



Conservation and Water Stewardship

Environmental Stewardship Division
Environmental Approvals Branch
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www.gov.mb.ca/conservation/eal

File: 4766.10

January 26, 2016

Sue Sutherland, CAO
RM of Brokenhead
P.O. Box 490
Beausejour Manitoba R0E 0C0

Dear Ms. Sutherland:

I am responding to the March 25, 2015 letter and enclosure prepared by J. R. Cousin Consultants Ltd. relative to a request for minor alteration to Environment Act Licence No. 2646 RR for expansion of the Rural Municipality of Brokenhead wastewater treatment lagoon (lagoon). The proposed minor alterations are associated with re-orienting the cells to be added to the existing lagoon and applying chemical (alum) within a cell of the lagoon rather than at the existing lift station (as previously proposed).

Upon review of the letter and enclosure and the supplementary information provided in an August 12, 2015 meeting, we are satisfied that the identified changes in the environmental effects that would result from the proposed alterations will be insignificant. Therefore, pursuant to Section 14(2) of *The Environment Act*, I hereby approve the implementation of the proposed alterations as described in the March 25, 2015 letter and enclosures as minor alterations. The required revisions to Environment Act Licence No. 2646 RR have been made. Other adjustments to the Licence, such as re-introducing clauses relating to requirements for the decommissioning of the previously existing wastewater treatment lagoon that was licenced under Environment Act Licence No. 941, were also made. Environment Act Licence No. 2646 RRR is attached.

For further information on the administration and application of the Licence, please feel free to contact Robert Boswick, P. Eng., Environmental Engineer at 204-945-6030.

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

Yours truly,

“original signed by”

Tracey Braun, M.Sc.
Director
Environment Act

- c. Don Labossiere/Donna Smiley/Diane Oertel; Environmental Compliance & Enforcement
Brett McCormac, P.Eng., J. R. Cousin Consultants Ltd.
Public Registries

NOTE: Confirmation of Receipt of this Licence No. 2646 RRR (*by the Licensee only*) is required by the Director of Environmental Approvals. Please acknowledge receipt by signing in the space below and provide a copy (letter only) to the Department by February 10, 2016 by email or fax: 204-945-5229.

On behalf of the RM of Brokenhead

Date

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

LICENCE

Licence No. / Licence n°	<u>2646 RRR</u>
Issue Date / Date de délivrance	<u>April 26, 2004</u>
Revised:	<u>September 18, 2008</u>
Revised:	<u>April 9, 2014</u>
Revised:	<u>January 26, 2016</u>

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 Sections 11(1) and 14(2) / Conformément au Paragraphe 11(1) et 14(2)

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

RURAL MUNICIPALITY OF BROKENHEAD;
"the Licencee"

for the construction, operation and maintenance of the Development being wastewater collection systems, an expanded wastewater treatment lagoon with a (230-day) hydraulic storage capacity of 362,180 cubic metres (1,574 cubic metres per day average), located on NW, SW and SE 15-13-6 EPM to serve the Local Urban District of Garson-Tyndall and the Rural Municipality of Brokenhead, forcemain connections between the wastewater collection systems of the Local Urban District of Garson-Tyndall and the wastewater treatment lagoon and with discharge from the wastewater treatment lagoon to municipal drains that discharge into Devils Creek that discharges into the Red River, in accordance with the proposal filed under *The Environment Act* on March 25, 2002, subsequent information provided in letters and attachments dated September 19, 2002, January 10, 2003, and April 20, 2004, and in consideration of the December 2003 Manitoba Clean Environment Commission Report on Public Hearings, the Notice of Alteration filed under *The Environment Act* on September 4, 2008, and the Environment Act Proposal filed on May 29, 2013, subsequent information provided in letters dated September 17, 2013 and the March 25, 2015 Notice of Alteration and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this Licence,

"accredited laboratory" means an analytical facility accredited by the Standards Council of Canada (SCC), or accredited by another accrediting agency recognized by Manitoba Conservation and Water Stewardship 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;

"affected area" means a geographical area, excluding the property of the Development;

"approved" means approved by the Director or an assigned Environment Officer 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;

"ASTM" means the American Society for Testing and Materials;

"base" means the exposed and finished elevation of the bottom of any cell of the wastewater treatment lagoon;

"bentonite" means specially formulated standard mill grade sodium bentonite conforming to American Petroleum Institute Specification 13-A;

"buffer" means a strip of land that is managed to reduce or eliminate the impacts of land use practices on sensitive areas or natural features;

"cut-off" means a vertical or slanted trench filled with compacted clay or a sand and bentonite mixture, or a wall constructed from compacted clay;

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

"domestic wastewater" means wastewater derived principally from dwellings, business buildings, institutions, and which may or may not contain groundwater, surface water or storm water;

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

"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 (BOD₅)" means that part of the oxygen demand usually associated with biochemical oxidation of organic matter within 5 days at a temperature of 20°C;

"five-day carbonaceous biochemical oxygen demand (CBOD₅)" means that part of the oxygen demand usually associated with biochemical oxidation of carbonaceous organic matter within five days at a temperature of 20°C, excluding the oxygen demand usually associated with the biochemical oxidation of nitrogenous organic matter;

"flooding" means the flowing of water onto lands, other than waterways, due to the overtopping of a waterway or waterways;

"forcemain" means a pressure pipe joining the pump discharge at a water or wastewater pumping station with a point of gravity flow;

"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 or the line of the exterior of the perimeter dykes which is reached during local flooding;

"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;

"influent" means water, wastewater, or other liquid flowing into a wastewater treatment facility;

"in-situ" means on the site;

"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;

"noise nuisance" means an unwanted sound, in an affected area, which is annoying, troublesome, or disagreeable to a person:

- a) residing in an affected area;
- b) working in an affected area; or
- c) present at a location in an affected area which is normally open to members of the public;

if the unwanted sound

- d) is the subject of at least 5 written complaints, received by the Director in a form satisfactory to the Director and within a 90-day period, from 5 different persons falling within clauses (a), (b) or (c), who do not live in the same household; or

- e) is the subject of at least one written complaint, received by the Director in a form satisfactory to the Director, from a person falling within clauses (a), (b) or (c) and the Director is of the opinion that if the unwanted sound had occurred in a more densely populated area there would have been at least 5 written complaints received within a 90-day period from 5 different persons and who do not live in the same household;

"odour nuisance" means a continuous or repeated odour, smell or aroma, in an affected area which is offensive, obnoxious, troublesome, annoying, unpleasant or disagreeable to a person:

- a) residing in an affected area;
- b) working in an affected area; or
- c) present at a location in an affected area which is normally open to members of the public;

if the odour, smell or aroma

- d) is the subject of at least 5 written complaints, received by the Director in a form satisfactory to the Director and within a 90-day period, from 5 different persons falling within clauses (a), (b) or (c), who do not live in the same household; or
- e) is the subject of at least one written complaint, received by the Director in a form satisfactory to the Director, from a person falling within clauses (a), (b) or (c) and the Director is of the opinion that if the odour, smell or aroma had occurred in a more densely populated area there would have been at least 5 written complaints received within a 90-day period, from 5 different persons who do not live in the same household;

"potable water" means water that does not contain objectionable pollution, contamination, minerals, or infective agents and is considered satisfactory for domestic consumption in accordance with the most recent version of the Guidelines for Canadian Drinking Water Quality;

"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;

"record drawings" means engineering drawings complete with all dimensions which indicate all features of the wastewater disposal system as it has actually been built;

"reject water" means water from the water treatment processes that will not be used for potable water;

"riprap" means small, broken stones or boulders placed compactly or irregularly on dykes or similar embankments for protection of earth surfaces against wave action or current;

"SAR" means sodium adsorption ratio;

"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;

"sludge" means accumulated solid material containing large amounts of entrained water, which has separated from wastewater during processing;

"sludge solids" means solids in sludge;

"Sodium adsorption ratio" means the dimensionless value where:

$$\text{SAR} = \frac{0.044 \times \text{Sodium concentration}}{\sqrt{(0.025 \times \text{Calcium concentration}) + (0.041 \times \text{Magnesium concentration})}} ;$$

"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;

"wastewater collection system" means the sewer and pumping system used for the collection and conveyance of domestic, commercial and industrial wastewater;

"wastewater treatment lagoon" means the component of this development which consists of an impoundment into which wastewater is discharged for treatment and storage; and

"water treatment plant" means the central facility for the production of potable water; it contains all treatment processes and appurtenances exclusive of the distribution system.

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. The Licencee shall direct all wastewater generated within the Local Urban District of Garson-Tyndall and the surrounding areas toward the wastewater treatment lagoon or other approved wastewater treatment facilities.
2. The Licencee shall direct all reject water from the Local Urban District of Garson-Tyndall water treatment plant toward the wastewater treatment lagoon.
3. In addition to any of the limits, terms and conditions specified in this Licence, the Licencee shall, upon the request of the Director:
 - a) sample, monitor, analyze and/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 or ambient quality, aquatic toxicity, leachate characteristics and discharge or emission rates, for such duration and at such frequencies as may be specified;
 - b) determine the environmental impact associated with the release of any pollutant(s) 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.
4. The Licencee shall submit all information required to be provided to the Director or Environment Officer under this Licence, in writing, in such form (including number of copies), and of such content as may be required by the Director or Environment Officer, and each submission shall be clearly labelled with the Licence Number and Client File Number associated with this Licence.
5. The Licencee shall not cause or permit a noise nuisance to be created as a result of the construction, operation or alteration of the Development, and shall take such steps as the Director may require to eliminate or mitigate a noise nuisance.
6. The Licencee shall not cause or permit an odour nuisance to be created as a result of the construction, operation or alteration of the Development, and shall take such steps as the Director may require to eliminate or mitigate an odour nuisance.
7. The Licencee shall, in the case of physical or mechanical equipment breakdown or process upset where such breakdown or process upset results or may result in the release of a pollutant in an amount or concentration, or at a level or rate of release, that causes or may cause a significant adverse effect, immediately report the event by calling the 24-hour environmental accident reporting line at 204-944-4888 (toll-free 1-855-944-4888). The report shall indicate the nature of the event, the time and estimated duration of the event and the reason for the event.

8. The Licencee shall, following the reporting of an event pursuant to Clause 7:
 - a) identify the repairs required to the mechanical equipment;
 - b) undertake all repairs to minimize unauthorized discharges of a pollutant;
 - c) complete the repairs in accordance with any written instructions of the Director;
and
 - d) submit a report to the Director about the causes of breakdown and measures taken, within one week of the repairs being done.
9. The Licencee shall, during construction and operation of the Development, report spills of fuels or other contaminants to an Environment Officer in accordance with the requirements of *Manitoba Regulation 439/87* respecting *Environmental Accident Reporting* or any future amendment thereof.
10. The Licencee shall comply with the provisions of the Department of Fisheries and Oceans Canada/Manitoba Natural Resources publication, “*Manitoba Stream Crossing Guidelines for the Protection of Fish and Fish Habitat*” (May, 1996).
11. The Licencee shall complete a legal survey of the lands on which the Development will be located or expanded and provide two copies of the survey reports to the Director prior to commencement of construction.
12. The Licencee shall actively participate in any future watershed-based management study, plan and/or nutrient reduction program, approved by the Director, for Devils Creek, the Red River and Lake Winnipeg and/or associated waterways and watersheds.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

Respecting Construction - General

13. The Licencee shall notify the assigned Environment Officer not less than two weeks prior to beginning construction of the Development. The notification shall include the intended starting date(s) of construction and the name(s) of the contractor(s) responsible for the construction.
14. The Licencee shall construct the wastewater treatment lagoon such that a buffer zone measuring at least 30 metres in width is provided between the outside toe of the external dykes of the wastewater treatment lagoon and the adjacent and nearest property line of the right-of-way associated with Devils Creek.
15. The Licencee shall not install the forcemain piping within the right-of-ways of Devils Creek except where the route of the forcemain crosses the right-of-ways of Devils Creek.

16. 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 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) maintain streambeds and banks of watercourses associated with lagoon operation and repair eroded and physically unstable streambeds and banks associated with the wastewater treatment lagoon, the discharge route and associated watercourses such that they are able to perform the operations for which they were designed and constructed;
 - g) vegetate any disturbed areas by planting and seeding preferably native trees, shrubs or grasses and cover such areas with mulch to prevent soil erosion and to help seeds germinate; and
 - h) use rock that is free of silt and clay for riprap.
17. 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 lagoon, the discharge route and associated watercourses, and have an emergency spill kit for in water use available on site during construction.
18. 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*.
19. The Licencee shall locate all 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 Regulation* or any future amendment thereof.

20. The Licencee shall construct waterway crossings by augering, tunneling or boring. Open cut waterway crossings shall not be made unless prior consultation with Manitoba Conservation and Water Stewardship staff and Department of Fisheries and Oceans staff has occurred and the prior written approval of the Director has been obtained. This condition applies on continuously flowing watercourses at all times, and on intermittent streams and artificial drainage channels only when flow is occurring.
21. The Licencee shall revegetate soil exposed during the 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 or on the floors of the wastewater treatment lagoon.
22. The Licencee shall not alter local drainage patterns by the construction of the Development, including inflows and outflows from small wetlands adjacent to the routes of pipelines.
23. The Licencee shall, where open cut stream crossing techniques 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.
24. The Licencee shall install and maintain a fence around the wastewater treatment lagoon to control access. The fence shall be a minimum of 1.2 meters high and have a locking gate, which shall be locked at all times except to allow access to the wastewater treatment lagoon.
25. The Licencee shall construct and maintain an all-weather access road and a wastewater dumping station for truck-hauled wastewater. The dumping facility shall have a surface splash ramp with a smooth hard surface that can be easily washed free of solids.

Respecting Construction – Clay Soil Liner

26. The Licencee shall, prior to the construction of the dykes of the wastewater treatment lagoon:
 - a) remove all organic topsoil from the area where the dykes will be constructed; or
 - b) remove all organic material for a depth of 0.3 metres and a width of 3.0 metres from the area where the liner will be constructed.
27. The Licencee shall construct and maintain the cells of the wastewater treatment lagoon with continuous liners, including cutoffs, under all interior surfaces of the cells in accordance with the following specifications:
 - a) the liners shall be made of clay;
 - b) the liners shall be at least one metre in thickness;

- c) the liners shall have a hydraulic conductivity of 1×10^{-7} centimetres per second or less at all locations;
 - d) the liners of primary cells No. 1 and No. 2 and secondary cell No. 4 of the wastewater treatment lagoon as indicated on Schedule “A” to this Licence shall be constructed to an elevation of 3.5 metres above the floor elevations of these cells; and
 - e) the liners of secondary cells No. 1, No. 2, and No. 3 of the wastewater treatment lagoon as indicated on Schedule “A” to this Licence shall be constructed to an elevation of 2.5 metres above the floor elevation of these cells.
28. 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, unless otherwise approved by the Environment Officer.
29. The Licencee shall take and test undisturbed soil samples, in accordance with Schedule "B" 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 30 samples.
30. The Licencee shall, not less than 2 weeks before primary cells No. 1 and No. 2 and secondary cell No. 4 of the wastewater treatment lagoon as indicated on Schedule “A” to this Licence are placed in operation, submit to the Director the results of the tests carried out pursuant to Clause 29 of this Licence.

Respecting Operation

31. The Licencee shall obtain and maintain classification of the Development pursuant to *Manitoba Regulation 77/2003* respecting *Water and Wastewater Facility Operators* or any future amendment thereof and maintain compliance with all requirements of the regulation including, but not limited to, the preparation and maintenance of a Table of Organization, Emergency Response Plan and Standard Operating Procedures.
32. The Licencee shall carry out the operation of the Development with individuals properly certified to do so pursuant to *Manitoba Regulation 77/2003* respecting *Water and Wastewater Facility Operators* or any future amendment thereof.
33. The Licencee shall operate and maintain the wastewater treatment lagoon in such a manner that:
- a) the organic loading on each primary cell, 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 the primary cells and the secondary cells does not exceed 1.5 metres; and
 - c) a 1.0 metre freeboard is maintained in the primary and secondary cells at all times.

34. The Licencee shall, prior to the putting into operation the expanded wastewater treatment lagoon as indicated on Schedule “A” to this Licence, not discharge effluent from the existing wastewater treatment lagoon:
- a) where the organic content of the effluent, as indicated by the five day biochemical oxygen demand, is in excess of 30 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 phosphorus content of the effluent is in excess of 1.0 milligrams per litre;
 - d) between the 1st day of November of any year and the 15th day of June of the following year;
 - e) when flooding from any cause is occurring along the effluent drainage route; or
 - f) when such a discharge would cause or contribute to flooding in or along the effluent drainage route.
35. The Licencee shall, subsequent to the putting into operation the expanded wastewater treatment lagoon as indicated on Schedule “A” to this Licence, not discharge effluent from the expanded wastewater treatment lagoon:
- a) where the organic content of the effluent, as indicated by the five day carbonaceous biochemical oxygen demand, is in excess of 25 milligrams per litre;
 - b) where the total suspended solids content of the effluent is in excess of 25 milligrams per litre, unless the exceedance is caused by algae;
 - c) where the fecal coliform content of the effluent, as indicated by the MPN index, is in excess of 200 per 100 millilitres of sample;
 - d) where the total phosphorus content of the effluent is in excess of 1.0 milligrams per litre;
 - e) where the unionized ammonia content of the effluent is in excess of 1.25 mg/L, expressed as nitrogen (N), at $15^{\circ}\text{C} \pm 1^{\circ}\text{C}$;
 - f) between the 1st day of November of any year and the 15th day of June of the following year;
 - g) when flooding from any cause is occurring along the effluent drainage route; or
 - h) when such a discharge would cause or contribute to flooding in or along the effluent drainage route.
36. The Licencee shall, when chlorine is used as a disinfecting agent:
- a) notify the Director in advance;
 - b) dechlorinate effluent prior to discharge;
 - c) obtain grab samples prior to and daily during the discharge period and have them analyzed for total residual chlorine; and
 - d) not discharge effluent where the concentration of the total residual chlorine is in excess of 0.02 milligrams per litre.
37. The Licencee shall not discharge septage into the wastewater treatment lagoon between the 15th day of October of any year and the 1st day of June of the following year.

38. The Licencee shall discharge the wastewater treatment lagoon over at least a two-week period, while accelerating discharge as necessary to maintain normal operation of the wastewater treatment lagoon, such that increased nutrient uptake from the wastewater effluent may occur along the discharge route.

Respecting Maintenance

39. The Licencee shall, if in the opinion of the Director or Environment Officer, significant erosion of the interior surfaces of the dykes occurs, repair the dyke and install riprap as necessary. The riprap shall be placed 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.
40. The Licencee shall provide and maintain a grass cover on the dykes of the wastewater treatment lagoon and shall regulate the growth of the vegetation so that the height of the vegetation does not exceed 0.3 metres on all dykes.
41. 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 lagoon.
42. The Licencee shall implement an ongoing program to remove burrowing animals from the site of the wastewater treatment lagoon.

MONITORING AND REPORTING

43. 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 Standard Methods for the Examination of Water and Wastewater or in accordance with an equivalent preservation and analytical methodology 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.
44. The Licencee shall, prior to each effluent discharge campaign from the wastewater treatment lagoon, 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 organic content as indicated by the five-day carbonaceous biochemical oxygen demand and expressed as milligrams per litre;
 - c) the total suspended solids content expressed as milligrams per litre;
 - d) the fecal coliform content as indicated by the MPN index and expressed as MPN per 100 millilitres per sample;

- e) the total phosphorus content expressed as milligrams per litre; and
 - f) the unionized ammonia nitrogen expressed as milligrams per litre.
45. The Licencee shall during each year maintain the following records and retain them for a minimum period of five calendar years:
- a) reports of visual inspections conducted at a minimum of once per month;
 - b) wastewater sample dates;
 - c) original copies of laboratory analytical results of the sampled wastewater;
 - d) a summary of laboratory analytical results;
 - e) effluent discharge dates;
 - f) estimated effluent discharge volumes;
 - g) maintenance and repairs; and
 - h) a summary of any sanitary sewer overflows.
46. The Licencee shall submit an annual report to the Environment Officer by February 28 of the following year including all records required by Clause 45 of this Licence.
47. The Licencee shall immediately notify the Director each time the operating depth of any cell of the wastewater treatment lagoon does not comply with the maximum operating depth and minimum freeboard requirements for that cell as specified in Clause 33 of this Licence.
48. The Licencee shall, if reporting is required pursuant to Clause 47 of this Licence in two consecutive years:
- a) engage the services of a qualified consultant, acceptable to the Director, to undertake an investigation of the wastewater treatment lagoon and related infrastructure, to determine the ability or inability of the existing system to meet the hydraulic loading capacity of the community. The investigation shall include but not be necessarily limited to:
 - i) diagnosis of the cause(s) of the recent exceedances of maximum operating depth;
 - ii) sources of infiltration into the wastewater system including the municipal infrastructure;
 - iii) current hydraulic loading of the system;
 - iv) lack of storage capacity due to sludge build-up within existing cells;
 - v) the organic loading on the primary cell in terms of the five day biochemical oxygen demand; and
 - vi) operating procedures.
 - b) provide to the Director, within four months of the notification given pursuant to Clause 47 of this Licence, an engineering report describing in detail the results and observations concluded by virtue of the investigation; and

- c) provide to the Director, within four months of the report provided pursuant to sub-
Clause b) of this section, a remedial action plan in the form of a detailed
engineering report describing recommended modifications, repairs or upgrading
works to overcome excessive hydraulic loading of the system.

- 49. The Licencee shall maintain a record of all septage, sewage and wastewater hauled to the
wastewater treatment lagoon, including the number of loads on a daily and weekly basis,
the volume of each load, the name of the hauler, and the source of the contents of each
load according to the type of waste and the name and location of each property serviced.
The Licencee shall retain this record and provide it to an Environment Officer upon
request.

- 50. The Licencee shall conduct a monitoring program for the Sodium Adsorption Ratio
(SAR) of effluent, prior to each discharge from the wastewater treatment lagoon for a
minimum of three years.

- 51. The Licencee shall, not less than 30 days after the results of the sample analysis are
available, submit to the Director the results of the monitoring program carried out
pursuant to Clause 50.

- 52. The Licencee shall, if requested by the Director, propose a plan, for approval by the
Director, to reduce the SAR levels to comply with the SAR levels of the Manitoba Water
Quality Standards, Objectives, and Guidelines, Manitoba Water Stewardship – November
28, 2011 or any future amendment thereof.

- 53. The Licencee shall, during the first year of operation of the Development following the
construction of the wastewater treatment lagoon that a discharge must occur, obtain and
analyze grab samples of the effluent during each effluent discharge campaign and report
the results of the analysis in accordance with Schedule "C" attached to this Licence.

- 54. The Licencee shall:
 - a) prepare "record drawings" for the expanded wastewater treatment lagoon and shall
label the drawings "record drawings"; and
 - b) provide to the Director, within four months of the approved commissioning of the
expanded wastewater treatment lagoon, two sets of "record drawings" of the
expanded wastewater treatment lagoon.

**DECOMMISSIONING OF COMMUNITY OF TYNDALL WASTEWATER
TREATMENT LAGOON**

55. The Licencee shall, unless otherwise approved by the Director, within one year of the date of this Licence:
- a) remove the water and wastewater from the Community of Tyndall wastewater treatment lagoon located on NW 11–13–6 EPM and transport it to the new wastewater treatment lagoon located on NW and SW 15–13–6 EPM in the Rural Municipality of Brokenhead, Manitoba or discharge treated effluent in accordance with Environment Act Licence No. 941;
 - b) dewater the sludge in the Community of Tyndall wastewater treatment lagoon located on NW 11–13–6 EPM;
 - c) remove all of the sludge from the Community of Tyndall wastewater treatment lagoon located on NW 11–13–6 EPM;
 - d) transport all of the sludge from the Community of Tyndall wastewater treatment lagoon, located on NW 11–13–6 EPM, in containers so as to prevent the lose of sludge and associated liquid, to the wastewater treatment lagoon located on NW, SW and SE 15-13-6 EPM in the Rural Municipality of Brokenhead, Manitoba;
 - e) dispose of all of the sludge from the Community of Tyndall wastewater treatment lagoon, located on NW 11–13–6 EPM, by spreading and incorporating the sludge into the uppermost 15 centimetres of soil, in the lined operating area of secondary cell No. 1 of the wastewater treatment lagoon located on NW, SW and SE 15-13-6 EPM as shown on Schedule “A” to this Licence; and
 - f) level the site to the original grade.
56. The Licencee shall restrict the use of the site of the Community of Tyndall wastewater treatment lagoon located on NW 11–13–6 EPM to the growing of the following agricultural crops for a period of three years after the site has been leveled:
- a) a cereal crop;
 - b) a forage crop; or
 - c) an oil seed crop.
57. At the expiration of the three-year period, the Licencee shall use the site in accordance with the by-laws of the Rural Municipality of Brokenhead, and other Federal and Provincial regulations as applicable.

REVIEW AND REVOCATION

- A. Licence No. 2646 RR is rescinded.
- B. Licence No. 2646 R is rescinded.

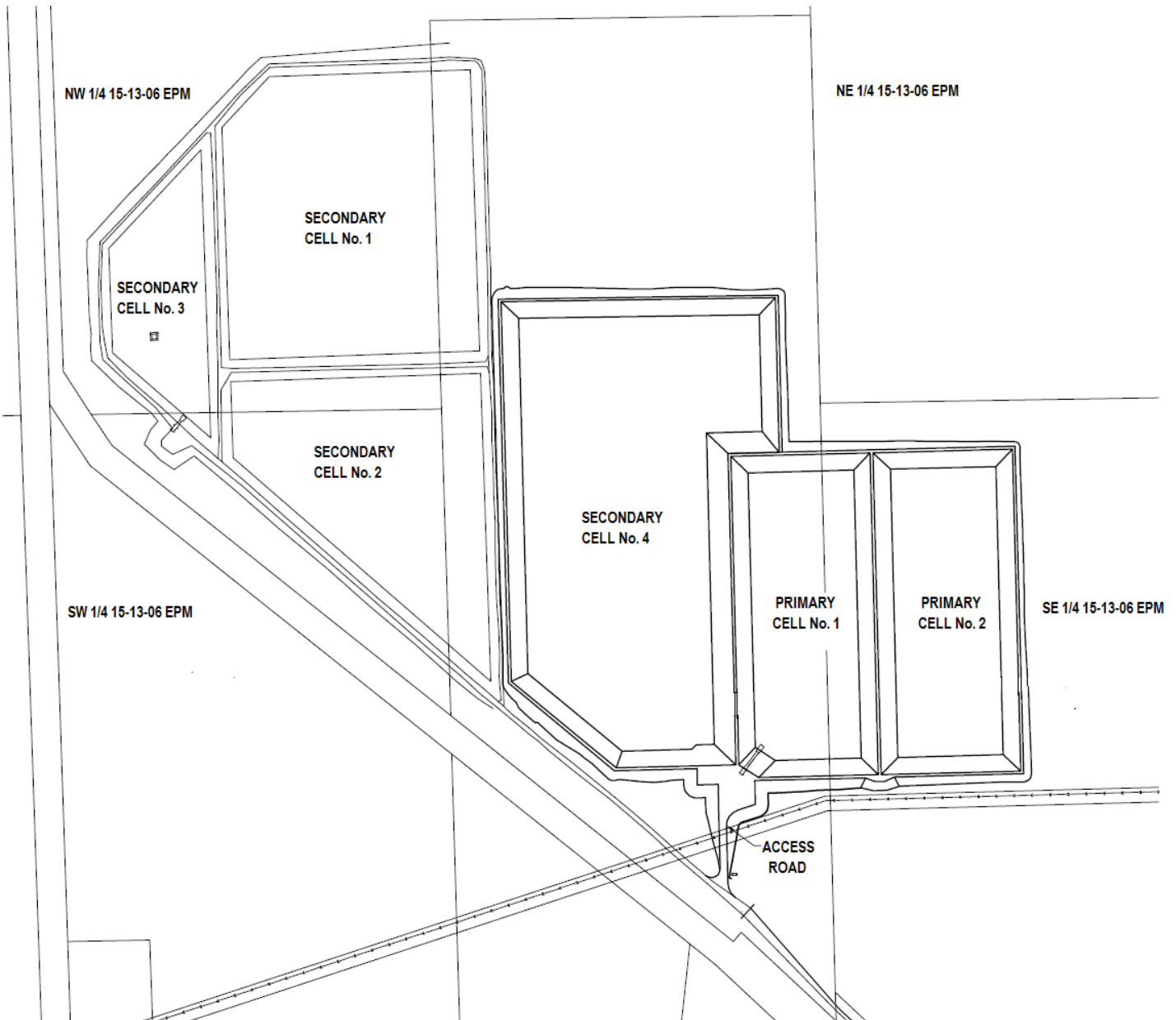
- C. Licence No. 941 is rescinded upon approved decommissioning of the wastewater treatment lagoon located on NW 11–13–6 EPM.
- D. If, in the opinion of the Director, the Licencee has exceeded or is exceeding or has or is failing to meet the specifications, limits, terms, or conditions set out in this Licence, the Director may, temporarily or permanently, revoke this Licence.
- E. 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*.

“original signed by”

Tracey Braun, M.Sc.
Director
Environment Act

FILE: 4766.10

Schedule "A" to Environment Act Licence No. 2646 RRR
Cell identifications relative to Clauses 27, 30, 34 and 35.



Not to Scale

Schedule "B" to Environment Act Licence No. 2646 RRR
Liner sampling and testing requirements pursuant to Clause 29.

Soil Sampling:

1. The Licencee shall provide a drilling rig, acceptable to the designated Environment Officer, to extract soil samples from the liner which is not placed or found at the surface of the lagoon structure. This includes all wastewater treatment lagoons constructed with clay cutoffs at the interior base of the dyke or with a clay cutoff in the centre of the dyke. The drill rig shall have the capacity to drill to the maximum depth of the clay cutoff plus an additional 2 metres. The drill rig shall be equipped with both standard and hollow stem augers. The minimum hole diameter 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. Soil 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 and weathered soils.
5. The Licencee shall provide a report on the collection of soil samples to the designated Environment Officer and to the laboratory technician which 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 which 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, whichever is greater.
- c) The 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 which 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) The complete laboratory report, as outlined in ASTM D 2435, shall be supplied for each soil sample collected in the field.

Schedule "C" to Environment Act Licence No. 2646 RRR

Initial Characterization of Wastewater Pursuant to Clause 53

Facility Size: Small (500 - 2500 m³/day)

Facility Type: Facultative wastewater treatment lagoon – intermittent discharge

Effluent Sampling:

During the first year of operation:

1. Obtain a representative grab sample of the discharging effluent near the beginning of the discharge period and near the end of the discharge period (i.e., two samples for each discharge event);
2. Obtain a representative grab sample of the discharging effluent on a quarterly basis for each quarter there was effluent discharged; and
3. Determine the temperature of each sample at the time of sampling.

Effluent Analysis:

1. Have the discharge period grab samples analyzed for:
 - a) the organic content as indicated by the five-day biochemical oxygen demand and expressed as milligrams per litre;
 - b) the organic content as indicated by the five-day carbonaceous biochemical oxygen demand and expressed as milligrams per litre;
 - c) the total suspended solids content expressed as milligrams per litre;
 - d) the *Escherichia coli* (*E. Coli*) content as indicated by the MPN index and expressed as MPN per 100 millilitres per sample;
 - e) the fecal coliform content as indicated by the MPN index and expressed as MPN per 100 millilitres per sample;
 - f) the total coliform content as indicated by the MPN index and expressed as MPN per 100 millilitres per sample;
 - g) if chlorine was used as a disinfecting agent, total residual chlorine expressed as milligrams per litre;
 - h) total ammonia nitrogen expressed as milligrams per litre;
 - i) nitrate-nitrite nitrogen expressed as milligrams per litre;
 - j) total Kjeldahl nitrogen (TKN) expressed as milligrams per litre;
 - k) dissolved phosphorus expressed as milligrams per litre;
 - l) total phosphorus expressed as milligrams per litre;
 - m) temperature; and
 - n) pH.
2. Have the quarterly grab samples analyzed for:
 - a) acute toxicity; and
 - b) chronic toxicity.

Effluent Reporting:

1. For each grab sample, report the results to the Director, in writing or in an electronic format acceptable to the Director within 60 days of the sampling date. The report shall include the sampling date, sample temperature, the dates of the effluent discharge, and copies of the laboratory analytical results of the sampled effluent.