



Conservation

Climate Change and Environmental Protection Division
Environmental Assessment and Licensing Branch
123 Main Street, Suite 160, Winnipeg, Manitoba R3C 1A5
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Client File No.: 5481.00

Mr. John Penner
MacGregor Branch Manager
Munro Farm Supplies Limited
Box 520
MacGregor MB R0H 0R0

November 19, 2010

Dear Mr. Penner:

**Re: Munro Farm Supplies Ltd. – Anhydrous Ammonia Handling and Distribution Facility
Rural Municipality of North Norfolk**

Enclosed is **Environment Act Licence No. 2944** dated November 19, 2010 issued in accordance with *The Environment Act* to Munro Farm Supplies Limited located at NE 28-11-10 WPM in the Rural Municipality of North Norfolk, in accordance with the Proposal dated August 20, 2010 and additional information received on October 18, 2010.

Please be advised that the enclosed Licence conditions specifically concerning the set back distances for the placement of anhydrous ammonia vessels, are a variance to our current standards. The variances were determined to be acceptable with consideration that Munro Farm Supplies is currently subject to the Ammonia Code of Practice, and subsequently the additional requirements for emergency response planning for anhydrous ammonia vessels sited near populated areas (Cities, Towns, Villages or Hamlets) and sensitive evacuation areas (hospitals, schools or senior citizen homes). Any future plans to modify this Development, may be subject to a major alteration under *The Environment Act* and Munro Farm Supplies Limited will be required to develop in accordance with current anhydrous ammonia set back distances as defined by Manitoba Conservation at that time.

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.

For further information on the administration and application of this license Mr. Raymond Reichelt, A/District Supervisor, may be contacted by phone at (204) 239-3608.

Yours truly,

Tracey Braun, M. Sc.
Director
Environment Act

Enc.

c: Don Labossiere, Director, Environmental Operations
Public Registries

NOTE: Confirmation of Receipt of this Licence No. 2944 (*by the Licencee only*) is required by the Director of Environmental Assessment and Licensing. Please acknowledge receipt by signing in the space provided below and faxing a copy (letter only) to the Department by December 3, 2010.

On behalf of Munro Farm Supplies Ltd.

Date

LICENCE

Licence No. / Licence n° 2944

Issue Date / Date de délivrance November 19, 2010

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:

Munro Farm Supplies Limited - Rural Municipality of North Norfolk;
"the Licencee"

for the continued operation of an anhydrous ammonia storage and distribution facility located at NE 28-11-10 WPM in the Rural Municipality of North Norfolk.

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;

"**ambient concentration**" means the measurement of a substance contained in an air sample (corrected to a temperature of 25° C and to a pressure of 101.3 kilopascals), which has been collected from any point beyond the property line of the Development;

"**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 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; and

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;

"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;

"permanent anhydrous ammonia tank(s)" means any storage container certified for the storage of anhydrous ammonia which is attached to a fixed supporting structure;

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

"sewage" means household and commercial wastewater that contains human waste.

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, at all times during the operation of the Development, implement a high standard of equipment maintenance and operational practices.
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, prior to commencing construction of the Development, obtain all necessary approvals from Manitoba Infrastructure and Transportation and the Highway Traffic Board.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

Respecting Construction and Operation

4. The Licencee shall install a minimum 2.4 metre high fence surrounding the Anhydrous Ammonia Tank to discourage access to unauthorized persons.
5. The Licencee shall not locate any permanent anhydrous ammonia tank(s) used for the on-site storage of ammonia prior to redistribution, within:
 - a) 200 meters from residential areas, schools, hospitals, or other institutions;
 - b) 100 metres from a single isolated residence; or
 - c) 30 metres from the edge of the right of way of a highway.

Respecting Emissions

6. 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 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.
7. The Licencee shall not cause or permit a noise nuisance to be created as a result of the operation or alteration of the Development, and shall take such steps as the Director may require to eliminate or mitigate a noise nuisance.
8. 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.
9. 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) only utilize an accredited laboratory for analytical determinations; and
 - d) report the results to the Director within 60 days of the samples being taken, or within another timeframe as specified by the Director.
10. The Licencee shall submit a copy of the sampling report complete with analytical results as specified pursuant to Clauses 8 and 9 of this Licence, to the Director within 60 days of the completion of the sampling program.
11. The Licencee shall not emit ammonia from the Development such that the ambient concentration of ammonia in air is in excess of:
- a) 10 parts per million at any time when measured at any point beyond the property line of the development; or
 - b) 2 parts per million as an 1-hour average when measured at any point beyond the property line of development.
12. The Licencee shall contain on the Development:
- a) any on-site chemical spill;
 - b) waste water generated from any response action due to an on-site release of chemicals; and
 - c) contaminated water resulting from the extinguishing of any fire involving chemicals.
13. The Licencee shall clean up immediately any chemical spills in order to prevent soil, surface water or ground water contamination.
14. The Licencee, subject to obtaining approval from an Environment Officer, shall immediately dispose of any contaminated material in accordance with the approval.

15. The Licencee shall not direct any spillage, contaminated run-off or pollutant, other than sewage, to an approved sewage disposal system.

Respecting Emergency Response Planning

16. The Licencee shall submit, within ninety (90) days of the issuance of this Licence, an emergency response contingency plan to be approved by the Director. This plan shall include, but not be limited to, items which will address: measures implemented for spill prevention and containment; security; personnel training; fire and other response arrangements.
17. The Licencee shall during construction and operation of the Development:
- a) immediately report any reportable spills to Manitoba Conservation's Accident Reporting Line at (204) 945-4888, and
 - b) at the request of the Director, provide a follow-up report to the Director on a reportable environmental accident outlining the cause(s) and propose corrective action to prevent reoccurrence.

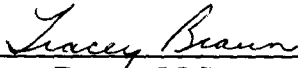
Respecting Site Decommissioning

18. The Licencee shall submit within one (1) year prior to closure of the facility, for the approval of the Director, a formal detailed Decommissioning Plan for the facility.
19. The Licencee shall implement, on closure of the facility, the approved Decommissioning 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, 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.

Client File No.: 5481.00



Tracey Braun, M.Sc.
Director
Environment Act

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Munro Farm Supplies Limited - Macgregor
PROPOSAL NAME: Munro Farm Supplies Limited - Macgregor
CLASS OF DEVELOPMENT: 1
TYPE OF DEVELOPMENT: Bulk Materials Handling Facility
CLIENT FILE NO.: 5481.00

OVERVIEW:

On August 26, 2010, Manitoba Conservation received a proposal dated August 20, 2010 for the continued operation of an anhydrous ammonia distribution facility to be located at NE 28-11-10 WPM within the Town of MacGregor, Manitoba in the Rural Municipality of North Norfolk.

The Department, on September 10, 2010, placed copies of the Proposal in the Public Registries located at 123 Main St. (Union Station), the Manitoba Eco-Network, the Millennium Public Library and the Portage la Prairie Public Library. Copies of the Proposal were also provided to the Technical Advisory Committee (TAC) members. A notice of the Environment Act proposal was also placed in the Portage Central Plains Herald on September 11, 2010. The newspaper and TAC notifications invited responses until October 11, 2010.

COMMENTS FROM THE PUBLIC:

No public responses were received.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Canadian Environmental Assessment Agency (CEAA) indicated the Department of Fisheries and Oceans (DFO) has not determined its interest in this project. When a formal response is received from DFO to CEAA, it will be provided in writing.

Health Canada (HC) determined it can provide expert advice related to human health if a written request is submitted to HC.

Disposition:

No action needed.

Conservation (Aboriginal Relations Branch)

No concerns.

Conservation (Parks and Natural Areas Branch)

No comments.

Conservation (Pollution Prevention Branch)

No comments.

Conservation (Sustainable Resource and Policy Management Branch)

No concerns.

Conservation (Wildlife and Ecosystem Protection Branch)

No concerns.

Water Stewardship reviewed the submitted proposal. The Department has the following comments:

Manitoba Water Stewardship recommends an *Environment Act* Licence to include the following requirements:

If the proposed development will result in an increase in runoff rate or volume, prior to beginning construction of the proposed development, the proponent is required to submit an application for a Water Rights Licence to Construct Water Control Works, including the submission of an engineered drainage plan, prepared by a Professional Engineer, registered to practice in the Province of Manitoba.

A contact person is Mr. Ed MacKay, C.E.T., Senior Water Resource Officer, Water Control Works and Drainage Licensing, Manitoba Water Stewardship, 1129 Queens Avenue, Brandon, Manitoba R7A 1L9, telephone: (204) 726-6226, email: ed.mackay@gov.mb.ca.

The Licencee shall develop and implement an Emergency Response Plan, including the following:

All potentially contaminated water from the site must be contained on the Proponent's property. Therefore, secondary containment must incorporate a gated culvert which must remain in the closed position unless authorized by Manitoba Conservation. Where there is a concern that accumulated water is contaminated, the liquid should be sampled prior to release.

Potentially contaminated water cannot be released until approval is obtained from Manitoba Conservation, after a review of water sample test results submitted from a laboratory accredited by the Canadian Association for Laboratory Accreditation Inc. (CALA; Internet address = <http://www.cala.ca>). Water samples shall be retrieved from any source on the Proponent's property, or adjacent properties that might have been contaminated.

Manitoba Water Stewardship submits the following comments:

Manitoba Water Stewardship does not object to this proposal, at this time.

The Manitoba Department of Water Stewardship is mandated to ensure the sustainable development of Manitoba's water resources. Manitoba Water Stewardship is committed to the goals of: protecting aquatic ecosystem health; ensuring drinking water is safe and clean for human health; managing water-related risks for human security; and stewarding the societal and economic values of our waterways, lakes and wetlands; for the best water for all life and lasting prosperity. Manitoba Water Stewardship achieves these goals, in part, through administering legislation, including *The Water Protection Act*, *The Water Rights Act*, and *The Water Power Act*.

The proponent needs to be informed that erosion and sediment control measures should be implemented until all of the sites have stabilized.

Disposition:

Comments were forwarded to the proponent for information and can be addressed via licence conditions.

PUBLIC HEARING:

No public hearing will be conducted.

RECOMMENDATION:

All provincial comments received on the Proposal can be addressed as licence conditions. Therefore, it is recommended that the Development be licensed under The Environment Act subject to the limits, terms and conditions as described on the attached Draft Environment Act Licence. It is further recommended that enforcement of the Licence be assigned to the Western Region.

Prepared by:

Krystal Penner
A/Manager
Pesticide/Fertilizer Section
October 27, 2010

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