

## **SUMMARY OF COMMENTS/RECOMMENDATIONS**

**PROPOSER:** Rural Municipality of Rosser  
**PROPOSAL NAME:** Rosser Waste Transfer Station Hazardous Waste Depot  
**CLASS OF DEVELOPMENT:** DGHTA  
**TYPE OF DEVELOPMENT:** Hazardous Waste Depot  
**FILE NO.:** 6118.00

### **OVERVIEW**

The Rural Municipality of Rosser submitted a Dangerous Goods Handling and Transportation Act proposal dated June 17, 2021 for operation of their hazardous waste depot at the Rosser Waste Transfer Station. The depot is located on portions of SW 30-12-1 EPM within the Rural Municipality of Rosser. The proponent will not dispose of hazardous waste at this location but will transport them to a licensed facility for further processing, reuse, or disposal.

The department received the proposal on June 25, 2021, and supplemental information on October 18, 2021, and July 10, 2023. The department advertised the proposal in Stonewall Teulon Tribune on August 5, 2021. The department also placed it in the online [Public Registry](#) and distributed it to technical advisory committee (TAC) members on August 16, 2021.

The newspaper and TAC notifications invited responses until September 5, 2021.

The department worked with RM of Rosser since 2021 to ensure all requirements were satisfied and all required information was received.

### **COMMENTS FROM THE PUBLIC:**

The department did not receive any public comment during the comment period.

## **SUMMARY OF COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:**

<b>No</b>	<b>Technical Advisory Committee Member</b>	<b>Response Provided</b>	<b>Date Received</b>
1	Canadian Environmental Assessment Agency	No response	
2	Agriculture		
	<ul style="list-style-type: none"> <li>Land Use Branch</li> <li>Wildlife and Fisheries (Wildlife)</li> <li>Wildlife and Fisheries (Fisheries)</li> <li>Forestry and Peatlands</li> <li>Lands Branch</li> <li>Regional Lands Manager</li> <li>Water Quality Management Section</li> <li>Groundwater Management Section</li> <li>Mines Branch</li> <li>Petroleum Branch</li> </ul>	No response No concerns No response No concerns No response No concerns No response No response No response No response	Aug 26, 2021  Aug 16, 2021  Aug 23, 2021
3	Environment and Climate		
	<ul style="list-style-type: none"> <li>Compliance and Enforcement Branch               <ul style="list-style-type: none"> <li>Regional Office</li> <li>Hazardous Waste Program</li> </ul> </li> <li>Air Quality Management</li> <li>Waste Diversion and Recycling</li> <li>Office of Drinking Water</li> <li>Drainage and Water Rights Licensing</li> <li>Climate and Clean Technology</li> <li>Parks and Protected Spaces Branch</li> </ul>	No concerns See below  No response No concerns No concerns No response No response No concerns	Sep 6, 2021  Aug 19, 2021 Aug 18, 2021  Aug 17, 2021
4	Sport, Culture, and Heritage – Historic Resources Branch	See below	Aug 23, 2021
5	Municipal Relations		
	<ul style="list-style-type: none"> <li>Inspection and Technical Services</li> <li>Community and Regional Planning</li> <li>Office of the Fire Commissioner</li> </ul>	No response No response No concerns	Aug 25, 2021
6	Economic Development, Investment and Trade – Workplace Safety and Health	No response	
7	Health – Environmental Health Unit	No response	
8	Transportation and Infrastructure	No concerns	Aug 30, 2021

A copy of the responses and the additional information provided can be viewed at the following link: [File 6118.00](#).

## **COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:**

### **Environment and Climate - Hazardous Waste Program (September 7, 2021)**

- Hazardous waste program requested the proponent to provide the following additional information:
  - The site diagram indicates the location of the hazardous waste storage areas but not clear if these areas are covered structures or not.
  - The used oil storage tank must provide information such as:
    - capacity
    - aboveground or underground tank
    - single wall or double tank
    - location of the truck parking pad for unloading used oil
    - spill containment measures
    - spill clean-up equipment and supplies
  - The proponent must identify the storage location of waste pesticide.

#### ***Disposition:***

- Clauses 22 to 26 of the draft licence includes conditions about hazardous waste storage.
- The proponent submitted additional information on October 18, 2021, and July 10, 2023. The used oil tank is a 2500-litre above ground double-wall blue container. There is no truck parking pad. Waste pesticide and empty pesticide containers will not be accepted. The proponent has revised the hazardous waste that will be accepted at the depot.
- Clause 41 to 43 of the draft licence include conditions about spill containment measures and clean up.

### **Sport, Culture, and Heritage – Historic Resources Branch – August 23, 2021**

- The Historic Resources Branch has no further action required for the current hazardous waste depot.
- Archaeological sites, including human burials have been reported near the depot. These factors suggest that any future planned development within the area has the potential to impact heritage resources, and therefore, the Historic Resources Branch has concerns if there are future expansion plans.
- The developer must contract a qualified archaeological consultant to conduct a heritage resources impact assessment of the proposed development location to identify and assess any heritage resources that may negatively impacted by the project.

#### ***Disposition:***

- The department shared the comments with the proponent on April 21, 2023 for information only.

## **PUBLIC HEARING:**

The department did not receive any public request for a hearing. A public hearing is not required as the project's environmental impacts are well understood and associated mitigation measures can minimize them.

**CROWN-INDIGENOUS CONSULTATION:**

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

This project is located on a property owned and operated by the applicant within an established and operating waste management facility. All surrounding land potentially affected is privately owned. The project will not affect resources available for use on land or water.

Adverse effects on surface water or habitat for wildlife or fisheries are not anticipated. Since resource use is not affected by the project, there would be no infringement of Indigenous rights under section 35 of The Constitution Act, 1982. Therefore, it is concluded that Crown-Indigenous consultation is not required for the project.

**RECOMMENDATION:**

The draft licence addresses the concerns raised by the provincial technical advisory committee members. I recommend issuing a Dangerous Goods Handling and Transportation Act licence for the construction and operation of the facility following the specifications, limits, terms, and conditions of the attached draft licence. I also recommend assigning the administration of the licence to the Winnipeg region of the Environmental Compliance and Enforcement Branch.

Prepared by:

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September 28, 2023

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