

Environmental Stewardship Division  
Environmental Approvals Branch  
123 Main Street, Suite 160, Winnipeg, Manitoba R3C 1A5  
T 204 945-8321 F 204 945-5229  
www.gov.mb.ca/conservation/eal

**CLIENT FILE NO.: 4487.00**

November 16, 2016

Crystal Heinrichs  
City of Winkler  
185 Main Street  
Winkler MB R6W 1B4

Dear Ms. Heinrichs:

Enclosed is **revised Licence No. 98 HW RR** issued to the **City of Winkler** for the continued operation of a used oil products and materials and household hazardous waste collection depot (the Facility) at 345 1<sup>ST</sup> Street in the City of Winkler, Manitoba, in accordance with the Application filed under *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 Tyler Kneeshaw, Environment Officer at 204-239-3608.

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,

***“original signed by”***

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

c: D. Labossiere, D. Smiley, T. Kneeshaw, - Environmental Compliance and Enforcement  
Public Registries

**NOTE:** Confirmation of Receipt of this Licence No. 98 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 November 30, 2016

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On behalf of the City of Winkler

Date

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



# LICENCE

Licence No./Licence n° 98 HW RR  
Issue Date/Date de délivrance December 13, 1999  
Revised : October 26, 2015  
Revised : November 16, 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:**

**CITY OF WINKLER;**  
**"the Licencee"**

for the continued operation of a used oil products and materials and household hazardous waste collection depot (the Facility) at 345 1<sup>ST</sup> Street in the City of Winkler, Manitoba, in accordance with the Application filed under *The Dangerous Goods Handling and Transportation Act* on October 27, 1999 and subsequent revised amended proposal and additional information dated August 28, 2015, and August 24, 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;

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

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

**"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;

**"Director"** means the Director appointed under the Act;

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

**"Environment Officer"** means an Environment Officer appointed under the Act;

**"hazardous waste"** means a product, substance or organism as defined in *The Dangerous Goods Handling and Transportation Act*, or any amendments thereto;

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

**"Manitoba Household Hazardous Waste Stewardship Program"** means the program proposed by the Product Care Association and approved by the Director which provides consumers in Manitoba with a collection system for specified household hazardous waste materials using the services of qualified recycling collection facilities;

**"Manitoba Product Care Collection Site Guidelines"** means the document "Manitoba Collection Site Guidelines – HHW Collection Sites" dated 2014, and as updated by the Stewardship Program from time to time. This contains practical guidance and best management practices for collection site operators regarding staff handling and storing of program products and non-program products collected under the Manitoba Household Hazardous Waste Stewardship program;

**"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;

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

**"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;

**"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;

**"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;

**"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; and

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

## **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 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**

3. In addition to any of the terms or conditions specified in this Licence, the Licencee shall, upon the request of the Director:
  - a) sample, monitor, analyze and/or investigate specific areas of concern regarding any segment, component or aspect of contaminant storage, containment, treatment, handling, disposal or emission systems, for such contaminants or ambient quality, aquatic toxicity, leachate characteristics and discharge or emission rates, for such duration and at such frequencies as may be specified;
  - b) determine the environmental impact associated with the release of any contaminant(s) from the Facility; or
  - 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**

4. 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, water, soil, and 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 format acceptable to the Director, within 60 days of the samples being taken.

### **Records**

5. The Licencee shall, unless otherwise specified by this Licence, retain all records relating to this licence during the full life of operation of the Facility, and after closure, for such period of time as may be specified by the Director. Records may be transferred from their original form to other accepted forms for information storage. These records shall be made available to an Environment Officer upon request.

### **Reporting Format**

6. 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 required by the Director or Environment Officer, and each submission shall be clearly labeled with the Licence Number and Client File Number associated with this Licence.
7. The Licencee shall carry out, as deemed necessary by the Director, any remedial measures or modifications in respect to matters authorized under this Licence.

### **Fire Reporting**

8. 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 Development (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.

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

### **Facility Operations**

9. The Licencee shall operate the Facility in accordance with the Application submitted on October 27, 1999 and subsequent amended proposal and additional information dated August 28, 2015 and August 24, 2016.
10. The Licencee shall not receive at the Facility any hazardous waste other than used oil products and materials and household hazardous wastes that are identified as program materials and non-program materials under the Manitoba Household Hazardous Waste Stewardship Program.
11. The Licencee shall not store household hazardous wastes or dangerous goods outside the storage structure of the Facility other than for purposes of handling during receiving or shipping operations.

12. 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.
  
13. The Licencee shall store hazardous waste:
  - a) in single pallet rows not more than 2 drum heights or 240 centimetres in height; and
  - b) with a minimum aisle width between rows of 1 metre.
  
14. The Licencee shall:
  - a) maintain the Facility in a condition capable of retaining any spillage which may occur. Floor drains or catch basins are not permitted in the storage area unless they are connected to an on-site holding tank or sump; and
  - b) manage all liquids collected in holding tanks or sumps in a manner approved by the Director.
  
15. The Licencee shall inspect the Facility on a daily basis and properly manage any unauthorized materials found at the Facility by securely storing or removing them from the Facility.
  
16. The Licencee shall lock the Facility in a manner that prevents unauthorized delivery of household hazardous waste when the trained personnel are not present at the Facility.
  
17. 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; and
  - c) Manitoba Office of the Fire Commissioner.

### **Signage**

18. The Licencee shall post:
  - a) legible, weatherproof signs at the entrance to the Facility identifying the area as a used oil products and materials and household hazardous waste collection facility; and
  - b) the hours of operation, a contact number and a warning not to leave hazardous waste at the Facility when the trained personnel are not available to accept delivery.

**Material Transport**

19. 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.
20. The Licencee shall use only licenced carriers to transport hazardous wastes from the Facility.
21. The hazardous waste transported from the facility shall be accompanied by a hazardous waste manifest or a dangerous goods shipping document, as appropriate.

**Used Oil Products and Material Depot - Used Oil**

22. The Licencee shall not store more than 4500 liters of used oil at the Facility at any one time.
23. The Licencee shall only store used oil in the storage tank that is identified in the Application submitted on October 27, 1999.
24. The Licencee shall equip the used oil storage area with a containment system that is capable of containing 110 % of the volume of used oil being stored.
25. The Licencee shall inspect the storage tank weekly in order that any leakage from the tank into the secondary containment system is detected. Records of these inspections shall be made available to an Environment Officer upon request.
26. The Licencee shall, when the operator or other trained personnel is not present at the depot, close the depot in a manner that prevents unauthorized delivery of used oil products and materials into the depot.
27. The Licencee shall not receive at the depot used oil from commercial/industrial generators who are not registered generators.
28. The Licencee shall allow only the operator or other trained personnel employed by the Licencee to transfer used oil into the collection tank.
29. The Licencee shall visually inspect (for contamination) each individual container of used oil that is collected at the Facility before the contents are transferred to the collection tank.
30. The used oil that is deemed to be contaminated shall be segregated and disposed of at 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.



31. The Licencee shall, whenever used oils 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 liquid can be immediately shut off.
32. The Licencee shall initiate and keep available at the Facility for inspection by an Environment Officer a written record containing the following information:
  - a) record for all used oil received at the Facility. The record shall contain, for each day that used oil is received,
    - i) the date and time of receipt of used oil;
    - ii) for commercial carriers, the registration number or Provincial ID number of the carrier;
    - iii) for commercial / industrial generators, the registration number or Provincial ID number of the generator; and
    - iv) the quantity of used oil received; and
  - b) record for all used oil transferred from the Facility. The record shall contain, for each day that used oil is transferred,
    - i) the date and time of transfer of used oil;
    - ii) the registration number or Provincial ID number of the carrier;
    - iii) the registration number or Provincial ID number of the receiver; and
    - iv) the quantity of used oil transferred.

#### **Used Oil Products and Material Depot - Used Oil Filters**

33. The Licencee shall store the used oil filters that are received at the depot in containers that have a maximum capacity of 205 liters and are designed such that they will contain any used oil which may drain from the filters.
34. The Licencee shall store the drums for oil filters referred to in Clause 33 in a manner which:
  - a) is safe and secure; and
  - b) prevents infiltration from precipitation.
35. The Licencee shall initiate and keep available at the Facility for inspection by an Environment Officer a written record containing the following information:
  - a) a record for all used oil filters at the facility. The record shall contain:
    - i) the date and time of receipt of used oil filters;
    - ii) for commercial carriers, the registration number or Provincial ID number of the carrier;
    - iii) for commercial / industrial generators, the registration number or Provincial ID number of the generator; and
    - iv) the quantity of used oil filters received; and
  - b) record for all used oil filters transferred from the facility. The record shall contain:
    - i) the date and time of transfer of used oil filters;
    - ii) the registration number or Provincial ID number of the carrier;

- iii) the registration number or Provincial ID number of the receiver; and
- iv) the quantity of used oil filters transferred.

### **Manitoba Household Hazardous Waste Stewardship Program Materials**

36. The Licencee shall receive and store household hazardous wastes that are identified as program materials and non-program materials under the Manitoba Household Hazardous Waste Stewardship Program in accordance with the most current version of the Manitoba Product Care Collection Site Guidelines and this Licence.
37. The Licencee shall transport all household hazardous wastes received at the Facility within 180 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. The 180 day period will commence on the date the container reaches design capacity.

### **Air Emissions**

38. 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 require to eliminate or mitigate an odour nuisance.

### **Spills**

39. The Licencee shall, in the case of physical or mechanical equipment breakdown or process upset where such breakdown or process upset results or may result in the release of a contaminant in an amount or concentration, or at a level or rate of release, that causes or may cause a significant adverse effect, immediately report the event by calling the 24-hour environmental accident reporting line at 204-944-4888 (toll-free 1-855-944-4888). The report shall indicate the nature of the event, the time and estimated duration of the event and the reason for the event.
40. The Licencee shall, following the reporting of an event pursuant to Clause 39,
- a) identify the repairs required to the mechanical equipment;
  - b) undertake all repairs to minimize unauthorized discharges of a contaminant;
  - c) complete the repairs in accordance with any written instructions of the Director; and
  - d) submit a report to the Director about the causes of breakdown and measures taken, within one week of the repairs being done.
41. If any hazardous waste container leaks, cracks or otherwise causes a spill during loading or unloading, the Licencee shall take action to promptly clean up the spill or leakage and repackage the waste. 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.

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

### **Facility Inspection**

43. The Licencee shall conduct regular inspections of the Facility to ensure that all pieces of equipment and the storage and treatment operations are operated in a manner that will not negatively impact the environment. Any deficiencies detected during these regular inspections, that might negatively impact the environment shall be promptly corrected. The inspection must include, as applicable, an observation of the following:
- a) the condition of every hazardous waste container and all piping and ancillary equipment;
  - b) the condition of the secondary containment system and of any other mechanism that prevents the release of hazardous waste; 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.
44. The Licencee shall record each inspection required by Clause 43 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.

### **Emergency Response**

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

### **Trained Personnel**

48. The Licencee shall ensure that all persons who will be assigned duties at the Facility will receive training in:
- a. the Transportation of Dangerous Goods Regulations; and
  - b. the procedures pertaining to the operation of the Facility.
49. The Licencee shall ensure trained personnel are on site at all times when the Facility is open to receive used oil products and materials or household hazardous wastes.

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

50. 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.

### **Insurance and Financial Assurance**

51. The Licencee shall maintain throughout the term of this License the following:

- a) \$50,000.00 Property Insurance;
- b) \$5,000,000.00 General Comprehensive Liability Insurance; and
- c) \$250,000.00 Environmental Impairment Liability Insurance.

52. 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.

### **Alterations and Decommissioning**

53. The Licencee shall obtain approval in writing from the Director for any proposed alteration to the Facility before proceeding with the alteration.

54. The Licencee shall, in the event that the Facility is to be permanently closed or is offered for sale, conduct an investigation, to the satisfaction of the Director, to identify any contamination which may have resulted from the operation of the Facility.

55. The Licencee shall, where the investigation referred to in Clause 54 of this Licence shows that contamination of the environment has occurred, submit a remediation proposal to the Director and upon approval of this proposal by the Director carry out the required remediation.

**REVIEW AND REVOCATION**

- A. This Licence replaces *The Dangerous Goods Handling and Transportation Act* Licence No. 98 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*.

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

**Client File No.: 4487.00**

**Consignor (Generator) Registration No.: MBG05874**  
**Consignee (Receiver) Registration No.: MBR05875**