

Environment Act Licence Loi sur l'environnement Licence

Manitoba
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Licence No./Licence n° 1301 R

Issue Date/Date de délivrance August 28, 1989

Revised: October 15, 1997

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"

pursuant to section 14(2) of the Act for the construction and operation of the Development being a fibre composite aircraft parts manufacturing facility, located at or near 99 Murray Park Road in City of Winnipeg, in accordance with proposals submitted for the issuance of Licence No. 1301 on August 28, 1989, and subsequent submission dated June 18, 1997, and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this License,

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

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

"**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; 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 programs.
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) ensure that all analytical determinations are undertaken by an accredited laboratory or a laboratory approved by the Director; 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 notify the Director of an intended alteration of process, which may result in a significant change in the effects of the Development on the environment, prior to implementing such alteration.

LIMITS, TERMS AND CONDITIONS

Respecting Air Emissions

8. 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.
9. The Licencee shall not cause or permit a noise nuisance to be created as a result of the operation of the Development, and shall take such steps as the Director may require to eliminate or mitigate a noise nuisance.
10. The Licencee shall not cause or permit an odour nuisance to be created as a result of the operation of the Development, and shall take such steps as the Director may require to eliminate or mitigate an odour nuisance.

Respecting Air Pollution Control Equipment

11. 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.
12. The Licencee shall maintain records, for the most recent 2 year period, for all air pollution control equipment indicating:
 - a) dates of inspection;
 - b) maintenance performed; and
 - c) any other actions taken.

Respecting Air Emission Sampling and Analysis

13. The Licencee shall construct stacks, at the request of the Director and in such location(s) and to specifications as may be requested by the Director, for the sampling of emissions.
14. The Licencee shall install stack-sampling facilities, at the request of and in a manner satisfactory to the Director, at any or all stack(s) discharging from any process. These facilities shall include proper sampling ports, sampling platforms, access to the sampling platforms, access to electrical power sufficient to operate sampling equipment and other additional items as are deemed necessary by the Director to assure that a safe and proper emission sampling program may be undertaken.
15. The Licencee shall submit, within 30 days of the Director's written request, a proposal for the characterization, sampling and analysis of emissions from any process at the Development.
16. The Licencee shall complete the sampling of emissions requested in Clause 15 to the satisfaction of the Director and no later than 60 days from the date the proposal is approved.
17. The Licencee shall complete the requirements of Clauses 15 and 16 within 120 days of the date of the Director's written request as per Clause 15.
18. The Licencee shall submit to the Director within 60 days of receipt of the analytical results of the sampling performed in Clause 15, a report that discusses the characterization, sampling and analysis project and the results of that project. 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

19. 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 Wastewater

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

Respecting Emergency Planning

21. The Licencee shall submit to the Director for approval, within 120 days of the date of this Licence, a contingency plan, in accordance with National Standard of Canada CAN/CSA-Z731-95 Emergency Planning for Industry, outlining procedures to be used in the event of a leak, spill, fire, or other hazardous condition at the Development.

REVIEW AND REVOCATION

- A. This Licence replaces Licence No. 1301 which is 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.



Larry Strachan, P. Eng.
Director
Environment Act

Client File No.: 3009.00