



Environment, Climate and Parks

Environmental Approvals Branch

1007 Century Street, Winnipeg MB R3H 0W4

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[www.manitoba.ca](http://www.manitoba.ca)

File No: 4320.10

January 24, 2023

Cameron Prichard  
EH&S Manager – Regulatory Compliance  
GFL Environmental Services Inc.  
4208 84 Ave NW, Edmonton AB T6B 3N5  
[cprichard@gflenv.com](mailto:cprichard@gflenv.com)

Dear Cameron Prichard:

**RE: Alteration to Dangerous Goods Handling and Transportation Act Licence  
No. 334 HW – GFL Kenaston Facility**

Thank you for your proposal dated December 7, 2022. I approve the addition of two wastewater tanks at the facility and changing the name of the licensee from GFL Environmental Inc. to GFL Environmental Services Inc. following clause 109 of the licence.

In executing this work, the following terms and conditions apply:

Clause 62 of the licence will read as:

The licensee must not have more than the following tanks within Building B:

- a) three - 12,000 litre vertical poly tanks identified as tanks T1, T2, and T3
- b) three - 20,000 litre vertical poly tanks identified as tanks T4, T6, and T7
- c) one - 10,000 litre cone bottom poly tank identified as tank T8
- d) one - 22,000 litre vertical poly tank identified as tank T9
- e) two - 31,000 litre vertical steel tanks identified as tanks S1 and S2
- f) two - 11,356 litre cone bottom poly tanks identified as tanks T10 and T11

All other clauses of the licence remain in effect.

This letter will be posted to the public registry at  
<https://www.gov.mb.ca/sd/eal/registries/index.html>.

If you have any questions about this approval, please contact Edwin Yazon,  
Environmental Engineer, Environmental Approvals Branch at [Edwin.Yazon@gov.mb.ca](mailto:Edwin.Yazon@gov.mb.ca)  
or 431-335-2554.

If you have any questions about the ongoing administration of the licence, please contact Nada Suresh, Regional Supervisor, Environmental Compliance and Enforcement Branch at [EnvCEWinnipeg@gov.mb.ca](mailto:EnvCEWinnipeg@gov.mb.ca) or 204-945-8214.

Sincerely,

Original Signed By

James Capotosto  
Director

c. Nada Suresh  
Edwin Yazon



**Conservation and Climate**

Environmental Stewardship Division  
Environmental Approvals Branch  
1007 Century Street, Winnipeg, Manitoba R3H 0W4  
T 204 945-8321 F 204 945-5229

**FILE NO.: 4320.10**

April 6, 2020

Brent Laroque  
EHS Compliance Manager  
GFL Environmental Inc.  
100 Cory Road  
Saskatoon, SK  
S7K 3J7

Dear Brent Laroque:

Enclosed is **Dangerous Goods Handling and Transportation Act Licence No. 334HW**, issued to **GFL Environmental Inc.** for the continued operation of a storage, processing, treatment, bulking, blending and transfer facility ('the Facility') of non-hazardous and hazardous waste solids, liquids and gases, to be known as GFL Kenaston Facility in accordance with the application filed pursuant to The Dangerous Goods Handling and Transportation Act dated November 17, 2017, the additional information received on May 24, 2019 and June 17, 2019.

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 Development as licensed.

For further information on the administration and application of the Licence, please feel free to contact Nada Suresh, District Supervisor in Winnipeg at (204) 945-8214 or [nada.suresh@gov.mb.ca](mailto:nada.suresh@gov.mb.ca).

Pursuant to Section 25 of The Dangerous Goods Handling and 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 Climate within 30 days of the date of the Licence.

Sincerely,

*Original signed by*

Shannon Kohler  
Director  
Dangerous Goods Handling and Transportation Act

- c: Yvonne Hawryliuk/Nada Suresh: Environmental Compliance and Enforcement  
Siobhan Burland Ross: Environmental Approvals  
Public Registries

**NOTE:** Confirmation of receipt of this Licence No. 334HW (by the Licencee only) is required by the Director of Environmental Approvals. Please acknowledge receipt by signing in the space below and email a copy of this letter to [Cory.Graham@gov.mb.ca](mailto:Cory.Graham@gov.mb.ca) by April 17, 2020

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On behalf of GFL Environmental Inc.

Date

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



# LICENCE

**File No.: 4320.10**

**Licence No./Licence n° : 334 HW**

**Issue Date/Date de délivrance : April 06, 2020**

**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:**

**GFL ENVIRONMENTAL INC.;**

**"the Licencee"**

for the continued operation of a storage, processing, treatment, bulking, blending and transfer facility ('the Facility') of non-hazardous and hazardous waste solids, liquids and gases, to be known as GFL Kenaston Facility located at Lot 3 Plan 9153 WLTO in OTM Lots 60 to 63 Parish of Saint Boniface; commonly known as 1090 Kenaston Boulevard, Winnipeg, Manitoba in accordance with the application filed pursuant to The Dangerous Goods Handling and Transportation Act dated November 17, 2017, the additional information received on May 24, 2019 and June 17, 2019, 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 Conservation and Climate 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;

**"Act"** means The Dangerous Goods Handling and Transportation Act, C.C.S.M.c.D 12;

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

**"approved"** means approved by the Director or assigned Environment Officer in writing;

**"biomedical waste"** means waste that is derived from animals or humans or bio-research, or as defined by CCME in the Guideline for the Management of Biomedical Waste in Canada, PN 1060, or any future amendment thereof;

**"blending"** means the mixing of non-chlorinated hydrocarbons into used oil or processed oil in order to produce a homogeneous liquid;

**"Building A"** means the office and process building as identified on Figure 2, dated 16 April 2019;

**"Building B"** means the Water Treatment Process building as identified on Figure 2, dated 16 April 2019;

**"burner fuel"** means the combustible product resulting from the processing, blending and treatment of used oil; treated in accordance with industry standards and in a method recognized by Manitoba Conservation and Climate such that it is no longer identified as a hazardous waste under the Hazardous Waste Regulation, or any future amendment thereof;

**"Closure Plan"** means a plan indicating the actions to be taken for the closure of the Facility;

**"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 Dangerous Goods Handling and Transportation Act, as amended from time to time;

**"daily"** means any 24-hour period;

**"days"** means calendar days unless otherwise indicated;

**"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 in accordance with The Dangerous Goods Handling and Transportation Act, and includes hazardous wastes;

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

**"drum"** means a container having a capacity of 205 litres;

**"drum equivalent"** means a volume of 205 litres;

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

**"hazardous waste"** means a product, substance or organism as defined in The Dangerous Goods Handling and Transportation Act, or any future amendment thereof;

**"lab pack"** means small quantities of compatible wastes in containers that are placed in a drum and surrounded by sorbent material;

**"licenced carrier"** means a person who has a valid licence to transport hazardous waste pursuant to Manitoba Regulation 195/2015 under The Dangerous Goods Handling and Transportation Act, or any future amendment thereof;

**"National Fire Code"** means the National Fire Code of Canada 2010, issued by the Canadian Commission on Building and Fire Codes, National Research Council of Canada, as amended from time to time;

**"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 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 unwanted sound 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;

**"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 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;

**"PCB waste"** means a PCB liquid, a PCB solid or a piece of PCB equipment that is taken out of service for the purpose of disposal;

**"permanently closed"** means that the Facility is not operated for a period of 12 months or more;

**"Post-Closure Plan"** means a plan indicating the actions to be taken for the care, maintenance, and monitoring of the Facility after closure, that will prevent, mitigate, or minimize the threat to public health and the environment;

**"processing"** at this Facility includes: processing of used oil, processing of burner fuel, the separation by skimming or settling of liquids and contaminants, bulking of non-hazardous materials, aerosol puncturing, used oil filter crushing, and wastewater treatment;

**"registered generator"** means a person who is registered as a hazardous waste generator pursuant to Manitoba Regulation 195/2015 under The Dangerous Goods Handling and Transportation Act, or any future amendment thereof;

**"secondary containment"** means an impermeable barrier that prevents leaks from the primary storage tank system from reaching outside the containment area;

**"small containers"** means containers having a capacity of less than 205 litres;

**"small quantity retail hazardous waste"** means hazardous waste that has been generated by and collected from retail stores and that cannot be sold by the store due to damaged containers or other situations that cause the substance to become a waste;

**"solvent"** means a non chlorinated aliphatic hydrocarbon derived liquid with a flash point not less than 23°C;

**"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;

**"tote"** means a container with a capacity of approximately 1000 litres used to contain hazardous waste;

**"Transportation of Dangerous Goods Regulations"** means the Transportation of Dangerous Goods Regulations, SOR/2001-286, made under the Transportation of Dangerous Goods Act, 1992 (Canada), as amended from time to time;

**"transport vehicle"** means any of the trucks or trailer units designed to transport dangerous goods either in bulk or in containers;

**"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; and

**"wastewater"** means any liquid containing a contaminant as defined in The Dangerous Goods Handling and Transportation Act, associated with or resulting from Facility operations which is discharged into the environment.

### **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 maintain a copy of this Licence at the Facility or at the premises from which the Facility's operations are managed.
2. The Licencee shall implement a high standard of equipment maintenance and good housekeeping and operational practices with respect to the Facility, at all times.



3. The Licencee shall notify the Director, in writing, of any intention or agreement to lease any part or portion of the Facility's property, including buildings or structures, where such leasing might involve the establishment of any other development with a potential for emissions which may affect the environment.
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.
5. Nothing in this Licence shall be construed to relieve the Licencee from civil or criminal penalties.

### **Future Sampling**

6. The Licencee shall 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 ninety (90) days after completion of the studies.
7. In addition to any 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 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 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 Licencee shall, unless otherwise specified in this Licence:
  - a) carry out all preservations and analyses on liquid samples in accordance with the methods prescribed in the most current edition of Standard Methods for the

- Examination of Water and Wastewater or in accordance with equivalent preservation and analytical methodologies approved by the Director;
- b) carry out all sampling of, and preservation and analyses on soil or air samples in accordance with methodologies approved by the Director;
  - c) have all analytical determinations undertaken by an accredited laboratory; and
  - d) report the results to the Director, in writing and in an electronic form acceptable to the Director within sixty (60) days of the samples being taken, or within another time frame as specified by the Director.
9. Notwithstanding Clause 8 of this licence, where analysis are carried out on waste substances in order to determine the classification of the substances, the Licencee is not required to submit the analysis results to the Director, except on request.

### **Maintain Records**

10. The Licencee shall, unless otherwise 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 shall be made available to an Environment Officer upon request.

### **Reporting Format**

11. The Licencee shall submit all information required to be provided to the Director or Environment Officer under this Licence, in written and electronic format, in such form (including number of copies) and of such content as may be specified by the Director or Environment Officer, and each submission shall be clearly labelled with the Licence Number and File Number associated with this Licence.

### **Remedial Measures**

12. The Licencee shall carry out, as deemed necessary by the Director or Environment Officer, any remedial measures or modifications in respect to matters authorized under this Licence.

### **Responsible Party**

13. The Licencee shall designate an employee, within sixty (60) days of the date of issuance of this Licence, as the Licencee's Environmental Coordinator, whose job description will include assisting the Licencee in complying with the limits, terms and conditions in this Licence and assisting Senior Management of the Licencee to manage environmental issues at the Facility. The name of the Environmental Coordinator shall be submitted in writing to the Director within fourteen (14) days of appointment and any subsequent appointment.

### **Fire Reporting**

14. The Licencee shall in the event of a fire which continues in excess of thirty (30) minutes or requires implementation of the Emergency Response Plan or requires fire suppression assistance from personnel outside of the Facility (e.g., fire department):
  - a) call the fire department; and
  - b) report the fire by calling the 24 hour 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.

### **Approvals and Permits**

15. The Licencee shall comply with all the applicable requirements of:
  - a) Manitoba Regulation 188/2001, or any future amendment thereof, respecting the Storage and Handling of Petroleum Products and Allied Products;
  - b) Manitoba Regulation 195/2015, or any future amendments thereof, respecting Hazardous Waste; and
  - c) Manitoba Office of the Fire Commissioner.

### **Air and Noise Emissions**

16. The Licencee shall not cause or permit an odour nuisance to be created as a result of the construction, operation, or alteration of the Facility, and shall take such steps as the Director may specify to eliminate or mitigate an odour nuisance.
17. The Licencee shall not cause or permit a noise 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 mitigate a noise nuisance.
18. The Licencee shall maintain a plan for the management of air emissions from the tank farms, and all other storage structures and areas; and provide to an Environment Officer upon request.

### **Equipment Breakdown**

19. The Licencee shall, in the case of physical or mechanical equipment breakdown or process upset where such breakdown or process upset results or may result in the release of a pollutant in an amount or concentration, or at a level or rate of release, that causes or may cause a significant adverse effect, immediately report the event by calling the 24-hour environmental accident reporting line at 204-944-4888 (toll-free 1-855-944-4888). The report shall indicate the nature of the event, the time and estimated duration of the event and the reason for the event.
20. The Licencee shall, following the reporting of an event pursuant to Clause 19:
  - a) identify the repairs required to the mechanical equipment;

- b) undertake all repairs to minimize unauthorized discharges of a pollutant;
- c) complete the repairs in accordance with any written instructions of the Director; and
- d) submit a report to the Director about the causes of breakdown and measures taken, within one week of the repairs being done.

### **Spills**

- 21. The Licencee shall equip the Facility with spill cleanup equipment and supplies.
- 22. The Licencee shall take action to promptly clean up any spill or leakage and repackage the waste if any hazardous waste container leaks, cracks or otherwise causes a spill during loading or unloading. Any material resulting from such a cleanup shall be handled as hazardous waste and shall be packaged and disposed of in accordance with applicable regulations.
- 23. 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 report the spill in accordance with regulatory requirements, contain the spill, manage the impacted environment and restore the environment to the satisfaction of the Director.

### **Compliance Monitoring**

- 24. The Licencee shall, for the purpose of compliance monitoring, notify the Director verbally and in writing, concerning any actual or anticipated breach or failure to meet any specification, limit, term or condition of this Licence, as soon as possible after discovery, and in any event within two (2) working days of discovery.

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

### **Facility Operations**

- 25. The Licencee shall only use the Facility for receiving, storing, repacking, consolidating, bulking, blending, processing and shipping of hazardous and non hazardous waste solids, liquids and gases.
- 26. The Licencee shall whenever liquid hazardous wastes are being transferred to or from the cargo tank of a vehicle, or to or from the storage tanks, or any other transfer systems, supervise the transfer at all times and in such a manner that the flow of liquids can be immediately shut off.
- 27. The Licencee shall carry out truck to truck or other container type transfer of hazardous wastes only within an area with containment to prevent a spill to the environment, unless otherwise approved by the Director.

28. The Licencee shall operate the Facility in such a manner that containment would occur to any possible liquid spilled from vehicles or lines during the transfer of liquid hazardous wastes; and delivery hoses and lines can be drained before they are disconnected.

### **Signage**

29. The Licencee shall clearly post at the entrance to the hazardous waste storage area of the Facility:
- a) the name of the Licencee;
  - b) the hours of operation of the Facility;
  - c) a 24 hour emergency phone number; and
  - d) a conspicuous sign, marked as a hazardous waste storage area and not accessible to unauthorized personnel.

### **Waste Receipt and Transport**

30. The Licencee shall only receive those materials identified within the May 24, 2019 submission at the Facility; specifically the materials identified in Schedule A of this Licence.
31. The Licencee shall not accept the following hazardous wastes at the Facility without the written approval of the Director:
- a) TDG Class 1 (explosives or materials which are capable of detonation or of explosive decomposition or reaction at normal temperature and pressure);
  - b) TDG Class 6.2 (infectious substances);
  - c) TDG Class 7 (radioactive materials controlled under the Nuclear Safety and Control Act);
  - d) biomedical waste; or
  - e) waste containing polychlorinated biphenyls (PCBs) in concentrations in excess of 50 parts per million (ppm).
32. The Licencee shall receive hazardous wastes from companies in Manitoba that are generators registered pursuant to Manitoba Regulation 195/2015 under The Dangerous Goods Handling and Transportation Act, as amended from time to time, or under an approval of similar type in another jurisdiction (if the jurisdiction requires approval).
33. Notwithstanding Clause 32, the Licencee may accept small quantity retail hazardous wastes, but shall operate such that the materials:
- a) are only bulked at the Facility;
  - b) are not stored at the Facility for longer than 180 days; and
  - c) are sent to a licenced hazardous waste disposal or recycling facility.
34. The Licencee shall only allow transport of hazardous waste received at the Facility to:

- a) a hazardous waste disposal facility licensed in accordance with The Dangerous Goods Handling and Transportation Act;
  - b) a consignee who operates a used oil burner in accordance with the Hazardous Waste Regulation;
  - c) a consignee who operates a used oil collection facility in accordance with the Hazardous Waste Regulation;
  - d) a facility otherwise approved by the Director pursuant to an Order; or
  - e) a facility operating under an approval of similar type in another jurisdiction.
35. The Licencee shall use only licenced carriers to transport hazardous wastes from the Facility.
36. The Licencee shall transport hazardous waste to or from the Facility only when the hazardous waste is accompanied by a hazardous waste movement document, or a dangerous goods shipping document, as appropriate.

#### **Retention of Liquids**

37. The Licencee shall carry out any draining, flushing or cleaning of containers or transport vehicles performed at the Facility in a manner which retains any wash water and contaminants on the Facility and the retained fluids shall be disposed of in a manner approved by the Director.

#### **Facility Access**

38. The Director, or an Environment Officer, may, without incurring liability for so doing, enter the Facility for the purpose of:
- a) investigating, inspecting and carrying out tests at the Facility; and
  - b) examining, making copies of, or taking extracts from any records of the Facility pursuant to an investigation, inspection, or test under this Licence.
39. The Licencee shall lock the Facility in a manner that prevents unauthorized delivery of hazardous waste when the trained personnel are not present at the Facility.
40. The Licencee shall, when the operator or other trained personnel is not present at the Facility to accept materials, restrict access to the Facility with a gate and lock.

#### **Facility Security**

41. The Licencee shall equip the Facility with a security system to detect intrusion and a fire detection system in all buildings. Alarms must be monitored at a remote location and must be in good operating order at all times.

#### **General Storage**

42. The Licencee shall inspect the Facility on a daily basis and any unauthorized

materials found at the Facility during the daily inspections are to be placed in secure storage or removed from the Facility immediately.

43. The Licencee shall maintain a record of current inventory of hazardous waste materials in storage at the Facility and provide to an Environment Officer upon request.
44. The Licencee shall segregate hazardous wastes with incompatible characteristics to the greatest degree possible within the Facility.
45. The Licencee shall maintain the storage areas of the buildings in a condition capable of retaining any spillage which may occur. Concrete floor surfaces must be sealed to facilitate clean-up operations in the event of a spill within the building. Floor drains or catch basins are not permitted in the storage area unless they are connected only to an on-site holding tank or sump.
46. The Licencee shall only park transport vehicles or roll-off containers carrying hazardous waste in a containment area.
47. The Licencee shall park overnight at the Facility no more than twenty (20) transport vehicles that are carrying hazardous waste at a time. Approval from an Environment Officer is required for additional transport vehicles to park overnight.
48. The Licencee shall locate within secondary containment all transport vehicles carrying hazardous waste that are parked at the Facility in excess of eight hours or when the Facility does not have operators on site.

#### **Storage of Hazardous Waste**

49. The Licencee shall store hazardous waste in a container that must be:
  - a) constructed of a material that is compatible with the hazardous waste being stored;
  - b) designed and constructed to withstand damage during handling and transportation;
  - c) sealable to prevent the release of its contents and prevent any other substance from entering the container; and
  - d) labelled prominently with a weather resistant label with the name of the hazardous waste in the container.
50. The Licencee shall only store hazardous wastes outdoors in a structure that is covered by roofing or another means approved by the Director that ensures precipitation cannot enter the storage area.
51. Clause 50 does not apply to hazardous wastes that are stored in a container or other structure approved by the Director.

52. The Licencee shall not store at the Facility, at any time, totes, drums and small containers containing hazardous waste, in excess of 1500 drum equivalents, unless otherwise approved by the Director.
53. Notwithstanding Clause 52 the Licencee shall comply with the National Fire Code volume quantities as set out for inside storage for dangerous goods.
54. The Licencee shall store hazardous waste as described in Clause 52 of this Licence:
  - a) in single pallet rows not more than 2 drum heights or 240 centimetres in height;
  - b) with a minimum aisle width between rows of 60 centimetres; and
  - c) with a maximum row width not to exceed 150 centimetres.
55. The Licencee shall not store hazardous waste as described in Clause 52 of this Licence for a period exceeding 180 days from the date of receipt of the hazardous waste, except for lab packs, where a 180 day period for storage will commence on the date the lab pack is filled.
56. The Licencee shall, upon completion of a lab pack, properly label and mark the outer container and attach an inventory of the contents to the container. The date of completion of filling of the lab pack shall also be indicated on the inventory.
57. The Licencee shall not store more than 50 in-process lab packs at the Facility. The in-process lab packs shall be segregated from the other incompatible hazardous wastes in storage.

### **Tank Farm**

58. The Licencee shall not have more than the following tanks within the main tank farm:
  - a) 6 – 120 000 Litre vertical storage tanks identified as Tanks K1 to K6.
  - b) 6 – 124 500 Litre vertical storage tanks identified as Tanks K7 to K12.
  - c) 2 – 640 000 Litre vertical storage tanks identified as Tank F1 and F2.
  - d) 1 – 50 000 Litre horizontal storage tank identified as Tank B1.
59. The Licencee shall not have more than the following tanks within the process tank farm:
  - a) 4 – 60 000 Litre vertical storage tanks identified as Tanks P1 to P4.
60. The Licencee shall not have more than the following tanks in proximity to Building A:
  - a) 1 – 5 000 Litre filter press waste oil AST tank identified as FPT1.
  - b) 1 – 4 510 Litre solvent AST tank identified as S1
61. The Licencee shall not have more than the following tanks within Building A:
  - a) 4 – 15 230 Litre vertical storage tanks identified as Tanks P5 to P8



- b) 1 – 4 600 Litre tank for process decant AST identified as PST1.
- 62. The Licencee shall not have more than the following tanks within Building B:
  - a) 3 – 12 000 Litre vertical poly tanks identified as Tanks T1 to T3.
  - b) 3 – 20 000 Litre vertical poly tanks, identified as Tanks T4, T6 and T7.
  - c) 1 – 10 000 Litre cone bottom poly tank, identified as Tank T8.
  - d) 1 – 22 000 Litre vertical poly tank identified as Tank T9.
  - e) 2 – 31 000 Litre vertical steel tank identified as Tank S1 and S2.
- 63. The Licencee shall maintain oil storage tank areas with a containment system that is in compliance with the CCME Environmental Code of Practice (PN 1326).
- 64. The Licencee shall maintain the secondary containment system in a manner that does not interfere with the net capacity requirements inside the secondary containment system. At no time shall the additional precipitation volume impede the secondary containment capacity requirements.
- 65. The Licencee shall only remove precipitation that has accumulated in the secondary containment area if there have been no documented releases, spills, leaks or discharges of used oil (from the previous removal to the current). In the event a documented spill has occurred, the Licencee must receive authorization from an Environment Officer prior to removal of any accumulated liquid. If any accumulated liquid may be contaminated, it shall be sampled and tested for appropriate parameters by an accredited laboratory prior to any request for removal. Contaminated accumulated liquid shall be treated through an oil-water separator or handled as hazardous waste.
- 66. The Licencee shall maintain the high level alarms within the process tanks in operational condition while there is any product in the tanks.
- 67. The Licencee shall equip and maintain a granular activated carbon filtration system or other approved filtration system on the passive ventilation nozzle of any storage tank upon the request and in the timeframe specified by an Environment Officer.

#### **Used Glycol**

- 68. The Licencee shall operate such that used glycols:
  - a) are only bulked at the Facility;
  - b) are not treated at the Facility except for filtration, skimming, and/or settling to remove contaminants;
  - c) are not blended with any other material at the Facility;
  - d) are not stored in excess of a maximum volume of 125 000 Litres;
  - e) are not stored at the Facility for longer than 180 days; and
  - f) are sent to a licenced waste disposal or recycling facility.

#### **Waste Gasoline and Diesels**

69. The Licencee shall operate such that waste gasoline and diesels:
- a) are only bulked and/or blended with used oil or processed oil at the Facility;
  - b) are not treated at the Facility except for filtration, skimming, and/or settling to remove contaminants;
  - c) are not stored in excess of a maximum volume of 1 200 000 Litres;
  - d) are not stored at the Facility for longer than 180 days; and
  - e) are sent to a licenced hazardous waste disposal or recycling facility unless they are used in the blending process.

### **Waste Solvents**

70. The Licencee shall operate such that waste solvents:
- a) are only bulked and/or blended with used oil or processed oil at the Facility;
  - b) are not treated at the Facility except for filtration, skimming, and/or settling to remove contaminants;
  - c) are not stored in excess of a maximum volume of 50 000 Litres;
  - d) are not stored at the Facility for longer than 180 days; and
  - e) are sent to a licenced hazardous waste disposal or recycling facility unless they are used in the blending process.

### **Burner Fuel Processing**

71. The Licencee shall equip and maintain every tank utilized for used oil processing with a granular activated carbon filtration system on the passive ventilation nozzle.
72. Within six (6) months of issuance of this Licence; the Licencee shall develop and maintain an Operations Manual that includes:
- a) details on the process by which used oil is processed, blended or treated to create burner fuel;
  - b) the parameters tested to determine burner fuel quality (including limits or range to be considered burner fuel in accordance with applicable Federal fuel regulations);
  - c) reference to applicable industry standards or codes;
  - d) a copy of the Safety Data Sheets for the burner fuel; and
  - e) sampling and recording schedules for each batch of burner fuel.
73. The Licencee shall provide the Operations Manual to the Director or Environment Officer, upon request and in the time specified.
74. The Licencee shall process burner fuel in accordance with the Operations Manual developed pursuant to Clause 72 of this Licence and subject to any terms and conditions set by the Director.
75. The Licencee shall keep a log of volumes of waste oil processed and the resultant volumes of burner fuel and sludge generated.

76. The Licencee shall store all sludge in storage tanks clearly designated within the storage tank farm, or in a manner approved by the Director.

#### **Public Used Oil Products and Material Collection**

77. The Licencee shall have the operator visually inspect each individual container of used oil that is received from the public for contamination before the contents are transferred to the storage tank.
78. The Licencee shall only have the operator or other trained personnel employed by the Licencee transfer used oil into the storage tank.

#### **Used Oil Filters**

79. The Licencee may recycle used oil filters received at the Facility.
80. The Licencee shall process by crushing and draining the used oil filters received from the public or from registered generators prior to shipment to a recycler.

#### **Waste Plastic Containers**

81. The Licencee shall receive waste plastic containers at the Facility; and shall;
- a) verify the residue last contained, if not oil;
  - b) store containers in a storage container or equivalent equipped with a false floor and collection system; prior to shipment from the Facility; or
  - c) store the containers in a manner approved by the Director.

#### **Sludge Containment Facility**

82. The Licencee shall construct and maintain the Sludge Containment Facility so that;
- a) the constructed containment area shall be sized to contain 110% of the volume of the shale bin (liquid capacity);
  - b) the secondary containment impermeable barrier shall be 60 mil HDPE, at minimum; and
  - c) notify the designated Environment Officer once the shale bin and containment is installed, prior to utilization.
83. The Licencee shall ensure that sludge received at the Facility:
- a) is sampled prior to mixing with other waste or materials, if chemistry or characteristics is unknown;
  - b) is transferred from delivery vehicles to the steel mixing bins on a surface that contains any spills; and
  - c) is stored within the steel mixing bins until treatment or disposal occurs.

### **Aerosol Can Splitter**

84. The Licencee may operate an aerosol can splitter and must maintain the aerosol can splitter in such a manner to not emit or create aerosol emissions.

### **Material Disposal**

85. The Licencee shall test any unknown or unidentified materials that are to be disposed of or transported off the Facility to determine whether they are hazardous.
86. Any materials that are determined to be a hazardous waste shall be disposed of at a licenced hazardous waste disposal facility.

### **Wastewater**

87. The Licencee shall direct all wastewater generated as a result of any activity at the Facility, to a sump or sumps properly designed to contain such liquids.
88. The Licencee shall treat any wastewater generated at the Facility, or wastewater received for treatment in Building B or send the wastewater for disposal to a licenced wastewater disposal facility.
89. The Licencee shall send for disposal to a licenced hazardous waste disposal facility all wastewater that is hazardous.
90. The Licencee shall not discharge non-hazardous wastewater beyond the property boundaries of the Facility except any discharge which conforms to and is directed to the sanitary sewer system in accordance with Pollution Prevention Plan IWSB-PP-753 and the City of Winnipeg Sewer By-Law No. 92/2010, as amended from time to time; or wastewater which is hauled to a City of Winnipeg Wastewater Treatment Facility.

### **Solid Waste**

91. The Licencee shall dispose of all non-hazardous solid waste generated or collected at the Facility, which is not recycled, only to a waste disposal ground operating under the authority of a permit issued pursuant to Manitoba Regulation 37/2016 or any future amendment thereof, or a Licence issued pursuant to The Environment Act.

### **Facility Inspection**

92. The Licence shall conduct daily inspections of the Facility to ensure that all pieces of equipment and the storage and treatment operations are operated in a manner that

will not negatively impact the environment. Any deficiencies detected during these daily inspections, that might negatively impact the environment shall be promptly corrected. The inspection must include, as applicable, an observation of:

- a) the condition of every hazardous waste container and all piping and ancillary equipment;
- b) the condition of the secondary containment system and of any other mechanism that prevents the release of hazardous waste; and
- c) any indications of a release of hazardous waste or of any deterioration of containers, piping, ancillary equipment or a secondary containment system that increases the likelihood of a release.

- 93. The Licencee shall record each inspection required by Clause 92 of this Licence. The record shall include the date of the inspection, the name of the person who conducted the inspection, the observations made by that person during the inspection and recommendations for remedial action and actions undertaken.
- 94. The records of this inspection required by Clause 93 shall be made available to an Environment Officer upon request.

### **Trained Personnel**

- 95. The Licencee shall provide training for all persons who will be assigned duties at the Facility in:
  - a) transportation of dangerous goods;
  - b) regulatory requirements; and
  - c) procedures pertaining to the operation of the facility including spill response.
- 96. The records of the training of Clause 95 shall be made available for inspection by an Environment Officer upon request.
- 97. The trained personnel shall be on site at all times when the Facility is open to receive waste or materials.

### **Emergency Response**

- 98. The Licencee shall prepare, within ninety (90) days of the date of issuance of this Licence, and maintain an emergency response contingency plan in accordance with the Canadian Centre for Occupational Health and Safety "Emergency Response Planning Guide" or other emergency planning guidelines acceptable to the Director.

99. The emergency response contingency plan shall be designed to minimize hazards from fires, explosions or any unplanned release of hazardous waste or contaminants.
100. The Licence shall 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.
101. A copy of the emergency response contingency plan shall be made available to an Environment Officer upon request.
102. The Licencee shall review the emergency response contingency plan on an annual basis, as a minimum, and make revisions as required.
103. Within sixty (60) days of the issuance of this Licence, the Licencee shall update and maintain a fire safety plan, which shall be kept at the Facility and made available upon request for inspection by an Environment Officer. The Licencee shall notify the Winnipeg Fire Paramedic Service of the types of activities occurring at the Facility and the availability of a fire safety plan.

#### **Annual Reporting**

104. The Licencee shall, on or before the 15th day of April of each year and beginning in 2021, submit to the Director an annual report with respect to all activities at the Facility conducted pursuant to this Licence during the previous calendar year. The format of the report shall be approved by the Director and contain, as a minimum, the following information:
  - a) a summary of any changes to the Operations Manual or Standards of Clause 72;
  - b) a summary of all calibration and equipment maintenance records;
  - c) summary reports and details of all incidents that require implementation of the contingency plan; and
  - d) with respect to any monitoring programs:
    - i. the date(s), exact place, and time(s) of sampling or measurements;
    - ii. the date(s) analyses were performed;
    - iii. the individual(s) who performed the analyses;
    - iv. documentation to verify the appropriate certification of the laboratory used to perform the analyses; and
    - v. quality assurance and quality control data.

#### **Annual Hazardous Waste Receiver Report**

105. The Licencee shall, on or before the 31<sup>st</sup> day of March of each year, submit to the Director an annual report respecting the hazardous waste received by the Facility pursuant to this Licence during the previous calendar year and the manner in which the waste was treated or disposed as defined in Manitoba Regulation 195/2015 under

The Dangerous Goods Handling and Transportation Act. The report shall be made on a form approved by the Director or submitted in a format acceptable to the Director.

### **Groundwater Monitoring**

106. The Licencee shall sample, store and analyze monitoring well samples using approved field and laboratory techniques for dissolved analysis. The analytical results shall be retained in a format acceptable to the Director.
107. The Licencee shall sample the groundwater monitoring wells once per year for conductivity, pH, and temperature, OVCs, PHC Fractions F1, F2, F3, F4, BTEX and VOCs, or selected parameter, and at a frequency, as approved by the Director.
108. The Licencee shall include in the Annual Report of Clause 104 the results of the groundwater sampling analyses, complete with previous results and trends.

### **Moderations, Alterations and Decommissioning**

109. The Licencee shall obtain approval in writing from the Director for any proposed alteration to the Facility before proceeding with the alteration.
110. Within one (1) year prior to imminent closure of the Facility the Licencee shall submit, for the approval of the Director, a formal detailed Closure and Post-Closure Plan for the Facility.
111. The Licencee shall implement and maintain the approved Closure and Post-Closure Plan; subject to terms and conditions set by the Director at the time of approval.
112. The Licencee shall, at the request of the Director, in the event that the Facility is permanently closed, conduct an investigation in accordance with "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.
113. The Licencee shall, where the investigation referred to in Clause 112 of this Licence shows that contamination of the environment has occurred, submit a remediation proposal, within ninety (90) days, to the Director and, upon approval of this proposal by the Director, the required remediation shall be carried out by the Licencee.

### **Insurance and Financial Assurance**

114. The Licencee shall prepare, within six (6) months of the date of this Licence, a remediation and closure plan assessment, satisfactory to the Director, that includes, but is not limited to, the following:
  - a) estimated cost to assess the impacts of the Facility to soil and groundwater;

- b) estimated cost to remediate impacts of the Facility identified in the assessment referred to in Clause 114 (a); and
  - c) estimated cost to decommission the Facility.
- 115. The Licencee shall maintain and post with Manitoba Conservation and Climate, in the amount determined in Clause 114 of this Licence:
  - 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.
- 116. The Permit bond, irrevocable letter of credit, or other security and renewals thereof, referenced in Clause 115 of this Licence, shall remain in place for the duration of the operation and decommissioning 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.
- 117. The Licencee shall, every 5 years or more frequently at the Licencee's preference or the request of the Director, carry out a review of the assessment completed pursuant to Clause 114 of this licence and accordingly update the amount of the permit bond, irrevocable letter or credit or other security required by Clause 115 of this licence.
- 118. The Licencee shall maintain valid Environmental Impairment Liability insurance providing coverage subject to a minimum limit of \$1,000,000 Cdn per occurrence or claim, including coverage for gradual, and sudden and accidental pollution. Coverage to include on-site and off-site clean up costs, and be placed with insurers satisfactory to the Province of Manitoba. The Province of Manitoba is to be added as an Additional Insured on the policy. The policy shall contain a clause stating that the Insurer will give Manitoba 60 days prior written notice in case of a reduction in coverage or policy cancellation.



**REVIEW AND REVOCATION**

- A. This Licence replaces The Dangerous Goods Handling and Transportation Act Licence No. 69 HW RR which is now 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.

***“original signed by”***

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Shannon Kohler  
Director  
The Dangerous Goods Handling and  
Transportation Act

**Consignor** (Generator) **Registration No.:** MBG04810  
**Consignee (Receiver)** **Registration No.:** **MBR04811**

**Schedule A to  
Licence No. 334 HW, Clause 30**

<b>Hazardous Waste</b>
TDG Class 2 Gasses (all divisions);
TDG Class 3 Flammable Liquids;
TDG Class 4 Flammable solids (all divisions)
TDG Class 5.1 Oxidizers
TDG Class 5.2 Organic peroxides
TDG Class 6.1 Toxic Substances
TDG Class 8 Corrosive
TDG Class 9 Miscellaneous Products, Substances or Organisms
Used Oil
Used oil filters
Waste plastic containers
Used glycol
Wastewater