

SUMMARY OF COMMENTS/RECOMMENDATIONS

~~DRAFT~~

APPLICANT: SUN LINE LTD.
FACILITY NAME: Used Oil as a Fuel at Asphalt Plant Facility
CLASS OF DEVELOPMENT: N/A
TYPE OF DEVELOPMENT: Hazardous Waste – DGH&T Act
CLIENT FILE NO.: 5116.00

OVERVIEW:

On June 20, 2005, the Department received an Application from Sun Line Ltd. for the disposal of used oil at a permanent asphalt plant located at 175 Pacific Street in Winkler. It is proposed that the used oil will be burnt as a fuel for the heating of the aggregate.

On June 21, 2005 the Department placed copies of the Application in the Public Registries located at 123 Main St. (Union Station), the St James-Assiniboia Public Library, the Manitoba Eco-Network and the South Central Region Library in Morden. As well, copies of the Application were provided to the Technical Advisory Committee (TAC) members. The Department placed a public notification of the Application in the Winkler Times on June 24, 2005. The newspaper and TAC notification invited responses until July 25, 2005.

COMMENTS FROM THE PUBLIC:

No comments were received from the public.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

1. Culture, Heritage and Tourism The Historic Resources Branch has no concerns with regard to this project's potential to impact heritage resources.

2. Conservation had the following comments:

- Waste oil must be stored as per requirements of MB Regulation 188/2001
- Precaution should be taken to prevent soil and possible groundwater contamination from oil spills.
- Approved oil storage tanks are required as well as a containment dyke.
- There should be a reworked clay liner (or other impermeable barrier) under the oil storage tank(s) within this containment area.
- Will the used oil be used for any other purpose on the site?
- Has any chemical analysis been done on the used oil to determine the level of metal contamination?
- What quantities of used oil would be used on an annual basis?
- What precautions are taken to prevent spills of used oil on the site?

2. Conservation (cont.)

Disposition.

The Licence requires compliance with MB 188/2001 which covers construction, installation and operation of the used oil storage tanks. Used oil will only be used for a fuel to heat the aggregate. The Licencee will be required to analyse the used oil at the request of the Director. The quantity of used oil to be burned per year is not known.

3. Transportation and Government Services had no concerns.

4. Health Central Region noted that health concerns relate to adequate protections against oil spills and fires.

5. InterGovernmental Affairs Community Planning Services Branch noted that:

- The proposed development of the plant and disposal of the used oil will take place in the "MH" heavy industrial zone in Winkler.
- Asphalt and Asphalt Product are a conditional use in this zone.
- Minimum site requirement of total area is 10,000 sq.ft. and a minimum width of 100 ft. The site size according to the application will meet these minimum requirements.
- There are two development standards for the MH zone.
 - a) *In the MH zone, the total area of outside operations and storage shall not be greater than seventy-five percent (75%) of the total site area. Said outside operations and storage are not permitted in the required front yard; and*
 - b) *Where a fence is required, outside storage shall not project above the height of the fence.*
- *The intent of this zone is to provide for a wide range of industrial uses where a certain level of nuisance factor must be accepted as characteristic of the use. Wherever practical, these uses are located as far as possible from residential zones and in such a way as to minimize any detrimental effect on other uses of land.* The project complies with the general intent of the Winkler Development Plan and Community Planning Services has no outstanding concerns with this application.

6. Canadian Environmental Assessment Agency noted that application of the Canadian Environmental Assessment Act with respect to this proposal will not be required. There were concerns/comments issued by Environment Canada and by Health Canada. These were:

- The proponent has not provided any information on the constituents of the used oil that is proposed to be used as fuel for the asphalt plant. Burning used oil can result in the emission of heavy metals and other harmful constituents. The potential impacts of these emissions need to be considered as part of the environmental impact assessment.

Disposition

The Licence addresses storage, handling and spill concerns. The Licencee will be required to analyse the used oil at the request of the Director.

PUBLIC HEARING:

A public hearing is not required.

RECOMMENDATION:

The Applicant should be issued a Licence, in accordance with the attached draft, to operate the Used Oil disposal facility. Enforcement of the Licence should be assigned to the Red River Region.

PREPARED BY:

Adrian Jackson, P. Eng.
Environmental Engineer
Municipal, Industrial and Hazardous Waste Section
August 16, 2005
Telephone: (204) 945-7108
Fax: (204) 945-5229
E-mail Address: ajackson@gov.mb.ca