

Environmental Stewardship Division  
Environmental Approvals Branch  
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www.gov.mb.ca/conservation/eal

**CLIENT FILE NO.: 5837.00**

August 22, 2016

Ron Fehr  
Prairieview Terminals Ltd.  
6 Sabrina Way  
Headingley MB R4H 07A

Dear Mr. Fehr:

Enclosed is **Dangerous Good Handling and Transportation Act Licence No. 296 HW** issued to **Prairieview Terminals Ltd.** for the construction and operation of a hazardous waste collection and transfer facility ("the Facility") known as Headingley Bulk Storage Facility and Recycling Depot located at 6 Sabrina Way, Headingley, Manitoba, in accordance with the application filed pursuant to *The Dangerous Goods Handling and Transportation Act*.

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.

For further information on the administration and application of the Licence, please feel free to contact Cory Switzer, Environmental Engineer at 204-250-7645.

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 Sustainable Development within 30 days of the date of the Licence.

Yours truly,

*"original signed by"*

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**Tracey Braun, M.Sc.**  
**Director**  
**Dangerous Goods Handling and Transportation Act**

c: D. Labossiere/D. Smiley/Y. Hawryliuk, Environmental Compliance and Enforcement  
Paula Sdao, True Grit Consulting Ltd.; RM of Headingley  
Public Registries; Public Distribution List (**attached**)

**NOTE:** Confirmation of Receipt of this Licence No. 296 HW (*by the Licensee only*) is required by the Director of Environmental Approvals. Please acknowledge receipt by signing in the space provided below and faxing a copy (letter only) to the Department by September 6, 2016.

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On behalf of Prairieview Terminals Ltd.

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Date

## Prairieview Terminals Public Comment Distribution List:

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Amber McGuckin	Jim Schadek	Whitney Jensen-Kostiuk
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Gary Wiebe	Sandra Warawa	Mitchell van Ireveld
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Heather Kotyk	Sylvia Smoth	Charles Keep
Helmut-Harry Loewen	Tawny Little	Linda Stewart
Ivo Lopes	Tina Scowen	L&P Curwen
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THE DANGEROUS GOODS HANDLING and  
TRANSPORTATION ACT  
LOI SUR LA MANUTENTION ET LE TRANSPORT  
DES MARCHANDISES DANGEREUSES



# LICENCE

Licence No./Licence n 296 HW

Issue Date/Date de délivrance August 22, 2016

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:

**PRAIRIEVIEW TERMINALS LTD.:**  
**"the Licencee"**

for the construction and operation of a hazardous waste collection and transfer facility ("the Facility") known as Headingley Bulk Storage Facility and Recycling Depot located at 6 Sabrina Way, Headingley, Manitoba in accordance with the application filed pursuant to *The Dangerous Goods Handling and Transportation Act* dated May 11, 2016, the additional information received on June 30, 2016, July 20, 2016, July 28, 2016, and August 16, 2016 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 Sustainable Development 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;

"**Act**" means *The Dangerous Goods Handling and Transportation Act*, C.C.S.M.c.D 12;

"**affected area**" means a geographical area, excluding the property of the Facility;

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

**"blending"** means the mixing of non chlorinated hydrocarbons into used oil or deashed oil in order to produce a homogeneous liquid;

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

**"daily"** means any 24-hour period;

**"days"** means calendar days unless otherwise indicated;

**"dangerous goods"** means any product, substance or organism designated in the regulations, or conforming with the criteria set out in the regulations, or in any regulation adopted in accordance with *The Dangerous Goods Handling and Transportation Act*, and includes hazardous wastes;

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

**"drum"** means a container having a capacity of 205 litres;

**"drum equivalent"** means a volume of 205 litres;

**"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;

**"lab pack"** means small quantities of compatible wastes in containers that are placed in a drum and surrounded by sorbent material;

**"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*, as amended from time to time;

**"National Fire Code"** means the *National Fire Code of Canada 2010*, issued by the Canadian Commission on Building and Fire Codes, National Research Council of Canada, 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 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;

**"oil"** means any petroleum or synthetic crankcase oil, engine oil, hydraulic fluid, transmission fluid, gear oil, heat transfer fluid, or other fluid capable of use for lubricating purposes in machinery or equipment;

**"permanently closed"** means that the Facility is not operated for a period of 12 months or more;

**"registered generator"** means a person who is registered as a hazardous waste generator pursuant to Manitoba Regulation 195/2015 under *The Dangerous Goods Handling and Transportation Act*, as amended from time to time;

**"roll-off containers"** means a securely locked and watertight container that can be loaded or unloaded from a roll-off truck;

**"Sea Box"** means containers which are 40 feet in length, can be securely locked and are watertight;

**"secondary containment"** means an impermeable barrier that prevents leaks from the primary storage tank system from reaching outside the containment area;

**"small containers"** means containers having a capacity of less than 205 litres;

**"Standard Methods for the Examination of Water and Wastewater"** means the most recent edition of Standard Methods for the Examination of Water and Wastewater published jointly by the American Public Health Association, the American Water Works Association and the Water Environment Federation;

**"tote"** means a container with a capacity of approximately 1000 litres used to contain hazardous 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;

**"transport vehicle"** means any of the trucks or trailer units designed to transport dangerous goods either in bulk or in containers;

**"used oil"** means petroleum-derived or synthetic lubrication oil that has become unsuitable for its original purpose due to the presence of physical or chemical impurities or the loss of original properties if the oil falls within any of the following categories:

- a) lubrication oils for internal combustion engines such as motor oil, vehicle crankcase oil and engine lubricating oil;
- b) transmission fluids, gearbox and differential oils; and
- c) hydraulic fluids;

**"used oil filter"** means an oil filter containing used oil that through use, storage, handling, defect, damage or other similar circumstances can no longer be used for its original purpose;

**"used oil products and material"** means used oil, used oil filters or used oil containers;

**"waste battery"** means a lead-acid electromotive battery that:

- a) through use, storage, handling, defect, damage, expiry of shelf life or other similar circumstance can no longer be used for its original purpose; or
- b) for any other reason, the owner or person in possession of the battery intends to dispose of it; 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 implement a high standard of equipment maintenance and good housekeeping and operational practices with respect to the Facility, at all times.
2. The Licencee shall notify the Director, in writing, of any intention or agreement to lease any part or portion of the Facility's property, including buildings or structures, where such leasing might involve the establishment of any other development with a potential for emissions which may affect the environment.

### **Future Sampling**

3. The Licencee shall at the request of the Director:
  - a) conduct special studies to determine ambient air quality within the vicinity of the Facility and/or emission testing for specified air pollutants in a manner satisfactory to the Director; and
  - b) submit a report containing the ambient air quality data and/or the emission testing data and all other related data to the Director within 90 days after completion of the studies.
4. In addition to any 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 pollutant storage, containment, treatment, handling, disposal or emission systems, for such pollutants 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 pollutant(s) from the 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.

### **Sampling Methods**

5. The Licencee shall, unless otherwise specified in this Licence:
  - a) carry out all preservations and analyses on liquid samples in accordance with the methods prescribed in the most current edition of Standard Methods for the Examination of Water and Wastewater or in accordance with equivalent preservation and analytical methodologies approved by the Director;
  - b) carry out all sampling of, and preservation and analyses on, soil, compost or air samples in accordance with methodologies approved by the Director;
  - c) have all analytical determinations undertaken by an accredited laboratory; and
  - d) 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.
6. Notwithstanding Clause 5 of this licence, where analysis are carried out on waste substances in order to determine the classification of the substances, the Licencee is not required to submit the analysis results to the Director, except on request.

### **Maintain Records**

7. 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.

### **Reporting Format**

8. The Licencee shall submit all information required to be provided to the Director or Environment Officer under this Licence, in written and electronic format, in such form (including number of copies) and of such content as may be specified by the Director or Environment Officer, and each submission shall be clearly labelled with the Licence Number and Client File Number associated with this Licence.
9. 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.
10. The Licencee shall, for the purpose of compliance monitoring, notify the Director orally concerning any actual or anticipated breach or failure to meet any specification, limit, term or condition of this Licence, as soon as possible after discovery, and in any event within 2 working days of discovery.



### **Responsible Party**

11. The Licencee shall designate an employee, within 60 days of the date of issuance of this Licence, as the Licencee's Environmental Coordinator, whose job description will include assisting the Licencee in complying with the limits, terms and conditions in this Licence and assisting Senior Management of the Licencee to manage environmental issues at the Facility. The name of the Environmental Coordinator shall be submitted in writing to the Director within 14 days of appointment and any subsequent appointment.

### **Fire Reporting**

12. The Licencee shall in the event of a fire which continues in excess of thirty (30) minutes or requires fire suppression assistance from personnel outside of the Facility (e.g. fire department) report the fire by calling (204) 944-4888 (toll free 1-855-944-4888), identifying the type of materials involved and the location of the fire.

### **Equipment Breakdown**

13. 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 pollutant 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.
14. The Licencee shall, following the reporting of an event pursuant to Clause 13:
  - a) identify the repairs required to the mechanical equipment;
  - b) undertake all repairs to minimize unauthorized discharges of a pollutant;
  - 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.

### **Construction**

15. The Licencee shall, prior to initiating any construction at the Facility, submit two paper copies and one electronic copy of final engineering design plans, sealed by an engineer(s), to the Director. The plans will show the engineering details or specifications of each new component or piece of equipment, and the location of each new component or equipment, with respect to other components.

## **SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS**

### **Facility Operations**

16. The Licencee shall only use the Facility for receiving, storing, repacking, consolidating, bulking, blending, processing and shipping of hazardous waste.
17. The Licencee shall construct and operate the Facility to conform to the May 9, 2016, Dangerous Goods Handling and Transportation Act Application and additional information on June 30, 2016 and July 20, 2016, July 28, 2016, and August 16, 2016.
18. The Licencee shall whenever used oils, waste glycols, waste gasoline and diesel, or waste solvents are being transferred to or from the cargo tank of a vehicle, or to or from the storage tanks, or any other transfer systems, supervise the transfer at all times and in such a manner that the flow of liquids can be immediately shut off.
19. The Licencee shall carry out truck to truck or other container type transfer of hazardous wastes only within an area with containment to prevent a spill to the environment, unless otherwise approved by the Director.
20. The Licencee shall comply with all the applicable requirements of:
  - a) Manitoba Regulation 188/2001, or any future amendment thereof, respecting the Storage and Handling of Petroleum Products and Allied Products; and
  - b) Manitoba Office of the Fire Commissioner.

### **Signage**

21. The Licencee shall clearly post at the entrance to the hazardous waste storage area of the Facility:
  - a) the name of the Licencee;
  - b) the hours of operation of the Facility and a 24 hour emergency phone number; and
  - c) a conspicuous sign, marked as a hazardous waste storage area and not accessible to unauthorized personnel.

### **Waste Receipt and Transport**

22. The Licencee shall receive hazardous wastes from companies in Manitoba that are generators registered pursuant to Manitoba Regulation 195/2015 under *The Dangerous Goods Handling and Transportation Act*, as amended from time to time, or under an approval of similar type in another jurisdiction.
23. The Licencee shall allow transport of all 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.
24. The Licencee shall use only licenced carriers to transport hazardous wastes from the Facility.

25. The Licencee shall transport hazardous waste to or from the Facility only when the hazardous waste is accompanied by a hazardous waste movement document, or a dangerous goods shipping document, as appropriate.

### **Clay Components of the Facility**

26. The Licencee shall construct and maintain all scarified in situ clay component(s) of the Facility to be utilized as a containment area with a hydraulic conductivity of  $1 \times 10^{-7}$  cm/second or less and a minimum thickness of 1 metre.

### **Testing of Clay for Components**

27. The Licencee shall arrange with the designated Environment Officer a mutually acceptable time and date for any required soil sampling between the 15th day of May and the 15th day of October of any year, unless otherwise approved by the Environment Officer.
28. The Licencee shall take and test undisturbed soil samples, in accordance with Appendix 'A' attached to this Licence, from:
- a) the clay any area to be considered a containment area to restrict movement of spills; and
  - b) any clay component of the Facility requiring testing by the Director.
29. The number and location of samples and test methods will be specified by the designated Environment Officer up to a maximum of twenty (20) samples per cell, pad or clay component of the Facility.
30. The Licencee shall, prior to operation of any area tested in accordance with Clause 28, receive the approval of the Environment Officer for the results of the tests carried out pursuant to Clause 28 of this Licence.

### **Retention of Liquids**

31. The Licencee shall carry out any draining, flushing or cleaning of containers or transport vehicles performed at the Facility in a manner which retains any wash water and contaminants on the Facility and the retained fluids shall be disposed of in a manner approved by the Director.

### **Facility Access**

32. 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.

### **Facility Security**

33. The Licencee shall ensure that the Facility is equipped with a security system to detect intrusion and a fire detection system in all storage, handling and laboratory areas. Alarms must be monitored at a remote location and must be in good operating order at all times.
34. The Licencee shall, when the operator or other trained personnel is not present at the Facility, lock the Facility in a manner that prevents unauthorized delivery of materials.
35. The Licencee shall not receive the following hazardous waste at the Facility without the written approval of the Director:
  - a) waste containing polychlorobiphenyls (PCBs) in concentrations above 2 ppm;
  - b) radioactive material;
  - c) infectious waste;
  - d) biomedical waste;
  - e) explosives; and
  - f) hazardous waste which is readily capable of detonation or of explosive decomposition or reaction at normal temperature and pressure.

### **Air and Noise Emissions**

36. The Licencee shall not cause or permit an odour nuisance to be created as a result of the construction, operation, or alteration of the Facility, and shall take such steps as the Director may specify to eliminate or mitigate an odour nuisance.
37. 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.
38. The Licencee shall submit, within 120 days of the issuance of this Licence, for the Director's approval, a plan for the management of air emissions from the tank farm.

### **Labelling of Waste**

39. The Licencee shall clearly mark each hazardous waste container with a capacity greater than 1 litre or 1 kilogram being received at the Facility with a unique number which can be used to track the container and to reference movement documents and other appropriate documentation.

### **General Storage**

40. The Licencee shall inspect the Facility on a daily basis and any unauthorized materials found at the Facility during the daily inspections are to be placed in secure storage or removed from the Facility immediately.

41. The Licencee shall submit, in writing, a complete inventory of hazardous waste materials in storage at the Facility to the Director on a monthly basis, or upon the request of the Director.
42. The Licencee shall segregate hazardous wastes with incompatible characteristics to the greatest degree possible within the Facility.
43. The Licencee shall not store hazardous waste, excluding material in the sludge bins, outside of the Cold Drum Storage Building, tank farm or Office/Shop building, except wastes being delivered to the Facility may be stored in the incoming transport vehicle within a containment area for up to 10 days prior to being unloaded, unless a longer period is approved by the Director.
44. The Licencee shall maintain the storage areas of the buildings in a condition capable of retaining any spillage which may occur. Concrete floor surfaces must be sealed to facilitate clean-up operations in the event of a spill within the building. Floor drains or catch basins are not permitted in the storage area unless they are connected only to an on-site holding tank or sump.
45. The Licencee shall only park transport vehicles or roll-off containers carrying hazardous waste in a containment area.
46. The Licencee shall park overnight at the Facility no more than 15 transport vehicles that are carrying hazardous waste at a time. Approval from the Director is required for additional trucks to park overnight.
47. The Licencee shall locate within secondary containment all transport vehicles carrying hazardous waste that are parked at the Facility in excess of eight hours or when the Facility does not have operators on site.
48. Notwithstanding Clause 43, the Licencee may store hazardous wastes that have been segregated into their classes in order to facilitate the separation of wastes destined for different receivers in the Cold Drum Storage Building inside the contained area for up to 180 days.
49. Notwithstanding Clause 43, the Licencee may store segregated empty 5 gallon pails with trace residual oil in a van trailer for 180 days on a contained area, or in a manner acceptable to the Environment Officer.

### **Storage of Hazardous Waste**

50. 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;

- d) sealable to prevent the release of its contents and prevent any other substance from entering the container; and
  - e) labelled prominently with a weather resistant label with the name of the hazardous waste in the container.
51. The Licencee shall not store at the Facility, at any time, totes, drums and small containers containing hazardous waste, in excess of 1500 drum equivalents, unless otherwise approved by the Director.
52. Notwithstanding Clause 51 the Licencee shall comply with the National Fire Code volume quantities as set out for inside storage for dangerous goods.
53. The Licencee shall store hazardous waste as described in Clause 51 of this Licence:
- a) in single pallet rows not more than 2 drum heights or 240 centimetres in height;
  - b) with a minimum aisle width between rows of 60 centimetres; and
  - c) with a maximum row width not to exceed 150 centimetres.
54. The Licencee shall not store hazardous waste as described in Clause 51 of this Licence for a period exceeding 180 days from the date of receipt of the hazardous waste, except for lab packs, where a 180 day period for storage will commence on the date the lab pack is filled.
55. The Licencee shall, upon completion of a lab pack, properly label and mark the outer container and attach an inventory of the contents to the container. The date of completion of filling of the lab pack shall also be indicated on the inventory.
56. The Licencee shall not store more than 50 in-process lab packs at the Facility. The in-process lab packs shall be segregated from the other incompatible hazardous wastes in storage.

#### **Storage of Lead Acid Batteries**

57. The Licencee shall store the waste batteries in an area where the floor or base is resistant to acid.
58. The Licencee shall store the waste batteries on pallets or in totes in the following manner:
- a) if pallets are used, the waste batteries shall be placed on the pallets with a layer of corrugated cardboard or other material which will prevent casing ruptures, placed between successive layers of waste batteries. The full pallet of batteries shall have three layers of batteries and be shrink wrapped with plastic before shipment from the Facility; and
  - b) if totes are used, the waste batteries shall be placed in acid resistant, leak-proof tub skids.

59. The Licencee shall conspicuously place in the area used for storage of waste lead acid batteries effective neutralizing materials, or materials approved by the Director in writing, for the containment or clean up of spills from batteries.
60. The Licencee shall in the event of a spill, dispose of the water used to clean up the spill in accordance with applicable regulations.
61. The Licencee shall not allow the inventory of waste batteries at the Facility to exceed 750 waste lead acid batteries at any one time.

### **Tank Farm**

62. The Licencee shall not have more than 18 - 120 000 Litre vertical storage tanks at the Facility at any time, in the Tank Farm containment area.
63. The Licencee shall equip the outdoor used oil storage tank farm area with a containment system that is in compliance with the CCME Environmental Code of Practice (PN 1326), therefore capable of containing a minimum of 324 000 Litres.
64. The Licensee shall maintain the secondary containment system in a manner that does not interfere with the net capacity requirements inside the secondary containment system. At no time shall the additional precipitation volume impede the secondary containment capacity requirements.
65. The Licencee shall only remove precipitation that has accumulated in the secondary containment area if there have been no documented releases, spills, leaks or discharges of used oil (from the previous removal to the current). In the event a documented spill has occurred, the Licencee must receive authorization from an Environment Officer from the designated Regional Office of Manitoba Sustainable Development prior to removal of any accumulated liquid. If any accumulated liquid may be contaminated, it shall be sampled and tested for appropriate parameters by an accredited laboratory prior to any request for removal. Contaminated accumulated liquid shall be treated through an oil-water separator or handled as hazardous waste.

### **Used Glycol**

66. The Licencee shall ensure that used glycols:
  - a) are only bulked at the Facility;
  - b) are not treated at the Facility;
  - c) are not blended with any other material at the Facility;
  - d) are not stored in excess of a maximum volume of 250,000 Litres;
  - e) are stored at the Facility for longer than 365 days; and
  - f) are sent for disposal to a licenced disposal or recycling facility.

### **Waste Gasoline and Diesels**

67. The Licencee shall ensure that waste gasoline and diesels:
- a) are only bulked and/or blended with used oil or deashed oil at the Facility;
  - b) are not treated at the Facility except for filtration and/or settling to remove water;
  - c) are not stored at the Facility for longer than 365 days; and
  - d) are sent to a licenced hazardous waste disposal facility for disposal unless they are used in the blending process.

### **Used Oil Deashing**

68. The Licencee shall equip and maintain every tank utilized for used oil deashing with a granular activated carbon filtration system on the passive ventilation nozzle.
69. The Licencee shall keep a log of volumes of waste oil processed and the resultant volumes of deashed oil and deashed oil sludge generated.
70. The Licencee shall test each batch of the deashed oil to determine the PAH content, the metal content, and any other substance as specified by the Director, and to confirm that it is not a hazardous waste.
71. The Licencee shall prior to shipment, sample and analyze each batch of the deashed oil sludge to determine the metal content, as specified by the Director, and to determine whether it is a hazardous waste.
72. The Licencee shall store all deashed oil sludge in storage tanks clearly designated within the storage tank farm, or in a manner approved by the Director.
73. The Licencee shall, if testing shows that the deashed oil sludge is a hazardous waste, dispose of the sludge at a licenced hazardous waste disposal facility.

### **Blended Fuel**

74. The Licencee shall keep a log of volumes of non-chlorinated organic liquids and used oil blended and the resultant volumes of blended fuel.
75. The Licencee shall test each batch of blended fuel to determine the characteristics of the blend, and shall test any other substance as specified by the Director.
76. The Licencee shall store fuel produced by blending separately from other wastes in the outside tank farm.
77. The Licencee shall not store blended fuel at the Facility for longer than 365 days.



78. The Licencee shall provide, at the request of the Director, a mass balance calculation for the blending of the feedstock and the resulting blended fuel.
79. The Licencee shall provide, at the request of the Director, a BTU evaluation of the feedstock and the resulting blended fuel.

### **Liquid Disposal**

80. The Licencee shall test any liquids that are to be disposed of to determine whether it is a hazardous waste.
81. Any materials or liquids that are determined to be a hazardous waste shall be disposed of at a licenced hazardous waste disposal facility.

### **Public Used Oil Products and Material Collection Depot**

82. The Licencee shall submit specifications for the used oil storage tank for public used oil drop off prior to installation of the used oil storage tank.
83. The used oil storage tank referred to in Clause 82 shall be situated on an impervious surface which, at minimum, would be 152 millimetres of compacted clay.
84. The Licencee shall maintain a loading area immediately adjacent to the storage tank that:
  - a) is properly sized and graded; and
  - b) made of an impermeable material acceptable to an Environment Officer.
85. The Licencee shall inspect the used oil storage tank weekly in order that any leakage from the tanks into the secondary containment system is detected. Records of these inspections shall be made available to an Environment Officer upon request.
86. The Licencee shall equip the used oil transfer area with a containment system that is capable of containing 110% of the volume of used oil being transferred.
87. The Licencee shall have the operator visually inspect each individual container of used oil that is collected at the depot for contamination before the contents are transferred to the storage tank.
88. The Licencee shall not accept any used oil that is deemed to be contaminated at the depot and shall return the used oil to the person who previously possessed it.
89. The Licencee shall only have the operator or other trained personnel employed by the Licencee transfer used oil into the storage tank.

90. The Licencee shall maintain, for each tank in the process of being filled, a tank collection log containing at minimum:
  - a) the date and time of receipt of the oil;
  - b) the name and address (or vehicle licence number) of the person who delivered the oil;
  - c) the quantity of oil received;
  - d) the signature of the person who delivered the oil; and
  - e) for commercial/industrial generators, the Manitoba Generator Registration Number.
91. The Licencee shall ensure that the operator representatively samples each full tank of collected used oil. The operator shall retain the sample until verification of destruction or recycling of the oil is received.
92. The Licencee shall, upon request of the Director, have the sample of used oil referred to in Clause 91 of this Licence analyzed, for parameters specified by the Director, by an accredited laboratory.
93. The Licencee shall not store used oil in the public used oil storage tank for a period exceeding 180 days from the date of receipt of the used oil at the depot without Director approval.

#### **Used Oil Filters**

94. The Licencee shall recycle used oil filters received at the Facility.
95. The Licencee shall process by crushing and draining the used oil filters received from the public or from registered generators prior to shipment to a recycler.

#### **Used Oil Containers**

96. The Licencee shall process the used oil containers received at the Facility by:
  - a) visually inspecting the container to ensure that it contained used oil;
  - b) placing the container in a tray and allowing it to drain for 24 hours; and
  - c) storing drained containers in a suitable metal receptacle prior to shipment from the Facility.

#### **Sludge Containment Facility**

97. The Licencee shall ensure that sludge received at the Facility:
  - a) is sampled prior to mixing with other waste or materials, if chemistry or characteristics is unknown;
  - b) is transferred from delivery vehicles to the steel mixing bins on a surface that contains any spills; and
  - c) is stored within the steel mixing bins until treatment or disposal occurs.

### **Wastewater**

98. The Licencee shall direct all wastewater generated as a result of any activity at the Facility, to a sump or sumps properly designed to contain such liquids.
99. The Licencee shall manage all liquids collected in sumps in a manner approved by the Director.
100. The Licencee shall send for disposal to a licenced hazardous waste disposal facility all wastewater that is hazardous.
101. The Licencee shall not discharge non-hazardous wastewater beyond the property boundaries of the Facility except any discharge which is hauled to the City of Winnipeg wastewater treatment facility in accordance with the requirements of the City of Winnipeg, or another wastewater treatment facility approved by the Director.

### **Solid Waste**

102. The Licencee shall dispose of all non-hazardous solid waste generated or collected at the Facility, which is not recycled, only to a waste disposal ground operating under the authority of a permit issued pursuant to Manitoba Regulation 37/2016 or any future amendment thereof, or a Licence issued pursuant to *The Environment Act*.

### **Facility Inspection**

103. The Licence shall conduct daily 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 daily inspections, that might negatively impact the environment shall be promptly corrected. The inspection must include, as applicable, an observation of:
  - 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; and
  - 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.
104. The Licencee shall record each inspection required by Clause 103 of this Licence. The record shall include the date of the inspection, the name of the person who conducted the inspection, the observations made by that person during the inspection and recommendations for remedial action and actions undertaken.
105. The records of this inspection required by Clause 104 shall be made available to an Environment Officer upon request.

### **Training**

106. The Licencee shall provide training for all persons who will be assigned duties at the Facility in:
  - a) transportation of dangerous goods;
  - b) regulatory requirements; and
  - c) procedures pertaining to the operation of the facility including spill response.
107. The records of the training of Clause 106 shall be made available for inspection by an Environment Officer upon request.

### **Spills**

108. The Licencee shall equip the Facility with spill cleanup equipment and supplies.
109. The Licencee shall contain and clean up immediately all spills or leaks of hazardous waste at the Facility.
110. 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.
111. The Licencee shall in the event of an Environmental Accident as defined in *The Dangerous Goods Handling and Transportation Act* and Regulations thereunder, take all necessary actions to report the spill in accordance with regulatory requirements, contain the spill, manage the impacted environment and restore the environment to the satisfaction of the Director.

### **Emergency Response**

112. The Licencee shall prepare, within 90 days of the date of issuance of this Licence, 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 guidelines acceptable to the Director.
113. The Licencee shall provide the Director and the Headingley Fire and Police Departments with a 24 hour contact number for Licencee personnel who have access to current on-site waste inventories at the Facility.
114. The emergency response contingency plan shall be designed to minimize hazards from fires, explosions or any unplanned release of hazardous waste or contaminants.

115. The Licence shall keep a copy of the emergency response contingency plan on site, in a location accessible to all persons who will be assigned duties at the Facility, at all times.
116. A copy of the emergency response contingency plan shall be made available to an Environment Officer upon request.
117. The Licencee shall review the emergency response contingency plan on an annual basis, as a minimum, and make revisions as required.

### **Annual Reporting**

118. The Licencee shall, on or before the 15th day of April of each year and beginning in 2017, submit to the Director an annual report with respect to all activities at the Facility conducted pursuant to this Licence during the previous calendar year. The format of the report shall be approved by the Director and contain, as a minimum, the following information:
  - a) a summary of all calibration and equipment maintenance records;
  - b) summary reports and details of all incidents that require implementation of the contingency plan; and
  - c) with respect to any monitoring programs:
    - i) the date(s), exact place, and time(s) of sampling or measurements;
    - ii) the date(s) analyses were performed;
    - iii) the individual(s) who performed the analyses;
    - iv) documentation to verify the appropriate certification of the laboratory used to perform the analyses; and
    - v) quality assurance and quality control data.

### **Annual Hazardous Waste Receiver Report**

119. The Licencee shall, on or before the 31<sup>st</sup> day of March of each year, submit to the Director an annual report respecting the hazardous waste received by the Facility pursuant to this Licence during the previous calendar year and the manner in which the waste was treated or disposed as defined in Manitoba Regulation 195/2015 under *The Dangerous Goods Handling and Transportation Act*. The report shall be made on a form approved by the Director or submitted in a format acceptable to the Director.

### **Moderations, Alterations and Decommissioning**

120. The Licencee shall carry out, as deemed necessary by the Director, any remedial measures or modifications in respect to matters authorized under this Licence.
121. The Licencee shall obtain approval, in writing, from the Director for any proposed alteration or expansion to the Facility which is likely to cause a significant environment effect, before proceeding with the alteration.

122. The Licencee shall, at the request of the Director, in the event that the Facility is permanently closed, conduct an investigation in accordance with "Environmental Site Assessments in Manitoba", (June 2016), to the satisfaction of the Director, to identify any contamination which may have resulted from the operation of the Facility.
123. The Licencee shall, where the investigation referred to in Clause 122 of this Licence shows that contamination of the environment has occurred, submit a remediation proposal, within 60 days, to the Director and, upon approval of this proposal by the Director, the required remediation shall be carried out by the Licencee.

### **Financial Insurance/Assurance**

124. The Licencee shall, within 30 days of the date of issuance of this Licence, provide to the Director satisfactory written evidence of the insurance policies described in Clauses 126, 127 and 128 of this Licence, relating to the Facility.
125. The Licencee shall provide to the Director satisfactory written evidence of the insurance coverages described in Clauses 126, 127 and 128 of this Licence, on an annual basis.
126. The Licencee shall purchase and maintain Comprehensive General Liability Insurance with a minimum limit of \$2.0 million per occurrence providing coverage for the Facility and all operations of the Licencee at the Facility. The terms and conditions of coverage shall be satisfactory to the Director, and without limitations shall include coverage for bodily injury (including death), personal injury and accidental property damage, blanket contractual broad form property damage, and non-owned automobile coverages.
127. The Licencee shall purchase and maintain Automobile Liability Insurance for all owned and non-owned licenced vehicles used in connection with the operation of the Facility and which provides coverage against liability arising from third party bodily injury or property damage for a minimum of \$2.0 million per occurrence with terms and conditions satisfactory to the Director. If the automobile liability policy excludes coverage for sudden and accidental pollution, this coverage shall be provided under the Environmental Impairment Liability Policy or the Comprehensive General Liability Policy.
128. 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 License, 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.

**REVIEW AND REVOCATION**

- A. 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.
- B. 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”*

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**Tracey Braun, M.Sc.**  
**Director**  
*The Dangerous Goods Handling and  
Transportation Act*

**Client File No.: 5837.00**

Consignor (**Generator**) Registration No.: **MBG13829**  
Consignee (**Receiver**) Registration No.: **MBR30137**

**Appendix 'A' to  
Dangerous Goods Handling and Transportation Act Licence No. 296 HW Clause 28**

**SOIL SAMPLING**

1. The Licencee shall provide a drilling rig, acceptable to the designated Environment Officer, to extract soil samples from the specified liner of the structure. This includes all liners constructed with clay. The drill rig shall have the capacity to drill to the maximum depth of the clay liner plus an additional 2 metres. The drill rig shall be equipped with both standard and hollow stem augers. The minimum hole diameter shall be 5 inches.
2. For liners placed or found at the surface of the structure, the Licencee shall provide a machine, acceptable to the designated Environment Officer, capable of pressing a sampling tube into the liner in a straight line motion along the centre axis line of the sample tube and without sideways movement.
3. Soil samples shall be collected and shipped in accordance with ASTM Standard D 1587 (Standard Practice for Thin-Walled Tube Sampling of Soils), D 4220 (Standard Practice for Preserving and Transporting Soil Samples) and D 3550 (Standard Practice for Ring-Lines Barrel Sampling of Soils). Thin-walled tubes shall meet the stated requirements including length, inside clearance ratio and corrosion protection. An adequate venting area shall be provided through the sampling head.
4. At the time of sample collection, the designated Environment Officer shall advise the Licencee as to the soil testing method that must be used on each sample. The oedometer method may be used for a sample were the Environment Officer determines that the soil sample is taken from an undisturbed clay soil which has not been remoulded and which is homogeneous and unweathered. The triaxial test shall be used for all samples taken from disturbed and remoulded soils or from non homogenous and weathered soils.
5. The Licencee shall provide a report on the collection of soil samples to the designated Environment Officer and to the laboratory technician which includes but is not limited to: a plot plan indicating sample location, depth or elevation of sample, length of advance of the sample tube length of soil sample contained in the tube after its advancement, the soil test method specified by the Environment Officer for each soil sample and all necessary instructions from the site engineer to the laboratory technician.
6. All drill and sample holes shall be sealed with bentonite pellets after the field drilling and sampling has been completed.



**Appendix 'A' (cont'd.) to  
Dangerous Goods Handling and Transportation Act Licence No. 296 HW Clause 28**

**SOIL TESTING METHODS**

1. Triaxial Test Method
  - a) The soil samples shall be tested for hydraulic conductivity using ASTM D 5084 (Standard Test Method for Measurement of Hydraulic Conductivity of Saturated Porous Materials Using a Flexible Wall Permeameter).
  - b) Soil specimens shall have a minimum diameter of 70 mm (2.75 inches) and a minimum height of 70 mm (2.75 inches). The soil specimens shall be selected from a section of the soil sample which contains the most porous material based on a visual inspection. The hydraulic gradient shall not exceed 30 during sample preparation and testing. Swelling of the soil specimen should be controlled to adjust for: the amount of compaction measured during sample collection and extraction from the tube and the depth or elevation of the sample. The effective stress used during saturation or consolidation of the sample shall not exceed 40 kPa (5.7 psi) or the specific stress level, that is expected in the field location were the sample was taken, which ever is greater.
  - c) The complete laboratory report, as outlined in ASTM D 5084, shall be supplied for each soil sample collected in the field.
  
2. Oedometer Test Method
  - a) The soil samples shall be tested for hydraulic conductivity using ASTM D 2435 (Standard Test Method for One-Dimensional Consolidation Properties of Soils).
  - b) Soil specimens shall have a minimum diameter of 50 mm (2 inches) and a minimum height of 20 mm (0.8 inches). The soil specimens shall be selected from a section of the soil sample which contains the most porous material based on a visual inspection. The soil specimen shall be taken from an undisturbed soil sample. The soil specimen shall be completely saturated.
  - c) The complete laboratory report, as outlined in ASTM D 2435, shall be supplied for each soil sample collected in the field.