



Environment and Climate Change

Environmental Approvals Branch
Box 35, 14 Fultz Boulevard
Winnipeg MB R3Y 0L6
T 204-945-8321 F 204-945-5229
EABDirector@gov.mb.ca

File No.: 5665.00

March 4, 2025

Aditya Bhatt
Gerdau Ameristeel Corporation
27 Main Street
Selkirk MB R1A 2B4
aditya.bhatt@gerdau.com

Dear Aditya Bhatt:

Re: Gerdau Winnipeg Metallics Raw Materials – Dangerous Goods Handling and Transportation Act Licence No. 291 HW – Approval

Thank you for your alteration request dated January 20, 2025, and additional information received on February 7, 2025. You seek to accept the following additional hazardous waste materials at Gerdau Winnipeg Metallics Raw Materials located on 314 Dawson Road North, Winnipeg:

- containers and items associated with used oil (i.e., pails, lids);
- aerosols and propane tanks;
- paint pails;
- electric vehicle (EV) nickel metal hydride batteries;
- EV lithium-ion batteries; and
- electronics and lighting.

Currently, your facility accepts the following hazardous waste materials:

- white goods (i.e., scrap appliances such as stoves, driers, washers and hot water tanks);
- lead acid batteries;
- used oil and filters; and
- tires.

Schedule A of this letter identifies the full list of hazardous waste you are proposing to accept and Schedule B identifies the facility layout.

I approve your alteration request, and amend clauses 8, 9, 15, 20, 24, 33, 34, 35, 39, 42 and 43 of the licence and add clauses 45-86 following section 11(1)(a) of The Dangerous Goods Handling and Transportation Act. In executing the proposed alteration, you must follow the conditions listed in Appendix A of this approval letter.

All other clauses of the licence remain in effect. This alteration is available on the public registry at <https://www.gov.mb.ca/sd/eal/registries/5665gerdau/index.html>.

If you have any questions regarding this approval, please contact Desalegn Edossa, Environmental Engineer, Environmental Approvals Branch at Desalegn.Edossa@gov.mb.ca or 204-945-7021.

For questions relating to the ongoing administration of the licence, please contact Sonja Bridges, Acting Regional Supervisor, Environmental Compliance and Enforcement Branch at EnvCEWinnipeg@gov.mb.ca or 204-918-4271.

Sincerely,

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

c. Sonja Bridges
Desalegn Edossa

Definition

In this licence,

"act" means [The Dangerous Goods Handling and Transportation Act](#), or any future amendments;

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

"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 hazardous waste. 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;

"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;

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

"drum equivalent" means a volume of 205 litres;

"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;

"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;

"secondary containment system" means a system intended to prevent the release of hazardous waste to the environment from a container, piping, or other ancillary equipment;

"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.

"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 any contaminant as defined in the act, associated with or resulting from the facility and which requires treatment prior to being discharged into the environment.

Appendix A

AMENDED CLAUSES

8. The licensee must not, unless approved by an environment officer, receive at the facility any hazardous waste other than the types of hazardous waste listed in Schedule A of this approval.
9. The licensee must receive hazardous wastes from companies in Manitoba that are registered generators following the Hazardous Waste Regulation, or any future amendments, or under an approval of similar type in another jurisdiction if the jurisdiction requires approval.
15. 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.
20. The licensee must store waste automotive batteries on pallets or in tub skids in the following manner:
 - a) if pallets are used, the waste automotive batteries must be placed on the pallets with a layer of corrugated cardboard or other material which will prevent casing ruptures, placed between successive layers of waste automotive batteries. The full pallet of batteries must have three layers of batteries and be shrink wrapped with plastic before shipment from the facility; and
 - b) if tub skids are used, the waste automotive batteries must be placed in acid resistant, leak-proof tub skids.
24. The licensee must, unless otherwise approved by the environment officer, transport all hazardous waste received at the facility within 90 days. The 90-day period will commence on the date the container is filled.
33. The licensee must:
 - a) inspect the facility and the hazardous waste storage area every day when the facility is operating; and
 - b) 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.
34. The licensee must record each inspection required by clause 33 of this approval 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.

35. The licensee must update 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.
39. The licensee must maintain throughout the term of this licence:
 - a) \$50,000.00 property insurance; and
 - b) \$5,000,000.00 general comprehensive liability insurance.
42. 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.
43. The licensee must:
 - a) where the investigation referred to in clause 42 of this approval 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.

ADDITIONAL CLAUSES

Trained Personnel

45. The licensee must make records of the training provided following clause 15 of this approval available for inspection by an environment officer upon request.
46. The licensee must have trained personnel on-site at all times when the facility is open to receive waste or materials.

Environmental Coordinator

47. The licensee must, within 60 days of the date of issuance of this approval, designate an employee as the operator's environmental coordinator, whose job description will include assisting the:
 - a) operator in complying with the limits, terms, and conditions in this approval and the licence; and
 - b) assisting the senior management of the licensee to manage environmental issues at the facility.
48. The licensee must submit the name of the environmental coordinator in writing to the director within 14 days of the appointment and any subsequent appointment.

General Terms

49. The licensee must 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.

50. The restrictions and conditions of this approval and the licence are severable. If any restriction or condition of this approval and the 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 approval and the licence must not be affected thereby.
51. Nothing in this approval and the licence must be construed to relieve the licensee from civil or criminal penalties.
52. The licensee must at the request of the director:
- 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
 - 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

Fire Reporting

53. The licensee must in the event of a fire which continues in excess of 30 minutes or requires implementation of the emergency response plan or requires fire suppression assistance from personnel outside of the facility (example: fire department):
- call the fire department; and
 - report the fire by calling the 24 hour Environmental Emergency Report line at 204-944-4888 (toll free 1-855-944-4888), identifying the type of materials involved and the location of the fire.

Odour Nuisance

54. The licensee must not cause or 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

55. The licensee must not cause or permit a noise 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 require to eliminate or mitigate a noise nuisance.

Facility Access

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

Signage

57. The licensee must post legible, weatherproof signs at the entrance of the facility identifying the area as a hazardous waste collection facility.

SPECIFICATIONS, LIMITS, TERMS, AND CONDITIONS

Facility Operations

58. The licensee must visually inspect incoming waste containers before being accepted at the facility to determine that the containers are undamaged and properly labeled and packaged.

Hazardous Waste Storage

59. The licensee must store all hazardous waste in an area that is:
- a) secure, not accessible to unauthorized personnel; and
 - b) clearly marked as a hazardous waste storage area using a visible sign.
60. The licensee must manage the storage area to prevent drainage or run-off from entering or leaving the area.
61. The licensee must store hazardous waste following the applicable requirements of the Manitoba Fire Code, or any future amendments.
62. The licensee must not store hazardous waste outside the storage structure of the facility except:
- a) when the Manitoba Fire Code prohibits inside storage;
 - b) when approved by an environment officer; or
 - c) for purposes of handling during receiving or shipping operations of not more than 48 hours, unless approved by an environment officer.
63. The licensee must, unless otherwise approved by an environment officer, not store hazardous waste in trucks or trailers and all received hazardous wastes must be immediately unloaded into the facility.

Used Oil Products and Material Collection Depot

64. The licensee must store used oil in an aboveground double-wall storage tank with a capacity of 2,200 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.
65. 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.
66. The licensee must equip the area where used oil is transferred from the container to the storage tank with a spill containment system.
67. The licensee must ensure that used oil containers are stored in containers which are constructed of a material that will contain any used oil that may drain from the containers.
68. 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.

69. The licensee must store used oil filters received at the facility in containers that have a maximum capacity of 205 litres and are designed so that they will contain any used oil which may drain from the filters.
70. The licensee must store the containers for used oil filters referred to in clause 69 of this approval in a manner which protects them from precipitation.

Mercury Waste

71. The licensee must collect and store:
- a) mercury-containing thermostats in a well-sealed, leak-proof, plastic container; and
 - b) mercury containing devices in a sealable plastic bag before placing in a well-sealed, leak-proof, plastic container.
72. The licensee must label the container in clause 71 of this approval as "Contains mercury".

Liquid Emissions

73. 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 any waste collected in holding tanks or sumps to a licenced treatment facility approved by the director.

Emergency Response

74. 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.

Spills

75. 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

76. 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 Security

77. The licensee must equip and maintain a fully operational site security system consisting of intrusion alarms and fire detection systems in all storage and handling areas. Alarms must be monitored at a remote location and must be in good operating order at all times.

78. The licensee must provide the director and the Winnipeg Fire and Police Departments with a 24-hour contact number for personnel who have access to current on-site waste inventories at the facility.

Annual Hazardous Waste Receiver Report

79. 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 or any future amendment. The report must be made on a form approved by the director or submitted in a format acceptable to the director.

Alterations and Decommissioning

80. The licensee must submit to the director in advance of the closure of the facility a plan to inspect the closed facility on a regular basis for any hazardous waste or dangerous good placed at the closed facility. The licensee must manage this hazardous waste or dangerous good in a manner approved by the director.

Insurance and Financial Assurance

81. The licensee must, within six months of the date of this approval, prepare 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 81(a) of this approval; and
 - c) estimated cost to decommission the facility.
82. The licensee must maintain and post with the director, in the amount determined in clause 81 of this approval:
- a) a permit bond issued by a surety company licensed to do business in the Province of Manitoba;
 - b) an irrevocable letter of credit; or
 - c) another acceptable security satisfactory to the director.
83. The licensee must maintain the permit bond, irrevocable letter of credit, or other security and renewals, referenced in clause 82 of this approval, 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 licensee, upon the director being satisfied that the licensee is in breach of any specification, limit, term, or condition of this approval and the 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.
84. The licensee must, every five years or more frequently at the licensee's preference or the request of the director, carry out a review of the assessment completed following clause 81 of this approval and accordingly update the amount of the permit bond, irrevocable letter of credit, or other security required by clause 82 of this approval.

Liability Insurance for Gradual Sudden Accidental Pollution

85. The licensee must maintain valid Environmental Impairment Liability insurance providing coverage subject to a minimum limit of \$1,000,000 CAD 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 must contain a clause stating that the Insurer will give the Province of Manitoba 60 days prior written notice in case of a reduction in coverage or policy cancellation.

Equipment or Process Upset

86. The licensee must, 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 emergency report line at 204-944-4888 (toll-free 1-855-944-4888). The report must indicate the nature of the event, the time and estimated duration of the event, and the reason for the event.

Schedule A to March 4 Notice of Alteration Approval

Types of hazardous waste accepted at the facility

Hazardous Waste Collector and/or Producer Responsibility Organization (PRO)	Household Hazardous Waste
Product Care	Aerosols
Manitoba Association of Regional Recyclers	Antifreeze
Canadian Battery Association	Automotive Batteries
Call2Recycle/Purolator	Household Batteries - Non-Rechargeable (Single-Use) (e.g. AA, AAA, 9V, D-cell, button cells)
Call2Recycle/Purolator	Household Batteries - Rechargeable (e.g. from power tools, cameras, phones, emergency devices, UPS back-ups, laptops)
Non-Steward - Prairie Propane/Miller Environmental	Compressed Gases (Non-Single Use Cylinders)
Product Care/Miller Environmental	Compressed Gases (Single Use Cylinders)
Product Care/Miller Environmental	Flammable Liquids
Product Care	Fluorescent Tubes and Compact Fluorescent Bulbs (Crushed)
Product Care	Fluorescent Tubes and Compact Fluorescent Bulbs
Product Care	Paint Products
Product Care/Miller Environmental	PCB* (Polychlorinated Biphenyls e.g., light ballasts, capacitors)
Heating, Refrigeration and Air Conditioning Institute of Canada	Mercury-containing Devices (e.g. thermostats, switches)
Product Care/Miller Environmental	Toxic Materials
Manitoba Association of Regional Recyclers	Used Oil
Manitoba Association of Regional Recyclers	Used Oil Filters and/or Used Oil Containers

Schedule B to March 4 Notice of Alteration Approval



Figure 1 Facility layout



Conservation and Water Stewardship

Environmental Stewardship Division
Environmental Approvals Branch
123 Main Street, Suite 160, Winnipeg, Manitoba R3C 1A5
T 204 945-8321 F 204 945-5229
www.gov.mb.ca/conservation/eal

CLIENT FILE NO.: 5665.00

December 8, 2015

Brent Devigne
Gerdau Ameristeel Corporation
314 Dawson Road North
Winnipeg MB R3J 0S7

Dear Mr. Devigne:

Enclosed is **Licence No. 291 HW** dated December 8, 2015 issued to **Gerdau Ameristeel Corporation** for the continued operation of a waste lead acid battery, used oil, waste flammable liquids and mercury switches collection and transfer facility ("the facility") known as Gerdau Winnipeg Metallurgical Raw Materials at 314 Dawson Road North within the City of Winnipeg, Province of Manitoba in accordance with the Application filed pursuant to *The Dangerous Goods Handling and Transportation Act* dated June 5, 2013 and the revised amended proposals dated August 20, 2013, February 5, 2015 and September 4, 2015.

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 Yvonne Hawryliuk, Environment Officer at 204-239-5305.

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, Donna Smiley, Yvonne Hawryliuk; Environmental Compliance and Enforcement
Public Registries

NOTE: Confirmation of Receipt of this Licence No. 291 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 at 204-945-5229 by December 22, 2015.

On behalf of Gerdau Ameristeel Corporation

Date

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

LICENCE

Licence No./Licence n° 291 HW

Issue Date/Date de délivrance December 8, 2015

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:

GERDAU AMERISTEEL CORPORATION;
"the Licencee"

for the continued operation of a waste lead acid battery, used oil, waste flammable liquids and mercury switches collection and transfer facility ("the facility") known as Gerdau Winnipeg Metallics Raw Materials at 314 Dawson Road North within the City of Winnipeg, Province of Manitoba in accordance with the Application filed pursuant to *The Dangerous Goods Handling and Transportation Act* dated June 5, 2013 and the revised amended proposals dated August 20, 2013, February 5, 2015 and September 4, 2015 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 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;

"**alter**" means to change a development or a proposal or to close, shut down or terminate a development where the alteration causes or is likely to cause a significant change in the effects of the development on the environment;

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

"**contaminant**" means a contaminant as defined in *The Dangerous Goods Handling and Transportation Act*;

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

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

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

"hazardous waste" means a product, substance or organism that

- a) is prescribed, designated or classified as hazardous waste in the regulations, or
- b) by its nature conforms to the classification criteria for one or more classes of hazardous wastes set out in the regulations;

"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);

"mercury switch" means a switch which contains mercury as part of the on/off mechanism such as switches used in trunk light fixtures;

"oil" means any petroleum or synthetic crankcase oil, engine oil, hydraulic fluid, transmission fluid, gear oil, heat transfer fluid, or other fluid capable of use for lubricating purposes in machinery or equipment;

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

"registered generator" means a person who is registered as a hazardous waste generator pursuant to Manitoba Regulation 175/87 under *The Dangerous Goods Handling and Transportation Act*;

"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 Waterworks Association and the Water Environment Federation;

"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;

"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

"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, at all times.
2. 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;
 - 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.
3. 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, water, soil or air samples in accordance with methodologies approved in writing 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 60 days of the samples being taken, or within another time frame as specified by the Director.
4. 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.
5. The Licencee shall submit all information required to be provided to the Director or Environment Officer under this Licence, in writing, in such form (including number of copies) and of such content as may be required by the Director or Environment Officer, and each submission shall be clearly labeled with the Licence Number and Client File Number associated with this Licence.

6. 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.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

Respecting Facility Operations

7. The Licencee shall operate the facility in accordance with the application dated June 5, 2013 and the revised amended proposals dated August 20, 2013, February 5, 2015 and September 4, 2015.
8. The Licencee shall not collect any hazardous waste other than waste lead acid battery, used oil, waste flammable liquids and mercury switches from scrap automobiles at the facility.
9. The Licencee shall receive waste lead acid batteries from generators registered pursuant to the *Generator Registration and Carrier Licencing Regulation* (Manitoba Regulation 175/87), as amended from time to time.
10. The Licencee shall transport hazardous waste to or from the facility only when the hazardous waste is accompanied by a hazardous waste manifest, or a dangerous goods shipping document, as appropriate.
11. The Licencee shall use only licenced carriers to transport hazardous wastes to or from the facility.
12. The Licencee shall transport hazardous wastes collected at the facility 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.
13. The Licencee shall store used oil, waste flammable liquids and mercury switches in containers that must be:
 - a) constructed of a material that is compatible with the hazardous waste being stored;
 - b) corrosion and weather resistant;
 - c) designed and constructed to withstand damage during handling and transportation;
 - d) sealable to prevent the release of contents and prevent any other substance from entering the containers; and
 - e) labelled prominently with a weather resistant label with the name of the hazardous waste in the container.
14. 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.

Respecting Trained Personnel

15. The Licencee shall provide training for all persons who will be assigned duties with respect to the facility in:
- a) *the Transportation of Dangerous Goods Regulation*; and
 - b) the procedures pertaining to the operation of the facility including spill response.

The records of this training shall be made available to an Environment Officer upon request.

Respecting Waste Lead Acid Batteries

16. The Licencee shall initiate and maintain a record for all waste batteries received at the facility. The record shall contain, for each day that waste 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.
17. The Licencee shall make available for inspection by an Environment Officer upon request a summary of the record referred to in Clause 16 of this Licence.
18. The Licencee shall store the waste batteries in an area that provides containment and not in any other place where there are ports or drains that lead directly or indirectly to a sewer system.
19. The Licencee shall store the waste batteries in an area where the floor is resistant to acid.
20. The Licencee shall store the waste batteries on pallets with a layer of corrugated cardboard or other material which will prevent casing ruptures, placed between successive layers of waste batteries. The full pallet of batteries shall have three layers of batteries and be shrink wrapped with plastic before shipment from the facility.
21. The Licencee shall not allow the inventory of waste batteries at the facility to exceed 1500 waste batteries at any one time.
22. The Licencee shall conspicuously place in the area used for storage of waste batteries effective neutralizing materials, or materials approved by the Director in writing, for the containment or clean up of spills.
23. The Licencee shall in the event of a spill, dispose of the water used to clean up the spill in accordance with applicable regulations.
24. The Licencee shall arrange for all waste batteries received and collected 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.

Respecting Used Oil and Flammable Liquids

25. The Licencee shall comply with all the applicable requirements in accordance with the *Storage and Handling of Petroleum Products and Allied Products Regulation (Manitoba Regulation 188/2001)*, as amended from time to time, respecting the storage and handling of used oil and flammable liquids.
26. The Licencee shall store used oil and flammable liquids only in the storage tanks (double containment storage tanks, each 2000 liters capacity), that has been identified in the Application.
27. The storage tanks referred to in Clause 26 shall be situated on an impervious surface acceptable to the Director.
28. The loading area adjacent to the storage tanks shall be
 - a) properly sized and graded; and
 - b) made of an impermeable material acceptable to the Director
29. The Licencee shall inspect the storage tanks weekly in order that any leakage from the tank into the secondary containment system is detected. Records of these inspections shall be made available to an Environment Officer upon request.
30. The Licencee shall equip the area where fluids are transferred from the drain tower fluid extraction system to the storage tanks with a containment system that is capable of containing 110 % of the volume of fluids being transferred.
31. The Licencee shall equip the area where the drain tower fluid extraction system is located with
 - a) a secondary containment system for containing spills and overflow of fluids from the platform and
 - b) a shelter by a roof or another means to prevent the precipitation entering the drain tower fluid extraction system and the secondary containment system.
32. The Licencee shall, within 60 days of the date of issuance of this Licence, implement the system in accordance with the design proposal filed on September 4, 2015 pursuant to Clause 31 of this Licence.

Respecting Facility Inspection

33. The Licence shall conduct regular 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 regular 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.
34. The Licencee shall record each inspection required by Clause 33 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.

Respecting Emergency Response

35. The Licencee shall prepare 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 document acceptable to the Director.

Respecting Spills

36. 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 contaminant 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 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.
37. The Licencee shall, following the reporting of an event pursuant to Clause 36,
- a) identify the repairs required to the mechanical equipment;
 - b) undertake all repairs to minimize unauthorized discharges of a contaminant;
 - 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.
38. The Licencee shall equip the facility with spill cleanup equipment and supplies, to the satisfaction of the Director.

Insurance and Financial Assurance

39. The Licencee shall maintain throughout the term of this License:
- a) \$50,000.00 Property Insurance;
 - b) \$5,000,000.00 General Comprehensive Liability Insurance; and
 - c) \$250,000.00 Environmental Impairment Liability Insurance.
40. The Director may, where it is deemed to be in the public interest, require the Licensee to provide financial assurance in the form of a letter of credit, a bond, further insurance, or other form acceptable to the Director in an amount to be determined by the Director. The Director may order forfeiture of this security, either in whole or in part, by giving notice to that effect to the Licensee upon the Director being satisfied that the facility is in breach

of any of the terms of this License, 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 Alterations and Decommissioning

41. The Licencee shall obtain approval in writing from the Director for any proposed alteration to the facility before proceeding with the alteration.
42. The Licencee shall, in the event that the facility is to be permanently closed or is offered for sale, conduct an investigation, to the satisfaction of the Director, to identify any contamination which may have resulted from the operation of the facility
43. The Licencee shall, where the investigation referred to in Clause 42 of this Licence shows that contamination of the environment has occurred, submit a remediation proposal to the Director and upon approval of this proposal by the Director carry out the required remediation.

Retention of Records

44. The Licencee shall ensure that all records including, but not limited to, tank collection logs, used oil filter and oily rags collection logs, manifests, shipping documents, sample analyses, and spill reports are kept for a minimum period of two years and are available for inspection by an Environment Officer.

REVIEW AND REVOCATION

- A. 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.
- 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
*The Dangerous Goods Handling
And Transportation Act*