

## SUMMARY OF COMMENTS/RECOMMENDATIONS

**PROPONENT:** Neepawa Gladstone Cooperative Limited  
**PROPOSAL NAME:** Neepawa Gladstone Cooperative Limited  
Anhydrous Ammonia Distribution Facility  
**CLASS OF DEVELOPMENT:** 1  
**TYPE OF DEVELOPMENT:** Bulk Materials Handling Facility  
**CLIENT FILE NO.:** 5609.00

### OVERVIEW:

A Proposal was filed on August 17, 2012, by the Neepawa Gladstone Cooperative Limited for the continued of an anhydrous ammonia distribution facility to be located at NE 26-14-15 WPM in the Rural Municipality of Langford. The development will consist of twin bulk storage tanks with capacity to store 66 metric tones of anhydrous ammonia and 35 portable nurse tanks.

The Proposal was advertised in the Portage la Prairie Daily Graphic on Tuesday September 18, 2012. Copies of the proposal were placed in the Public Registries at 123 Main St. (Union Station) Main Floor, Winnipeg; Millennium Public Library, 4<sup>th</sup> floor, 251 Donald St., the Manitoba Eco-Network, 3<sup>rd</sup> Floor, 303 Portage Ave.; and the Rural Municipality of Langford Office, 282 Hamilton Street, Neepawa. The proposal was distributed to the Technical Advisory Committee (TAC) on September 12, 2012. The closing date for TAC and public comments was on October 18, 2012.

### COMMENTS FROM THE PUBLIC:

No public responses were received.

### COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Following is a summary of TAC comments received pertaining to the Proposal. Copies of the original comments from TAC are available in the Public Registries.

### Canadian Environmental Assessment Agency

The following comments were received from the Canadian Environmental Assessment Agency:

As you may be aware, on April 26 2012, the Government of Canada tabled the *Jobs, Growth and Long-term Prosperity Act*. This legislation provides the legal foundation for the Government's plan to modernize the regulatory system for project reviews. As part of this plan, the *Canadian Environmental Assessment Act*, 1992 was repealed and a new Canadian Environmental Assessment Act, 2012 (CEAA 2012) was enacted together with three supporting regulations namely: the *Cost Recovery Regulations*, the *Prescribed Information for a Description of a Designated Project Regulations*, and the *Regulations Designating Physical Activities* (the Project List Regulations).

CEAA 2012 focuses federal reviews on those project proposals that have a greater potential for significant adverse environmental effects in areas of federal jurisdiction. The *Regulations Designating Physical Activities* identify the physical activities which, if carried out individually or in combination, constitute a designated project that is subject to the requirements of CEAA 2012.

The project referred to above does not meet the definition of a designated project under CEAA 2012. As the Agency will only be involved in the review of designated projects, no formal federal coordination exercise will be undertaken for this file. Based on our review of the project information and our experience with these types of projects, the Agency has not forwarded the project information to any other federal authorities. Please note that the proponent would be responsible for confirming its regulatory responsibilities in developing the project.

*Disposition:*

No action needed

#### **Manitoba Conservation and Water Stewardship – Air Quality Section**

No comments.

*Disposition:*

No action needed

#### **Manitoba Conservation and Water Stewardship – Compliance and Enforcement Branch**

No comments.

*Disposition:*

No action needed

#### **Manitoba Conservation and Water Stewardship – Fisheries Branch**

The following comments were provided from the Fisheries Branch:

Fisheries Branch has reviewed this proposal to licence the existing Anhydrous Ammonia Plant in the NW corner of NE 26-14-15 W. The plant has twin bulk storage tanks with a combined capacity of 36000 US gal and 35 portable nurse tanks. They are certified under the Ammonia Standards Program.

The plant is approximately 3 km away from Lake Irwin and the Whitemud River. Both Lake Irwin and the Whitemud River provide year round habitat to a number of large and small bodied fish species. Fisheries Branch has a couple of concerns with this proposal. First while the potential for an emergency event may be considered small we have concern with the fact that there is no current containment around the plant site. The applicants have indicated that in the event of an emergency a Backhoe Service will be contacted to construct a retention berm to prevent contaminated runoff water from entering the ditch located on the northeast corner. We would recommend that berm be in place in order to be licensed or as a condition to licensing.

The second concern is the disposal of the bleed water. The applicants have indicated that Loomis septic will come and empty the bleed tank and dispose of the product. I am unfamiliar with requirements for the septic service industry in terms of disposing products. One would assume they would be required to dispose of this waste stream via the Town or RM wastewater system but it would be good to include this information in the proposal.

Additional information provided from fisheries biologist in the area includes:

- Lake Irwin is also an aerated waterbody, and
- there is also a well established northern pike that could be threatened.

*Disposition:*

Anhydrous ammonia is a gas at ambient temperatures and it is only a liquid under compression in the tank. If there was a leak, it would not remain a liquid for long, if at all. As part of an emergency response, they do use water to knock the gas down. Once however it is in the atmosphere it would not necessarily stay directly over the development and so requiring containment would not mitigate much of the concern.

Additional information was submitted by the proponent to satisfy concerns regarding bleed water.

### **Manitoba Conservation and Water Stewardship – Office of Drinking Water**

The following comments were provided from the Office of Drinking Water:

The Office of Drinking Water reviewed the above noted EAP with respect to any possible concerns respecting public water safety. The EAP notes the only building on the facility will be a small office building which will only be used during the spring and fall periods when the facility is in operation. No mention is made whether this building will have any water service. Mention is made of a “bleed tank” with water in it to absorb any NH<sub>3</sub> released during filling of tanks etc. , however no mention is made of where the water for this tank will come from. I can only assume it will be trucked in. The EAP indicates there are no public or semi-public water systems or water sources near the facility site.

Based upon the information in the EAP, Office of Drinking Water sees no cause for concern with this EAP.

*Disposition:*

No action needed.

### **Manitoba Conservation and Water Stewardship – Parks and Natural Areas Branch**

No comments.

*Disposition:*

No action needed.

**Manitoba Conservation and Water Stewardship – Sustainable Resource and Policy Management Branch**

No concerns.

*Disposition:*

No action needed.

**Manitoba Conservation and Water Stewardship – Water Quality Management Branch**

The following comments were provided from the Water Quality Management Branch:

The proponent's Emergency Water Containment Plan proposes that in the event of an emergency, an retention berm would be constructed to prevent contaminated runoff water from entering the ditch along the north side of the property. However, it is recommended that a containment / retention berm be constructed immediately, in advance of any emergency. In this way, all potentially contaminated water, including water/foam that might be generated from fire-fighting water or from bleed water spillage, will be contained on the proponent's property, without any lag time of potential run-off in the interim after an emergency and before an emergency berm is complete.

This containment berm may incorporate a gated culvert, but potentially contaminated water cannot be released until such time as Manitoba Conservation and Water Stewardship receives and reviews water sample results from a laboratory accredited by the Canadian Association for Laboratory Accreditation Inc. (<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 by fire fighting efforts or spillage.

*Disposition:*

Anhydrous ammonia is a gas at ambient temperatures and it is only a liquid under compression in the tank. If there was a leak, it would not remain a liquid for long, if at all. As part of an emergency response, they do use water to knock the gas down. Once however it is in the atmosphere it would not necessarily stay directly over the development and so requiring containment would not mitigate much of the concern.

**Manitoba Conservation and Water Stewardship - Wildlife and Ecosystem Protection Branch**

No concerns.

*Disposition:*

No action needed.

**Manitoba Health**

The following comments were provided from Manitoba Health:

Environment License clauses should address the following:

- i. please ensure that containment measures meet applicable guidelines,
- ii. maintain current chemical inventory lists in designated areas,
- iii. availability for review of emergency response plan,
- iv. prevention of wastewaters from entering sewage disposal and municipal ditch systems,
- v. sound and dust emission control and monitoring; and
- vi. adequate surface and groundwater protection.

*Disposition:*

All items can be addressed via Licence conditions.

### **Manitoba Infrastructure and Transportation (MIT)– Environmental Services Section**

The following comments were received from MIT:

MIT has reviewed The Environment Act Proposal noted above and we would like to convey the following:

- Upon review of Departmental records, it appears that no Highway Traffic Board Permit has been obtained for this existing facility along PTH 16. As such, the proponent should be informed that, under the Highway Protection Act (PTHs), any new, modified or relocated access connection onto a PTH requires a permit from the Highway Traffic Board (including change in access use). In addition, permits are also required for any structure placed on, under or above ground level withi the control area of 38.1 m (125 ft) along PTH 16.

Permit applications can be obtained by contacting Ashley Beck at the Brandon Office (204) 726-7000 or by email at [Ashley.Beck@gov.mb.ca](mailto:Ashley.Beck@gov.mb.ca). For further information, please contact Brian Hickman at (204) 726-6822 or by email at [Brian.Hickman@gov.mb.ca](mailto:Brian.Hickman@gov.mb.ca).

*Disposition:*

Comments as they pertain to permits will be forwarded to proponent for information.

### **PUBLIC HEARING:**

A public hearing is not recommended.

### **CROWN ABORIGINAL CONSULTATION:**

The project will be located on industrial land in an agricultural area in the Rural Municipality of Langford. All surrounding land potentially affected is also privately owned land. The project will not affect resource use on land or water. There are no adjacent or nearby First Nations.

**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 Environmental Compliance and Enforcement Branch of Manitoba Conservation and Water Stewardship.

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

**PREPARED BY:**

Krystal Penner  
Environmental Approvals Branch  
November 19, 2012  
Telephone: (204) 945-2819 / Fax: (204) 945-5229  
E-mail Address: krystal.penner@gov.mb.ca