

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Best Cooking Pulses
PROPOSAL NAME: Best Cooking Pulses-
Food Processing Plant
CLASS OF DEVELOPMENT: 1
TYPE OF DEVELOPMENT: Food Processing Plant
CLIENT FILE NO.: 5608.00

OVERVIEW:

The Proposal was filed by Best Cooking Pulses Inc. for the continued operation of a food processing plant to be located 124th – 10th Street in the City of Portage la Prairie on August 31, 2012. The development will consist of two 10, 000 bushel unit (bu), one 40, 000 bu flat steel bins and two 1300 bu hopper style metal bins, a main plant measuring 21.3 by 45.7 meters, and a 21.3 by 51.8 meter warehouse.

The Proposal was advertised in the Portage la Prairie Daily Graphic on Friday October 12, 2012. Copies of the proposal were placed in the Public Registries at 123 Main St. (Union Station) Main Floor, Winnipeg; Millennium Public Library, 4th floor, 251 Donald St., the Manitoba Eco-Network, 3rd Floor, 303 Portage Ave.; Portage la Prairie Regional Library, Portage la Prairie. The proposal was distributed to the Technical Advisory Committee (TAC) on October 10, 2012. The closing date for TAC and public comments was on November 13, 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, in July 2012, the *Canadian Environmental Assessment Act, 2012* (CEAA 2012) came into force. 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.

Based on the information provided by Manitoba Conservation and Water Stewardship, the project referred to above does not appear to meet the definition of a “designated project” under CEAA 2012.

Please note that the proponent is responsible for confirming its federal regulatory responsibilities in developing its project, including confirming whether its proposal is

described on the *Regulations Designating Physical Activities* under CEAA 2012. Please advise the proponent to review the regulations (<http://laws-lois.justice.gc.ca/eng/regulations/SOR-2012-147/index.html>) and contact the Canadian Environmental Assessment Agency if its proposal meets the definition of a designated project.

As the Agency will only be involved in the review of designated projects, no formal federal coordination exercise has been undertaken for this file. However, the Agency has copied Environment Canada and Health Canada on this correspondence for information purposes. We have uploaded the project information sent to us from Manitoba Conservation on the Agency's Collaboration Website: <https://collaboration.ceaa-acee.gc.ca/Home.aspx?locale=en-CA&c=1>.

Disposition:

No action needed.

Manitoba Conservation and Water Stewardship – Air Quality Section

It is expected that the potential air quality concerns will be minimized provided that the emission control units are operated and maintained appropriately. These would include the three units of dust collector, enclosures and other equipment or measure to control dust emission. Noise may have minimal impact because the facility is located within an industrial area and the milling process is fully enclosed.

Disposition:

Standard noise and air emissions will be included in the draft license.

Manitoba Conservation and Water Stewardship – Compliance and Enforcement Branch

The following comments were received from the Compliance and Enforcement Branch:

- The main issue that triggered their requirement to submit an EAL proposal was air emissions (dust) and they have addressed that adequately with new dust control equipment.
- The building is within the City of Portage la Prairie but not serviced by municipal water & sewage. If the City declares that they will be extending water & sewer services to that area, Best Cooking Pulses will have to hook up and decommission their OWMS (a holding tank)

Disposition:

No action required.

Manitoba Conservation and Water Stewardship – Fisheries Branch

Reviewed this request to licence a facility that has been in existence since 1952. The milling plant processes pea bran and fiber and pulse flours using dry milling processes. Steam is used as a tempering agent for one of the products. The plant is not connected to the city water supply or sewage. Water is provided from two sandpoint-type wells and sewage is held in holding tanks and pumped out.

Given the facility location and processing it would appear that there are no fisheries concerns associated with this facility.

Disposition:

No action needed.

Manitoba Conservation and Water Stewardship – Lands Branch & Sustainable Resource and Policy Management Branch

No concerns.

Disposition:

No action needed.

Manitoba Conservation and Water Stewardship – Office of Drinking Water

Reviewed the above noted EAP for any potential concerns Office of Drinking Water (ODW) may have respecting safety or drinking water systems. The EAP notes this grain milling plant is not connected to any public water system and discharges its domestic wastewater by licenced hauling truck to the Portage la Prairie sewer system. As such, ODW does not see any cause for concern respecting drinking water systems from 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 – Water Quality Management Branch

No concerns or comments.

Disposition:

No action needed.

Manitoba Conservation and Water Stewardship – Water Use Licensing Branch

The following questions were received from the Water Use Licensing Branch Branch as summarized:

1. What is the purpose of the boiler?
2. What is the source of water for the plant?
3. Does Best Cooking Pulses have a Water Rights Licence?

Disposition:

Proponent offered the following responses:

- 1) We have a low pressure boiler that is used to provide steam for tempering grain (specifically, field peas) before it is ground into flour. The boiler has a MB Unit number and it is audited annually by a Manitoba Labour and Immigration boiler inspector.
- 2) The city block where our plant is located is not serviced by city water. We have a sand point at the north end of the plant. Water is used for operation of the boiler on days when we are producing one of our products. There is also a sand point at the south end of the plant used for the staff coffee room and washroom.
- 3) This south sand point has been in use since the mill was constructed in 1952. The sand point at the north end was installed in 1987 or 1988 when we began manufacturing flour. We do not have a Water Rights Licence as we were not aware of the requirement to have this license.

The responses were reviewed by the Water Use Licensing Branch and they will provide further information directly to the proponent regarding Water Rights Licensing as it may apply to this particular site.

Manitoba Conservation and Water Stewardship – Wildlife Branch

No comments.

Disposition:

No action needed

Manitoba Infrastructure and Transportation

No concern.

Disposition:

No action needed

PUBLIC HEARING:

A public hearing is not recommended.

CROWN ABORIGINAL CONSULTATION:

The project will be located on industrial land in an established industrial zoned area in Rural Municipality of Shell River. 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 Food Processing Plant 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:

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