

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Praxair Canada Inc.

PROPOSAL NAME: Manufacturing Facility

TYPE OF DEVELOPMENT: Manufacturing and Industrial Plants.

CLIENT FILE NO.: 2459.00

OVERVIEW:

On June 30, 2010, the Department received a Proposal from Praxair Canada Inc. for the continued operation of a liquid carbon dioxide production facility at 1205, 17th Street East in Brandon, Manitoba.

On October 20, 2010 the Department placed copies of the Proposal in the Public Registries located at 123 Main St. (Union Station), the Winnipeg Millennium Public Library, the Western Manitoba Regional Library (Brandon) and the Manitoba Eco-Network. As well, copies of the Proposal were provided to the Technical Advisory Committee (TAC) members. The Department placed a public notification of the Proposal in the Brandon Sun on October 30, 2010. The newspaper and TAC notification invited responses until November 22, 2010.

COMMENTS FROM THE PUBLIC:

None

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Manitoba Conservation, (Environmental Assessment and Licensing Branch).

The following questions were sent to the Proponent in order to clarify certain areas of the Proposal. The responses are included after each question:

Q. On page 7 the legal address for the facility is listed as N SW1/4 18-10-18. On page 10, there is a statement regarding water wells and the location "Section 13-10-19W." I wonder if this is correct as it seems to be saying that the facility is located on 13-10-19. Please clarify.

A. Our correct legal address is indeed N SW1/4 18-10-18. 13-10-19 refers to the nearest well neighboring our property.

Q. On page 12, it notes that the water in the sparger tank is tested for TKN and metals. What are the acceptable limits for these parameters? That is, what level of metals would be considered to make the water a hazardous waste? What Haz Waste hauler do you use and where is the liquid taken?

A. We are limited to 100 mg/L of TKN (Ammonia + Ammonium) as per our Discharge License. The license includes other parameters but does not include metals.

Prior to disposal of the sparger water, the water is tested to see if it meets our Discharge license limits. If we can not meet the limits, we will dispose of the sparger water using an approved waste supplier, either Safety Kleen or Clean Harbours, who will dispose of it at an approved facility.

Q. On page 13 you indicate that waste oil is generated (from compressors) as well as solvents (varsol). The way the information is written, it appears that the waste oil and varsol are stored in a 2000L tank. Are they mixed in the tank? Who picks up the waste oil/varsol?

A. The oil and varsol are stored in separate containers. When required, Clean Harbours Canada Inc. will pick up the waste and haul it away for proper disposal.

Q. On page 1 there is a table - Table A – in which it notes that Industrial Waste Effluent is disposed of in the municipal system, which I assume means the Brandon sewer system. But then the table indicates that septic waste is collected in a tank and hauled away.

Why isn't the septic waste sent to sewer?

A. Page 1, Table A is indeed worded wrong.

- The Industrial Waste Effluent from the plant process is collected in a condensate tank. From this condensate tank it is pumped by automated pump into the city sewer system. This effluent has been analyzed for content in order to ensure we meet the requirements of our discharge license with the City of Brandon. Sewage from the plant building and office is also pumped into the city sewer system.

- On this same property is a trailer that serves as an office and washroom for our transportation dept. The sewage from this trailer is collected into a holding tank of it's own and is hauled to the City of Brandon Waste Water facility by Clarks Septic Service, a local septic service provider. Should we have the wording in Table A edited to reflect this ?

Q. The Environment Act licence usually has a requirement for the company to have some sort of financial assurance. So, do you have insurance such as “environmental liability insurance?”

A. Yes, we have environmental liability insurance, covering us up to \$5,000,000.

Disposition.

Where appropriate the answers will be incorporated into the licence.

Manitoba Conservation, (Aboriginal Relations Branch).

No concerns.

Manitoba Conservation, (Parks and Natural Areas Branch).

No comments.

Manitoba Conservation, (Pollution Prevention Branch, Air Quality Section).

Had the following comments:

- There is no significant emission from the production process. The “raw material” is air emission from Koch Fertilizer Canada which is adjacent to the production plant. Incidental GHG emissions are mostly from the generation of energy required for production. GHG emission is approximately 8% (7 tonnes CO₂ per day) when compared with the CO₂ received from Koch (92 tonnes daily) which was being processed to liquid CO₂.
- The predicted noise levels are from 65 dBA to 82 dBA as measured within the premises. Since 82 dBA is higher than Manitoba noise objectives for an industrial area (70 dBA- 1hour), actual noise measurement from a point of reception outside the company’s premises may be required to determine compliance.

Disposition.

No response required. The licence will include the standard noise clause.

Manitoba Conservation, (Operations Division, Western Region).

No comments or concerns.

Manitoba Local Government, (Community Planning & Development Branch).

The site used by this plant is designated “Industrial” in the Brandon and Area Development Plan and zoned “MH” Industrial Heavy Zone in the Brandon Zoning By-law. This By-law indicates that “industrial and/or agricultural chemical production” is a conditional use in this zone. Our only concern at this time, given the information provided, is that Praxair Canada Inc. has a valid “conditional use approval” from the City of Brandon. The site area appears to be approximately 2.0 acres and the frontage appears to be approximately 328 feet. These provisions meet the minimum requirements of the zoning by-law.

Disposition.

No response required.

Manitoba Conservation, (Wildlife & Ecosystems Protection Branch).

No comments.

Manitoba Conservation, (Sustainable Resource and Policy Management Branch).

No concerns

Manitoba Infrastructure and Transportation, (Highway Planning and Design Branch).

No concerns.

Manitoba Health, (Assiniboine and Brandon Regional Authorities).

1. Air Emissions:
 - i. Ensure air emissions criteria will be met, including assessing the need for air dispersion monitoring if needed.
2. Water:
 - i. Regarding the marginally utilized aquifer (6.1.8), ensure measures in place to minimize any potential risk to distant ground water, including ongoing sampling of nearby wells.
 - ii. Ensure adequate surface water (i.e. the Assiniboine River) protection.
3. Waste/Chemicals:
 - i. Ensure that any discharge of effluent or removal of effluent is in compliance with Manitoba Environment's guidelines.
 - ii. Ensure ongoing reporting and appropriate disposal of all hazardous wastes.
 - iii. Maintain current chemical inventory lists in designated areas.
4. Emergency Response Plan:
 - i. There is mention to a spill response plan (Table A); ensure availability for review of an emergency response plan.
5. Workplace Safety and Health:
 - i. See attached Improvement Order Form following Workplace Safety & Health Site inspection on November 19th, 2010. Ensure improvement orders are complied with.
6. Other issues:
 - i. Are there plans for disposal of the 8 tonne ammonia storage tank (7.4)?
 - ii. Ensure that the lack of CO₂ emission controls from the plant heating system (Table A) do not pose a health hazard.

Disposition.

No response required. Licence will include appropriate clauses.

Manitoba Water Stewardship.

- Manitoba Water Stewardship recommends an *Environment Act* Licence to include the following requirements:
 - The Licencee shall apply for a Water Rights Licence for their supply well(s).
 - A contact person is Ms. Lorraine Thibert, Licensing Technologist, Water Use Licensing Section, Manitoba Water Stewardship, telephone number: (204) 945-6693.
- Manitoba Water Stewardship submits the following comments:
 - Manitoba Water Stewardship does not object to this proposal, at this time.
 - The Manitoba Department of Water Stewardship is mandated to ensure the sustainable development of Manitoba's water resources. Manitoba Water Stewardship is committed to the goals of: protecting aquatic ecosystem health; ensuring drinking water is safe and clean for human health; managing water-related risks for human security; and stewarding the societal and economic values of our waterways, lakes and wetlands; for the best water for all life and lasting prosperity. Manitoba Water Stewardship achieves these goals, in part, through administering legislation, including *The Water Protection Act*, *The Water Rights Act*, and *The Water Power Act*.
 - The proponent needs to be informed of the following for information purposes:

The Water Rights Act requires a person to obtain a valid licence to control water or construct, establish or maintain any "water control works." "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, a person is required to submit an application for a Water Rights Licence to Construct Water Control Works. A person may contact the following Water Resource Officer to obtain an application and/or obtain information.

A contact person is Mr. Ed MacKay, C.E.T., Senior Water Resource Officer, Water Control Works and Drainage Licensing, Manitoba Water Stewardship, 1129 Queens Avenue, Brandon, Manitoba R7A 1L9, telephone: (204) 726-6226, email: ed.mackay@gov.mb.ca.

- The proponent needs to be informed that erosion and sediment control measures should be implemented until all of the sites have stabilized.

Disposition.

No response required. Licence will include appropriate clauses.

Canadian Environmental Assessment Agency

Application of the Canadian Environmental Assessment Act with respect to this proposal will not be required.

PUBLIC HEARING:

A public hearing is not recommended.

RECOMMENDATION:

The Proponent should be issued a Licence, in accordance with the attached draft, to operate the Liquid Carbon Dioxide production facility. Enforcement of the Licence should be assigned to the Western Region.

PREPARED BY:

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