



**DILLON**  
CONSULTING

URBANMINE

# Community Liaison Committee (CLC) Meeting Summary

Manitoba Environment Act Licence No. 3199



May 4, 2017

Ron Lussier  
Urbanmine Inc.  
72 Rothwell Road  
Winnipeg, Manitoba  
R3P 2H7

***Manitoba Environment Act Licence No. 3199 – Community Liaison Committee (CLC)  
Meeting Summary Report***

Dear Mr. Lussier:

Dillon is pleased to provide the enclosed Community Liaison Committee (CLC) Meeting Summary Report for the CLC meeting conducted on March 2, 2017. Per the conditions of Manitoba Environment Act Licence No. 3199, a copy of this report is to be provided to the Director of Manitoba Sustainable Development (MSD).

Should there be any questions or concerns from Urbanmine or Manitoba Sustainable Development in regards to this report, please feel free to contact me at [dmarsh@dillon.ca](mailto:dmarsh@dillon.ca) or at (204) 453-2301 ext 4094.

Sincerely,

**DILLON CONSULTING LIMITED**



David Marsh, MCIP RPP AICP LEED-AP  
Associate

DJM:jef

Attachment:

- Manitoba Environment Act Licence No. 3199 - Community Liaison Committee Meeting Summary Report

Our file: 15-2162



1558 Willson Place  
Winnipeg, Manitoba  
Canada  
R3T 0Y4  
Telephone  
204.453.2301  
Fax  
204.452.4412



# Table of Contents

---

1.0	Introduction	1
2.0	CLC Representation and Terms of Reference	2
3.0	Notification	3
4.0	Meeting Summary Notes	1
4.1	Attendees.....	1
4.2	Introduction, Purpose of the Meeting, Agenda .....	1
4.3	Overview of Environment Act Licence - Manitoba Sustainable Development .....	2
4.4	Overview of Mitigation Measures Taken To Date - Urbanmine .....	3
4.5	Questions, Answers, and Dialogue .....	4
4.6	Closing Comments.....	5
5.0	Next Steps	6

## Appendices

---

A	Manitoba Environment Act Licence No. 3199
B	Environment Act Licence No. 3199: Appendix 'A' – Community Liaison Committee
C	March 2, 2017 Community Liaison Committee Meeting Agenda
D	March 2, 2017 Community Liaison Committee Meeting Ground Rules

# Introduction

---

On September 8, 2016, Manitoba Sustainable Development (MSD) approved Environment Act Licence No. 3199 to Urbanmine Inc. for the continued operation of a scrap metal facility located at 72 Rothwell Road in Winnipeg, Manitoba (see *Appendix A*). As part of that Licence, Urbanmine was required to form a Community Liaison Committee (CLC) representing adjacent land owners to provide advice to the Licencee and the Director of Manitoba Sustainable Development. The CLC is required to meet at least annually during the first five (5) years of operation, and the first CLC meeting is to occur within six (6) months of the issuance of the Environment Licence.

As part of the terms of Environment Act Licence No. 3199, Urbanmine is required to provide a meeting summary and documentation to Manitoba Sustainable Development within sixty (60) days following a CLC Meeting. This report presents the meeting summary and documentation for the March 2, 2017 CLC meeting.

## 2.0 CLC Representation and Terms of Reference

The representation and terms of reference for the Community Liaison Committee (CLC) are outlined in Appendix 'A' of Environment Act Licence No. 3199 (see *Appendix B* of this report). The Licence indicates that Urbanmine will establish and Chair the CLC, with representation from, at minimum:

- Urbanmine Inc. as Chair;
- Citizen Representatives – at least five (5) from the Lindenwood residents directly adjacent to the scrap metal processing facility;
- A representative from MSD; and,
- Commercial and Industrial Representatives – at least two (2) from the commercial and industrial operations located adjacent to the facility.

Appendix 'A' of the Licence outlines the Terms of Reference for the CLC, including frequency of meetings, notification and agenda requirements, and the requirement to submit meeting summary notes or minutes and meeting documentation to Manitoba Sustainable Conservation.

In establishing the need for the CLC, the Environment Licence also clearly outlines the mandate of the CLC and its members as an advisory body:

*"The Committee, at the request of the Director or of its own accord, shall provide advice to the Licencee and the Director respecting but not limited to the following:*

1. *The implementation of the noise mitigation plan required in Licence Clause 17.*
2. *Measures to mitigate the impact of operational activities on the local environment."*

## Notification

---

In advance of scheduling the first CLC meeting, Urbanmine liaised with MSD to confirm the requirements listed in Appendix 'A' of the Licence, potential meeting venues, dates, and times, draft meeting agenda, notification materials, and notification list.

Letters inviting community members to be part of the Community Liaison Committee were distributed to surrounding commercial and industrial property owners, as well as those residents located in the adjacent Linden Woods neighbourhood. More specifically, letters were addressed to those residents living immediately adjacent to the Urbanmine site on the west side of Birmingham Place north of Lindmere Drive, and on the west side of Wingate Court south of Tipton Court in Linden Woods. Urbanmine subsequently followed up with these residents to solicit interested parties for the CLC, and distributed a draft meeting agenda a minimum of seven (7) days before the scheduled CLC meeting. The CLC meeting was scheduled for 6:00 P.M. March 2, 2017 at the Centro Caboto Centre, 1055 Wilkes Avenue in Winnipeg, Manitoba.

As a courtesy, a copy of the CLC meeting invite was provided to the City of Winnipeg Councillor for River Heights-Fort Garry Ward, John Orlikow. The Councillor's office subsequently posted the CLC meeting invite on the Councillor's website under 'Events' at <https://www.orlikow.ca/events/upcoming/>.



## 4.0

# Meeting Summary Notes

## 4.1

## Attendees

The following individuals attended the CLC Meeting on March 2, 2017, which commenced at 6:15 P.M.:

Dick Menon	Citizen Representative
Ria Mare	Citizen Representative
Joji John	Citizen Representative
John Pavao	Citizen Representative
Haderra Chisick	Urbanmine Inc. – Chief Financial Officer
Mark Chisick	Urbanmine Inc. – President
Adam Chisick	Urbanmine Inc. – Vice-President
Ron Lussier	Urbanmine Inc. – General Manager
Yvonne Hawryliuk	Manitoba Sustainable Development – Regional Supervisor
Krista Olafsson	Manitoba Sustainable Development – Environment Officer
David Marsh	Dillon Consulting Limited – Planner
Dennis Heinrichs	Dillon Consulting Limited – Partner
Katie Whyte	Dillon Consulting Limited – EIT

## 4.2

## Introduction, Purpose of the Meeting, Agenda

David Marsh from Dillon Consulting acted as the meeting facilitator, and welcomed all attendees to the CLC Meeting. David provided a brief orientation of the meeting facility, indicating where the restroom facilities were located and what to do in event of an emergency.

After introductions, David Marsh began by reviewing the meeting agenda, restating the purpose of the meeting, and the role of the Community Liaison Committee as outlined in Appendix 'A' of MB Environment Licence No. 3199. Copies of the agenda and Appendix 'A' of the Licence were provided to the attendees, and participants were made aware that copies of the entire MB Environment Act Licence were available for those interested parties. David highlighted that the CLC is an advisory committee to Urbanmine Inc. (Urbanmine) and Manitoba Sustainable Development regarding the implementation of the noise mitigation plan required in Clause 17, and also regarding measures to mitigate the impact of operational activities on the local environment. David also indicated that the terms of reference for the CLC is solely in regards to the Environment Act Licence and does not include land use issues, which are governed by City of Winnipeg under Zoning By-Law 200/2006 and other applicable City by-laws. Aerial photos of the Urbanmine site and the surrounding context were also displayed to assist with questions and dialogue.

David Marsh then reviewed ground rules for the meeting and Appendix A of the Licence. Meeting attendees confirmed that the meeting ground rules were acceptable to them for the conduct of the CLC meeting. The CLC meeting agenda and meeting ground rules are attached as *Appendices C & D* of this report.

### 4.3 Overview of Environment Act Licence - Manitoba Sustainable Development

Yvonne Hawryliuk from Manitoba Sustainable Development gave an overview of Urbanmine's Environment Act Licence No. 3199 and the process of receiving a licence. The Approvals branch at Manitoba Sustainable Development drafts a licence after an application is received. The finalized licence is issued and then sent over to the Environment Compliance and Enforcement branch where Yvonne works. As of March 2, 2017, Urbanmine is in compliance with their licence. If anyone wants to talk more about the licence, Yvonne can arrange this. Yvonne handed out copies of the licence. The licence is also on the public registry.

Yvonne Hawryliuk highlighted Clause 6 of the licence, stating that Urbanmine submitted a Complaint Management Plan on time and that all complaints are dealt with uniformly and constructively. Clause 13 applies to the CLC meeting. Clause 16 relates to noise. There was a noise complaint in late November but that was not a concern as Urbanmine was still in compliance with their licence. There were nine clauses that required submissions between November 1, 2016 and December 8, 2016 and everything has been submitted to MSD with no concerns.

Yvonne Hawryliuk highlighted two recent complaints that they have worked through with Urbanmine:

- Urbanmine had to dismantle a temporary wall so they could commence construction for the new pilot sound barrier wall that is now 90% complete. The complaint was due to construction; and,
- Urbanmine gave employees the option to work on a Saturday in order to get time off during the holidays. Urbanmine still worked within the confines of the licence.

In response to MSD's presentation, the following questions and points were raised:

- John Pavao asked how residents will be notified when Urbanmine contacts MSD about needing to work outside the confines of the licence. Yvonne said they can discuss a plan for the future where Urbanmine could send a notification to residents if work has to happen outside of normal hours;
- John Pavao said he appreciates how there is a wall put up and asked if Urbanmine is doing anything to monitor how the noise is going to be mitigated with this. David Marsh said Urbanmine will give a presentation later in the meeting on noise mitigation progress;
- Dick Menon asked about operations from May to September. Clause 23 of the licence indicates limited hours of operation in the summer. Ron said the shear equipment causes the most noise and it will be limited to weekdays between 8 A.M. and 5 P.M. from May to September. John

- Pavao said he disagrees that the shear is the loudest and that dropping steel from high heights is the loudest;
- Dick Menon indicated that there is a lot of noise outside of the limited hours;
  - Yvonne Hawryliuk reminded everyone that it is good to bring up these concerns so they may be identified and potentially addressed. David Marsh also indicated that Urbanmine's improvements are going above and beyond the existing noise bylaws within the City of Winnipeg;
  - Ria Mare said 5 P.M. to 7 P.M. is when they want to enjoy their decks outside and this falls within the 7 A.M. to 7 P.M. restrictions; and,
  - John Pavao said he doesn't care if Urbanmine is loud in the winter. John Pavao then brought up land use issues in regards to the appropriateness of industrial uses adjacent to residential areas. David Marsh indicated that the purpose of the CLC meeting is to discuss issues related to the Environment Act Licence, and that land use issues are governed by the City of Winnipeg. As such, land use issues do not fall under the Environment Act and cannot be addressed as part of the Licence.

#### 4.4 Overview of Mitigation Measures Taken To Date - Urbanmine

Ron Lussier, Urbanmine's Environment Coordinator, provided an overview of the noise mitigation measures taken to date by Urbanmine.

Urbanmine has constructed a wall coming off the north east corner of the building. The wall is 105 ft long in total. The first 25 ft is 25.5 ft high. Two (2) layers of sound abatement material will be applied to this wall. Beyond the 25 ft, there is 80 ft of shipping containers (two (2) rows, three (3) containers high). The shipping containers also act as a noise barrier.

Ron Lussier then communicated additional information in regards to changes in the operation and housing of the shear. A canopy has been placed over top of the fans and motors on the shear and they have noticed a substantial difference from the noise that travels through the runway (to the NE). Urbanmine is in the process of insulating the canopy with sound absorbing material. Ron Lussier also indicated that they are trying to close in and capture the part of the shear where materials fall. Urbanmine is currently finalizing plans for how to close that area off for when materials lift and drop during operations of the shear. Ron Lussier also communicated that Urbanmine will conduct sound monitoring once the mitigation measures on-site are complete.

In response to Urbanmine's presentation, the following questions and points were raised:

- John Pavao said he is happy to see they are working with the neighbours to address issues;
- Dick Menon asked if Urbanmine was planning to put a wall to the east side near the tracks (near him). Dick indicated that it sometimes sounds like a pulsing jackhammer noise;

- Yvonne Hawryliuk indicated that the best action for Urbanmine and MSD is for the neighbours to make notes when they are hearing the loud noises, and communicate that information to both parties;
- Dick Menon said he will take notes from now on. He said it happens in the winter a couple times after dark;
- Ria Mare said the Saturday before July long weekend (2016) they were dropping lots of metal. This was before the wall was up. Ria could see them dropping metal. Ria said they could not have a conversation in their own backyard. Ria said they contacted Urbanmine and was told that they are running a business. Ron Lussier apologized that the Urbanmine employee handled the complaint that way and he requested for residents to please contact him about complaints; and,
- John Pavao said that when all of the steps are complete, he would like to tour the Urbanmine facility. Adam Chisick and Ron Lussier both indicated that John is welcome to come anytime as long as any visitor stops by the facility office to be issued proper personal protective equipment (PPE) and an escort. John Pavao said if there are planned days when operations are louder or longer than what is stated in the licence, Urbanmine should let the residents know.

#### 4.5 Questions, Answers, and Dialogue

---

Upon completion of the presentations by MSD and Urbanmine, the meeting floor was opened for questions and dialogue between CLC members and representatives from Urbanmine and MSD. The following questions and points were raised:

- David Marsh requested that Dick Menon provide additional detail in regards to the discussion of odours as Dick requested this earlier on in the meeting;
- Dick Menon indicated that they live immediately to the east of Urbanmine and indicated they notice an odour. Dick said outside smelled worse than inside, and indicated he did not know if it was from Urbanmine or not but he asked his neighbours and they said they smelled it too. His wife thought it was a natural gas leak. She went downstairs to look at the furnace to see if there was a leak and he went outside and talked to his neighbours. It happened in the summer and the odour was coming from the west;
- Dave Marsh asked Ron Lussier from Urbanmine how their equipment was powered. Ron answered with diesel fuel or electricity. Urbanmine doesn't deal with smelly materials;
- Yvonne Hawryliuk suggested the residents mark down the date, time, humidity and temperature when they are noticing odour, and communicate that information to MSD;
- John Pavao and Ria Mare said neither of them have odour issues but they both have dust issues;
- Ria Mare said they notice dust in the summer on the outside furniture and Jacuzzi top. They tried to get a sample of this dust tested. John Pavao indicated the dust is worse on windy days and you can see red rust stains from the red dust;

- In response to a question from David Marsh, Dennis Heinrichs indicated that testing was done on particulates in 2014. It was measureable but not near provincial limits. Ron Lussier indicated Urbanmine attempts to suppress dust in the yard through various means. John Pavao asked if there are any future plans for dust testing, and Ron Lussier indicated that Urbanmine would look into it; and,
- David Marsh asked the CLC if there were any other things aside from dust and odour. John Pavao brought up dropping steel from heights (discussed previously).

#### 4.6 Closing Comments

---

David Marsh thanked all CLC meeting attendees for participating in the process and sharing their views at the meeting. David indicated that meeting summary notes and documentation would be submitted to MSD in accordance with the terms of the Environment Act Licence, and that representatives of Dillon, Urbanmine, and MSD would be available for any additional questions or dialogue after the meeting. Ron Lussier from Urbanmine thanked all the attendees for participating, and indicated that Urbanmine would continue to maintain open lines of communication with the surrounding property owners, businesses, and residents. David Marsh then concluded the meeting.

## Next Steps

---

Per the conditions of MB Environment Act Licence No. 3199, a copy of this meeting summary report and attachments must be provided to the Director of Manitoba Sustainable Development. In addition, the next CLC meeting should occur no later than March 2, 2018 to comply with the conditions of the Licence.

## Appendix A

### *Manitoba Environment Act Licence No. 3199*

Environmental Stewardship Division  
Environmental Approvals Branch  
123 Main Street, Suite 160, Winnipeg, Manitoba R3C 1A5  
T 204 945-8321 F 204 945-5229  
[www.gov.mb.ca/conservation/eal](http://www.gov.mb.ca/conservation/eal)

**CLIENT FILE NO.: 5684.00**

September 8, 2016

Ron Lussier, General Manager  
Urbanmine Inc.  
72 Rothwell Road  
Winnipeg MB R3P 2H7

Dear Mr. Lussier:

Enclosed is **Environment Act Licence No. 3199** issued to **Urbanmine Inc.** for the continued operation of the Development being a scrap metal processing facility located at 72 Rothwell Road in Winnipeg, Manitoba in accordance with the Proposal filed under *The Environment Act*.

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 feel free to contact Yvonne Hawryliuk, Environment Officer, at 204-945-5305.

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 Sustainable Development within 30 days of the date of the Licence.

Yours truly,

*“original signed by”*

**Tracey Braun, M.Sc.**  
Director  
Environment Act

c: Don Labossiere, Donna Smiley, Yvonne Hawryliuk, Environmental Compliance and Enforcement  
Jason E. Roberts, Fillmore Riley  
Public Registries, Public Distribution (att.)

**NOTE:** Confirmation of Receipt of this Licence No. 3199 (*by the Licensee only*) is required by the Director of Environmental Approvals. Please acknowledge receipt by signing in the space provided below and faxing a copy (letter only) to the Department by September 22, 2016.

---

On behalf of Urbanmine Inc.

Date



**Public Distribution List  
Urbanmine Inc. Environment Act Licence 3199**

Chad Rose  
Reza Mir  
Jerzy  
Scott Bray  
Joelle Jones  
Andrew Klein  
Cher Genaille  
Rashda Aslam  
Chadhry Aslam  
Sadia Aslam  
Waqas Aslam  
Chantel Pavao  
Scott Pavao  
Sally Pavao  
John Pavao  
Travis Wog  
Mary-Lov Barham  
Dan McKinnon  
Michael Petryk

Rick Yates  
Joanne Knowles  
Warren Koss  
Corry Koss  
Tom Kummerfield  
Darlene Kummerfield  
Angela Bacher  
Dave Bacher  
Leanne Olfert  
Trevor Olfert  
L Renkas  
Jodi Renkas  
Lori Mergulhao  
John Mergulhao  
Abraham Mare  
Ria Mare  
Clanse Mare  
Jeffrey Cakes  
Ranet Jacobs

Daniel Jacobs  
Ricardo Tavares  
Don Wilkins  
A Chirila  
Dan McInnis  
Don Butcher  
P Trudel  
S Hinds  
Ryan Kustra  
L Bazan  
Jim/ Mieke Wernham  
Mike Howards  
Donna Kneker  
R Balacicpo  
Bryan Gray  
Nicole Pavao  
Kevin Tavares

# LICENCE

Licence No. / Licence n°

3199

Issue Date / Date de délivrance

September 8, 2016

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:

URBANMINE INC.;  
"the Licencee"

for the continued operation of the Development being a scrap metal processing facility located at 72 Rothwell Road in Winnipeg, Manitoba in accordance with the Proposal dated April 30, 2014, additional information dated August 15, 2014, December 16, 2014 (with attachment of Dillon Consulting Noise, Vibration, and Air Quality Report), April 7, 2015 (with attachment of Dillon Consulting Acoustic Modeling Assessment Report) 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 Sustainable Development 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 as 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;

"**A-weighted**" means the sound level measured with sound level meter set on the A-weighting network, a filter designed to approximate the relative sensitivity of the normal human ear to different frequencies of sound;

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

**"Closure Plan"** means a plan indicating the actions to be taken for the closure of the Development;

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

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

**"dBA"** means the A- weighted sound pressure level;

**"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;

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

**"Leq"** means the A-weighted sound level of a steady sound carrying the same total energy in the time period of 1 hour as the observed fluctuating sound;

**"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;

**"operator"** means the company or person who is responsible for the day-to-day maintenance and operation of the Development;

**"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*;

**"Post-Closure Plan"** means a plan indicating the actions to be taken for the care, maintenance, and monitoring of the Development after closure, that will prevent, mitigate, or minimize the threat to public health and the environment;

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

**"solid waste"** means solid waste as defined in *Manitoba Regulation 37/2016*, or any future amendments thereto, respecting waste management facilities, 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; and

"**wastewater**" means any liquid containing a pollutant as defined in *The Environment Act*, associated with or resulting from the Development which is discharged into the environment.

### GENERAL TERMS AND CONDITIONS

This Section of the Licence contains terms and conditions intended to provide guidance to the Licencee 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.

1. The Licencee shall implement a high standard of equipment maintenance and good housekeeping and operational practices with respect to the Development, at all times.
2. The Licencee shall reduce the production and dissemination of wastes by initiating and maintaining waste reduction and waste recycling programs.
3. 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 labelled with the Licence Number and Client File Number associated with this Licence.
4. In addition to any of the limits, terms and conditions specified in this Licence, the Licencee 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.

5. 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) 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.
6. The Licencee shall, within 60 days of the issuance of this licence, submit a complaint management plan to the Director for approval.
7. The Licencee shall manage all complaints in accordance with the plan approved pursuant to Clause 6 and submit an annual report summarizing the complaints received and the action taken in response to each complaint from October 1 of the previous year to September 30 of the current year by November 1 of each calendar year beginning in 2016.
8. The Licencee shall designate an employee, within 60 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.

### **SPECIFICATIONS, LIMITS, TERMS, AND CONDITIONS**

#### **Respecting Air Emissions**

9. 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.
10. 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.
11. 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).
12. The Licencee shall cease any process directing air emissions to air pollution control equipment during the time said air pollution control equipment is inoperable and shall not resume the said process until the air pollution control equipment is again placed into operation.

#### **Community Liaison Committee**

13. The Licencee shall establish a Community Liaison Committee (CLC) within 90 days of the issuance of this licence in accordance with terms of reference provided in Appendix A. The Licencee shall notify the Director in writing when the CLC has been established.

#### **Respecting Noise Management**

14. 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.
15. The Licencee shall maintain a noise management program consisting of, but not limited to:
- a) an education program for suppliers regarding acceptable scrap materials;
  - b) thorough inspections to characterize all inbound scrap metal loads;
  - c) awareness of new noise reduction and explosion prevention technologies;
  - d) an operator training program in accordance with Clause 21 of this Licence; and,
  - e) submission of an annual report, summarizing the actions taken to comply with Clause 15 a), b), c) and d) from October 1 of the previous year to September 30 of the current year, submitted to the Director by November 1 of each calendar year starting in 2016.
16. The Licencee shall implement a material handling equipment operating procedure so that scrap metals are placed instead of dropped at all times. Dropping of scrap metals is prohibited by this licence.

17. Subject to Clause 52, the Licencee shall implement the noise pollution mitigation measures dated April 7, 2015 (as set out in the Dillon Consulting' Acoustic Assessment Report dated March 2015) or alternative mitigation measures as approved by the Director within 2 years of the issuance of this licence or as otherwise abbreviated or extended by the Director and provide written notification to the Director of the progress of the implementation every 90 days.
18. The Licencee shall obtain the required approval for a variance from the City of Winnipeg to comply with Clause 17. In the event that the variance is denied, the Licencee shall propose alternative noise pollution mitigation measures comparable to the proposed mitigation measures within 90 days of the date the variance is denied. The comparable alternative mitigation measures shall be designed to limit the average hourly sound level equivalent to a maximum of 55 dBA (Leq) at residential receptors.
19. The Licencee shall:
  - a) submit a noise pollution monitoring plan for the Director's approval to evaluate the effectiveness of the noise pollution mitigation measures implemented pursuant to Clause 17 within 180 days of the implementation; and
  - b) carry out the monitoring plan approved pursuant to Clause 19 a) of this Licence within a timeframe to be determined by the Director.
20. The Licencee shall submit a report, for the approval of the Director, of the completed monitoring plan approved pursuant to Clause 19 a) of this Licence, within 60 days of receipt of the analytical results of that monitoring 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;
  - c) the QA/QC program; and
  - d) other issues as may be determined by the Director.

#### **Respecting Facility Operators Training**

21. The Licencee shall maintain an operators training program consisting of, but not limited to the following:
  - a) review of the licence terms and conditions;
  - b) training on operational procedures to be provided to new employees and regularly to all existing staff to minimize noise pollution and to meet the requirements of the noise management program pursuant to Clause 15; and,
  - c) routine review of any complaint received due to the operation.
22. The Licencee shall maintain a log of the training performed in accordance with Clause 21 of this Licence. The log shall be approved by the Environmental Coordinator and kept at the Development and shall be available for review upon request by an Environment Officer.



**Respecting Facility Hours of Operation**

23. The Licencee shall limit the hours of operation from May 1 to September 30 of each calendar year as follows until the monitoring report submitted in accordance with Clause 20 is approved by the Director:
- a) All outside operations at the Development shall be limited to the hours between 7 a.m. and 7 p.m.; and
  - b) The operation of the crusher, shear equipment or any other operation with a potential impulsive sound shall be limited to weekdays between 8 a.m. and 5 p.m.

**Respecting Fugitive Dust Emissions**

24. The Licencee shall take action as needed to control or prevent the entrainment of particulate matter into the air at the facility resulting from the operation of vehicles or the transportation, storage or handling of scrap metals or other material.
25. The Licencee shall not utilize used oil as a dust suppressant within the yard of the Development.
26. The Licencee, upon written request from the Director, shall:
- a) submit a fugitive dust emission sampling and analysis plan for the Director's approval;
  - b) implement the plan approved pursuant to Clause 26 a) of this Licence within a timeframe to be determined by the Director.
27. The Licencee shall submit, for the Director's approval, a report of the completed sampling and analysis plan approved pursuant to Clause 26 a) of this Licence, within 60 days of the receipt of the analytical results of that sampling plan.

**Respecting Material Handling, Fire and Explosions**

28. The Licencee shall prior to processing scrap metal assemblies and components:
- a) carry out a thorough and continuous program of inspection of the said scrap metal to discover potentially explosive components;
  - b) remove or render inexplodable tanks, pressure vessels or other potentially explosive components;
  - c) reject man-made detectable radioactive isotopic materials, dangerous goods, and hazardous waste materials that are not in accordance with the Licencee's acceptance protocols, and return rejected materials still owned by scrap suppliers to the scrap suppliers;
  - d) remove man-made detectable radioactive isotopic materials, dangerous goods, and hazardous waste materials erroneously accepted from scrap suppliers and dispose of said materials in accordance with applicable legislation; and
  - e) maintain and keep available for inspection by an Environment Officer, a log of:

- i) all inspections carried out pursuant to Clause 28 a) that required action by the Licencee pursuant to Clauses 28(b), (c), or (d);
  - ii) all and any explosions that take place on the site of the said operation giving time, intensity and cause; and
  - iii) all potentially explosive components removed prior to processing together with a description of the assemblies removed and where practical, identification of the source or supplier of the said assemblies.
29. The Licencee shall recover and contain all fluids from vehicles prior to being flattened and shall properly handle and dispose of recovered fluid in accordance with Clause 36.
30. The Licencee shall report all fire incidents and explosions to the Director within 24 hours of their occurrence, on a form approved by the Director.
31. The Licencee shall submit and maintain an updated fire safety plan with the Winnipeg Fire Paramedic Service.
32. The Licencee shall submit to the Director annually by November 1 an inspection report of the fire hydrants located on the property of the Development.
33. The Licencee shall maintain the maximum height of scrap metals storage pile(s) as follows:
  - a) 0.5 metres below the height of the building located on the east side of the Development until the noise pollution mitigation measures are implemented pursuant to Clause 17 of this Licence.
  - b) 8.5 metres high, in the event that the variance from the City of Winnipeg is approved and the noise pollution mitigation measures dated April 7, 2015 (as set out in the Dillon Consulting' Acoustic Assessment Report dated March 2015) have been implemented pursuant to Clause 17 of this Licence.
  - c) After the implementation of the noise pollution mitigation measures, the scrap metal pile shall not be visible from the residential back yards (at grade) located east of the northeast corner of the Development.
  - d) In the event the variance required to implement the noise pollution mitigation measures is denied by the City of Winnipeg, a proposal as to the maximum height of the scrap metal storage piles shall be provided for the Director's approval within 60 days of receiving a denial letter from the City of Winnipeg.

#### **Respecting Chemical Storage and Spill Containment**

34. 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 (2010), 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.

35. The Licencee shall, in a manner approved by the Director, remove and dispose of all spilled dangerous goods.

#### **Respecting Dangerous Goods and Hazardous Wastes**

36. The Licencee shall store, handle and dispose of all dangerous goods and hazardous wastes used or generated at the Development in accordance with the provisions of *The Manitoba Dangerous Goods Handling and Transportation Act* (C.C.S.M. c. D12).
37. The Licencee 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) *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.
38. The Licencee shall not receive at the Development any hazardous waste from any generator off site of the Development.

#### **Respecting Wastewater**

39. The Licencee shall not discharge wastewater beyond the boundaries of the Development except any discharge which is directed to the City of Winnipeg wastewater collection system in accordance with the requirements of the City of Winnipeg.
40. The Licencee shall prevent the seepage or surface flow of any liquid waste emanating from the operation from entering any land or body of water off the Development.
41. The Licencee shall direct all surface runoff towards the City of Winnipeg storm water collection system in accordance with the requirements of the City of Winnipeg.

#### **Respecting Solid Waste**

42. The Licencee shall dispose of all solid waste generated at the Development, which is not recycled, only to a waste management facility operating under the authority of a permit issued pursuant to *Manitoba Regulation 37/2016* or any future amendment thereof, or a Licence issued pursuant to *The Environment Act*.
43. The Licencee shall direct all recyclable materials generated at the Development to an approved recycling facility.

### **Respecting Emergencies**

44. 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.
45. The Licencee shall, following the reporting of an event pursuant to Clause 44
  - 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.
46. The Licencee 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.

### **Respecting Financial Assurance**

47. The Licencee, within 60 days of the date of issuance of this Licence, shall post with Manitoba Sustainable Development, in the amount of \$50,000, inclusive of the financial assurance or performance bond required under the licence 237 HW RR issued to Urbanmine Inc:
  - a) a permit bond issued by a surety company licenced 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 Development. 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 Licencee, upon the Director being satisfied that the Licencee is in breach of any specification, limit, term or condition of this Licence, 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.

48. The Licencee shall, on an annual basis, provide evidence of environmental liability insurance that meets Manitoba Sustainable Development's minimum requirement of \$1,000,000 of insurance coverage for the Development and includes the following:
  - a) coverage for gradual as well as sudden and accidental pollution at the Development; and
  - b) coverage for on-site and off-site clean up costs.
49. The insurance as required by Clause 48 shall be held with insurers satisfactory to the Province of Manitoba, shall include the Province of Manitoba as an Additional Insured on the policy, and shall contain a clause stating that the Insurer will give Manitoba 60 days prior written notice in case of significant reduction in coverage or policy cancellation.

#### **Closure and Post-Closure**

50. Within one year prior to imminent closure of the Development, the Licencee shall submit, for the approval of the Director, a formal detailed Closure and Post-Closure Plan for the Development.
51. The Licencee shall implement and maintain the approved Closure and Post-Closure Plan.

#### **REVIEW AND REVOCATION**

52. This Licence will be reviewed by the Director after one year of operation effective as of the date of the issuance of the licence, at which time:
  - a) it may be amended to include additional terms and conditions as determined necessary to address any environmental impacts caused by the operation of the development, or
  - b) revoked if in the Director's opinion the Licencee has not made sufficient progress toward the implementation of the noise pollution mitigation measures stipulated under Clause 17 and 18.
53. 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.

**APPENDIX 'A'**  
**TO ENVIRONMENT ACT LICENCE NO. 3199**

**Urbanmine Inc. Scrap Metal Processing Facility**  
**Community Liaison Committee**

**Responsibility**

Urbanmine Inc. will establish and chair the Community Liaison Committee for the Scrap Metal Processing Facility.

**Representation**

The Committee shall consist of the following representatives, at minimum:

- Urbanmine Inc, Chair
- Citizen Representatives – at least five from the Lindenwood residents directly adjacent to the scrap metal processing facility
- Manitoba Sustainable Development
- Commercial and Industrial Representatives – at least two from the commercial and industrial operations located adjacent to the scrap metal processing facility.

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

**Terms of Reference**

The Committee shall meet as required by planning, construction and operational activities, but not less frequently than once a year for the first five years. The first meeting shall occur within six (6) months of the issuance of this Licence. After five years; meeting frequency and the continued need for the committee is to be determined by the Director, in consultation with the Committee. The agenda and meeting minutes shall be posted on the public registry.

The Chair of the Committee shall

1. Notify Manitoba Sustainable Development 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 sixty (60) days following a meeting called by the Chair.

The Committee, at the request of the Director or of its own accord, shall provide advice to the Licencee and the Director respecting but not limited to the following:

1. The implementation of the noise mitigation plan required in Licence Clause 17.
2. Measures to mitigate the impact of operational activities on the local environment.

Urbanmine Inc.  
Licence No. 3199  
Page 13 of 13

54. If, in the opinion of the Director, new evidence warrants a change in the specifications, limits, terms or conditions set out in this Licence, the Director may require the filing of a new proposal pursuant to *The Environment Act*.

*“original signed by”*

---

**Tracey Braun, M.Sc.**  
**Director**  
*The Environment Act*

**Client File No.: 5684.00**

## Appendix B

*Environment Act Licence No. 3199: Appendix  
'A' – Community Liaison Committee*



**APPENDIX 'A'**  
**TO ENVIRONMENT ACT LICENCE NO. 3199**

**Urbanmine Inc. Scrap Metal Processing Facility**  
**Community Liaison Committee**

**Responsibility**

Urbanmine Inc. will establish and chair the Community Liaison Committee for the Scrap Metal Processing Facility.

**Representation**

The Committee shall consist of the following representatives, at minimum:

- Urbanmine Inc, Chair
- Citizen Representatives – at least five from the Lindenwood residents directly adjacent to the scrap metal processing facility
- Manitoba Sustainable Development
- Commercial and Industrial Representatives – at least two from the commercial and industrial operations located adjacent to the scrap metal processing facility.

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

**Terms of Reference**

The Committee shall meet as required by planning, construction and operational activities, but not less frequently than once a year for the first five years. The first meeting shall occur within six (6) months of the issuance of this Licence. After five years; meeting frequency and the continued need for the committee is to be determined by the Director, in consultation with the Committee. The agenda and meeting minutes shall be posted on the public registry.

The Chair of the Committee shall

1. Notify Manitoba Sustainable Development 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 sixty (60) days following a meeting called by the Chair.

The Committee, at the request of the Director or of its own accord, shall provide advice to the Licencee and the Director respecting but not limited to the following:

1. The implementation of the noise mitigation plan required in Licence Clause 17.
2. Measures to mitigate the impact of operational activities on the local environment.

## Appendix C

### *March 2, 2017 Community Liaison Committee Meeting Agenda*

### **Community Liaison Committee (CLC) Meeting Agenda**

**Location:** Caboto Centre , 1055 Wilkes Ave

**Date:** March 2, 2017

**Time:** 6:00 pm

**Facilitator:** Dillon Consulting

#### **Agenda Items:**

1. Introductions
2. Purpose of Meeting and Ground Rules
3. CLC Overview
  - Mandate and Terms of Reference for CLC - Environment Act Licence No. 3199 Appendix 'A'
4. Manitoba Sustainable Development: Review of Environment Act Licence No. 3199.
5. Urbanmine: Update of noise abatement measures to date
6. CLC Discussion
7. Next Steps

Ron Lussier

Environmental Coordinator

## Appendix D

### *March 2, 2017 Community Liaison Committee Meeting Ground Rules*

## **Urbanmine Inc. Environmental Act Licence No.3199**

### **Community Liaison Committee Ground Rules**

In the interest of committee effectiveness, CLC members and attendees agree to the following meeting ground rules:

- **Listen to, review and consider the information presented as it relates to the Environmental Act Licence;**
- **Strive, at all times, to ensure that the best interests of all are taken into account;**
- **Be courteous, listen to and consider the opinions of others;**
- **Participate fully in discussion, but not dominate the discussion or allow others to do so;**
- **Speak one at a time and not interrupt others while they are speaking;**
- **Those wishing to make comments should do so through the facilitator, and wait their turn to speak;**
- **Provide constructive feedback regarding suggestions for improvements;**
- **Address their concerns within the Committee; and,**
- **Focus discussion on those areas within the mandate of the Environmental Act Licence and CLC.**