

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



# LICENCE

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Licence No./Licence n° 205 HW

Issue Date/Date de délivrance : January 15, 2007

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:**

**KENDALL GOOSSEN operating as KENDAULA ENTERPRISE; "the Licencee"**

for the construction and operation of a used oil products and material and waste battery collection facility ("the facility") located at NE ¼ 28-5-1 EPM, in the Rural Municipality of Morris, and in accordance with the Application filed under The Dangerous Goods Handling and Transportation Act dated July 12, 2006 and the additional information received on October 31, 2006, and subject to the following specifications, limits, terms and conditions:

**DEFINITIONS**

In this Licence,

**"accredited laboratory"** means an analytical facility accredited by the Standard Council of Canada (SCC), or accredited by another accrediting agency recognized by Manitoba Conservation to be equivalent to the SCC, or be able to demonstrate, upon request, that it has the quality assurance/quality control (QA/QC) procedures in place equivalent to accreditation based on the international standard ISO/IEC 17025, or otherwise approved by the Director;

**"contaminant"** means any solid, liquid, gas, waste, radiation or any combination thereof that is foreign to or in excess of the natural constituents of the environment and:

- a. that affects the natural, physical, chemical or biological quality of the environment; or
- b. that is or is likely to be injurious or damaging to the health or safety of a person;

**"Director"** means an employee of the department who has been designated or appointed by the Minister;

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

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**"Environment Officer"** means a department employee designated or appointed under Section 6 of The Dangerous Goods Handling and Transportation Act;

**"licenced carrier"** means a person who has a valid licence to transport hazardous waste pursuant to Manitoba Regulation 175/87, as amended from time to time, under The Dangerous Goods Handling and Transportation Act (C.C.S.M. c. D12);

**"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;

**"operator"** means a person who is responsible for the day-to-day maintenance and operation of the facility;

**"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 175/87, as amended from time to time, under The Dangerous Goods Handling and Transportation Act (C.C.S.M. c. D12);

**"used oil"** means oil that through use, storage, handling, defect, damage, expiry of shelf life 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; and

**"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.

### **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.

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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, upon the request of the Director and in addition to any of the specifications, limits, terms or conditions specified in this Licence:
  - a) sample, monitor, analyze and/or investigate specific areas of concern regarding any segment, component or aspect of contaminant storage, containment, treatment, handling, disposal or emission systems, for such contaminants or ambient quality, aquatic toxicity, leachate characteristics and discharge or emission rates, for such duration and at such frequencies as may be specified;
  - b) determine the environmental impact associated with the release of any contaminants from the said facility; or
  - c) 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.
3. The Licencee shall, unless otherwise specified in this Licence:
  - a) carry out all sampling of, and preservation and analyses on, water, soil or air samples in accordance with methodologies approved in writing by the Director;
  - b) certify that all analytical determinations are undertaken by an accredited laboratory; and
  - c) report the results to the Director within 60 days of the samples being taken.
4. 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.
5. 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.

**SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS**

**Respecting Facility Operation**

6. The Licencee shall not receive hazardous waste other than used oil products and material and waste batteries at the facility.
7. The Licencee shall not receive used oil products and material and waste batteries at the facility from commercial or industrial generators that are not registered generators.
8. The Licencee shall transport hazardous waste to or from the facility only when the hazardous waste is accompanied by a hazardous waste manifest, or a dangerous goods shipping document, as appropriate.
9. The Licencee shall use only licenced carriers to transport hazardous wastes to or from the facility.
10. The Licencee shall transport all used oil received at the facility to a recycling or disposal 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.
11. The Licencee shall keep records, including but not limited to tank collection logs, used oil filter logs, used oil container logs, waste battery receipt logs, manifests, shipping documents, sample analyses, and spill reports, and on request, make the records available for inspection by an Environment Officer.
12. The Licencee shall, unless otherwise specified by this Licence, retain all records 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.

**Respecting Used Oil Products and Material**

**Respecting Used Oil**

13. The Licencee shall only have storage tanks for used oil as referred to in the Application dated July 12, 2006, to collect used oil at the facility.
14. The Licencee shall inspect all storage tanks weekly in order that any leakage from a tank into the secondary containment system is detected. Records of these inspections shall be made available to an Environment Officer upon request.
15. The Licencee shall not accept at the facility any used oil that is deemed to be contaminated and any oil that appears to be contaminated is to be returned to the person who previously possessed the used oil.
16. The Licencee shall equip the area where used oil is transferred from the container to the storage tank with a containment system that is capable of containing 110 % of the volume of used oil being transferred.
17. The Licencee shall design all areas where vehicles may be parked during the transfer of used oil between the used oil transportation truck and the used oil storage tank so that any spillage is contained and delivery hoses and lines are allowed to be drained before they are disconnected.
18. The Licencee shall require that the operator visually inspects each container of used oil and determines whether there is any obvious contamination of the used oil by organic solvents.
19. The Licencee shall have the operator representatively sample each full tank of collected used oil. The operator shall retain the sample until verification of destruction or recycling of the oil is received.
20. The Licencee shall, upon the request of the Director, have the sample of used oil referred to in Clause 19, of this Licence, analyzed by an accredited laboratory for parameters specified by the Director.
21. The Licencee shall forward reports containing the information prescribed in Clause 20, of this Licence, to the Director within 30 days of a request by the Director for the information.

**Respecting Used Oil Filters**

22. The Licencee shall store used oil filters received at the facility in drums that have a maximum capacity of 205 liters and are designed so that they will contain any used oil which may drain from the filters.
23. The Licencee shall store the drums for used oil filters referred to in Clause 22, of this Licence, in a manner which provides protection from precipitation.
24. The Licencee shall:
  - a) puncture and drain all used oil filters for a 24-hour period; and
  - b) crush all used oil filters to a minimum of 75% volume compaction.
25. The Licencee shall keep a record of the manifests regarding the quantity (in kilograms) of used oil filters received at the facility.
26. The Licencee shall keep a record of the weigh scale tickets regarding the quantity (in kilograms) of used oil filters processed at the facility.
27. The Licencee shall make available the records referred to in Clauses 25 and 26, of this Licence, for inspection by an Environment Officer upon request.

**Respecting Used Oil Containers**

28. The Licencee shall construct the used oil container containment area of cement or metal so that it is capable of containing any used oil spills that may occur from the storage of the used oil containers.
29. The Licencee shall store used oil containers received at the facility in drums that have a maximum capacity of 205 liters and are designed so that they will contain any used oil which may drain from the containers.
30. The Licencee shall store the drums for used oil containers referred to in Clause 29, of this Licence, in a manner which provides protection from precipitation.
31. The Licencee shall keep the used oil container containment area clean of any spilled used oil so that rain water that may collect in the area is not contaminated and can be safely discharged.

32. The Licencee shall keep a log regarding the daily quantity (in kilograms) of used oil containers received at the facility.
33. The Licencee shall make available a summary of the record referred to in Clause 32, of this Licence, for inspection by an Environment Officer upon request.

### **Respecting Waste Batteries**

34. The Licencee shall initiate and maintain a record for all waste batteries received at the facility. The record shall contain, for each day that waste batteries are received the:
  - a) date of receipt;
  - b) name and address of the carrier;
  - c) quantity of batteries received;
  - d) source of the batteries; and
  - e) the Manitoba Generator Registration Number for each source of waste batteries, where applicable.
35. The Licencee shall, unless otherwise specified by this Licence, retain all records 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.
36. The Licencee shall make available for inspection by an Environment Officer upon request a summary of the record referred to in Clause 34 of this Licence.
37. The Licencee shall arrange for all waste batteries received at the facility to be transported within 90 days to a recycling or disposal 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.
38. The Licencee shall store the waste batteries at least 20 feet distance from any ports or drains in the storage areas of the facility that lead directly or indirectly to a sewer system so that a spill or leak of acid will not enter into the sewer system.

39. The Licencee shall store the waste batteries in an area where the floor is resistant to acid.
40. The Licencee shall store the waste batteries on pallets with a minimum of two layers of corrugated cardboard, or other material which will prevent casing ruptures, placed between successive layers of waste batteries.
41. 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.
42. The Licencee shall not allow the inventory of waste batteries at the facility to exceed 500 waste batteries at any one time.

#### **Respecting Training**

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

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

#### **Respecting Spills**

44. The Licencee shall immediately report all spills of used oil in excess of 100 litres at the facility to the 24 hour emergency response line at Manitoba Conservation at (204) 944-4888. A written report concerning the spill and the actions taken shall be forwarded to the Director within 7 days of the occurrence of the spill.
45. The Licencee shall report within one working day all spills of used oil in excess of 5 litres but less than 100 litres at the facility to the Winkler office of Manitoba Conservation at (204) 325-1750. A written report concerning the spill and the actions taken shall be forwarded to the Director within 7 days of the occurrence of the spill.



46. The Licencee shall properly equip the facility with spill cleanup equipment and supplies.
47. 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 contain the spill, manage the impacted environment and to restore the environment to the satisfaction of the Director.

**Respecting Alterations and Decommissioning**

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

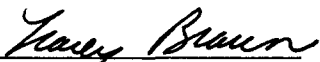
**Respecting Emergency Response**

51. The Licencee shall provide to the Director, within 30 days of the issuance of this Licence, a current contingency plan consistent with Manitoba Industrial Accidents Council (MIAC) Industrial Emergency Response Planning Guide, outlining procedures to be used in the event of a leak, spill, fire or other hazardous condition at the facility.

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**REVIEW AND REVOCATION**

- A. If, in the opinion of the Director, the Licencee has exceeded or is exceeding or has 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.

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

**Client File No.: 5242.00**

**Consignor Registration No. MB G11111**  
**Consignee Registration No. MB R30041**