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**APPENDIX B**

# Environment Act Licence



Conservation

Environmental Stewardship Division  
Environmental Assessment and Licensing Branch  
123 Main Street, Suite 160, Winnipeg, Manitoba R3C 1A5  
T 204 945-7100 F 204 945-5229  
www.gov.mb.ca/conservation/eal  
FAXED  
CLIENT FILE NO.: 3138.10

September 15, 2009

W. Tom Raine, C.A.O.  
R.M. of MacDonald  
161 Mandan Drive  
Box 100  
Sanford MB R0G 2J0

Dear Mr. Raine:

Enclosed is **Environment Act Licence No. 2898** dated September 15, 2009 issued in accordance with The Environment Act to the **R.M. of MacDonald** for the construction and operation of the Development being a wastewater collection system and wastewater treatment lagoons located in NE 18-9-2E and W 17-9-2E in the vicinity of Oak Bluff in the Rural Municipality of Macdonald, with treated effluent to be discharged to a drain flowing to the La Salle River, in accordance with the Proposal filed under The Environment Act dated February 4, 2009.

In addition to the enclosed Licence requirements, please be informed that all other applicable federal, provincial and municipal regulations and by-laws must be complied with.

For further information on the administration and application of the Licence, please feel free to contact Bruce Webb, Environmental Engineer at (204) 945-7021.

Pursuant to Section 27 of The Environment Act, this licencing decision may be appealed by any person who is affected by the issuance of this Licence to the Minister of Conservation within 30 days of the date of the Licence.

Yours truly,



Tracey Braun, M. Sc.  
Director  
Environment Act

Enc.

c: Don Labossiere, Director, Environmental Operations  
Dick Menon, Manitoba Water Services Board  
Jason Bunn, Genivar  
Bev, Doug, Carmen and Jason Anseeuw/Gary & Lynn Farkas/  
Michael Thiessen/Dan Hofer/David & Kimberly Horn/  
Ben Neufeld/Joe Dusik  
Public Registries

**NOTE:** Confirmation of Receipt of this Licence No. 2898 (*by the Licencee only*) is required by the Director of Environmental Assessment and Licensing. Please acknowledge receipt by signing in the space provided below and faxing a copy (*letter only*) to the Department by September 30, 2009.

\_\_\_\_\_  
On behalf of the R.M. of MacDonald

\_\_\_\_\_  
Date

**\*\*A COPY OF THE LICENCE MUST BE KEPT ON SITE AT THE DEVELOPMENT AT ALL TIMES\*\***

# LICENCE

Licence No. / Licence n° 2898

Issue Date / Date de délivrance September 15, 2009

In accordance with The Environment Act (C.C.S.M. c. E125) /  
Conformément à la Loi sur l'environnement (C.P.L.M. c. E125)

Pursuant to Section 10(1) / Conformément au Paragraphe 10(1)

**THIS LICENCE IS ISSUED TO: / CETTE LICENCE EST DONNÉE À:**

**THE RURAL MUNICIPALITY OF MACDONALD "the Licensee"**

for the construction and operation of the Development being a wastewater collection system and wastewater treatment lagoons located in NE 18-9-2E and W 17-9-2E in the vicinity of Oak Bluff in the Rural Municipality of Macdonald, with treated effluent to be discharged to a drain flowing to the La Salle River, in accordance with the Proposal filed under The Environment Act dated February 4, 2009, and subject to the following specifications, limits, terms and conditions:

## **DEFINITIONS**

In this Licence,

"**accredited laboratory**" means an analytical facility accredited by the Standard Council of Canada (SCC), or accredited by another accrediting agency recognized by Manitoba Conservation to be equivalent to the SCC, or be able to demonstrate, upon request, that it has the quality assurance/quality control (QA/QC) procedures in place equivalent to accreditation based on the international standard ISO/IEC 17025, or otherwise approved by the Director;

"**approved**" means approved by the Director in writing;

"**appurtenances**" means machinery, appliances or auxiliary structures attached to a main structure to enable it to function, but not considered an integral part of it;

"**as constructed drawings**" means engineering drawings complete with all dimensions which indicate all features of the Development as it has actually been built;

"**Director**" means an employee so designated pursuant to The Environment Act;

"**effluent**" means treated wastewater flowing or pumped out of the wastewater treatment lagoons;

**\*\*A COPY OF THIS LICENCE MUST BE KEPT ON SITE AT THE DEVELOPMENT AT ALL TIMES\*\***

**“Environment Officer”** means an employee so designated pursuant to The Environment Act;

**“fecal coliform”** means aerobic and facultative, Gram-negative, nonspore-forming, rod-shaped bacteria capable of growth at 44.5°C, and associated with fecal matter of warm-blooded animals;

**“five-day biochemical oxygen demand”** means that part of the oxygen demand usually associated with biochemical oxidation of organic matter within five days at a temperature of 20°C;

**“grab sample”** means a quantity of wastewater taken at a given place and time;

**“high water mark”** means the line on the interior surface of the primary and secondary cells which is normally reached when the cell is at the maximum allowable liquid level;

**“hydraulic conductivity”** means the quantity of water that will flow through a unit cross-sectional area of a porous material per unit of time under a hydraulic gradient of 1.0;

**“low water mark”** means the line on the interior surface of the primary and secondary cells which is normally reached when the cell is discharged;

**“MPN Index”** means the most probable number of coliform organisms in a given volume of wastewater which, in accordance with statistical theory, would yield the observed test result with the greatest frequency;

**“primary cell”** means the first in a series of cells of the wastewater treatment lagoon system and which is the cell that receives the untreated wastewater;

**“riprap”** means small, broken stones or boulders placed compactly or irregularly on dykes or similar embankments for protection of earthen surfaces against the wave action or current;

**“secondary cell”** means a cell of the wastewater treatment lagoon system which is the cell that receives partially treated wastewater from the primary cell;

**“septage”** means the sludge produced in individual on-site wastewater disposal systems such as septic tanks;

**“sewage”** means household and commercial wastewater that contains human waste;

**“Standard Methods for the Examination of Water and Wastewater”** means the most recent edition of Standard Methods for the Examination of Water and Wastewater published jointly by the American Public Health Association, the American Waterworks Association and the Water Environment Federation;

**“total coliform”** means a group of aerobic and facultative anaerobic, Gram-negative, nonspore-forming, rod-shaped bacteria, that ferment lactose with gas and acid formation within 48 hours at 35°C, and inhabit predominantly the intestines of man or animals, but are occasionally found elsewhere and include the sub-group of fecal coliform bacteria;

**"wastewater"** means the spent or used water of a community or industry which contains dissolved and suspended matter; and

**"wastewater treatment lagoons"** means the component of this development which consists of impoundments into which wastewater is discharged for storage and treatment by natural oxidation.

### **GENERAL TERMS AND CONDITIONS**

This Section of the Licence contains requirements intended to provide guidance to the Licencee in implementing practices to ensure that the environment is maintained in such a manner as to sustain a high quality of life, including social and economic development, recreation and leisure for present and future Manitobans.

1. In addition to any of the following specifications, limits, terms and conditions specified in this Licence, the Licencee shall, upon the request of the Director:
  - a) sample, monitor, analyze or investigate specific areas of concern regarding any segment, component or aspect of pollutant storage, containment, treatment, handling, disposal or emission systems, for such pollutants, ambient quality, aquatic toxicity, leachate characteristics and discharge or emission rates, and for such duration and at such frequencies as may be specified;
  - b) determine the environmental impact associated with the release of any pollutant from the Development; or
  - c) provide the Director, within such time as may be specified, with such reports, drawings, specifications, analytical data, descriptions of sampling and analytical procedures being used, bioassay data, flow rate measurements and such other information as may from time to time be requested.
2. The Licencee shall submit all information required to be provided to the Director under this Licence, in writing, in such form (including number of copies) and of such content as may be required by the Director.
3. The Licencee shall direct all wastewater generated within the Rural Municipality of Macdonald toward the wastewater treatment lagoons or other approved sewage treatment facilities.
4. The Licencee shall ensure that the operation of the Development is carried out by individuals properly trained or qualified to do so.
5. The Licencee shall operate and maintain the wastewater treatment lagoons and wastewater collection system in such a manner that the release of offensive odours is minimized.
6. The Licencee shall actively participate in any future watershed-based management study, plan and/or nutrient reduction program, approved by the Director, for the La Salle River and associated waterways and watersheds.

**SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS**

**Respecting Construction - General:**

7. The Licencee shall:
  - a) conduct all ditch related work activities during no flow or dry conditions and not during the April 1 to June 15 fish spawning and incubation period;
  - b) not construct the wastewater treatment lagoon in W 17-9-2E or wastewater collection system during periods of heavy rain;
  - c) place and/or isolate all dredged and construction material where it will not erode into any watercourse;
  - d) implement effective long-term sediment and erosion control measures to prevent soil-laden runoff, and/or silt from entering any watercourse during construction and until vegetation is established;
  - e) routinely inspect all erosion and sediment control structures and immediately complete any necessary maintenance or repair;
  - f) use rock that is free of silt and clay for rip rap.
8. The Licencee shall dispose of non-reusable construction debris from the Development at a waste disposal ground operating under the authority of a permit issued pursuant to *Manitoba Regulation 150/91* respecting *Waste Disposal Grounds*, or any future amendment thereof, or a Licence issued pursuant to The Environment Act.
9. The Licencee shall locate fuel storage and equipment servicing areas established for the construction and operation of the Development a minimum distance of 100 metres from any waterbody, and shall comply with the requirements of *Manitoba Regulation 188/2001* respecting *Storage and Handling of Petroleum Products and Allied Products* or any future amendment thereof.
10. The Licencee shall, during construction of the Development, operate, maintain and store all materials and equipment in a manner that prevents any deleterious substances (fuel, oil, grease, hydraulic fluids, coolant, paint, uncured concrete and concrete wash water, etc.) from entering the wastewater treatment lagoons, the discharge route, and watercourses.
11. The Licencee shall revegetate soil exposed during construction of the Development with native or introduced grasses or legumes. Native species shall be used to revegetate areas where native species existed prior to construction. Revegetation is not required for pipelines installed by chain trenching or ploughing on previously disturbed ground including road allowances.
12. The Licencee shall not alter local drainage patterns by the construction of the Development.
13. The Licencee shall, where open cut stream crossings are used on intermittent waterways and artificial drainage channels, minimize disturbance to riparian areas and restore the bottom and banks of the waterways to their original elevations and shapes.
14. The Licencee shall separate and replace topsoil from backhoe and trenching operations in accordance with the methodology described in Figures 1, 2 and 3 attached to this Licence. This

requirement is not applicable where the topsoil has been previously disturbed due to the construction of roads or drains.

15. The Licencee shall, during construction and operation of the Development:
  - a) immediately report any reportable spills to Manitoba Conservation's Accident Reporting Line at (204) 944-4888; and
  - b) provide a follow-up report to the Director on a reportable environmental accident outlining the cause(s) and proposing corrective action to prevent reoccurrence.

**Respecting Construction – Wastewater Treatment Lagoon in W 17-9-2E:**

16. The Licencee shall notify the assigned Environment Officer not less than two weeks prior to beginning construction of the component of the Development in W 17-9-2E. The notification shall include the intended starting date of construction and the name of the contractor responsible for the construction.
17. The Licencee shall, prior to the construction of the dykes for the wastewater treatment lagoon remove all organic topsoil from the area where the dykes will be constructed.
18. The Licencee shall construct and maintain the wastewater treatment lagoon with a continuous liner under all interior surfaces of the cells in accordance with the following specifications:
  - a) the liner shall be made of clay;
  - b) the liner shall be at least one metre in thickness;
  - c) the liner shall have a hydraulic conductivity of  $1 \times 10^{-7}$  centimetres per second or less at all locations; and
  - d) the liner shall be constructed to an elevation of 2.5 metres above the floor elevation of both the primary and secondary cells.
19. The Licencee shall arrange with the designated Environment Officer a mutually acceptable time and date for any required soil sampling between the 15th day of May and the 15th day of October of any year.
20. The Licencee shall take and test samples, in accordance with Schedule "A" attached to this Licence, from the liner of the wastewater treatment lagoon; the number and location of samples and test methods to be specified by the designated Environment Officer up to a maximum of 20 samples.
21. The Licencee shall, not less than 2 weeks before the wastewater treatment lagoon is placed in operation, submit for the approval of the Director the results of the tests carried out pursuant to Clause 20 of this Licence.
22. The Licencee shall install and maintain a fence around the wastewater treatment lagoon to limit access. The fence shall be a minimum of 1.2 metres high and have a locking gate, which shall be locked at all times except to allow access to the wastewater treatment lagoon.

23. The Licencee shall install and maintain an all-weather access road to the wastewater treatment lagoon, and a sewage dumping station for truck hauled sewage. The dumping facility shall have a surface splash ramp with a smooth hard surface that can be easily washed free of solids.
24. The Licencee shall:
  - a) prepare "as constructed drawings" for the component of the Development in W 17-9-2E and shall label the drawings "As Constructed"; and
  - b) provide to the Director, within four months of the Director's approval of the report required by Clause 21 of this Licence, two copies of the "as constructed drawings" of the wastewater treatment lagoon in W 17-9-2E.

**Respecting Operation:**

25. The Licencee shall operate the wastewater treatment lagoons such that the wastewater load does not exceed the design capacities as follows:
  - a) the organic loading on the primary cells, as indicated by the five-day biochemical oxygen demand, is not in excess of 56 kilograms per hectare per day;
  - b) the depth of liquid in all primary cells does not exceed 1.5 metres;
  - c) the depth of liquid in the secondary cell of the wastewater treatment lagoon in NE 18-9-2E does not exceed 2.1 metres; and
  - d) the depth of liquid in all secondary cells of the wastewater treatment lagoon in W 17-9-2E does not exceed 1.5 metres.
26. The Licencee shall not discharge septage into the wastewater treatment lagoons between the 15th day of October of any year and the 1st day of June of the following year.
27. The Licencee shall not discharge effluent from the wastewater treatment lagoons:
  - a) where the organic content of the effluent, as indicated by the five-day biochemical oxygen demand, is in excess of 25 milligrams per litre;
  - b) where the fecal coliform content of the effluent, as indicated by the MPN index, is in excess of 200 per 100 millilitres of sample;
  - c) where the total coliform content of the effluent, as indicated by the MPN index, is in excess of 1500 per 100 millilitres of sample;
  - d) where the total phosphorus content of the effluent is in excess of 1.0 milligram per litre; and
  - e) between the 1st day of November of any year and the 15th day of June of the following year.
28. The Licencee shall, in case of physical or mechanical breakdown of the wastewater collection and/or treatment system:
  - a) notify the Director immediately;
  - b) identify the repairs required to the wastewater collection and/or treatment system;
  - c) undertake all repairs to minimize unauthorized discharges of wastewater; and
  - d) complete the repairs in accordance with any written instructions of the Director.

**Respecting Maintenance:**

29. The Licencee shall, if in the opinion of the Director, significant erosion of the interior surfaces of the dykes occurs, repair the dykes and place riprap on the interior dyke surfaces from 0.6 metres above the high water mark to the bottom of the dykes to protect the dykes from wave action.
30. The Licencee shall provide and maintain a grass cover on the dykes of the wastewater treatment lagoons and shall regulate the growth of the vegetation so that the height of the vegetation does not exceed 0.3 metres on all dykes.
31. The Licencee shall annually remove by mechanical methods all reeds, rushes and trees located above the low water mark in every cell of the wastewater treatment lagoons.
32. The Licencee shall implement an ongoing program to ensure that burrowing animals are removed from the sites of the wastewater treatment lagoons.

**MONITORING AND REPORTING SPECIFICATIONS**

33. The Licencee shall, unless otherwise specified in this Licence:
  - a) carry out all preservations and analyses on liquid samples in accordance with the methods prescribed in the Standard Methods for the Examination of Water and Wastewater, or in accordance with equivalent preservation and analytical methodologies approved by the Director;
  - b) have all analytical determinations undertaken by an accredited laboratory; and
  - c) report the results to the Director, in writing and in an electronic format acceptable to the Director, within 60 days of the samples being taken.
34. The Licencee shall prior to each effluent discharge campaign obtain grab samples of the treated wastewater and have them analyzed for:
  - a) the organic content as indicated by the five day biochemical oxygen demand and expressed as milligrams per litre;
  - b) the fecal coliform content as indicated by the MPN index and expressed as MPN per 100 millilitres per sample;
  - c) the total coliform content as indicated by the MPN index and expressed as MPN per 100 millilitres per sample; and
  - d) the total phosphorus content expressed as milligrams per litre.
35. The Licencee shall:
  - a) during each year maintain records of:
    - i) wastewater sample dates;
    - ii) original copies of laboratory analytical results of the sampled wastewater; and
    - iii) effluent discharge dates;
  - b) make the records being maintained pursuant to sub-Clause 35 a) of this Licence available to an Environment Officer upon request; and

- c) keep the maintained records of any one calendar year available for inspection for a period of three years following the respective calendar year in which they were recorded.

**REVIEW AND REVOCATION**

- A. Environment Act Licence No. 1347 is hereby rescinded.
- B. If, in the opinion of the Director, the Licencee has exceeded or is exceeding or has or is failing to meet the specifications, limits, terms, or conditions set out in this Licence, the Director may, temporarily or permanently, revoke this Licence.
- C. If, in the opinion of the Director, new evidence warrants a change in the specifications, limits, terms or conditions of this Licence, the Director may require the filing of a new proposal pursuant to Section 11 of The Environment Act.

  
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**Tracey Braun, M. Sc.**  
**Director**  
**Environment Act**

**Client File No.: 3138.10**

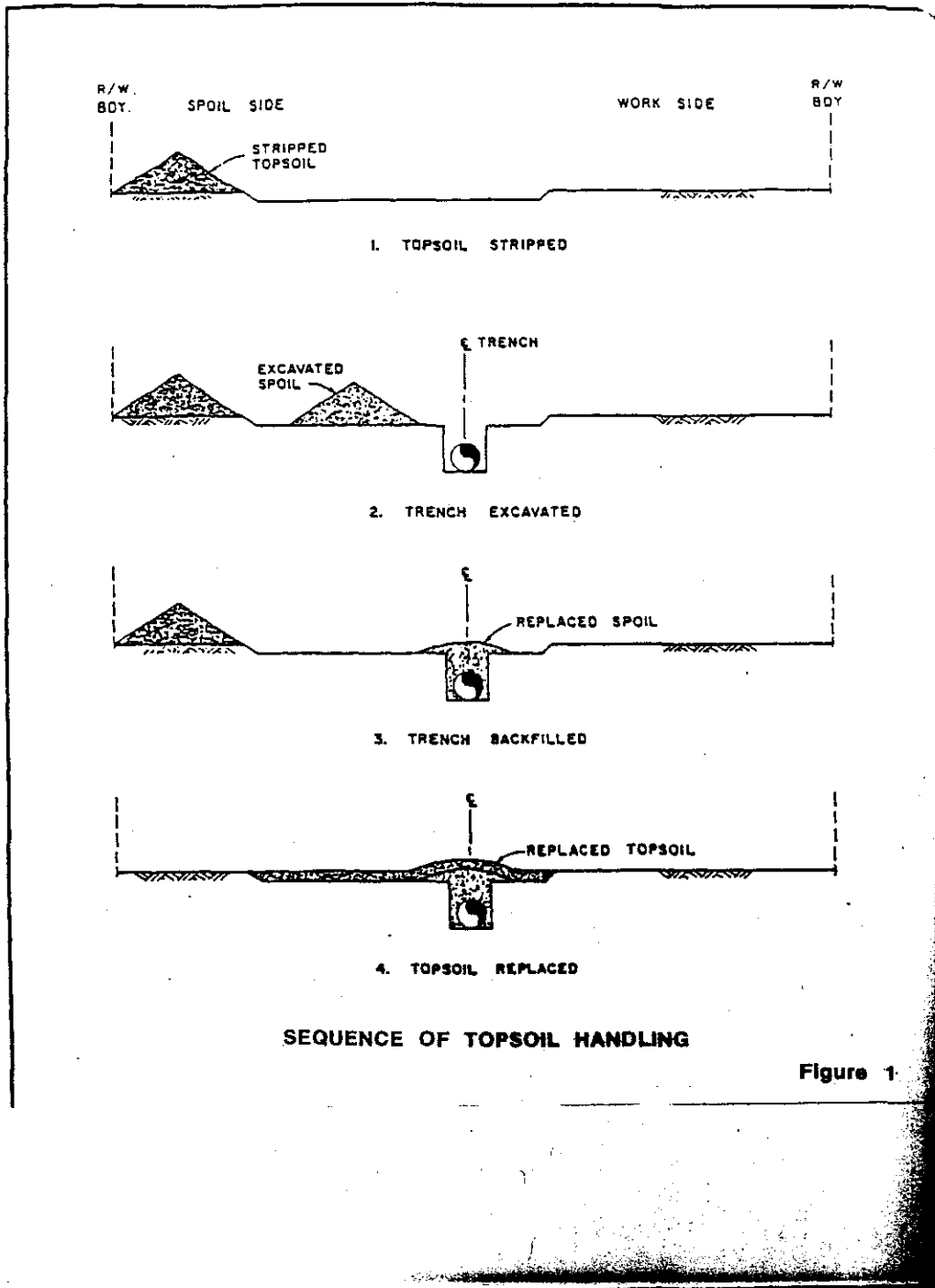
**Schedule "A" to Environment Act Licence No. 2898**

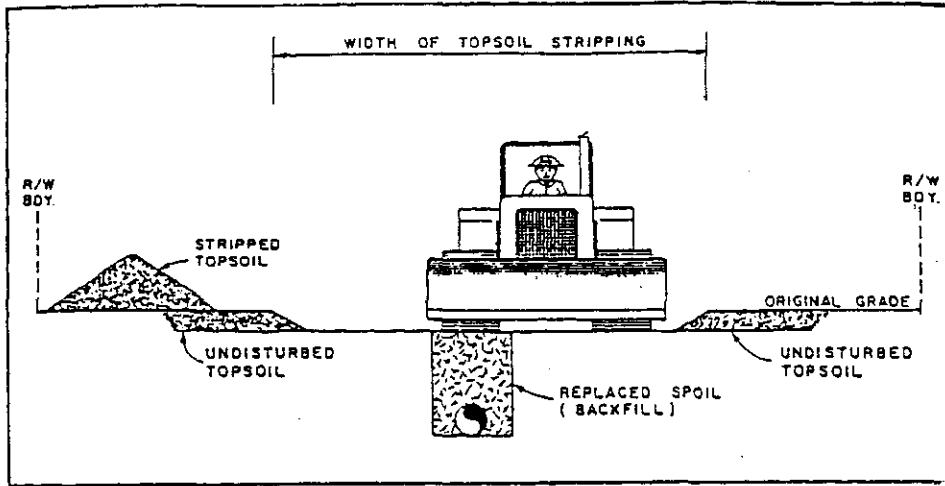
Soil Sampling:

1. The Licencee shall provide a drilling rig, acceptable to the designated Environment Officer, to extract samples from the liner that is not placed or found at the surface of the lagoon structure. This includes all wastewater treatment lagoons constructed with clay cut-offs at the interior base of the dyke or with a clay cut-off in the centre of the dyke. The drill rig shall have the capacity to drill to the maximum depth of the clay cut-off plus an additional depth of 2 metres. The drill rig shall be equipped with both standard and hollow stem augers. The minimum diameter of the hole shall be 5 inches.
2. For lagoon liners placed or found at the surface of the lagoon structure, the Licencee shall provide a machine, acceptable to the designated Environment Officer, capable of pressing a sampling tube into the liner in a straight line motion along the centre axis line of the sample tube and without sideways movement.
3. Samples shall be collected and shipped in accordance with ASTM Standard D 1587 (Standard Practice for Thin-Walled Tube Sampling of Soils), D 4220 (Standard Practice for Preserving and Transporting Soil Samples) and D 3550 (Standard Practice for Ring-Lines Barrel Sampling of Soils). Thin-walled tubes shall meet the stated requirements including length, inside clearance ratio and corrosion protection. An adequate venting area shall be provided through the sampling head.
4. At the time of sample collection, the designated Environment Officer shall advise the Licencee as to the soil testing method that must be used on each sample. The oedometer method may be used for a sample where the Environment Officer determines that the soil sample is taken from an undisturbed clay soil which has not been remoulded and which is homogeneous and unweathered. The triaxial test shall be used for all samples taken from disturbed and remoulded soils or from non-homogenous or weathered soils.
5. The Licencee shall provide, to the designated Environment Officer and to the laboratory technician, a report on the collection of soil samples that includes but is not limited to the following: a plot plan indicating all drill holes, onsite visual observations, sample location, depth or elevation of sample, length of advance of the sample tube length of soil sample contained in the tube after its advancement, the soil test method specified by the Environment Officer for each soil sample and all necessary instructions from the site engineer to the laboratory technician.
6. All drill and sample holes shall be sealed with bentonite pellets after the field drilling and sampling has been completed.

Soil Testing Methods:

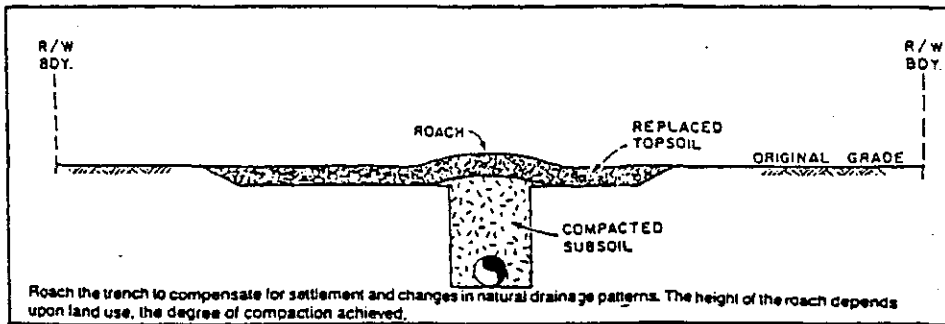
1. Triaxial Test Method
  - a) The soil samples shall be tested for hydraulic conductivity using ASTM D 5084 (Standard Test Method for Measurement of Hydraulic Conductivity of Saturated Porous Materials Using a Flexible Wall Permeameter).
  - b) Soil specimens shall have a minimum diameter of 70 mm. (2.75 inches) and a minimum height of 70 mm (2.75 inches). The soil specimens shall be selected from a section of the soil sample that contains the most porous material based on a visual inspection. The hydraulic gradient shall not exceed 30 during sample preparation and testing. Swelling of the soil specimen should be controlled to adjust for the amount of compaction measured during sample collection and extraction from the tube and the depth or elevation of the sample. The effective stress used during saturation or consolidation of the sample shall not exceed 40 kPa (5.7 psi) or the specific stress level, that is expected in the field location where the sample was taken, which ever is greater.
  - c) A complete laboratory report, as outlined in ASTM D 5084, shall be supplied for each soil sample collected in the field.
  
2. Oedometer Test Method
  - a) The soil samples shall be tested for hydraulic conductivity using ASTM D 2435 (Standard Test Method for One-Dimensional Consolidation Properties of Soils).
  - b) Soil specimens shall have a minimum diameter of 50 mm. (2 inches) and a minimum height of 20 mm. (0.8 inches). The soil specimens shall be selected from a section of the soil sample that contains the most porous material based on a visual inspection. The soil specimen shall be taken from an undisturbed soil sample. The soil specimen shall be completely saturated.
  - c) A complete laboratory report, as outlined in ASTM D 2435, shall be supplied for each soil sample collected in the field.





COMPACTION OF BACKFILL

Figure 2



ROACHING THE TRENCH

Figure 3