

## **SUMMARY OF COMMENTS/RECOMMENDATIONS**

**APPLICANT:EVERGREEN ENVIRONMENTAL TECHNOLOGIES**

**APPLICATION NAME: Waste Acid Batteries Transfer Facility**

**CLASS OF DEVELOPMENT: N/A**

**TYPE OF DEVELOPMENT: Hazardous Waste – DGH&T Act**

**CLIENT FILE NO.: 5626.00**

### **OVERVIEW:**

On July 23, 2012, the Department received an Application from Evergreen Environmental Technologies for the continued operation of a waste lead acid battery collection depot, a used oil products and material collection depot and a pesticide container collection depot facility located at 11-14-17 W in the Rural Municipality of Odanah, Manitoba.

On January 25, 2013 the Department placed copies of the Application in the Public Registries located at 123 Main St. (Union Station), the Millennium Public Library in Winnipeg, the Manitoba Eco-Network and the R M of Odanah office. As well, copies of the Application were provided to the Technical Advisory Committee (TAC) members. The Department placed a public notification of the Application in the Minnedosa Tribune on January 25, 2013. The newspaper and TAC notification invited responses until February 25, 2013.

### **COMMENTS FROM THE PUBLIC:**

No comments or concerns were received from the public

### **COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:**

#### **Conservation and Water Stewardship, Conservation Programs, Sustainable Resource and Policy Management Branch and Lands Branch**

No concerns

#### **Conservation and Water Stewardship, Water Science and Management Branch**

Although the proposal contains very limited information, it seems this proposal is for a used oil, battery, and pesticide jug transfer station at the Neepawa Waste disposal grounds. I have no substantive concerns with the proposal that could not be addressed by appropriate mitigation measures. In general, our concerns would relate to ensuring there is appropriate training of staff and sufficient absorbent materials on site to manage an accidental spill or malfunction. Materials should be placed on an impervious surface out of the weather. All reasonable efforts should be made to ensure that if there is residual pesticide in containers that it remains contained until removed by a licensed hazardous waste carrier. Reasonable efforts should be made to prevent hazardous materials from entering site runoff from precipitation or spring melt.

## **Disposition**

The Licence will address these concerns.

### **Conservation and Water Stewardship, Parks and Natural Areas Branch**

No comments

### **Conservation and Water Stewardship, Pollution Prevention Branch**

Comment that Application is incomplete. However after clarity from Environmental Approvals, accepted the Application and will review the draft licence.

### **Conservation and Water Stewardship, Regulatory Services Branch**

No concerns

### **Conservation and Water Stewardship, Office of Drinking Water Branch**

The memo and diagram do not provide enough information to determine whether the proposed development would affect any public or semi-public water system, so I cannot state whether ODW would have any concerns with the proposed development.

## **Disposition**

The Licence will address these concerns.

### **Conservation and Water Stewardship, Fisheries Branch**

There is no information on their containment abilities in case of a spill or fire? It appears from the map that they have a ditch that leads to a settling pond but not sure where the pond discharges to.

In the event there should be an emergency and contaminated runoff ended up in the pond would there be a licence condition to test the water in the pond prior to discharge to the receiving environment?

- Additional information was forwarded to the Fisheries Branch

Response - thanks for the information. I believe it addresses my concerns.

## **Disposition**

The Licence will address these concerns.

### **Manitoba Local Government, Community and Regional Planning Branch**

My understanding is that this is an application for the continued operation of a used oil products and material depot, a waste battery transfer depot, and a pesticide container collection depot at the existing waste disposal grounds in the Rural Municipality of Odanah.

The RM of Odanah Zoning By-law No. 1/04 designates waste disposal sites as a conditional use in the “AG” Agricultural General Zone. If the applicant intends to enlarge or expand the existing use, building, or structure located on the site, a conditional use approval could be required. If no such enlargement or expansion is being undertaken, then there are no planning concerns.

### **Manitoba Health, Prairie Mountain Regional Health Authority**

I have reviewed the application and have the following comments:

- i. ensure that containment measures meet applicable guidelines, both while the used oil and used oil containers and filters, waste lead acid batteries and pesticide containers are stored temporarily at the site and then during transport to the licensed receivers/recyclers.
- ii. maintain current chemical inventory lists in designated areas.
- iii. ensure availability for review of emergency response plan.
- iv. adequately address possible impacts at the site on surface and potential ground water by Environment Act regulations, site selection and containment areas.

### **Manitoba Infrastructure and Transportation, Highway Planning and Design Branch.**

No concerns

### **Canadian Environmental Assessment Agency**

The Agency response included the following information

As you know, the *Canadian Environmental Assessment Act, 2012* (CEAA 2012) came into force in July 2012, focusing federal attention on those project proposals that have a greater potential for significant adverse environmental effects in areas of federal jurisdiction. The *Regulations Designating Physical Activities* identify the activities which, if carried out individually or in combination, would constitute a “designated project” that is subject to the requirements of CEAA 2012.

The proponent is responsible for confirming its federal regulatory responsibilities associated with its project. In your response to the proponent, please advise it to review the noted regulations (<http://laws-lois.justice.gc.ca/eng/regulations/SOR-2012-147/index.html>) and contact the Canadian Environmental Assessment Agency if its proposal includes any activity described.

**Disposition**

These comments were forwarded to the Applicant – for information. No action required

**PUBLIC HEARING:**

A public hearing is not recommended.

**RECOMMENDATION:**

The Applicant should be issued a Licence, in accordance with the attached draft, to operate the Waste Batteries transfer facility. Enforcement of the Licence should be assigned to the Western Region.

**PREPARED BY:**

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