

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Multicrete Systems Inc.
PROPOSAL NAME: Concrete Batch Plant
CLASS OF DEVELOPMENT: 1
TYPE OF DEVELOPMENT: Concrete Batch Plant
CLIENT FILE NO.: 5421.00

OVERVIEW:

On July 23, 2009, Manitoba Conservation received a Proposal dated May 26, 2009 for the construction and operation of a portable concrete batch plant to be operated at locations throughout Manitoba. The facility will produce ready mix concrete for use in construction projects.

The Department, on August 26, 2009, placed copies of the Proposal in the Public Registries located at 123 Main St. (Union Station), the Manitoba Eco-Network, the Millennium Public Library, and the Flin Flon Public Library. Copies of the Proposal were also provided to the Technical Advisory Committee (TAC) members. A notice of the Environment Act proposal was also placed in the Flin Flon Reminder on September 4, 2009. The newspaper and TAC notifications invited responses until October 2, 2009.

COMMENTS FROM THE PUBLIC:

No comments received.

Disposition:

No action needed.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Canadian Environmental Assessment Agency

No concerns.

Disposition:

No action needed.

Manitoba Infrastructure and Transportation (MIT) – Highway Planning and Design Branch

No concerns.

Disposition:

No action needed.

Manitoba Science, Technology, Energy and Mines – Energy, Climate Change & Green Strategy Initiatives

No concerns.

Disposition:

No action needed.

Manitoba Culture, Heritage and Tourism – Historic Resources Branch

The following comment was provided:

No concerns with regard to this project's potential to impact heritage resources. If at any time however, significant heritage resources are recorded in association with these lands during development, the Historic Resources Branch may require that an acceptable heritage resource management strategy be implemented by the developer to mitigate the effects of development on the heritage resources.

Disposition:

No action needed.

Manitoba Conservation – Sustainable Resource & Policy Management Branch

The following comments were provided:

- Any licence that may be issued should be conditional that no portable concrete batch plant will be set-up or operated prior to Manitoba Conservation reviewing and approving the specific site location(s) proposed for the plant.
- The list of proposed specific site locations should be forwarded to the Director, Sustainable Resource and Policy Management Branch for review by Manitoba Conservation.

Disposition

Clause 8 of the Draft Environment Act Licence requires the Director to approve each site.

Manitoba Conservation – Pollution Prevention

The following comments were provided:

- Provided that the dust collectors and other pollution control equipment were appropriately operated and maintained, and the Environmental Management Practices for Ready Mix Concrete Operations in Canada Manual is followed, it is expected that concerns regarding air pollution will be addressed.
- Since the proposed facility is a portable concrete batching plant, it is expected that an approval will be required for every change in location of the facility.

Disposition

Clause 8 of the Draft Environment Act Licence requires the Director to approve each site.

Manitoba Conservation – Parks and Natural Areas Branch

The following comments were provided:

- The Branch must review and approve the proposed locations of the concrete batch plant prior to their establishment.
- The concrete batch plant should not be permitted within 3 kilometres of any developed area of a provincial park (hiking trails, canoe routes, campgrounds) to reduce disturbance to park visitors, nor within 1.5 kilometres of any provincially designated protected area to maintain the ecological integrity of these sites.
- The branch also requires that the dust collector systems be used when they are placed beside a provincial park or designated area.

Disposition

Clause 8 of the Draft Environment Act Licence requires the Director to approve each site and clauses 9 – 24 address air emissions and pollution control requirements.

Manitoba Conservation – Western Region

The following comments were provided:

- All solid waste is to be hauled off site to an approved permitted Waste Disposal Ground.
- All sewage waste, including greywater is to be deposited into a holding tank and transported into a licensed Wastewater Treatment facility.
- Any petroleum products stored on site must meet the Manitoba Regulation 1888/2001 – Storage and Handling of Petroleum Products and Allied Products Regulation, pursuant to The Dangerous Good Handling and Transportation Act.

Disposition

The above requirements are regulated by existing legislation.

Manitoba Water Stewardship

The following comments were provided relevant to the original proposal:

- *The Water Rights Act* indicates that no person shall control water or construct, establish or maintain any “water control works” unless he or she holds a valid licence to do so. “Water control works” are defined as any dyke, dam, surface or subsurface drain, drainage, improved natural waterway, canal, tunnel, bridge, culvert borehole or contrivance for carrying or conducting water, that temporarily or permanently alters or may alter the flow or level of water, including but not limited to water in a water body, by any means, including drainage, OR changes or may change the location or direction of flow of water, including but not limited to water in a water body, by any means, including drainage. If a proposal advocates any of the aforementioned activities, an application for a Water Rights Licence to Construct Water Control Works is required. Application forms are available from any office of Manitoba Water Stewardship.
- The proponent needs to be informed that if the proposal in question advocates any construction activities, erosion and sediment control measures should be implemented until all of the sites have stabilized.

- A functioning riparian area of undisturbed native vegetation helps stabilize banks, provides aquatic and wildlife habitat and protects water quality. In circumstances where native vegetation is limited or absent, re-establishment of this vegetation should occur through natural succession or assisted through planting of vegetation native to the area.

- Manitoba Water Stewardship recommends that an Environment Act Licence include the following requirements:
 - A concrete batch plant shall be located 100 metres from any surface water;
 - A 15-metre undisturbed native vegetation area is recommended for lands located adjacent to first and/or second order drains;
 - A 30-metre undisturbed native vegetation area is recommended for lands located adjacent to third and/or higher order drains and/or waterbodies;
 - Alteration within this undisturbed native vegetation area is limited to a maximum of 25 % of the shoreline length (for example: 25 metres per 100 metres of shoreline length) of each lot for a boat house, path, dock, etc.; and,
 - Alteration within this undisturbed native vegetation area (including the removal of near shore or stream aquatic habitat) shall not occur unless an activity conforms to a Department of Fisheries and Oceans Canada Operational Statement or an activity is reviewed by the Department of Fisheries and Oceans Canada.

- The applicant indicates water will be obtained from a municipal supply well or watercourse. This proposed use of water may require an authorization under *The Water Rights Act*. The proponent is required to contact Manitoba Water Stewardship's Water Use Licensing Section at least 2 weeks in advance of the anticipated usage date. A contact person is Mr. Rob Matthews, Manager, Water Use Licensing Section, Manitoba Water Stewardship, telephone: 945-6118.

- Manitoba Water Stewardship notes that a connection of the concrete plant to a municipal water supply would create a potential for cross-connection and contamination of the municipal water supply if proper cross-connection measures were not implemented.

- Manitoba Water Stewardship recommends that an *Environment Act* Licence include the following requirement:
 - If a concrete plant is connected to a public or semi-public water supply, cross-connection control measures or equipment in accordance with the provisions of the Manitoba Plumbing Code 128/2006 shall be required.

Disposition

Clause 8 of the Draft Environment Act Licence requires the Director to approve each site. The above provided comments will be considered in that review. Other comments have been forwarded to the proponent for their information. The proponent will be required to comply with all Manitoba codes and legislation, regardless of whether they are repeated in the Licence.

The following comments were provided relevant to the Draft Licence:

- Amend clause 25 to include a requirement that any contaminated liquid generated is contained within the proposed development and contamination of groundwater and surface water is prevented.

- Manitoba Water Stewardship recommends that an *Environmental Act* Licence includes the following:
 - A concrete batch plant shall be located 100 metres from any surface water.
 - The Licencee shall meet or exceed the guidelines found in the following document published by the Canadian Ready Mixed Concrete Association *Environmental Management Practices for Ready Mixed Concrete Operations in Canada*.
 - The proponent is required to obtain appropriate authorizations from others for water use.

Disposition

An additional clause was added to require the 100 metre setback distance to surface water. Clause 26 as written requires containment of all spilled chemicals. The Licence requires compliance with the proposal submitted which indicated that the proponent would comply with the Canadian Ready Mixed Concrete Association's environmental management practices. The proponent will be required to comply with all Manitoba codes and legislation, regardless of whether they are repeated in the Licence.

PUBLIC HEARING:

A public hearing is not recommended.

RECOMMENDATION:

The Proponent should be issued a Licence for the operation of a concrete batch plant in accordance with the specifications, terms and conditions of the attached draft Licence. Enforcement of the Licence should be assigned to the Western Region of Manitoba Conservation.

A draft Environment Act Licence is attached for the Director's consideration.

Prepared by:

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