

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Exner E-Waste Processing Inc.
PROPOSAL NAME: Manufacturing Facility
TYPE OF DEVELOPMENT: Manufacturing and Industrial Plants.
CLIENT FILE NO.: 5497.00

OVERVIEW:

On June 18, 2010, the Department received a Proposal from Exner E-Waste Processing Inc which was determined to be incomplete. In October 2010 another Proposal was received that was accepted as complete on December 10, 2010. The Proposal was for the construction and operation of an e-waste processing facility at 12159 Road 27 West, near Morden, Manitoba.

On December 20, 2010 the Department placed copies of the Proposal in the Public Registries located at 123 Main St. (Union Station), the Winnipeg Millennium Public Library, the South Central Regional Library (Morden) and the Manitoba Eco-Network. As well, copies of the Proposal were provided to the Technical Advisory Committee (TAC) members. The Department placed a public notification of the Proposal in the Morden Times on December 30, 2010. The newspaper and TAC notification invited responses until January 31, 2011.

COMMENTS FROM THE PUBLIC:

A letter was received from Mr. Ernie Epp, CAO of the Town of Morden on behalf of the Town Council, indicating their support for the Exner facility.

A letter was received from Cheryl Digby, Community Development Officer of the Morden Community Development Corporation, indicating the Corporation's support for the Exner facility.

A letter was received from Kent Winning, President of the Morden & District Chamber of Commerce, indicating the Chamber's support for the Exner facility.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Manitoba Conservation, (Environmental Assessment and Licensing Branch).

The following questions were sent to the Proponent in order to clarify certain areas of the Proposal. The responses are included after each question:

Q 1. On page 2-1, top line – “see list of wastes” This list is not present in Section 2. Is it a reference to the list in section 4-1, page 4-1? Same “see list of wastes” is on page 2-3.

A 1. Yes this list is on page 4-1 for both references page 2-1 and page 2-3

Q 2. On page 2-1 middle – it says there are 3 separation stages but on page 2-3 it says there are 2 separation stages. Which one is correct?

A 2. There are 3 separation stages, these separation stages are AM1 AM2 & AM3

Q 3. On page 2-5, bottom – refers to ventilating fan V 10, but diagram AM1 shows V1.1

A 3. V1.1 is the right ventilating fan on AM1.

Q 4. On page 2-7, bottom and page 2-9, middle – the fractions ZZS – heavy material and sifter light material are not explained – see diagrams AM2 and AM 3.

A 4. ZZS – Heavy Material: are metals like copper, zinc, aluminum, brass (all metal substances)

ZZS – Sifter Light Material: Fluff: Paper, plastic, stickers

(Light weight material)

Q 5. On page 2-12, 2/3 down page – “The NL-fraction is carried over screw conveyor H6.2 in a boxes B6.3.” Should “in a” be into? Shouldn’t it be the HL fraction going into B6.3?

A 5. Yes into box B6.3

Q 6. On page 2-12, bottom – where are V5.1 and F2.2 on diagram AM6?

A 6. Please find the revised copy of the AM6 Drawing attached. It should be V6.1 and F6.2.

Q 7. On page 2-15, last line – “ it is absorbed as heavily as possible at the source of emission, whereby technical operations do not get disturbed by it.” Does this refer to dust removal equipment – fans? It is not clear.

A 7. Yes it refers to the zigzag sifter with air suction filtration

Q 8. On page 2-20, bottom – “ storage outside, it cannot be completely ruled out that rain water from the storage areas and driving surfaces is fully drained. Therefore the drainage is connected to the existing sewage.” What is the meaning of this? Connect to sewage ??

A 8. No material will be stored outside. As for the e-Steward regulation, material that is stored outside should be covered. Any material that is to be stored outside by Exner will be in closed containers.

Q 9. On page 4-3, second paragraph – it says palletized, do you mean pelletized?

A 9. Yes pelletized.

Q 10. On page 7-1, at bottom – there is a reference to chapter 9.6. What is that? Where is that?

A 10. It should be referenced to the table found on page 7-8

Disposition.

Where appropriate the answers will be incorporated into the draft Licence.

Manitoba Conservation, (Aboriginal Relations Branch).

No concerns.

Manitoba Conservation, (Parks and Natural Areas Branch).

No comments.

Manitoba Conservation, (Pollution Prevention Branch -Air Quality Section).

Had the following comments as related to air quality impacts:

No significant dust should be emitted since adequate dust control measures (cyclone and dust filter) are provided to the different recycling and recovery processes to contain particulate matter generated. However, the dust collected may contain heavy metals (ex. lead) hence should be disposed properly.

The absence of thermal procedure or treatment during the recycling process will result in insignificant direct emissions of VOCs and toxic metal emissions

Disposition.

No response required. The draft Licence will include clauses as required to control dust emissions.

Manitoba Conservation (Operations Division, Central Region).

The proposal has been reviewed. It is a very difficult report to read. In addition, the site plan, air photo and flow diagrams provided are not very clear and difficult to decipher. Nevertheless, it would appear from the report that particulates emissions from various process will be emitted through filters or bag house and should not be a concern. High temperature heating is not use in any of the process and therefore, odour emissions should not be a concern.

Waste generation, classification and disposal from various process is not very clear. The fine material collect in the “big Bags” should be classified to determine whether it is a hazardous waste. As shredders and hammer mills are used, is lead a concern for the waste stream. Pending classification of the waste, landfill disposal may not be the option.

The questions were sent to the Proponent and the following response was received;

We assume you are referring to the dust from our hammer milling processes. It still contains a considerable amount of precious metals (Gold, Silver, Palladium and Copper) along with some lead coming of the solder spots on the circuit boards. For the time being, this material will be collected

and send to the Exner Trenntechnik facility in Germany for complete recovery of the precious metals. The subsequently "cleaned" dust, at this stage free of precious and heavy metals (lead) will then either be sent to a landfill or to an incinerator. It is our plan to set-up one of these dust recovery processes in Morden in 2012 to allow us to process the material right there and avoid shipping of the material to Germany for recovery.

Disposition.

The draft Licence will include clauses as required to control waste disposal.

Manitoba Local Government (Community Planning & Development Branch).

Community and Regional Planning in the Morden Regional Office has reviewed the Proposal and has no concerns or comments at this time.

Manitoba Conservation (Wildlife Branch)

No concerns.

Manitoba Conservation, (Sustainable Resource and Policy Management Branch and the Land Programs Branch)

No concerns

Manitoba Conservation, Climate and Green Initiatives Branch

The following response was received:

Attached is the Electronic Product Stewardship Canada (EPSC) Recycler Qualification Program for End-of-Life Electronics (EOLE) Recycling document from October 2010. I think that Exner needs to provide more specific information and detailed science to back up their application. The requirements for processors to meet the EPSC electronics recycling standard speaks to this point on how Exner will safely manage their EOLE. For more information of EPSC, please visit www.epsc.ca – this is one of the industry stewardship groups that has recently submitted a plan for e-waste recycling in MB.

Exner has either omitted or neglected to offer details on important safety and environmental considerations. Here are some examples of these issues:

- No mention of Insurance coverage – EPSC requires a minimum of \$2,000,000 per occurrence, which includes bodily injury and property damage
- No mention of Certificate of Workers Compensation
- Should state that they don't use prison or child labour
- No mention of downstream flow of materials or a chain of custody documentation procedure. In many cases lead, mercury and batteries as well as other hazardous materials will be transported to downstream vendors but they don't mention any import/export regulations or the Transportation of Dangerous Goods act.

- Should state that they will not export unprocessed materials to non-OECD countries
- No mention of a Closure plan – in the event that they are unable to ship materials to downstream vendors – what will they do? And what financial mechanisms will offer them a contingency plan?
- No evidence of an Employee Health and Safety Training Manual or Program
- Data security – how will they securely receive, handle and store data contained in electronic devices? How will they train employees on how to identify data containing materials? How will they document and physically destroy this sensitive data information?
- They don't have a schedule or science-based procedure in place for air contaminant, surface sampling, noise analysis or medical evaluation of staff (hearing and blood tests).
- They need to say that they will only store materials indoors and not in any areas susceptible to spills, or fire and also set appropriate storage limits.
- Where do the particulates in their “Big-Bags” end up? The fine particulates gathered through the duct and ventilation system have metals and potentially hazardous materials within – where will they dispose of this?
- On page 6-4 (S.6.2.5) they state “material groups that cannot be used and are therefore incinerated or used in landfills: other hazardous materials such as LCD displays, batteries, etc”. This is vague – there is a big difference between sending batteries to an incinerator and a landfill. They should be more specific – can we ask for a table like the Table 1 found on p. 9 of the EPSC (Oct 2010) document which describes the material disposition hierarchy and points of final disposition on a material specific basis.
- They need to calibrate their scales on a specific and regular basis – for example I know that some of the processors we have used calibrate all their scales twice a year. This is important data they need to be accurate.
- In S 2.5 there is no reference to a Lock-out/Tag-out program as required by all WHMIS standards.
- Also, they should have a documentation procedure in place for Dealing with Accidents (S.2.5.5) –it should say a specific time period that they must report all accidents to the appropriate authority - for example, EPSC requires this “within 5 business days”.
- Page 2-16 says that the “exhaust air is blown into the hall”. This seems very odd and unsafe to me – exhausted air from one part of the building into another?!
- Page 2-18 says that the indoor atmosphere is prone to explosion and fire and yet in the previous section (S.2.7.4.2) they state “no special fire protection equipment such as a sprinkler system” is necessary?!
- Page 2 -19 “the plant is cleaned regularly to minimize dust deposition”. How do they define “regular cleaning” of the plant – is this once a week, day, month, year?
- Something else to keep in mind – a bit of an aside on the site/location – are they moving and building their plant at another location? My understanding is they are only leasing this Tupperware plant.

These questions/comments were sent to the Proponent. A reply was received from the Proponent on April 12, 2001 and this was forwarded to the Climate and Green initiatives Branch.

Disposition.

The draft Licence will include appropriate clauses.

Manitoba Water Stewardship Division

Recommendations and comments were received:

Recommendations were as follows

- Manitoba Water Stewardship recommends an *Environment Act* Licence to include the following requirements:
 - The Licencee shall dispose of all sewage generated on site at an approved facility.
 - The Licencee shall ensure that heavy metal contaminants or other toxic materials are not present in liquid wastes.
 - Note: The Proposal describes the possibility of compressor condensates and cleansing water as possible liquid wastes.
 - The Licencee shall develop and implement an Emergency Response Plan, including the following:
 - In the event of a fire, provisions shall be developed and implemented to contain and treat the water prior to release.
- Comments were as follows:
 - Manitoba Water Stewardship does not object to this proposal, at this time.
 - The Manitoba Department of Water Stewardship is mandated to ensure the sustainable development of Manitoba's water resources. Manitoba Water Stewardship is committed to the goals of: protecting aquatic ecosystem health; ensuring drinking water is safe and clean for human health; managing water-related risks for human security; and stewarding the societal and economic values of our waterways, lakes and wetlands; for the best water for all life and lasting prosperity. Manitoba Water Stewardship achieves these goals, in part, through administering legislation, including *The Water Protection Act*, *The Water Rights Act*, and *The Water Power Act*.
 - The proponent needs to be informed of the following for information purposes:
 - *The Water Rights Act* requires a person to obtain a valid licence to control water or construct, establish or maintain any "water control works." "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, a person is required to submit an application for a Water Rights Licence to Construct Water Control Works. A person may contact the following Water Resource Officer to obtain an application and/or obtain information.
 - A contact person is Mr. Geoff Reimer C.E.T., Senior Water Resource Officer, Water Control Works and Drainage Licensing, Manitoba Water

Stewardship, Box 4558, Stonewall, Manitoba R0C 2Z0, telephone: (204) 467-4450, email: geoff.reimer@gov.mb.ca.

- The proponent needs to be informed that erosion and sediment control measures should be implemented until all of the sites have stabilized.

Disposition.

The draft Licence will include appropriate clauses.

Manitoba Infrastructure and Transportation (Highway Planning and Design Branch).

MIT has reviewed the Proposal noted above and has no concerns with the proposed project. However, we would like to raise the following comment for consideration:

A permit will be required from Manitoba Infrastructure and Transportation (MIT) if any construction above, on, or below ground level, including the placement of signs, within 38.1 m (125 ft) from the edge of the highway right-of-way.

If additional information or clarification on this requirement is needed, the applicant can contact Mr. Murray Donald, Regional Planning Technologist at telephone number 204-239-3181

The comments were sent to the Proponent and the following response was received:

We are not considering changes to the current infrastructure, such as new entrances and so on.

Disposition.

No response required

Canadian Environmental Assessment Agency

Application of the Canadian Environmental Assessment Act with respect to this proposal will not be required.

PUBLIC HEARING:

A public hearing is not recommended.

RECOMMENDATION:

The Proponent should be issued a Licence, in accordance with the attached draft, to operate the E-Waste Processing facility. Enforcement of the Licence should be assigned to the Central Region.

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