

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: KLS Crop Solutions
PROPOSAL NAME: KLS Crop Solutions
Crop Protection Products Warehouse
CLASS OF DEVELOPMENT: 1
TYPE OF DEVELOPMENT: Bulk Materials Handling Facility
CLIENT FILE NO.: 5636.00

OVERVIEW:

The Proposal has been filed by Kelsen Agritech Inc on behalf of KLS Crop Solutions for the construction and operation of a crop protection products warehouse development to be located at Lots 1 and 2, Block 1, Plan 32172, 119 Wagon Trail in the Town of Morris. The development will consist of a 18.2 meters by 18.2 meters (60' x 60') crop protection products warehouse.

The Proposal was advertised in the Morris Mirror on March 27, 2013, Altona Red River Valley Echo on March 30, 2013, Carman Valley Leader March 28, 2013, Emerson Southeast Journal March 30, 2013, and Steinbach Carillion March 28, 2013. Copies of the proposal were placed in the Public Registries at Legislative Library, 200 Vaughan St., Winnipeg; Millennium Public Library, 4th floor, 251 Donald St., the Manitoba Eco-Network, 3rd Floor, 303 Portage Ave; and the Online Registry, and the Jake Epp Library, 255 Elmdale St. Steinbach; Online Registry at <http://www.gov.mb.ca/conservation/eal/registries/index.html>. The proposal was distributed to the Technical Advisory Committee (TAC) on March 22, 2013. The closing date for TAC and public comments was on April 29, 2013.

COMMENTS FROM THE PUBLIC:

No public responses were received.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Following is a summary of TAC comments received pertaining to the Proposal. Copies of the original comments from TAC are available in the Public Registries.

Manitoba Agriculture, Food and Rural Initiatives – Land Use

No concerns.

Manitoba Conservation and Water Stewardship – Aboriginal Relations Branch

No response submitted.

Manitoba Conservation and Water Stewardship – Air Quality

No comment.

Manitoba Conservation and Water Stewardship – Climate and Green Initiatives

No response submitted.

Manitoba Conservation and Water Stewardship – Environmental Enforcement and Compliance

1. Under the description of proposed development, the proponent stated that “clean accumulations of water will be discharged...” The only way to determine the cleanness of the accumulation is through laboratory analysis. So I suggest that every accumulation of water be analysed in the laboratory to determine its suitability for release or not.
2. The proponent also stated that there will be no water or sewer service at the development. For a development handling chemicals, there is need to provide shower and eye wash facilities in the case of accidental spill on personnel. Water from these washings are not to be directed to the municipal sewer or drained off into surface water but to be collected and treated as contaminated water. Five minutes’ walk to the proponent’s residence can be hazardous and costly in case of accident. Also, washing off chemical spill at the residence will direct washings to the municipal sewer which is undesirable.

Disposition;

Respecting bullet one, we currently have a condition in the licence as follows that address the concerns:

The Licencee shall ensure storm water or surface water that has accumulated in the secondary containment area is only removed if there have been no documented releases, spills, leaks or discharges of chemicals (from the previous removal to the current). In the event a documented incident has occurred, the Licencee must receive authorization from an Environment Officer from the designated Regional Office of Manitoba Conservation and Water Stewardship prior to removal of any accumulated liquid. If any accumulated liquid may be contaminated, it shall be sampled and tested for appropriate parameters by an accredited laboratory prior to any request for removal.

Since all products are handled inside the building, any accumulated storm or surface water in the diked area is required for testing, only in the event there is a spill.

On the second point as is mentioned the site is required to maintain an eyewash station and this is addressed through our requirement in the licence to have AWSA certification, which is a standard requirement for certification. The eyewash station would collect such a small amount it would not be necessary to treat as a contaminant. There are no requirements for the facilities at current to have full showers.

Manitoba Conservation and Water Stewardship – Environmental Programs and Strategies

No response submitted.

Manitoba Conservation and Water Stewardship – Fisheries

No response submitted.

Manitoba Conservation and Water Stewardship – Forestry Branch

No response submitted.

Manitoba Conservation and Water Stewardship – Groundwater Management

No response submitted.

Manitoba Conservation and Water Stewardship – Lands Branch

No response submitted.

Manitoba Conservation and Water Stewardship – Office of Drinking Water

No cause for concern, site is located within the flood dyke in the Town of Morris.

Manitoba Conservation and Water Stewardship – Parks and Natural Areas Branch

No Comments.

Manitoba Conservation and Water Stewardship – Pollution Prevention

No response submitted.

Manitoba Conservation and Water Stewardship – Regional Services

No response submitted.

Manitoba Conservation and Water Stewardship – Sustainable Resource Management

The Sustainable Resource and Policy Management Branch and the Lands Branch have no concerns and note that the warehouse will be constructed to the AWSA certification standards.

Disposition: No action needed.

Manitoba Conservation and Water Stewardship – Water Quality Management

The proponent must follow the Canadian crop protection warehouse guidelines for minimum construction details, particularly for interior curbing for spills containment, as set by the Agrochemical Warehousing Standards Association, a branch of Crop Life Canada.

All potentially contaminated water, including water/foam that might be generated from fire-fighting water or from product spillage, must be contained on the proponent's property and not be directed towards the nearby ditch to the west. Secondary containment may

incorporate a gated culvert, but it must remain in the closed position unless authorised by Manitoba Conservation and Water Stewardship.

Potentially contaminated water cannot be released until such time as Manitoba Conservation and Water Stewardship receives and reviews water sample results from a laboratory accredited by the Canadian Association for Laboratory Accreditation Inc. (<http://www.cala.ca>). Water samples shall be retrieved from any source on the Proponent's property, or adjacent properties that might have been contaminated by fire fighting efforts or spillage.

Disposition: No action needed.

Manitoba Conservation and Water Stewardship – Water Use Licensing

No concerns.

Manitoba Conservation and Water Stewardship – Water Control Works Licensing

No response submitted.

Manitoba Conservation and Water Stewardship – Wildlife Branch

No response submitted.

Manitoba Culture, Heritage and Tourism – Heritage

No response submitted.

Manitoba Health – Environmental Health Unit

No response submitted.

Manitoba Infrastructure and Transportation – Planning and Design

No concerns.

Manitoba Intergovernmental Affairs

No response submitted.

Canadian Environmental Assessment Agency

No response submitted.

PUBLIC HEARING:

A public hearing is not recommended.

CROWN ABORIGINAL CONSULTATION:

The Project will be located on land owned by the proponent. All surrounding land potentially affected is also privately owned agricultural zoned land. The project would not affect resource use on land or water. There are no adjacent or nearby First Nations.

RECOMMENDATION:

The Proponent should be issued a Licence for the construction and operation of a Bulk Materials Handling Facility – Crop Protection Products Warehouse 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:

Krystal Penner
Environmental Approvals Branch
May 2, 2013
Telephone: (204) 945-2819 / Fax: (204) 945-5229
E-mail Address: krystal.penner@gov.mb.ca