

Environmental Stewardship Division  
Environmental Approvals Branch  
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[www.gov.mb.ca/conservation/eal](http://www.gov.mb.ca/conservation/eal)

**CLIENT FILE NO.: 5230.00**

June 2, 2017

Dave Howes  
Miller Environmental Corporation  
1803 Hekla Ave.  
Winnipeg MB R2R 0K3

Dear Mr. Howes:

Enclosed is **revised Licence No. 211 HW RR** issued to **Miller Environmental Corporation** for the construction and operation of a hazardous waste collection facility ("the Facility") located at 1803 Hekla Avenue, Winnipeg, 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 Yvonne Hawryliuk, Environment Officer at 204-945-5305.

Pursuant to Section 25 of The Dangerous Goods Handling and Transportation 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,



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

c: D. Labossiere, D. Smiley, Y. Hawryliuk, - Environmental Compliance and Enforcement  
Public Registries

**NOTE:** Confirmation of Receipt of this Licence No. 211 HW RR (*by the Licensee only*) is required by the Director of Environmental Approvals. Please acknowledge receipt by signing in the space below and provide a copy (letter only) to the Department by June 16, 2017

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On behalf of Miller Environmental Corporation

Date

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



# LICENCE

Licence No./Licence n° 211 HW RR

Issue Date/Date de délivrance: April 4, 2007

Revised: December 5, 2016

Revised: June 2, 2017

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:

**MILLER ENVIRONMENTAL CORPORATION;**  
**"the Licencee"**

for the construction and operation of a hazardous waste collection facility ("the Facility") located at 1803 Hekla Avenue, Winnipeg, Manitoba in accordance with the application filed pursuant to The Dangerous Goods Handling and Transportation Act dated September 29, 2006, the additional information received on February 2, 2007, June 16, 2016, and March 20, 2017, 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;

**\*\*A COPY OF THE LICENCE MUST BE KEPT ON SITE AT THE DEVELOPMENT AT ALL TIMES\*\***

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

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

**"containment area"** means an area that is equipped or designed with an impermeable barrier that prevents leaks or spills from reaching outside the specified area;

**"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, as appropriate;

**"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;

**"PCB waste"** means a PCB liquid, a PCB solid or a piece of PCB equipment that is taken out of service for the purpose of disposal;

**"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;

**"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 or hazardous waste 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.
3. The restrictions and conditions of this Licence are severable. If any restriction or condition of this Licence, or the application thereof, to any circumstances is held invalid, the application of such restriction or condition to other circumstances and the remainder of this Licence shall not be affected thereby.

#### **Future Sampling**

4. 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.
5. 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**

- 6. 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 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.
- 7. Notwithstanding Clause 6 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 analytical results to the Director, except on request.

### **Maintain Records**

- 8. 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**

- 9. 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.
- 10. 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.

**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 the 24-hour environmental accident reporting line at (204) 944-4888 (toll free 1-855-944-4888), identifying the type of materials involved and the location of the fire.

**Equipment Breakdown and Environmental Incident Reporting**

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.

**Spills**

15. The Licencee shall equip the Facility with spill cleanup equipment and supplies.
16. 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.

17. 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.

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

### **Facility Operations**

18. The Licencee shall only use the Facility for receiving, storing, repacking, consolidating, bulking and shipping of hazardous waste.
19. The Licencee shall whenever waste liquids 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.
20. 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.
21. The Licencee shall comply with all the applicable requirements of:
  - a) Manitoba Regulation 474/88, or any future amendment thereof, respecting the storage and handling of PCB waste or materials;
  - b) Manitoba Regulation 188/2001, or any future amendment thereof, respecting the storage and handling of Petroleum Products and Allied Products;
  - c) Manitoba Regulation 195/2015, or any future amendment thereof, respecting hazardous wastes; and
  - d) Manitoba Office of the Fire Commissioner.

### **Signage**

22. 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**

23. 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.

24. 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.
25. The Licencee shall use only licenced carriers to transport hazardous wastes from the Facility.
26. 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.

#### **Retention of Liquids**

27. The Licencee shall carry out any draining, flushing or cleaning of containers or the internal compartments of 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**

28. 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**

29. The Licencee shall equip the Facility with a security system to detect intrusion, and a fire detection system in all buildings. Alarms must be monitored at a remote location and must be in good operating order at all times.
30. The Licencee shall, when the operator or other trained personnel is not present at the Facility to accept materials, restrict access to the Facility with a gate and lock.

#### **Air and Noise Emissions**

31. 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.
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.

**General Storage**

33. 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.
34. The Licencee shall maintain a record of current inventory of hazardous waste materials in storage at the Facility and provide to an Environment Officer upon request.
35. The Licencee shall segregate hazardous wastes with incompatible characteristics to the greatest degree possible within the Facility.
36. The Licencee shall not store hazardous waste outside other than for purposes of handling during receiving or shipping operations.
37. Notwithstanding Clause 36, the Licencee may store waste batteries and gas cylinders outside, provided that the batteries are on wooden pallets and are protected from precipitation.
38. The Licencee shall maintain the storage areas of the depot 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 only to an on-site holding tank or sump.
39. The Licencee shall park any transport vehicles or roll-off containers carrying hazardous waste in a containment area.
40. The Licencee shall park overnight at the Facility no more than 10 transport vehicles that are carrying hazardous waste at a time. Approval from the Director is required for additional trucks carrying hazardous waste to park overnight.

**Storage of Hazardous Waste**

41. 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.
42. Notwithstanding Clause 41 the Licencee shall comply with the National Fire Code volume quantities as set out for inside storage for dangerous goods.
43. The Licencee shall, upon completion of a lab pack, properly label and mark the outer container.
44. The Licencee shall not store more than 30 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 Waste Batteries**

45. The Licencee shall store the waste batteries in an area where the floor or base is resistant to acid, if stored inside.
46. The Licencee shall conspicuously place in the area used for storage of waste batteries effective neutralizing materials, or materials approved by the Director in writing, for the containment or clean up of spills from batteries.
47. The Licencee shall in the event of a spill, dispose of the water used to clean up the spill in accordance with applicable regulations.
48. The Licencee shall not allow the inventory of waste batteries at the Facility to exceed 750 waste batteries at any one time.

**Public Used Oil Products Collection Depot**

49. The Licencee shall only store used oil in an aboveground used oil storage tank that is in compliance with CCME Environmental Code of Practice. Specifically the tank shall be designed, built and approved in conformance with (a) ORD-C142.23-1991, "Aboveground Waste Oil Tanks", or (b) ULC-S652-1993, "Tank Assemblies for Collection of Used Oil", or any future amendment thereof.
50. The Licencee shall situate the used oil storage tank referred to in Clause 49 within the containment area or depot or on an impervious surface which, comprises, at minimum, 152 millimetres of compacted clay.
51. The Licencee shall maintain, adjacent to the storage tank, a loading area for collection of spilled liquids when emptying containers into the tank which:
  - a) is properly sized and graded; and
  - b) is made of an impermeable material acceptable to an Environment Officer.
52. 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.
53. 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.
54. 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.
55. The Licencee shall only have the operator or other trained personnel employed by the Licencee transfer used oil into the storage tank.

56. The Licencee shall maintain, for each individual delivery of used oil in excess of 205 Litres, a tank collection log containing at minimum:
- a) the date and time of receipt of the oil;
  - b) the quantity of oil received; and
  - c) for commercial/industrial generators, the Manitoba Generator Registration Number.

#### **Used Oil Filters**

57. The Licencee shall store used oil filters received at the Facility in drums that have a maximum capacity of 205 litres and are designed so that they will contain any used oil which may drain from the filters.
58. The Licencee shall store the drums from used oil filters referred to in Clause 57, of this Licence, in a manner which provides protection from precipitation.

#### **Used Oil Containers**

59. The Licencee shall store used oil containers received at the Facility in heavy polyethylene plastic bags that are designed so that they will contain any used oil which may drain from the containers.
60. The Licencee shall store the bags for used oil containers referred to in Clause 59, of this Licence, in a manner which provides protection from precipitation.

#### **Liquid Disposal**

61. The Licencee shall only remove precipitation that has accumulated in a containment area if there have been no documented releases, spills, leaks or discharges of a dangerous good (from the previous removal to the current). In the event a documented spill has occurred, the Licencee must receive authorization from an Environment Officer 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 disposal. Contaminated liquid shall be treated through an oil-water separator or handled as hazardous waste.
62. The Licencee shall test any liquids that are to be released from the Facility and not directed to wastewater collection systems or other treatment facilities, to determine whether it is a hazardous waste.
63. Any materials or liquids that are determined to be a hazardous waste shall be disposed of at a licenced hazardous waste disposal facility.

**Wastewater**

64. 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.
65. The Licencee shall manage all liquids collected in sumps in a manner approved by the Director.
66. The Licencee shall send for disposal to a licenced hazardous waste disposal facility all wastewater that is hazardous.
67. The Licencee shall not discharge non-hazardous wastewater beyond the property boundaries of the Facility except any discharge which conforms to and is directed to the sanitary sewer system in accordance with the City of Winnipeg Sewer By-Law No. 92/2010, as amended from time to time.

**Solid Waste**

68. The Licencee shall dispose of all non-hazardous solid waste generated or collected at the Facility, which is not recycled, 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**

69. The Licence shall conduct daily inspections of the Facility to confirm 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.
70. The Licencee shall record each inspection required by Clause 69 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.
71. The records of this inspection required by Clause 70 shall be made available to an Environment Officer upon request.

### **Training**

72. 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.
73. The records of the training of Clause 72 shall be made available for inspection by an Environment Officer upon request.

### **Emergency Response**

74. 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.
75. 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.
76. A copy of the emergency response contingency plan shall be made available to an Environment Officer upon request.
77. The Licencee shall review the emergency response contingency plan on an annual basis, as a minimum, and make revisions as required.
78. Within sixty (60) days of the issuance of this Licence, the Licencee shall update and maintain a fire safety plan, which shall be kept at the Facility and made available upon request for inspection by an Environment Officer. The Licencee shall notify the Winnipeg Fire Paramedic Service of the types of activities occurring at the Facility and the availability of a fire safety plan.

### **Annual Reporting**

79. The Licencee shall, on or before the 31st day of March of each year and beginning in 2018, 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**

80. 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.

### **Modifications, Alterations and Decommissioning**

81. The Licencee shall obtain approval, in writing, from the Director for any proposed modifications, alteration or expansion to the Facility which is likely to cause a significant environment effect, before proceeding with the alteration.
82. 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.
83. The Licencee shall, where the investigation referred to in Clause 82 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**

84. 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 86, 87 and 88, of this Licence, relating to the Facility.
85. The Licencee shall provide to the Director satisfactory written evidence of the insurance coverages described in Clauses 86, 87 and 88 of this Licence, on an annual basis.
86. 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.

87. 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.
88. 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. This Licence replaces The Dangerous Goods Handling and Transportation Act Licence No. 211 HW R which is now 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.

  
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Tracey Braun, M.Sc., Director

The Dangerous Goods Handling and Transportation Act

**Client File No.: 5230.00**

**Consignor (Generator) Registration No.: MBG11228**

**Consignee (Receiver) Registration No.: MBR30043**