

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

LICENCE



Licence No. / Licence n°

MBC 00202

Issue Date / Date de deliverance

September 7, 1995

Revised

January 1, 1996

Revised

October 29, 2007

Revised

May 2, 2014

Revised

May 16, 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: / CET LICENCE EST DONNÉ À :

**MILLER ENVIRONMENTAL CORPORATION; “the Licencee”
BOX 279, ST. JEAN-BAPTISTE, MB R0G 2B0**

**OPERATING ADDRESS: NE 02-03-01 E, RM OF MONTCALM, MB and
1803 HEKLA AVENUE, WINNIPEG, MB**

for the transport of following hazardous waste class/type in the Province of Manitoba in accordance with The Dangerous Goods Handling and Transportation Act and subject to the specifications, limits, terms and conditions specified in this licence:

Waste Class 2.1	-	Flammable Gases
Waste Class 2.2	-	Non-Flammable and Non-Toxic Gases
Waste Class 2.3	-	Toxic Gases
Waste Class 3	-	Flammable Liquids
Waste Class 4.1	-	Flammable Solids
Waste Class 4.2	-	Spontaneously Combustible Solids
Waste Class 4.3	-	Solids Dangerous When Wet
Waste Class 5.1	-	Oxidizers
Waste Class 5.2	-	Organic Peroxides
Waste Class 6.1	-	Toxic Substances
Waste Class 6.2	-	Infectious Substances
Waste Class 8	-	Corrosives
Waste Class 9	-	Miscellaneous Products, Substances or Organisms

****A copy of this Licence and supporting documents for the specifications, limits and conditions stated in this Licence shall be kept in each vehicle/trailer ****

DEFINITIONS

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

“contaminant” means a contaminant as defined in The Dangerous Goods Handling and Transportation Act (C.C.S.M. c. D12);

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

“Environment Officer” means an employee so designated pursuant to The Dangerous Goods Handling and Transportation Act (C.C.S.M. c. D12);

“generator” means any person who, by virtue of ownership, operation, management or control causes or allows to cause the creation or storage of hazardous waste;

“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;

“means of containment” means a container or packaging, or any part of a means of transport that is or may be used to contain goods;

“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 (C.C.S.M. c. D12);

“safety mark” means a design, symbol, device, sign, label, placard, letter, word, number or abbreviation, prescribed in the regulations, or any combination of these things, that is to be displayed

- (a) on dangerous goods or containers for dangerous goods, and
- (b) on means of transport used in transporting, offering for transport or otherwise handling dangerous goods, or at facilities used in those activities,

to show the nature of the danger or to indicate compliance with the safety standards prescribed for the containers, the means of transport or the facilities;

“shipping document” means a document, prescribed in the regulations, that relates to dangerous goods that are being transported, offered for transport or otherwise handled and that contains the information relating to the goods required by the Act or the regulations, but does not include an electronic record;

“trailer” means a vehicle designed for carrying persons or chattels, and for being towed by a motor vehicle, and includes a farm trailer but does not include an implement of husbandry that is temporarily towed upon a highway; and

“**vehicle**” means a device, in, upon, or by which a person or thing is or may be transported or drawn upon a highway but does not include

- (a) a device designed to be moved solely by human muscular power or used exclusively upon stationary rails or tracks, or
- (b) a motorized mobility aid.

GENERAL TERMS AND CONDITIONS

1. The Licencee shall provide to the Director, upon request, all information required under this Licence, in writing and in such form and content (including number of copies), as may be specified by the Director, and each submission shall be clearly labeled with the Licence Number associated with this Licence.
2. The terms or conditions of this Licence are severable. If any term or condition of this Licence, or the application thereof, to any circumstance is held invalid, the application of such term or condition to other circumstances and the remainder of this Licence shall not be affected thereby.

SPECIFICATIONS, LIMITS AND CONDITIONS

3. The Licencee shall not transport any hazardous waste other than waste that the Licencee is hereby authorized to transport.

Respecting Training

4. The Licencee shall train all drivers transporting hazardous waste in the transportation of dangerous goods, as required by The Dangerous Goods Handling and Transportation Act and Regulations thereunder.

Respecting Documents

5. The Licencee shall comply with the applicable manifest requirements (and/or any other shipping document requirements) specified by The Dangerous Goods Handling and Transportation Act and Regulations thereunder.

Respecting Hazardous Waste Acceptance

6. The Licencee shall accept hazardous waste only from generators that are registered in accordance with The Dangerous Goods Handling and Transportation Act and Regulations thereunder.

Respecting Hazardous Waste Delivery

7. The Licencee shall transport hazardous waste only to:
 - a) hazardous waste disposal facilities licensed in accordance with The Dangerous Goods Handling and Transportation Act; or
 - b) facilities approved under an approval of similar type in another jurisdiction; or
 - c) facilities otherwise approved by the Director pursuant to an Order.

Respecting Safety Marks

8. All vehicles when transporting hazardous waste, shall display all safety marks as required by The Dangerous Goods Handling and Transportation Act and Regulations thereunder.

Respecting Safety Equipment

9. The Licencee shall always maintain and make available adequate safety equipment and supplies for the handling of the hazardous waste and for responding to any emergency that may arise.

Respecting Vehicle Safety Standards

10. All vehicles used to transport hazardous wastes shall meet the current safety standards as required by The Dangerous Goods Handling and Transportation Act and Regulations thereunder.

Respecting Means of Containment

11. Licencee shall transport hazardous waste using the means of containment that is appropriate for that particular hazardous waste or wastes.

Respecting Liquid Hazardous Waste

12. Any vehicle used to transport liquid hazardous waste in a means of containment that is not dedicated for a particular type of hazardous waste shall be cleaned and purged in order to prevent contact with incompatible hazardous wastes.

Respecting Hazardous Waste in Drums

13. All vehicles used to transport hazardous waste using drums as a means of containment must have equipment to secure the drums from moving horizontally, and such equipment shall be employed at all times.

Respecting Parking of Vehicle Laden with Hazardous Waste

14. Any vehicle laden with hazardous waste is not permitted to be parked, stopped or rendered immobile except for the following purposes:
 - a) loading and unloading hazardous waste onto or from the vehicle;
 - b) to report, contain or clean-up a release, leak or spill of hazardous waste;
 - c) for the purposes of safety;
 - d) due to mechanical failure or an accident of the vehicle;
 - e) to refuel;
 - f) to comply with requirements of a legislation;
 - g) a break for the driver that may not exceed forty-five (45) minutes.
15. The Licencee shall maintain safety equipment and supplies to respond to any emergency that may arise during the parking exemptions listed in clause 14 above.

Respecting Inspection of Vehicle

16. During transport, any vehicle laden with hazardous waste must be inspected every two (2) hours or every two hundred (200) kilometers whichever occurs first.
17. The Licencee shall keep a log detailing the actions taken in clause 16 above, detailing the date and who performed the inspection. This log shall be available for inspection by an Environment Officer upon request.

Respecting Communication Equipment

18. All vehicles used to transport hazardous waste shall be supplied with communication equipment which shall be maintained in proper working order for the use in an event of an emergency.

Respecting Transportation Route

19. The Licencee shall use the most direct, practical route to points of hazardous waste pick-up and/or delivery.

Respecting Vehicle Breakdown

20. The vehicle may not be left unattended in the event of a vehicle breakdown, except for the purpose of driver safety.

Respecting Waste Transported in Covered Vehicle

21. All wastes shall be transported in a covered vehicle or in such a manner that prevents wastes from escaping from the vehicle.

Respecting Spills

22. The Licencee shall, in the event of a release, spill, leak or discharge of a contaminant in an amount or concentration, or at a level or rate of release, that exceeds the limit that is expressly provided under The Dangerous Goods Handling and Transportation Act or in regulation, immediately report the release, spill, leak or discharge by calling 204-944-4888 or 1-855-944-4888. The report shall indicate the nature of the release, leak, spill or discharge, the time and estimated duration of the event and the reason for the release, spill leak or discharge.

Respecting Emergency Response Planning

23. The Licencee shall prepare and maintain an emergency response contingency plan acceptable to the Director for implementation in the event of any spill, release, discharge or escape of hazardous waste being handled or transported by the Licencee.

Respecting Changes to Equipment

24. The Licencee shall report to Manitoba Sustainable Development any addition, deletion or other change to the fleet of vehicles, trailers and equipment used to transport hazardous waste on a semi-annual basis.

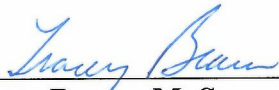
Respecting Insurance Requirement

25. The Licencee shall:
- a) maintain throughout the term of the Licence automobile public liability and public liability and property damage liability insurance in the minimum amount of two million dollars (\$2,000,000) on all licensed vehicles/trailers owned and/or operated by the Licencee;
 - b) submit to Manitoba Sustainable Development certificates evidencing said insurance policies within 60 days of the date of this Licence.
26. The Licencee shall, pursuant to a request from the Director, provide evidence of financial responsibility in the form of insurance or an indemnity bond, or in any other form satisfactory to the Director.

REVIEW AND REVOCATION

- A. This Licence replaces The Dangerous Goods Handling and Transportation Act Licence of the same number (MBC00202) dated May 2, 2014 which is now hereby rescinded.
- B. In all matters requiring the interpretation and implementation of this Licence, the Licence shall take precedence, followed in descending order by the Licencee's application proper, and the documentation submitted in support of the application.
- C. 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 License, the Director may, temporarily or permanently, revoke this License.
- D. 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 information pursuant to Section 11(1) of The Dangerous Goods Handling and Transportation Act.

Dated Issued: May 16, 2017



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