



Conservation

Climate Change and Environmental Protection Division
Environmental Assessment and Licensing Branch
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www.gov.mb.ca/conservation/eal

FAXED

CLIENT FILE NO.: 5479.00

September 21, 2010

Lindsey Brown
TransX Ltd.
2595 Inkster Blvd.
Box 36, Group 200, RR2
Winnipeg MB R3C 2E6

Dear Mr. Brown:

Enclosed is **Dangerous Goods Handling and Transportation Act Licence No. 256 HW** dated September 21, 2010 issued in accordance with The Dangerous Goods Handling and Transportation Act to **TransX Ltd.**, for the operation of a facility that consists of three space heating used oil burners ("the facility") located at 2595 Inkster Boulevard, in Winnipeg, Manitoba, and in accordance with the Application filed under The Dangerous Goods Handling and Transportation Act dated June 22, 2010 and received July 19, 2010.

In addition to the enclosed revised Licence requirements, please be informed that all other applicable federal, provincial and municipal regulations and by-laws must be complied with.

For further information on the administration and application of the Licence, please feel free to contact Kim Fedick, Environment Officer at (204)-945-0992.

Yours truly,

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

Enc.

c: D. Labossiere, Director, Regional Operations
Public registries

NOTE: Confirmation of Receipt of this Licence No. 256 HW (*by the Licencee only*) is required by the Director of Environmental Assessment & Licensing Branch. Please acknowledge receipt by signing in the space provided below and faxing a copy (cover letter only) back to the Department by October 5, 2010.

On behalf of TransX Ltd.

Date

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



LICENCE

Licence No./Licence n° 256 HW

Issue Date/Date de délivrance September 21, 2010

In accordance with the Manitoba 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:

TRANSX LTD.; "the Licencee"

for the operation of a facility that consists of three space heating used oil burners ("the facility") located at 2595 Inkster Boulevard, in Winnipeg, Manitoba, and in accordance with the Application filed under The Dangerous Goods Handling and Transportation Act dated June 22, 2010 and received July 19, 2010 and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this Licence,

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

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

"**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;

"**space heating used oil burner**" means any device, implement, mechanism or appliance that meets the definition of "Oil Burning Equipment" as defined in CAN/CSA Standard B139 Installation Code for Oil Burning Equipment, as updated from time to time; and

"**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.

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

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, 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.
3. 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.
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.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

5. The Licencee shall operate the facility in accordance with the application dated June 22, 2010.
6. The Licencee shall only burn used oil as a fuel in the used oil burner(s).
7. The Licencee shall store all used oil in a manner that minimizes any potential release or fire hazard.
8. The Licencee shall position the heater chimney(s) to prevent the intrusion of combustion fumes into any adjoining air intake, window or door.
9. The Licencee shall dispose of all ash produced by combustion in the used oil burner(s), that can be classified as a hazardous waste, by a hazardous waste disposal company or in a manner approved by the Director.

10. The Licencee shall supply to the Director, no later than June 30 of each year, a written report summarizing the amount of used oil combusted in the used oil burner(s) for the previous heating season.
11. The Licencee shall, on a minimum monthly basis, perform the following maintenance operations where applicable:
 - a) the heat exchanger and flue piping for the used oil burner(s) shall be vacuum cleaned;
 - b) all sludge collected in the stainless steel hot filter element(s) shall be removed; and
 - c) ash and other deposits shall be removed from the drip legs.The records of these maintenance operations shall be made available for inspection by an Environment Officer upon request.
12. The Licencee shall clean the flue stack(s) annually, at minimum and the records of this maintenance operation shall be made available for inspection by an Environment Officer upon request.
13. The Licencee shall install the used oil burner(s) in accordance with the Gas and Oil Burner Act Chapter G30 and accompanying regulation.
14. The Licencee shall not store more than 20 000 litres of used oil at the facility at any given time.

Respecting Training

15. The Licencee shall provide training for all persons who will be assigned duties with respect to the used oil burner(s) 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 for inspection by an Environment Officer upon request.

Respecting Spills

16. The Licencee shall immediately report all spills of used oil in excess of 5 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 Central Region office of Manitoba Conservation, within 7 days of the occurrence of the spill.
17. The Licencee shall properly equip the facility with spill cleanup equipment and supplies.

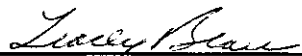
18. The Licencee shall in the event of an Environmental Accident as defined in The Dangerous Goods Handling and Transportation Act and Regulations thereunder, take all necessary actions to contain the spill, manage the impacted environment and to restore the environment to the satisfaction of the Director.

Respecting Alterations and Decommissioning

19. The Licencee shall obtain approval in writing from the Director for any proposed alteration or expansion to the facility before proceeding with the alteration.
20. The Licencee shall, at the request of the Director, in the event that the facility is to be permanently closed, conduct an investigation in accordance with "Manitoba Conservation's Guideline for Environmental Site Investigations in Manitoba", (March 1998), to identify any contamination which may have resulted from the operation of the facility.
21. The Licencee shall, where the investigation referred to in Clause 20 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.

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.



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