

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Shape Foods Inc.
PROPOSAL NAME: Flaxseed Processing Facility
CLASS OF DEVELOPMENT: 1
TYPE OF DEVELOPMENT: Food Processing Plant
CLIENT FILE NO.: 5241.00

OVERVIEW:

On February 15, 2007, Manitoba Conservation received a Proposal dated February 14, 2007, to construct and operate a flaxseed processing facility at Lot 1, Plan 39283 BLTO, SW 19-10-18 WPM in the City of Brandon. The proponent plans to produce edible flaxseed oils rich in omega-3 as well as sunflower and olive oil blends, seed meals and flours. Particulate matter emissions are controlled by a self cleaning regenerative bag house collection system and odours are controlled through an odour filtering system. Plant wastewater will pass through an oil and grease interceptor prior to discharge into the City of Brandon wastewater collection system. The flaxseed processing plant will operate 24 hours a day, 365 days a year.

The Department, on February 26, 2007, placed copies of the Proposal in the Public Registries located at 123 Main St. (Union Station), the Winnipeg Public Library, the Western Manitoba Regional Library, and the Manitoba Eco-Network. 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 Brandon Sun on March 3, 2007. The newspaper and TAC notifications invited responses until March 12, 2007.

COMMENTS FROM THE PUBLIC:

No public responses were received.

Disposition:

No action needed

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Manitoba Infrastructure and Transportation – Highway Planning and Design Branch

No concerns.

Manitoba Agriculture, Food and Rural Initiatives – Land Use Branch

No concerns.

Manitoba Health – Assiniboine and Brandon Regional Health Authorities

- Advised that consideration could be given for the proposal to include a provision for noise emission control and monitoring.

Disposition:

Clause 20 of the draft licence addresses these concerns.

Manitoba Conservation – Sustainable Resource & Policy Management Branch

- Very limited information is provided on the potential releases to air from the operation of this facility. It would be anticipated that the vacuum unloading of seeds could generate the release of fine particulate matter. The quantities of such releases are not quantified nor are measures to capture and prevent the release of this dust to the air.
 - *The proponent responds that particulate matter releases will be controlled by ducting exhaust air to a self cleaning regenerative bag house collection system.*
- There is also the potential for the release of odours from the various press systems, etc. through the mechanical ventilation system. Potential measures to address odour need to be incorporated into the design of the process.
 - *The proponent responds that the cold press seed expeller room is a totally enclosed building within the warehouse, and that exhaust air will be forced through an odour filter system.*

Disposition:

Clauses 8-12 & 21 of the draft licence address these concerns.

Manitoba Conservation – Western Region

Advises that:

- The proponent will likely need to apply for and obtain a health permit under The Public Health Act for a food processing facility. (pursuant to M.R. 339/88R)

Disposition:

Shape Foods will be notified of this requirement.

Manitoba Intergovernmental Affairs and Trade – Community Planning Services

Advises that:

- The proposed site of the factory is designated as “Industrial” in the Brandon and Area Planning District Development Plan and zoned “MG” Industrial General Zone in the Brandon Zoning By-law.

- The City of Brandon Zoning By-law provides for “limited manufacturing” as a permitted use in the “MG” Industrial General Zone. According to the Zoning By-law definitions, “limited manufacturing” includes manufacturing, assembly and processing of products and goods in an enclosed and/or outdoor facility, from which little or non emissions are generated during the normal course of operations. Uses include machine shops, mobile/modular home manufacturers and concrete plants. If this proposal is to be considered for approval, the City administration should be satisfied that the proposed use is consistent with the provisions of this definition and further Section 41(b) of the Brandon Zoning by-law.
- Finally, we have a concern with the added amount of truck traffic that will be using this area if this proposal is approved. This truck traffic will grow as the facility increases its production over the next 5 years as indicated in the proposal. In order to protect the residents to the west of 17 Street East from more truck traffic, possibly the City should look at requiring heavy truck traffic to use road access to the east and south of this proposed facility.

Disposition:

The City of Brandon building permit process will consider these concerns.

Health Canada – Healthy Environments and Consumer Safety Branch

Advises that:

- Section 4.6.2. Process Description, does not indicate that process and finished product storage equipment will be compatible for use with food products. It is recommended that all equipment that may come into contact with potential food products, be appropriately designed and constructed to prevent contamination and allow for effective inspection and cleaning.
 - *The proponent responds that all of the plant equipment is food grade approved and meets all food grade standards for clean in place (CIP) and inspection.*
- Section 4.6.2. also indicates that the mixed oils will be filled into black high density polyethylene bottles. It is recommended that the proponent obtain supplier certification to ensure that these dark coloured bottles are of food grade quality consisting of virgin resins. Packaging that contains recycled plastics can leach unapproved plasticizers, metals, pesticides or other contaminants into foods, especially where intimate, long term contact of the oil with the container is expected.
 - *The proponent responds that all food product bottles, containers, lids and packaging are made of certified food grade highly specialized pure virgin materials with multiple layer Oxygen scavenging barriers. All dark bottle high density polyethylene materials are food grade approved in both Canadian Health Canada standards and under US FDA regulations.*
- The EALP does not indicate what mitigation measures will be used to ensure worker health and safety, especially where hazardous processes are used (e.g. steam cleaning, packaging equipment, low O₂ environments, noise).

- *The proponent responds that the plant is designed to meet current WCB regulation standards for all equipment operation. Special safety procedures, training and equipment are being developed in conjunction with regional safety consultants, in house industrial safety expertise, the Manitoba GMP, HCCP, ISO 22000 Food Safety initiative program offered by FSI and MAFRI.*
- Section 4.6.4. indicates that the oily fibrous materials will be “packaged into jars” of unspecified composition. A comprehensive glass breakage policy is required to mitigate potential safety hazards due to the potential for fragments of glass jars (or other sources) contaminating the food. This policy should form part of the plant’s HACCP program.
 - *The proponent responds that the fibrous materials will be packaged into high density polyethylene jars and therefore there is no potential for contamination of the product. The packaging line will also contain metal detection and x-ray scanning equipment.*
- Similarly, a food recall plan should also be developed and implemented prior to the distribution of any products to enable immediate and effective public notification, product tracking, and retrieval of any food, cosmetic, etc. determined to constitute a hazard to public health and safety.
 - *The proponent responds that their recall plan is being developed as per the CFIA guide.*
- Section 4.6.4. states that gas monitoring and detection systems will be used to monitor safe levels of the gases in the rooms of the proposed facility at all times. The EALP does not indicate which gases will be monitored, and whether audible and/or visual alarms will be incorporated into the system to alert employees, contractors etc. of the potential danger.
 - *The proponent responds that oxygen monitoring equipment will be installed within all rooms where inert gases (Nitrogen and/or Argon) are used. The oxygen detectors will be powered by a battery back-up fail safe system and connected to a plant wide alert system. Audible and visible alarms will be designed in conjunction with automatic air purge fan systems to start and begin flooding the room when an alarm is detected.*
- The site utility plan does not indicate the utilization of backflow prevention device for the potable water supply line and sewer main.
 - *The proponent responds that the water main coming into the plant is designed with backflow prevention.*

Disposition:

The responses provided by the proponent have satisfied the expressed concerns.

Manitoba Water Stewardship – Ecological Services Division

- The Water Rights Licensing Branch has no concerns so long as the project is supplied with water from Brandon. If the project is to be self-supplied with water, the project will require a water rights licence.
 - *The proponent responds that all of the water is from the City of Brandon water supply.*

- The proponent is encouraged to maintain a vegetative buffer strip between the site of development and the Assiniboine River, and that temporary and permanent erosion and sediment control measures be implemented prior, during and after construction until the site is stabilized.
 - *The proponent responds that natural vegetation strip of greater than 200 metres will be maintained, and that the site will be monitored for potential and actual erosion during and after construction until the site is stabilized. Silt fences will be utilized to prevent erosion and sediment transportation wherever necessary.*
- The proposal states that there will be minor impacts to surface drainage. If there is an increase in surface drainage with the development of the facility or if the watercourse is altered, increase in culvert sizes, etc. a licence must be obtained from Manitoba Water Stewardship.
 - *The proponent responds that the proposed drainage plan does not require alteration to the current surface drainage patterns.*
- According to the section 4.6.3. potable water will be supplied by the City of Brandon. Appropriate backflow prevention should be provided on water supply as per the provincial plumbing code and the WCS AWWA Cross Connection Control Manual or CSA B64.10-01 Manual for the Selection and Installation of Backflow Prevention Devices. Backflow protection should be commensurate with the degree of hazard.
 - *The proponent responds that the water main coming into the plant is designed with backflow prevention.*
- Site utility plan (Sheet C1.3) shows proposed water and wastewater works. As per the Public Health Act, Regulation 331/88R (waterworks, sewerage and sewage disposal regulation) water distribution line extensions (more than 300m) and sewer line extensions require approvals prior to construction. Therefore, the proponent is requested to contact the Office of Drinking Water in order to verify whether any approval is necessary.
 - *The proponent responds that the Office of Drinking Water will be contacted to determine whether any approval is necessary.*

Disposition:

The responses provided by the proponent have satisfied the expressed concerns.

PUBLIC HEARING:

A public hearing is not recommended.

RECOMMENDATION:

The Proponent should be issued a Licence for the construction and operation of the flaxseed processing 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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