



Conservation

Environmental Stewardship Division
Environmental Assessment and Licensing Branch
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www.gov.mb.ca/conservation/eal

FAXED

CLIENT FILE NO.: 3517.00

July 22, 2009

Debbie Stratychuk
Cargill AgHorizons
300 – 240 Graham Avenue
Winnipeg MB R3C 4C5

Dear Ms. Stratychuk:

Enclosed is revised Environment Act Licence No. **1619 RRRR** dated July 22, 2009 issued in accordance with The Environment Act to **Cargill AgHorizons** for the continued operation of a grain elevator located on the SE¼ 29-36-27 in the Town of Swan River. The license was altered to reflect the decommissioning of the crop protection products warehouse and the dry bulk fertilizer blending/storage and distribution facilities.

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.

Please be advised that a decommissioning plan pursuant to Clauses 11 and 12 of the enclosed Environment Act License is required within one year of closure for the crop protection products warehouse and dry bulk fertilizer blending/storage and distribution facilities.

For further information on the administration and application of the Licence, please feel free to contact Environment Officer Krystal MacDougall at (204) 945-2819.

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. 1619 RRRR (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 Aug 6, 2009

On behalf of Cargill AgHorizons

Date

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

LICENCE

Licence No. / Licence n° 1619 RRRR

Issue Date / Date de délivrance January 7, 1993

Revised : January 11, 1999

Revised : August 12, 2004

Revised : January 14, 2008

Revised : July 22, 2009

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) and 14(2) / Conformément au Paragraphe 10(1) et 14(2)

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

CARGILL AGHORIZONS - SWAN RIVER; "the Licencee"

for the operation of the Development being a grain elevator located on the SE¼ 29-36-27 WPM in the Town of Swan River, and in accordance with the Proposal filed under the Environment Act on October 15, 1992, and notice of alteration filed under The Environment Act on June 19, 2009, and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this Licence,

"**accredited laboratory**" means any facility accredited by the Standard Council of Canada (SCC); or facilities accredited by another accrediting agency recognized by Manitoba Environment to be equivalent to the SCC; or any facility able to demonstrate to Manitoba Environment, upon request, that it has the quality assurance/quality control (QA/QC) procedures in place equivalent to accreditation based on the Canadian Standard Can/CSA-Z753, extension of the international standard ISO 9000, Guide 25;

"**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;

"**chemical**" includes, but is not limited to petroleum products, fertilizers and pesticides;

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

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"**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 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;

"**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; and

"**sewage**" means human body, toilet, liquid, waterborne culinary, sink or laundry 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, ensure that a high standard of equipment maintenance and operational practices are implemented.
2. The Licencee shall reduce the production and dissemination of wastes by initiating and maintaining waste reduction and waste recycling programs.

Respecting Emissions

3. The Licencee shall not emit particulate matter from the Development such that:
particulate matter:
 - 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.
- 4. 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.
- 5. The Licencee shall not cause or permit an odour 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 eliminating or mitigating an odour nuisance.
- 6. The Licencee shall at the request of the Director, conduct soil, air, ground water, surface water or noise monitoring at or adjacent to the Development.
- 7. The Licencee shall, unless otherwise specified in this Licence, engage analytical determinations by an accredited laboratory for particulate matter (in air) as may be specified by the Director:
- 8. The Licencee shall submit a copy of the sampling report complete with analytical results as specified pursuant to Clauses 6 and 7 of this Licence, to the Director within 60 days of the completion of the sampling program.
- 9. The Licencee, subject to obtaining approval from an Environment Officer, shall immediately dispose of any contaminated material in accordance with the approval.
- 10. The Licencee shall not direct any spillage, contaminated run-off or pollutant, other than sewage, to an approved sewage disposal system.

Respecting Emergency Contingency Planning

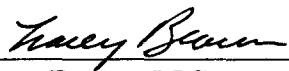
- 11. The Licencee shall submit, within ninety (90) days of the issuance of this Licence, an emergency response contingency plan to be approved by the Director. This plan shall include, but not be limited to, items which will address: measures implemented for spill prevention and containment; security; personnel training; fire and other response arrangements.

Respecting Site Decommissioning

12. 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.
13. The Licencee shall implement, on closure of the facility, the approved Decommissioning Plan.

REVIEW AND REVOCATION

- A. This Licence replaces Environment Act Licence No. 1619 RRR which is now hereby rescinded.
- B. 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.
- C. 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.



Tracey Braun, M.Sc.
Director
Environment Act

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