



Environment, Climate and Parks

Environmental Approvals Branch

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www.manitoba.ca

File No.: 6156.00

January 24, 2023

Jordan Boon

Future Transfer Co. Inc.

281 Tillson Avenue, Tillsonburg ON N4G 5X2

jordan.boon@futuretransfer.com

Dear Jordan Boon:

**Re: Future Transfer Co. Inc. – Bulk Materials Handling Facility
Environment Act Licence No. 3388**

Please find Environment Act Licence No. 3388 enclosed. The licence allows Future Transfer Co. Inc. to construct and operate a bulk material handling facility.

Future Transfer Co. Inc. must run the facility according to all licence requirements and federal, provincial, and municipal regulations and by-laws. Future Transfer Co. Inc. must have approval from a director under The Environment Act to alter the development as licensed.

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

Any person affected by the issuance of this licence may appeal this decision to the Minister of Environment, Climate and Parks. Appeals may be submitted in writing to the Minister at minecp@leg.gov.mb.ca by February 23, 2023.

Sincerely,

Original Signed by

James Capotosto
Director

Enclosure

c. Nada Suresh
Krystal Penner
Public Registry

THE ENVIRONMENT ACT
LOI SUR L'ENVIRONNEMENT
LICENCE



File No.: 6156.00

Licence No. / Licence n°: **3388**
Issue Date / Date de délivrance : **January 24, 2023**

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:

10125512 MANITOBA LTD. o/a FUTURE TRANSFER CO. INC.; "the licensee"

for the construction and operation of a bulk material handling facility including an agrichemical warehouse, handling and storage facilities located at 1 Warman Road in the City of Winnipeg in accordance with the Environment Act proposal dated September 29, 2022, additional information provided on December 8, 2022, 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, Climate and Parks 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;

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

"ambient concentration" means the measurement of a substance contained in an air sample (corrected to a temperature of 25°C and to a pressure of 101.3 kilopascals), which has been collected from any point beyond the property line of the development;

"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 property into the atmosphere other than through any of the emission stacks or vents;

"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;

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

"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;

"QA/QC" means quality assurance/quality control;

"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;

"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.

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.

Sampling and Analysis

2. 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) 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 licensee 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 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.

SPECIFICATIONS, LIMITS AND CONDITIONS

Odour

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

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.

Additional Permits

7. The licensee 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

8. The licensee shall, at all times during the operation of the development, implement a high standard of equipment maintenance and operational practices.

Recycling

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

Heritage Resources

10. 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.

Environmental Accident Reporting

11. 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.
12. The licensee shall, following the reporting of an event pursuant to clause 11,
 - 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.
13. The licensee 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 reporting line at 204-944-4888 (toll free 1-855-944-4888), identifying the type of materials involved and the location of the fire.

General Operations

14. The licensee shall comply with all the applicable requirements of:
 - a) Manitoba Regulation 188/2001, or any future amendment thereof, respecting the Storage and Handling of Petroleum Products and Allied Products;
 - b) Manitoba Regulation 126/87, or any future amendment thereof, respecting water rights;

- c) 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;
- d) The Manitoba Office of the Fire Commissioner; and
- e) The Manitoba Fire Code 155/2011, or any future amendment thereof.

Sealing of Unused Wells

15. The licensee 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 Well Act and Regulation.

Solid Waste

16. The licensee 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.

Pest Control Products

17. 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.
18. 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.
19. The licensee shall inspect the surface of the secondary containment area semiannually for desiccation cracks, so that the secondary containment area's continuity is maintained.
20. The licensee shall install and maintain, for all agrichemical warehouses, an automatic system for fire detection and security.
21. 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.
22. The licensee shall store only pest control products registered under the federal Pest Control Products Act at the development.
23. 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,
- unless a written consent form is obtained from the owner(s) and approved by the director.

24. The licensee shall surface, grade, dyke, and/or curb all areas where liquid pesticides and ingredients are 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.
25. The licensee shall provide containment within any curbed liquid pesticide and ingredient tank farm storage area for a volume of liquid equal to 110% of the volume of the largest storage tank located therein.
26. The licensee shall maintain the containment area volume capacity of clause 24 of this licence by the immediate removal and disposal, in a manner approved by an environment officer, of all accumulated fluids.

Chemical Storage and Spill Containment

27. The licensee shall ensure chemical storage containers incorporate secondary containment satisfactory to an environment officer.
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 Manitoba Fire Code, 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.
29. The licensee shall, in a manner approved by the director, remove and dispose of all spilled dangerous goods or hazardous wastes.

Liquid Emissions

30. 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.
31. 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.
32. The licensee shall not direct any spillage, contaminated run-off or pollutant, to an approved onsite wastewater management system.
33. 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 Air Emissions – Limits

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 per cent 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 per cent 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 control, by methods acceptable to the director or environment officer, the emission of dust into the air at the development resulting from the operation of vehicles or the transportation, storage or handling of aggregate or other material.

Respecting Air Pollution Control Equipment

36. The licensee 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).
37. The licensee shall prepare, within 90 days of the issuance of this licence, 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.
38. 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 37;
 - 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.
39. 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 by the environmental coordinator.
40. 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 Emission Sampling and Analysis

41. The licensee shall, upon written request from the director, perform stack sampling and analysis in accordance with schedule A of this licence.

Emergency Response Planning

42. The licensee 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

43. The licensee 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.
44. 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", (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.
45. The licensee shall, where the investigation referred to in clause 44 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 Licensee.

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 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.
- 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.

Original Signed by

James Capotosto
Director

Schedule "A" to Environment Act Licence No. 3388

Air Emission Sampling and Analysis Pursuant to Clause 41

1. The licensee 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 Environment, Climate and Parks Guideline, Guideline for Stack Sampling Facilities, unless otherwise approved by the director.
2. The licensee 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.
3. The licensee shall perform all stack sampling in accordance with the most recent version of Manitoba Environment, Climate and Parks Report No. 96-07, Interim Stack Sampling Performance Protocol, unless otherwise approved by the director.
4. The licensee shall arrange the scheduling of the sampling program submitted pursuant to clause 2 of this schedule such that a representative of Manitoba Environment, Climate and Parks is available to monitor and audit the implementation of the sampling program.
5. The licensee shall complete the sampling of emissions according to the approved plan submitted pursuant to clause 2 of this schedule, within a timeframe to be determined by the director.
6. The licensee shall submit a report, for the approval of the director, of the completed sampling and analysis plan approved pursuant to clause 2 of this schedule, 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.
7. The licensee, upon the written request of and in a timeframe stipulated by the director, shall comply with any air emission or ambient air quality criteria specified by the director for any pollutant of concern to the director which has been identified pursuant to this schedule.