

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Valley Concrete (2002) Ltd.
PROPOSAL NAME: Concrete Batch Plant
CLASS OF DEVELOPMENT: 1
TYPE OF DEVELOPMENT: Concrete Batch Plant
CLIENT FILE NO.: 5425.00

OVERVIEW:

On August 28, 2009, Manitoba Conservation received a Proposal dated August 20, 2009 for the construction and operation of a concrete batch plant at 486 Jefferson Street in Morden. The facility will produce ready mix concrete for use in construction projects.

The Department, on September 1, 2009, placed copies of the Proposal in the Public Registries located at 123 Main St. (Union Station), the Manitoba Eco-Network, the Millennium Public Library, and the South Central Regional Library. 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 Morden Times on September 11, 2009. The newspaper and TAC notifications invited responses until October 12, 2009.

COMMENTS FROM THE PUBLIC:

No comments received.

Disposition:

No action needed.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Canadian Environmental Assessment Agency

No concerns.

Disposition

No action needed.

Manitoba Conservation – Environmental Operations

No concerns.

Disposition

No action needed.

Manitoba Conservation – Parks and Natural Areas Branch

No concerns

Disposition

No action needed.

Manitoba Conservation – Pollution Prevention

The following comment was provided:

- Provided that the dust collectors and other pollution control equipment were appropriately operated and maintained, and the “Environmental Management Practices for Ready Mix Concrete Operations in Canada” manual for the industry is followed, it is expected that concerns regarding air pollution will be addressed

Disposition

Clauses 8 to 23 of the Draft Environment Act Licence address air emissions.

Manitoba Conservation – Sustainable Resource and Policy Management

No concerns.

Disposition

No action needed.

Manitoba Culture, Heritage and Tourism – Historic Resources Branch

The following comment was provided:

No concerns with regard to this project’s potential to impact heritage resources. If at any time however, significant heritage resources are recorded in association with these lands during development, the Historic Resources Branch may require that an acceptable heritage resource management strategy be implemented by the developer to mitigate the effects of development on the heritage resources.

Disposition:

No action needed.

Manitoba Infrastructure and Transportation (MIT) – Highway Planning and Design Branch

No concerns.

Disposition:

No action needed.

Manitoba Intergovernmental Affairs – Community Planning Services

No concerns

Disposition

No action needed

Manitoba Science, Technology, Energy and Mines – Energy, Climate Change & Green Strategy Initiatives

No concerns.

Disposition:

No action needed.

Manitoba Water Stewardship

The following comments relevant to the proposal were provided:

- *The Water Rights Act* indicates that no person shall control water or construct, establish or maintain any “water control works” unless he or she holds a valid licence to do so. “Water control works” are defined as any dyke, dam, surface or subsurface drain, drainage, improved natural waterway, canal, tunnel, bridge, culvert borehole or contrivance for carrying or conducting water, that temporarily or permanently alters or may alter the flow or level of water, including but not limited to water in a water body, by any means, including drainage, OR changes or may change the location or direction of flow of water, including but not limited to water in a water body, by any means, including drainage. If a proposal advocates any of the aforementioned activities, an application for a Water Rights Licence to Construct Water Control Works is required. Application forms are available from any office of Manitoba Water Stewardship.
- The proponent needs to be informed that if the proposal in question advocates any construction activities, erosion and sediment control measures should be implemented until all of the sites have stabilized.

- The *Environment Act* Proposal does not make clear the source of water for domestic use (if any) on the site and for mixing with the cement and aggregates to make the concrete. If the water source for concrete production is a service off the Town of Morden municipal water distribution system, a connection of a concrete plant such as this to a municipal water supply would create a potential for cross-connection and contamination of the municipal water supply if proper cross-connection measures were not in place.
- Manitoba Water Stewardship recommends that an *Environment Act* Licence shall include the following requirements:
 - If the concrete plant is connected to a public or semi-public water supply, cross-connection control measures or equipment in accordance with the provisions of the Manitoba Plumbing Code 128/2006 shall be implemented.
 - The proponent must develop and implement an Emergency Response Plan.
 - The proposed plant shall implement a gated control mechanism. This gated control mechanism must remain in the closed position unless authorized by Manitoba Conservation. No potentially contaminated water must leave the proponent's property unless authorized by Manitoba Conservation. Where there is a concern that accumulated water is contaminated, the liquid should be sampled prior to release.
 - Potentially contaminated water cannot be released until such time as Manitoba Conservation receives and reviews water sample results from a laboratory accredited by the Canadian Association for Laboratory Accreditation Inc. (CALA). Water samples must be taken from any source on the Proponent's property, or adjacent properties that might have been contaminated by fire fighting efforts or spillage.

Disposition

The proponent indicated the water source is the municipal supply. All existing legislation and codes of practice are applicable to the Development whether or not they are specified in the Draft Environment Act Licence. Clause 28 of the Draft Environment Act Licence addresses waste water.

The following comments were provided relevant to the Draft Licence:

- Amend clause 25 to include a requirement that any contaminated liquid generated is contained within the proposed development and contamination of groundwater and surface water is prevented.
- Manitoba Water Stewardship recommends that an *Environmental Act* Licence includes the following:

- The Licencee shall meet or exceed the guidelines found in the following document published by the Canadian Ready Mixed Concrete Association *Environmental Management Practices for Ready Mixed Concrete Operations in Canada.*

Disposition

Clause 25 as written requires containment of all spilled chemicals. The Licence requires compliance with the proposal submitted which indicated that the proponent would comply with the Canadian Ready Mixed Concrete Association's environmental management practices.

PUBLIC HEARING:

A public hearing is not recommended.

RECOMMENDATION:

The Proponent should be issued a Licence for the 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 Central Region of Manitoba Conservation.

A draft Environment Act Licence is attached for the Director's consideration.

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