

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPOSER: Innovative Civil Constructors Inc
PROPOSAL NAME: Innovative Civil Constructors – Portable Concrete Batch Plant.
CLASS OF DEVELOPMENT: 1
TYPE OF DEVELOPMENT: Concrete Batch Plant -
CLIENT FILE NO.: 5789.00

OVERVIEW:

Manitoba Conservation and Water Stewardship received a Proposal on July 29, 2015 for the installation and operation of a portable concrete batch plant at various locations throughout Manitoba. The facility manufactures ready-mixed concrete and supplies to construction sites in Manitoba.

The Department, on August 7, 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/5789innovative/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 August 8, 2015. The newspaper and TAC notifications invited responses until August 24, 2015.

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 (ECE) has reviewed the above Environment Act Proposal and submits the following comments:

- *Section 4.2.3. of the proposal indicates that “any hazardous wastes will be collected and transported to a Winnipeg Landfill site...”. What type and volume of hazardous waste*

does the proponent anticipate collecting at the site, and how will these wastes be stored? What measures will be taken to mitigate environmental impacts from hazardous waste spills or releases?

- *Section 4.2.4. of the proposal indicates that fuel will be transported to the site in a fuel cube that will have mechanical connections and form part of the generating system. It is unclear whether the cube will be used to transport fuel once, then connected to the system for the remainder of the project, or if the fuel cube is intended for transport only. ECE requests additional information regarding the volume of the fuel cube and the transportation and handling of fuel for the generating system.*
- *Section 5.2.1. and Section 5.2.2. of the proposal describe the management of concrete washout water and equipment clean-down water. Additional information is requested regarding the type of contaminants that may be present in the wastewater and whether the filtering cloth medium will effectively remove the contaminants such that there will be no risk of groundwater contamination.*
- *ECE requests confirmation of whether there will be a washroom facility at the concrete batch plant site, and the proposed means of wastewater management (sewage and grey water) should this be the case.*

Proponent Response (September 25, 2015)

- **Section 4.2.3.** of the proposal indicates that “any hazardous wastes will be collected and transported to a Winnipeg Landfill site...”. What type and volume of hazardous waste does the proponent anticipate collecting at the site, and how will these wastes be stored? What measures will be taken to mitigate environmental impacts from hazardous waste spills or releases?
 - **Waste fluids from oil or hydraulic line breaks will be collected on / within purpose made containment berms and then transferred into spill kit or similarly marked drums appropriate to the quantity to be recovered. ICCI will maintain 45gal (200L) drum(s) and 5gal (20L) pail(s). Although unlikely, the max single event spill is anticipated to be the volume of either a Cement truck hydraulic storage camber approximately 40L or Cement truck fuel tank of 400L**
 - **The only other hazardous waste from spill or breakage would be concrete additive’s and ICCI has specifically purchased these in 20L containers These pails are stored on a containment tray within the plant control center.**
 - **ICCI will maintain 5 drums (1000L) and 20 pails (400L) in addition to 2 – 305L spill kits with complete boom and absorbent pads.**
- **Section 4.2.4.** of the proposal indicates that fuel will be transported to the site in a fuel cube that will have mechanical connections and form part of the generating system. It is unclear whether the cube will be used to transport fuel once, then connected to the system for the remainder of the project, or if the fuel cube is intended for transport only. ECE requests additional information regarding the volume of the fuel cube and the transportation and handling of fuel for the generating system.

- **ICCI has determined the fuel cube is not required on this project all fuel delivery will be by our supplier HMCL (Petroleum Policy and Procedure).**
- **Section 5.2.1. and Section 5.2.2.** of the proposal describe the management of concrete washout water and equipment clean-down water. Additional information is requested regarding the type of contaminants that may be present in the wastewater and whether the filtering cloth medium will effectively remove the contaminants such that there will be no risk of groundwater contamination.
 - **Clean-down of all units will be conducted over containment berms all contaminants are anticipated to be from road dust generated travelling to and from the construction site.**
 - **Any trace amounts of cement powder would react with water in the berm and become inert and could be used as clean fill or regular land fill waste.**
 - **Any trace amounts of grease residue or oil residue (from normal operating conditions) would segregate at the surface of the water in the berm and be handled with spill kit tampons or boom. The absorbent materials would be transferred to purpose made containment pails and then be transferred to a proper disposal facility.**
- ECE requests confirmation of whether there will be a washroom facility at the concrete batch plant site, and the proposed means of wastewater management (sewage and grey water) should this be the case.
 - **A standard (porta potty) will be provided onsite. Weekly extraction has been coordinated with the Berens River Band and they will treat any waste collected at the reserve's sanitary waste facility.**

Environmental Compliance and Enforcement Comment (October 1, 2015)

Environmental Compliance and Enforcement has no further comments.

Disposition

The proponent provided additional information to address the comments 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 spill containment; issues related to wastewater are addressed under clauses 29 to 31 of the draft licence.

Manitoba Conservation and Water Stewardship – Climate Change and Air Quality Branch

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

- Based on the provided information, it is expected that there will be no significant impact on air quality due to this facility.

- Air Quality Section suggests that the EA Clause regarding noise and odour nuisance be included.

Disposition

Clauses 13 and 14 of the draft Environment Act Licence addresses issues related to noise and odour nuisance.

Manitoba Conservation and Water Stewardship – Wildlife Branch

No Concerns.

Manitoba Conservation and Water Stewardship – Parks and Protected Spaces Branch

Parks and Protected Spaces Branch has reviewed the proposal submitted pursuant to the Environment Act for Request for EAP review/comment - Innovative Constructors - Portable Concrete Batch Plant - File: 5789.00. The Branch has no comments or concerns to offer as it does not affect any provincial park, park reserve, ecological reserve, 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

Lands Branch – MCWS has no concerns subject to standard environmental Licensing requirements and the proponent obtaining a Work permit for /during the set up and operation of the plant.

Disposition

Clause 10 of the draft Environment Act Licence requires the licensee to obtain an appropriate permit in accordance with *The Crown Lands Act*.

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

I reviewed the above noted EAP. The EAP notes that only a small amount of hydrocarbon fuel will be stored on site. The aerial photographs show a small creek, which drains into the Berens River, close to the proposed batch plant site. The Manitoba Northern Affairs communities of Berens River North and Berens River South are located downstream of the proposed plant site and use the river as their sources of raw water for their domestic water systems. As such, if a major spill of fuel from the site were to enter the creek and subsequently the Berens River, it could potentially affect the drinking water of the two communities. Therefore Office of Drinking Water recommends that contact information for the Berens River North and Berens River South public water systems be included in the emergency response procedures for the concrete plant with instructions that, in the event of a major spill of fuel into the creek, the water plant operators at Berens River North and Berens River South communities be notified. Apart from this point, Office of Drinking Water has no other concerns with the EAP or proposed development.

Proponent Response (September 25, 2015)

I have updated our emergency response plan to include notification to the public water system. Revised EAP and Environmental Protection Plan have been submitted. All additional attachments are posted on public registry.

Disposition

The proponent provided additional information to address the concerns raised. The Office of Drinking Water reviewed the response and has no further comment. Since the Development is a portable concrete batch plant, clause 9 of the draft Environment Act Licence requires obtaining prior approval from the Director for all future locations.

Manitoba Conservation and Water Stewardship– Water Use Licensing Section

No Concerns

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/officer_areas_of_focus_30mar2015.pdf

Disposition

The proponent is notified of the requirement and the recommendation has been forwarded for information.

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 Response.

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 Response.

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 will be located throughout the Province and any proposed location will be reviewed separately. At this time 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 installation and operation of a portable 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.

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October 1, 2015

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