

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

LICENCE

Manitoba
Conservation



Conservation
Manitoba

Licence No./Licence n° 107 HW RRRR

Issue Date/Date de délivrance July 21, 2000

Revised : December 19, 2002

Revised: March 23, 2004

Revised: June 16, 2005

Revised: February 6, 2006

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:

UNITED CHEMICAL SERVICES INC.; "the Licencee"

for the operation of a heat cleaning oven for the treatment of paint arrestors and other Class 3, Class 4.1, Class 6.1 and Class 9 wastes and for the operation of a used oil products and material collection and storage depot (the facility) at 605 Mercy Street, in the City of Selkirk, Province of Manitoba, in accordance with The Dangerous Goods Handling and Transportation Act Application filed on April 27, 2000, and further correspondence of November 12, 2002, February 2, 2004 and February 9, 2005, May 16, 2005 and August 15, 2005 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;

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

"**Class 3, Class 4.1, Class 6.1 and Class 9 wastes**" means wastes where the primary classification as defined by the Dangerous Goods Handling and Transportation Act and its Regulations is either Class 3, Class 4.1, Class 6.1 or Class 9;

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

"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;

"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;

"depot" means used oil products and material depot;

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

"Environment Officer" means a person or a member of a class of persons appointed under Section 6 of The Dangerous Goods Handling and Transportation Act;

"facility" means all the areas at 605 Mercy Street in Selkirk, Manitoba where the operation of the heat cleaning oven and the operation of the used oil products and material depot are carried out;

"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;

"MSDS" means the Material Safety Data Sheet for the chemical or waste;

"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 the 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;

"**paint**" means substances that are used as wood coatings, stains and thinners;

"**paint arrestor**" means a filter made of glass fibre mesh for use in spray booths to collect wood coatings, stains and thinners;

"**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);

"**treat**" means remove paint from the paint arrestor;

"**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

"**used oil products and material depot**" means that area in the facility where used oil, used oil filters or used oil containers are collected and prepared for recycling.

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, at all times during the operation of the facility, implement a high standard of equipment maintenance and operational practices.
2. 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 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, preservation and analyses of, water, soil or air samples in accordance with methodologies approved 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 the Facility Operation

- 5. The Licencee shall maintain all records required by this Licence, for a minimum period of two years, and shall make these records available for inspection by an Environment Officer upon request.
- 6. The Licencee shall properly equip the facility with all the necessary spill cleanup equipment and supplies.
- 7. The Licencee shall not cause or permit an odour nuisance to be created as a result of the operation or alteration of the facility, and shall take such steps as the Director may require to eliminate or to mitigate an odour nuisance.
- 8. The Licencee shall obtain written approval from the Director for any proposed changes to the facility, which may affect the operation of the facility, prior to implementing the changes.
- 9. The Licencee shall at the request of the Director, conduct soil, air (stack and/or ambient), ground water, or surface water monitoring at or adjacent to the facility.
- 10. The Licencee shall analyse the samples taken pursuant to Clause 9 of this Licence for those parameters specified by the Director.

11. The Licencee shall submit a copy of the sampling report complete with analytical results as specified pursuant to Clauses 9 and 10 of this Licence, to the Director within 60 days of the completion of the sampling program.
12. 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.

Respecting Emergency Response

13. The Licencee shall submit to the Director for approval, within 30 days of the date of this Licence, a 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

14. 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 of the facility. 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.

Respecting Spills

15. The Licencee shall immediately report all spills of used oil in excess of 100 litres at the facility to the 24 hour emergency response line at Manitoba Conservation at (204) 944-4888.
16. The Licencee shall report within one working day all spills of used oil in excess of 5 litres but less than 100 litres at the facility to the Selkirk office of Manitoba Conservation at (204) 785-5030.

- 17. 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 the Heat Cleaning Oven Operation - General

- 18. The Licencee shall allow only personnel trained in the handling of dangerous goods to operate the heat cleaning oven at the facility.
- 19. The Licencee shall submit to the Director, beginning in the year 2000 and continuing on an annual basis thereafter, and within 30 days of the end of each calendar year;
 - a) a monthly summary of the volume of paint arrestors received and treated at the facility for the previous 12 months; and
 - b) a monthly summary of the types and volumes of Class 3, Class 4.1, Class 6.1 and Class 9 wastes treated at the facility.
- 20. The Licencee shall display in a conspicuous location near the heat cleaning oven, the rated capacity of the oven, the type of waste material for which the oven is designed, and the detailed instructions for the operation of the oven.
- 21. The Licencee shall operate the heat cleaning oven so that at any point of impingement beyond the boundaries of the facility ground level concentrations of any of the following air contaminants do not exceed the following limits for the measurement criteria:

Air Contaminant	Period of time the Contaminant is Measured	Concentration Limit
Total Hydrocarbons	24 Hour Average	32 mg/m ³
Benzene	24 Hour Average	150 ug/m ³
Toluene	24 Hour Average	2000 ug/m ³
Ethylbenzene	24 Hour Average	4000 ug/m ³
Xylenes	24 Hour Average	2300 ug/m ³

- 22. The Licencee shall analyse a representative sample of ash generated at the facility:
 - a) within two months of the initiation of treatment of paint arrestors at the facility; and
 - b) thereafter at a frequency as requested by the Director; for leachate characteristics in accordance with Manitoba Regulation 282/87 for the applicable list of metal contaminants.

Respecting the Heat Cleaning Oven Operation – Paint Arrestors

23. The Licencee shall treat all paint arrestors received at the facility in the heat cleaning oven.
24. The Licencee shall only accept paint arrestors at the facility that:
 - a) are received from a registered generator;
 - b) are transported by a licenced carrier; and
 - c) contain one or more of the paints listed in Appendix A of the Application filed on April 27, 2000.
25. The Licencee shall certify that each individual drum of paint arrestors that is received at the facility from an off-site source is accompanied by:
 - a) a hazardous waste manifest; and
 - b) a certificate of analysis or MSDS showing that the paint on the arrestor is one of the paints identified in Appendix A of the Application filed on April 27, 2000.
26. The Licencee shall not store more than 100 drums containing paint arrestors at the facility, unless otherwise approved by the Director.
27. The Licencee shall maintain an on-site daily record of the number of paint arrestors treated at the facility.

Respecting the Heat Cleaning Oven Operation – Class 3, Class 4.1, Class 6.1, and Class 9 Wastes

28. The Licencee shall only accept Class 3, Class 4.1, Class 6.1 and Class 9 wastes at the facility that:
 - a) are received from a registered generator
 - b) are transported by a licenced carrier; and
 - c) have been approved by the Director of Environmental Assessment and Licensing.
29. The Licencee shall maintain an on-site daily record of the types and volumes of Class 3, Class 4.1, Class 6.1 and Class 9 wastes treated at the facility.
30. The Licencee shall not store more than 200 drums containing Class 3, Class 4.1, Class 6.1 and Class 9 wastes at the facility, unless otherwise approved by the Director.
31. The Licencee shall maintain on-site copies of each MSDS for the Class 3, Class 4.1, Class 6.1 and Class 9 wastes treated at the facility.

Respecting The Used Oil Products And Material Collection Depot

32. The Licencee shall only receive used oil products and material at the depot.
33. The Licencee shall not store used oil for a period exceeding 180 days from the date of receipt of the used oil at the depot.

Respecting Used Oil Filters

34. The Licencee shall recycle used oil filters received at the depot.
35. The Licencee shall store used oil filters received at the facility in containers that have a maximum capacity of 205 liters and are designed so that they will contain any used oil which may drain from the filters.
36. The Licencee shall store the containers for oil filters referred to in Clause 35, of this Licence in a manner which provides protection from precipitation.
37. The Licencee shall process all used oil filters by:
 - a) puncturing and then draining the filters for a 24-hour period; and
 - b) crushing the filters to a minimum of 75% volume compaction.
38. The Licencee shall keep a log regarding the daily quantity (in kilograms) of used oil filters processed at the facility.
39. The Licencee shall make available a summary of the record referred to in Clause 38, of this Licence for inspection by an Environment Officer upon request.
40. The Licencee shall prepare and deliver to the Director on or before the 15th of each month, a report summarizing information respecting used oil filters received at the depot during the previous month.
41. The Licencee shall include in the report required pursuant to Clause 40, of this Licence the following information:
 - a) the date of each bulk shipment of used oil filters received at the depot;
 - b) the name and address of each generator of each bulk shipment; and
 - c) the number of used oil filters treated at the depot.

Respecting Used Oil Containers

42. The Licencee shall recycle used oil containers received at the depot.
43. The Licencee shall process the used oil containers received from the public prior to shipment to a recycler by:
 - a) visually inspecting the container to ensure that it contained used oil;
 - b) placing the container in a tray and allowing it to drain for 24 hours; and
 - c) storing drained containers in a suitable metal receptacle prior to shipment from the depot.
44. The Licencee shall process the used oil containers received from registered generators prior to shipment to a recycler by storing drained containers in a suitable metal receptacle prior to shipment from the depot.

REVIEW AND REVOCATION

- A. Licence No. 107 HW RRR 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 proposal pursuant to The Dangerous Goods Handling and Transportation Act.



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

Client File No.: 4521.00

Consignor Registration No. MB G10731
Consignee Registration No. MB R30028