



Sustainable Development

Environmental Stewardship Division
Environmental Approvals Branch
1007 Century Street, Winnipeg, Manitoba R3H 0W4
T 204 945-8321 F 204 945-5229

CLIENT FILE NO.: 5843.00

March 6, 2019

Lynne Chapellaz-Krantz, A/CAO
Rural Municipality of St. Francois Xavier
1060 Hwy 26
St. Francois Xavier MB R4L 1A5

Dear Ms. Chapellaz-Krantz:

Enclosed is **Licence No. 301 HW R**, issued to the **RM of St. François-Xavier** for the operation of a used oil products and hazardous waste collection, storage and transfer depot located at the St. François Xavier Transfer Station, 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.

If you require further information regarding this matter, please contact Nada.Suresh at 204-945-8214 or Nada.Suresh@gov.mb.ca

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: Don Labossiere/Yvonne Hawryliuk/Nada Suresh: Environmental Compliance and Enforcement
Andrea Bergman: Environmental Approvals
Public Registries

NOTE: Confirmation of receipt of Licence No. 301 HW R (by the Licensee only) is required by the Director of Environmental Approvals. Please acknowledge receipt by signing in the space below and email a copy of this letter to andrea.bergman@gov.mb.ca by March 20, 2019.

On behalf of the RM of St. François-Xavier

Date

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

LICENCE

Licence No./Licence n^o: 301 HW R
Issue Date/Date de délivrance: January 6, 2017
Revised: March 6, 2019

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:

RURAL MUNICIPALITY OF ST. FRANÇOIS XAVIER;
"the Licence"

for the operation of a used oil products and hazardous waste collection, storage and transfer depot (the Facility) located at the St. François Xavier Transfer Station, located on River Lot 183 in the Parish of St. François Xavier in the Rural Municipality of St. François Xavier, Manitoba in accordance with the application filed pursuant to The Dangerous Goods Handling and Transportation Act dated April 7, 2016 and the additional information provided May 4, 2016 and the amendment proposal dated January 30, 2019 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;

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

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

"container" means a container with a capacity of less than 30 litres that is manufactured for the purpose of holding oil or in which oil is supplied;

"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;

"depot" means the used oil products and material depot used to store 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;

"Environment Officer" means an employee so designated pursuant to The Dangerous Goods Handling and Transportation Act;

"hazardous waste" means a product, substance or organism as defined in The Dangerous Goods Handling and Transportation Act, as amended from time to time;

"licensed 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;

"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;

"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 twelve (12) months or more;

"Product Care Manitoba Collection Site Guidelines" means the document "The Product Care Association Manitoba Household Hazardous Waste Collection Site Guidelines" dated 2018, 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 collected under the Manitoba Household Hazardous Waste Stewardship program;

"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;

"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 automotive 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 designate an employee, within sixty (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 fourteen (14) days of the appointment and any subsequent appointment.

Sampling Methods

3. 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, compost 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 sixty (60) days of the samples being taken, or within another time frame as specified by the Director.

Remedial Measures

4. 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.

Fire Reporting

5. 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 Environmental Emergency Report Line (204) 944-4888 (toll free 1-855-944-4888), identifying the type of materials involved and the location of the fire.

Trained Personnel

6. 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.
7. The records of the training of Clause 6 shall be made available for inspection by an Environment Officer upon request.
8. The trained personnel shall be on site at all times when the Facility is open to receive waste or materials.

Facility Access

9. The Licencee shall lock the Facility in a manner that prevents unauthorized delivery of hazardous waste when the trained personnel are not present at the Facility.

Signage

10. The Licencee shall post legible, weatherproof signs at the entrance to the Facility identifying the area as a hazardous waste collection facility; and the signs shall indicate 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.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

Manitoba Household Hazardous Waste Stewardship Program Materials

11. 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.

Non-Program Household Hazardous Waste

12. The household hazardous waste that is deemed to be non-program waste 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.

Facility Operations

13. The Licencee shall not receive at the Facility any hazardous waste other than the types of household hazardous wastes listed in Schedule A of this Licence.
14. The Licencee shall comply with all the applicable requirements of:
 - a) Manitoba Regulation 188/2001, or any future amendment thereof, respecting the Storage and Handling of Petroleum Products and Allied Products;
 - b) Manitoba Regulation 195/2015, or any future amendments thereof, respecting Hazardous Waste; and
 - c) Manitoba Office of the Fire Commissioner.

Hazardous Waste Storage

15. 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.
16. The Licencee shall not store household hazardous wastes outside the storage structure or depot of the Facility other than for purposes of handling during receiving or shipping operations.
17. 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.

Transport of Hazardous Waste

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

20. The Licencee shall transport all household hazardous wastes received at the Facility within ninety (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. The ninety (90) day period will commence on the date the container is filled.

Used Oil and Used Oil Product and Materials

21. The Licencee shall ensure that only a storage tank with a capacity of 5000 litres or less is used to collect used oil at the Facility.
22. The Licencee shall only store used oil and used oil products and materials in accordance with the requirements of Manitoba Regulation 195/2015, or any future amendment thereof, respecting storage and handling.

Waste Automotive Batteries

23. The Licencee shall store the waste automotive batteries in an area where the floor or base is resistant to acid.
24. The Licencee shall store the waste automotive batteries on pallets or in tub skids in the following manner:
 - a) if pallets are used, the waste automotive batteries shall be placed on the pallets with a layer of corrugated cardboard or other material which will prevent casing ruptures, placed between successive layers of waste automotive batteries. The full pallet of batteries shall have three layers of batteries and be shrink wrapped with plastic before shipment from the Facility; and
 - b) if tub skids are used, the waste automotive batteries shall be placed in acid resistant, leak-proof tub skids.
25. The Licencee shall conspicuously place in the area used for storage of waste automotive batteries effective neutralizing materials, or materials approved by the Director in writing, for the containment or clean up of spills.
26. The Licencee shall in the event of a spill, dispose of the water used to clean up the spill in accordance with applicable regulations.
27. The Licencee shall not allow the inventory of waste automotive batteries at the Facility to exceed 200 at any one time.

Liquid Emissions

28. 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) direct wastewater collected in the holding tank or sumps to a wastewater treatment facility approved by the Director.

Spills

29. The Licencee shall equip the Facility with spill cleanup equipment and supplies.
30. 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.

Facility Inspection

31. The Licencee shall inspect, and record inspections at the Facility every day that the Facility is operating; and properly manage any unauthorized materials found at the Facility by securely storing or removing them from the Facility. The records shall include the name of the person who conducted the inspection and the observations made by that person during the inspection.

Emergency Response

32. The Licencee shall prepare, within ninety (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.
33. The emergency response contingency plan shall be designed to minimize hazards from fires, explosions or any unplanned release of hazardous waste or contaminants.
34. A copy of the emergency response contingency plan shall be kept on site and emergency response information must be posted in a conspicuous location.
35. The Licencee shall review the emergency response contingency plan on an annual basis, as a minimum, and make revisions as required.

Annual Hazardous Waste Receiver Report

36. The Licencee shall, on or before the 31st 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 in such format as approved by the Director.

Reporting Format

37. 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.

Maintain Records

38. 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.

Insurance and Financial Assurance


39. The Licencee shall maintain throughout the term of this Licence:
- a) in the amount of \$50,000.00 Property Insurance;
 - b) in the amount of \$2,000,000.00 General Comprehensive Liability Insurance; and
 - c) in the amount of \$250,000.00 Environmental Impairment Liability Insurance.
40. During the term of the Licence, the Rural Municipality of St. François Xavier, as Licencee, may self-insure. Such self-insurance shall satisfy Manitoba's requirement for Property Insurance, General Comprehensive Liability Insurance and Environmental Impairment Liability insurance as set out in Clause 39 of this Licence.
41. 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

42. The Licencee shall obtain approval, in writing, from the Director for any proposed alteration or expansion to the Facility which is likely to cause a significant environment effect or could affect compliance with any Clause(s) of this Licence, before proceeding with the alteration.
43. 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.
44. The Licencee shall, where the investigation referred to in Clause 43 of this Licence shows that contamination of the environment has occurred, submit a remediation proposal, within sixty (60) days, to the Director and, upon approval of this proposal by the Director, the required remediation shall be carried out by the Licencee.

REVIEW AND REVOCATION

- A. This Licence replaces The Dangerous Goods Handling and Transportation Act Licence No. 301 HW, 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.: 5843.00

Consignor (Generator) Registration No.: MBG04534
Consignee (Receiver) Registration No.: MBR30141

**Schedule A to
Licence No. 301 HW R, Clause 13**

Household Hazardous Waste
Aerosols
Batteries, Lead-Acid Automotive
Batteries, Rechargeable
Batteries, Other
Compressed Gas
Fluorescent Lighting Tubes and Compact Fluorescent Lights
Paint Products
Used Oil
Used Oil Products and Materials