

Environment Act Licence

Manitoba
Environment

In accordance with the Manitoba Environment Act (C.C.S.M. c. E125)
THIS LICENCE IS ISSUED TO:

Licence No. 2135

Issue Date November 1, 1995

FRANK WALL; "the Licencee"

for establishing and operating a Development, being a meat processing plant called Southern Meats, as proposed in The Environment Act Proposal dated July 1, 1995 as well as the additional submitted information, as shown in Appendix 'A' attached to this Licence; and located on Lot 9 Plan 421 MLTO in the Village of Schanzenfeld in the south-east 1/4 of Section 21, Township 2, Range 4 WPM in the R.M. of Stanley, subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this Licence:

"affected area" means a geographical area affected by an odour nuisance;

"appreciable impulsive or impact character" means sound which has a significant amount of **impulsive or impact character**, such as repeated hammering, explosions, clanking or banging. Impulsive or impact sounds are sounds of short duration, usually less than one second, with an abrupt onset and rapid decay;

"approved" means approved by the Director in writing;

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

"dB" means decibel, a dimensionless measure of sound level or sound pressure level,
where, $\text{sound level} = 20 \log_{10} \frac{\text{sound pressure (actual)}}{\text{sound pressure (reference)}}$;

"Director" means an employee of the department appointed as such by the Minister pursuant to The Environment Act;

"hour" means any time span consisting of 60 consecutive minutes;

"Leq" (equivalent continuous sound level) means a constant or steady A-weighted sound level which, over a specified duration of time, has the same total A-weighted energy as the fluctuating sound;

"Leq(1)" means the Leq for a one-hour period;

“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 the affected area; or
 - (c) present at a location in the affected area which is normally open to the 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;

“predominant discrete tone” means 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 of the two adjacent one-third octave bands on either side of such one-third octave band by:

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

“sewage” means untreated household and commercial wastewater that contains human waste; and

“wastewater” means liquids containing pollutants, as defined in The Environment Act, which are designated for discharge into the environment.

GENERAL SPECIFICATIONS

1. Notwithstanding any of the following specifications, 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, handling, treatment, and disposal or emission systems, for such pollutants, ambient quality, aquatic toxicity, seepage characteristics and discharge or emission rates, and for such duration and frequencies as may be specified; and/or

- (b) determine the environmental impact associated with the release of any pollutants from the Development; and/or
 - (c) 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.
2. The Licencee shall carry out all preservations and analyses of liquid samples in accordance with the methods prescribed in 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 Pollution Control Federation, or in accordance with equivalent preservation and analytical methodologies approved by the Director.
 3. The Licencee shall report all the information requested through the provisions of this Licence in a manner and form acceptable to the Director.

OPERATING LIMITS, TERMS AND CONDITIONS

Respecting Liquid Wastes

4. The Licencee shall direct all process wastewater and sewage generated within the building housing the Development only into an on-site holding tank, unless otherwise approved by the Director.
5. The Licencee shall comply with Manitoba Regulation 95/88R, or any future amendment thereto, respecting private sewage disposal systems and privies in regards to any sewage which is temporarily collected in holding tanks.

Respecting Solid Wastes

6. The Licencee shall not deposit solid waste, as defined in Manitoba Regulation 150/91 respecting waste disposal grounds, into the environment except into a waste disposal ground operating under the authority of a permit issued pursuant to Manitoba Regulation 150/91 or any future amendment thereto.
7. The Licencee shall remove all renderable waste from the premises at least twice a week, and ensure that they are either delivered to, or picked up by, an establishment which will render the wastes.
8. The Licencee shall ensure that any organic wastes stored at this Development are stored in such a manner as not to cause any nuisance conditions brought about by the possible attraction of rodents or flies, and shall take such steps as the Director may require to eliminate or mitigate any development of such a nuisance condition.

Respecting Air Emissions

9. The Licencee shall limit sound emissions from all sources of the Development to the degree that sound levels:

- (a) when measured off-site in an area zoned or used for commercial purposes, do not exceed an $L_{eq}(1)$ of:
 - (i) 70 dBA during the daytime hours of 7:00 a.m. to 10:00 p.m., local time;
 - (ii) 60 dBA during the night-time hours of 10:00 p.m. to 7:00 a.m., local time;

- (b) when measured off-site in an area zoned or used for residential purposes, do not exceed an $L_{eq}(1)$ of:
 - (i) 60 dBA during the daytime 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;

- (c) when measured off-site in an area zoned or used for residential purposes, and where measurements indicate that the sounds have an appreciable impulsive or impact character or have a predominant discrete tone(s), do not exceed an $L_{eq}(1)$ of:
 - (i) 55 dBA during the daytime 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;

where the sound level determinations are based on measurements that exclude any significant interfering sounds from other sources off the property of the Development, and are based on using a sound level monitoring device which equals or surpasses the requirements of Canadian Standards Association, Standard Z 107.1 - 1973 (or the equivalent) for Type 2 sound level meters operated on the "A-weighting network" and "slow" meter response.

- 10. The Licencee shall not alter or operate the Development, or permit the Development to be altered or operated, in a way which causes or results in an odour nuisance, and shall take such steps as the Director may require to eliminate or mitigate an odour nuisance.

REVIEW OR REVOCATION

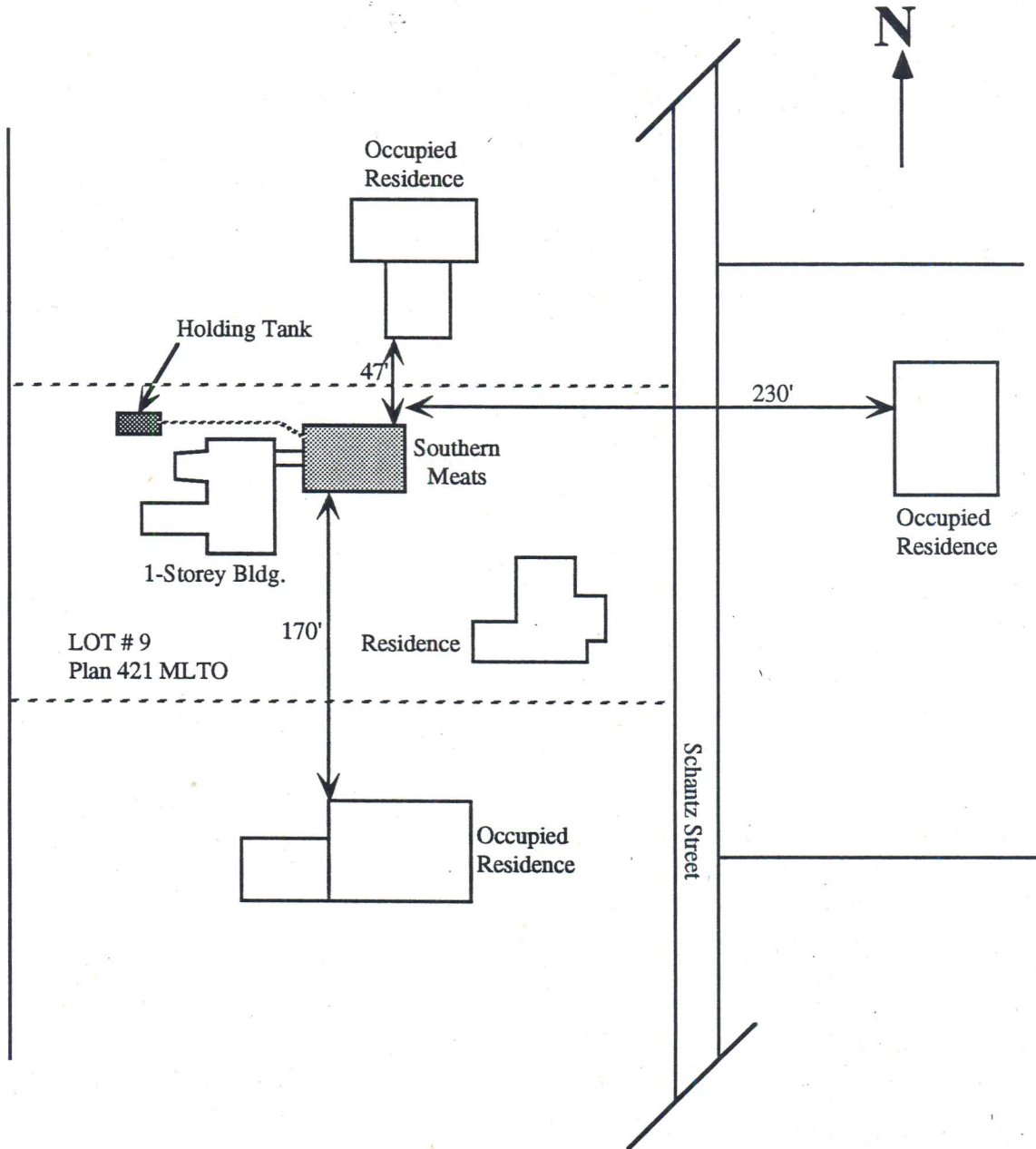
- 11. If in the opinion of the Director the Licencee has failed or is failing to comply with any of the specifications, limits, terms or conditions set out herein, the Director may, temporarily or permanently, revoke this Licence.

- 12. This Licence may be reviewed at any time if, in the opinion of the Director, any changes made to the proposal and the manner of operation of the Development as stated in the Licencee's Proposal dated July 1, 1995, and the supplementary information filed on September 13, 1995 are likely to alter the environmental effects of the Development, or if any information acquired through the provisions of this Licence, or otherwise, gives rise to new evidence to warrant any change(s) to this Licence.



Larry Strachan, P. Eng.
Director
Environment Act

APPENDIX 'A'



SITE PLAN
(Not to Scale)

Manitoba



Environment

Environmental Management

Bldg. 2, 139 Tuxedo Avenue
Winnipeg, Manitoba
R3N 0H6

Fax (204) 945-5229

CLIENT FILE NO.: 4083.00

December 5, 1995

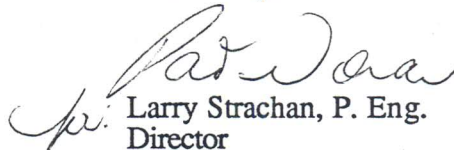
Mr. Frank Wall
PO Box 813
Winkler MB R6W 4A9

Dear Mr. Wall:

**Re: ENVIRONMENT ACT LICENCE NO. 2135 ISSUED
TO FRANK WALL DATED NOVEMBER 1, 1995**

Attached you will find a corrected Page 4 to the above noted Licence. Would you please replace this page with the one you now have. This corrected page is to correct a typographical error in the last paragraph of Clause 9.

Yours truly,


p. Larry Strachan, P. Eng.
Director
Environment Act

Attachment (1)

c: L. MacCallum, Regional Director
South Central Regional Library
R.M. of Stanley
Mark Stephens, Environment Officer

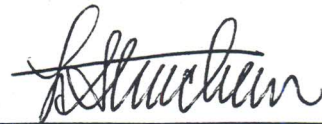
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 - (i) 55 dBA during the daytime hours of 7:00 a.m. to 10:00 p.m., local time;
 - (ii) 45 dBA during the night-time hours of 10:00 p.m. to 7:00 a.m., local time;

where the sound level determinations are based on measurements that exclude any significant interfering sounds from other sources off the mine site, and are based on using a sound level monitoring device which equals or surpasses the requirements of Canadian Standards Association, Standard Z 107.1 - 1973 (or the equivalent) for Type 2 sound level meters operated on the "A-weighting network" and "slow" meter response.

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Larry Strachan, P. Eng.
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