

Manitoba



Conservation and Water Stewardship

Climate Change and Environmental Protection Division
Environmental Approvals Branch
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www.gov.mb.ca/conservation/eal

CLIENT FILE NO.: 3520.00

Shannon Turnbull, Director of Operations
Richardson Pioneer Limited
Box 130
Starbuck, MB R0G 2P0

March 4, 2013

Dear Mr. Turnbull:

Enclosed is revised Environment Act Licence No. 1872 RRRR dated March 4, 2013 issued to Richardson Pioneer Limited in accordance with the *Environment Act* proposal submitted on October 15, 1992, Notices of Alteration filed on September 10, 2010, and February 5, 2013. The development consists of a crop protection products warehouse, a bulk granular/liquid fertilizer blending/storage and handling facility and grain elevator located on SW ¼ 25-9-2 WPM, and an anhydrous ammonia storage and distribution facility located on NE ¼ 23-8-2 WPM, near the town of Starbuck in the Rural Municipality of Macdonald.

Environment Act Licence No. 1872 RRR was amended based on the Notice of Alteration request submitted by Richardson Pioneer Limited to update the Licence to add the anhydrous ammonia components of the facility to the Licence. Environment Act Licence No. 1872 RRR is hereby rescinded.

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.

For further information on the administration and application of the licence please contact Ms. Donna Smiley, Regional Supervisor at 204-945-7072 or by e-mail at donna.smiley@gov.mb.ca.

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 Water Stewardship within 30 days of the date of the Licence.

Yours truly,

Tracey Brauh, M.Sc.
Director
Environment Act

Enc.

c: DD Poitras, Richardson International Ltd.
Don Labossiere, Director, Environmental Compliance and Enforcement
Public Registries

NOTE: Confirmation of Receipt of this Licence No. 1872 RRRR (*by the Licensee only*) is required by the Director of Environmental Approvals Branch. Please acknowledge receipt by signing in the space provided below and faxing a copy (letter only) to the Department by March 18, 2013.

On behalf of Richardson Pioneer Limited.

Date

****A COPY OF THE LICENCE MUST BE KEPT ON SITE AT THE DEVELOPMENT AT ALL TIMES****

Licence No. / Licence n°	<u>1872 RRRR</u>
Issue Date / Date de délivrance	<u>July 11, 1994</u>
Revised :	<u>August 23, 2004</u>
Revised :	<u>January 22, 2008</u>
Revised :	<u>September 23, 2010</u>
Revised:	<u>March 4, 2013</u>

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:

RICHARDSON PIONEER LIMITED - STARBUCK;
"the Licencee"

for the construction and operation of the Development being a crop protection products warehouse, bulk granular/liquid fertilizer blending/storage and handling facility and grain elevator located on SW ¼ 25-9-2 WPM, and an anhydrous ammonia storage and distribution facility on NE ¼ 23-8-2 WPM, near the town of Starbuck in the Rural Municipality of Macdonald, in accordance with *The Environment Act* proposal submitted on October 15, 1992, notices of alteration filed on September 10, 2010, and February 5, 2013; and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

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

"**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;

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

"**ASTM**" means the American Society for Testing and Materials;

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

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

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

"**LLDPE**" means linear low density polyethylene;

"**mil**" means one-thousandth of an inch;

"**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; and

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;

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

"**particulate matter**" means any finely divided liquid or solid matter other than water droplets;

"**particulate residue**" means that part or portion of an atmospheric emission which is deposited onto a surface;

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

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

"**point source**" means any point of emission from a Development where pollutants are ducted into the atmosphere;

"**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; and

"**sewage**" means household and commercial wastewater that contains human waste.

TERMS AND CONDITIONS

1. The Licencee shall provide to the Director, upon request, all information required under this Licence, in writing and in such form and content (including number of copies), as may be specified by the

Director, and each submission shall be clearly labeled with the Licence Number and Client File Number associated with this Licence.

2. 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 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 emission rates, for such duration and at such frequencies as may be specified;
 - b) determine the environmental impact associated with the release of any pollutants from the 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, flow rate measurements and such other information as may from time to time be requested.

3. 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) carry out all sampling of, and preservation and analyses on, soil and air samples in accordance with methodologies approved by the Director;
 - c) only utilize an accredited laboratory for analytical determinations; and
 - d) report the results to the Director within 60 days of the samples being taken, or within another timeframe as specified by the Director.

SPECIFICATIONS, LIMITS AND CONDITIONS

Respecting Construction and Operation

4. 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.
5. The Licencee shall, at all times during the operation of the Development, implement a high standard of equipment maintenance and operational practices.
6. The Licencee shall reduce the production and dissemination of wastes by initiating and maintaining waste reduction and waste recycling programs.
7. The Licencee shall, in the event of a release, spill, leak or discharge of a pollutant or contaminant in an amount or concentration, or at a level or rate of release, that exceeds the limit that is expressly provided under this Licence, *The Environment Act*, another Act of the Legislature, or an Act of Parliament, or in regulation, licence, permit, order, instruction, directive or other approval or authorization issued or made under one of those Acts, immediately report the release, spill, leak or

discharge by calling 204-944-4888. The report shall indicate the nature of the release, leak, spill or discharge, the time and estimated duration of the event and the reason for the release, spill leak or discharge.

Respecting Construction and Operation – of Liquid Fertilizer Vessels

8. The Licencee shall construct and maintain a site retention area for liquid fertilizer vessels such that:
 - a) the site retention area is constructed of concrete or materials as approved by the Director and is joined to a impermeable, continuous liner in a manner capable of preventing infiltration at the base of the interface;
 - b) the liner is constructed from LLDPE geomembrane;
 - c) all sections of the liner are joined by double channel fusion seaming;
 - d) in accordance with ASTM Standard D-4437, the integrity of all field seams are tested by non-destructive test methods, a testing report is prepared and submitted to the Director within 30 days of commencing the installation of the liner; and
 - e) the liner has a minimum thickness of 30 mils.
9. The Licencee shall notify the assigned Environment Officer one week prior to commencing the installation of the liner underlying the liquid fertilizer site retention area of the Development.
10. The Licencee shall cover all surfaces of the liner underlying the liquid fertilizer site retention area of the Development with 0.3 metres of cover material.
11. The Licencee shall not cover the liner underlying the liquid fertilizer retention area of the Development until receiving approval of the assigned Environment Officer.

Respecting Liquid Fertilizers

12. The Licencee shall surface, grade, dyke, and/or curb all areas where liquid fertilizers is stored, loaded, blended, transferred or otherwise handled 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.
13. The Licencee shall provide containment within any curbed liquid fertilizer tank farm storage area for a volume of liquid equal to 110% of the volume of the largest storage tank located therein.
14. The Licencee shall maintain the containment area volume capacity of Clause 13 of this Licence by the immediate removal and disposal, in a manner approved by an Environment Officer, of all accumulated fluids.

Respecting Granular Fertilizer

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

Respecting Pest Control Products

16. The Licencee shall meet or exceed the current guidelines for Agrichemical Warehousing Standards Association (AWSA) certification regarding the handling and storage of pest control products.
17. The Licencee shall design and construct the secondary containment area such that it is protected with a minimum of 45 centimetres of compacted clay material or other materials approved by the Director.
18. The Licencee shall control surface water run-off from the secondary containment area. Accumulated surface water runoff shall only be released only where there have been no documented spills, or as authorized by an Environment Officer.
19. The Licencee 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 Licencee shall construct and maintain concrete floors with a minimum 10 centimetres retention curbing around the perimeter of all agrichemical warehouses so as to prevent spilled liquids from leaking into the soil.
21. The Licencee shall install and maintain, for all agrichemical warehouse(s), an automatic system(s) for fire detection and security.
22. The Licencee shall create and maintain a current duplicate inventory 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.
23. The Licencee shall store only pest control products registered under the federal *Pest Control Products Act* at the Development.
24. The Licencee shall not mix pest control products or fill or re-fill pest control product containers at the Development.
25. The Licencee shall locate pesticide storage structure(s) a minimum distance of:
 - a) 100 metres from any property zoned residential; and
 - b) 100 metres from single residencesunless a written consent form is obtained from the owner(s).

Respecting Air Emissions (Respecting Emissions)

26. 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.
27. The Licencee shall not cause or permit a noise nuisance to be created as a result of the operation of the Development, and shall take such steps as the Director may require to eliminate or mitigate a noise nuisance.
28. 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.

Respecting Liquid Emissions

29. 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.
30. The Licencee shall only remove or permit removal of storm water or surface water that has accumulated in the secondary containment areas 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 an Environment Officer from the designated Regional Office of Manitoba Conservation and Water Stewardship 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.
31. The Licencee shall not direct any spillage, contaminated run-off or pollutant, other than sewage, to an approved sewage disposal system.
32. The Licencee shall contain and clean up immediately any pest control product or chemical spills in order to prevent soil, surface water or ground water contamination.
33. 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.

Respecting Anhydrous Ammonia

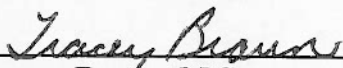
34. The Licencee shall install a minimum 1.8 metre high fence surrounding the Anhydrous Ammonia Tank(s) to discourage access to unauthorized persons.
35. The Licencee shall not emit ammonia from the Development such that the ambient concentration of ammonia in air is in excess of:

- a) 10 parts per million at any time when measured at any point beyond the property line of the Development; or
- b) 2 parts per million as an 1-hour average when measured at any point beyond the property line of Development.

36. The Licencee shall meet or exceed the *Ammonia Code of Practice* and possess a valid Certificate of Compliance.

REVIEW AND REVOCATION

- A. This Licence replaces Licence No. 1872 RRR which is hereby rescinded.
- B. If, in the opinion of the Director, the Licencee has exceeded or is exceeding or has or is failing to meet the specifications, limits, terms, or conditions set out in this Licence, the Director may, temporarily or permanently, revoke this Licence.
- C. If, in the opinion of the Director, new evidence warrants a change in the specifications, limits, terms, or conditions of this Licence, the Director may require the filing of a new proposal pursuant to Section 10 of *The Environment Act*.



Tracey Braun, M.Sc.
Director
Environment Act

Client File No.: 3520.00