



Conservation and Water Stewardship

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

CLIENT FILE NO.: 125.10

January 31, 2014

Barbara Bramwell, Chief Administrative Officer
Rural Municipality of Argyle
132 - 2nd Street North
Baldur, MB R0K 0B0

Dear Ms. Bramwell:

Enclosed is **Environment Act Licence No. 3091** dated January 31, 2014 issued to **the Rural Municipality of Argyle** for the continued operation of the Development being a wastewater collection system and a wastewater treatment lagoon with a hydraulic storage capacity of 24, 893 cubic metres (104 cubic metres per day average), located in the southeast quarter of section 13-5-14 WPM in the Rural Municipality of Argyle with discharge of treated effluent into Oak Creek and in accordance with the Proposals filed under *The Environment Act* on May 1, 2013 and additional information provided on October 11, 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 Peter Crocker, Environment Officer at 204-726-6565.

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,
Dick Menon, FEC, P.Eng., Dillon – **(via email)**

NOTE: Confirmation of Receipt of this Licence No. 3091 (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 14, 2014.

On behalf of the Rural Municipality of Argyle

Date

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

LICENCE

Licence No. / Licence n° 3091

Issue Date / Date de délivrance January 31, 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 Section 11(1) / Conformément au Paragraphe 11(1)

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

RURAL MUNICIPALITY OF ARGYLE;
"the Licencee"

for the continued operation of the Development being a wastewater collection system and a wastewater treatment lagoon with a hydraulic storage capacity of 24, 893 cubic metres (104 cubic metres per day average), located in the southeast quarter of section 13-5-14 WPM in the Rural Municipality of Argyle with discharge of treated effluent into Oak Creek and in accordance with the Proposals filed under *The Environment Act* on May 1, 2013 and additional information provided on October 11, 2013 and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this Licence,

"access road" means a road that leads from a Provincial Trunk Highway, Provincial Road, or a municipal road;

"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;

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

"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;

"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;

"day" means any 24-hour period;

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

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

"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 (BOD₅)" means that part of the oxygen demand usually associated with biochemical oxidation of organic matter within five 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;

"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;

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

"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;

"mg/L" means milligrams per litre;

"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;

"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.

"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 Development as it has actually been built;

"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;

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

"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; and

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

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 Community of Baldur toward the wastewater treatment lagoon or other approved sewage treatment facilities.
2. 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.
3. 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.
 4. 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.
 5. 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 nature of the event, the time and estimated duration of the event and the reason for the event.
 6. The Licencee shall, following the reporting of an event pursuant to Clause 5,
 - 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.
 7. The Licencee shall actively participate in any future watershed-based management study, plan and/or nutrient reduction program, approved by the Director, for the Oak Creek, Souris River and/or associated waterways and watersheds.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

Respecting Construction - General

8. The Licencee shall obtain all necessary provincial and federal permits and approvals for construction of relevant components of the Development prior to commencement of any future construction.
9. 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 metres high and have a locking gate, which shall be locked at all times except to allow access to the wastewater treatment lagoon.

10. 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 Operation

11. 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.
12. 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.
13. The Licencee shall operate and maintain the wastewater treatment lagoon in such a manner that:
 - a) the organic loading on the 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 and 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.
14. The Licencee shall maintain the existing clay-lined primary and secondary cells with a continuous liner, including cut-offs, under all interior surfaces of the cell 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 1×10^{-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.
15. 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.
16. The Licencee shall not discharge effluent from the wastewater treatment lagoon:
 - 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 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 coliform content of the effluent, as indicated by the MPN index, is in excess of 1500 per 100 millilitres of sample;
- e) between the 1st day of November of any year and the 15th day of June of the following year;
- f) when flooding from any cause is occurring along the discharge route; or
- g) when the discharge of effluent will cause or contribute to flooding in or along the discharge route.

17. 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.

18. The Licencee shall discharge the wastewater treatment lagoon over at least a four-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

19. The Licencee shall, if, in the opinion of the Director, 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 at least 0.6 metres below the low water mark to protect the dykes from wave action.

20. 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.

21. 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.

22. The Licencee shall implement an ongoing program to remove burrowing animals from the site of the wastewater treatment lagoon.

MONITORING AND REPORTING

23. 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.
24. 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 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 coliform content as indicated by the MPN index and expressed as MPN per 100 millilitres per sample; and
 - f) the total phosphorus content expressed as milligrams per litre.
25. The Licencee shall
- a) during each year maintain records of
 - i) reports of visual inspections conducted at a minimum of once per month;
 - ii) wastewater sample dates;
 - iii) original copies of laboratory analytical results of the sampled wastewater; and
 - iv) effluent discharge dates;
 - b) make the records being maintained pursuant to Clause 25 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.
26. The Licencee shall immediately notify the Director each time the operating depth of any cell of the wastewater treatment lagoon exceeds the maximum operating depth for that cell as specified in this Licence.
27. The Licencee shall, if reporting is required pursuant to Clause 26 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 Facility 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; and
 - v) the organic loading on the primary cell in terms of the five day biochemical oxygen demand;
- b) provide to the Director, within four months of the notification given pursuant to Clause 26 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.
28. The Licencee shall, during the first year of operation of the Development following the issuance of this licence 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 "A" attached to this Licence.
29. The Licencee shall:
- a) prepare " as constructed drawings " for the Development and shall label the drawings " As Constructed "; and
 - b) provide to the Director, within six months of the of the date of this Licence, two electronic copies of the " as constructed 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, 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

Schedule "A" to Environment Act Licence No. 3091

Initial Characterization of Wastewater Pursuant to Clause 28

Facility Size: Very small (less than 500 m³/day)

Facility Type: Facultative wastewater treatment lagoon - intermittent discharge

Effluent Sampling:

During the first year of operation, for all discharge events:

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); and
2. Determine the temperature of each sample at the time of sampling.

Effluent Analysis:

1. For each grab sample, have the grab sample analysed 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; and
 - m) pH.

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.

Schedule "A" to Environment Act Licence No. 3091

Initial Characterization of Wastewater Pursuant to Clause 28

Facility Size: Very small (less than 500 m³/day)

Facility Type: Facultative wastewater treatment lagoon - intermittent discharge

Effluent Sampling:

During the first year of operation, for all discharge events:

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); and
2. Determine the temperature of each sample at the time of sampling.

Effluent Analysis:

1. For each grab sample, have the grab sample analysed 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; and
 - m) pH.

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.