

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPOSER: Rocky Mountain Dealerships Inc.
PROPOSAL NAME: Rocky Mountain Equipment Sedimentation Pond (Neepawa)

CLASS OF DEVELOPMENT: 2
TYPE OF DEVELOPMENT: Waste Disposal – Wastewater Treatment Lagoon
CLIENT FILE NO.: 5751.00

OVERVIEW

The Proposal was received on December 30, 2014. It was dated December 19, 2014. The advertisement of the proposal was as follows:

“A proposal has been received from Burns Maendel Consulting Engineers Ltd. on behalf of Rocky Mountain Equipment in Neepawa for the construction and operation of a sedimentation pond to treat wastewater from a wash bay at the dealership. The sedimentation pond would be constructed in SE 34-14-15W a short distance west of the dealership, which is on PTH 16 approximately 1.6 km east of Neepawa. Washwater from the wash bay would be discharged through an oil and grease separator and into the sedimentation pond. Suspended sediment would be settled out in the pond, and the settled water would be discharged to a tributary of the Whitemud River between April 30 and October 1 of each year. Construction of the pond is proposed for the spring of 2015.”

The Proposal was advertised in the Neepawa Banner on Friday, February 6, 2015. It was placed in the online public registry, the Legislative Library and Millennium Public Library (Winnipeg) public registries. The Proposal was distributed to Technical Advisory Committee (TAC) members on January 23, 2015. The closing date for comments from members of the public and TAC members was February 23, 2015.

COMMENTS FROM THE PUBLIC

No public comments were received.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE

Manitoba Conservation and Water Stewardship – Environmental Compliance and Enforcement Branch

Environmental Compliance and Enforcement Branch has the following comments:

- Section 2.9 of the proposal regards seasonal maintenance. Maintenance must be completed as per Manitoba Conservation & Water Stewardships Lagoon Operation and Maintenance guideline which includes general berm maintenance such as mowing the grass and removing bulrushes, weeds, reeds and trees. This will act to deter burrowing animals and prevent plants and trees with deep root systems from becoming established.
- With regards to the proposed location lagoons should be sited a minimum of 1000 ft from individual residences. Therefore, as per Section 3.6 of the proposal it is important to maintain this minimum separation from the nearest individual residence.
- With regards to sampling requirements prior to discharge, since it is proposed the lagoon will discharge to a water body the lagoon must be sampled for phosphorous and nitrogen as per the Tier 1 *Manitoba Water Quality Standards, Objectives and Guidelines*. TSS should also be sampled for as the lagoon is referred to as a sedimentation pond in the proposal. With regards to the sampling of VOC's this must include BTEX, PHC Fractions F1 through F4 as well as heavy metals.
- The proposal does not indicate how RME plans to deal with sludge generated in the wash bay/grease traps/oil water separator. How does the proponent propose to deal with this material?

Disposition:

Several of these comments can be addressed through licence conditions. As there are no sources of nitrogen and phosphorus in the wastewater, it will not be necessary to test for these parameters in the effluent. Additional information was requested on disposal plans for sludge, grease and oil.

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

- The proposal is not expected to have a significant impact on air quality.
- The odour clause is suggested to be included in the Licence.

Disposition:

The comment concerning the odour clause can be addressed as a licence condition.

Manitoba Conservation and Water Stewardship – Lands Branch

Lands Branch has no comment/concern as no Crown lands are impacted by the proposal.

Manitoba Conservation and Water Stewardship – Water Science and Management Branch, Water Quality Management Section

- The following effluent standards should be in place for the Rocky Mountain Equipment Lagoon wastewater treatment lagoon upgrade as per the

Manitoba Water Quality Standards, Objectives and Guidelines Regulation (196/2011).

- cBOD 25 mg/L,
 - Glycols, Ethylene glycol <192 mg/L,
 - Glycols, Propylene glycol <500 mg/L.
- On page 5 of the proposal, the Proponent describes that the water will only be discharged between April 30 and October 1. Water Quality Management Section recommends a discharge period between June 15 and November 1.
 - Can the proponent please identify the Volatile Organic Compounds that will be contained within the wastewater?
 - The Water Quality Management Section is concerned with any discharges that have the potential to impact the aquatic environment and/or restrict present and future uses of the water. Therefore it is recommended that the license require the proponent to actively participate in any future watershed based management study, plan/or nutrient reduction program, approved by the Director.

Disposition:

Most of these comments can be addressed as licence conditions. With respect to discharge dates, an initial date earlier than the standard date of June 15 is acceptable, as there is no nutrient content in the wastewater, and so a delay in releasing wastewater is not needed to volatilize ammonia. Additional information was requested on the identification of Volatile Organic Compounds.

Manitoba Conservation and Water Stewardship – Water Science and Management Branch, Groundwater Management Section

- The proposed development will be located on a shallow, unconfined sand aquifer. The unconfined nature of the sandy soils and high water table (about 1.5 to 2.0 metres below ground surface) make it highly vulnerable to groundwater contamination from sources such as wastewater.
- Section 2.5.2. Hydraulic Loading states: “However, the wastewater source could potentially be contaminated with hydrocarbons, glycol and cleaning solvents and not the microbial contamination and other nutrients normally associated with domestic wastewater lagoons. As a side note, we advise that the wastewater will pass through an oil and grease interceptor before being discharged to the lagoon, so we anticipate contamination would be minimal”.

Section 4.2.3. Contaminants states: “Potential contaminants that may enter the sedimentation pond include hydrocarbons, glycol (antifreeze), and cleaning solvents. We stress that washbay wastewater enters an oil and grease interceptor before being

discharged to the lagoon, so we do not anticipate that tests will show excessive contamination. Prior to discharge the effluent will be tested for VOCs and glycols by an accredited laboratory licensed to practice in the Province of Manitoba, and results will be evaluated according to the standards set out in the Manitoba Water Quality Standards, Objectives and Guidelines document. In the event that any of the tests fail, water will be re-tested according to the procedure set out in Section 2.8 Facility Operation”.

We have several questions regarding these statements,

- What does “minimal” and “excessive contamination” mean?
- Are there minimum concentration levels that should be met before discharge of these potential contaminants into the lagoon?
- Is the proposed testing (VOCs and glycols) sufficient for detection of the all cleaning solvents used in the washbay?
- Prior to discharging the effluent from the lagoon, in the event that any of the proposed water quality tests fail a re-test, what mitigation measures are in place to deal with the potentially contaminated effluent?

Disposition:

Containment and testing requirements can be addressed through licence requirements. If effluent in the facility could not be discharged because it did not meet licence quality conditions, mitigation measures would depend on the reason for the failure, particularly the type of contaminant involved. If the contaminant would not be reduced by a longer retention time, it would require removal through another (temporary) treatment process such as filtration.

Manitoba Conservation and Water Stewardship – Office of Drinking Water

The consultant contacted the Drinking Water Officer to determine whether there were any domestic water systems downstream of the proposed lagoon discharge. The issue of downstream users would be my main concern with a proposal such as this and the point has been addressed so Office of Drinking Water has no further concerns with this EAP or the proposed development.

Manitoba Conservation and Water Stewardship – Water Use Licensing

No concerns.

Manitoba Conservation and Water Stewardship – Water Control Works and Drainage Licensing Section

Any water control works (drains, culverts, dykes, dams, etc.) associated with this project will require licensing under the Water Rights Act – an application is attached for the proponent’s convenience. Any inquiries in this regard may be directed to the local Water

Resource Officer. Their contact information can be found at http://www.gov.mb.ca/conservation/waterstewardship/licensing/pdf/areas_of_focus_jan_23_12.pdf

Disposition:

This information was provided to the consultant for information.

Manitoba Infrastructure and Transportation - Highway Planning and Design Branch, Environmental Services Section

No concern.

Manitoba Municipal Government – Community Planning Services Branch

I have reviewed the above referenced proposal and note the following information for your review and consideration concerning the proposed wastewater lagoon. The location of the proposed wastewater lagoon in the Town of Neepawa, which is a member of the Neepawa and Area Planning District, dictates that all development is therefore subject to the policies of the district development plan in effect and may be further regulated in the Town of Neepawa Zoning By-law.

NEEPAWA AND AREA PLANNING DISTRICT DEVELOPMENT PLAN BY-LAW NO. 78

According to the Neepawa and Area Planning District Development Plan, the lands on which the wastewater lagoon will reside are designated as **“Highway Commercial.”**

TOWN OF NEEPAWA, ZONING BY-LAW NO. 2650

According to the Town of Neepawa Zoning By-law, lands on which the wastewater lagoon will reside are zoned **“CH” – “Commercial Highway Zone.”** Farm Implements, sales and distribution as well as service and repair, as it seems the use that Rocky Mountain Equipment proposes is a permitted use in this zone.

CONCLUDING REMARKS:

I have no concerns with the proposed development as it is generally consistent with the policies of the Neepawa and Area Planning District Development Plan and the proposed use would appear to be one that is a permitted use in the Neepawa Zoning By-law No. 2650.

Manitoba Agriculture, Food and Rural Development – Crops Branch

No concerns.

Manitoba Health – Medical Officer of Health

No further comments to add.

Canadian Environmental Assessment Agency

This is not a designated project under CEAA 2012. The Agency will not be involved in the review of the project.

ADDITIONAL INFORMATION

Additional information was requested to address Technical Advisory Committee comments on March 11, 2015. A response was provided on March 23, 2015:

1. What will be done with sludge from the wash bay and with grease and oil removed from the grease trap and oil-water separator?

All contaminants collected in the sump pits and oil and grease interceptor will be removed by a licensed vacuum truck company. Contaminants will then be transported and disposed of in accordance with regulations at a licensed facility; in this particular case we anticipate disposal at the Evergreen Environmental Technologies Waste Facility.

2. The proposal notes that VOCs may be present in the wastewater. Can these VOCs be identified?

The contaminants we anticipate may enter the waste stream include gasoline, oils, greases, and cleaning solvents, although as we have noted in the EAP we expect small concentrations. The VOC testing will be used to determine the presence of potential cleaning solvents in the wash bay wastewater. As we cannot anticipate all of the cleaning solvents that may be used in the operation of the facility, standard VOC tests will be used to flag any concerns prior to discharge.

This information is sufficient to allow these matters to be addressed through licence conditions.

PUBLIC HEARING

As no public comments were received and no requests for a hearing were filed, a public hearing is not recommended.

CROWN-ABORIGINAL CONSULTATION

The Government of Manitoba recognizes 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.

The proposal involves the construction and operation of a small privately owned wastewater treatment facility. It is not anticipated that treated effluent from the facility will have a significant effect on the receiving waterway, which is the Whitemud River. Since resource use is not affected by the project, it is concluded that Crown-Aboriginal consultation is not required for the project.

RECOMMENDATION

It is recommended that the Development be licensed under *The Environment Act* subject to the limits, terms and conditions as described on the attached draft Environment Act Licence. It is further recommended that enforcement of the Licence be retained by the Environmental Approvals Branch until construction of the facility is complete. Once operation of the facility begins, enforcement of the Licence should be assigned to the Western Region of the Environmental Compliance and Enforcement Branch.

PREPARED BY:

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For Municipal and Industrial Section

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