



Conservation

Environmental Stewardship Division
Environmental Assessment and Licensing Branch
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FAXED

CLIENT FILE NO.: 4334.00

July 24, 2009

Mr. Jean Dizengremel
Jean Farms Ltd.
Box 123
Notre Dame MB R0G 1M0

Dear Mr. Dizengremel:

RE: **Requested Revision of Dangerous Goods Handling & Transportation Act
Licence No. 64 HW RRRR**

I am responding to your letter dated July 9, 2009 requesting a revision to Dangerous Goods Handling & Transportation Act Licence No. 64 HW RRRR. Specifically, you request a revision to Clause 52 b), so that the General Comprehensive Liability Insurance is reduced to \$2,000,000.00 from \$5,000,000.00. This request is based on the unavailability of insurance at the \$5 million level and a request from Mr. Ron Benson of the Manitoba Association for Resource Recovery Corp (MARRC). Mr. Benson requested the reduction in order to bring the Notre Dame facility insurance requirements into line with the licence requirements for the more than 50 other EcoCentres in Manitoba.

The request for the revision of Clause 52 b) is hereby approved. A revised Licence is attached.

Any questions concerning this decision may be directed to Mr. Adrian Jackson at 945-7108.

Yours truly,

Tracey Braun, M. Sc.
Director
Environmental Assessment
and Licensing Branch.

Enc.

cc: Don Labossiere, Director, Environmental Approvals

NOTE: Confirmation of Receipt of this Licence No. 64 HW R5 (by the Licencee only) is required by the Director of Environmental Assessment and Licensing. Please acknowledge receipt by signing in the space provided below and faxing a copy (letter only) to the Department by August 7, 2009.

On behalf of Jean Farms Ltd.

Date

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



LICENCE

Licence No./Licence n° 64 HW R5

Issue Date/Date de délivrance April 21, 1998

REVISED: May 28, 2001
June 17, 2002
May 30 2005
March 6, 2008
July 24, 2009

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:

JEAN FARMS LTD.; "the Licencee"

for the construction and operation of a used oil products and material collection and waste battery collection and used oil space heater facility ("the facility") located at SE 1/4 13-6-9W, in the Rural Municipality of Lorne, and in accordance with the Application filed under The Dangerous Goods Handling and Transportation Act on March 21, 1998, and the subsequent requests for revision dated September 4, 1998, February 27, 2002, May 20, 2005, November 21, 2005 and July 9, 2009 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;

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

"Environment Officer" means a person who has been appointed or designated by the Minister 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 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 6 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 (C.C.S.M. c. D12);

"space heating used oil burner" means any device, implement, mechanism or appliance that meets the definition of "Oil Burning Equipment" as defined in CAN/CSA Standard B139 Installation Code for Oil Burning Equipment, as updated from time to time;

"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.

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.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

Respecting Facility Operation

5. The Licencee shall:
 - a) post legible, weatherproof signs at the entrance to the facility identifying the area as a used oil collection facility; and

- b) indicate on the signs 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.
6. The Licencee shall lock the facility in a manner that prevents unauthorized delivery of used oil products and material and/or waste batteries into the facility when the operator or other trained personnel is not present at the facility.
 7. The Licencee shall have trained personnel at the facility at all times when the facility is open to receive used oil products and material and/or waste batteries.
 8. The Licencee shall only receive the following hazardous wastes at the facility:
 - a) used oil products and material; and
 - b) waste batteries.
 9. The Licencee shall not receive at the facility used oil products and material or waste batteries from commercial or industrial generators that are not registered generators.
 10. The Licencee shall transport hazardous waste to or from the facility only when it is accompanied by a hazardous waste manifest, or a dangerous goods shipping document, as appropriate.
 11. The Licencee shall transport hazardous wastes to or from the facility only when licenced carriers are consigned to transport the hazardous wastes.
 12. The Licencee shall have in place a written agreement with a licenced hazardous waste carrier at all times during the lifetime of the facility.
 13. The Licencee shall keep all records, including but not limited to tank collection logs, used oil filter logs, waste battery logs, manifests, shipping documents, sample analyses, and spill reports, for a minimum period of two years and make these records available for inspection by an Environment Officer on request.
 14. 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.
 15. 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.

Respecting Used Oil Products and Material

Respecting Used Oil

16. The Licencee shall only collect used oil at the facility in the storage tanks with an aggregate capacity of up to 50 000 litres referred to in the Application and revisions.
17. The Licencee or operator shall visually inspect each individual container of used oil that is collected at the facility for contamination before the contents are transferred to the collection tank.
18. The Licencee shall not accept at the facility and shall return to the person who previously possessed the used oil, any used oil that is deemed to be contaminated.
19. The Licencee, operator or other trained personnel employed by the Licencee only shall transfer used oil into the collection tank.
20. The Licencee shall maintain for each tank in the process of being filled, a tank collection log, containing, at minimum:
 - a) the date and time of receipt of oil;
 - b) the name and address (or vehicle licence number) of the person who delivered the oil;
 - c) the quantity of oil received;
 - d) the signature of the person who delivered the oil; and
 - e) for commercial or industrial generators, the Manitoba Generator Registration Number.
21. The Licencee shall make available for inspection by an Environment Officer upon request a summary of the record referred to in Clause 20, of this Licence
22. The Licencee or operator shall representatively sample each full tank of collected used oil and shall retain the sample until verification of destruction or recycling of the oil is received.
23. The Licencee shall, upon the request of the Director, have the sample of used oil referred to in Clause 22, of this Licence, analyzed by an accredited laboratory.

Respecting Used Oil Filters

24. The Licencee shall store used oil filters received at the facility 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.

25. The Licencee shall store the containers for oil filters referred to in Clause 24, of this Licence, in a manner which provides protection from precipitation.
26. 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.
27. The Licencee shall keep a log regarding the daily quantity (in kilograms) of used oil filters processed at the facility.
28. The Licencee shall make available for inspection by an Environment Officer upon request a summary of the record referred to in Clause 27, of this Licence.

Respecting Space Heating Used Oil Burner

29. The Licencee shall operate the space heating used oil burner in accordance with the application dated November 21, 2005.
30. The Licencee shall only burn used oil as a fuel in the space heating used oil burner.
31. The Licencee shall store all used oil in a manner that minimizes any potential release or fire hazard.
32. The Licencee shall position the heater chimney to prevent the intrusion of combustion fumes into any adjoining air intake, window or door.
33. The Licencee shall dispose of all ash produced by combustion in the space heating used oil burner, that can be classified as a hazardous waste, by a hazardous waste disposal company or in a manner approved by the Director.
34. The Licencee shall supply to the Director, no later than June 30 of each year, a written report summarizing the amount of used oil combusted in the space heating used oil burner for the previous heating season.
35. The Licencee shall, on a minimum monthly basis, perform the following maintenance operations where applicable:
 - a) the heat exchanger and flue piping for the space heating used oil burner shall be vacuum cleaned;
 - b) all sludge collected in the stainless steel hot filter element shall be removed; and
 - c) ash and other deposits shall be removed from the drip legs.The records of these maintenance operations shall be made available for inspection by an Environment Officer upon request.

36. The Licencee shall clean the flue stack annually, at minimum and the records of this maintenance operation shall be made available for inspection by an Environment Officer upon request.
37. The Licencee shall install the space heating used oil burner in accordance with the Gas and Oil Burner Act Chapter G30 and accompanying regulation.

Respecting Batteries

38. The Licencee shall not store waste batteries at the facility such that the inventory of waste batteries at the facility exceeds 2 000 waste batteries at any one time.
39. The Licencee shall transport to a recycling or disposal facility within 120 days of receipt all waste batteries received at the facility. The recycling or disposal facility shall be 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.
40. The Licencee shall store the waste batteries in an area where the floor is resistant to acid.
41. The Licencee shall seal any ports or drains in the storage areas of the facility that lead directly or indirectly to a sewer system in such a way to prevent entry of liquid into the sewer system.
42. The Licencee shall store the waste batteries off the ground on a pallet or other device acceptable to the Director to a maximum height of not more than three battery heights per pallet, two pallets high.
43. The Licencee shall place a minimum of two layers of corrugated cardboard or other material which will prevent casing ruptures between successive layers of waste batteries.
44. The Licencee shall cover the storage area of waste batteries by a roof constructed in a manner acceptable to the Director.
45. 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.

46. The Licencee shall initiate and maintain a log for all waste batteries received at the facility. The log 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.
47. The Licencee shall make available for inspection by an Environment Officer upon request a summary of the record referred to in Clause 46, of this Licence.

Respecting Training

48. The Licencee shall train all persons at the facility who will be assigned duties with respect to:
- a) Transportation of Dangerous Goods Regulations; and
 - b) procedures pertaining to the operation of the facility.

Respecting Spills

49. The Licencee shall immediately report all spills of used oil in excess of 5 litres or of waste battery acid in excess of 5 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 Winkler office of Manitoba Conservation at (204) 325-1750 within 7 days of the occurrence of the spill.
50. The Licencee shall equip the facility with spill cleanup equipment and supplies.
51. 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 Financial Assurance

52. The Licencee shall maintain throughout the term of this Licence:
- a) \$50 000.00 Property Insurance;
 - b) \$2 000 000.00 General Comprehensive Liability Insurance; and
 - c) \$1 000 000.00 Environmental Impairment Liability Insurance.

53. The Licencee shall, within 30 days of issuance of this Licence, post a Permit Bond issued by a security company licenced to carry out business in Manitoba, an irrevocable letter of credit, or other security with Manitoba Conservation, to the satisfaction of the Director, in the amount of \$20,000.00. This security, and renewals thereof, shall remain in place at all times during the operation and decommissioning of the facility. The Director may order forfeiture of the security, either in whole or in part, by giving written notice to that effect to the Licencee upon the Director being satisfied that the facility is in breach of any 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.

Respecting Alterations and Decommissioning

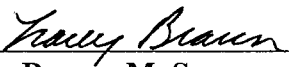
54. The Licencee shall obtain approval in writing from the Director for any proposed alteration to the facility before proceeding with the alteration.
55. The Licencee shall, at the request of the Director, in the event that the facility is permanently closed, conduct an investigation in accordance with "Manitoba Conservation's Guideline for Environmental Site Investigations in Manitoba", (March 1998), to identify any contamination which may have resulted from the operation of the facility.
56. The Licencee shall, where the investigation referred to in Clause 55 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

57. The Licencee shall provide to the Director, within 60 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.

REVIEW AND REVOCATION

- A. This Licence replaces Dangerous Goods Handling and Transportation Act Licence No. 64 HW RRRR which is hereby rescinded.
- B. 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.
- 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
Dangerous Goods Handling
and Transportation Act

Client File No.: 4334.00

Consignor Registration No. MB G10734

Consignee Registration No. MB R30029