

AN ORDER OF THE CLEAN ENVIRONMENT COMMISSION  
UNDER THE CLEAN ENVIRONMENT ACT

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RE: THE CLEAN ENVIRONMENT COMMISSION and NELSON RIVER CONSTRUCTION (1984),  
INC., Applicant,

WHEREAS pursuant to the provisions of The Clean Environment Act, Nelson River Construction (1984) Inc. filed a proposal with the department in connection with the operation of limestone quarry and asphalt batch plant located in the S 1/2 of LS 15 and 16, Section 21, Township 15, Range 2 EPM in the Rural Municipality of Rockwood, Manitoba;

AND WHEREAS in the absence of limits, terms and conditions prescribed by a regulation under the said Act, the proposal was referred to The Clean Environment Commission to prescribe limits, terms and conditions;

AND WHEREAS after giving notice of the proposal, the Commission did not receive notice of representation from any person who was likely to be affected by the issuance a Commission order concerning the said operation;

AND WHEREAS the Commission considered the proposal on the 19th day of June, 1985;

IT IS HEREBY ORDERED THAT

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1. The Applicant shall not, with respect to continuous or intermittent operations, exclusive of blasting, cause or permit the emission of sound from the said operation which, when measured at any point beyond the property line of the said operation and within 15 metres of a building maintained as a dwelling, results in an hourly equivalent sound level in excess of:
    - (a) 60 dBA during the daytime hours of 7:00 a.m. to 10:00 p.m., local time;
    - (b) 50 dBA during the nighttime hours of 10:00 p.m. to 7:00 a.m., local time.

2. The Applicant shall not, with respect to blasting at the site of the said operation, cause or permit the emission of:
  - (a) sound which exceeds the following limits when measured beyond the property line of the said operation:
    - (i) within 15 metres of a building maintained as a dwelling, 130 decibels linear peak sound pressure level;
    - (ii) within 15 metres of any building maintained for use other than as a dwelling, 150 decibels linear peak sound pressure level;
    - (iii) where any person other than an employee of the operation is exposed, 140 decibels linear peak sound pressure level;
  - (b) soil-borne vibrations which exceed the following limits when measured beyond the property line of the said operation and inside a building below grade or less than one metre above grade:
    - (i) for any building maintained as a dwelling, 12 millimetres per second peak particle velocity in any one of three mutually perpendicular directions (vertical, radial, and transverse to the source);
    - (ii) for any building maintained for use other than as a dwelling, 50 millimetres per second peak particle velocity in any one of three mutually perpendicular directions (vertical, radial, and transverse to the source).
3. The Applicant shall not cause or permit blasting to take place on the site of the said operation between 4:00 p.m. of any day and 10:00 a.m. of the following day, or at any time on Sunday, except in emergency conditions.
4. The Applicant shall not cause or permit the emission of solid particulate matter from any point or process of the said operation, except blasting, in excess of 0.23 grams per dry standard cubic metre calculated at 25 degrees Celsius and 760 millimeters of mercury.

5. The Applicant shall not cause or permit visible particulate emissions from any point of emission of the said operation, except blasting, that exhibit an opacity greater than or equal to:
  - (a) 40 percent at any time;
  - (b) 20 percent for more than four minutes in the aggregate in any one hour.
6. The Applicant shall limit the wind entrainment of particulate matter from any source of the said operation, except blasting, to the extent that the particulate matter does not exhibit an opacity in excess of 5 percent beyond the property line of the said operation.
7. The Applicant shall not permit open burning on the site of the said operation.
8. The Applicant shall not extend the said quarry operation into the underground water table without prior written approval from the Environmental Management Division of the said Department.
9. The Applicant shall not establish or operate facilities for the storage or handling of gasoline or associated products:
  - (a) within the excavated portion of the said quarry;
  - (b) where leaked or spilled petroleum products may enter the excavated portion of the said quarry.
10. The Applicant shall, at all times, enforce a high standard of equipment maintenance, staff training, operating procedures, and good housekeeping practices consistent with complying with the limits, terms and conditions prescribed in this order.

## 11. In this Order:

- (a) "hourly equivalent 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 Z 107.1 - 1973 (or the equivalent) for Type 2 sound level meters, operated on the "A-weighting network" and "slow" meter response;
- (b) "linear peak sound pressure level" means the maximum absolute sound pressure as measured using a sound level monitoring device which equals or surpasses the requirements of International Electrotechnical Commission (I.E.C.) Publications 179 (1973) "precision sound level meters" and 179A (1973) "Additional characteristics for the measurement of impulsive sounds", including section 4.5.1, using "linear" weighting network and "peak hold" meter responses, or the equivalent;
- (c) "peak particle velocity" means the maximum instantaneous velocity experienced by the particles of a medium when set into transient vibratory motion, and is the greatest velocity of any of the three mutually perpendicular directions (vertical, radial, and transverse to the source);
- (d) "gasoline" means a liquid product of petroleum that has a flash point below 37.8 degrees Celsius and is designed primarily for use in an internal combustion engine;
- (e) "associated product" means petroleum or any derivative thereof, except gasoline, which is in a liquid state at ambient temperature and pressure.

Order No. 1070

Dated at the City of Winnipeg

this 24th day of June, 1985.  
Chairman,  
The Clean Environment Commission.