

Manitoba



Conservation and Water Stewardship

Climate Change and Environmental Protection Division
Environmental Approvals Branch
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www.gov.mb.ca/conservation/eal

CLIENT FILE NO.: 4914.00

May 16, 2013

Duncan Shorrock
Evergreen Environmental Technologies
Box 947
Minnedosa MB R0J 1E0

Dear Mr. Shorrock:

Enclosed is **Licence No. 270 HW** dated May 16, 2013 issued to **Evergreen Environmental Technologies** for the continued operation of a waste lead acid battery collection depot, a used oil products and material collection depot and a pesticide container collection depot facility (the facility) located at 11-14-17 W in the Rural Municipality of Odanah, Manitoba, in accordance with the Application dated July 19, 2012 filed under *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 facility as licensed.

For further information on the administration and application of the Licence, please feel free to contact Peter Crocker, Environment Officer at 204-726-6565.

Pursuant to Section 25 of *The Dangerous Goods Handling & Transportation Act*, this licensing decision may be appealed by any person who is affected by the issuance of this Licence to the Minister of Conservation and Water Stewardship within 30 days of the date of the Licence.

Yours truly,

ORIGINAL SIGNED BY

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

Enc.

c: Don Labossiere, Director, Environmental Compliance and Enforcement
Public Registries

NOTE: Confirmation of Receipt of this Licence No. 270 HW (by the Licensee only) is required by the Director of Environmental Approvals. Please acknowledge receipt by signing in the space provided below and faxing a copy (letter only) to the Department by May 30, 2013. (204-945-5229)

On behalf of Evergreen Environmental Technologies

Date

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

LICENCE

Licence No./Licence n° 270 HW

Issue Date/Date de délivrance May 16, 2013

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:

EVERGREEN ENVIRONMENTAL TECHNOLOGIES;
"the Licencee"

for the continued operation of a waste lead acid battery collection depot, a used oil products and material collection depot and a pesticide container collection depot facility (the facility) located at 11-14-17 W in the Rural Municipality of Odanah, Manitoba, in accordance with the Application dated July 19, 2012 filed under *The Dangerous Goods Handling and Transportation Act*, 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 a contaminant as defined in *The Dangerous Goods Handling and Transportation Act*;

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

"Environment Officer" means an employee so designated pursuant to *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), as amended from time to time;

"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 has not been 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), as amended 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; and

"used oil products and material" means used oil, used oil filters or used oil containers.

"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.
2. The Licencee shall operate the facility in accordance with the Application dated July 19, 2012.
3. The Licencee shall only use trained personnel to handle dangerous goods, as required by *The Dangerous Goods Handling and Transportation Act* and Regulations thereunder.
4. A copy of this Licence shall be kept on site at the facility and be available at all times at the request of an Environment Officer.
5. In addition to any of the terms or conditions specified in this Licence, the Licencee shall, upon the request of the Director:
 - 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 contaminant(s) 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.
6. 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) have all analytical determinations undertaken by an accredited laboratory ; and
 - c) report the results to the Director, in writing and in an electronic form acceptable to the Director within 60 days of the samples being taken.
7. The Licencee shall submit all information that is required to be provided under this Licence to the Director, in writing and in such form (including number of copies) and of such content as may be requested by the Director. Each submission shall be clearly labeled with the Licence Number and Client File Number associated with this Licence.
8. 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.
9. 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 an Environment Officer or the Director.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

Respecting Facility Operation

10. The Licencee shall not receive at the facility any hazardous waste other than waste lead acid batteries, used oil products and material and pesticide containers.
11. The Licencee shall make available for inspection by an Environment Officer upon request a summary of the records referred to in Clauses 16, 36, 46 and 54 of this Licence.
12. The Licencee shall only assign duties at the facility to employees who have received training in:
 - a) the Transportation of Dangerous Goods Regulations; and
 - b) the procedures pertaining to the operation of the facility.

13. The Licencee shall have trained personnel on site at all times when the facility is open to receive used oil products and material, waste lead acid batteries and pesticide containers.

Respecting the Waste Lead Acid Battery Depot

14. The Licencee shall provide:
 - a) legible, weatherproof signs posted at the entrance to the depot identifying the area as a waste lead acid battery collection depot; and
 - b) signs that indicate the hours of operation, a contact number and a warning not to leave waste lead acid batteries at the depot when the operator or other trained personnel is not available to accept delivery.
15. The Licencee shall initiate and maintain a record for all waste lead acid batteries received at the facility. The record shall contain, for each day that waste lead acid batteries are received, the
 - a) date of receipt;
 - b) name and address of the carrier;
 - c) quantity or weight of batteries received; and
 - d) source of the batteries.
16. The Licencee shall arrange for all waste lead acid batteries received at the facility to be transported within 90 days by a licenced carrier 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.
17. The Licencee shall store the waste lead acid batteries in fixed shipping containers and not in any other place where there are ports or drains that lead directly or indirectly to a sewer system.
18. The Licencee shall store the waste lead acid batteries in an area that provides containment.
19. The Licencee shall store the waste lead acid batteries on pallets with a layer of corrugated cardboard, or other material which will prevent casing ruptures, placed between successive layers of batteries. The full pallet of batteries shall have no more than 3 layers of batteries and be shrink wrapped with plastic before shipment from the facility.
20. The Licencee shall conspicuously place in the area used for storage of waste lead acid batteries effective neutralizing materials, or materials approved by the Director in writing, for the containment or clean up of spills from batteries.
21. The Licencee shall in the event of a spill, dispose of the water used to clean up the spill in accordance with applicable regulations.
22. The Licencee shall not allow the inventory of waste batteries at the facility to exceed 50 waste lead acid batteries at any one time.

Respecting The Used Oil Products and Material Depot - Used Oil

23. The Licencee shall provide:
 - a) legible, weatherproof signs posted at the entrance to the depot identifying the area as a used oil collection depot; and
 - b) signs that indicate the hours of operation, a contact number and a warning not to leave used oil products and material at the depot when the operator or other trained personnel is not available to accept delivery.
24. The Licencee shall store all used oil in a manner that minimizes any potential release or fire hazard.
25. The Licencee shall not store more than 5000 liters of used oil at the facility at any one time.
26. The Licencee shall only store used oil in the storage tank that is identified in the Application dated July 19, 2012.
27. The storage tank referred to in Clause 27 shall be situated on an impervious surface acceptable to an Environment Officer.
28. The Licencee shall provide a loading area adjacent to the storage tank that:
 - a) is properly sized and graded; and
 - b) made of an impermeable material acceptable to an Environment Officer.
29. The Licencee shall, when the operator or other trained personnel is not present at the depot, close the depot in a manner that prevents unauthorized delivery of used oil products and materials into the depot.
30. The Licencee shall only receive used oil products and material at the depot.
31. The Licencee shall not receive at the depot used oil products and material from commercial/industrial generators who are not registered generators.
32. The Licencee shall allow only the operator or other trained personnel employed by the Licencee to transfer used oil into the collection tank.
33. The Licencee shall not accept at the depot any used oil that is deemed to be contaminated after a visual inspection of each individual container of used oil that is received at the depot.
34. The Licencee shall return to the person who previously possessed any used oil that is deemed to be contaminated and is not accepted at the depot.
35. 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 the 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 / industrial generators, the Manitoba Generator Registration Number.
36. The Licencee shall have the operator obtain a representative sample of each full tank of collected used oil. The operator shall retain the sample until verification of destruction or recycling of the oil is received.
37. The Licencee shall, upon the request of the Director, have the sample of used oil referred to in Clause 37 analyzed by an accredited laboratory.
38. The Licencee shall only transport used oil from the depot when it is accompanied by a hazardous waste manifest, or a dangerous goods shipping document, as appropriate.
39. The Licencee shall use only licenced hazardous waste carriers to transport used oil from the depot.
40. The Licencee shall have a written agreement in place for transport of used oil with a licenced hazardous waste carrier at all times during the lifetime of the depot.

Respecting The Used Oil Products and Material Depot - Used Oil Filters

41. The Licencee shall store the used oil filters that are received at the depot 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.
42. The Licencee shall store the drums for oil filters referred to in Clause 42 in a manner which:
- a) is safe and secure; and
 - b) prevents infiltration from precipitation.
43. The Licencee shall send all used oil filters received at the depot to a recycling facility.
44. The Licencee shall treat all used oil filters prior to shipment to a recycler by, at a minimum:
- a) puncturing the top of the filter;
 - b) placing the filter in a tray and allowing it to drain for 24 hours; and
 - c) crushing the filter to a minimum of 75% volume compaction, or another procedure that is satisfactory to the Director.
45. The Licencee shall prepare a monthly report summarizing the following information respecting used oil filters received at the depot:
- 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 (or weight) of used oil filters treated at the depot.

Respecting The Used Oil Products and Material Depot - Used Oil Containers

46. The Licencee shall send all used oil containers received at the depot to a recycling facility.
47. The Licencee shall treat all used oil containers prior to shipment to a recycler, at a minimum:
 - a) by visually inspecting the container to confirm that it contained used oil;
 - b) by placing the container in a tray and allowing it to drain for 24 hours; and
 - c) by storing drained containers in a suitable metal receptacle prior to shipment from the depot.
48. The Licencee shall process used oil containers received from registered generators prior to shipment to a recycler by storing drained containers in a suitable metal receptacle.

Respecting the Pesticide Container Collection Depot

49. The Licencee shall provide:
 - a) legible, weatherproof signs posted at the entrance to the depot identifying the area as a pesticide container collection depot; and
 - b) signs that indicate the hours of operation, a contact number and a warning not to leave pesticide containers at the depot when the operator or other trained personnel is not available to accept delivery.
50. The Licencee shall construct the pesticide container collection depot so that it is lined by a compacted clay liner, fenced, has drainage so that rain does not collect in the depot and the depot has an access road.
51. The Licencee shall prepare and submit to the Director for approval at least 30 days before any wastes are deposited at the pesticide container collection depot, an operations manual prior to the operation of the pesticide container collection depot. The operations manual shall address, but not be limited to:
 - a) pesticide container receiving and storage;
 - b) nuisance control;
 - c) surface water management;
 - d) inspection and maintenance; and
 - e) monitoring and reporting.
52. The Licencee shall operate the pesticide container collection depot in accordance with the operations manual approved pursuant to Clause 52 of this Licence.
53. The Licencee shall prepare a monthly report summarizing the following information respecting pesticide containers received at the depot:
 - a) the monthly quantity of pesticide containers received at the pesticide container collection depot;
 - b) any incidents requiring action to be taken to implement nuisance control; and
 - c) any incidents requiring action to be taken with respect to security.

Respecting Financial Insurance/Assurance

54. The Licencee shall, within 30 days of the date of this Licence, post with the Manitoba Department of Conservation and Water Stewardship 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;
 - 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 Emergency Response

55. The Licencee shall provide to the Director, within 30 days of the issuance of this Licence, a current emergency response plan consistent with The Canadian Centre for Occupational Health and Safety 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 Alterations and Decommissioning

56. The Licencee shall obtain approval in writing from the Director for any proposed alteration to the facility, which is likely to cause an environmental effect, before proceeding with an alteration.
57. The Licencee shall, in the event that the facility is to be permanently closed as a waste lead acid battery collection depot and/or a used oil products and material collection depot and/or a pesticide container collection depot, or is offered for sale, conduct an investigation, to the satisfaction of the Director, to identify any contamination that may have resulted from the operation of the facility.
58. The Licencee shall, where the investigation referred to in Clause 57 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, the required remediation shall be carried out by the Licencee.

REVIEW AND REVOCATION

- A. 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.

- B. 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*.

ORIGINAL SIGNED BY

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

Client File No.: 5626.00

Consignee Registration No. MB R 30104
Cosignor Registration No. MBG 10552