

Licence No.: 142 HW
Licence Issued: July 10, 2002

**IN ACCORDANCE WITH THE DANGEROUS GOODS HANDLING AND TRANSPORTATION ACT
(C.C.S.M. c. D12)**

THIS LICENCE IS ISSUED TO:

SHELL CANADA LTD.; "the Licencee"

for the operation of a Waste Flammables transfer facility (the facility) located at 212 Panet Road, in Winnipeg, Manitoba, in accordance with the Application dated March 22, 2002 filed under The Dangerous Goods Handling and Transportation Act, and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this Licence,

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

"contaminant" means 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;

"Environment Officer" means a person or a member of a class of persons appointed under subsection 3(2) of The Environment Act;

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

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

"waste flammables" means a mixture of water and gasoline or other associated petroleum products.

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. ensure 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.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

5. The Licencee shall not receive hazardous waste other than waste flammables at the facility.
6. The Licencee shall arrange training for personnel handling dangerous goods, as required by The Dangerous Goods Handling and Transportation Act and Regulations thereunder.
7. The Licencee shall initiate and maintain a record for all waste flammables received at the facility. The record shall contain, for each shipment of waste flammables received the:
- a. date of receipt;
 - b. name and address of the licenced carrier; and
 - c. quantity of waste flammables received.
8. The Licencee shall, unless otherwise specified by this Licence, retain all records during the full life of operation of the facility, and after closure, for such period of time as may be specified by the Director. Records may be transferred from their original form to other accepted forms for information storage.
9. The Licencee shall make available the record referred to in Clause 7 of this Licence for inspection by an Environment Officer upon request.
10. The Licencee shall treat waste flammables received at the facility as described in the Application dated March 22, 2002.
11. The Licencee shall dispose of the water component of the waste flammables received at the facility by spraying onto the soil at the biofarm located at the facility.
12. The Licencee shall store the organic component of the waste flammables received at the facility in the tankage identified as tank numbers 1561 and 1563 prior to shipment by rail tanker to a refinery for recycling.
13. The Licencee shall obtain approval in writing from the Director for any proposed alterations to the facility before proceeding with an alteration.
14. The Licencee shall, in the event that the facility is to be permanently closed as a waste flammables transfer facility, or is offered for sale, conduct an investigation, to the satisfaction of the Director, to identify any contamination that may have resulted from the operation of the facility.

15. The Licencee shall, where the investigation referred to in Clause 14 of this Licence shows that contamination of the environment has occurred, submit a remediation proposal to the Director and, upon approval of this proposal by the Director, the required remediation shall be carried out by the Licencee.
16. The Licencee shall ensure that in the event of an Environmental Accident as defined in The Dangerous Goods Handling and Transportation Act and Regulations thereunder, all necessary actions are taken to contain the spill, manage the impacted environment, and to restore the environment to the satisfaction of an Environment Officer or the Director.

REVIEW AND REVOCATION

- A. If, in the opinion of the Director, the Licencee has exceeded or is exceeding or has or is failing to meet the specifications, limits, terms, or conditions set out in this Licence, the Director may, temporarily or permanently, revoke this Licence.
- B. If, in the opinion of the Director, new evidence warrants a change in the specifications, limits, terms or conditions of this Licence, the Director may require the filing of a new proposal pursuant to The Dangerous Goods Handling and Transportation Act.

"original signed by"

Larry Strachan, P. Eng.

Director

Dangerous Goods Handling and Transportation Act

Client File No.: 4800.00

Consignee Registration No.: MB R 07277