

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Al Meisner Ltd.
PROPOSAL NAME: Al Meisner Concrete Batch Plant.
CLASS OF DEVELOPMENT: 1
TYPE OF DEVELOPMENT: Concrete Batch Plant -
CLIENT FILE NO.: 5744.00

OVERVIEW:

Manitoba Conservation and Water Stewardship received a Proposal on October 21, 2014 for the continued operation of a concrete batch plant at NW ¼ 32-13-11 EPM in the Rural Municipality of Whitemouth, Manitoba. The facility manufactures ready-mixed concrete and supplies to construction sites in southern Manitoba.

The Department, on November 13, 2014, placed copies of the Proposal in the Public Registries located at Legislative Library (200 Vaughan Street), the Winnipeg Millennium Public Library in Winnipeg and online at <http://www.gov.mb.ca/conservation/eal/registries/5744meisner/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 Beausejour-Lac du Bonnet Clipper on November 13, 2014. The newspaper and TAC notifications invited responses until December 12, 2014.

COMMENTS FROM THE PUBLIC:

No Comments.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Canadian Environmental Assessment Agency

No Comments.

Manitoba Agriculture – Crops Branch

No Concerns.

Manitoba Conservation and Water Stewardship –Compliance and Enforcement Branch

Environmental Compliance and Enforcement Branch (Eastern Region) submits the following comments re: the above EAP:

- *Section 6.1 discusses various controls for dust emissions. How will the “visual opacity observation” training be delivered to plant employees i.e. will formal training be provided, and by whom?*
- *Section 6.1 indicates that liquid from settling basins will be taken to a pollution treatment centre for proper disposal. Can the proponent provide details regarding the pollution treatment centre i.e. what type/name of the facility? Does the proponent have a current arrangement with such a pollution treatment centre?*
- *Section 7.0 references a settling basin that will be used for the collection of washout water, and that the basin is excavated into clay fill. Can the proponent provide additional information regarding the clay fill such as thickness and hydraulic conductivity, and verify that the clay fill is adequate for the protection of groundwater from harmful constituents in the washout water?*

Proponent Response (January 30, 2015)

Comments from ECE Branch regarding above EAP

1. Section 6.1 – visual opacity observation training will be provided to AML employees as part of general Environmental Awareness Training for the operation. Millar Safety & Environmental Services will provide the training – a PowerPoint presentation will provide example levels of opacity measurements using photos from a crushing operation. The training will be documented by AML.
2. Section 6.1 - It is our understanding we can take the settling pond liquid (via licensed waste water hauler) to the City of Winnipeg South End Water Pollution Control Center at 100 Ed Spencer Drive – our waste water from the settling pond can be taken and disposed of at the facility as long as we're registered at the facility and the pH is at an acceptable level (they'll accept waste water up to a pH of 11). If the Licensed hauler suggests we take the waste water to a pollution control facility closer than the Winnipeg facility we will do whatever is most feasible. It is very unlikely we'll need to take waste water to a treatment facility though - as we plan to extract the solid/hardened concrete waste on a regular basis which will keep low the liquid levels in the washout pit cells.
3. Section 7.0 regarding clay thickness and hydraulic conductivity for the washout pit - We can dig a test hole to determine the depth of clay. If the clay is not to a sufficient depth (approx. 2 m depth) for the washout pit we'll excavate the washout pit and line it with approximately 25 cm thick layer of compacted clay. Clay will be compacted with a 1000 lb. plate packer/tamper. The washout area will consist of two cells - the first cell takes the wash water and solids during truck washouts - the solids will remain in the first cell and excess liquid will drain into the second cell. Each cell will be approximately 6 m x 6 m and 2 m in depth - with a channel connecting the two cells allowing the liquid to flow into the 2nd cell and contain the solids in the first cell.

Environmental Compliance and Enforcement Comment (February 4, 2015)

Environmental Compliance and Enforcement has no further comments re: the Environment Act proposal submitted by Al Meisner Ltd.

Disposition

The proponent provided additional information to address the concerns raised. The Environmental Compliance and Enforcement Branch reviewed the response and has no further comment. In addition Clauses 27 and 28 of the draft Environment Act Licence address issues related to wastewater handling.

Manitoba Conservation and Water Stewardship – Programs and Strategies Branch – Air Quality Section

Air Quality Section has reviewed the above proposal and provides the following comments:

- It is expected that there will be no significant impact on air quality provided that the plant is equipped with dust collection system (e.g., bag house) to prevent the release of dust into the atmosphere.
- Also provided that other dust control measures (e.g., watering, sweeping etc.) outlined in the Best Environmental Management Practices for Redi-Mix Concrete Plants prepared by the Manitoba Heavy Construction Association are followed appropriately.
- Air Quality Section suggests that the EA Clause regarding noise nuisance be included.

Disposition

Clauses 6 and 10 of the draft Environment Act Licence require compliance with “Manitoba Heavy Construction Association Best Environmental and Safety Management Practice Redi-Mix Concrete Facilities” manual and address noise issues.

Manitoba Conservation and Water Stewardship – Wildlife Branch

No Response.

Manitoba Conservation and Water Stewardship – Parks and Protected Spaces Branch

Parks and Protected Spaces Branch has reviewed the proposal filed pursuant to the *Environment Act* for Al Meisner Concrete Plant - File: 5744.00. The Branch has no comments or concerns to offer as it does not affect any provincial parks, park reserves, ecological reserves, areas of special interest, or proposed protected areas.

Manitoba Conservation and Water Stewardship – Forestry Branch

No Response.

Manitoba Conservation and Water Stewardship – Aboriginal Relations Branch

No Response.

Manitoba Conservation and Water Stewardship – Lands Branch

No Comments.

Manitoba Conservation and Water Stewardship – Water Quality Management Section

No Response.

Manitoba Conservation and Water Stewardship – Groundwater Management Section

No Response.

Manitoba Conservation and Water Stewardship– Fisheries Branch

No Response.

Manitoba Conservation and Water Stewardship – Office of Drinking Water

No Concerns.

Manitoba Conservation and Water Stewardship– Water Use Licensing Section

No Response

Manitoba Conservation and Water Stewardship – Water Control Works Licensing Section

Any water control works (drains, culverts, dykes, dams, etc.) associated with this project will require licensing under the *Water Rights Act* – an application is attached for the proponent’s convenience. Any inquiries in this regard may be directed to the local *Water Resource Officer*. Their contact information may be found at:

http://www.gov.mb.ca/conservation/waterstewardship/licensing/pdf/areas_of_focus_jan_23_12.pdf

Disposition

The proponent is notified of the requirement. In addition the Licence cover letter requires the licensee to comply with any other legislative requirements.

Manitoba Conservation and Water Stewardship– Climate Green Initiative Branch

No Response.

Manitoba Conservation and Water Stewardship– Regional Services Branch

No Response

Manitoba Culture, Heritage and Tourism – Heritage Branch

No Response.

Manitoba Innovation Energy and Mines – Energy Development Branch

No Response.

Manitoba Innovation Energy and Mines – Petroleum Branch

No Concerns.

Manitoba Infrastructure and Transportation – Flood Forecasting Branch

No Response.

Manitoba Infrastructure and Transportation – Highway Planning and Design Branch

No Concerns.

Manitoba Intergovernmental Affairs

No Response.

Manitoba Health – Environmental Health Unit

No Response.

Manitoba Labour – Office of Fire Commissioner

No Concerns.

Manitoba Labour – Work Place Safety & Health

No Response

Manitoba Municipal Government – Community and Regional Planning Branch

No Concerns.

PUBLIC HEARING:

A public hearing is not recommended.

CROWN-ABORIGINAL CONSULTATION:

The Government of Manitoba recognizes that it has a duty to consult in a meaningful way with First Nations, Métis communities and other Aboriginal communities when any proposed provincial law, regulation, decision or action may infringe upon or adversely affect the exercise of a treaty or Aboriginal right of that First Nation, Métis community or other Aboriginal community.

This facility is an existing concrete batch plant located on a private land in the Rural Municipality of Whitemouth. There would be no infringement of aboriginal or treaty rights under Section 35 of the Constitution Act, 1982. Therefore, it is concluded that Crown-Aboriginal consultation is not required for the project.

RECOMMENDATION:

The Proponent should be issued a Licence for the continued operation of a concrete batch 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:

Eshetu Beshada, Ph.D., P. Eng.
Environmental Engineer
Mines and Wastewater Section

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Telephone: (204) 945-7023

Fax: (204) 945-5229

E-mail Address: Eshetu.Beshada@gov.mb.ca