



MANITOBA

ORDER IN COUNCIL

DATE: **October 13, 2009**

ORDER IN COUNCIL No.: **335/2009**

RECOMMENDED BY: **Minister of Conservation**

REGULATION MADE OR APPROVED: [172/2009](#)

ORDER

The regulation set out in the attached Schedule A, which amends the *Livestock Manure and Mortalities Management Regulation*, is made.

AUTHORITY

The Environment Act, C.C.S.M. c. E125, states:

Regulations

41(1) For the purpose of carrying out the provisions of this Act according to their intent, the Lieutenant Governor in Council may make such regulations and orders as are ancillary thereto and are not inconsistent therewith and every regulation or order made under and in accordance with the authority granted by, this section has the force of law; and, without restricting the generality of the foregoing, the Lieutenant Governor in Council may make regulations and orders,

...

(d) restricting or limiting the number and types of developments that may cause adverse cumulative effects that may be permitted to be constructed or operated in the province, or any part thereof;

(d.1) governing or prohibiting any use, activity or thing that may cause adverse effects, including governing or prohibiting the construction, alteration, modification or expansion of developments or classes of developments;

...

(j) respecting the design, location, configuration, construction, adaptation, alteration, operation, maintenance and installation of developments to mitigate their adverse environmental and environmental health effects;

...

(l) prescribing, setting standards or conditions for, or prohibiting the methods of collection, treatment, distribution and disposal of pollutants;

...

(n) prescribing limits, terms and conditions on the release of pollutants, or the prohibition of release of pollutants or in the type, quantity, or conditions respecting resource utilization from any development;

...

(o) respecting the use restriction, or prohibition of use of any product or substance that may pollute or damage the environment;

...

(q) requiring certain developments or certain classes of developments to register with the department;

(r) requiring a permit for the construction or operation of certain developments, and the issuance or withdrawal of the permits by the director or environment officer and the limits, terms and conditions to be included in the permits issued by the director or the environment officer;

...

(t) respecting livestock production operations;

...

Regulation development

41(2) Except in circumstances considered by the minister to be of an emergency nature, in the formulation or substantive review of regulations incorporating environmental standards, limits, terms or conditions on developments under this Act, the minister shall provide opportunity for public consultation and seek advice and recommendations regarding the proposed regulations or amendments.

BACKGROUND

The minister provided opportunity for public consultation and sought advice and recommendations about the regulation set out in the attached Schedule A.