



Environment and Climate
Environmental Approvals Branch
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File No: 4157.00

September 12, 2023

Meghan Cuvelier Klassen
Chief Administrative Officer
Municipality of Killarney-Turtle Mountain
PO Box 10
Killarney MB R0K 1G0
info@killarney.ca

Dear Meghan Cuvelier Klassen:

Re: Dangerous Goods Handling and Transportation Act Licence No. 367 HW

Please find enclosed Dangerous Goods Handling and Transportation Act Licence No. 367 HW in response to your proposal dated January 26, 2023. You wish to construct and operate a hazardous waste facility inside a class 1 waste disposal ground on portions of NE 7-3-16 WPM within the Municipality of Killarney-Turtle Mountain, Manitoba.

The Municipality of Killarney-Turtle Mountain must follow all licence requirements and federal, provincial, and municipal regulations and by-laws. The licensee must get approval from the director following clause 45 of the licence to alter the facility.

Anyone affected by this decision may appeal, in writing, to the Minister of Environment and Climate at minec@leg.gov.mb.ca by October 12 2023. The licence is available on the public registry at <https://www.gov.mb.ca/sd/eal/registries/index.html>.

If you have any questions regarding this approval, please contact Kristy Forrestall, Regional Supervisor, Environmental Compliance and Enforcement Branch, at EnvCEWestern@gov.mb.ca or 204-573-0518.

Sincerely,

Original Signed By
Agnes Wittmann
Director
The Dangerous Goods Handling and
Transportation Act

Enclosure

c. Kristy Forrestall

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



LICENCE

File No.: 4157.00

Licence No./Licence n°: 367 HW

Issue Date/Date de délivrance: September 12, 2023

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:

MUNICIPALITY OF KILLARNEY-TURTLE MOUNTAIN; "the licensee"

for the operation of a hazardous waste collection, storage, and transfer depot (facility), as identified in Schedule A of this licence, located at the Killarney Waste Disposal Ground on portions of NE 7-3-16 WPM within the Municipality of Killarney-Turtle Mountain, Manitoba following the application filed according to The Dangerous Goods Handling and Transportation Act on January 26, 2023, additional information dated May 11, 2023, and subject to the following specifications, limits, terms, and conditions:

DEFINITIONS

In this licence,

"accredited laboratory" means an analytical facility accredited by the Standards Council of Canada (SCC), or accredited by another accrediting agency recognized by Manitoba Environment and Climate to be equivalent to the SCC, or be able to demonstrate, upon request, that it has the quality assurance/quality control procedures in place equivalent to accreditation based on the international standard ISO/IEC 17025, or otherwise approved by the director;

"act" means The Dangerous Goods Handling and Transportation Act, and any future amendments;

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

"approved" means approved by the director or assigned environment officer in writing;

"container" means a single-use or reusable container or package, or the part of a means of transport, that is or may be used to contain any quantity of bulk or packaged goods, including, but not limited to, dangerous goods or contaminants. It may be a drum, drum equivalent, tub skid, or any vessel with a capacity of less than 30 litres;

"containment area" means an area that is equipped or designed with an impermeable barrier that prevents leaks or spills from reaching outside the specified area;

"contaminant" means a contaminant as defined in the act, or any future amendments;

"dangerous goods" means any product, substance or organism designated in the regulations, or conforming with the criteria set out in the regulations, or in any regulation adopted under the act, and includes hazardous wastes;

"days" means calendar days unless indicated;

"director" means an employee so designated under the act, unless specified in the licence;

"environment officer" means an employee so designated under the act;

"environmental accident" means a release, leakage or spillage of a contaminant into the environment other than in accordance with the provisions of this act, its licences, orders, and regulations or The Environment Act, its orders and regulations, or an incident which may or is likely to result in such a release, leakage, or spillage, which, having regard to the environment in which the release, leakage, or spillage takes place or may take place, and to the nature of the contaminant, creates, or may create a hazard to human life or health, to other living organisms, or to the physical environment;

"hazardous waste" means a product, substance or organism as defined in the act, or any future amendments;

"Manitoba Household Hazardous Waste Stewardship Program" means the program proposed by the Product Care Association and approved by the director which provides consumers in Manitoba with a collection system for specified household hazardous waste materials using the services of qualified recycling collection facilities;

"noise nuisance" means an unwanted sound, in an affected area, which is annoying, troublesome, 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 members of the public;

if the unwanted sound

- d) is the subject of at least five written complaints, received by the director in a form satisfactory to the director and within a 90-day period, from five 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 unwanted sound had occurred in a more densely populated area there would have been at least five written complaints received within a 90-day period, from five different persons who do not live in the same household;

"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 members of the public;

if the odour, smell, or aroma

- d) is the subject of at least five written complaints, received by the director in a form satisfactory to the director and within a 90-day period, from five 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 five written complaints received within a 90-day period, from five different persons who do not live in the same household.

"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 12 months or more;

"Product Care Manitoba Collection Site Guidelines" means the document "Manitoba Collection Site Guidelines – HHW Collection Sites" dated 2018, or any future amendments. This contains practical guidance and best management practices for collection site operators regarding staff handling and storing of program products collected under the Manitoba Household Hazardous Waste Stewardship program;

"Standard Methods for the Examination of Water and Wastewater" means the most recent edition of Standard Methods for the Examination of Water and Wastewater published jointly by the American Public Health Association, the American Water Works Association, and the Water Environment Federation;

"storage structure" means a structure that is covered by roofing or another means approved by the director ensuring that precipitation cannot enter the storage area or the secondary containment system.

"Transportation of Dangerous Goods Regulations" means the Transportation of Dangerous Goods Regulations, made under The Transportation of Dangerous Goods Act, 1992 (Canada), or any future amendments;

"used oil" means petroleum-derived or synthetic lubrication oil that has become unsuitable for its original purpose due to the presence of physical or chemical impurities or the loss of original properties if the oil falls within any of the following categories:

- a) lubrication oils for internal combustion engines such as motor oil, vehicle crankcase oil, and engine lubricating oil;
- b) transmission fluids, gearbox, and differential oils; and
- c) hydraulic fluids;

"used oil filter" means an oil filter containing used oil that through use, storage, handling, defect, damage, 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;

"waste disposal ground" means an area of land designated by a person, municipality, provincial government agency, or crown corporation for the disposal of waste and approved for use under the Waste Management Facilities Regulation, or any future amendments, or a licence under The Environment Act; and

"wastewater" means any liquid containing a contaminant as defined in the act, associated with or resulting from the facility and which requires treatment before being discharged into the environment.

GENERAL TERMS AND CONDITIONS

Retain Copy of Licence

1. The licensee must at all times maintain a copy of this licence at the facility or at the premises from which the facility's operations are managed.

Reporting Format

2. The licensee must submit all information to the director or environment officer under this licence, in electronic format, in a form and of content as specified by the director or environment officer, and each submission must be clearly labelled with the licence number and file number.

Environmental Coordinator

3. The licensee must designate an employee, within 60 days of the date of issuance of this licence, as the licensee's environmental coordinator, who will assist the licensee in complying with the limits, terms and conditions in this licence and assisting senior management of the licensee to manage environmental issues at the facility. The name of the environmental coordinator must be submitted in writing to the director within 14 days of the appointment and any subsequent appointment.

General Terms

4. The restrictions and conditions of this licence are severable. If any restriction or condition of this licence, or the application, to any circumstances is held invalid, the application of such restriction or condition to other circumstances and the remainder of this licence must not be affected thereby.
5. Nothing in this licence must be construed to relieve the licensee from civil or criminal penalties.
6. The licensee must at the request of the director:
 - a) conduct special studies to determine ambient air quality within the vicinity of the facility and/or emission testing for specified air pollutants in a manner satisfactory to the director; and
 - b) submit a report containing the ambient air quality data and/or the emission testing data and all other related data to the director within 90 days after completion of the studies.

Future Sampling

7. In addition to any terms or conditions specified in this licence, the licensee must, upon the request of the director:
 - a) sample, monitor, analyze, and/or investigate specific areas of concern regarding any aspect of pollutant storage, containment, treatment, handling, disposal, or emission systems, for 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 pollutant(s) from the facility;
 - c) conduct specific investigations in response to the data gathered during environmental monitoring programs; or
 - d) 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.

Sampling Methods

8. The licensee must, unless specified in this licence:
 - a) carry out all preservations and analyses on liquid samples following the methods prescribed in the most current edition of Standard Methods for the Examination of Water and Wastewater or following equivalent preservation and analytical methodologies approved by the director;
 - b) carry out all sampling of, preservation, and analyses of dangerous goods, hazardous wastes, soil, compost, or air samples following methodologies approved by the director;
 - c) have all analytical determinations undertaken by an accredited laboratory; and
 - d) report the results to the director, in an electronic form acceptable to the director within 60 days of the samples being taken, or within another time frame as specified by the director.

Remedial Measures

9. The licensee must carry out, as deemed necessary by the director or environment officer, any remedial measures, alterations, or modifications on matters authorized under this licence.

Fire Reporting

10. The licensee must in the event of a fire which continues in excess of 30 minutes or requires fire suppression assistance from personnel outside of the facility (example: fire department):
 - a) call the fire department; and
 - b) report the fire by calling the environmental emergency report line 204-944-4888 (toll free 1-855-944-4888), identifying the type of materials involved and the location of the fire.

Odour Nuisance

11. The licensee must not cause nor permit an odour nuisance to be created as a result of the construction, operation, or alteration of the facility, and must take such steps as the director may specify to eliminate or mitigate an odour nuisance.

Noise Nuisance

12. The licensee must not cause nor permit a noise nuisance to be created as a result of the operation or alteration of the facility, and must take such steps as the director may require to eliminate or mitigate a noise nuisance.

Trained Personnel

13. The licensee must provide the following training for all persons who will be assigned duties at the facility:
 - a) transportation of dangerous goods;
 - b) regulatory requirements; and
 - c) procedures about the operation of the facility, including spill response.
14. The licensee must make records of the training provided following clause 13 of this licence available for inspection by an environment officer upon request.
15. The licensee must have trained personnel on-site at all times when the facility is open to receive waste or materials.

Facility Access

16. The licensee must secure the facility so that:
 - a) gates are provided for all access locations to the facility; and
 - b) the gates are kept locked when an attendant is not on duty or the facility is closed.

Signage

17. The licensee must post legible, weatherproof signs at the entrance of the facility identifying the area as a hazardous waste collection facility. The signs must indicate the hours of operation, a contact number, and a warning not to leave hazardous waste at the facility when the trained personnel are not available to accept materials.

SPECIFICATIONS, LIMITS, TERMS, AND CONDITIONS

Facility Operations

18. The licensee must not receive at the facility any hazardous waste other than the types of hazardous waste listed in Schedule B of this licence.

Manitoba Household Hazardous Waste Stewardship Program Materials

19. The licensee must receive and store household hazardous wastes that are identified as program materials and non-program materials under the Manitoba Household Hazardous Waste Stewardship Program following the most current version of the Product Care Manitoba Collection Site Guidelines and this licence.

Non-Program Hazardous Waste

20. The licensee must segregate non-program hazardous wastes and dispose of them at a facility operating under the authority of a licence issued under the act in Manitoba, or under an approval of a similar type in another jurisdiction.

Hazardous Waste Storage

21. The licensee must store hazardous waste in a container that must be:
- constructed of a material that is compatible with the hazardous waste being stored;
 - corrosion and weather-resistant;
 - designed and constructed to withstand damage during handling and transportation;
 - sealable to prevent the release of its contents and to prevent any other substance from entering the container.
22. The licensee must store hazardous waste following the applicable requirements of the Manitoba Fire Code, or any future amendments.
23. The licensee must not store hazardous waste outside the storage structure or depot of the facility except :
- when the Manitoba Fire Code prohibits inside storage;
 - when approved by an environment officer; or
 - for purposes of handling during receiving or shipping operations of not more than 48 hours, unless approved by an environment officer.
24. The licensee must prominently affix a weather-resistant label with the name of the hazardous waste in the container.

Transport of Hazardous Waste

25. The licensee must transport all hazardous waste received at the facility within 90 days. The 90-day period will commence on the date the container is filled.

Used Oil Products and Material Collection Depot

26. The licensee must store used oil in an aboveground double-wall storage tank with a capacity of 2,250 litres following the requirements of the Environmental Code of Practice for Aboveground and Underground Storage Tank Systems Containing Petroleum and Allied Petroleum Products, published by the Canadian Council of Ministers of the Environment, Reference Number 1326, or any future amendments.
27. The licensee must place the used oil double-wall storage tank on an impervious surface which consists of at least 152 mm of compacted clay or on an impermeable containment area acceptable to the director.
28. The licensee must construct the loading area for the used oil storage tank such that it is:
 - a) properly graded to contain used oil in the event of a spill;
 - b) appropriately sized; and
 - c) made of impermeable material acceptable to the director.
29. The licensee must equip the area where used oil is transferred from the container to the storage tank with a spill containment system.
30. The licensee must ensure that used oil containers are stored in containers that are constructed of a material that will contain any used oil that may drain from the containers.
31. The licensee must, whenever used oil is being transferred to or from the tank of a vehicle, or to or from the storage tank, or via any other transfer systems, supervise the transfer at all times and in such a manner that the flow of liquid can be immediately shut off.
32. The licensee must 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.
33. The licensee must store the containers for used oil filters referred to in clause 32 of this licence in a manner which protects from precipitation.

Liquid Emissions

34. The licensee must:
 - a) maintain the facility in a condition capable of retaining any spillage which may occur. Floor drains or catch basins are not permitted in the storage area unless they are connected to an on-site holding tank or sump; and
 - b) direct wastewater collected in holding tanks or sumps to a wastewater treatment facility approved by the director.

Spills

35. The licensee must equip the facility with spill cleanup equipment and supplies.
36. The licensee, must in the event of a spill, dispose of the water used to clean up spills and post clean up materials following applicable regulations.

37. The licensee must in the event of an environmental accident, take all necessary actions to report the spill by calling the Environmental Emergency Report Line at 204 944-4888 (toll free 1-855-944-4888) following regulatory requirements, contain the spill, manage the impacted environment, and restore the environment to the satisfaction of the director.

Solid Waste

38. The licensee must dispose of all non-hazardous solid waste generated or collected at the facility, which is not recycled, only to a waste disposal ground.

Facility Inspection

39. The licensee must inspect the facility, and the hazardous waste storage area every day that the facility is operating and manage any unauthorized materials found at the facility by securely storing them or removing them from the facility within 120 days from the day it is recorded.
40. The licensee must record each inspection required by clause 39 of this licence and make the records available to an environment officer upon request. The record must include the following:
- a) the date of inspection;
 - b) the name of the person who conducted the inspection;
 - c) the observations made by that person during inspection including but not limited to:
 - i. the conditions of hazardous waste containers and all ancillary equipment;
 - ii. the conditions of the secondary containment system and of any other mechanism that prevents the release of hazardous waste; and
 - iii. any indications of a release of hazardous waste or of any deteriorations of containers, piping, ancillary equipment, or a secondary containment system that increase the likelihood of a release; and
 - d) recommendations for remedial action and actions undertaken.

Emergency Response

41. The licensee must prepare, within 90 days of the date of issuance of this licence, and maintain an emergency response contingency plan following the Canadian Centre for Occupational Health and Safety "Emergency Response Planning Guide" or other emergency planning guidelines acceptable to the director.
42. The licensee must keep a copy of the emergency response contingency plan on site, in a location accessible to all persons who will be assigned duties at the facility, at all times. The plan must be made available to an environment officer upon request.
43. The licensee must review the emergency response contingency plan on an annual basis, as a minimum, and make revisions as required.

Annual Hazardous Waste Receiver Report

44. The licensee must, on or before the 31st day of March of each year, submit to the director an annual report respecting the hazardous waste received by the facility following this licence during the previous calendar year and the manner in which the waste was treated or disposed of as defined in the Hazardous Waste Regulation under the act. The report must be made on a form approved by the director or submitted in a format acceptable to the director.

Retain Records

45. The licensee must, unless specified by this licence, retain all records relating to this licence 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. These records must be made available to an environment officer upon request.

Alterations and Decommissioning

46. The licensee must obtain approval, in writing, from the director for any proposed alteration or expansion to the facility before proceeding with the alteration.
47. The licensee must, at the request of the director in the event that the facility is permanently closed, conduct an investigation following "Environmental Site Assessments in Manitoba", (June 2016), to the satisfaction of the director, to identify any contamination which may have resulted from the operation of the facility.
48. The licensee must:
- a) where the investigation referred to in clause 47 of this licence shows that contamination of the environment has occurred, submit a remediation proposal, within 90 days, to the director; and
 - b) upon approval of this proposal by the director, carry out the required remediation.
49. The licensee must, in advance of the closure of the facility, submit to the director a plan to inspect the closed facility on a regular basis for any hazardous waste or dangerous goods placed at the closed facility. The licensee must manage the hazardous waste or dangerous goods in a manner approved by the director.

Collection Site Agreement

50. The licensee must, at all times during the operation of the facility, maintain a Manitoba Household Hazardous Waste Recycling Full Service Collection Site Agreement with the Product Care Association.

REVIEW AND REVOCATION

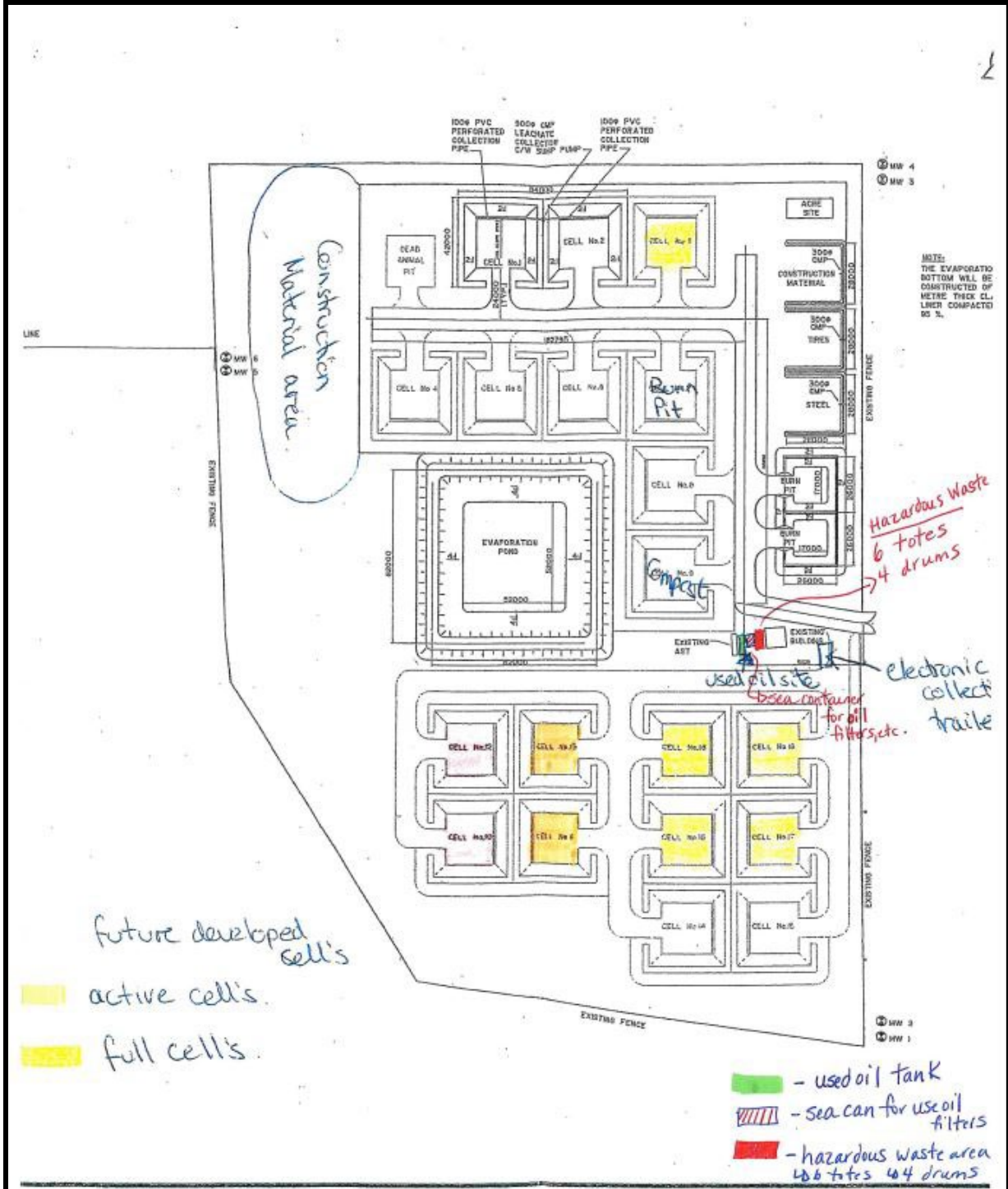
- A. This licence replaces Director's Order No. 57 HW, which is now hereby rescinded.
- B. If, in the opinion of the director, the licensee has exceeded or is exceeding or has failed or is failing to meet the specifications, limits, terms, or conditions set out in this licence, the director may, temporarily or permanently, revoke this licence.
- C. If the licensee has not commenced construction of the facility within three years of the date of this licence, the licence is revoked.
- 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 application following the act.

Original Signed By
Agnes Wittmann
Director
The Dangerous Goods Handling and Transportation Act

Consignor (Generator) Registration No.: MBG03496
Consignee (Receiver) Registration No.: MBR04037

**Schedule A to Dangerous Goods Handling and Transportation Act
Licence No. 367 HW**

Facility Layout



**Schedule B to Dangerous Goods Handling and Transportation Act
Licence No. 367 HW**

The types of hazardous waste accepted at the facility following clause 18 of this licence.

Household Hazardous Waste
Aerosols
Antifreeze
Compressed Gases
Corrosives
Paint Products
Used Oil
Used Oil Filters & Used Oil Containers (Used Oil Products and Materials)