



Conservation and Climate

Environmental Stewardship Division
Environmental Approvals Branch
1007 Century Street, Winnipeg, Manitoba, Canada R3H 0W4
T 204 945-8321 F 204-945-5229
www.gov.mb.ca/conservation/eal

FILE NO.: 963.20

May 25, 2020

Chris W. Carroll, P.Eng., MBA
Manager of Wastewater Services Division
City of Winnipeg
109 – 1199 Pacific Avenue
Winnipeg, MB R3E 3S8

Dear Chris Carroll:

Re: City of Winnipeg – Biosolids Land Application – Notice of Alteration

I am responding to the April 9, 2020 Notice of Alteration (NoA) letter regarding the City of Winnipeg's (City's) desire to land-apply biosolids in advance of receiving the related Environment Act Licence that is being developed under a separate file. We recognize that activities proposed in this NoA are associated with the City's approved Biosolids Master Plan. Environment Act Licence No. 1089 E RR is associated with the requested NoA activities.

The NoA presents an outline of the approach for the proposed 2020 program, outlines the potential effects, mitigation measures and approach to field storage, and discussion on regulatory compliance. This NoA is similar to the request for the 2019 biosolids land application program, which was approved by letter dated May 30, 2019.

Upon consideration of the request for approval of this NoA, I have decided, pursuant to Section 14(2) of The Environment Act, to approve the request subject to the following conditions:

DEFINITIONS

In this letter,

"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 Climate 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 or an assigned Environment Officer in writing;

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

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

"field storage" means the temporary storage of digested and mechanically dewatered biosolids located at a site for which written and signed authorization for use of the site location has been obtained from the legal land owner, as identified on a Certificate of Title or Status of Title for that site;

"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 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;

"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; and

"waste disposal ground" means an area of land designated by a person, municipality, provincial government agency, or crown corporation for the disposal of waste and approved for use in accordance with Manitoba Regulation 37/2016, or any future amendments thereto, or a Licence pursuant to The Environment Act.

The above definitions are in addition to or replace specific related definitions in Environment Act Licence 1089 E RR.

GENERAL REQUIREMENTS

1. The City of Winnipeg (City) shall, by not later than June 30, 2020, propose a temporary Technical Advisory Committee, to be approved by the Director, Environmental Approvals Branch, for the duration of activities associated with this Notice of Alteration (NoA). The composition of the proposed Technical Advisory Committee need not adhere to the requirements identified by Clause 19 of Environment Act Licence No. 1089 E RR.
2. The City shall, by not later than July 31, 2020, pursuant to Clause 20 of Environment Act Licence No. 1089 E RR, form and chair a Committee(s) consisting of representatives from each municipality in which activities associated with this approval may and will occur and from Manitoba Conservation and Climate. Representation from the Rural Municipality of West St. Paul is not specifically required on the Committee unless that Municipality is hosting related activities. The City shall maintain the Committee(s) for the duration of activities associated with this NoA.
3. The City shall neither store nor apply biosolids on land where the depth of clay or clay till is less than 1.5 metres between the soil surface and the water table.
4. The City shall, within five working days of confirmed selections of key locations for activities associated with this NoA, provide to the assigned Environment Officer specific confirmed site selection and activities-related information.
5. Biosolids removal from the temporary biosolids storage sites except for transport to and application on land parcels identified as qualifying to receive the biosolids is not permissible unless otherwise approved by the Director.
6. Access to the site of the field storage area shall be limited to persons specifically participating in associated activities. General public access to the site shall not be permitted to the satisfaction of the assigned Environment Officer.
7. Surface water resulting from precipitation at the site of the field storage area during periods of biosolids storage shall be controlled and managed to the satisfaction of the assigned Environment Officer.
8. The City shall establish, operate and maintain the site(s) of temporary biosolids storage in such manner to control vector attraction and activity at the site(s) to the satisfaction of the assigned Environment Officer.
9. The City shall maintain the site(s) of temporary biosolids storage in such manner as to not create potential threats to the environment, public health or wildlife.
10. The City shall not cause or permit an odour nuisance to be created as a result of the activities directly associated with this NoA, and shall take such steps as the Director may require to eliminate or mitigate an odour nuisance.

11. The City shall not cause or permit a noise nuisance to be created as a result of the activities directly associated with this NoA, and shall take such steps as the Director may require to eliminate or mitigate a noise nuisance.
12. The City shall prepare reports summarizing all activities and results associated with each full month's activities for the duration of activities directly associated with this NoA. Reports for each full month's activities shall be submitted to the Director, Environmental Approvals Branch, Manitoba Conservation and Climate, not later than 10 working days after the end of each month.
13. With the exception of the requirement to complete monitoring of the 2020 program until 2022, this approval shall terminate not later than December 31, 2020 unless otherwise approved by the Director.

The establishment and participation of the temporary Technical Advisory Committee and of the Committee(s) will satisfy the general requirements of Clauses 19 and 20 of Environment Act Licence 1089 E RR respectively as the activities associated with this NoA are of limited duration.

If you have any questions or would like to discuss matters pertaining to the content of this letter, please contact Robert Boswick, Environmental Engineer, at 204-945-6030 or Robert.Boswick@gov.mb.ca.

Yours sincerely,

Original Signed By

Shannon Kohler
Director
Environment Act

- cc. Duane Griffin, P.Eng.: Water and Waste Department, City of Winnipeg
Darren Keam: WSP Canada Group Limited
Peter Crocker/Nada Suresh: Environmental Compliance and Enforcement Branch
Robert Boswick/Asit Dey/Cory Graham: Environmental Approvals Branch
Public Registries