



Environmental Stewardship Division
Environmental Approvals Branch
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Winnipeg Manitoba R3H 0W4
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File No.: 5745.00
Licence No.: 279 HW R

November 30, 2020

Andres Mormul, CD, CPHI(C)
Environmental Public Health Officer
300 – 391 York Ave.
Winnipeg, MB R0G 1H0

Re: The Dangerous Good Handling and Transportation Act Licence No. 279 HW R

Dear Andres Mormul:

This is in response to a Notice of Alteration filed by Indigenous Services Canada filed on October 28, 2020. Specifically, you have requested an alteration to a Licencee name change from Health Canada.

Enclosed is The Dangerous Good Handling and Transportation Act Licence No. 279 HW R, issued to Indigenous Services Canada for the operation of a biomedical waste transfer facility ("the facility") at 391 York Avenue, Winnipeg. The Environment Act Licence No. 297 HW is rescinded by the enclosed licence.

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.

If you have any questions on this matter, please contact Nada Suresh, Acting Regional Supervisor, Environmental Compliance and Enforcement at Nada.Suresh@gov.mb.ca or 204-945-8214.

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 Climate within 30 days of the date of the Licence.

Sincerely,

Original Signed By

Shannon Kohler, Director
Dangerous Goods Handling and
Transportation Act

cc. Yvonne Hawryliuk, Nada Suresh – Environmental Compliance and Enforcement
Siobhan Burland Ross – Environmental Approvals
Public Registries

THE DANGEROUS GOODS HANDLING and
TRANSPORTATION ACT
LOI SUR LA MANUTENTION ET LE
TRANSPORT DES MARCHANDISES
DANGEREUSES



LICENCE

File No.: 5745.00

Licence No./Licencen: 279 HW R

Issue Date/Date de délivrance: January 29, 2015

Revised: November 30, 2020

In accordance with The Dangerous Goods Handling and Transportation Act
(C.C.S.M. c. D12) /
Conformément à la Loi sur la manutention et le transport des marchandises
dangereuses
(C.P.L.M. c. D12)

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

INDIGENOUS SERVICES CANADA; "the Licencee"

for the operation of a biomedical waste transfer facility ("the facility") at 391 York Avenue, Winnipeg (in the warehouse located in the basement) in accordance with the application filed pursuant to The Dangerous Goods Handling and Transportation Act dated September 31, 2014, Notice of Alteration dated September 29, 2020 and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this Licence,

"**accredited laboratory**" means an analytical facility accredited by the Standards Council of Canada (SCC), or accredited by another accrediting agency recognized by Manitoba Conservation 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;

"**approved**" means approved by the Director or assigned Environment Officer in writing;

"**biomedical sharps waste**" means blades, needles, syringes including safety engineered needles, laboratory glasses or other materials capable of causing punctures or cuts and which have come into contact with human blood waste, animal blood waste or other human or animal bodily fluids;

"**biomedical waste**" means the materials listed in Schedule A of this Licence;

"contaminant" means a contaminant as defined in The Dangerous Goods Handling and Transportation Act, as amended from time to time;

"cytotoxic waste" means cytotoxic drugs and any items, including tissues, tubing, needles or gloves that have come into contact with a cytotoxic drug;

"Director" means an employee so designated pursuant to The Dangerous Goods Handling and Transportation Act;

"Environment Officer" means an employee so designated pursuant to The Dangerous Goods Handling and Transportation Act;

"hazardous waste" means a product, substance or organism that

- a) is prescribed, designated or classified as hazardous waste in the regulations, or
- b) by its nature conforms to the classification criteria for one or more classes of hazardous wastes set out in the regulations;

"licenced carrier" means a person who has a valid licence to transport hazardous waste pursuant to Manitoba Regulation 195/2015 under The Dangerous Goods Handling and Transportation Act (C.C.S.M.c. D12), as amended from time to time;

"noise nuisance" means an unwanted sound, in an affected area, which is annoying, troublesome, 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 unwanted sound

- 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 unwanted sound 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 and who do not live in the same household;

"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;

"pharmaceutical waste" means:

- a) expired, unused and spent medicines;
- b) packaging contaminated with medicines; and
- c) items used in the handling or administration of these medicines, that are originated from pharmacies, health care clinics, veterinary clinics and doctors' offices but do not include cytotoxic drugs;

"permanently closed" means that the facility is not operated for a period of 6 months or more;

"registered generator" means a person who is registered as a hazardous waste generator pursuant to Manitoba Regulation 175/87 under The Dangerous Goods Handling and Transportation Act, as amended from time to time;

"sewage" means human body, toilet, liquid, waterborne culinary, sink or laundry waste.

"Transportation of Dangerous Goods Regulations" means the Transportation of Dangerous Goods Regulations, SOR/2001-286, made under the Transportation of Dangerous Goods Act, 1992 (Canada), as amended from time to time; and

"wastewater" means any liquid containing a contaminant as defined in The Dangerous Goods Handling and Transportation Act, associated with or resulting from the facility which is discharged into the environment.

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 at all times maintain a copy of this licence at the Development or at the premises from which the Development's operations are managed.
2. The Licencee shall implement a high standard of equipment maintenance and good housekeeping and operational practices with respect to the facility, at all times.
3. In addition to any of the terms or 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 contaminant storage, containment, treatment, handling, disposal or emission systems, for such contaminants 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 contaminant(s) from the said facility;
 - c) conduct specific investigations in response to the data gathered during environmental monitoring programs; or
 - d) 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.
4. The Licencee shall, unless otherwise specified in this Licence:
- a) carry out all sampling of, and preservation and analyses on, water, soil or air samples in accordance with methodologies approved in writing 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 form acceptable to the Director within 60 days of the samples being taken, or within another time frame as specified by the Director.
5. The Licencee shall, unless otherwise specified by this Licence, retain all records relating to this Licence during the full life of operation of the facility, and after closure, for such period of time as may be specified by the Director. Records may be transferred from their original form to other accepted forms for information storage. These records shall be made available to an Environment Officer upon request.
6. The Licencee shall submit all information required to be provided to the Director or Environment Officer under this Licence, in writing and electronic format 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 labeled with the Licence Number and File Number associated with this Licence.
7. The Licencee shall carry out, as deemed necessary by the Director or Environment Officer, any remedial measures or modifications in respect to matters authorized under this Licence.
8. The Director or an Environment Officer, may, without incurring liability for so doing, enter the facility for the purpose of:
- a) investigating, inspecting and carrying out tests at the facility; and
 - b) examining, making copies of, or taking extracts from any records of the facility pursuant to an investigation, inspection or test under this Licence.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

Respecting Facility Operations

9. The Licencee shall not receive at the facility any hazardous waste other than the following types of hazardous wastes:
- a) biomedical waste consisting of microbiology laboratory waste, human blood and body fluid waste, biomedical sharps waste;
 - b) pharmaceutical wastes; and
 - c) cytotoxic wastes.

10. The Licencee shall receive hazardous wastes from companies in Manitoba that are generators registered pursuant to Hazardous Waste Regulation (Manitoba Regulation 195/2015), as amended from time to time.
11. The Licencee shall accept hazardous waste transported to the facility or allow hazardous waste to be transported from the facility, only when the hazardous waste is accompanied by a hazardous waste manifest or a dangerous goods shipping document, as appropriate.
12. The Licencee shall only allow transport of hazardous waste received at the facility to a facility operating under the authority of a Licence issued pursuant to The Dangerous Goods Handling and Transportation Act in Manitoba, or under an approval of similar type in another jurisdiction.
13. The Licencee shall not store hazardous waste in trucks or trailers and all wastes being delivered to the facility shall be immediately unloaded into the facility building.
14. The Licencee shall visually inspect incoming waste containers prior to being accepted at the site to determine that the containers are undamaged and properly labeled and packaged.
15. The Licencee shall repackage and relabel any incoming waste that arrives in damaged, leaking, improperly packaged or improperly labeled containers.
16. The Licencee shall not accept incoming waste with radioactive properties.
17. The Licencee shall initiate and maintain a written record at the facility containing the following information:
 - a) record for all hazardous waste received at the facility. The record shall contain, for each day that hazardous wastes are received, the following:
 - i) date of the record;
 - ii) name, address and the registration number or Provincial ID number of the carrier;
 - iii) name, address and registration number or Provincial ID number of the generator; and
 - iv) quantity and type of hazardous waste received;
 - b) record for all hazardous waste transferred from the facility. The record shall contain, for each day that hazardous wastes are transferred, the following:
 - i) date of the record;
 - ii) name, address and the registration number or Provincial ID number of the carrier;
 - iii) name, address and registration number or Provincial ID number of the receiver; and
 - iv) quantity and type of hazardous waste transferred.
18. The Licencee shall, for any shipment of waste that is refused, record in the daily log the reason the waste was refused and the origin of the waste.
19. The Licence shall store hazardous waste in the designated location as per the warehouse floor plan layout drawing identified in the Application dated September 31, 2014 and Notice of alteration dated September 29, 2020.

20. The Licencee shall store all hazardous waste in an area that is:
 - a) secure, not accessible to unauthorized personnel;
 - b) physically separate from office or supply areas of the facility and
 - c) clearly marked as a hazardous waste storage area through the use of a conspicuous sign.

21. The Licencee shall store hazardous waste in a container that must be:
 - a) constructed of a material that is compatible with the hazardous waste being stored;
 - b) corrosion and weather resistant;
 - c) designed and constructed to withstand damage during handling and transportation; and
 - d) sealable to prevent the release of its contents and prevent any other substance from entering the container.

22. A hazardous waste container must have prominently affixed to it a weather resistant label with the name of the hazardous waste in the container.

23. The Licencee shall maintain the storage building in a condition capable of retaining any spillage which may occur. Floor drains or catch basins are not permitted in the storage area unless they are connected to an on-site holding tank or sump.

24. The Licencee shall store all microbiology laboratory waste and human blood and body fluid waste in a refrigerated unit if stored for more than 4 days.

25. The Licencee shall operate the refrigerated storage unit at a temperature equal to or lower than 4 degree Celsius at all times when the waste is required to be refrigerated.

26. The storage quantity for hazardous waste shall not exceed the design storage capacity identified in the Application dated September 31, 2014.

27. The Licencee shall store hazardous waste at the facility with a maximum on-site storage not exceeding 90 days duration from the date of receipt.

Respecting Biomedical Sharps Waste

28. The Licencee shall only collect and store biomedical sharps wastes that were deposited directly into impervious, rigid, puncture-resistant containers having tightly secured lids.

Respecting Pharmaceutical Waste

29. The Licencee shall only collect and store pharmaceutical wastes that are packaged in rigid leak free containers.

Respecting Liquid Emissions

30. The Licencee shall direct all wastewater generated as a result of any activity at the facility, other than sanitary wastes, to a sump or sumps properly designed to contain such liquids.

31. Licencee shall direct wastewater collected in sumps to the sanitary sewer system only if the liquid effluents conform to The City of Winnipeg Sewer By-Law No. 92/2010.

Respecting Air Emissions

32. The Licencee shall not cause or permit a noise nuisance to be created as a result of the operation or alteration of the facility, and shall take such steps as the Director may require to eliminate or mitigate a noise nuisance.
33. 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.

Respecting Trained Personnel

34. The Licencee shall provide and maintain training in the following for all persons who will be assigned duties at the facility:
- a) the Transportation of Dangerous Goods Regulations; and
 - b) the procedures pertaining to the operation of the facility including spill response.

The records of this training shall be made available to an Environment Officer upon request.

35. The trained personnel shall be on site at all times when the facility is open to receive and ship biomedical waste.

Respecting Spills

36. 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 contaminant 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 the 24-hour environmental accident reporting line at 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.
37. The Licencee shall, following the reporting of an event pursuant to Clause 36,
- a) identify the repairs required to the mechanical equipment;
 - b) undertake all repairs to minimize unauthorized discharges of a contaminant;
 - 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.
38. The Licencee shall take action to promptly clean up any spill or leakage and repackage the waste if any hazardous waste container leaks, cracks or otherwise causes a spill during loading or unloading. Any material resulting from such a cleanup shall be handled as hazardous waste and shall be packaged and disposed of in accordance with applicable regulations.
39. The Licencee shall equip the facility with spill cleanup equipment and supplies.

Respecting Facility Inspection

40. The Licence shall conduct regular inspections of the facility to ensure that all pieces of equipment and the storage and treatment operations are operated in a manner that will not negatively impact the environment. Any deficiencies detected during these regular inspections, that might negatively impact the environment shall be promptly corrected. The inspection must include, as applicable, an observation of the following:
- a) the condition of every hazardous waste container and all piping and ancillary equipment;
 - b) the condition of the secondary containment system and of any other mechanism that prevents the release of hazardous waste;
 - c) any indications of a release of hazardous waste or of any deterioration of containers, piping, ancillary equipment or a secondary containment system that increases the likelihood of a release; and
 - d) recommendations for remedial action and actions undertaken.
41. The Licencee shall record each inspection required by Clause 40 of this Licence. The record shall include the date of the inspection, the name of the person who conducted the inspection and the observations made by that person during the inspection.

Respecting Facility Security

42. The Licencee shall equip and maintain a fully operational site security system consisting of intrusion alarms and fire detection systems in all storage and handling areas.

Respecting Emergency Response

43. The Licencee shall prepare and maintain an emergency response contingency plan in accordance with the Canadian Centre for Occupational Health and Safety “Emergency Response Planning Guide” or other emergency planning document acceptable to the Director.
44. The emergency response contingency plan shall be designed to minimize hazards from fires, explosions or any unplanned release of hazardous waste or contaminants.
45. A copy of the contingency plan shall be kept on site and emergency response information must be posted in a conspicuous location.

Insurance and Financial Assurance

46. The Licencee shall maintain throughout the term of this Licence:
- a) in the amount of \$50,000.00 Property Insurance;
 - b) in the amount of \$5,000,000.00 General Comprehensive Liability Insurance; and
 - c) in the amount of \$250,000.00 Environmental Impairment Liability Insurance.

47. The Director may, where it is deemed to be in the public interest, require the Licencee to provide financial assurance in the form of a letter of credit, a bond, further insurance, or other form acceptable to the Director in an amount to be determined by the Director. The Director may order forfeiture of this security, either in whole or in part, by giving notice to that effect to the Licencee upon the Director being satisfied that the facility is in breach of any of the terms of this Licence, or for reimbursement of any costs or expenses incurred by the Province of Manitoba in rectifying environmental damage caused, or contributed to, by the operation of the facility.

Respecting Alterations and Decommissioning

48. The Licencee shall obtain approval in writing from the Director for any proposed alteration to the facility before proceeding with the alteration.
49. The Licencee shall, in the event that the facility is to be permanently closed or is offered for sale, conduct an investigation, to the satisfaction of the Director, to identify any contamination which may have resulted from the operation of the facility.
50. The Licencee shall, where the investigation referred to in Clause 50 of this Licence shows that contamination of the environment has occurred, submit a remediation proposal to the Director and upon approval of this proposal by the Director carry out the required remediation.

REVIEW AND REVOCATION

- A. This Licence replaces The Dangerous Goods Handling and Transportation Act Licence 279 HW, which is hereby rescinded.
- B. If, in the opinion of the Director, the Licencee has exceeded, or is exceeding, or has failed, 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.
- C. 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 application pursuant to The Dangerous Goods Handling and Transportation Act.

Original Signed By

Signed on behalf of
Shannon Kohler, Director
The Dangerous Goods Handling
and Transportation Act

Consignor (Generator) Registration No.: MBG05200
Consignee (Receiver) Registration No.: MBR30113

'Schedule A'
Licence No. 279 HW R

The type of Biomedical Wastes Indigenous Services Canada will manage at this development shall be limited to the materials defined below:

Biomedical wastes that are generated by human or animal health care establishments; medical, health care or veterinary teaching or research establishments; clinical laboratories or facilities that test or produce vaccines; and needle and syringe exchange programs:

- Microbiology Laboratory Waste – this consists of laboratory cultures, stocks or specimens of microorganisms, live or attenuated vaccines, human or animal cell cultures used in research, and laboratory material that has come into contact with any of these.
- Human Blood and Body Fluid Waste – this consists of human fluid blood and blood products, items saturated or dripping with blood, body fluids contaminated with blood, and body fluids removed for diagnosis during surgery, treatment or autopsy. This does not include urine or feces.
- Biomedical Sharps Waste – this consists of blades, needles, syringes including safety engineered needles, laboratory glasses or other materials capable of causing punctures or cuts and which have come into contact with human blood waste, animal blood waste or other human or animal bodily fluids.