



Environment and Climate

Environmental Approvals Branch
Box 35, 14 Fultz Boulevard
Winnipeg MB R3Y 0L6
T 204 945-8321 F 204 945-5229
EABDirector@gov.mb.ca

File No.: 4018.00

October 13, 2023

Kate Matheson
Advisor, SH&E Retail Safety, Health & Environment
Nutrien Ag Solutions (Canada) Inc.
Unit E – 759 First Street
Brandon MB R7A 2X5
kate.matheson@nutrien.com

Dear Kate Matheson:

**Re: Nutrien Ag Solutions (Canada) Inc. - St. Jean Baptiste - Environment Act
Licence No. 2048 RRRR**

Thank you for your notice of alteration dated June 4, 2023 and received on July 11, 2023. You wish to expand your existing facility to increase your storage capacity and update your company name from Crop Protection Services (Canada) Inc. to Nutrien Ag Solutions (Canada) Inc.

I approve the alteration per Section 14(2) of The Environment Act and Environment Act Licence No. 2048 RRRR is enclosed.

Nutrien Ag Solutions (Canada) Inc. must follow all licence requirements and federal, provincial, and municipal regulations and by-laws. The licensee must get approval from the director under The Environment Act to alter the development.

Anyone affected by this decision may appeal, in writing, to the Minister of Environment and Climate at minec@leg.gov.mb.ca by November 12, 2023. The licence is available on the public registry at <https://www.gov.mb.ca/sd/eal/registries/index.html>.

If you have any questions regarding this approval, please contact Kim Kmet, A/Regional Supervisor, Environmental Compliance and Enforcement Branch at EnvCEPortage@gov.mb.ca or 204-641-4091.

Sincerely,

Original Signed By
Agnes Wittmann
Director
The Environment Act

Enclosure

c. Kim Kmet

THE ENVIRONMENT ACT
LOI SUR L'ENVIRONNEMENT
LICENCE



File No.: 4018.00

Licence No. / Licence n°: 2048 RRRR
Issue Date / Date de délivrance : June 12, 1995
Revised : July 21, 2004
Revised : May 13, 2008
Revised : January 6, 2016
Revised : October 13, 2023

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) and 14 (2) / Conformément au Paragraphe 10(1) et 14(2)

THIS LICENCE IS ISSUED TO: / CETTE LICENCE EST DONNÉE À:

NUTRIEN AG SOLUTIONS (CANADA) INC. "the licensee"

for the construction and continued operation of the development being an agrichemical products warehouse, a bulk granular blending/storage, an anhydrous ammonia storage tank, and distribution facilities located at RL 215 in the Parish of Ste Agathe, in the Rural Municipality of Montcalm, in accordance with the proposal filed under The Environment Act on June 12, 1995, a notice of alteration filed on July 11, 2023, 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 Environment, Climate and Parks 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 otherwise approved by the director;

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

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

"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;

"approved" means approved by the director or assigned environment officer in writing;

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

"dangerous goods" means any product, substance, or organism designated in the regulations, or conforming with the criteria set out in the regulations, or in any regulation adopted in accordance with The Dangerous Goods Handling and Transportation Act, and includes hazardous wastes;

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

"environment officer" means an employee so designated pursuant to The Environment Act;

"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;

"onsite wastewater management system" means all or part of a treatment system, holding system, or management system for wastewater, wastewater effluent, or septage, including but not limited to a septic tank, disposal field, holding tank, aerobic treatment unit, and composting toilet;

"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;

"pollutant" means a pollutant as defined in The Environment Act;

"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;

"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.

GENERAL TERMS AND CONDITIONS

This section of the licence contains requirements intended to provide guidance to the licensee 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.

Retain Copy of Licence

1. The licensee must at all times maintain a copy of this licence at the development or at the premises from which the development's operations are managed.

Sampling and Analysis

2. The licensee must, 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) have all analytical determinations undertaken by an accredited laboratory; and
- c) 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.

Additional Reporting

- 3. The licensee must, 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, 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.

Reporting Format

- 4. The licensee must 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 must be clearly labeled with the licence number and file number associated with this licence.

SPECIFICATIONS, LIMITS AND CONDITIONS

Odour

- 5. The licensee must not cause or permit an odour nuisance to be created as a result of the construction, operation, or alteration of the development, and must take such steps as the director may require to eliminate or mitigate an odour nuisance.

Noise

- 6. The licensee must not cause or permit a noise nuisance to be created as a result of the construction, operation or alteration of the development, and must take such steps as the director may require to eliminate or mitigate a noise nuisance.

Additional Permits

- 7. The licensee must obtain all necessary municipal, provincial, and federal permits and approvals for construction of relevant components of the development prior to commencement of construction.

Maintenance

8. The licensee must, at all times during the operation of the development, implement a high standard of equipment maintenance and operational practices.

Recycling

9. The licensee must reduce the production and dissemination of wastes by initiating and maintaining waste reduction and waste recycling programs.

Heritage Resources

10. The licensee must comply with the requirements of The Heritage Resources Act, and suspend construction and immediately notify the Historic Resources Branch if heritage resources are encountered during the construction of the development.

Environmental Accident Reporting

11. The licensee must, 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 must indicate the nature of the event, the time and estimated duration of the event, and the reason for the event.
12. The licensee must, following the reporting of an event pursuant to clause 11,
 - 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 7 days of the repairs being done.
13. The licensee must in the event of a fire which continues in excess of thirty (30) minutes, or requires implementation of the emergency response contingency plan, or requires fire suppression assistance from personnel outside of the development (e.g., fire department):
 - a) call the fire department; and
 - b) report the fire by calling the 24 hour environmental emergency reporting line at 204-944-4888 (toll free 1-855-944-4888), identifying the type of materials involved and the location of the fire.

General Operations

14. The licensee must 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) Manitoba Regulation 126/87, or any future amendment thereof, respecting water rights;

- c) The Dangerous Goods Handling and Transportation Act C.C.S.M. c. D12 and regulations, or any future amendment thereof issued, respecting the handling, transport, storage, and disposal of any dangerous goods and/or hazardous wastes brought onto or generated at the development;
- d) The Manitoba Office of the Fire Commissioner; and
- e) The Manitoba Fire Code 155/2011, or any future amendment thereof.

Solid Waste

- 15. The licensee must dispose of solid waste at a waste management facility operating under the authority of a permit issued pursuant to the Waste Management Facilities Regulation 37/2016, or any future amendment thereof, or a licence issued pursuant to The Environment Act.

Respecting Liquid Fertilizer Handling and Storage

- 16. The licensee must surface, grade, dyke, and/or curb all areas where liquid fertilizer is stored, loaded, blended, transferred, or otherwise handled with concrete or 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.
- 17. The licensee must 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.
- 18. The licensee must maintain the containment area volume capacity of clause 17 of this Licence by the immediate removal and disposal, in a manner approved by an Environment Officer, of all accumulated fluids.

Respecting Granular Fertilizer Handling and Storage

- 19. The licensee must surface, grade, dyke, and/or curb all areas where granular fertilizer is stored, loaded, blended, transferred, or otherwise handled with concrete or 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.

Pest Control Products

- 20. The licensee must meet or exceed the current guidelines for Agrichemical Warehousing Standards Association (AWSA) certification regarding the handling and storage of pest control products.
- 21. The licensee must design and construct the secondary containment area for agrichemical warehouses such that it is protected with a minimum of 45 centimetres of compacted clay material or other materials approved by the director.
- 22. The licensee must inspect the surface of the secondary containment area semiannually for desiccation cracks, so that the secondary containment area's continuity is maintained.

23. The licensee must 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.
24. The licensee must install and maintain, for all agrichemical warehouses, an automatic system for fire detection and security.
25. The licensee must create and maintain current duplicate inventories 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.
26. The licensee must store only pest control products registered under the federal Pest Control Products Act at the development.
27. The licensee must not mix pest control products or fill or re-fill pest control product containers at the development.
28. The licensee must locate pest control products storage structures 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) and approved by the director.

Chemical Storage and Spill Containment

29. The licensee must ensure chemical storage containers incorporate secondary containment satisfactory to an environment officer.
30. The licensee must 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 Manitoba Fire Code, 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 is prevented.
31. The licensee must, in a manner approved by the director, remove and dispose of all spilled dangerous goods or hazardous wastes.

Liquid Emissions

32. The licensee must document all releases, spills, leaks, or discharges of chemicals that occur within the development in an incident log. The incident log must 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 must be updated within 24 hours of an incident occurrence and be made available at the request of an environment officer or director.

33. The licensee must only remove or permit removal of storm water or surface water that has accumulated in the secondary containment area 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 licensee must receive authorization from a designated environment officer or director prior to removal of any accumulated liquid. If any accumulated liquid may be contaminated, it must be sampled and tested for appropriate parameters by an accredited laboratory prior to any request for removal.
34. The licensee must not direct any spillage, contaminated run-off, or pollutant to an approved onsite wastewater management system.
35. The licensee must 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 Air Emissions – Limits

36. The licensee must not emit particulate matter from the development such that particulate matter:
 - i) exhibits a visible plume with an opacity of greater than five per cent at any point beyond the property line of the development; or
 - ii) results in the deposition of visible particulate residue at any time beyond the property line of the development.
37. The licensee must control, by methods acceptable to the director or environment officer, the emission of dust into the air at the development resulting from the operation of vehicles or the transportation, storage, or handling of aggregate or other material.

Respecting Anhydrous Ammonia

38. The licensee must install a minimum 1.8 metre high fence surrounding the Anhydrous Ammonia Tank(s) to discourage access by unauthorized persons.
39. The licensee must 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 a 1-hour average when measured at any point beyond the property line of development.
40. The licensee must meet or exceed the most recent version of the Fertilizer Safety & Security Council - Ammonia Code of Practice & Implementation Guide and possess a valid Certificate of Compliance.

Emergency Response Planning

41. The licensee must prepare 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 document acceptable to the director.

42. The licensee must prepare and maintain an emergency response contingency plan for the anhydrous ammonia components of the development in accordance with the most recent version of the Fertilizer Safety & Security Council Ammonia Code of Practice & Implementation Guide.

Alterations and Decommissioning

43. The licensee must obtain approval, in writing, from the director for any proposed alteration or expansion to the development which is likely to cause a significant environment effect or could affect compliance with any clause(s) of this licence, before proceeding with the alteration.
44. The licensee must, at the request of the director, in the event that the development is permanently closed, conduct an investigation in accordance with "Environmental Site Assessments in Manitoba" (June 2016), or any future amendment thereof, to the satisfaction of the director, to identify any contamination which may have resulted from the operation of the development.
45. The licensee must, where the investigation referred to in clause 44 of this licence shows that contamination of the environment has occurred, submit a remediation proposal, within sixty (60) days, to the director and, upon approval of this proposal by the director, the required remediation must be carried out by the licensee.

REVIEW AND REVOCATION

- A. Environment Act Licence 2048 RRR is rescinded.
- B. If, in the opinion of the director, the licensee 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.
- D. If the licensee has not commenced construction of the development within three years of the date of this licence, the licence is revoked.

Original Signed By
Agnes Wittmann
Director
The Environment Act