National Emission Guideline For Commercial/Industrial Boilers And Heaters – Initiative N306*".

15. The Licencee shall only combust natural gas in boilers or heaters at the Development.

#### **Respecting Air Pollution Control Equipment**

16. The Licencee shall, within 30 days of the issuance of this Licence, or other time frame approved by the Director, submit for the Director's approval, a standard operating manual and a maintenance schedule for each air emission pollution control device or system based on the manufacturers recommendations.
17. The Licencee shall not operate any process 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 good judgement and the manufacturer's recommendations, and is fully operational.
18. The Licencee shall maintain a log book for all maintenance activities and all downtimes of all 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.
19. The Licencee shall handle, store and dispose of all pollutants collected by the air pollution control equipment in a manner suitable to their characterization as type of waste or dangerous good.

#### **Respecting Air Emission Sampling and Analysis**

20. The Licencee shall, upon written request from the Director, provide a stack or stacks including all necessary sampling facilities for the sampling of air emissions at the Development. The stack or stacks shall be provided:
  - a) at a location(s) and within a time frame satisfactory to the Director; and
  - b) to the specifications and in accordance with the most recent version of Manitoba Conservation Guideline No. 97-05, *Guideline for Stack Sampling Facilities*, unless otherwise approved by the Director.
21. The Licencee shall, within 60 days of the Director's written request, submit a plan which is acceptable to the Director for the characterization, sampling and analysis of emissions from any process at the Development.

22. The Licencee shall complete the sampling of emissions requested in Clause 21, of this Licence, in accordance with the approved plan and within a timeframe acceptable to the Director
23. The Licencee shall perform all stack sampling in accordance with the most recent version of Manitoba Conservation Report No. 96-07, *Interim Stack Sampling Performance Protocol*, unless otherwise approved by the Director.
24. The Licencee shall arrange the scheduling of the sampling program, submitted and approved pursuant to Clause 21, of this Licence, such that a representative of Manitoba Conservation is available to observe and audit the implementation of the sampling program.
25. The Licencee shall submit to the Director within 90 days of receipt of the analytical results of the sampling performed per Clause 21, 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 Ambient Air Monitoring**

26. The Licencee shall install, maintain and operate, at the request of the Director, an ambient air monitoring station(s) at a location or locations as specified by the Director. The station(s) shall be constructed, equipped, maintained and operated to specifications acceptable to the Director such that the ambient sampling of contaminants of interest to the Director will be conducted in a safe and proper manner.

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

27. The Licencee shall comply with all the applicable requirements of:
  - a) Manitoba Regulation 188/2001, or any future amendment thereof, respecting the *Storage and Handling of Petroleum Products and Allied Products*; and
  - b) Manitoba Fire Code, Regulation 163/98 of The Fire Prevention And Emergency Response Act (C.C.S.M. c. F80).
28. The Licencee shall provide containment for any chemicals or deleterious substance being stored at the Development.

#### **Respecting Solid Waste**

29. The Licencee shall dispose of all solid waste generated from any activity at the Development in a manner acceptable to the Director.

**Respecting Wastewater**

30. The Licencee shall discharge wastewater only to the City of Winnipeg sewage collection system.

**Respecting Emergency Planning**

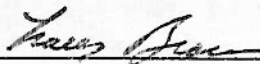
31. The Licencee, within 90 days of the issuance of this Licence, or other time frame approved by the Director, shall submit for approval of the Director, a contingency plan in accordance with the Manitoba Industrial Accidents Council (MIAC) *Industrial Emergency Response Planning Guide*, outlining procedures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

**Respecting Closure of Development**

32. The Licencee shall, in the event that the facility is to be permanently closed as a fibre composite aircraft parts manufacturing facility, 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.
33. 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.

  
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Tracey Braun, M. Sc.  
Director  
Environment Act