

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Town of Killarney
PROPOSAL NAME: Used Oil Collection at Waste Disposal Grounds
CLASS OF DEVELOPMENT: D G H & T Act
TYPE OF DEVELOPMENT: Not applicable
CLIENT FILE NO.: 4157.00

OVERVIEW:

The proposal dated March 11, 1996 was received on March 15, 1996.

The proposal relates to the collection of used oil at the Town of Killarney WDG in a 4000 gallon double walled tank. The oil will be accepted from residents of the Town of Killarney and the R M of Turtle Mountain. The collected used oil will be sent by Licenced Carrier to a recycling facility or disposal facility.

After internal review, the proposal was advertized in the Killarney Guide on April 16, 1996, and placed in the following Public Registries :- Main Registry, Eco-Network, Lakeland Regional Library and the Centennial Public Library. The closing date for public comment was May 9, 1996.

The proposal was sent to TAC on April 10, 1996, with a response closing date of May 9, 1996.

The Draft Order was sent to TAC for review and comment on March 25, 1997 with a response closing date of April 10, 1997.

COMMENTS FROM THE PUBLIC:

There were no comments received from the public in response to the advertizement.

COMMENTS RE THE PROPOSAL FROM THE TECHNICAL ADVISORY COMMITTEE:

Manitoba Environment, Environmental Operations Division, Park West Region noted that in addition to those generic regulatory provisions applied to the operation of a used oil collection facility and in keeping with the information provided by the engineering study, the proposed facility should be developed on the north side of the waste disposal site where there is an adequate thickness of impermeable till to protect the groundwater from leachates.

It was noted that in the Geotechnical Investigation carried out by Poetker MacLaren Limited for the Town of Killarney that activities at the waste disposal grounds should be confined to the north half of the site to avoid contact with the saturated sand layer that was encountered at a depth of 2.4 metres below the surface at the south side of the site.

The proposal submitted indicates the development would be on the south side. This would require the facility proposal, include engineering and construction design to provide a suitable groundwater protection.

-2-

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Disposition. After discussion with the Regional Director and the Secretary Treasurer, it was noted that the waste disposal grounds are operating under permit and that the used oil collection tank is double walled and ULC approved. The requirement for consideration to be given to relocating the tank from the south part of the grounds to the northern part was removed.

Manitoba Environment, Environmental Management Division, Air Quality Management noted that there is no information provided in the proposal detailing:

- . the design of the waste oil collection site (*e.g.*, construction of tank, type and thickness of surface tank to be located on, fencing, drainage, size of area, security provisions, hours of operation, personnel, record keeping, signage, *etc.*); and
- . how the used oil collected will be disposed of.

Disposition. After discussion with the Secretary Treasurer it was noted that the tank will be double walled and placed on a clay base. The method of disposal of the used oil is not finalized at this time. The other concerns will be addressed in the Director's Order

Department of Rural Development had the following comments:

1. the subject property as part of the NE1/4 of Section 7-3-16 W.P.M. is designed Agricultural according to the Killarney Area Planning District Development Plan, and is classified as "AG80" Agricultural General Zone according to the R M of Turtle Mountain Zoning By-Law.
2. the "AG80" Zone allows public waste disposal grounds as conditional uses. The proposed used oil collection facility as an addition to the existing waste disposal site will NOT require the issuance of a Conditional Use Order by the R M Council.
3. it would appear that the proposed structures (i.e. tank and equipment) can be accommodated within the building envelope and appear to meet the setback requirements of the R M of Turtle Mountain Zoning By-Law.
4. the issuance of permits in conformance with the Zoning By-Law and local Building By-Law will be handled in due course by the Development Officer/Building Inspector employed by the Killarney Area Planning District.

5. land zoned for residential uses in the Town of Killarney is located about 3 miles to the south and west of the chosen site. A house is located on a farm site about 5000 feet to the west of the proposed tank location in the Rural Municipality.

6. Rural Development has no concerns with the proposed development. There are no apparent outstanding land-use planning issues which would prevent approval of this development.

Disposition. There were no concerns to be addressed.

-3-

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Department of Health - Westman Region comments were as follows

1. Order should address the following:-

- i) appropriate collection and transportation of used oil to the facility.
- ii) primary and secondary containment measures in the event of a spill so as to protect surface/groundwater. i.e. clay berm construction

2. Should ensure that an emergency response contingency plan is available for review.

Disposition. The tank will be self contained and ULC approved. The collection and transportation of the oil will be addressed in the Director's Order.

Department of Natural Resources had no concerns

Department of Historic Resources had no concerns.

Department of Highways and Transportation had no concerns.

Canadian Environmental Assessment Agency - Noted that after a review by all departments with a potential interest, application of the Canadian Environmental Assessment Act will not be required.

COMMENTS RE THE DRAFT ORDER FROM THE TECHNICAL ADVISORY COMMITTEE:

Manitoba Environment, Environmental Operations Division, Park West Region had the following comments:-

- Section 3. If it is required that the secondary containment is to be inspected weekly, records should be maintained for a period of two years and be made available to an Environment Officer on request.

- Section 13. It should be made clear that this is to include a separate fence around the used oil collection area and this is not the fence around the entire waste disposal ground, if this is the intent.

Disposition. The suggestion that records should be kept of the secondary containment inspections was incorporated into the Order. The comment relating to a fence resulted in a decision to remove the fence requirement from the Order.

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-4-

Manitoba Environment, Environmental Operations Division, Winnipeg Region, Dangerous Goods Section had the following comments:-

Section 1. The purpose of this section is unclear and it appears the provision does not serve any useful purpose within the context of the Order. Recommend this section be deleted.

Section 2. There are several other acceptable ULC specs for used oil tanks. ULC/ORD-C142.3 appears to have been superseded by other more recent standards.

Section 4. A lab analysis for each shipment from the facility may be overkill. It is recommended that the section be amended to require that representative samples of the tank contents be retained by the operator for up to 90 days. These samples could then be analyzed if so requested by the Director. It is felt that the sampling and analytical costs, particularly if this turns out to be a high throughput depot, will be a problem to the applicant and it will be difficult to achieve compliance with this section. Also, since there are no routine reporting requirements or timeframes in the section, the data would likely not be used until "after the fact" if a problem is detected.

Section 7. Recent discussions have concluded that keeping records for all receipts is likely unnecessary and the chances of getting the operator to comply fully are questionable. Our draft guideline requires a record of all receipts over 25 litres. This eliminates the need to record every 5 litre jug brought in by individual home owners.

Section 9. Since any visual contamination of the incoming oil could be a concern, it is recommended that the reference to organic solvents be removed from the last line of this section. Also, training of the operator in how to carry out the visual examination is important. It is suggested that the Order include a provision for operator training.

Section 10. This could be a more generally worded section allowing the operator to reject any oil that does not pass the visual test.

It is also suggested that a section be added requiring the applicant to have a written agreement with a transporter or receiver for removal of the used oil from the facility. This provision is included in the draft used oil depot guideline.

Disposition. The suggested changes were incorporated into the Order.

Legislation & Intergovernmental Affairs noted some wording changes that would be applicable .

Disposition. The suggested changes were incorporated into the Order.

Department of Natural Resources had no concerns

PUBLIC HEARING:

A Public Hearing will not be convened.

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-5-

RECOMMENDATION:

The attached Draft Director's Order should be reviewed by the Director, finalized and then issued. The Order, when issued, should be assigned to the Region for enforcement.

PREPARED BY:

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