

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: ADESA Auctions Canada Corporation
PROPOSAL NAME: Wastewater Retention Pond
CLASS OF DEVELOPMENT: Class 2
TYPE OF DEVELOPMENT: Wastewater Treatment Facility
CLIENT FILE NO.: 3810.1

OVERVIEW:

An Environment Act Proposal, dated October 8, 2002, respecting a Proposal for the ongoing operation of an existing wastewater retention pond for an on-site car wash facility, and submitted by ADESA Auctions Canada Corporation, was received by the Department on October 9, 2002. Due to an inaccuracy in the description of the proponent's name, the Proposal was re-submitted on October 21, 2002.

ADESA Auctions Canada Corporation, formerly owned and operated by The Lawrence Auction Group, operate a vehicle car wash facility that is used in connection with their vehicle auction business located on NE1/4 15-12-2 EPM. The wastewater from the car wash is directed to a newly constructed single-cell lagoon that provides retention and some treatment for the wastewater. Periodic releases from the facility are required to an adjacent municipal road drainage system. ADESA Auctions Canada Corporation is presently licenced by Environment Act Licence No. 1877 that was issued by the Department on August 2, 1994, however that Licence relates to a another wastewater retention pond that had been established by The Lawrence Auction Group. Subsequent to the acquisition of the business by ADESA Auctions Canada Corporation, the new owner relocated and expanded the wastewater retention pond without providing any notice of alteration. Likewise, the chemicals currently being used in the car wash were also altered without approval, contrary to the terms of Licence No. 1877 which ADESA Auctions Canada Corporation inherited. For these reasons, the proponent was requested by the Red River Region to file a new Proposal.

The Proposal was advertised in the Winnipeg Free Press on November 2, 2002, and in the Headingly Headliner on November 4, 2002. As well, copies of the Proposal were placed in Public Registries at: the Union Station Library (123 Main) in Winnipeg; the Centennial Public Library in Winnipeg; and the Manitoba Eco-Network. The closing date for the receipt of public comments was specified as November 29, 2002.

Copies of the Proposal were also sent to the applicable members of the interdepartmental Technical Advisory Committee for their review and comment by no later November 29, 2002.

COMMENTS FROM THE PUBLIC:

Kurt Klimpke, a resident farmer living one mile north of the Adesa site, sent an e-mail expressing concern with respect to spring releases because the ditch that runs past his farm always floods his land. He contends that the effluent from ADESA would flow straight north to the Grassmere drain rather than through the Gamby drain. He indicated that if the existing culvert was to have a one-way cover on it, on the south side, he would have no objection.

Disposition

The comment was referred to Regional Water Management via Blair McTavish for review and comment. The Regional Water Manager dismissed the comment as having no substance, however, the Regional Director of MB Conservation indicated in a separate memorandum that a gate would be installed and operated by Manitoba although the timeframe had not yet been established.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE

Intergovernmental Affairs commented that they had no concerns with the proposal.

Historical Resources commented that they had no concerns in regards to the proposal's potential to impact heritage resources.

Manitoba Transportation & Governmental Services commented that:

- Permits from the Highway Traffic Board are required to place structures or change the use of the land or buildings within the 76.2 metre controlled area adjacent to the right-of-way of PTH No. 7.
- Their South-Central office had received a letter of from Walter Dreysko, an adjacent landowner, who expressed concern regarding flooding by a proposed parking located at the Development, and therefore felt that the Water Management Section should assess the drainage requirements or impacts to the existing drain.
- Any need by the proponent to increase the size of existing culverts would be the proponent's responsibility.
- All affected slopes and disturbed areas within the right-of-way must be restored to an acceptable condition.

Disposition

The comments were referred to the proponent for their information, and the parking lot drainage issue was referred to the Regional Water Management Section who responded that the issue had no substance.

Sustainable Resource Management commented that:

- consideration should be given to ensuring that the effluent is not acutely toxic; and
- the proponent should be required to actively participate in any future watershed based management study, plan or nutrient reduction program, approved by the Director, for the Red River and associated waterways and watersheds.

Disposition

The comments were referred to the proponent for their information, and were taken into consideration in the draft Licence.

Environmental Approvals commented that:

- The proponent should supply a scaled drawing of the lagoon facility showing a plan view and x-sectional view, the slope of the inner walls, the design freeboard, the elevations of the outlet pipe and the base of the receiving ditch.
- The proposal indicates that the pond has a total storage capacity for 6,500 m³ but does not provide the actual net working capacity.
- The proposal is unclear about whether the effluent could be released by gravity or if it must be pumped out, and if the effluent would be released continuously or intermittently.
- The proposal does not discuss the potential for short circuiting of raw wastewater during a discharge event due to the single cell design as opposed to a conventional 2-celled facility.
- Issue can be taken with the consultant's comment that "the MSDS sheets for the car wash chemicals do not indicate any environmental or ecotoxicological concerns associated with those substances" because MSDS sheets are not mandated to do so.
- The proponent should advise when the current car wash chemicals were altered, contrary to the requirements of the existing E. A. Licence. The latter scenario could have ramifications for the septic field.
- The proposal is ambiguous as to whether the water softener backwash water is going to a holding tank or to the sewage septic tank.

Disposition

The comments were referred to the proponent for their information and comment. The proponent responded to the comments on June 17, 2003.

Canadian Environmental Assessment Agency (CEAA) commented that the application of *The Canadian Environmental Assessment Act* with respect to this project would not be required .

Disposition

The comments were referred to the proponent for their information and response (where applicable).

PUBLIC HEARING:

No requests for a public hearing on this Proposed development were received by the Department.

RECOMMENDATION:

A draft Environment Act Licence, authorizing the construction and operation of the proposed Development is attached for the consideration of the Director of Environmental

Approvals. It is recommended that the licence, if approved, be assigned to the Red River Region for administration, surveillance, monitoring, ongoing compliance evaluation and enforcement responsibilities.

PREPARED BY:

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