



Conservation and Water Stewardship

Environmental Stewardship Division
Environmental Approvals Branch
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CLIENT FILE NO.: 5650.00

January 24, 2014

Harry Fehr
Cherry Hill Estate
Box 20640
Steinbach, Manitoba R5G 1S1

Dear Mr. Fehr :

Enclosed is **Environment Act Licence No. 3089** dated January 24, 2014 issued to **3718426 Manitoba Ltd.** for the construction and operation of the Development being a wastewater treatment and disposal system with a hydraulic storage capacity of 60.0 m³/day, located on the NE 5-7-7 EPM in the Rural Municipality of Ste. Anne, to service the Cherry Hill Seasonal Campground and Recreational Vehicle Site, consisting of primary settling tanks, pumping stations, and six 10.0 m³/day pressurized sand treatment mound disposal fields, in accordance with *The Environment Act* Proposal filed on March 27, 2013 and additional information provided on August 20, 2013, September 25, 2013 and October 22, 2013.

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. A Notice of Alteration must be filed with the Director for approval prior to any alteration to the Development as licensed.

For further information on the administration and application of the Licence, please feel free to contact Rafiqul Chowdhury, Environmental Engineer at 204-945-2614.

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, Director, Environmental Compliance and Enforcement
Public Registries
Iain D. A. Pimlott, WSP Group – (via email)

NOTE: Confirmation of Receipt of this Licence No. 3089 (by the Licensee only) is required by the Director of Environmental Approvals. Please acknowledge receipt by signing in the space provided below and faxing a copy (letter only) to the Department by February 7, 2014.

On behalf of 3718426 Manitoba Ltd.

Date

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

LICENCE

Licence No. / Licence n° 3089

Issue Date / Date de délivrance January 24, 2014

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) / Conformément au Paragraphe 11(1)

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

3718426 MANITOBA LTD.,
"the Licencee"

for the construction and operation of the Development being a wastewater treatment and disposal system with a hydraulic storage capacity of 60.0 m³/day, located on the NE 5-7-7 EPM in the Rural Municipality of Ste. Anne, to service the Cherry Hill Seasonal Campground and Recreational Vehicle Site, consisting of primary settling tanks, pumping stations, and six 10.0 m³/day pressurized sand treatment mound disposal fields, in accordance with *The Environment Act* Proposal filed on March 27, 2013 and additional information provided on August 20, 2013, September 25, 2013 and October 22, 2013 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 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 assigned Environment Officer in writing;

"bioassay" means a method of determining toxic effects of industrial wastes and other wastewaters by using viable organisms;

"day" means any 24-hour period;

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

"disposal field" means a system of wastewater effluent chambers laid in a shallow excavation or trenches and covered with top soil for the treatment and disposal of wastewater effluent;

"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;

"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 unwanted 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.

"piezometer" means an instrument for measuring pressure head in a conduit, tank, or soil;

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

"sewage" means household and commercial wastewater that contains human fecal or urinary waste and other human body and toilet waste and may include the water where an onsite wastewater management system uses water to carry the waste;

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

"sludge solids" means solids in sludge;

"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;

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

"wastewater effluent" means wastewater after it has undergone at least one form of physical, chemical or biological treatment.

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 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 labeled with the Licence Number and Client File Number associated with this Licence.
3. 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.

4. 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 204-944-4888 (toll-free 1-855-944-4888). The report shall indicate the location and nature of the event, the time and estimated duration of the event and the reason for the event.
5. The Licencee shall, following the reporting of an event pursuant to Clause 4,
 - 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.
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 Manning Canal and associated waterways and watersheds.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

Respecting Construction - General

7. 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 of construction and the name of the contractor responsible for the construction.
8. 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 or wastewater collection system during periods of heavy rain;
 - c) place and/or isolate all dredged and construction materials where it will not erode into any watercourse;
 - d) implement 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) 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

- g) use equipment that is clean before use in or adjacent to water.
9. 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*.
 10. 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.
 11. 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 Development or any watercourses, and have an emergency spill kit for in-water use available on site during construction.
 12. The Licencee shall not cover the various components of the Development in a manner that obscures them from view or interferes with inspection of the tanks, or engineered wastewater effluent disposal fields, without authorization from the assigned Environment Officer.
 13. The Licencee shall complete any open cut trenching across surface drainage courses only when there is no flow in the surface drainage courses.
 14. The Licencee shall install and maintain a security fence around all components of the Development that are not buried or enclosed within secured buildings.

Respecting Operation

15. 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.
16. 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.

17. The Licencee shall undertake a regular program of maintenance for the Development. This program shall include inspections to ensure that the tanks of the Development are watertight.
18. The Licencee shall maintain a record of inspection and maintenance program required by Clause 17 of this Licence. The record shall be kept at the Development and shall be available upon request for inspection by an Environment Officer.
19. The Licencee shall operate the Development in such a manner that:
 - a) all wastewater generated at the Cherry Hill Estate is directed toward the Development or other approved sewage treatment facilities;
 - b) only wastewater as defined in this Licence is discharged into the Development;
 - c) sludge solids from the settling tanks are disposed in a facility operated in accordance with:
 - i) a permit issued in accordance with *Manitoba Regulation 150/91* or any future amendment thereof; or
 - ii) the authority of a Licence issued under *The Environment Act*; and
 - d) sludge solids are transported in containers in such a manner to prevent loss of solids to the satisfaction of an Environment Officer.
20. The Licencee shall install, operate and maintain the Development such that freezing of the effluent in the pipes is prevented.
21. The Licencee shall install, operate and maintain the engineered wastewater effluent disposal fields of the Development such that:
 - a) effluent is discharged through the disposal fields with no surface breakout; and
 - b) freezing of the effluent in the disposal fields is prevented.
22. The Licencee shall not spill, or allow to be spilled, wastewater and/or sludge in the area around the Development.
23. The Licencee shall operate and maintain the Development in such a manner that the maximum daily flow rate of wastewater effluent to the each engineered wastewater effluent disposal field is not in excess of 10.0 cubic metres over any 24-hour period.

MONITORING AND REPORTING SPECIFICATIONS

24. 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.
25. The Licencee shall monitor, and make the records of such monitoring available to the Director or Environment Officer as may be requested, the wastewater management process for the following parameters:
- a) total flow rate(s) into the Development;
 - b) total flow rates into each wastewater effluent disposal field of the Development; and
 - c) other process parameters approved or required by the Director.
26. The Licencee shall, within six months of the date of this Licence, submit to the Director for approval, an engineered groundwater monitoring plan relating to the engineered wastewater effluent disposal fields that
- a) includes the installation and maintenance of piezometers to be installed between the fields and the Manning Canal to monitor *Esherichia coli* and total phosphorous for the first three (3) years of operation;
 - b) includes the installation and maintenance of piezometers to be installed around the engineered wastewater effluent disposal fields to monitor groundwater characteristics in the soils underlying the fields; and
 - c) identifies
 - i) how often and which groundwater characteristics will be monitored;
 - ii) who will monitor and report the groundwater characteristics;
 - iii) when groundwater monitoring will commence; and
 - iv) strategies to remain in compliance with this Licence, related regulations, and the Manitoba Water Quality Standards, Objectives, and Guidelines.
27. The Licencee shall:
- a) prepare "record drawings" for the Development and shall label the drawings "record drawings"; and
 - b) provide to the Director, within six months of the Environment Officer's authorization required by Clause 12 of this Licence, two electronic copies of the "record drawings".

REVIEW AND REVOCATION

- A. 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.
- B. If the Licencee has not commenced construction of the Development within three years of the date of this Licence, the Licence is revoked.
- 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*.

“original signed by”

Tracey Braun, M.Sc.
Director
Environment Act

Client File No.: 5650.00