

## PERMIT TO CONSTRUCT

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Pursuant to the *Water Resources Act*, SNL 2002 cW-4.01, specifically Section(s) 36, 37, 48

Date: **JULY 21, 2021**

File No: **844.222.001**  
Permit No: **WS11997-2021**

Permit Holder: **M.B.M. Development Limited**  
**Suite 200**  
**130 Conception Bay Highway**  
**Conception Bay South NL A1W 3A6**  
**construction@morgangroupnl.com**

Attention: **Grant Morgan**

Re: **Carbonear - Site Development Lot 8 Industrial Crescent**

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Permission is hereby given for : **the installation of approximately 100 m of 200 mm PVC sanitary sewer, 120 m of 150 mm PVC watermain and related appurtenances to service a new building as described in the drawings titled, "Site Development Lot 8 Industrial Crescent" as received from MAE Design Limited on June 30, 2021.**

- This Permit does not release the Permit Holder from the obligation to obtain appropriate approvals from other concerned municipal, provincial and federal agencies.
- The Permit Holder must obtain the approval of the Crown Lands Administration Division if the project is being carried out on Crown Land.
- This Permit is subject to the terms and conditions indicated in Appendices A and B (attached).
- It should be noted that prior to any significant changes in the design or installation of the proposed works, or in event of changes in ownership or management of the project, an amendment to this Permit must be obtained from the Department of Environment and Climate Change under Section 49 of the *Water Resources Act*.



(for) MINISTER

**APPENDIX A**  
**Terms and Conditions for Permit**

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**Water & Sewer General**

1. Water pumped from excavations or work areas, or any runoff or effluent directed out of work sites, must have silt and turbidity removed by settling ponds, filtration, or other suitable treatment before discharging to a body of water. Effluent discharged into receiving waters must comply with the *Environmental Control Water and Sewage Regulations, 2003*.
2. All operations must be carried out in a manner that prevents damage to land, vegetation, and watercourses, and which prevents pollution of bodies of water.
3. Any areas adversely affected by this project must be restored to a state that resembles local natural conditions. Further remedial measures to mitigate environmental impacts on water resources can and will be specified, if considered necessary in the opinion of this Department.
4. All waste materials resulting from this project must be disposed of at a site approved by the Department of Digital Government and Service NL.
5. The works proposed must satisfy the requirements of the latest applicable codes and standards, and be consistent with or otherwise address the design criteria set out in this Department's publication *Guidelines for the Design, Construction, and Operation of Water and Sewerage Systems, 2005*, and as amended from time to time.
6. The work must be undertaken in strict compliance with the submitted documents and the latest version of the *Municipal Water, Sewer and Roads Master Construction Specifications*. A copy of all documents, including the *Municipal Water, Sewer and Roads Master Construction Specifications* must be available for viewing at the construction site office at all times.
7. Liaison is to be maintained with the Environmental Scientist representing the Drinking Water and Wastewater Section of this Department, during the construction and operation of the project. They shall be notified of the pre-construction and post-construction meetings so that they may attend, if deemed necessary. They can be reached at telephone (709) 729-2558, [729-2558](mailto:729-2558).
8. Officials of this Department may visit the project from time to time to ensure that work is carried out within the provisions of this Permit, and is not creating any environmental hazard.
9. Any changes in the approved works, or works other than those specified in the application, must be submitted, in writing, to this Department, and approved, in the form of an Amendment to this Permit, prior to any work.
10. Copies of this Permit, as well as any subsequent Amendments, must be provided to the contractor(s) who will be carrying out these works, and to the engineer's site representative.
11. The attached Completion Report (Appendix C) for Permit No. 11997 must be completed and returned to this Department upon completion of the approved works. Pictures must be submitted along with the completion report, showing the project site prior to and after development.
12. This Permit is valid for two years from the date of issue. Work must be completed by that date or the application and approval procedure must be repeated.

13. Management of stormwater is the responsibility of the municipality or LSD. Stormwater management should focus on ensuring that the post-development stormwater runoff rate will be equal to or less than the pre-development runoff rate. Any stormwater runoff has the potential to contribute to flooding downstream which may have liability issues for the municipality or LSD if not managed properly.
14. The Permit holder must update any drawings maintained of the drinking water or wastewater system to reflect the modification or replacement of the works, where applicable.

### **Water Systems**

15. Wherever possible, water distribution system layouts should be designed to eliminate dead-end sections. Where dead-end mains cannot be avoided, they should be provided with a fire hydrant, blow off, or other acceptable measures taken to prevent problems associated with stagnation.
16. Under no circumstances shall sewage be permitted to enter the waterline trench during or after construction.
17. All new waterlines and appurtenances shall be hydrostatically tested in accordance with the *Municipal Water, Sewer and Roads Specifications*.
18. All components, lubricants and chemicals provided shall be compatible for use with drinking water and shall meet the requirements of ANSI/NSF 60 Drinking Water Treatment Chemical Standard and ANSI/NSF 61 Drinking Water and System Component Standard and any other standard applicable to potable water.
19. Backflow prevention devices should/must be installed on service connections where there is a high risk of contamination of the potable water supply.
20. All new lines and appurtenances must be disinfected by an approved method described in the latest edition of the AWWA C651 Standard for Disinfecting Watermains and using only chlorine products that meet the NSF 60 standard.
21. After final flushing and before the new water main is commissioned into service, bacteriological sampling must be conducted as per the latest edition of the AWWA C651 Standard for Disinfecting Watermains. Two acceptable options are available: (1) two consecutive sets of bacteriological samples, taken at least 16 hours apart, must be collected and tested for bacteriological quality, or (2) following a 16 hour rest period two consecutive sets of samples, taken 15 minutes apart, must be collected and tested for bacteriological quality. Sets of samples shall be collected for every 366 m of new water main including the end of the main line and the end of each branch line. These sampling locations shall be determined by the engineer. **A copy of test results must be submitted to this Department (Water Resources Management Division) before the new watermain is placed into service.** In the event of any bacteria detected in the sample results, flushing and re-sampling may be attempted or the disinfection process will need to be repeated until results for two consecutive sets of samples are bacteria free. Where necessary, this Department should be contacted to determine provisions for the disposal of heavily chlorinated water.
22. For the purpose of disinfecting new or upgraded watermains, connection may only be made to the existing watermain provided a valve is installed that maintains a water tight seal. This valve may be operated to flush the new water extension before disinfection and post disinfection provided adequate measures and procedures are followed to avoid a backflow and contamination of the existing system.

### **Sewer Systems**

23. Storm water drainage, including roof drains, weeping tile drains, and street drainage, shall not be connected to the sanitary sewer system.
24. In the event that private or existing sewer lines are disturbed during construction, the lines are to be restored to their original *working* condition. Care shall be taken to ensure that soil or other material does not enter the lines to cause blockage.

25. The flow channel through manholes should be made to conform in shape and slope to that of the sanitary sewer.
26. The direct connection of sanitary sewer service lines to manholes is prohibited unless the service enters at the flow line of the manhole. In this instance, filleting must be provided to prevent solids deposition.
27. All sanitary sewers shall be laid or covered with sufficient depth of suitable material to prevent frost penetration and damage from traffic loading.
28. Where storm sewer and sanitary sewer service laterals are extended to property boundaries for future connections, the stub ends must be clearly marked to identify storm and sanitary lines to prevent possible cross-connections.

#### **Miscellaneous**

29. The Permit Holder must prevent erosion of drainage ditches, streams or other natural bodies of water by installing rip-rap and/or sodding.
30. This project involves the handling and/or dealing with asbestos cement pipe from certain portions of the work area. Any removal, handling or transport and disposal of asbestos must be carried out in accordance with the Asbestos Abatement Regulations 1998 under the Occupational Health and Safety Act. For further information, contact a Hazardous Materials Officer with the Department of Digital Government and Service NL, Occupational Health & Safety Division at (709) 729-5536 or 729-7037.

#### **Water & Sewer Installation**

31. Where the horizontal separation between watermains (including hydrant leads and drains) and gravity sanitary sewers is less than 3.0 metres, the watermain shall be laid in a separate trench, or on an undisturbed earth shelf located on one side of the sanitary sewer and at such an elevation that the invert of the watermain shall be a minimum of 450 mm above the crown of the sanitary sewer and 300 mm horizontally from the sanitary sewer measured edge to edge.
32. Watermains (including hydrant leads) crossing gravity sanitary sewers should be laid to provide a minimum vertical distance of 450 mm between the outside of the watermain and the outside of the sanitary sewer. This should be the case where the watermain is either above or below the sanitary sewer with preference to the watermain located above the sanitary sewer. At crossings, above or below, one full length of water pipe shall be located so both joints will be as far from the sanitary sewer as possible. Special structural support for the water and/or sewer pipes may be required.

#### **Storm Drainage Works**

33. Removal of streambank vegetation or trees is not permitted. Overhanging brush that collects snow and blocks ice movement may be pruned and cut back to allow free flow of water.
34. Outfalls must be inspected regularly so that immediate action can be taken to clear blockages caused by ice or debris or to undertake repairs as required.
35. A water quality monitoring program is not required at this time. However, the Department reserves the right to require that the Permit Holder sample, analyse, and submit results of water quality tests, for the purpose of ensuring that the water quality is maintained within acceptable guidelines. All analyses must be undertaken by a CALA accredited laboratory.
36. Adequate erosion protection must be provided in the area where storm/sewer outfall discharges as per detail #560 of the *Municipal Water, Sewer and Roads Specifications*.
37. To prevent erosion and to control sedimentation in drainage ditches with steep gradients, rock check dams must be installed at an interval such that the crest of each dam is level with the base of the one immediately above. The center of each dam must be lower than the sides.

### **Flood Zone Development**

38. HDWL-6866R is within the designated flood plain for the Town of Carbonear . This development, and future development at the site, must comply with this Department's policy directive for *Flood Plain Management W.R. 96-1*.
39. Fill may be placed on the lot only to the extent required for flood protection.
40. Any further development in the flood zone area not specifically covered by this permit will require a separate permit from this Division under Section 48 of the *Water Resources Act*.
41. The proposed use of the facility and site will not involve any storage of pollutants such as fuels, chemicals, pesticides, etc.
42. The structure will not interfere with the flow of water or displace water such that it creates a worse flooding situation for other properties.

### **General Alterations**

43. Any work that must be performed below the high water mark must be carried out during a period of low water levels.
44. Any flowing or standing water must be diverted around work sites so that work is carried out in the dry.
45. The use of heavy equipment in streams or bodies of water is not permitted. The operation of heavy equipment must be confined to dry stable areas.
46. All vehicles and equipment must be clean and in good repair, free of mud and oil, or other harmful substances that could impair water quality.
47. During the construction of concrete components, formwork must be properly constructed to prevent any fresh concrete from entering a body of water. Dumping of concrete or washing of tools and equipment in any body of water is prohibited.
48. Wood preservatives such as penta, CCA or other such chemicals must not be applied to timber near a body of water. All treated wood or timber must be thoroughly dry before being brought to any work site and installed.
49. The bed, banks and floodplains of watercourses, or other vulnerable areas affected by this project, must be adequately protected from erosion by seeding, sodding or placing of rip-rap.
50. Periodic maintenance such as painting, resurfacing, clearing of debris, or minor repairs, must be carried out without causing any physical disruption of any watercourse. Care must be taken to prevent spillage of pollutants into the water.
51. The owners of structures are responsible for any environmental damage resulting from dislodgement caused by wind, wave, ice action, or structural failure.
52. Sediment and erosion control measures must be installed before starting work. All control measures must be inspected regularly and any necessary repairs made if damage is discovered.
53. Fill material must be of good quality, free of fines or other substances including metals, organics, or chemicals that may be harmful to the receiving waters.
54. The location of the work is highlighted on the Location Map for this Permit attached as Appendix D.

55. All work must be carried out within the Permit Holder's legal property boundaries.
56. Pictures must be submitted along with the completion report, showing the project site prior to and after development.

**APPENDIX B**

**Special Terms and Conditions for Permit**

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1. The Permit Holder and its agent(s), subcontractor(s), and consultant(s) shall keep all systems and works in good condition and repair and in accordance with all laws, by-laws, directions, rules and regulations of any governmental authority. The Permit Holder or its agent(s), subcontractor(s), or consultant(s) shall immediately notify the Minister if any problem arises which may threaten the structural stability of the systems and works, endanger public safety and/or the environment or adversely affect others and/or any body of water either in or outside the said Project areas. The Permit Holder and its agent(s), subcontractor(s), and consultant(s) shall be responsible for all damages suffered by the Minister and Government resulting from any defect in the systems and works, operational deficiencies/inadequacies, or structural failure.
2. The Permit Holder and its agent(s), subcontractor(s), and consultant(s) shall operate the said Project and its systems and works in a manner which does not cause any water related and/or environmental problems, including but not limited to problems of erosion, deposition, flooding, and deterioration of water quality and groundwater depletion, in or outside the said Project areas. The Permit Holder and its agent(s), subcontractor(s), and consultant(s) shall be responsible for any and all damages associated with these problems caused as a result of changes, deficiencies, and inadequacies in the operational procedures by the Permit Holder or its agent(s), subcontractor(s), or consultant(s).
3. If the Permit Holder or its agent(s), subcontractor(s), or consultant(s) fails to perform, fulfil, or observe any of the terms and conditions, or provisions of this Permit, as determined by this Department, the Minister may, without notice, amend, modify, suspend or cancel this Permit in accordance with the *Water Resources Act*.
4. The Permit Holder and its agent(s), subcontractor(s), and consultant(s) indemnify and hold the Minister and Government harmless against any and all liabilities, losses, claims, demands, damages or expenses including legal expenses of any nature whatsoever whether arising in tort, contract, statute, trust or otherwise resulting directly or indirectly from granting this Permit, systems and works in or outside the said Project areas, or any act or omission of the Permit Holder or its agent(s), subcontractor(s), or consultant(s) in or outside the said Project areas, or arising out of a breach or non-performance of any of the terms and conditions, or provisions of this Permit by the Permit Holder or its agent(s), subcontractor(s), or consultant(s).
5. This Permit is subject to all provisions of the *Water Resources Act* and any regulations in effect either at the date of this Permit or hereafter made pursuant thereto or any other relevant legislation enacted by the Province of Newfoundland and Labrador in the future.
6. This Permit shall be construed and interpreted in accordance with the laws of the Province of Newfoundland and Labrador.

- cc: Mr. Robin Summers, P.Eng.  
MAE Design Limited  
P.O. Box 17162, Stn. Kelligrews  
615 Conception Bay Highway  
Conception Bay South, NL, A1X 3H1  
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- cc: Amir Ali Khan, Ph.D., P.Eng.  
Manager, Water Rights, Investigations and Modelling Section  
Water Resources Management Division  
Department of Environment and Climate Change  
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- cc: Daniel Humber  
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Department of Environment and Climate Change  
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Water Resources Management Division  
Department of Environment, Climate Change and Municipalities  
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- cc: Mr. Dean Shute (Harbour Grace - Eastern)  
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Ecosystem Management Branch  
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- cc: Town of Carbonear  
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### Appendix C - Completion Report

Pursuant to the *Water Resources Act*, SNL 2002 cW-4.01, specifically Section(s) 36, 37, 48

Date: **JULY 21, 2021**

File No: **844.222.001**  
Permit No: **WS11997-2021**

Permit Holder: **M.B.M. Development Limited**  
**Suite 200**  
**130 Conception Bay Highway**  
**Conception Bay South NL A1W 3A6**  
**construction@morgangroupnl.com**

Attention: **Grant Morgan**

Re: **Carbonear - Site Development Lot 8 Industrial Crescent**

Permission was given for : **the installation of approximately 100 m of 200 mm PVC sanitary sewer, 120 m of 150 mm PVC watermain and related appurtenances to service a new building as described in the drawings titled, "Site Development Lot 8 Industrial Crescent" as received from MAE Design Limited on June 30, 2021.**

*I (the Permit Holder named above or agent authorized to represent the Permit Holder) do hereby certify that the project described above was completed in accordance with the plans and specifications submitted to the Department of Environment and Climate Change and that the work was carried out in strict compliance with the terms and conditions of the Permit issued for this project.*

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

This completion report must be completed and forwarded to the following address upon completion of the approved work.

Department of Environment and Climate Change  
Water Resources Management Division  
PO Box 8700  
St. John's NL A1B 4J6

**APPENDIX D**  
**Location Map for Permit**

