

AN ORDER OF THE CLEAN ENVIRONMENT COMMISSION

UNDER THE CLEAN ENVIRONMENT ACT

RE: THE CLEAN ENVIRONMENT COMMISSION and BIRCHWOOD COMMERCIAL INVESTMENTS LTD., Applicant,

WHEREAS pursuant to the provisions of The Clean Environment Act, Birchwood Commercial Investments Ltd. filed a proposal with the department of Mines, Natural Resources and Environment in connection with the operation of a concrete batching plant located in the SW¼ of Section 7-12-7 EPM in the Rural Municipality of Brokenhead, Manitoba;

AND WHEREAS in the absence of limits being prescribed by a Regulation issued under the said Act, the proposal was referred to The Clean Environment Commission for the prescribing of limits;

AND WHEREAS no representations were received from persons who are or who may be affected by an Order of the Commission prescribing limits on the said operation;

AND WHEREAS the Commission considered the proposal on the 19th day of March, 1979;

IT IS HEREBY ORDERED THAT

1. In this Order:

- (a) Hourly Equivalent Continuous Sound Level means a sound level measured in terms of the equivalent continuous sound level averaged over a one hour period (60 minutes) using a sound level monitoring device which equals or surpasses the requirements of Canadian Standards Association Standard A 107.1-1973 (or the equivalent) for Type 2 sound level meters, operated on the "A-weighting network" and "slow" meter response;

Assigned to Noise Pollution April 02, 1979.

1. Cont'd . . .

(b) Impulsive characteristics means hammering type of sound having peaks one second or more apart and occurring less frequently than 60 impacts per minute;

(c) Predominant discrete tone(s) means a sound having a one-third octave band sound level which, when measured in a one-third octave band, exceeds the arithmetic average of the sound levels on the two adjacent one-third octave bands on either side of such one-third octave band by:

(i) 5 dB for such one-third octave band with a center frequency from 500 Hertz to 20,000 Hertz, inclusive, provided such one-third octave band sound level exceeds the sound level of each adjacent one-third octave band; or

(ii) 8 dB for such one-third octave band with a center frequency from 160 Hertz to 400 Hertz, inclusive, provided that such one-third octave band sound level exceeds the sound level of each adjacent one-third octave band; or

(iii) 15 dB for such one-third octave band with a center frequency from 25 Hertz to 125 Hertz, inclusive, provided such one-third octave band sound level exceeds the sound level of each adjacent one-third octave band.

2. The Applicant shall ensure that sound emissions from the said operation, when measured beyond the property line of the said operation and within 15 meters of an occupied residence:

(a) subject to Clause 1(b) of this Order, do not result in an hourly equivalent continuous sound level in excess of:

(i) 60 dBA during the day-time hours of 7:00 a.m. to 10:00 p.m., local time;

(ii) 50 dBA during the night-time hours of 10:00 p.m. to 7:00 a.m., local time.

(b) where subjective evaluation or measurements indicate that the sound has a significant impulsive characteristic (hammering, clanging) or predominant discrete tone(s), do not result in an hourly equivalent continuous sound level in excess of:

2. Cont'd . . .
- (b) (i) 55 dBA during the day-time hours of
7:00 a.m. to 10:00 p.m., local time;
- (ii) 45 dBA during the night-time hours of
10:00 p.m. to 7:00 a.m., local time.
3. The Applicant shall ensure that solid particulate emissions from any process do not exceed 0.23 grams per standard cubic meter calculated at 25 degrees Celsius and 760 millimeters of mercury (0.10 grains per standard cubic foot calculated at 77 degrees Fahrenheit and 29.92 inches of mercury) at the point of emission.
4. The Applicant shall ensure that particulate matter from any source of the said operation does not become airborne to that extent that the particulate matter exhibits an opacity in excess of 5 per cent past the property line of the said operation.
5. The Applicant shall ensure that particulate emissions from any point of emission of the said plant do not exhibit an opacity greater than or equal to:
- (a) 40% at any time;
- (b) 20% for a period exceeding 4 minutes in any one hour.
6. The Applicant shall ensure that a high standard of equipment maintenance and good housekeeping practices are carried out at all times to meet the requirements of clauses 1, 2, 3, 4 and 5 of this Order.

Order No. 826

Dated at the City of Winnipeg

this 29th day of March, 1979.


Chairman,
The Clean Environment Commission.