

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Canadian Premium sand Inc.
PROPOSAL NAME: Selkirk Solar Glass Manufacturing Facility
CLASS OF DEVELOPMENT: 2
TYPE OF DEVELOPMENT: Manufacturing – Industrial Plant
FILE NO.: 6137.00

OVERVIEW

The Proposal dated and received on October 5, 2022 was deemed complete on October 7, 2022. The advertisement of the Proposal was as follows:

“Canadian Premium Sand Inc. filed an Environment Act Proposal to manufacture solar glass at Lot 1 Plan 60001 WLTO in River Lots 67 to 70, Parish of St. Clements, in the City of Selkirk, Manitoba. The facility will use high-purity and low-iron silica sand sourced from a quarry near Seymourville, Manitoba. There will be two phases. In phase one, the facility will manufacture 600 to 800 tonnes of glass per day; the capacity will increase to 1,200 tonnes per day in phase two. Air dispersion modelling, noise assessment, and traffic studies will take place to assess potential environmental effects. The facility will use the City of Selkirk’s wastewater effluent as a water source. The facility will supply glass to solar panel manufacturers throughout North America.”

The Proposal was advertised in the Selkirk Record and Winnipeg Free Press on Tuesday, October 27 and Saturday October 29, 2022, respectively. It was placed in the Online Public Registry at: <https://www.manitoba.ca/sd/eal/registries/6137/index.html>

The Proposal was distributed to Technical Advisory Committee (TAC) members on October 26, 2022.

The closing date for comments from members of the public and TAC members was November 28, 2022.

COMMENTS FROM THE PUBLIC

The following comments or concerns were received on November 28, 2022 from
Heather Fast and Glen Koroluk for Manitoba eco-Network.
Shawn Kettner for Manitoba Energy Justice Coalition
Tangi Bell
Dennis LeNeveu
MJ McCarron for Manitoba eco-Network

The comments and concerns the public provided are summarized as follows. However, full public comments are provided in the public registry.

Comments related to Public Hearing and Indigenous Consultation

- A request for a Clean Environment Commission hearing with participant funding and a request to have input on the terms of reference for the hearing and the funding program.
- Lack of free, prior, and informed consent from the people directly impacted by Wanipigow sand extraction project.
- Cumulative effects of the sand extraction activities at Wanipigow on the infringement of treaty rights, the health of the little green space left, and community trapline.
- The Provincial Crown has not held constitutionally guaranteed Indigenous consultation involving all Indigenous groups exposed to project effects.

Comments related to Traffic and Infrastructure

- Cumulative effects of traffic from the Wanipigow extraction site, on local infrastructure, climate change, energy efficiency and environment.
- Traffic safety through the highly populated cottage area from the Wanipigow extraction site via Highway 59 to the site in Selkirk.
- Costly upgrades (widened and bypass intersection) must not be financed by taxpayer.
- How will CPS improve safety at intersections and on the full transportation route, quarry to facility, to ensure public safety.
- Requested if nighttime transportation is in line with the mine licensing process/public consultations or operational requirements for the facility.
- Impacts to wildlife occurring due to nighttime transport, human health, road collisions
- Requested if Canadian Transportation Agency approved the railway construction.
- Requested the schedule for community consultations for the railway operations.
- Increase in rail traffic was not accounted for in the traffic study.
- Requested if the proponent committed to develop the railway spur.

Comment related to Funding

- Requested funding information, including any government grant or loan.

Comments related to Wastewater Discharge

- The hot process water is not assessed in the EAP with respect to its disposal and treatment at the City of Selkirk.
- The City of Selkirk has not obtained permission from Fisheries and Oceans Canada for the thermal discharge of the plant cooling water from the Selkirk wastewater and sewer system into the fish bearing Red River.

Comments related to Air emission, Noise and Greenhouse Gases

- The project will generate an estimated 400,000 tonnes of CO₂ equivalent per year.
- CPS has not specified any plans to measure Project emissions in Selkirk including NO_x, SO₂ and respirable silica dust, relying solely on computer modeling results to establish low public health hazard.
- CPS has not specified any measurement of worker exposure to silica dust.
- Requested if adequate assessment for noise and vibration have been undertaken to ensure no negative impacts.
- Harmful silica dust exposure, and effluent and emissions from sand extraction and processing at Wanipigow.

Comments related to Technology, Sand washing and Experience

- Provide supportive evidence to show CPS sand can be used in “solar panel production” at the proposed Facility.
- CPS has no demonstrated experience in glass manufacturing and has no identified partner or major shareholder with such experience.
- The production feasibility of purifying the source of silica sand from Wanipigow to solar glass standards has not been established.
- CPS has not reported on requirements for production scale confirmation of initial bench scale tests showing Wanipigow sand could be processed to solar grade purity.
- Aggressive acid-washing was required in the bench scale tests to achieve required purity. CPS has not specified methods of disposal for waste from acid washing.
- CPS has not taken into account independent documented results of the acid generation property of the Wanipigow silica sand.
- The sources of the required limestone, dolomite and feldspar glass making constituents with required very low iron and other impurity content have not been identified.
- Independent measurements of the iron content of limestone in southeast Manitoba near Vivian range from 4700 to 5800 parts per million (ppm) far above the 120 ppm limit for solar glass.

Disposition:

Most of the comments and concerns provided are in connection with the Canadian Premium Sand’s Wanipigow sand extraction project which was licenced under Environment Act Licence No. 3285. Comments such as impacts of the extraction project, Indigenous consultation, and transportation of the sand from Wanipigow were addressed during the sand extraction project review process. The proponent provided additional information to address comments related to sand quality for solar glass, air emissions, greenhouse gases, wastewater, noise, infrastructure, funding and traffic. In addition, clauses 15 to 20 of the draft licence address the issues related to air emissions and noise, and clause 26 requires the proponent to perform stack sampling to analyze air emissions. Clauses 34 and 37 of the draft licence address issues related to wastewater discharge to the City of Selkirk.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE

Technical Advisory Committee (TAC) responses are listed in Table 1 below. Substantive comments are provided following the table. TAC comments are provided in full in the public registry.

Table 1 Canadian Premium sand Inc. - Selkirk Solar Glass Manufacturing Facility
Technical Advisory Committee Comments

No	Technical Advisory Committee Member	Response Provided
1	Manitoba Conservation and Climate:	
	Environmental Approvals Branch	
	Energy Program	No response
	Air Quality Management	No response
	Environmental Compliance and Enforcement Branch	November 25, 2022
	Office of Drinking Water	October 26, 2022
	Environmental Programs and Remediation Branch	No response

No	Technical Advisory Committee Member	Response Provided
	Drainage and Water Rights Licensing Branch	No response
	Water Use Licensing Section	No response
	Drainage and water Right Licensing Branch	No response
	Climate Change and Clean Technology	No response
	Parks and Protected Spaces Branch	No response
2	Manitoba Agriculture and Resource Development:	
	Wildlife and Fisheries Branch (wildlife)	November 2, 2022
	Wildlife and Fisheries Branch (fisheries)	No response
	Forestry and Peatlands Branch	November 27, 2022
	Lands Branch	No response
	Regional Land Specialist/ Integrated Resource Management Team	No response
	Water Branch	
	Water Quality Management Section	No response
	Groundwater Management Section	October 28, 2022
	Mines Program	No response
	Petroleum Program	No response
3	Manitoba Sport, Culture, and Heritage – Historic Resources Branch	November 9, 2022
4	Manitoba Municipal Relations:	
	Community Planning Branch	November 15, 2022
5	Manitoba Labour, Consumer Protection and Government Services	
	Inspection and Technical Services	November 2, 2022
6	Manitoba Transportation Infrastructure – Environmental Services and Consultation Branch	November 23, 2022
7	Manitoba Health, Seniors Care – Winnipeg Regional Health Authority	November 17, 2022

Manitoba Environment and Climate – Environmental Compliance and Enforcement Branch-

Environmental Compliance and Enforcement Branch provided the following comments.

- What are the potential impacts to staff and operations should effluent from the City of Selkirk exceed the quality parameters of the Industrial Service Agreement and/or the requirements of Environment Licence 3273 issued to the City of Selkirk?
- Should exceedances occur, what mitigation or contingency measures are proposed?
- Table 18 of the air quality assessment report identifies that NO₂-TCM exceed the Manitoba Ambient Air Quality Criteria for both the 1-hour and 24-hour maximum acceptable level concentrations. Please clarify why this hasn't been identified as an exceedance, or what mitigation measures will be implemented to ensure compliance with these thresholds.

Disposition:

The proponent provided additional information with respect to effluent from the city of Selkirk and the air quality assessment. Environmental Compliance and Enforcement Branch reviewed the additional information and does not have any further concern. In addition, clause 19 of the draft licence addresses the issue related to ambient air emissions while clauses 34 and 37 address the issue of industry service agreement and compliance with Water and Wastewater Facility Operators Regulation.

Manitoba Sport, Culture, and Heritage – Historic Resources Branch

If at any time heritage resources are encountered in association with these lands during testing and development, there is an obligation to report any heritage resources and a prohibition on destruction, damage or alteration of said resources. 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:

The comment was forwarded to the proponent for information and compliance. In addition clause 5 of the draft licence requires the licensee to comply with the requirement of The Heritage Resources Act.

Manitoba Transportation and Infrastructure

The following Manitoba Transportation and Infrastructure comments have been shared with the proponent for information and compliance:

Capital Region:

The EAP indicates that Traffic Impact Study and Drainage Study will be discussed with MTI to ensure all MTI needs and approvals are received prior to any construction that may impact the MTI network. It is required for any drainage into MTI ditches, upgrades to MTI roadways, and construction within the 38.1 m Controlled Areas of PTH 4 and PTH 9, as well as the 304.8 m Controlled Area Circle of the PTH 4 and PTH 9 intersection.

Roadside Development:

A traffic impact study has been prepared and is presently undergoing review. Please note the following statutory requirements for PTH 4.

Under the Transportation Infrastructure Act, a permit is required from Manitoba Transportation and Infrastructure

- to construct, modify, relocate, remove or intensify the use of an access.
- to construct, modify or relocate a structure or sign, or
- to change or intensify the use of an existing structure (including alteration of existing buildings) within the 38.1 (125ft) controlled area from the edge of the highway right-of-way.
- for any planting placed within 15 m (50 ft) from the edge of the right-of-way of this highway.

ADDITIONAL INFORMATION

The proponent provided additional information on December 13, 2022 and January 9, 2023 to address technical advisory committee and public concerns and comments. The detailed additional information is posted to the public registry.

PUBLIC HEARING

The public provided requests for a public hearing with participant funding. Since the additional information was provided in response to the public comments and draft licence conditions were developed to address the concerns raised, a public hearing is not recommended. The Branch communicated on May 2, 2023 the decision to the members of the public who provided the comment.

CROWN-INDIGENOUS CONSULTATION

The Government of Manitoba recognizes it has a duty to consult in a meaningful way with Indigenous communities when any proposed provincial law, regulation, decision or action may infringe upon or adversely affect the exercise of the Indigenous rights of that community.

The proposed facility will be located on private property within the City of Selkirk zoned for industrial use. Initial assessment of Crown-Indigenous Consultation for the proposal was completed and determined that there are no anticipated effects on Indigenous rights; therefore, Crown-Indigenous consultation is not required.

RECOMMENDATION

It is recommended that the development be licensed under The Environment Act subject to the limits, terms and conditions as described on the attached draft Environment Act licence. Administration of the licence should be assigned to the Interlake Region of the Environmental Compliance and Enforcement Branch.

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