

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Wintec Building Services Inc.
PROPOSAL NAME: ADM DM149 Parallel Drum Portable Asphalt Plant
CLASS OF DEVELOPMENT: 1
TYPE OF DEVELOPMENT: Transportation – Asphalt Plants
FILE NO.: 6047.00

OVERVIEW:

Manitoba Conservation and Climate received a Proposal on February 5, 2020 for the installation and operation of an ADM DM149 Parallel Drum Portable Asphalt Plant at various locations throughout Manitoba. The facility will produce asphalt for various constructions projects.

The Department, on March 6, 2020 placed copies of the Proposal in the Public Registries located at Legislative Library (200 Vaughan Street) and online at <https://www.gov.mb.ca/sd/eal/registries/6047wintec/index.html>. 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 Winnipeg Free Press on March 14, 2020. The newspaper and TAC notifications invited responses until April 14, 2020.

COMMENTS FROM THE PUBLIC:

Jack Arden (April 6, 2020)

In 2003 Eddies Gravel Supply in Winnipeg Beach applied for a temporary asphalt plant permit located at the NW ¼ Section 6, Township 18, Range 4 EPM in the Rural Municipality of Gimli. The location was approximately 600 m from my residence. Eventually Manitoba Conservation deemed the proposed temporary plant as permanent. I would not want an asphalt plant in this area for health reasons and worried that Eddies will try to set up Wintec here again.

Please consider this regarding Wintec's proposal.

Disposition

The proposed operation is a portable asphalt plant and a site-specific review will take place when proposed in the future. The current temporary site is within the City of Winnipeg industrial area. If the plant proposes to convert into a permanent asphalt plant, a new complete Environment Act Proposal will be required during which a site-specific environmental review and assessment will take place. In addition Clauses 51 and 52 of the draft Environment Act Licence addresses this issue.

SUMMARY OF RESPONSE FROM THE TECHNICAL ADVISORY COMMITTEE:

No	Technical Advisory Committee Member	Response Provided
1	Manitoba Agriculture and Resource Development	
	<ul style="list-style-type: none"> • Wildlife and Fisheries Branch • Forestry Branch • Lands Branch • Regional Land Manager • Water Quality Management Section • Groundwater Management Section • Mines Branch • Petroleum Branch 	<p>No Concerns</p> <p>See comments below</p> <p>No Response</p> <p>No Response</p> <p>No Response</p> <p>No Response</p> <p>No Response</p> <p>No Response</p>
2	Manitoba Conservation and Climate –	
	<ul style="list-style-type: none"> • Compliance and Enforcement Branch • Environmental Approvals - Air Quality Section • Parks and Protected Spaces Branch • Office of Drinking Water • Water Use Licensing • Drainage and Water Rights Licensing • Climate and Clean Technology 	<p>See comments below</p> <p>See comments below</p> <p>See comments below</p> <p>No Concerns</p> <p>No Response</p> <p>No Response</p> <p>No Response</p>
3	Manitoba Sport, Culture, and Heritage – Historic Resources Branch	See comments below
4	Municipal Relations–	
	<ul style="list-style-type: none"> • Office of Fire Commissioner 	See comments below
	<ul style="list-style-type: none"> • Community and Regional Planning 	No Response
5	Manitoba Infrastructure – Highway Planning and Design	No Response
6	Economic Development and Training - Workplace Safety and Health	No Response
7	Manitoba Health Seniors and Active Living – Medical Officer of Health	No Response

A copy of the responses provided can be viewed at the following link:

<https://www.gov.mb.ca/sd/eal/registries/6047wintec/index.html>

SUMMARY OF COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Manitoba Agriculture and Resource Development – Forestry Branch

The following Forestry Branch recommendation was forwarded to the proponent:

- If operating within a Provincial Forest further permit is required.

Manitoba Conservation and Climate – Compliance and Enforcement Branch

Compliance and Enforcement Branch provided the following comments:

1. A site plan of the proposed locations showing the project components is not included.
2. Additional information regarding mitigation measures to control fugitive dust emissions.
3. Additional information regarding proposed noise mitigation measures at the site.
4. Information on the proposed air emission sampling frequency and methodology.
5. The petroleum storage systems must meet the requirements of the Storage and Handling of Petroleum Products and Allied Products Regulation (MR 188/2001).
6. The proposed property location is sited 600 m away from a residential area, how will the proponent address public complaints once in operation?

Disposition

The comments were forwarded to the proponent to address them. The proponent provided additional information and the Environmental Compliance and Enforcement Branch reviewed and had no further comment or concern. Clauses 22, 24, and 40 of the draft Environment Act Licence address issues related to noise mitigation, fugitive dust control and fuel storage tank.

Manitoba Conservation and Climate – Air Quality Section

Air Quality Section provided the following comments:

- no significant impact on air quality provided that the portable asphalt plant is equipped with a bag house filtration system to prevent the release of dust into the atmosphere
- to include Licence Clauses regarding noise and odour nuisance.

Disposition

The Proposal indicated the use of a baghouse as emission control equipment. Clauses 22 and 23 of the draft Environment Act Licence address issues related to noise and odour.

Manitoba Conservation and Climate – Parks and Protected Spaces

- Parks and Protected Spaces Branch would like to ensure that the standard setback distances and guidelines for provincial parks and ecological reserves for the asphalt plant are included in the license.

Disposition

Clause 12 of the draft Environment Act Licence addresses issues related to setbacks. In addition, Clause 10 of the draft Environment Act Licence requires a notification of a proposed location of operation for a site specific assessment and the Parks and Protected Spaces Branch will have an opportunity to review the proposed locations.

Manitoba Sport, Culture, and Heritage – Historic Resources Branch

The Historic Resources Branch provided the following comments:

- in instances involving human remains, the stop work order should also identify contacting the Historic Resources Branch and the nearest police detachment or department
- all future locations will be reviewed before any setup of the plant for potential heritage resource concern.
- The proponent is encouraged to contact the Historic Resources Branch to conduct heritage screenings of proposed locations to avoid areas of heritage significance.
- If at any time heritage resources are encountered during the operation, the Branch must be immediately contacted.

Disposition

The information was forwarded to the proponent. In addition, Clause 17 of the draft Environment Act Licence requires the Licencee to discontinue operation and contact the Historic Resource Branch or police department in the event of encountering heritage resources or human remains. Clause 10 of the Draft Environment Act Licence requires a notification of a proposed location of operation for a site specific assessment and the Historic Resources Branch will have an opportunity to review the proposed locations.

Municipal Relations – Office of Fire Commissioner

The following OFC recommendations were forwarded to the proponent:

- to file an Emergency Response / Fire Safety Plan for approval by a local fire department in accordance with Section 2.8 of the Manitoba Fire Code (MFC).

PUBLIC HEARING:

One public comment was received but no public hearing was requested; therefore, a public hearing is not recommended.

CROWN-INDIGENOUS CONSULTATION:

The Government of Manitoba recognizes that it has a duty to consult in a meaningful way with Indigenous communities when any proposed provincial law, regulation, decision or action may infringe upon or adversely affect the exercise of the Indigenous rights of that community.

This proposed facility will be located at various locations throughout Manitoba for short periods. As no effects on Indigenous rights are anticipated, Crown-Indigenous consultation is not required.

RECOMMENDATION:

The Proponent should be issued a Licence for the installation and operation of a portable asphalt 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 Climate. Wildlife Branch, Historic Resources Branch, Lands Branch, Manitoba Health Seniors and Active Living, and Parks and Protected Spaces Branch will review each proposed site before the installation and operation of the portable asphalt plant.

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