

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPOSER: Carlisle Liquid Starters
PROPOSAL NAME: Crop Protection Products Warehouse
CLASS OF DEVELOPMENT: 1
TYPE OF DEVELOPMENT: Bulk Materials Handling Facility
CLIENT FILE NO.: 5519.00

OVERVIEW:

On March 18, 2011, Manitoba Conservation received a Proposal dated March 17, 2011 for the construction and operation of a crop protection products warehouse – liquid fertilizer production and distribution facility at N ½ 32-7-19 WPM in the Rural Municipality of Oakland. The facility will blend, package, store, and distribute fertilizer products.

The Department, on April 26, 2011, placed copies of the Proposal in the Public Registries located at 123 Main St. (Union Station), the Winnipeg Public Library, the Manitoba Eco-Network, the Millennium Public Library, and the Rural Municipality of Oakland office. 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 April 30, 2011. The newspaper and TAC notifications invited responses until May 30, 2011.

COMMENTS FROM THE PUBLIC:

There were no comments received from the public.

Disposition:

No action needed.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Canadian Environmental Assessment Agency

No concerns.

Disposition:

No action needed.

Environment Canada

No concerns.

Disposition

No action needed.

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

The following concerns were presented:

- MIT requests an engineered detailed erosion & sedimentation mitigation plan for the initial construction of the site. It has been observed that on the Carlisle Liquid Starters (PTH 2) site, some work has commenced at this location with no erosion measures in place.
- The proposed development is located adjacent to Provincial Trunk Highway (PTH) No.2. As such, the proponent should be informed that, under the Highways Protection Act, any new, modified or relocated access connection onto a PTH will require a permit from the Highways Traffic Board (including changed use in access). A permit may also be required for any construction (above or below ground level) within 38.1 m (125 ft) or for any plantings within 15.2 m (50 ft) from the edge of the right of way of PTH 2. Permit applications can be obtained by contacting Ashley Beck at the Brandon Office (204) 726- 7000. The proponent shall ensure that all proposed access roads onto PTH 2 are reviewed to conform to Department standards.
- All potential drainage into ditches onto a departmental road from the site should be controlled within a beamed area around the facilities and equipped with control valve so that any contaminated run-off could be contained within premises. Existing drainage patterns are to be maintained in all ditches onto departmental roads. A permit may be required if there is an increase in the drainage flow rate.

Disposition

Clause 8 and 9 of the draft Licence requires remediation of erosion and sediment deposits. The proponent has obtained the necessary permit from the Highways Traffic Board. Clauses 7 & 14 - 20 of the draft Licence address secondary containment requirements.

Manitoba Conservation – Pollution Prevention

No concerns.

Disposition

No action needed.

Manitoba Conservation – Sustainable Resource and Policy Management

No concerns.

Disposition:

No action needed.

Manitoba Conservation – Environmental Operations

No concerns.

Disposition

No action needed.

Manitoba Conservation – Parks and Natural Areas Branch

No concerns.

Disposition

No action needed.

Manitoba Conservation – Wildlife & Ecosystem Protection Branch

No concerns.

Disposition

No action needed.

Manitoba Health – Assiniboine and Brandon Regional Health Authority

The following comments were provided:

- Air emissions – ensure air emissions criteria will be met, including any possible greenhouse gas emissions and assessing the need for air dispersion monitoring if needed.
- Water – ensure measures in place to minimize any potential risk to surface or ground water contamination by fuel or chemical.
- Soil – ensure leachate and soil monitoring if needed.
- Wastes/Chemicals – a) ensure that any discharge of wastes or removal of wastes is in compliance with Manitoba Environment's guidelines, b) ensure reporting and appropriate disposal of all hazardous wastes, and c) maintain current chemical inventory lists in designated areas.
- Emergency Response Plan – ensure availability for review of an emergency response plan.
- Property ownership – were any concerns raised by landowners and occupants within 1.5 km of the proposed site?

Disposition

Clauses 10 - 12 of the draft Environment Act Licence address air emissions, clauses 7, 13 – 17, 19 & 20 address monitoring and containment requirements, clause 21 requires an inventory of fertilizers on site, and clause 23 requires an emergency response plan. There were no concerns raised by any member of the public.

Manitoba Water Stewardship

The following comments were provided:

- Manitoba Water Stewardship recommends an *Environment Act Licence* to include the following:
 - The Licencee shall develop and implement an Emergency Response Plan, including the following:
 - All potentially contaminated water from the site must be contained on the Proponent's property. Therefore, secondary containment must incorporate a gated culvert which must remain in the closed position unless authorized by Manitoba Conservation. Where there is a concern that accumulated water is contaminated, the liquid should be sampled prior to release.
 - Potentially contaminated water cannot be released until approval is obtained from Manitoba Conservation, after a review—by Manitoba Water Stewardship—of water sample test results submitted from a laboratory accredited by the Canadian Association for Laboratory Accreditation Inc. (CALA; Internet address = <http://www.cala.ca>). Water samples shall be retrieved from any source on the Proponent's property, or adjacent properties that might have been contaminated.
 - The Licencee must not allow any chemical substance to enter a septic field that may result by spillage or cleaning.
 - The Licencee must ensure that the operational warehouse meets or exceeds the guidelines of the Agrichemical Warehousing Standards Association for certification.
 - Manitoba Water Stewardship submits the following concerns:
 - The post development surface water runoff rate must not be greater than the present rate of runoff from the site
 - Manitoba Water Stewardship submits the following comments:
 - 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:
 - Erosion and sediment control measures should be implemented until all of the sites have stabilized.
 - *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. Ed MacKay C.E.T., Senior Water Resource Officer, Water Control Works and Drainage Licensing, Manitoba Water Stewardship, 1129 Queens Avenue, Brandon, Manitoba R7A 1L9, telephone: (204) 726-6226, email: ed.mckay@gov.mb.ca.

Disposition:

Clause 23 of the draft Environment Act Licence requires an emergency response plan and clause 17 addresses discharge to the sewage disposal system. The Licencee handles only liquid fertilizer and therefore compliance with the Agrichemical Warehouse Standards Association guidelines is not required. Surface water run-off rates are not expected to be affected by this

Development. The remaining comments submitted for information purposes have been provided to the proponent by way of this summary report.

PUBLIC HEARING:

A public hearing is not recommended.

RECOMMENDATION:

The Proponent should be issued a Licence for the construction and operation of a crop protection products warehouse in accordance with the specifications, terms and conditions of the attached draft Licence. Enforcement of the Licence should be assigned to the Brandon office of Manitoba Conservation.

A draft environment act licence is attached for the Director's consideration.

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