

# LICENCE

Licence No./Licence n° 179 HW

Issue Date/Date de délivrance April 21, 2004

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 ORDRE EST DONNÉ À :

**The Town of Birtle; "the Licencee"**

for the construction and operation of a used oil collection facility ("the facility") located at the Birtle Waste Disposal Site situated in NE 01-17-27 WPM, Town of Birtle, Province of Manitoba in accordance with the Application filed under The Dangerous Goods Handling and Transportation Act on November 7, 2003 and subject to the following specifications, limits, terms and conditions:

## **DEFINITIONS**

In this Licence,

**"accredited laboratory"** means a laboratory that is accredited as per Manitoba Conservation's Information Bulletin respecting "Policy on Accredited Laboratories";

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

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

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

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

**"registered generator"** means a person who is registered as a hazardous waste generator pursuant to Manitoba Regulation 175/87 under The Dangerous Goods Handling and Transportation Act;

**"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; and

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

**\*\* A COPY OF THIS LICENCE MUST BE KEPT ON SITE AT THE FACILITY \*\***

## **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.

### **Facility Specifications**

1. The Licencee shall ensure that only the EcoCentre building having a storage tank with a capacity of 4500 litres, and meeting specifications submitted by the Manitoba Association For Resource Recovery Corporation, is utilized to collect used oil at the facility.
2. The EcoCentre referred to in Clause 1 shall be situated on an impervious surface which, at minimum, would be 152 millimetres of compacted clay.
3. The Licencee shall ensure that a loading area is provided immediately adjacent to the storage tank that:
  - a) is properly sized and graded; and
  - b) made of an impermeable material acceptable to an Environment Officer.
4. The Licencee shall ensure that:
  - a) legible, weatherproof signs are posted at the entrance to the facility identifying the area as a used oil collection facility; and
  - b) the signs indicate the hours of operation, a contact number and a warning not to leave used oil products and material at the facility when the operator or other trained personnel is not available to accept delivery.
5. A copy of this Licence shall be kept on site at the facility and be available at all times at the request of an Environment Officer.

### **Trained Personnel**

6. 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.
7. The Licencee shall ensure that trained personnel are on site at all times when the facility is open to receive used oil products and material.
  8. The Licencee shall ensure that when the operator or other trained personnel is not present at the facility, the facility is locked in a manner that prevents unauthorized delivery of used oil into the collection tank.

### **Incoming Used Oil**

9. The Licencee shall ensure that only used oil products and material are received at the facility.
10. The Licencee shall ensure that the facility does not receive used oil products and material from commercial/industrial generators that are not registered generators.
11. The Licencee shall ensure that only the operator or other trained personnel employed by the Licencee shall transfer used oil into the collection tank.
12. The Licencee shall ensure that the operator visually inspects (for contamination) each individual container of used oil that is collected at the facility before the contents are transferred to the collection tank.
13. The Licencee shall ensure that any used oil that is deemed to be contaminated is not accepted at the facility and may be returned to the person who previously possessed the used oil.
14. The Licencee shall maintain, for each tank in the process of being filled, a tank collection log containing at minimum:
  - a) date of receipt;
  - b) name and address (or vehicle licence number) of the person who delivered the oil;
  - c) quantity of oil received;
  - d) signature of the person who delivered the oil; and
  - e) for commercial/industrial generators, the Manitoba Generator Registration Number.

### **Outgoing Used Oil**

15. The Licencee shall ensure that the operator obtains a representative sample of each full tank of collected used oil. The operator shall retain the sample until verification of destruction or recycling of the oil is received.
16. The Licencee shall, upon the request of the Director, have the sample of used oil referred to in Clause 15 analyzed by an accredited laboratory.
17. The Licencee shall ensure that each transport of used oil from the facility is accompanied by a hazardous waste manifest, or a dangerous goods shipping document, as appropriate.
18. The Licencee shall ensure that only licenced hazardous waste carriers are consigned to transport used oil from the facility.
19. The Licencee shall ensure that a written agreement is in place with a licenced hazardous waste carrier at all times during the lifetime of the facility.

### **Spills**

20. The Licencee shall ensure that the facility is properly equipped with spill cleanup equipment and supplies.
21. The Licencee shall ensure that all spills of used oil in a quantity of 100 litres or greater at the facility are reported immediately to Manitoba Conservation at (204) 945-4888.
22. The Licencee shall ensure that all spills of used oil in excess of 5 litres but less than 100 litres at the facility are reported within one working day to the Regional Office of Manitoba Conservation (Western Region, Brandon Office) at (204) 726-6566.

### **Retention of Records**

23. The Licencee shall ensure that all records including, but not limited to, tank collection logs, manifests, shipping documents, sample analyses, and spill reports are to be kept for a minimum period of two years and are available for inspection by an Environment Officer.

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

### **Contingency Plan**

24. The Licencee shall ensure that, within 60 days of the issuance of this Licence, the Director is provided with a contingency plan outlining procedures to be used in the event of a leak, spill, fire or other hazardous condition at the facility.

### **Insurance and Financial Assurance**

25. The Licencee shall maintain throughout the term of this Licence:
- a) \$50,000.00 Property Insurance;
  - b) \$5,000,000.00 General Comprehensive Liability Insurance; and
  - c) \$250,000.00 Environmental Impairment Liability Insurance.
26. 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 Licence, 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**

27. The Licencee shall ensure that approval is obtained in writing from the Director for any proposed alteration to the facility before proceeding with the alteration.
28. The Licencee shall, in the event that the facility is permanently closed and at the request of the Director, conduct an investigation in accordance with the provincial "Guideline for Environmental Site Investigations in Manitoba" to identify any contamination which may have resulted from the operation of the facility.

29. The Licencee shall, where the investigation referred to in Clause 28 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. If, in the opinion of the Director, the Licencee has exceeded, or is exceeding, or has failed, or is failing to meet the specifications, limits, terms, or conditions set out in this Licence, the Director may, temporarily or permanently, revoke this Licence.
- B. If the construction of the facility has not commenced within three years of the date of this Licence, the Licence is revoked.
- 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.
- D. This Licence shall be reviewed by the Director five years from the issue date of the Licence.

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**Bruce Wright**  
**Acting Director**  
**Western Region**

Client File No.: 4994.00

Provincial ID No. as Consignor of hazardous waste: MBG10214

Provincial ID No. as Consignee of hazardous waste: MBR30014