

DATE: November 10, 2014

TO: Tania Steele

FROM: Eshetu Beshada, Ph.D., P.Eng.  
Environmental Engineer  
Mines and Wastewater Section  
123 Main Street  
Ste. 160 Union Station  
Winnipeg, Mb R3C 1A5  
Ph:204 945-7023

SUBJECT: **Urbanmine Inc. – Information for Public Registries**

Tania,

Please find attached correspondences received from Urbanmine and independent meeting facilitator related to the Urbanmine Inc file (5684.00) for distribution to the public registries. The documents included are:

Additional Correspondence

- November 7 2014 letter from Adam Chisick 1 pages
- November 7 2014 letter with attachment from Svent T. Hombach 16 pages

17 pages total

Thank you.

Eshetu Beshada, Ph.D., P. Eng.

November 7, 2014

Dear Neighbour:

As we wrote in the letter delivered to you last week, Urbanmine hosted a public meeting on October 23, 2014, as part of our provincial environmental licence application. That evening was led by a third party facilitator. Part of his job included writing a brief summary of the evening's discussion.

We have forwarded a copy of that report to Manitoba Conservation for their records as required.

Manitoba Conservation will be posting the report on-line and you will be able to download a copy of *Urbanmine Public Consultation October 23, 2014: Report to Manitoba Conservation and Water Stewardship* at: <http://www.gov.mb.ca/conservation/eal/registries/5684urbanmine/index.html>

Once again, we are committed to keeping you up-to-date on our application process and our on-going operational improvements.

In the meantime, please don't hesitate to call if you have any questions.

Thank you

Adam Chisick, Vice President, Urbanmine

**SVEN T. HOMBACH**  
Direct Tel (204) 957-8300  
Direct Fax (204) 954-0300  
shombach@fillmoreriley.com

November 7, 2014

LEGAL ASSISTANT  
**Karen Hoffman**  
Tel (204) 956-2970 ext. 229  
khoffman@fillmoreriley.com  
Our File Number: 427312-1/STH  
FRDOCS\_4510385.1

**VIA EMAIL**

Manitoba Conservation and Water Stewardship  
Environmental Stewardship Division  
Environmental Approvals Branch  
123 Main Street, Suite 160  
Winnipeg, MB R3C 1A5

**Attention: Tracey Braun, Director of Approvals**

Dear Madam:

**Re: Public Consultation Report – Urbanmine Inc.**  
**Manitoba Conservation & Water Stewardship File 5684.00**  
**72 Rothwell Road, Winnipeg**

I have been retained by Urbanmine Inc. to assist the company with the environmental licensing process, in particular its pending application for an *Environment Act* licence for its facility at 72 Rothwell Road.

Please be advised that pursuant to Manitoba Conservation & Water Stewardship's correspondence of September 25, 2014, Urbanmine Inc. held a facilitated community consultation session at the Caboto Centre on October 23, 2014. Dale Stewart of DFS Consulting acted as the independent facilitator. Attached is Mr. Stewart's report summarizing the session.

Urbanmine Inc. posted a sign-in sheet for attendees at the session. Please note that while the sign-up sheet is reproduced as Appendix "C" to Mr. Stewart's report, the report contains a redacted version with names and personal email addresses of attendees removed. Urbanmine Inc. will provide Manitoba Conservation and Water Stewardship with an unredacted sign-in sheet under separate cover but requests that to protect the privacy of the attendees, the unredacted sheet should not be publicly distributed or posted on the public registry.

Should you have any questions regarding the attached report, please do not hesitate to contact me.

Yours truly,

**FILLMORE RILEY LLP**

Per:

A handwritten signature in black ink, appearing to read 'S. Hombach', written over a horizontal line.

**SVEN T. HOMBACH \***

\*Services provided by S.T. Hombach Law Corporation

Cc: Eshetu Beshada, Manitoba Conservation and Water Stewardship  
Mark Chisick, Urbanmine Inc.

# **Urbanmine Public Consultation Meeting**

**October 23, 2014**

**Report to Manitoba Conservation and Water Stewardship**

**DFS Consulting**

## **Introduction**

Urbanmine collects scrap metal, batteries, electronic waste and cars for recycling.

Urbanmine Inc. applied to Manitoba Conservation and Water Stewardship, Environmental Stewardship Division, Environmental Approvals Branch for an Environmental License covering their Urbanmine operation at 72 Rothwell Rd, Winnipeg, MB.

In a letter of September 25, 2014, the Branch requested Urbanmine hold a public meeting to provide an overview of the Urbanmine operation and to hear and discuss the residents' concerns. The letter included instructions regarding the agenda, the general public notice of the event, and the requirement for an independent facilitator as well as a written report on the meeting. **Appendix A**

The public consultation meeting was arranged following the posting of the application on the Environmental Approvals Branch provincial registry.

Dale F. Stewart of DFS Consulting, Winnipeg, was retained by Tapper Cuddy LLP, 330 St. Mary Ave., Winnipeg, MB as an independent moderator to facilitate the meeting.

Tapper Cuddy LLP also retained Dillon Consulting Ltd, 1558 Willison Place, Winnipeg, MB to undertake additional studies in the areas of noise, vibration and dust and report on its findings.

## **The Public Meeting**

As instructed by the Environmental Approvals Branch, Urbanmine hosted a public meeting the evening of October 23, 2014 at the Caboto Centre, 1055 Wilkes Ave., Winnipeg, MB from 7:00 p.m. to approximately 9:30 p.m.

A letter was delivered to nearby residences on Friday, October 17, 2014 advising residents of the meeting time and location. **Appendix B**

The attendance by interested residents and others was strong with approximately 75 people seated that included area residents, staff from Manitoba Conservation, Urbanmine employees and a few non-area citizens. Guests were invited to sign in. **Appendix C.**

The evening's discussion was guided by an agenda agreed to by Manitoba Conservation. An outline was posted at the front of the room. No handouts were distributed. **Appendix D**

Adam Chisick, Vice President of Marketing and Operations for Urbanmine, provided an overview of their operation. The handling and recycling of scrap metal products, batteries and electronic was described with photos of the various operations. The Urbanmine site is part of an industrial area zoned by the City of Winnipeg as M3.

Dillon Consulting Ltd. representative Amir Iravani, Senior Scientist, explained the studies currently underway. Mr. Iravani said a report will be forwarded to the Environmental Approvals Branch.

Nearby resident John Pavao made a presentation outlining his concerns.

Tracey Braun, Director, Environmental Approvals Branch, Manitoba Conservation and Water Stewardship, commented on the process leading up to the public meeting as well as a description of the licensing process. She described Urbanmine as being very cooperative when her office recommended Urbanmine apply for a license.

## **Residents' Concerns and Urbanmine Responses**

Concerns raised by local residents were discussed by topic area with Mark Chisick CEO, and Adam Chisick of Urbanmine responding to comments and questions with assistance from other company staff members and Amir Iravani of Dillon Consulting.

### **Hours of Operation**

The City of Winnipeg noise bylaw permits operation of the Urbanmine facility:

Monday to Friday	7:00 a.m. to 9:00 p.m.
Saturday	9:00 a.m. to 9:00 p.m.
Sundays and Holidays	9:00 a.m. to 9:00 p.m.

An audience member suggested that the license issued by the province under the Dangerous Goods Handling and Transportation specified the company could only operate from 8:00 a.m to 5:00 p.m. Monday to Friday, although no license was produced.

The apparent discrepancy between the hours of operation was raised with a suggestion by some in the audience that Urbanmine was non-compliant. Confusion remained at the end of the evening as to what licenses had what restrictions, if any.

Residents wanted reduced hours that would lessen the noise, particularly during warm weather months. They stated the noise level interfered with and could make family outdoor activities in their yards unpleasant.

Mark Chisick indicated that rarely did the company have operations after 6:00 p.m. on Fridays or Saturdays however the nature of the scrap metal business can involve deliveries and other activities up to 9:00 p.m. He stated the company is not normally open for business Sundays or holidays. On the rare occasions the facility is open on Sundays or Holidays, the outdoor processing equipment is generally not used and outdoor operations are limited to loading or unloading of product.

### **Lighting**

The group heard that Urbanmine requires overhead lighting for safe operation in the yard and for site security.

Residents said there were several consecutive evenings of bright lighting, high noise levels and smoke. Mark Chisick explained that this had occurred over four days in 2013 and was the result of 20<sup>th</sup> Century Fox filming a movie sequence for the movie "Joyride 3" in the evening on the site. Mark Chisick made the commitment to not allow the site to be used in the future for movie filming.

A specific complaint respecting annoying bright lights by a neighbor had resulted in immediate action by Urbanmine to tilt the yard lights and install shrouds to avoid the ongoing problem. The homeowner who had asked for the change was present at the evening meeting and indicated that the adjustments had overcome the problem and the outcome was to her satisfaction.

This concern appears have been addressed as there were no further comments.

### **Explosions**

Residents expressed fear of possible explosions at the site. Reference was made to explosions with a car shredder operation at another Winnipeg business and there was concern this could occur on the Urbanmine site. Mark Chisick indicated that they had not had any explosions and the company was not doing the same type of operation as the other Winnipeg business.

Vehicles brought to Urbanmine have fluids drained into holding tanks. Those fluids are picked up regularly by firms that recycle oils, gasoline and antifreeze. The vehicles (including upholstery and tires) are flattened and sent to other facilities for shredding. They leave Urbanmine in truck boxes that capture any residual fluids that might possibly leak during transport. It was confirmed that cars were not shredded at the Urbanmine facility.



## **Chemicals**

Urbanmine spokespersons stated there are no chemicals used or released during the processes on the site. Lead batteries are bundled on pallets and removed for processing by other businesses. The practice is in accordance with the Dangerous Goods Handling and Transportation Act. The collection and handling of batteries is licensed by Manitoba Conservation.

Fluid is captured using a vacuum-powered evacuation system from vehicles prior to being flattened. Oil, antifreeze and gasoline are collected separately, stored and picked up by a company that disposes of the liquids. The storage containers are emptied every two to four weeks depending on their fill level, according to Urbanmine.

## **Fire Management**

Urbanmine reported it has completed a fire management plan and submitted it to the Winnipeg Fire and Paramedic Service for review.

The site has a sprinkler system in its office and warehouse building as well as one fire hydrant on the property and two adjacent to the property. Fire extinguishing equipment is located throughout the operation.

Qualified technicians service the sprinkler systems and fire extinguishers on a regular schedule. Propane cylinders used to power the small materials handling equipment are stored in locked containers adjacent to the building.

When asked about fire events at Urbanmine the responses were seen as incomplete. When the Fire and Paramedic Service record of attendance at the site was referenced by a person in attendance, there appeared to be more events than had been identified earlier by Urbanmine.

When questioned, the company indicated that a number of calls were for medical issues as well as some equipment failures, but details and firm numbers were not available that evening.

One fire east of the property caused considerable concern for the residents as it burned east of the railway tracks. One resident stated at the end of the evening meeting that the fire did not originate on the industrial site but began on railway property.

Mark Chisick made a commitment to have the record of attendance by the Fire Paramedic Service reviewed and a summary produced explaining each of the calls.

## **Vibration**

Nearby residents expressed concern respecting the high levels of vibration that occurs at times in the residential area. It is believed by some residents to originate on the Urbanmine site.

The frequent rail traffic immediately east of the company site appears to send vibrations through the area. Other sources of vibration over time have included the installation of building piles as properties west have been developed.

Vibration coming from Urbanmine is being tested and will be studied by Dillon Consulting. Various data collection points have been selected to study vibrations.

## **Noise**

Noise is clearly a major irritant for nearby residents, interrupting the enjoyment of outside activities particularly in the warm weather. Hours of operation were identified as a factor in this concern.

The dropping of scrap by the cranes used in moving the metal creates noise. Mark Chisick advised he would immediately instruct the crane operators to lay the materials down rather than drop them. He also advised they would consider other ways of reducing the annoyance. Noise coming from Urbanmine is being tested – at various points – and will be studied by Dillon Consulting.

Ongoing monitoring of sound was requested by the residents.

## **Visual**

Residents pointed out that the piles of scrap are an eyesore and detract from the residential neighbourhood, in particular for those looking west.

Mark Chisick explained they had increased the fencing on the north side of the property from 4 feet to a height of 10 feet. It was improved from a chain link fence to a solid fence to help block the view. The City bylaw limits fencing to a height of 10 feet and as a result one can see the tops of the piles over the fence. Mark Chisick indicated he would explore other options.

## **Dust**

Dust was cited as a major concern and annoyance. Outdoor tables, chairs and swimming pools in backyards require frequent cleaning for residents to enjoy outdoor times. One resident produced a coated paper towel demonstrating a recent heavy layer of dust that was said to have come from a backyard table.

Mark Chisick indicated that Dillon Consulting has been asked to study and sample emissions to better identify what was emerging from the Urbanmine operation.

There was also concern as to the possible presence of toxic material in the dust.

Residents want a more robust data collection including their residential properties as well as ongoing monitoring to determine whether any changes made would alleviate the concern.

A question was asked regarding the discharge from exhaust fans at the rear of the building. The response indicated the discharge is from the inside of the building and Dillon is testing that exhaust.

The source of dust generation may be from a variety of sources including other industries and high truck traffic levels in the area.

Mark Chisick agreed to consider other dust reduction approaches for the Urbanmine site.

Don Labossiere of Manitoba Conservation indicated their staff would sample outdoor surfaces in the residential area.

### **Surface Water Runoff**

Mark Chisick indicated that all surface water from their property flowed west to a collection pond and none flowed east to the residential area. He advised that testing by the City of Winnipeg indicated the water quality would allow it to enter the city waste water system if it were available in the area.

Collaboration continues with the City respecting water quality and runoff.

### **Information to Residents**

Concerned citizens in the area indicated they were not informed of activities on site and were never asked for their concerns or opinions. They felt excluded and ignored. They want to know what is happening, what is contemplated and what will change to reduce or eliminate their concerns.

Mark Chisick acknowledged their concerns and invited those interested to visit the site and discuss issues with him and other staff of Urbanmine. He further indicated he would find a way of keeping people informed as changes occurred.

He also assured those present that all of the Dillon Consulting reports would be made available to Manitoba Conservation for their experts to review further.

## **Electronic waste**

Urbanmine accepts electronic waste, including computers, televisions, cellphones and similar products for recycling from individuals and businesses. These items are packaged and sent to locations where safe disposal occurs.

## **Other**

Adam Chisick stated that Urbanmine is a certified e-waste collection facility with the Electronic Product Recycling Association

Urbanmine states they have the lowest Workers Compensation assessments in the industry in Manitoba. They have experienced no serious injuries in their operation.

Urbanmine encourages people who bring cars for recycling to donate the proceeds from the sale of old vehicles to Habitat for Humanity as part of their partnership with Habitat in the Old Parts New Starts program.

Manitoba Conservation's Tracey Braun discussed the role of consulting firms in the environmental assessment process. She indicated the process includes having government expert staff review and at times question reports from consulting firms who submit data and analysis. The government staff can require additional testing if what is presented is seen to be deficient.

## **Summary – Moderator's Comments**

The evening was successful in giving Urbanmine the opportunity to explain its operation and processes and dispel some of the misinformation that may have been in the minds of some of those present.

Interest was clearly high as local people were given the opportunity to vent their concerns. Neighbours forcefully explained the issues that they were feeling impacted their lives and their homes. The company spokesperson agreed to consider and review the concerns.

Staff from Manitoba Conservation and Water Stewardship provided an understanding of the licensing process that is underway with Urbanmine. The Approvals Branch was given the opportunity of hearing firsthand the issues identified by those present and the responses from the company.

Urbanmine stated it wishes to be a good neighbour, and that the company must know the specifics of the residents' issues as they exist and as they may arise. Those residing adjacent or near Urbanmine need to be informed of progress in achieving change and improvements that may impact or be seen to impact the area. The

Company needs to maintain a proactive approach in consulting with those living nearby.

Issues of noise, vibration and dust may be a cumulative circumstance that comes with living next to an area zoned for development for heavy industry. The close proximity is a challenge for residents and for businesses and is to some degree the outcome of city planning and zoning.

## Appendix A – Letter from Manitoba Conservation



Conservation and Water Stewardship

Environmental Stewardship Division  
Environmental Approvals Branch  
123 Main Street, Suite 160, Winnipeg, Manitoba R3C 1A5  
T 204 945-8321 F 204 945-5229  
[www.gov.mb.ca/conservation/eal](http://www.gov.mb.ca/conservation/eal)

**File: 5684.00**

September 25, 2014

Mr. Ron Lussier  
72 Rothwell Road  
Winnipeg, MB R3P 2H7

Email: [ron@urbanmine.ca](mailto:ron@urbanmine.ca)

Dear Mr. Lussier:

**Re: Urbanmine Inc. – Environmental Act Proposal – Public Consultation**

Thank you for your letter dated August 15, 2014 in which you responded to comments and concerns raised by the Technical Advisory Committee and the Public during the Environmental Act Proposal review period. We have reviewed your response and a response provided by your lawyer Daniel J. Sherbo on September 8, 2014 to address concerns raised by Bryan R. Gray on behalf of a resident in the neighbourhood near your facility.

In addition we have attended a community hall meeting held on September 10, 2014 to listen directly to the public's concerns. At the meeting, attendees raised questions about impacts to them from Urbanmine's operation. Specifically, concerns were focused on noise, particulate emissions, vibration, hours of operation, lighting, explosions and fire risk.

To address these concerns in a timely and transparent way, you are hereby requested to hold a facilitated public meeting at a location nearby (e.g., the Caboto Center, a school, etc.). Staff advise me that through discussions with Urbanmine representatives, October 23, 2014 would be an acceptable day. Please confirm, as soon as possible, the location, time and date along with a draft meeting agenda for our review.

The facilitated public meeting process should include, as a minimum, the following:

- a third-party facilitator;
- an agenda that clearly addresses the list of public concerns as noted above and as may be provided within two weeks of this letter;
- two weeks advance notice to the public and the Environmental Approvals Branch;
- personal notice to Mr. John Pavao, Residents Coordinator;
- general notice to the public that have interests in the immediate vicinity and environs;
- presentation at the meeting of the Environment Act Proposal;

- an opportunity for those in attendance to ask questions on the reports and other related matters and to state their concerns;
- a response to questions and concerns presented; and
- a written report to Environmental Approvals Branch, within two weeks of the meeting which summarizes the presentation, the questions, and concerns presented and the responses to the questions and concerns.

Compliance with these conditions will assist the Environmental Approvals Branch with the consideration of this Environment Act Proposal. Staff from Manitoba Conservation and Water Stewardship will attend the meeting, primarily as observers and to answer questions related to the assessment and licensing process.

If you require further information regarding this matter, please contact Eshetu Beshada at (204) 945-7023 or [Eshetu.Beshada@gov.mb.ca](mailto:Eshetu.Beshada@gov.mb.ca).

Yours truly,

*“original signed by”*

Tracey Braun, M.Sc.  
Director

c: Don Labossiere, Director, Environmental Compliance and Enforcement  
Donna Smiley, Provincial Manager, Environmental Compliance and Enforcement  
David Ediger, D. Ediger Consulting Services  
John Pavao, Residents Coordinator, 277 Deer Run Drive, Winnipeg, MB R3P 2L5  
Public Registries

## Appendix B – Notice to Residents



72 Rothwell Road • Winnipeg, MB, Canada • R3P 2H7  
T: 204.774.0192 • TF: 1.866.820.2786 • F: 204.783.3096

[info@urbanmine.ca](mailto:info@urbanmine.ca) • [urbanmine.ca](http://urbanmine.ca)

# PUBLIC MEETING

## On Environmental License Application for Urbanmine Thursday, October 23, 2014

October 17, 2014

Dear Neighbour;

We work in the industrial area on Rothwell Road across the fence line and rail tracks from you operating a metal recycling company – Urbanmine: Metal Recycling Redefined.

As you may know Manitoba Conservation and Water Stewardship has asked us to apply for an environmental licence.

As part of that process we welcome you to attend a public meeting, led by a third-party facilitator next week where we will explain what we do and how we do it. You'll also have a chance to ask us questions about our processes.

The meeting details are as follows:

- **Thursday, October 23, 2014**
- **Centro Caboto Centre, 1055 Wilkes Ave., Winnipeg**
- **Directions:** From Lindenwoods Drive, turn left onto Whidden Gate and right on to Sterling Lyon Parkway. Then turn left onto Wilkes Ave. This is five minute drive or a 30 minute walk from Lindenwoods.
- There is ample parking at that location.
- Doors Open at 6:45 pm and the meeting starts at 7 pm.

We'll have the coffee on and we look forward to meeting more of our neighbours in person.

If you are shut-in, or if for any reason you need a ride that evening, please contact our Chief Financial Officer, Hadera Chisick and we'll make arrangements to give you a lift there and back. If any of this is unclear or you need additional information don't hesitate to call our office and ask for our President, Mark Chisick. You can reach Mark, Hadera or myself at 204.774.0192.

Thank you,  
Adam Chisick, Vice President, Urbanmine



## Appendix C – Meeting Sign-In

Sign-in at Urbanmine Public Meeting				
Thursday Oct. 23				
Red indicates - handwriting was illegible				
The following signed in				
Address	Postal Code	First Name	Last Name	Email
49 Deer Run	R3P 2L5			
233 Deer Run	R3P 2L6			
240 Deer Run	R3P 2L6			
246 Deer Run	R3P 2L6			
277 Deer Run	R3P 2L5			
277 Deer Run	R3P 2L5			
277 Deer Run	R3P 2L5			
277 Deer Run	R3P 2L5			
102 Lindmere	R3P 2R6			
115 Lindmere	R3P 2R6			
219 Lindmere	R3P 2R3			
34 Wingate	R3P 2L5			
34 Wingate	R3P 2L5			
38 Wingate	R3P 2L5			
54 Wingate	R3P 2L5			
57 Wingate	R3P 2L5			
62 Wingate	R3P 1L5			
74 Wingate				
74 Wingate				
170 Tweedsmuir	R3P 1Z3			
241 Tweedsmuire	R3P 1Y3			
43 Birmingham	R3P 2R6			
26 Kingsborough	R3P 1H7			
31 Brigantine	R3P 1R1			
27 Thurston Bay	R3P 2P5			
127 Waterbury	R3P 151			
74 Shoreline Dr	R3P 2J7			
40 Forestgate Ave	R3P 2L2			
illegible				
illegible				
6 Selwyn Pl.	R3T 3N1			
139 Roslyn Rd	R3L 2L6			
19 Benson Blvd, Oak Bluff	R4G 0A2			
19 Benson Blvd, Oak Bluff	R4G 0A2			
178 Tweedsmuir				
950 Windermere	R3T 1A1			
No address provided				
No address provided				
123 Main Street, Mb Conservation		Don	Labossiere	dan.labossiere@gov.mb.ca
123 Main Street, Mb Conservation		Siebhon	Burland-Ross	siobhan.burlandross@gov.mb.ca
123 Main Street, Mb Conservation		Eshetu	Beshada	eshetu.beshade@gov.mb.ca

## Appendix D – Agenda

### **AGENDA**

**for**

### **MEETING**

**CABOTO CENTRE**

**GALLERIA ROOM**

October 23, 2014  
7:00 p.m.

1. Introduction
2. Summary of License Application
3. Presentation from Urbanmine
4. Discussion of citizen's concerns:
  - (a) Hours of operation;
  - (b) Noise;
  - (c) Emissions (particulate and odour);
  - (d) Vibration;
  - (e) Lighting;
  - (f) Explosions;
  - (g) Fire Risk;
  - (h) Surface Water Contamination;
  - (i) Traffic issues.
5. Conclusion of meeting