

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: MacDon Industries Ltd. – Murray Industrial Park Complex
PROPOSAL NAME: MacDon Industries Ltd.
CLASS OF DEVELOPMENT: 1
TYPE OF DEVELOPMENT: Manufacturing -
CLIENT FILE NO.: 5683.00

OVERVIEW:

Manitoba Conservation and Water Stewardship received a Proposal on October 31, 2013 for the continued operation of a farm equipment manufacturing facility located at 583, 590, 600, 601 and 680 Morey Street and 11 and 50 Saulteaux Crescent in Winnipeg, Manitoba. The facility manufactures and assembles harvesting and other agricultural equipment.

The Department, on November 23, 2013, placed copies of the Proposal in the Public Registries located at Legislative Library (200 Vaughan Street), the Winnipeg Millennium Public Library in Winnipeg and online at <http://www.gov.mb.ca/conservation/eal/registries/5683macdon/index.html>. Copies of the Proposal were also provided to the Technical Advisory Committee (TAC) members. A notice of the Environment Act proposal was also placed in the Steinbach Carillon on November 23, 2013. The newspaper and TAC notifications invited responses until December 23, 2013.

COMMENTS FROM THE PUBLIC:

No Comments.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Canadian Environmental Assessment Agency

No Comments.

Manitoba Agriculture – Land Use Branch

No Response.

Manitoba Conservation and Water Stewardship –Protected Areas Initiative Branch

No Concerns.

Manitoba Conservation and Water Stewardship – Compliance and Enforcement Branch

The rack/hook burn-off oven must be operated in accordance with The Environment Act's Incinerator Regulation MR 91/88R.

Disposition

Clause 7 of the draft Environment Act Licence addresses the requirements to comply with *Incinerator Regulation*.

Manitoba Conservation and Water Stewardship – Programs and Strategies Branch – Air Quality Section

Air Quality Section has reviewed the above proposal and provides the following comments:

- *The SCREEN3 air quality dispersion modeling results predicted that the concentration of all concerned pollutants and metals, except for ferric oxide, will be well within the air quality guideline. It is expected that the two remaining laser cutters will be replaced as planned in the proposal to eliminate the issue of iron emissions.*
- *However, the SCREEN3 dispersion model may not be the most appropriate model to use as there are multiple source points and different types of releases. According to the draft guidelines for air dispersion modeling in Manitoba, a more refined air dispersion modeling is preferred for this kind of facility.*
- *Air quality section recommends that the undertaking of a refined air dispersion modeling for the facility within a specified time frame be included in the EA Clause.*

Disposition

Clauses 22 and 23 of the draft Environment Act Licence address a requirement to undertake a refined air dispersion modeling.

Manitoba Conservation and Water Stewardship – Wildlife Branch

No Concerns

Manitoba Conservation and Water Stewardship – Parks and Protected Spaces Branch

Parks and Protected Spaces has reviewed the proposal and has no comments or concerns to offer.

Manitoba Conservation and Water Stewardship – Forestry Branch

No Response.

Manitoba Conservation and Water Stewardship – Aboriginal Relations Branch

No Response.

Manitoba Conservation and Water Stewardship – Lands Branch

No Concerns.

Manitoba Conservation and Water Stewardship – Water Quality Management Section

No Response.

Manitoba Conservation and Water Stewardship – Groundwater Management Section

No Response.

Manitoba Conservation and Water Stewardship– Fisheries Branch

All liquid waste generated during at this facility is either directed to the City Sewer System or collected by a licensed waste hauler. Land drainage is discharged to the City of Winnipeg land drainage system where it is conveyed to the Assiniboine River. The City's Sewer Bylaw regulates the discharges to the land drainage system. As long as the standard clauses that address containment requirements and the release of water offsite, which includes the necessity to test, are included potential fisheries concerns should be addressed.

Disposition

Clauses 29 and 30 of the draft Environment Act Licence address wastewater and surface runoff managements.

Manitoba Conservation and Water Stewardship – Office of Drinking Water

No Concerns

Manitoba Conservation and Water Stewardship– Water Use Licensing Section

No Concerns.

Manitoba Conservation and Water Stewardship – Water Control Works Licensing Section

No Concerns.

Manitoba Conservation and Water Stewardship– Climate Green Initiative Branch

No Response.

Manitoba Conservation and Water Stewardship– Regional Services Branch

No Response

Manitoba Culture, Heritage and Tourism – Heritage Branch

No Response.

Manitoba Innovation Energy and Mines – Energy Development Branch

No Response.

Manitoba Innovation Energy and Mines – Petroleum Branch

No Response.

Manitoba Infrastructure and Transportation – Flood Forecasting Branch

No Response.

Manitoba Infrastructure and Transportation – Highway Planning and Design Branch

No Concerns.

Manitoba Intergovernmental Affairs

No Response.

Manitoba Health – Environmental Health Unit

No Response.

Manitoba Labour – Office of Fire Commissioner

The Office of the Fire Commissioner recommends that with the continued operation of this facility, the proponent file an updated Fire Safety Emergency Response Plan with the local fire authority, the Winnipeg Fire Paramedic Service.

Disposition

The proponent is notified of the recommendation to obtain an updated fire safety/ emergency response plan. In addition the Licence cover letter requires the licensee to comply with any other legislative requirements.

Manitoba Labour – Work Place Safety & Health

No Response

PUBLIC HEARING:

A public hearing is not recommended.

CROWN-ABORIGINAL CONSULTATION:

The Government of Manitoba recognizes that it has a duty to consult in a meaningful way with First Nations, Métis communities and other Aboriginal communities when any proposed provincial law, regulation, decision or action may infringe upon or adversely affect the exercise of a treaty or Aboriginal right of that First Nation, Métis community or other Aboriginal community.

This facility is an existing farm equipment manufacturing facility located on a private land within the boundary of the City of Winnipeg. There would be no infringement of aboriginal or treaty rights under Section 35 of the Constitution Act, 1982. Therefore, it is concluded that Crown-Aboriginal consultation is not required for the project.

RECOMMENDATION:

The Proponent should be issued a Licence for the continued operation of a farm equipment manufacturing facility in accordance with the specifications, terms and conditions of the attached draft Licence. Enforcement of the Licence should be assigned to the Environmental Compliance and Enforcement Branch of Manitoba Conservation and Water Stewardship.

A draft Environment Act Licence is attached for the Director's consideration.

Prepared by:

Eshetu Beshada, Ph.D., P. Eng.
Environmental Engineer
Mines and Wastewater Section

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Telephone: (204) 945-7023
Fax: (204) 945-5229
E-mail Address: Eshetu.Beshada@gov.mb.ca