

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

Manitoba  
Conservation



Conservation  
Manitoba

# LICENCE

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Licence No./Licence n° 54 HW R

Issue Date/Date de délivrance : January 30, 1997

Revised: October 5, 2006

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:

### THE TOWN OF DELORAINE; "the Licencee"

for the construction and operation of a used oil products and material collection facility ("the facility") located at SE ¼ 11-3-23 WPM, in the Rural Municipality of Winchester, and in accordance with the Application filed under The Dangerous Goods Handling and Transportation Act dated June 27, 1996 and the additional information received on December 12, 2005, and subject to the following specifications, limits, terms and conditions:

### DEFINITIONS

In this Licence,

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

"**contaminant**" means any solid, liquid, gas, waste, radiation or any combination thereof that is foreign to or in excess of the natural constituents of the environment and:

- a. that affects the natural, physical, chemical or biological quality of the environment; or
- b. that is or is likely to be injurious or damaging to the health or safety of a person;

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

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

**"Environment Officer"** means a department employee designated or appointed under Section 6 of The Dangerous Goods Handling and Transportation Act;

**"licenced carrier"** means a person who has a valid licence to transport hazardous waste pursuant to Manitoba Regulation 175/87, as amended from time to time, under The Dangerous Goods Handling and Transportation Act (C.C.S.M. c. D12);

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

**"operator"** means a person who is responsible for the day-to-day maintenance and operation of the facility;

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

**"registered generator"** means a person who is registered as a hazardous waste generator pursuant to Manitoba Regulation 175/87, as amended from time to time, under The Dangerous Goods Handling and Transportation Act (C.C.S.M. c. D12);

**"used oil"** means oil that through use, storage, handling, defect, damage, expiry of shelf life or other similar circumstances can no longer be used for its original purpose; and

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

### **GENERAL TERMS AND CONDITIONS**

This Section of the Licence contains requirements intended to provide guidance to the Licencee in implementing practices to ensure that the environment is maintained in such a manner as to sustain a high quality of life, including social and economic development, recreation and leisure for present and future Manitobans.

1. The Licencee shall implement a high standard of equipment maintenance and good housekeeping and operational practices with respect to the facility, at all times.
2. The Licencee shall, upon the request of the Director and in addition to any of the specifications, limits, terms or conditions specified in this Licence:

- 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 contaminants from the said facility; or
  - c) provide the Director, within such time as may be specified, with such reports, drawings, specifications, analytical data, descriptions of sampling and analytical procedures being used, bioassay data, flow rate measurements and such other information as may from time to time be requested.
3. The Licencee shall, unless otherwise specified in this Licence:
- a) carry out all sampling of, and preservation and analyses on, water, soil or air samples in accordance with methodologies approved in writing by the Director;
  - b) certify that all analytical determinations are undertaken by an accredited laboratory; and
  - c) report the results to the Director within 60 days of the samples being taken.
4. The Licencee shall provide to the Director, upon request, all information required under this Licence, in writing and in such form and content (including number of copies), as may be specified by the Director.
5. The restrictions and conditions of this Licence are severable. If any restriction or condition of this Licence, or the application thereof, to any circumstances is held invalid, the application of such restriction or condition to other circumstances and the remainder of this Licence shall not be affected thereby.

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

#### **Respecting Facility Operation**

6. The Licencee shall not receive hazardous waste other than used oil products and material at the facility.
7. The Licencee shall only receive at the facility used oil products and materials that were generated by citizens of the Rural Municipality of Winchester and the Town of Deloraine.

8. The Licencee shall not receive used oil products and material at the facility from commercial or industrial generators that are not registered generators.
9. The Licencee shall:
  - a) post legible, weatherproof signs at the entrance to the facility identifying the area as a used oil products and material collection facility; and
  - b) indicate on the signs, the hours of operation, a contact number and a warning not to leave used oil products and material at the facility when the operator or other trained personnel is not available to accept delivery.
10. The Licencee shall, when the operator or other trained personnel is not present at the facility, lock the facility in a manner that prevents unauthorized delivery of used oil products and material into the facility.
11. The Licencee shall have trained personnel at the facility at all times when the facility is open to receive used oil products and material.
12. 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.
13. The Licencee shall use only licenced carriers to transport hazardous wastes to or from the facility.
14. The Licencee shall have a written agreement in place for transport of hazardous waste with a licenced hazardous waste carrier at all times during the lifetime of the facility.
15. The Licencee shall transport all used oil received 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.
16. The Licencee shall keep records, including but not limited to tank collection logs, used oil filter logs, used oil container logs, manifests, shipping documents, sample analyses, and spill reports, and on request, make the records available for inspection by an Environment Officer.

17. The Licencee shall, unless otherwise specified by this Licence, retain all records during the full life of operation of the facility, and after closure, for such period of time as may be specified by the Director. Records may be transferred from their original form to other accepted forms for information storage. These records shall be made available to an Environment Officer upon request.

### **Respecting Used Oil Products and Material**

#### **Respecting Used Oil**

18. The Licencee shall only have storage tanks with an aggregate capacity of 4000 gallons, as referred to in the Application dated June 27, 1996, to collect used oil at the facility.
19. The Licencee shall only store used oil at the facility in a storage tank that has been constructed and tested in accordance with the following standards:
  - a) U.L.C. S601, latest edition; overhead horizontal tanks and
  - b) U.L.C./ORD-C142.3, latest edition; contained steel aboveground tanks.
20. The Licencee shall inspect the storage tank 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.
21. The Licencee shall lock the used oil storage tank in a manner that will prevent unauthorized delivery of used oil into the used storage oil tank.
22. The Licencee shall not accept at the facility any used oil that is deemed to be contaminated and any oil that appears to be contaminated is to be returned to the person who previously possessed the used oil.
23. The Licencee shall only allow the operator to transfer used oil into the used oil storage tank.
24. The Licencee shall equip the area where used oil is transferred from the container to the storage tank with a containment system that is capable of containing 110 % of the volume of used oil being transferred.
25. The Licencee shall surround the used oil storage tank and used oil transfer area by a fence with a minimum height of 1.8 metres designed to discourage unauthorized entry. The fenced area must be equipped with a lockable gate.

26. The Licencee shall require the operator to supervise at all times in such a manner that the flow of used oil can be immediately shut off if necessary, whenever used oil is being transferred to a used oil transportation truck from the used oil storage tank.
27. The Licencee shall design all areas where vehicles may be parked during the transfer of used oil between the used oil transportation truck and the used oil storage tank so that any spillage is contained and delivery hoses and lines are allowed to be drained before they are disconnected.
28. The Licencee shall maintain and keep available on-site for inspection by an Environment Officer a daily log of all used oils received at the facility. The log shall contain the following information :
  - a) the name, address and vehicle licence number of the person who delivered the used oil to the facility;
  - b) the date and time of delivery; and
  - c) the volume of each delivery.
29. The Licencee shall require that the operator visually inspects each container of used oil and determines whether there is any obvious contamination of the used oil by organic solvents.
30. The Licencee shall have the operator representatively sample each full tank of collected used oil. The operator shall retain the sample until verification of destruction or recycling of the oil is received.
31. The Licencee shall, upon the request of the Director, have the sample of used oil referred to in Clause 30, of this Licence, analyzed by an accredited laboratory for parameters specified by the Director.
32. The Licencee shall forward reports containing the information prescribed in Clause 31, of this Licence, to the Director within 30 days of a request by the Director for the information.

#### **Respecting Used Oil Filters**

33. The Licencee shall store used oil filters received at the facility in drums that have a maximum capacity of 205 liters and are designed so that they will contain any used oil which may drain from the filters.
34. The Licencee shall store the drums for used oil filters referred to in Clause 33, of this Licence, in a manner which provides protection from precipitation.

35. The Licencee shall keep a log regarding the daily quantity (in kilograms) of used oil filters processed at the facility.
36. The Licencee shall make available a summary of the record referred to in Clause 35, of this Licence, for inspection by an Environment Officer upon request.

**Respecting Used Oil Containers**

37. The Licencee shall provide an area within the fenced area of the facility, (the used oil container containment area) for the collection and storage of used oil containers.
38. The Licencee shall construct the used oil container containment area of cement or metal so that it is capable of containing any used oil spills that may occur from the storage of the used oil containers.
39. The Licencee shall either:
  - a) return the container in which the used oil is received at the facility to the person who supplied the used oil to the facility; or
  - b) place the container in which the used oil is received at the facility in the used oil container containment area.
40. The Licencee shall store used oil containers received at the facility in drums that have a maximum capacity of 205 liters and are designed so that they will contain any used oil which may drain from the containers.
41. The Licencee shall store the drums for used oil containers referred to in Clause 40, of this Licence, in a manner which provides protection from precipitation.
42. The Licencee shall keep the used oil container containment area clean of any spilled used oil so that rain water that may collect in the area is not contaminated and can be safely discharged.
43. The Licencee shall keep a log regarding the daily quantity (in kilograms) of used oil containers processed at the facility.
44. The Licencee shall make available a summary of the record referred to in Clause 43, of this Licence, for inspection by an Environment Officer upon request.

**Respecting Training**

45. The Licencee shall provide training for all persons who will be assigned duties at the facility in:
- a) Transportation of Dangerous Goods Regulations; and
  - b) 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 Spills**

46. The Licencee shall immediately report all spills of used oil in excess of 100 litres at the facility to the 24 hour emergency response line at Manitoba Conservation at (204) 944-4888. A written report concerning the spill and the actions taken shall be forwarded to the Director within 7 days of the occurrence of the spill.
47. The Licencee shall report within one working day all spills of used oil in excess of 5 litres but less than 100 litres at the facility to the Brandon office of Manitoba Conservation at (204) 726-6064. A written report concerning the spill and the actions taken shall be forwarded to the Director within 7 days of the occurrence of the spill.
48. The Licencee shall properly equip the facility with spill cleanup equipment and supplies.
49. The Licencee shall in the event of an Environmental Accident as defined in The Dangerous Goods Handling and Transportation Act and Regulations thereunder, take all necessary actions to contain the spill, manage the impacted environment and to restore the environment to the satisfaction of the Director.

**Respecting Financial Assurance**

50. The Licencee shall, within 30 days of the issuance of this Licence, provide the Director with proof of Comprehensive General Liability Insurance providing coverage for third party bodily injury (including death) and accidental property damage subject to a minimum limit of \$ 2,000,000 per occurrence.



51. The Licencee shall, within 30 days of issuance of this Licence, post a Permit Bond issued by a security company licenced to carry out business in Manitoba, an irrevocable letter of credit, or other security with Manitoba Conservation, to the satisfaction of the Director, in the amount of \$20,000.00. This security, and renewals thereof, shall remain in place at all times during the operation and decommissioning of the facility. The Director may order forfeiture of the security, either in whole or in part, by giving written notice to that effect to the Licencee upon the Director being satisfied that the facility is in breach of any terms of this Licence, or for reimbursement of any costs or expenses incurred by the Province of Manitoba in rectifying environmental damage caused, or contributed to, by the operation of the facility.

#### **Respecting Alterations and Decommissioning**


52. The Licencee shall obtain approval in writing from the Director for any proposed alteration to the facility before proceeding with the alteration.
53. The Licencee shall, in the event that the facility is to be permanently closed as a used oil collection and bulking facility, or is offered for sale as a used oil collection and bulking facility, conduct an investigation, to the satisfaction of the Director, to identify any contamination which may have resulted from the operation of the facility
54. The Licencee shall, where the investigation referred to in Clause 53 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.

#### **Respecting Emergency Response**

55. The Licencee shall provide to the Director, within 30 days of the issuance of this Licence, a current contingency plan consistent with Manitoba Industrial Accidents Council (MIAC) Industrial Emergency Response Planning Guide, outlining procedures to be used in the event of a leak, spill, fire or other hazardous condition at the facility.

**REVIEW AND REVOCATION**

- A. This Licence replaces Order No. 54 HW which is hereby rescinded.
- B. If, in the opinion of the Director, the Licencee has exceeded or is exceeding or has or is failing to meet the specifications, limits, terms, or conditions set out in this Licence, the Director may, temporarily or permanently, revoke this Licence.
- 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.

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

**Client File No.: 4188.00**

**Consignor Registration No. MB G04414**  
**Consignee Registration No. MB R03968**