



Environment and Climate Change

Environmental Approvals Branch
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EABDirector@gov.mb.ca

File No.: 3499.10

February 17, 2026

Devon Hillyer
General Manager
Region Operations - Canada
Nutrien Ag Solutions (Canada) Inc.
PO Box 770
Regina SK S4P 3A8
devon.hillyer@nutrien.com

Dear Devon Hillyer:

**Re: Nutrien Ag Solutions (Canada) Inc. - Ninga - Environment Act Licence
No. 1611 RRRR**

Please find enclosed the Environment Act Licence in response to your proposal dated June 10, 2025. You proposed upgrading your existing operations in Ninga by relocating two dry fertilizer operations—one from Gladstone and another from a Nutrien site in Ninga—to an existing operation at SE 06-03-18 WPM in the Municipality of Killarney-Turtle Mountain.

All licence requirements and federal, provincial, and municipal regulations and by-laws must be followed. The licensee must get approval from the director per The Environment Act to alter the development.

In addition to clause 15 of the licence, you are required to obtain, prior to construction a Traffic Impact Study (TIS) required by Manitoba Transportation and Infrastructure and submit it to trafficimpactstudy@gov.mb.ca.

Anyone affected by this decision may appeal, in writing, to the Minister of Environment and Climate Change at minecc@manitoba.ca by March 19, 2026. The licence is available on the public registry at <https://www.gov.mb.ca/sd/eal/registries/index.html>.

If you have any questions regarding this approval, please contact Kayla Hagenson, Acting Regional Supervisor, Environmental Compliance and Enforcement Branch at EnvCEWestern@gov.mb.ca or 204-648-4794.

Sincerely,

Original Signed By
Agnes Wittmann
Director
The Environment Act

Enclosure

- c. Kayla Hagenson – Environmental Compliance and Enforcement
Donna Garcia – Environmental Approvals

LICENCE

File No.: 3499.10

Licence No. / Licence n°: 1611 RRRR
Issue Date / Date de délivrance : November 3, 1992
Revised : August 24, 2004
Revised : May 16, 2008
Revised : November 3, 2015
Revised : February 17, 2026

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)

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

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

Nutrien Ag Solutions (Canada) Inc. - Ninga; "the licensee"

for the construction, upgrade, continued operation, and maintenance of the development being a bulk material handling facility, bulk anhydrous ammonia storage, agrichemical warehouse and dry fertilizer plant located at SE 06-03-18 WPM in the Municipality of Killarney-Turtle Mountain and in accordance with the proposal filed under The Environment Act on August 4, 1992 and additional information on December 22, 2014; and in accordance with the proposal information filed under The Environment Act on July 10, 2025, and additional information dated September 22, 2025 and subject to the following specifications, limits, terms, and conditions:

DEFINITIONS

In this licence,

"accredited laboratory" means an analytical facility accredited by the Standards Council of Canada (SCC), or accredited by another accrediting agency recognized by Manitoba Environment and Climate Change 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;

"agrichemical warehouse" means any building(s) where pest control products are stored for either commercial or retail purposes;

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

"approvals branch" means the Environmental Approvals Branch of Manitoba Environment and Climate Change, or any future branch responsible for issuing licences under The Environment Act;

"approved" means approved by the director or assigned environment officer in writing;

"approved facility" means a facility operating in accordance with the requirements of The Environment Act and the regulations;

"chemical" includes, but is not limited to petroleum products, fertilizers and pest control products;

"closure plan" means a plan indicating the actions to be taken for the closure of the development;

"dangerous good" means a product, substance or organism as defined in The Dangerous Goods Handling and Transportation Act, or any future amendments;

"director" means an employee so designated under The Environment Act;

"environment officer" means an employee so designated under The Environment Act;

"hazardous waste" means a product, substance or organism as defined in The Dangerous Goods Handling and Transportation Act, or any future amendments;

"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 is

- d) 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;

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

"pest control product" means any product as defined in the federal Pest Control Products Act;

"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;

"pollutant" means a pollutant as defined in The Environment Act;

"secondary containment area" means, for an Agrichemical Warehouse (or crop protection products warehouse), an area designed and constructed to contain any liquids, including chemicals and fire water, resulting from a significant event such as a fire, and prevents the release of pollutants beyond the containment area;

"solid waste" means solid waste as defined in the Waste Management Facilities Regulation, or any future amendments;

"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.

"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

Retain Copy of Licence

1. The licensee shall at all times maintain a copy of this licence at the development or at the premises from which the development's operations are managed.

Sampling

2. In addition to any of the limits, terms, and conditions specified in this licence, the licensee shall, upon the request of the director:

- a) sample, monitor, analyze, or investigate specific areas of concern regarding any segment, component or aspect of pollutant storage, containment, handling, treatment, and disposal systems, for such pollutants, ambient quality, aquatic toxicity, seepage characteristics, and discharge rates and for such duration and frequencies as may be specified;
 - b) determine the environmental impact associated with the release of any pollutant from the development;
 - c) conduct specific investigations in response to the data gathered during environmental monitoring programs; or
 - d) provide the director within such time as may be specified, with such reports, drawings, specifications, analytical data, bioassay data, flow rate measurements, and such other information as may from time to time be requested.
3. The licensee shall, unless otherwise specified in this licence:
- a) carry out all preservations and analyses of liquid samples in accordance with the methods prescribed in the 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, compost, 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 format acceptable to the director, within 60 days of the samples being taken.

Reporting Format

4. The licensee shall submit all information required to be provided to the director or environment officer under this licence, in writing, in such form (including number of copies), and of such content as may be required by the director or environment officer, and each submission shall be clearly labelled with the licence number and file number associated with this licence.

Odour Nuisances

5. The licensee 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.

Noise Nuisances

6. The licensee 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.

Environmental Accident Reporting and Equipment Breakdown

7. The licensee 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.
8. The licensee shall, following the reporting of an event pursuant to Clause 7,
 - 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.
9. The licensee shall, during construction and development, report spills of fuels or other contaminants to an environment officer in accordance with the requirements of the Environmental Accident Reporting Regulation or any future amendment.

Emergency Response Planning

10. The licensee shall prepare, within 90 days of the issuance of this licence, 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 document that - includes specific actions for spills that could affect shallow groundwater, incorporate groundwater risk assessment and include monitoring and contingency measures for subsurface contamination, that is acceptable to the director.

Emergency Response Planning – Anhydrous Ammonia Sites

11. The licensee shall prepare and maintain an emergency response contingency plan for the Anhydrous Ammonia components of the development. The plan shall be prepared in accordance with the most recent version of the "Fertilizer Safety & Security Council - Ammonia Code of Practice & Implementation Guide", shall conform with the Manitoba Fire Code and shall be developed in consultation with the local fire department.

Fire Reporting

12. The licensee shall, in the event of a fire that requires fire suppression assistance from personnel outside of the Facility (example: fire department):
 - a) immediately call the fire department; and
 - b) report the fire by calling the Environmental Emergency Report Line (204-944-4888 or toll free 1-855-944-4888), identifying the type of materials involved and the location of the fire.

Environmental Coordinator

13. The licensee shall designate an employee, within 60 days of the date of issuance of this licence, as the licensee's environmental coordinator, whose job description will include assisting the licensee in complying with the limits, terms and conditions in this licence and assisting Senior Management of the licensee 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.

Compliance With Other Acts and Regulations

14. The licensee shall comply with the requirements of The Heritage Resources Act and suspend construction and immediately notify the Historic Resources Branch if heritage resources are encountered during the construction of the development.
15. The licensee shall obtain all necessary provincial and federal permits and approvals for construction of relevant components of the development prior to commencement of construction.

SPECIFICATIONS, LIMITS, TERMS, AND CONDITIONS

Respecting Construction – General

16. The licensee shall notify the assigned environment officer not less than two weeks prior to beginning construction of the development. The notification shall include the intended starting date of construction and the name of the contractor responsible for the construction.
17. The licensee shall dispose of non-reusable construction debris from the development at a waste disposal facility operating under the authority of a permit issued under the Waste Management Facilities Regulation, or any future amendments, or a licence issued under The Environment Act.
18. The licensee shall, during construction and maintenance of the development, prevent the introduction and spread of foreign aquatic and terrestrial biota by cleaning equipment prior to its delivery to the site of the development in accordance with the requirements of the Aquatic Invasive Species Regulation, or any future amendments.
19. The licensee shall locate fuel storage and equipment servicing areas established for the construction and operation of the development a minimum distance of 100 metres from any waterbody and shall comply with the requirements of the Storage and Handling of Petroleum Products and Allied Products Regulation, or any future amendments.
20. The licensee shall, during construction and maintenance of the development, operate, maintain and store all materials and equipment in a manner that prevents any deleterious substances (fuel, oil, grease, hydraulic fluids, coolant, paint, uncured concrete, and concrete wash water, etc.) from entering the environment to the satisfaction of the director or environment officer, and have an emergency spill kit for in-water use available on site during construction.

21. The licensee shall dispose of non-reusable construction debris from the development at a waste disposal ground operating under the authority of a permit issued pursuant to the Waste Management Facilities Regulation, or any future amendment thereof, or a licence issued pursuant to The Environment Act.

Respecting the Operation of the Development

22. The licensee shall implement a high standard of equipment maintenance and good housekeeping and operational practices with respect to the development, at all times.
23. The licensee shall not direct pollutants into any surface drainage route leading off the property of the development or into the local groundwater.

Recycling

24. The licensee shall reduce the production and dissemination of wastes by initiating and maintaining waste reduction and waste recycling programs.

Respecting Chemical Storage and Spill Containment

25. The licensee shall provide containment for all vessels containing chemicals in each area of the development where the chemicals are stored, loaded, transferred, used, or otherwise handled, in compliance with the current Fire Code Regulation, 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.
26. The licensee shall prevent pollution of groundwater and surface water from any product leakage or spillage and any contaminated liquid generated on site.
27. The licensee shall store and handle all dangerous goods and chemicals in a manner acceptable to the director or environment officer.
28. The licensee shall comply with all the applicable requirements of:
 - a) Manitoba's Storage and Handling of Petroleum Products and Allied Products Regulation or any future amendment thereof;
 - b) The Dangerous Goods Handling and Transportation Act, and regulations issued thereunder, respecting the handling, transport, storage, and disposal of any dangerous goods brought onto or generated at the development; and
 - c) the Manitoba Fire Code Regulation.
29. The licensee shall construct a Safety plan that complies with Manitoba Fire Code, in consultation with the local fire department.

Respecting Granular Fertilizer Handling and Storage

30. The licensee shall surface, grade, dyke and/or curb all areas where granular fertilizer is stored, loaded, blended, transferred or otherwise handled with concrete or in a manner and using materials approved by the director, such that all product spillage and contaminated run-off water from these areas is contained.

Respecting Pest Control Products

31. The licensee shall meet or exceed the current guidelines for Agrichemical Warehousing Standards Association (AWSA) certification regarding the handling and storage of pest control products.
32. The licensee shall design and construct the secondary containment area for agrichemical warehouses such that it is protected with a minimum of 45 centimetres of compacted clay material or other materials approved by the director.
33. The licensee shall inspect the surface of the secondary containment area semi annually for desiccation cracks, so that the secondary containment area's continuity is maintained.
34. The licensee shall construct and maintain concrete floors with a minimum 10 centimetres retention curbing around the perimeter of all agrichemical warehouses so as to prevent spilled liquids from leaking into the soil.
35. The licensee shall install and maintain, for all agrichemical warehouses, an automatic system for fire detection and security.
36. The licensee shall create and maintain current duplicate inventories of all pest control products stored at the development, with one copy stored at the premises of the development, and the other copy stored at a location off-site from the development.
37. The licensee shall store only pest control products registered under the federal Pest Control Products Act at the development.
38. The licensee shall not mix pest control products or fill or re-fill pest control product containers at the development.
39. The licensee shall locate pest control products storage structures a minimum distance of:
 - a) 100 metres from any property zoned residential; and
 - b) 100 metres from single residences
 - c) unless a written consent form is obtained from the owner(s) and approved by the director.

Respecting Solid Waste

40. The licensee shall not undertake any on-site burning of solid waste.
41. The licensee shall minimize the generation of domestic solid waste and maximize, wherever possible, the collection and recycling of recyclable wastes generated through the operation of the development.
42. The licensee shall dispose of all solid waste generated at the development, which is not recycled, only to a waste disposal ground operating under the authority of a permit issued pursuant to the Waste Management Facilities Regulation, or any future amendment thereof, or a licence issued pursuant to The Environment Act.

Respecting Liquid Emissions

43. The licensee shall document all releases, spills, leaks or discharges of chemicals that occur within the development in an incident log. The incident log shall document at a minimum the date, time, chemical, estimated volume and the clean-up actions taken for each release, spill, leak or discharge. The incident log shall be updated within 24 hours of an incident occurrence and be made available at the request of an environment officer or director.
44. The licensee shall only remove or permit removal of storm water or surface water that has accumulated in the secondary containment area if there have been no documented releases, spills, leaks or discharges of chemicals (from the previous removal to the current). In the event a documented incident has occurred, the licensee must receive authorization from a designated environment officer or director prior to removal of any accumulated liquid. If any accumulated liquid may be contaminated, it shall be sampled and tested for appropriate parameters by an accredited laboratory prior to any request for removal.
45. The licensee shall not direct any spillage, contaminated run-off or pollutant, other than sewage, to an approved sewage disposal system.
46. The licensee shall contain and clean up immediately any pest control product or chemical spills in order to prevent soil, surface water or ground water contamination.
47. The licensee shall remediate, within a time frame stipulated by the director, all on and off-site environmental impacts as a result of any release of a chemical.

Respecting Wastewater and Surface Water Runoff

48. The licensee shall direct the domestic wastewater generated at the development toward the wastewater treatment lagoon or other approved wastewater treatment facilities.
49. The licensee shall contain all runoff from the development that is potentially contaminated and discharge only in a manner acceptable to the environment officer or the director.

Respecting Anhydrous Ammonia

50. The licensee 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 a 1-hour average when measured at any point beyond the property line of development.
51. The licensee shall meet or exceed the most recent version of the Fertilizer Canada Anhydrous Ammonia Code of Practice and possess a valid Certificate of Compliance.

MONITORING AND REPORTING SPECIFICATIONS

Respecting Groundwater Monitoring

52. The licensee shall submit to the director, within six months of the date of this licence, a compilation of a local well inventory and notification protocol for nearby well owners in case of a significant spill.
53. The licensee shall submit to the director for approval, within six months of the date of this licence, a comprehensive groundwater investigation and monitoring plan for the site of the development. The monitoring plan could be amended upon director's approval.

Monitoring Wells

54. The licensee shall establish and maintain a minimum of three monitoring wells around areas where granular fertilizer products are stored, loaded, blended, transferred or otherwise handled such that the ground water may be sampled. The location and the construction specifications of these wells are to be approved by the director.
55. The licensee shall install the monitoring wells referred to in Clause 54 of this licence and submit to the director a copy of the well logs at least six months within issuance of this licence.
56. The licensee shall sample each well referred to in Clause 54 of this licence:
 - a) within 30 days after installation and prior to the operation/storage phase; and
 - b) once each year between April 1 and July 31.
57. The licensee shall have each sample collected referred to in Clause 56 of this licence analyzed by an accredited laboratory using methods approved by the director for the following parameters:
 - a) fertilizers which have been stored at the development;
 - b) nitrate, ammonia, chloride, or hydrocarbons; and
 - c) any other parameters that may be specified by the director.
58. The licensee shall submit copies of the analytical results completed in Clause 57 of this licence to the director within 60 days of the samples having been submitted for analysis.

Respecting Alterations

59. The licensee shall notify the director and receive approval for any alterations to the development as licensed prior to proceeding with such alterations.

Respecting Closure and Post-Closure Plan

60. Within one year prior to imminent closure of the development, the licensee shall submit, for the approval of the director, a formal detailed Closure and Post-Closure plan for the development.
61. The licensee shall implement and maintain the approved Closure and Post-Closure plan.

Respecting Decommissioning

62. The licensee shall, at the request of the director, in the event that the development is permanently closed, conduct an investigation in accordance with "Environmental Site Assessments in Manitoba" (July 2023), to the satisfaction of the director, to identify any contamination which may have resulted from the operation of the development.
63. The licensee shall, where the investigation referred to in Clause 62 of this licence shows that contamination of the environment has occurred, submit a remediation proposal, within ninety (90) days, to the director and, upon approval of this proposal by the director, the required remediation shall be carried out by the licensee.

REVIEW AND REVOCATION

64. This licence replaces Licence No. 1611 RRR, which is hereby rescinded.
65. If, in the opinion of the director, the licensee has exceeded or is exceeding or has failed 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.
66. 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 under Section 10 of The Environment Act or request the filing of a Notice of Alteration.

Original Signed By
Agnes Wittmann
Director
The Environment Act