



**Conservation**

Climate Change and Environmental Protection Division  
Environmental Assessment and Licensing Branch  
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[www.gov.mb.ca/conservation/eal](http://www.gov.mb.ca/conservation/eal)

**FAXED**

**CLIENT FILE NO.: 4908.00**

July 7, 2010

Brian McKenzie  
Ness Auto Service Inc.  
2102 Ness Ave.  
Winnipeg MB R3J 0Z4

Dear Mr. McKenzie:

Enclosed is revised **Dangerous Goods Handling and Transportation Act Licence No. 188 HW R** dated July 7, 2010 issued in accordance with The Dangerous Goods Handling and Transportation Act to **Ness Auto Service Inc.**, for the operation of a space heating used oil burner located at 2102 Ness Ave., in the City of Winnipeg, and in accordance with the Application filed under The Dangerous Goods Handling and Transportation Act on November 29, 2002 and the additional information received on June 4, 2010.

In addition to the enclosed revised Licence requirements, please be informed that all other applicable federal, provincial and municipal regulations and by-laws must be complied with.

For further information on the administration and application of the Licence, please feel free to contact Kim Fedick, Environment Officer at (204) 945-0992.

Yours truly,

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

Enc.

c: D. Labossiere, Director, Regional Operations  
Public registries

**NOTE:** Confirmation of Receipt of this Licence No. 188 HW R (*by the Licencee only*) is required by the Director of Environmental Assessment & Licensing Branch. Please acknowledge receipt by signing in the space provided below and faxing a copy (cover letter only) back to the Department by July 21, 2010.

On behalf of Ness Auto Service Inc.

Date

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# LICENCE

Licence No./Licence n°	<u>188 HW R</u>
Issue Date/Date de délivrance :	<u>September 27, 2004</u>
Revised:	<u>July 7, 2010</u>

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:**

**Ness Auto Service Inc.; "the Licencee"**

for the operation of a space heating used oil burner located at 2102 Ness Ave., in the City of Winnipeg, and in accordance with the Application filed under The Dangerous Goods Handling and Transportation Act on November 29, 2002 and the additional information received on June 4, 2010 and subject to the following specifications, limits, terms and conditions:

## DEFINITIONS

In this Licence,

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

**"Environment Officer"** means a department employee designated or appointed 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, as amended from time to time, 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;

**"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, as amended from time to time, 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; 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, 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.
3. 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.
4. 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.

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

5. The Licencee shall operate the facility in accordance with the application dated November 29, 2002.
6. The Licencee shall only burn used oil as a fuel in the space heating used oil burner.
7. The Licencee shall store all used oil in a manner that minimizes any potential release or fire hazard.
8. The Licencee shall position the heater chimney to prevent the intrusion of combustion fumes into any adjoining air intake, window or door.
9. 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.

10. 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.
11. 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.
12. 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.
13. 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 Facility Operation**

14. The Licencee shall not receive hazardous waste other than used oil at the facility.
15. The Licencee shall not receive used oil at the facility from commercial or industrial generators that are not registered generators.
16. The Licencee shall transport hazardous waste to or from the facility only when the hazardous waste is accompanied by a hazardous waste manifest, or a dangerous goods shipping document, as appropriate.
17. The Licencee shall use only licensed carriers to transport hazardous wastes to or from the facility.

#### **Respecting Training**

18. The Licencee shall provide training for all persons who will be assigned duties with respect to the space heating used oil burner at the facility in procedures pertaining to the operation of the facility including spill response.

#### **Respecting Spills**

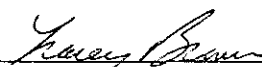
19. The Licencee shall immediately report all spills of used oil in excess of 5 litres at the facility to the 24 hour emergency response line at Manitoba Conservation at (204) 944-4888. A written report concerning the spill and the actions taken shall be forwarded to the Director within 7 days of the occurrence of the spill.
20. The Licencee shall properly equip the facility with spill cleanup equipment and supplies.

**Respecting Alterations and Decommissioning**

21. The Licencee shall obtain approval in writing from the Director for any proposed alteration or expansion to the facility before proceeding with the alteration.
22. The Licencee shall, at the request of the Director, in the event that the facility is to be 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.
23. The Licencee shall, where the investigation referred to in Clause 22 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. This Licence replaces Licence No. 188 HW which is 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.

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

**Client File No.: 4908.00**

**Consignor Registration No. MBG 11248**  
**Consignee Registration No. MBR 30086**