

COPY

AN ORDER OF THE CLEAN ENVIRONMENT COMMISSION  
UNDER THE CLEAN ENVIRONMENT ACT

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RE: THE CLEAN ENVIRONMENT COMMISSION and the TOWN OF WINNIPEG BEACH,  
Applicant,

- WHEREAS pursuant to the provisions of The Clean Environment Act, the Town of Winnipeg Beach submitted an application to The Clean Environment Commission in connection with the operation of a five cell sewage lagoon system located in the SE 1/4 of Section 34, Township 17, Range 4 EPM in the Town of Winnipeg Beach and the NE 1/4 of Section 27, Township 17, Range 4 EPM in the Rural Municipality of St. Andrews, with discharge of effluent through a low lying swamp to the south of the lagoon system to Lake Winnipeg;
- AND WHEREAS after giving notice of the application and after not receiving representations from any persons likely to be affected by the issuance of an order, the Commission issued Order No. 314 prescribing limits on the said application on the 9th day of October, 1973;
- AND WHEREAS on the 14th day of January, 1983, the Minister requested the Commission to hold a hearing pursuant to Section 14(6) of the said Act because of concerns expressed by residents of properties adjacent to the said sewage lagoon system;
- AND WHEREAS the Commission held a hearing on the 15th day of March, 1983, which reconvened on the 21st day of June, 1983, to receive evidence and representations concerning the said operation;
- AND WHEREAS the Commission considered the evidence and representations received on the 25th day of July, the 22nd day of August, and the 19th day of September, 1983, and, on the 27th day of September, 1983, issued Order No. 1003 prescribing additional terms and conditions in connection with the operation of trucks delivering sewage to the said sewage lagoon system;
- AND WHEREAS on the 20th day of October, 1983, the Applicant submitted to the Commission a request for the variation of the provisions of Order No. 1003 and, on the 28th day of October, 1983, the Commission denied the variation request;
- AND WHEREAS on the 24th day of January and the 15th day of February, 1984, the Applicant submitted to the Commission a request for the variation of the provisions of Order No. 1003 and, on the 20th day of February, 1984, the Commission denied the variation request;

- AND WHEREAS on the 7th day of May, 1984, the Applicant requested the Commission to suspend the provisions of Order No. 1003 in view of new evidence;
- AND WHEREAS on the 13th day of June, 1984, the Commission held a hearing pursuant to the provisions of Section 14(7) of the said Act to receive evidence and representations concerning the possible variation of all or part of its Orders No. 314 and 1003;
- AND WHEREAS on the 4th day of July, 1984, the Commission issued varied Order No. 314VC prescribing limits, terms and conditions on the said operation and rescinding Order No. 1003;
- AND WHEREAS after making a verbal appeal the Town of Winnipeg Beach filed a written appeal to Order No. 314VC with the Minister on the 22nd day of October, 1984 on the ground that financing was not available to implement the order;
- AND WHEREAS on the 5th day of March, 1987, after review of the appeal, he, the Minister, directed the Commission to vary the terms of the order and, on the 18th day of March, 1987, the Commission issued order no. 314VCO to comply with the provisions of Order-in-Council No. 230 issued on the 27th day of February, 1987;
- AND WHEREAS on the 13th day of April, 1987, he, the Minister, requested the Commission, under Section 17(3.1) of the Act, to hold a hearing and submit a report and recommendations to him in connection with a request for variation of the Order submitted by the Mayor and Council of the said Town on the 27th day of March, 1987;
- AND WHEREAS the Commission held a hearing in Winnipeg Beach on the 9th day of June, 1987 and submitted its report and recommendations to the Minister on the 10th day of June, 1987;
- AND WHEREAS on the 17th day of June, 1987, he, the Minister, directed the Commission to vary Order No. 314VCO to comply with the provisions of Order-in-Council No. 888/87 issued on the 15th day of July, 1987;

IT IS HEREBY ORDERED THAT ORDER NO. 314VCO BE VARIED TO READ AS FOLLOWS

1. The Applicant shall ensure that all the facilities for the treatment of sewage and the holding of effluent are constructed of impervious materials and said facilities are maintained and operated in such a manner as to prevent the contamination of groundwater.
2. The Applicant shall operate and maintain the said sewage lagoon system in such a manner as to minimize the release of offensive odours.
3. The Applicant shall ensure that the five day biochemical oxygen demand loading on the primary cell of the said sewage lagoon system is not in excess of 112 kilograms per hectare per day.
4. The Applicant shall not discharge effluent from the said sewage lagoon system where:
  - (a) the organic content of the effluent, in terms of the five day biochemical oxygen demand, is in excess of 30 milligrams per litre;
  - (b) the total coliform content of the effluent, as indicated by the MPN index, is in excess of 1500 per 100 millilitres of sample;
  - (c) the faecal coliform content of the effluent, as indicated by the MPN index, is in excess of 200 per 100 millilitres of sample.

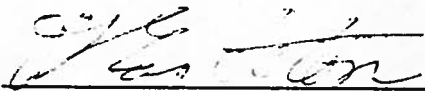
5. The Applicant shall not discharge effluent from the said sewage lagoon system:
  - (a) between the 1st day of November of any year and the 15th day of May of the following year;
  - (b) between the 15th day of June and the 15th day of September of any year.
  
6. On and after the 31st day of December, 1986, the Applicant shall not cause or permit the dumping or discharge of sewage from any sewage trucks to any site or discharge point located on the West side of the said Cell No. 1 (as designated on the sketch attached as Appendix "A" to this Order.)
  
7. On or after the 31st day of August, 1987, the Applicant shall not cause or permit the use of Kernstead Road by sewage trucks approaching the said sewage lagoon system for the purpose of dumping or discharging sewage into the said sewage lagoon system, except:
  - (a) between the hours of 8:00 a.m. to 8:00 p.m. local time for a period not exceeding three weeks during the months of April or May and September to allow for annual septic tank cleanout; and
  - (b) between the hours of 12:00 midnight and 8:00 a.m., local time, Monday to Thursday for outhouse service; this use is to be terminated by December 31, 1988, unless otherwise approved by the Environmental Management Division.
  
8. The Applicant shall notify the Environmental Management Division of the commencement date in April or May and September of the annual septic tank cleanout.
  
9. At all times when there is traffic of sewage trucks on Kernstead Road, the Applicant shall carry out an effective dust abatement program on those portions of the said Road being used for such traffic.

10. In this order:
  - (a) "sewage truck" means a truck used for the conveyance of sewage from private or public sewage treatment or storage facilities to the said sewage lagoon system;
  - (b) "Kernstead Road" means the road designated by that name on the drawing attached as Appendix "A" to this order.
11. Order No. 1003 shall be and the same is hereby rescinded.
12. Order No. 314VC0, as varied to comply with Order-in-Council No. 888/87 is hereby designated as Order No. 314VC00.

Order No. 314VC00

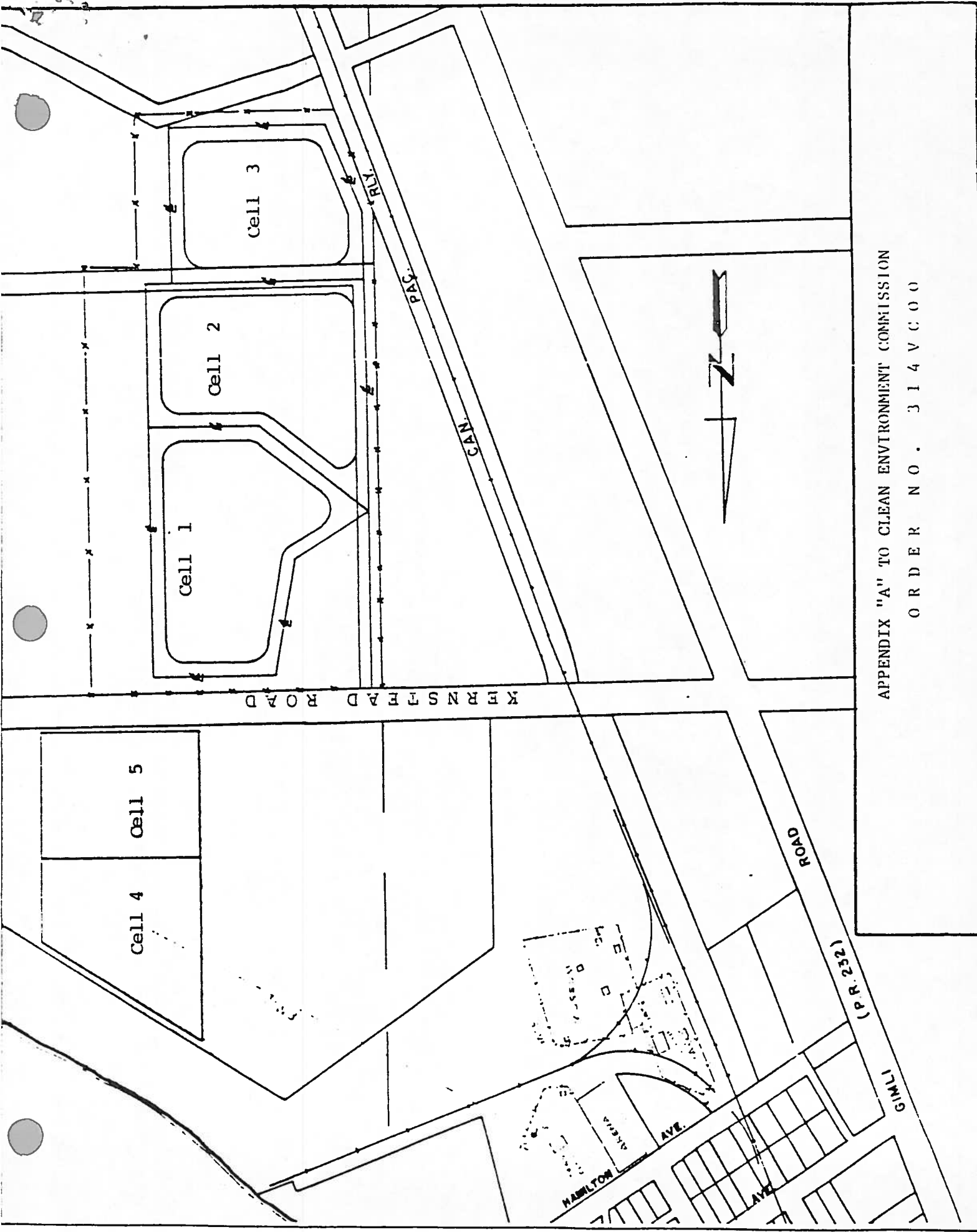
Dated at the City of Winnipeg

this 29th day of July, 1987.



Chairman,  
The Clean Environment Commission.

File: 74.1



APPENDIX "A" TO CLEAN ENVIRONMENT COMMISSION  
 ORDER NO. 314VCC00