

SUMMARY OF COMMENTS / RECOMMENDATIONS

PROPONENT: Eddie's Gravel Supply Ltd.
PROPOSAL NAME: Eddie's Gravel Supply Ltd.
CLASS OF DEVELOPMENT: CLASS 1
TYPE OF DEVELOPMENT: Asphalt Plant
CLIENT FILE NO: 4734.00

OVERVIEW:

A proposal was filed by Mr. Kevin Bochorka on behalf of Eddie's Gravel Supply Ltd. for the construction and operation of a development located at NW ¼ Section 6 Township 18 Range 4 EPM in the Rural Municipality of Gimli. The development is to be located approximately 5 kilometres west of Winnipeg Beach off Beachside Road, and involves the production of asphalt mix for construction purposes by mixing and heating raw materials including asphalt cement and aggregates. There is potential for noise, particulate matter and vapour emissions to the air. Emission control is provided by a water scrubber. The development is expected to normally operate Monday to Friday from 6 a.m. to 8 p.m.. Additional hours of operation will be based on demand for product.

The Department provided the Technical Advisory Committee with information on the Proposal and made public notification in the Winnipeg Free Press and the Interlake Spectator. The closing date for comments was March 18, 2002. The following summarizes the responses:

RELEVANT COMMENTS FROM THE PUBLIC

Twenty-seven citizens submitted comments or concerns regarding the Development.

- Comment 1: Pollutants in the air.
Response: *It is possible there will be some pollutants emitted from the facility. A pollution control device will be utilized to limit these. The licence has emission limits for particulate emissions and odours, and has a mechanism to evaluate other pollutants if evidence is presented that there may be a concern.*
Disposition: No further action needed.
- Comment 2: Odour pollution.
Response: *It is possible there may be occasional odour emitted from the facility. The licence will contain an odour nuisance clause.*
Disposition: No further action needed.
- Comment 3: Noise pollution.
Response: *It is probable there will be noise emitted from the facility. The licence will contain a noise nuisance clause.*
Disposition: No further action needed.
- Comment 4: Increased traffic flows; dust control can be a condition.
Response: *There is a potential for some increased traffic flow on roads. The responsibility for dust control is with the municipality. They should consider this in their assessment of a conditional use permit.*
Disposition: No further action needed.
- Comment 5: Use of RAP.
Response: *The use of recycled asphalt product (RAP) has not been identified in the proposal and will not be permitted in the licence.*
Disposition: No further action needed.
- Comment 6: Impact of plant on wildlife.
Response: *There is no indication, either in the literature or from experience at other like facilities that this type of operation creates a significant impact on wildlife.*
Disposition: No further action needed.

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- Comment 7: Direct health concerns.
Response: *With proper emission control, emissions have not been demonstrated to be of a concern for health.*
Disposition: No further action needed.
- Comment 8: Effects of emissions on plants/crops.
Response: *With proper emission control, emissions have not been demonstrated to be of a concern.*
Disposition: No further action needed.
- Comment 9: Effects of emissions on animals.
Response: *With proper emission control, emissions have not been demonstrated to be of a concern.*
Disposition: No further action needed.
- Comment 10: Spill of petroleum products contaminating water table.
Response: *Asphalt quickly solidifies at ambient temperatures, and would not seep into the water table if spilled.*
Disposition: No further action needed.
- Comment 11: Quality of life affected.
Response: *The measurement of this is subjective and beyond the scope of this assessment. Such issues should be presented to the local municipality to resolve.*
Disposition: No further action needed.
- Comment 12: Runoff and spills to Boundary Creek.
Response: *The licence prohibits offsite drainage of contaminated wastewater. The proponent has proposed a zero water discharge.*
Disposition: No further action needed.
- Comment 13: Decreased property values.
Response: *There is no indication this will occur. This would be a matter taken to the municipality.*
Disposition: No further action needed.
- Comment 14: What are actual pollutants and quantities taken into consideration in assessment.
Response: *Particulates and organic compounds are examined. With proper emission control, these emissions have not been demonstrated to be of a concern for health or environment.*
Disposition: No further action needed.
- Comment 15: Increased traffic may result in excess dust.
Response: *The Municipality is responsible for the maintenance of these roads, and may need to consider this in their decision to issue a conditional use permit. The proponent was made aware of this concern and it was recommended that the Municipality be approached.*
Disposition: No further action needed.
- Comment 16: Asthma; allergies.
Response: *Concern regarding effects on this sensitive segment of the population is understood. There is no evidence that a properly operated and controlled facility will have a negative effect.*
Disposition: Controls are provided in the licence. No further action needed.
- Comment 17: Control of emissions.
Response: *There is a requirement for control of emissions in the licence.*
Disposition: No further action needed.

RELEVANT COMMENTS FROM THE RURAL MUNICIPALITY OF GIMLI:

- Comment 1: Council is highly supportive of new economic initiatives.
Response: *None.*
Disposition: *None.*
- Comment 2: Council wants to be certain that the proposed asphalt plant does not negatively impact existing development in the area.
Response: *The level of impact cannot be guaranteed. There may be nuisance issues which arise dependant on the sensitivity and tolerance of residents in the area.*
Disposition: The licence addresses nuisance issues.

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- Comment 3: Council seeks assurance that the proposed plant will not negatively impact groundwater and private wells in the area.
Response: A properly operated facility should not impact these resources.
Disposition: *These concerns are addressed in the licence.*
- Comment 4: Council seeks assurance that the proposed plant will not negatively impact surface water run-off in the area.
Response: *There is no intention to allow contaminated surface water to leave the property.*
Disposition: *These concerns are addressed in the licence.*
- Comment 5: Council seeks assurance that the proposed plant will not negatively impact air quality with emissions that are odourous and a nuisance to surrounding residents.
Response: *There is no evidence to indicate that air emissions are a health concern. There may be nuisance issues which arise dependant on the sensitivity and tolerance of residents in the area.*
Disposition: The licence addresses nuisance issues.
- Comment 6: Council seeks assurance that the proposed plant will not negatively impact quality of life in the surrounding area with noise levels and general operations of the plant that do not comply with the requirements of our Noise By-Law.
Response: *The level of impact cannot be guaranteed. There may be nuisance issues which arise dependant on the sensitivity and tolerance of residents in the area. The enforcement of Municipal By-Laws is the responsibility of the Municipality.*
Disposition: The licence addresses nuisance issues.

RELEVANT COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

1. **Manitoba Culture, Heritage & Citizenship – Historical Resources Branch** – has no concerns.
No response necessary.
Disposition: No action needed.
2. **Manitoba Industry, Trade and Mines – Petroleum Branch** – has no comments or concerns.
No response necessary.
Disposition: No action needed.
3. **Manitoba Industry, Trade and Mines – Mines Branch** – has the following comment:
A conditional use permit from the R.M. of Gimli will need to be obtained as part of the permitting process.
The proponent is aware of this.
Disposition: No environmental approval issued until conditional use permit issued.
4. **Manitoba Intergovernmental Affairs – Community Planning Services** – has the following comment:
A conditional use permit from the R.M. of Gimli will need to be obtained as part of the permitting process.
The proponent is aware of this.
Disposition: No environmental approval issued until conditional use permit issued.

5. **Manitoba Conservation – Policy Coordination Branch - Conservation Programs Division – Climate Change Branch** – has the following comments:

Section 8: In addition to emissions of steam, heat and particulate matter, various volatile organic compounds (VOC's) will be released from the asphalt oil during heating. It is unlikely that a water-based scrubber will remove VOC's from the gas stream so these emissions could potentially lead to odour complaints from the neighbours (*i.e.*, cottages at 0.45 km and residences at 0.6 km). I would suggest that the odour nuisance clause be incorporated into the *Environment Act* licence for this facility.

The proponent replied that they are prepared to take whatever steps are required should a problem arise. Although there may be some release of the above compounds, it has not been demonstrated that when emission controls are utilized that these emissions are of a significant concern.

Section 9: The efficiency of the water scrubber is given as 75 to 99 percent. Is this guaranteed by the manufacturer? If feasible, I would suggest that the efficiency of the unit be verified by sampling once the system is operational.

The proponent replied that there was no available documentation on the water scrubber. They will sample emissions if required.

Section 10: It is stated that this plant is portable and will be moved to other locations. How frequently is it expected that this plant will be moved?

The proponent replied that the plant may be moved 2-4 times through the season.

Other sources of dust emissions on the site include fugitive dust emissions during any material handling and from truck traffic on on-site roads. What is proposed to mitigate these potential sources of fugitive dust?

The proponent replied that the site can be watered if dust is a problem.

Information is required on spill containment measures and plans for this plant. Asphalt working and storage areas should be underlain and dyked to contain any spills.

This is accommodated in the licence.

Disposition: The licence contains conditions to deal with the above concerns.

6. **Environment Canada – Canadian Environment Review Agency** – respond that the application of the *Canadian Environmental Assessment Act* with respect to this project will not be required.

No response necessary.

Disposition: No action needed.

7. **Manitoba Conservation – Environmental Operations Division – Interlake Region** – have the following comments:

Fuel tank storage must comply with MR 188/2001.

The proponent replied that all current fuel tanks meet existing regulations.

What are the details of the sediment pond.

The proponent replied that the sediment pond is a 2 celled clay lined pond. Water is recycled and not discharged.

Is there a water well on site.

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The proponent replied that there is not an on-site well and that water will be reclaimed from the adjacent quarry.

As this development will be located in an agricultural zone with conditional approval, the proponent should be prepared to mitigate concerns of noise, odour, smoke and dust.

The proponent replied that they feel this will not be a problem but are willing to mitigate if necessary. They have also applied for a zoning variance.

Wastewater should not be discharged beyond the property boundary.

The proponent replied that they do not anticipate any wastewater discharge.

Disposition: The licence contains conditions to deal with the above concerns.

8. **Manitoba Agriculture – Soils and Crops - Soil Resource Section** – has no concerns.

No response necessary.

Disposition: No action needed.

9. **Manitoba Highways and Transportation - Highway Planning and Design** – has no concerns.

No response necessary.

Disposition: No action needed.

10. **Manitoba Health - Public Health - Environmental Unit** – did not respond.

No response necessary.

Disposition: No action needed.

PUBLIC HEARING:

There were no requests for public hearings.

OTHER ISSUES:

The issuance of the Licence was stayed until the R.M. of Gimli resolved the land use issue. A conditional use order was approved by Council on February 10, 2003, for this Development.

RECOMMENDATIONS:

A Licence considering the above relevant concerns as well as those of the Approvals Branch be prepared and issued. Responsibility for enforcement of the Licence should be transferred to the Region.

PREPARED BY:

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