



Conservation and Water Stewardship

Environmental Stewardship Division
Environmental Approvals Branch
123 Main Street, Suite 160, Winnipeg, Manitoba R3C 1A5
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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 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.

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*

Client File No.: 5665.00

Consignor (Generator) Registration No.: MBG13305

Consignee (Receiver) Registration No.: MBR30129