



LICENCE

Licence No./Licence n° 102 HW RR

Issue Date/Date de délivrance April 17, 2000

Revised: December 4, 2000

Revised: January 27, 2006

In accordance with the Manitoba 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)

Pursuant to Section 11/Conformément au Paragraphe 11

THIS LICENCE IS ISSUED TO:/CET LICENCE EST DONNÉ À:

TOLKO INDUSTRIES LTD.: "the Licencee"

for the disposal of off-site used oil and blended fuel at the facility, being the existing power boiler and lime kiln and storage tanks, which is part of the Development, being a 400 tonne per day Kraft Pulp Mill located at all those portions of Sections 19 and 30 in Township 56, Range 25 WPM and all portions of Sections 13, 14, 23, 24, 25, and 26 in Township 56, Range 26 WPM as more particularly described in Certificate of Title No. 1486472 registered in Portage la Prairie Land Titles Office, in accordance with the Dangerous Goods Handling and Transportation Act Proposal filed on May 25, 1999, and correspondence received August 14, 2000 and March 31, 2005, and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this Licence,

"**accredited laboratory**" means facilities accredited by the Standard Council of Canada (SCC), or facilities accredited by another accrediting agency recognized by Manitoba Conservation to be equivalent to the SCC, or facilities which can demonstrate to Manitoba Conservation, upon request, that quality assurance/quality control (QA/QC) procedures are in place equivalent to accreditation based on the Canadian Standard Can/CSA-Z753, extension of the international standard ISO 9000, Guide 25;

"**blended fuel**" means a mixture of used oil and other organic chemicals that have been mixed together so that the flash point is greater than 38 °C;

"**container**" means any vessel used for the containment of used oil during transport to or at the facility excepting those vessels which have a capacity of less than 10 litres;

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

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

"facility" means the area contained within the Development where used oil and blended fuel are stored, and includes the Power Boiler and the Lime Kiln;

"off-site 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 which was not generated by the Licencee at the Development;

"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;

"organic chemicals" means hydrocarbon substances that include waste gasoline, waste diesel, waste aviation fuel, waste naphtha solvent, waste methyl ethyl ketone, waste hexane, waste non halogenated automotive grease, waste paint thinners and bunker C oil;

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

"registered generator" means a person who is registered as a hazardous waste generator pursuant to Manitoba Regulation 175/87 under the Manitoba Dangerous Goods Handling and Transportation Act (C.C.S.M. c. D12); and

"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.

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 reduce the production and dissemination of wastes by initiating and maintaining waste reduction and waste recycling programs.

3. The Licencee shall, upon the request of the Director and in addition to any of the 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 pollutant storage, containment, treatment, handling, disposal or emission systems, for such pollutants 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 pollutants 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.
4. 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 by the Director;
 - b) ensure 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.
5. 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 Receipt and Handling of Off-Site Used Oil

6. The Licencee shall dispose of all used oil and/or blended fuel received or generated at the Development only at the facility.
7. The Licencee shall allow only personnel trained in the handling of dangerous goods to handle used oil and/or blended fuel at the facility.
8. The Licencee shall only accept off-site used oil and/or blended fuel at the facility:
 - a) from a registered generator; or
 - b) from a facility operation pursuant to a Licence or Order issued by Manitoba Conservation; and
 - c) that was transported to the facility by a licenced carrier.
9. The Licencee shall not store at the facility, any off-site used oil and/or blended fuel in the containers in which it was received, for a period greater than 24 hours, unless written approval has been granted by the Director.

10. The Licencee shall only receive at the facility from an off-site source any individual container of used oil and/or blended fuel that is accompanied by:
- a hazardous waste manifest; and
 - a certification of analysis of the used oil and/or blended fuel, from an accredited laboratory, for the following contaminants: lead (Pb); Chromium (Cr); Cadmium (Cd); Arsenic (As); Polychlorinated biphenyls (PCB); Flash Point; Total Halogen; and other as requested by the Director.
11. The Licencee shall not accept any off-site used oil and/or blended fuel at the facility that contains any contaminant identified in Clause 10 b) of this Licence that does not meet the following criteria:

| Contaminant | Concentration |
|---------------|------------------------------------------|
| Pb | less than 100 parts per million (mg/kg) |
| Cr | less than 2 parts per million (mg/kg) |
| Cd | less than 2 parts per million (mg/kg) |
| As | less than 5 parts per million (mg/kg) |
| PCB | less than 2 parts per million (mg/kg) |
| Flash Point | greater than 38 degrees Celsius |
| Total Halogen | less than 1000 parts per million (mg/kg) |

Respecting Record Keeping

12. The Licencee shall initiate and maintain a record for all off-site used oil and/or blended fuel received at the facility. The record shall contain, for each container received, at minimum the:
- date of receipt;
 - name and address of the licenced carrier;
 - quantity of off-site used oil and or blended fuel received, in litres;
 - source of the off-site used oil and/or blended fuel together with the generator's Manitoba Generator Registration Number;
 - on-site vessel into which it was transferred; and
 - date of transfer of the off-site oil and/or blended fuel into the on-site vessel.
13. The Licencee shall maintain on-site a daily record of all used oil and/or blended fuel combusted at the facility, and shall identify the used oil as off-site or on-site generated.
14. The Licencee shall submit to the Director, beginning in the year 2000, continuing on an annual basis thereon, and within 30 days of the end of each calendar year, a monthly summary of the volume of off-site used oil and/or blended fuel received and combusted at the facility for the previous 12 months.

15. The Licencee shall maintain all records required as a limit, term or condition of this Licence, for a minimum period of two years, and shall make these records available for inspection by an Environment Officer upon request.

Respecting Air Emission Management

16. The Licencee shall construct and maintain, when requested by the Director, stack sampling accouterments at the facility. These accouterments shall be constructed in accordance with the most recent version of Manitoba Conservation Guideline No. 97-05, *Guideline for Stack Sampling Facilities*, unless otherwise approved by the Director.
17. The Licencee shall submit, within 90 days of the date of this Licence, a detailed plan which is acceptable to and approved by the Director, for the sampling and analysis of potential air contaminants, released as stationary point emissions, including those compounds listed in Clause 10 b) of this Licence. The plan shall identify the rationale for the sampling; the ways and means by which the sampling program will be implemented including any special measures or methods which would be necessitated by influencing factors such as unfavourable weather conditions, the need for large or additional sample volumes, the need for multiple sampling runs, etc.; the methods used for the sampling and the analysis for each contaminant; the detection level to be attained; a comprehensive QA/QC program, and other items as may be identified by the Director.
18. The Licencee shall perform all stack sampling in accordance with the most recent version of Manitoba Conservation Report No. 96-07, *Interim Stack Sampling Performance Protocol*, unless otherwise approved by the Director.
19. The Licencee shall arrange the scheduling of the sampling program described in Clause 17 of this Licence such that Manitoba Conservation is available to monitor and audit the implementation of the sampling program. A minimum of 21 days prior notice must be given a pre-approved method. A minimum of 60 days prior notice must be give for any change to a pre-approved method.
20. The Licencee shall complete the sampling of emissions according to the approved plan as required by Clause 17 of this Licence, within 180 days of the initiation of combustion of off-site used oil at the facility.
21. The Licencee shall submit a report of the completed sampling and analysis plan described in Clause 17 of this Licence, within 60 days of the receipt of the analytical results of that sampling plan. The report shall contain at minimum:
 - a) the raw data collected;
 - b) a discussion of the sampling and analytical portions of the program including any anomalies of sampling and analysis; and

- c) a discussion of the significance of the data gathered with specific attention to:
 - i) the significance for potential acute and chronic impacts to health or environment from exposure to concentrations of any of the parameters detected;
 - ii) the need for risk assessment of the impact of emissions;
 - iii) the need for the establishment of ambient air monitoring stations;
 - iv) the need for dispersion modelling of emissions;
 - v) results and conclusions of the QA/QC program; and
 - vi) other issues as determined by the Director.

Respecting Ash Management

- 22. The Licencee shall analyse a representative sample of ash generated at the facility:
 - a) within six months of the initiation of disposal of off-site used oil and/or blended fuel at the facility; and
 - b) thereafter at a frequency as requested by the Director; for
 - i) toxicity in accordance with Environment Canada, Environmental Protection Service test method EPS 1/RM11, July 1990 or the most recent edition; and
 - ii) leachate characteristics in accordance with Manitoba Regulation 282/87 for the applicable list of contaminants listed in Clause 10 b) of this Licence plus sulphate, barium (total), copper (total), and lead (total).

Respecting Emergency Response

- 23. The Licencee shall properly equip the facility with all necessary spill cleanup equipment and supplies.
- 24. The Licencee shall submit to the Director for approval, within 60 days of the date of this Licence, an updated contingency plan, in accordance with the 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.


Respecting Financial Assurance

- 25. The Licencee shall, within 30 days of the date of this Licence, post with the Manitoba Department of Conservation in the amount of \$10,000 Cdn:
 - a) a permit bond issued by a surety company licenced to do business in the Province of Manitoba; or
 - b) an irrevocable letter of credit; or
 - c) another acceptable security satisfactory to the Director.

This permit bond, irrevocable letter of credit, or other security and renewals thereof shall remain in place for the duration of the operation. The Director may order forfeiture of the permit bond, irrevocable letter of credit, or other security, either in whole or in part, by giving written notice to that effect to the Licencee, upon the Director being satisfied that the Licencee is in breach of any specification, limit, term or condition 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.

REVIEW AND REVOCATION

- A. This Licence replaces Licence No. 102 HW R 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. The requirements of Clause 10 of this Licence shall be reviewed by the Director at the end of each calendar year and shall be modified as the Director deems necessary.
- D. 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 proposal pursuant to The Dangerous Goods Handling and Transportation Act.



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

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