



Conservation and Climate

Environmental Approvals Branch
1007 Century St
Winnipeg MB R3H 0W4
T 204 945-8321 F 204 945-5229
www.gov.mb.ca/sd

File No.: 6057.00

December 16, 2021

Feisal Somji
CanWhite Sands Corp.
Suite 2650, 645 7th Ave. S.W.
Calgary, AB T2P 4G8
info@viviansandproject.com

Dear Feisal Somji:

Re: Environment Act Licence No. 3367

Enclosed is Environment Act Licence No.3367, issued to CanWhite Sands Corp. for the construction and operation of the development being a silica sand processing facility located on private land in the R.M. of Springfield.

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 conditional use agreement with the R.M. of Springfield is required prior to the construction and operation of the development. Additionally, a notice of alteration must be filed with the director for approval prior to any alteration to the development as licensed.

The issuance of this licence does not imply nor infer any future approval of the proposed CanWhite Sands silica sand extraction project.

Should you have any questions regarding this approval, please contact Nada Suresh, Regional Supervisor, Environmental Compliance and Enforcement Branch, at Nada.Suresh@gov.mb.ca or 204-945-8214.

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, pursuant to section 27 of The Environment Act.

Sincerely,

Original Signed by

Laura Pyles
Acting Director

- c. Kristal Harman, Yvonne Hawryliuk, Nada Suresh - Environmental Compliance and Enforcement
Siobhan Burland Ross, Jennifer Winsor - Environmental Approvals
Public Registry

LICENCE

File No.: 6057.00

Licence No. / Licence n°: **3367**

Issue Date / Date de délivrance : **December 16, 2021**

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 11(1) / Conformément au Paragraphe 11(1)

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

CANWHITE SANDS CORP.; "the Licensee"

for the construction and operation of the CanWhite Sands Sand Processing Facility, a 1,360,000 tonnes per year silica sand processing facility located on private land within sections NE-32-10-8E1, SE-32-10-8E1, SW-32-10-8E1, NW-29-10-8E1, and NE-29-10-8E1 in the Rural Municipality of Springfield in accordance with the Proposal filed under The Environment Act on July 2, 2020 and additional information dated September 10, 2020 and October 8, 2020 and a notice of alteration dated January 22, 2021 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;

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

"day" or "daily" means any 24-hour period;

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

"effluent" means wastewater flowing or pumped out of the sand processing facility;

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

"Environmental Management System (EMS)" means the part of the overall management system that includes organizational structure, planning activities, responsibilities, practices, procedures, processes, and resources for developing, implementing, achieving, reviewing and maintaining the environmental policy;

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

"holding tank" means a watertight receptacle, conforming to the requirements of the latest edition of Canadian Standards Association (Association) Standard B66-10, Prefabricated Septic Tanks and Sewage Holding Tanks, and bearing a valid stamp or mark indicating certification by the Association, designed to retain wastewater, greywater or wastewater effluent;

"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

- 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 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;

"opacity" means the degree to which emissions reduce the transmission of light and obscure the view of an object in the background;

"PM₁₀" means particulate matter that is 10 micrometres (μm) or less in diameter;

"PM_{2.5}" means particulate matter that is 2.5 micrometres (μm) or less in diameter;

"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 emitted to the atmosphere by means of a stack;

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

"process wastewater" means a liquid stream, containing or comprised of process water or any chemicals used by the Development, which is designated for release into the environment;

"record drawings" means engineering drawings complete with all dimensions which indicate all features of the Development as it has actually been built;

"sand processing facility" means the main sand processing facility structure;

"SDS" means safety data sheets;

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

"solid waste" means solid waste as defined in Waste Management Facilities Regulation, or any future amendments thereto, respecting waste disposal grounds, excluding waste rock;

"stack" means a duct, pipe, chimney, vent, opening or other structure through which pollutants are emitted to 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;

"visible emissions" means any air-borne particulate matter which obscures visibility;

"waste disposal ground" means an area of land designated by a person, municipality, provincial government agency, or crown corporation for the disposal of waste and approved for use in accordance with Waste Management Facilities Regulation, or any future amendments thereto, or a Licence pursuant to The Environment Act;

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

"wastewater collection system" means the sewer and pumping system used for the collection and conveyance of domestic, commercial and industrial wastewater; and

"WHMIS" means Workplace Hazardous Materials Information System.

GENERAL TERMS AND CONDITIONS

This section of the Licence contains requirements intended to provide guidance to the Licensee 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.

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.

Future 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 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.

3. The Licensee 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, 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 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.

Land Agreements

5. The Licensee shall acquire any necessary land agreements prior to constructing the Development.

Equipment Breakdown

6. 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.
7. The Licensee shall, following the reporting of an event pursuant to Clause 6,
 - 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.

Safety and Security

8. The Licensee shall continually maintain an up-to-date inventory of any process and cleaning chemicals used and/or stored on-site that would be captured by any applicable federal/provincial WHMIS regulations and protocols, and make this information and applicable SDS sheets available to an Environment Officer upon request.
9. The Licensee shall prepare, within 90 days of the date of 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 guidelines acceptable to the Director.
10. The Licensee shall implement and continually maintain in current status, an Environmental Management System (EMS) for the Development which is acceptable to the Director.

Fire Reporting

11. The Licensee shall, in the event of a fire which continues in excess of thirty (30) minutes or requires fire suppression assistance from personnel outside of the Facility (example: fire department):
 - a) 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.

On-Site Wastewater

12. The Licensee shall comply with the provisions of the Onsite Wastewater Management Systems Regulation or any future amendment thereto.

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.

Future Studies

14. The Licensee shall actively participate in any future watershed based management study, plan or nutrient reduction program, approved by the Director.

Respecting Complaint Handling

15. The Licensee shall, prior to operation of the development:
 - a) submit a complaint handling plan for approval by the Director;
 - b) manage all complaints in accordance with the approved plan; and
 - c) maintain complaint records at the Development and make available for review upon request by an Environment Officer.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

Respecting Construction - General

16. The Licensee shall notify the designated Environment Officer not less than two weeks prior to beginning any construction at the Development. The notification shall include the intended starting date of construction and the name of the contractor(s) responsible for the construction.
17. The Licensee shall obtain all necessary federal, provincial and/or municipal licences, authorizations, permits and/or approvals for construction of relevant components of the Development prior to commencement of construction.

18. The Licensee shall, with respect to on-site earthen construction works, construct and maintain silt fences in the drainage routes transporting surface runoff off the property of the Development until vegetation has been re-established on the disturbed areas.
19. 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 Waste Management Facilities Regulation, or any future amendment thereof, or a Licence issued pursuant to The Environment Act.
20. 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.
21. The Licensee shall, during construction at 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 watercourses, and have an emergency spill kit for in-water use available on site during construction.

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:
 - a) reclaim and recycle as much spent water and process water as possible to supply the process water demands of the silica sand processing facility; and
 - b) store excess process water in an on-site surface tank.
24. The Licensee shall not direct pollutants into any surface drainage route leading off the property of the Development or into the local groundwater.
25. The Licensee shall:
 - a) maintain the moisture content of the sand stockpiles to prevent sand migration on and off the Development site;
 - b) conduct regular visual inspections of the sand stock piles to confirm adequate moisture content and lack of sand migration; and
 - c) implement mitigation measures at the Development should the moisture content be insufficient to mitigate sand migration.

Respecting Chemical Storage and Spill Containment

26. The Licensee shall install and maintain spill recovery equipment at the Development at all times.
27. The Licensee shall comply with all the applicable requirements of:
 - a) The Storage and Handling of Petroleum Products and Allied Products Regulation;
 - 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 Office of the Fire Commissioner – Province of Manitoba.
28. 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.

Respecting Air Pollution Control Devices

29. The Licensee shall direct all air streams, which 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).
30. The Licensee shall prepare, prior to commissioning of the facility for operation, 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 operational and maintenance manual.
31. The Licensee 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 30;
 - 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.
32. The Licensee 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 of the Environmental Coordinator.
33. The Licensee 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.

Respecting Air Emissions

34. The Licensee 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 five 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.

35. 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.
36. 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 specify to eliminate or mitigate a noise nuisance.

Respecting Air Emissions – Monitoring, Source Sampling, Analysis, Reporting

37. The Licensee shall, upon written request by the Director, provide and maintain 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.
38. The Licensee, upon a written request from the Director, shall submit a detailed plan for any area of the Development 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.
39. The Licensee shall perform all stack sampling in accordance with the most recent version of Manitoba Conservation and Climate Report No. 96-07, Interim Stack Sampling Performance Protocol, unless otherwise approved by the Director.
40. The Licensee shall arrange the scheduling of the sampling program submitted pursuant to Clause 38 of this Licence such that a representative of Manitoba Conservation and Climate could be available to monitor and audit the implementation of the sampling program.
41. The Licensee shall complete the sampling of emissions according to the approved plan submitted pursuant to Clause 38 of this Licence, within a timeframe to be determined by the Director.

42. The Licensee shall submit a report, for the approval of the Director, of the completed sampling and analysis plan approved pursuant to Clause 38 of this Licence, within 90 days of the receipt of the analytical results of that sampling plan. The report shall contain at minimum:
- a) the raw data collected;
 - b) calculation of emission rates for all parameters;
 - c) a discussion of the sampling and analytical portions of the program including any anomalies of sampling and analysis; and
 - d) 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.
43. The Licensee shall:
- a) 90 days prior to operation of the development, prepare and submit to the Director for approval:
 - i) a Dust Management Plan; and
 - ii) an Ambient Particulate Matter Monitoring Program; and
 - b) implement the Dust Management Plan and Ambient Particulate Matter Monitoring Program in accordance with the Director's approval.

Respecting Solid Wastes

44. The Licensee shall not undertake any on-site burning of solid waste.
45. 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.
46. 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 Dangerous Goods or Hazardous Waste

47. The Licensee shall not release dangerous goods or hazardous wastes into the wastewater collection system.

48. The Licensee shall collect, transport and store used oil or hydraulic fluids removed from on-site machinery in secure, properly labeled, non-leaking containers and shall regularly send them to a recycling or disposal facility approved to accept hazardous wastes.

Respecting Wastewater

49. The Licensee shall operate the Development in such a manner that:
- a) all domestic wastewater and sewage is directed toward the onsite holding tanks; and
 - b) all wastewater from the onsite holding tanks is removed regularly by a Licensed hauler to a wastewater treatment facility operated under the authority of a Licence issued under The Environment Act.
50. The Licensee shall direct all surface water collected by the drain system beneath the sand stockpiles to the process wastewater stream to be recycled within the Development.

Respecting Compliance

51. The Licensee shall submit a Notice of Alteration and obtain Director's approval for proposed changes to the Development as licensed prior to implementing any changes.
52. The Licensee shall adhere to the commitments made in the Proposal and in additional information submitted during the environmental assessment review and approved pursuant to this licence during construction and operation of the Development.

MONITORING AND REPORTING

Respecting Air Quality Monitoring

53. The Licensee shall submit, upon the written request and for the approval of the Director, a program for:
- a) the sampling, analysis and reporting of levels of pollutants, as determined by the Director, at a selected location(s) beyond the property boundaries of the Development; and
 - b) the location, installation and operation of a meteorological monitoring station.

54. The Licensee shall:

- a) implement the program approved pursuant to Clause 53 of this Licence within a timeframe stipulated by the Director; and
- b) submit a report within 60 days of the receipt of the analytical results of the sampling program pursuant to Clause 53 of this Licence for the approval of the Director containing at minimum:
 - i) the raw data collected;
 - ii) a discussion of the sampling and analytical portions of the program including any anomalies of sampling and analysis; and
 - iii) a discussion of the significance of the data gathered with specific attention to:
 - a) the significance for potential acute and chronic impacts to health or environment from exposure to concentrations of the compounds detected;
 - b) the need for risk assessment of the impact of emissions;
 - c) the need for the establishment of ambient air monitoring stations;
 - d) results and conclusions of the QA/QC program; and
 - e) other issues as may be determined by the Director.

Respecting Operation Monitoring

55. The Licensee shall during each year maintain the following records:

- a) visual inspections of sand stock piles;
- b) volume of silica sand processed;
- c) process wastewater volumes recycled within the Development;
- d) process wastewater volumes stored in the onsite surface tank;
- e) maintenance and repairs; and
- f) other reporting as requested by the Director.

56. The Licensee shall submit an annual report to the Environment Officer by February 28 of the following year including all records required by Clause 55 of this Licence.

Insurance and Financial Assurance

57. The Licensee shall prepare, within 6 months of the date of this licence, a remediation and closure plan assessment, satisfactory to the Director, that includes, but is not limited to, the following:

- a) estimated cost to assess the impacts of the development to soil and groundwater;
- b) estimated cost to remediate impacts of the development identified in the assessment referred to in clause 57 a); and
- c) estimated cost to decommission the development.

58. The Licensee shall maintain and post with Manitoba Conservation and Climate, in the amount determined in Clause 57 of this Licence:
- a) a permit bond issued by a surety company licensed to do business in the Province of Manitoba;
 - b) an irrevocable letter of credit; or
 - c) another acceptable security satisfactory to the Director.

This permit bond, irrevocable letter of credit, or other security and renewals thereof shall remain in place for the duration of the operation and decommissioning of the facility. The Director may order forfeiture of the permit bond, irrevocable letter of credit, or other security, either in whole or in part, by giving written notice to that effect to the Licensee, upon the Director being satisfied that the Licensee is in breach of any specification, limit, term or condition of this License, or for reimbursement of any costs or expenses incurred by the Province of Manitoba in rectifying environmental damage caused or contributed to by the operation of the facility.

59. The Licensee shall, every five years or more frequently at the Licensee's preference or the request of the Director, carry out a review of the assessment completed pursuant to Clause 57 of this licence and accordingly update the amount of the permit bond, irrevocable letter or credit or other security required by Clause 58 of this licence.
60. The Licensee shall maintain a valid Environmental Impairment Liability insurance providing coverage subject to a minimum limit of \$1,000,000 Cdn per occurrence or claim, including coverage for gradual, and sudden and accidental pollution. Coverage to include on-site and off-site clean up costs, and be placed with insurers satisfactory to the Province of Manitoba. The Province of Manitoba is to be added as an Additional Insured on the policy. The policy shall contain a clause stating that the Insurer will give Manitoba 60 days prior written notice in case of a reduction in coverage or policy cancellation.

Closure and Post Closure

61. 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.
62. The Licensee shall implement and maintain the approved Closure and Post-Closure Plan.

Record Drawings

63. The Licensee shall:

- a) prepare "record drawings" for the Development and shall label the drawings "Record Drawings"; and
- b) provide to the Director, within one year from the date of this Environment Act Licence, two electronic copies of the "record drawings".

REVIEW AND REVOCATION

- A. If, in the opinion of the Director, the Licensee 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 the Licensee has not commenced construction of the Development within three years of the date of this Licence, the Licence is revoked.
- 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 11 of The Environment Act.

Original Signed by

Laura Pyles
Acting Director