

File No.: 6055.00
Licence No.: 3335

August 10, 2020

Pierre-Olivier Sauvageau
Technical Advisor
Berger Peat Moss Ltd.
121 1 RR
Saint-Modeste, QC G0L 3W0

Re: The Environment Act Licence No. 3335

Dear Pierre-Olivier Sauvageau:

Enclosed is The Environment Act Licence No. 3335, issued to Berger Peat Moss Ltd. for the construction and operation of a bulk material handling facility to be located at 22054 Oakwood Road 64N, NW ¼ section 23-11-4 EPM, in the Rural Municipality of Springfield, Manitoba and in accordance with The Environment Act proposal filed on June 18, 2020, revised proposal submitted on July 17, 2020, and additional information submitted on June 29, 2020, July 2, 2020, July 17, 2020, and July 23, 2020.

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. A Notice of Alteration must be filed with the Director for approval prior to any alteration to the Development as licensed.

If you have any questions on this matter, please contact Nada Suresh, Acting Regional Supervisor, Environment Compliance and Enforcement at Nada.Suresh@gov.mb.ca or 204-945-8214.

Pursuant to Section 27 of The Environment Act, this licensing decision may be appealed by any person who is affected by the issuance of this licence to the Minister of Conservation and Climate within 30 days of the date of the licence.

Sincerely,

Originally signed by

Shannon Kohler, Director
The Environment Act

cc: Kristal Harman /Peter Crocker/Nada Suresh - Environmental Compliance and Enforcement
Jen Webb/Krystal Penner - Environmental Approvals
Public Registries

File No.: 6055.00

Licence No. / Licence n°

3335

Issue Date / Date de délivrance

August 10, 2020

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:

Berger Peat Moss Ltd.:
"the Licencee"

for the construction and operation of a bulk material handling facility to be located at 22054 Oakwood Road 64N, NW ¼ section 23-11-4 EPM, in the Rural Municipality of Springfield, Manitoba and in accordance with the Proposal filed under The Environment Act on June 18, 2020, revised proposal submitted on July 17, 2020, and additional information submitted on June 29, 2020, July 2, 2020, July 17, 2020, and July 23, 2020 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 Conservation and Climate 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;

"**approved**" means approved by the Director or assigned Environment Officer in writing;

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

"**dangerous goods**" means any product, substance or organism designated in the regulations, or conforming with the criteria set out in the regulations, or in any regulation adopted in accordance with The Dangerous Goods Handling and Transportation Act, and includes hazardous wastes;

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

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

"fugitive emissions" means particulate matter escaping from sources within the Development into the atmosphere other than through any of the emission stacks or vents;

"Industrial Services Agreement" means a signed and legally binding agreement, arrived at between the Licencee and a service provider that is an approved Industrial Sewage Treatment Facility under The Environment Act, the agreement outlines clear limits respecting the maximum daily and maximum weekly flow rates, as well as maximum daily and maximum weekly loading limits on such physical, chemical and biological parameters as may be requested by the Licencee and/or the service provider;

"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 noise 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

- 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;

"onsite wastewater management system" means all or part of a treatment system, holding system or management system for sewage, wastewater, greywater, wastewater effluent or septage, including but not limited to an aerobic treatment unit, a composting toilet system, a disposal field, a greywater pit, a holding tank, a septic tank, and a sewage ejector;

"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;

"peat" means as defined in The Peatlands Stewardship Act, or any future amendment thereof;

"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;

"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; and

"wastewater" means the spent or used water of a community or industry which contains dissolved and suspended matter.

TERMS AND CONDITIONS

1. The Licencee 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 and Analysis

2. 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) have all analytical determinations undertaken by an accredited laboratory; and
 - c) 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.

Additional Reporting

3. The Licencee shall, in addition to any of the following specifications, limits, terms and conditions specified in this Licence, upon the request of the Director:
 - 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 pollutant(s) 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, 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.

Reporting Format

4. The Licencee shall submit all information required to be provided to the Director or Environment Officer under this Licence, in written and electronic format, 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 labeled with the Licence Number and File Number associated with this Licence.

SPECIFICATIONS, LIMITS AND CONDITIONS

Odour

5. 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.

Noise

6. 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.
7. The Licencee shall:
 - a) within 90 days of the onset of operation, submit a noise emission sampling and analysis plan for the Director's approval; and
 - b) implement the plan approved pursuant to Clause 7 a) of this Licence within the first year of operation.

8. The Licencee shall submit, for the Director's approval, a report of the completed sampling and analysis plan approved pursuant to Clause 7 a) of this Licence within 60 days of the receipt of the analytical results of that sampling plan.

Complaints

9. The Licencee shall, within 60 days of the issuance of this Licence, submit a complaint management plan to the Director for approval.
10. The Licencee shall manage all complaints in accordance with the plan approved pursuant to Clause 9 and include in the annual report a summary of the complaints received and the actions taken in response to each complaint.

Additional Permits

11. The Licencee shall obtain all necessary municipal, provincial and federal permits and approvals for construction of relevant components of the Development prior to commencement of construction.

Maintenance

12. The Licencee shall, at all times during the operation of the Development, implement a high standard of equipment maintenance and operational practices.

Recycling

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

Heritage Resources

14. The Licencee 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.

Environmental Coordinator

15. The Licencee shall designate an employee, within 14 days of the date of issuance of this Licence, as the Licencee's Environmental Coordinator, whose job description will include assisting the Licencee in complying with the limits, terms and conditions in this Licence and assisting Senior Management of the Licencee 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.

Environmental Accident Reporting

16. The Licencee 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.
17. The Licencee shall, following the reporting of an event pursuant to Clause 16,
 - 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 7 days of the repairs being done.
18. The Licencee shall in the event of a fire which continues in excess of thirty (30) minutes or requires implementation of the Emergency Response Contingency Plan or requires fire suppression assistance from personnel outside of the Development (e.g., fire department):
 - a) call the fire department; and
 - b) report the fire by calling the 24 hour Environmental Emergency Report Line 204-944-4888 (toll free 1-855-944-4888), identifying the type of materials involved and the location of the fire.

General Operations

19. The Licencee shall ensure that vehicles transporting materials to the Development are covered to prevent the spread of peat or other material on transportation routes and the surrounding areas.
20. The Licencee shall comply with all the applicable requirements of:
 - a) Manitoba Regulation 83/2003, or any future amendment thereof, respecting onsite wastewater management systems;
 - b) Manitoba Regulation 188/2001, or any future amendment thereof, respecting the storage and handling of petroleum products and allied products;
 - c) Manitoba Regulation 126/87, or any future amendment thereof, respecting water rights;
 - d) The Dangerous Goods Handling and Transportation Act C.C.S.M. c. D12 and regulations, or any future amendment thereof issued, respecting the handling, transport, storage and disposal of any dangerous goods and/or hazardous wastes brought onto or generated at the Development; and
 - e) The Manitoba Office of the Fire Commissioner.

Sealing of Unused Wells

21. The Licencee shall identify and seal any unused and abandoned wells on the property. A sealed well report must be filed for with the Groundwater Management Section as per The Groundwater and Water Well Act and Regulation.

Operations Manual

22. The Licencee shall develop and maintain an Operations Manual within 90 days of the onset of operation of the Development, that shall be made available for review upon request by an Environment Officer, which is to contain information regarding all aspects of the Development, which is to include but not limited to the following:
 - a) operational parameters and objectives;
 - b) incident tracking and reporting parameters;
 - c) dust and litter control procedures;
 - d) vector control procedures;
 - e) methodologies and processes for all sampling (surface water, air);
 - f) surface water management, monitoring and sampling schedule;
 - g) identification of operational records to be maintained; and
 - h) any additional information as required by the Director.
23. The Licencee shall implement the Operations Manual developed pursuant to Clause 22 of this Licence.

Rodent or Vector Control

24. The Licencee shall implement control measures and a pest control program at the Development to prevent attraction and sustenance of pests, rodents or vectors and shall take such steps as the Director or Environment Officer may require to eliminate or mitigate any pest, rodent or vector infestation.

Mitigating Erosion and Runoff

25. The Licencee shall, with respect to on-site earthen construction works, construct and maintain sedimentation ponds in the drainage routes transporting surface runoff off the property of the Development.
26. The Licencee shall submit to the Director, within six (6) months of the date of this Licence, a Landscaping Plan, as approved by the Rural Municipality of Springfield, that includes information respecting the establishment of physical and visual buffers of the operations at the Development to adjacent properties. This plan shall include but not be limited to construction of berms, tree plantings, vegetation of exposed soils, and landscaping, and include timeframes for completion of each component of the plan. The plan shall be reviewed with the Community Liaison Committee as per Clause 61.
27. The Licencee shall develop the landscaping in accordance with the Landscaping Plan submitted to the Director pursuant to Clause 26 of this Licence.

Surface Water

28. The Licencee shall operate and maintain all surface water courses to minimize odour, pests and sedimentation within the waterways, and to maximize nutrient reduction.
29. The Licencee shall manage surface water, both impacted and non-impacted, at the Development to prevent uncontrolled release from the Development.

Operation – Material Storage Areas

30. The Licencee shall operate any and all material storage areas in a manner to prevent windblown waste, litter, odour generation, fire and other hazards, as well as preventing spills from contaminated runoff.

Wastewater

31. The Licencee shall submit a detailed report to the Director within 30 days of the issuance of this Licence confirming that any existing onsite wastewater management systems intended to be used at the Development are operating adequately and meet the requirements of the Onsite Wastewater Management Systems Regulation 83/2003 and the Supplementary Information Manual (2010) or any future amendment thereof.
32. The Licencee shall, prior to installing the holding tank system(s) for the wastewater at the Development, enter into and maintain an Industrial Services Agreement for receiving and providing treatment of the wastewater from the holding tank system(s) at a licensed wastewater treatment facility.
33. The Licencee shall provide the Director with a copy of the Industrial Services Agreement specified in Clause 32, upon being signed by all parties and provide the Director with a copy of any future revised Industrial Services Agreements.
34. The Licencee shall notify the Department in the event the maximum daily wastewater flow rate to the onsite wastewater management systems exceeds 10 cubic metres, to determine if an Environment Act Licence Proposal for a Class II Development as per the Classes of Development Regulation 164/88 is required for managing wastewater under The Environment Act.

Solid Waste

35. The Licencee shall dispose of solid waste at a waste management facility operating under the authority of a permit issued pursuant to the Waste Management Facilities Regulation 37/2016, or any future amendment thereof, or a licence issued pursuant to The Environment Act.

Maintain Records

36. The Licencee shall, unless otherwise specified by this Licence, retain all records relating to this Licence during the full life of operation of the Development, and after closure for

such period of time as may be specified by the Director. Records may be transferred from their original form to other accepted forms for information storage.

37. The Licencee shall keep for inspection by an Environment Officer operating and monitoring records at the Development site office including the following:
- a) an accurate record of all wastewater pumped and hauled from the holding tank system(s), including the number of loads on a monthly basis, the volume of each load, the name of the registered sewage hauler, and the name and location of the licensed wastewater treatment facility to which the wastewater was transferred for treatment;
 - b) an accurate record of the total daily flow rate of domestic wastewater from the mixing plant into the onsite wastewater management system;
 - c) all monitoring, testing and analytical data generated;
 - d) details of all incidents requiring the implementation of the contingency action plan; and
 - e) all complaints received and actions taken.

Annual Report

38. The Licencee shall, unless otherwise approved by the Director, on or before the 15th day of March of each year, prepare an annual report with respect to all activities at the Development conducted pursuant to this Licence during the previous calendar year. The report shall be submitted in a format acceptable to the Director and contain at minimum:
- a) a summary of the records from Clause 37 of this Licence;
 - b) summary report of complaints received including but not limited to noise, air emissions, odour or pests;
 - c) a summary report of any fires within the development requiring notification as per Clause 18; and
 - d) a summary of volumes of peat received and processed at the Development.

Air Pollution Control Equipment

39. The Licencee shall direct all air streams that contain a pollutant(s) of concern to the Director to a pollution control device which has been designed for and demonstrated to be capable of reducing, altering, eliminating or otherwise treating the pollutant(s).
40. Prior to commissioning of the Development, the Licencee shall prepare and maintain the following manuals which shall be kept at the Development and available for review upon request by an Environment Officer:
- a) a standard operating procedural manual and a maintenance schedule for each air emission pollution control device based on the manufacturer's specifications and recommendations;
 - b) an updated standard operating procedural manual and a maintenance procedure for each air emission pollution control device within 120 days of the addition, elimination or change regarding any air emission control device; and
 - c) a copy of the manufacturer's operational and maintenance manual.

41. The Licencee shall not operate any process directing an emission to an air pollution control device at the Development unless:
- a) the operating and maintenance measures and status of the device are in full compliance with the procedures and timetables as per Clause 40;
 - b) all emissions from the process are directed to the fully operational air pollution control device;
 - c) all discharges of treated emissions from the air pollution control devices are immediately directed to a stack; and
 - d) the emissions do not contain concentrations of pollutants which:
 - i) are in violation of any other applicable legal instrument including an Act, Regulation or by-law; or
 - ii) otherwise create a significant negative environmental or health impact in the affected area.
42. The Licencee shall maintain a log of the most recent 24 month period to record any downtime of an air pollution control device due to either the breakdown or maintenance of that air pollution control device. The log 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 information:
- a) identification of the air pollution control device and the process(es) it serves;
 - b) time/date of log entry;
 - c) nature of event;
 - d) time and duration of event;
 - e) action taken;
 - f) the accumulated downtime of this air pollution control device for the events for each calendar year; and
 - g) approval by the Environmental Coordinator.
43. 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.

Air Emissions Limits

44. 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 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) 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.

45. The Licencee shall prevent the entrainment of particulate matter into the air at the Development resulting from the operation of vehicles or the transportation, storage or handling of peat or other material.

Air Emission Sampling and Analysis

46. The Licencee shall:
- a) within 90 days of the onset of operation, submit an air emission sampling and analysis plan for the Director's approval; and
 - b) implement the plan approved pursuant to Clause 46 a) of this Licence within the first year of operation.
47. The Licencee shall submit, for the Director's approval, a report of the completed sampling and analysis plan approved pursuant to Clause 46 a) of this Licence, within 60 days of the receipt of the analytical results of that sampling plan.
48. The Licencee, upon written request from the Director, shall 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 and Climate Guideline, Guideline for Stack Sampling Facilities, unless otherwise approved by the Director.
49. The Licencee, upon a written request from the Director, shall submit a detailed plan which is acceptable to and approved by the Director, for the sampling and analysis of potential air pollutants, released as stationary point and fugitive emissions, including any compounds determined by the Director. The plan shall identify the rationale for the sampling, the ways and means by which the sampling program will be implemented including any special measures or methods which would be necessitated by influencing factors such as unfavourable weather conditions, the need for large or additional sample volumes, the need for multiple sampling runs, the methods used for the sampling and the analysis for each compound, the detection level to be attained, a comprehensive QA/QC program, and other items as may be identified by the Director.
50. The Licencee shall arrange the scheduling of the sampling plan, approved pursuant to Clause 49 of this Licence, such that a representative of Manitoba Conservation and Climate is available to monitor and audit the implementation of the sampling program.

51. The Licencee shall complete the sampling of emissions according to the approved plan submitted pursuant to Clause 50 of this Licence, within a timeframe to be determined by the Director.
52. The Licencee shall submit a report, for the approval of the Director, of the completed sampling and analysis plan approved pursuant to Clause 49 of this Licence, within 60 days of the receipt of the analytical results of that sampling plan. The report shall contain at minimum:
 - a) the raw data collected;
 - b) a discussion of the sampling and analytical portions of the program including any anomalies of sampling and analysis; and
 - c) a discussion of the significance of the data gathered with specific attention to:
 - i) the significance for potential acute and chronic impacts to health or environment from exposure to concentrations of the compounds detected;
 - ii) the need for risk assessment of the impact of emissions;
 - iii) the need for the establishment of ambient air monitoring stations;
 - iv) the need for dispersion modeling of emissions;
 - v) results and conclusions of the QA/QC program; and
 - vi) other issues as may be determined by the Director.

Chemical Storage and Spill Containment

53. The Licencee shall ensure chemical storage containers incorporate secondary containment satisfactory to an Environment Officer.
54. The Licencee 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 National Fire Code of Canada (2015), 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 is prevented.
55. The Licencee shall, in a manner approved by the Director, remove and dispose of all spilled dangerous goods or hazardous wastes.

Liquid Emissions

56. The Licencee 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.

57. The Licencee 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 Licencee 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.
58. The Licencee shall not direct any spillage, contaminated run-off or pollutant, to an approved onsite wastewater management system.
59. The Licencee 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.

Inventory

60. The Licencee shall create and maintain current duplicate inventories of all chemicals and additives 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.

Community Liaison Committee

61. The Licencee shall establish a Community Liaison Committee to advise on matters related to the planning, construction and operation of the Development. The Committee shall include representation from the Rural Municipality of Springfield, Manitoba Conservation and Climate, and local residents. The structure of the Committee and its terms of reference shall be as described in the attached Schedule A.

Emergency Response Planning

62. The Licencee shall prepare 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 acceptable to the Director.

Alterations and Decommissioning

63. The Licencee shall obtain approval, in writing, from the Director for any proposed alteration or expansion to the Development which is likely to cause a significant environment effect or could affect compliance with any Clause(s) of this Licence, before proceeding with the alteration.

64. The Licencee 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", (June 2016), or any future amendment thereof, to the satisfaction of the Director, to identify any contamination which may have resulted from the operation of the Development.
65. The Licencee shall, where the investigation referred to in Clause 64 of this Licence shows that contamination of the environment has occurred, submit a remediation proposal within sixty (60) days 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 construction of the Development is not commenced within three years of the date of this Licence, the Licence is revoked.
- 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.

Originally signed by

Shannon Kohler, Director
The Environment Act

Schedule A

Community Liaison Committee

Representation

The Community Liaison Committee for the Berger Peat Moss Ltd. Development in the Rural Municipality of Springfield shall consist at minimum of the following representatives:

Berger Peat Moss Ltd. - Chair

Rural Municipality of Springfield

Citizen Representatives – two (2) members

Manitoba Conservation and Climate – Environmental Compliance and Enforcement Branch

The Citizen Representatives must reside directly adjacent to the Berger Peat Moss Ltd. Development in the Rural Municipality of Springfield and be appointed by the Chair. The chair may assign the selection of Citizen Representatives to the Rural Municipality of Springfield.

A secretary will be assigned by the Chair to record discussion and decisions for each meeting when the meeting is called to order.

Representative of the Environmental Approvals Branch of Manitoba Conservation and Climate may attend committee meetings as an observer but will not be a member of the committee.

Terms of Reference

The Committee shall meet as required by planning, construction and operational activities but not less frequently than twice a year for the first five years. The first meeting shall occur within six (6) months of the issuance of this Licence; following construction, meeting frequency is determined by the Committee.

The Chair of the Committee shall:

1. Notify Manitoba Conservation and Climate 14 days prior of the time and location of the meeting;
2. Develop an agenda for each meeting with input from the Committee and circulate the agenda at least 7 days prior to each meeting;
3. Document minutes from the meetings and submit the minutes to an Environment Officer within thirty days following a meeting called by the Chair.

The Committee shall provide advice to the Licencee and the Director respecting the following:

1. Measures to mitigate the impact of construction activities on the local environment;
2. Measures to mitigate the impact of operational activities on the local environment.