

PERMIT FOR DEVELOPMENT

Pursuant to the *Water Resources Act*, SNL 2002 cW-4.01, specifically Section(s) 39, 48

Date: **JULY 12, 2019**

File No: **550-01-03-11-064**

Permit No: **PRO10464-2019**

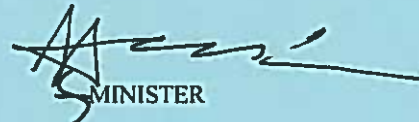
Permit Holder: **Deer Lake Power
2 Trans Canada Highway
Deer Lake, NL, A8A 2E4**

Attention: **Mr. Glenn Fisher**

Re: **Deer Lake - Humber Canal PPWSA - Penstock #9 Replacement - Deer Lake Power**

Permission is hereby given for : **the dewatering of No.9 penstock, removal of existing woodstave pipe, re-capping of concrete support cradles, installation of new concrete pipe sections, tie into existing steel structure and refill of new concrete pipe in the Humber Canal Protected Public Water Supply Area (used by the Town of Deer Lake (+Reidville)) with reference to the application dated July 8, 2019.**

- 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 Municipal Affairs and Environment under Section 49 of the *Water Resources Act*.



MINISTER

APPENDIX A
Terms and Conditions for Permit

PPWSA General

1. 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.
2. 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.
3. All persons working on this project must be informed that they are within a Protected Public Water Supply Area, and must be made aware of all conditions of this Permit. A copy of this Permit must be on site during operations.
4. The attached Completion Report (Appendix C) for Permit No. 10464 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.
5. An undisturbed (no cutting or ground disturbance) buffer zone of at least 150 metres shall be maintained around Humber Canal, at least 50 metres along both sides of all streams and main tributaries running into Humber Canal, and at least 30 metres around all ponds and along both sides of all other water bodies. Activity or development within these buffer zones is prohibited with the exception of the portion of penstock #9 located inside the PPWSA. Only an area required to safely complete the activity is permitted to be altered. All buffer zones must be marked with signs or flagging tape to avoid encroachment into the buffer zones.
6. Equipment storage, maintenance facilities associated with this project, and all maintenance other than emergency repairs must not be located/carried out within the Protected Public Water Supply Area.
7. All waste material is to be collected in refuse containers, and disposed of at an approved waste disposal site outside the Protected Public Water Supply Area in accordance with the *Environmental Protection Act, SNL 2002 cE-14.2*. Waste material is to include any creosote timbers encountered due to ground disturbance as part of construction.
8. The Department reserves the right to require that the Permit Holder follow, and cover all costs incurred by the Permit Holder or this department, associated with any water quality monitoring program that may be ordered by the Minister for the purpose of ensuring that the water quality is maintained within acceptable guidelines.
9. Officials of the Department and the appropriate Municipal Authority, Operator, or Watershed Management Committee may visit the site to ensure compliance with this Permit.
10. Liaison is to be maintained with the appropriate Municipal Authority and Environmental Scientist. If there are any specific problems (ie sedimentation, fuel spill, other potential water quality impairment), the appropriate Town Manager/Clerk, Mayor, Chair of the Local Service District Committee, or Chair of the Water Supply Committee must be notified immediately at (709)635-2451. The Environmental Scientist must also be notified immediately at (709)637-2542.
11. The felling or disposing of trees, parts of trees, sawdust, bark, logging debris or slash into a water body or upon the frozen surface of a water body is strictly prohibited.
12. Motorized vehicles, including snowmobiles and ATVs, shall not be used to cross the frozen surface of the Humber Canal, the intake body of water within the Protected Public Water Supply Area.
13. Treated wood shall not be used in a water body or within 150 metres of the high water mark of any water body. The use of creosote treated wood anywhere within the Protected Public Water Supply Area is strictly prohibited.

14. The Permit Holder must inspect the site daily, and any water quality impairment related problems are to be reported immediately to the Environmental Scientist at 709-637-2542 and the appropriate Municipal Authority or Watershed Monitoring Committee at (709)635-2451.
15. The location of the work is highlighted on the Location Map for this Permit attached as Appendix D.
16. This Permit is valid for one (1) year from the date of issue. If required, an application for Permit renewal must be submitted prior to the expiry date.
17. Any changes in water quality resulting directly from this project, rendering the water unsuitable as a public water supply, are the responsibility of the Permit Holder. The Minister may order the Permit Holder to provide an alternate source of potable water to the affected community until water quality returns to an accepted level.
18. All vehicles and equipment must be in good working order with no leaking fuel, oil, or other harmful substances that could impair water quality.
19. All stationary motorized equipment and associated fuel tanks shall have metal trays, absorbent pads or impervious liners under them to catch and contain in excess of 110 % of the aggregate volume of any fuel, lubricant and oil.
20. Any streams not visible on a 1:50,000 scale map (including field identified streams) shall require a minimum buffer of 30 m.

Fuel Storage

21. There shall be no bulk fuel storage associated with this project within the protected water supply area. Fuel shall be brought to the operating area in no more than two (2), 205 litre barrels or one (1) 500 litre slip tank. Refueling sites shall be located at least 150 metres from any water body or wetland. The Permit Holder is hereby informed that fuel storage and handling requires a separate approval under the *Storage and Handling of Gasoline and Associated Products Regulations*, CNR 775/96.
22. A complete oil spill clean-up kit must be on site at all times when gasoline or fuel powered equipment is being used or refueled. The kit must contain the following:
 - Fire pump and 100 metres of hose
 - Two hand operated fuel pumps
 - Six recovery containers such as empty 205 litre drums
 - Four shovels
 - Two pick axes
 - Ten metres of containment boom
 - Twenty-five absorbent pads
 - One hundred litres of loose absorbent material
23. Contaminated snow and soil must be removed from the site and disposed of at an approved location outside the protected public water supply area, in accordance with the *Environmental Protection Act, SNL 2002 cE-14.2*.
24. Any spills of gasoline, fuel or oil, regardless of volume, shall be reported immediately to the Environmental Scientist and the appropriate Municipal Authority or Watershed Management Committee by calling 709-637-2542 and (709) 635-2451 respectively. Furthermore, all spills in excess of 70 litres shall be reported immediately to the 24 hour spill report line at 1-800-563-9089.
25. Refueling sites shall be located at least 150 metres from any water body or wetland.

Protected Miscellaneous

26. The Permit Holder is required to provide this Department with all documentation, information and data which may be requested or required in order to carry out the inspection or investigation.
27. Sawdust, bark, and logs must not be stored within undisturbed buffer zones of any body of water, and must be removed at regular intervals to prevent excessive accumulation at the site.
28. Wood and brush removed from the work site must not be stored within undisturbed buffer zones of any water body.

29. The Permit Holder is required to undertake a water quality monitoring program as outlined below, and all water quality data must be submitted to this Department, as they are available.
- Water samples shall be collected from the two (2) locations identified on the map in Appendix D.
 - Water samples shall be collected the week the project begins and once per month while the activity is ongoing, and approximately 14 days after the completion of the activity.
 - The following parameters will be sampled for at each location: PAHs and RBCA Hydrocarbons (BTEX, C6-C32).

Special Conditions

30. Temporary and permanent hazardous material storage areas are not permitted inside the Protected Public Water Supply Area.
31. All fill material used inside the Protected Public Water Supply Area will be from a stockpile that has not been in contact with any other materials that may adversely impact it or have additional materials added to it.

General Alterations

32. Any work that must be performed below the high water mark must be carried out during a period of low water levels.
33. Any flowing or standing water must be diverted around work sites so that work is carried out in the dry.
34. Drainage from roads and other disturbed areas into any body of water must first be discharged into a settling pond, a vegetated area or pass through a sedimentation fence where all suspended materials can settle out before draining into any body of water. 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*.
35. 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.
36. 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.
37. 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.
38. 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.
39. Care must be taken to prevent spillage or seepage of pollutants into waterbodies.
40. The owners of structures are responsible for any environmental damage resulting from dislodgement caused by wind, wave, ice action, or structural failure.
41. 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.
42. The penstock shall be dewatered according to Deer Lake Power safe work procedures.
43. All work must be carried out within the Permit Holder's legal property boundaries.

APPENDIX B

Special Terms and Conditions for Permit

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: Ms. Carla Hayes, P.Tech
Environmental Scientist , Drinking Water and Wastewater Section
Water Resources Management Division
Department of Municipal Affairs and Environment
P.O. Box 2006
Corner Brook, NL A2H 6J8
CarlaHayes@gov.nl.ca
- cc: Ms. Paula Dawe, P.Eng.
Manager, Drinking Water and Wastewater Section
Water Resources Management Division
Department of Municipal Affairs and Environment
P.O. Box 8700
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pauladawe@gov.nl.ca
- cc: Town of Deer Lake
Ms. Lori Humphrey
6 Crescent Street
Deer Lake, NL A8A 1E9
deerlake@nf.aibn.com
- cc: Town of Reidville
Ms. Connie Reid
2 Community Square
Reidville, NL A8A 2V7
townofreidville@nf.aibn.com

Appendix C - Completion Report

Pursuant to the *Water Resources Act*, SNL 2002 cW-4.01, specifically Section(s) 39, 48

Date: **JULY 12, 2019**

File No: **550-01-03-11-064**

Permit No: **PRO10464-2019**

Permit Holder: **Deer Lake Power
2 Trans Canada Highway
Deer Lake, NL, A8A 2E4**

Attention: **Mr. Glenn Fisher**

Re: **Deer Lake - Humber Canal PPWSA - Penstock #9 Replacement - Deer Lake Power**

Permission was given for : **the dewatering of No.9 penstock, removal of existing woodstave pipe, re-capping of concrete support cradles, installation of new concrete pipe sections, tie into existing steel structure and refill of new concrete pipe in the Humber Canal Protected Public Water Supply Area (used by the Town of Deer Lake (+Reidville)) with reference to the application dated July 8, 2019.**

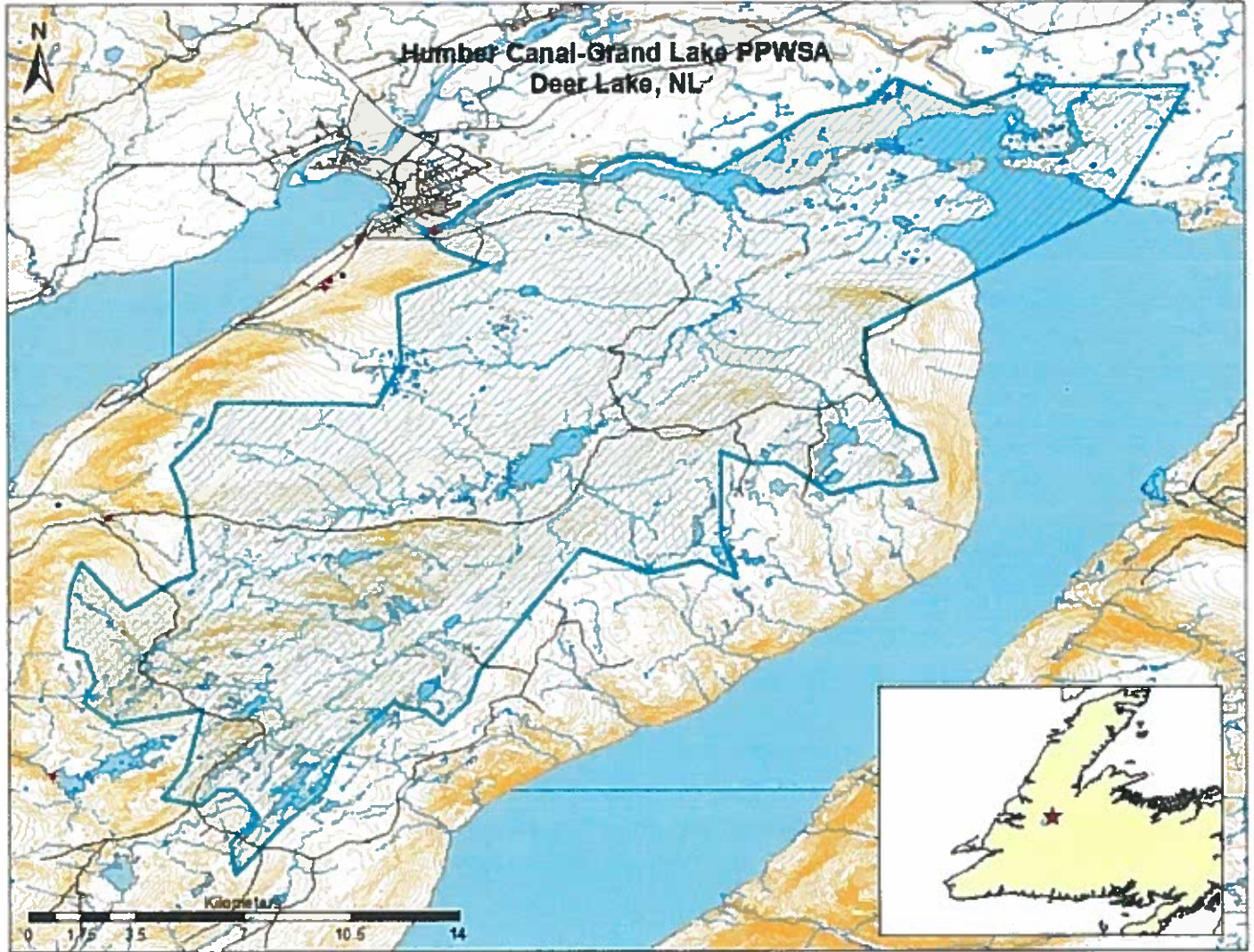
I (the Permit Holder named above or agent authorized to represent the Permit Holder) do hereby certify that the project described above was completed in accordance with the plans and specifications submitted to the Department of Municipal Affairs and Environment and that the work was carried out in strict 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 Municipal Affairs and Environment
Water Resources Management Division
PO Box 8700
St. John's NL A1B 4J6

APPENDIX D
Location Map for Permit



Second Attached Image File

