

Order No.: 41 HW RR

Order Issued: October 5, 1995

Revised Dates: January 1, 1996 and October 8, 1996

MILLER ENVIRONMENTAL CORPORATION; "the Applicant"

for the construction and operation of a household hazardous waste collection facility "the facility", located at 55 Trottier Bay, Winnipeg, Manitoba, and in accordance with the Proposal dated July 18, 1995 and the alteration to "the facility" being the construction and use of an interim bulk storage operation at "the facility", and in accordance with the Proposal dated April 8, 1996, for the parking of transport units containing hazardous waste, and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this Order,

"**affected area**" means a geographical area affected by an odour nuisance;

"**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 the affected area; or
- c. present at a location in the affected area which is normally open to the members of the public;

if the odour, smell or aroma

- d. is the subject of at least 5 written complaints in a form satisfactory to the Director and from 5 different persons falling within clauses (a), (b) or (c), who are unrelated and who do not live in the same household, received by the Director within a 90 day period; or
- e. is the subject of at least one written complaint 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 5 written complaints from 5 different persons who are unrelated and who do not live in the same household within a 90 day period.

"**permanently closed**" means that the facility has not been operated for a period of 6 months or more.

"**used oils**" means substances that conform to Provincial Waste Class Codes 251, 252, 253 and 254 attached as Appendix A to this Order;

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS
FOR THE HOUSEHOLD HAZARDOUS WASTE COLLECTION FACILITY

1. The Applicant shall ensure that the facility design, siting and operation conform to the July, 1995, Dangerous Goods Handling and Transportation Act Proposal.
2. The Applicant shall ensure that the hours of operation of the facility and a 24 hour emergency phone number are clearly posted at the entrance to the operational area of the facility.
3. The Applicant shall ensure that the facility is inspected on a daily basis and that any unauthorized materials found at the facility during the daily inspections are placed in secure storage or removed from the facility immediately.
4. The Applicant shall ensure that a complete inventory of hazardous waste materials in storage at the facility is submitted, in writing, to the Director on a monthly basis, or upon the request of the Director.

5. The Applicant shall ensure that hazardous waste of non-household origin is only accepted under the following conditions:
 - a. no more than one 205 L drum of hazardous wastes is received from any generator in a thirty day period;
 - b. the full drum of hazardous waste received from a generator is to be removed from the facility within seven days of receipt;
 - c. where applicable all hazardous wastes received at the facility are to be from generators registered pursuant to Manitoba Regulation 175/87;
 - d. where applicable all hazardous wastes received are transported to the facility by carriers licenced pursuant to Manitoba Regulation 175/87;
 - e. where applicable all hazardous wastes received are transported to the facility by carriers using the manifest system pursuant to Manitoba Regulation 139/88; and
 - f. non-household hazardous waste shall be limited to no more than 20% of the total storage capacity of the facility at any time, unless otherwise approved in writing by the Director.
6. The Applicant shall ensure that unidentified household hazardous wastes are segregated from other materials until they are identified and classified.
7. The Applicant shall ensure that hazardous wastes are not stored outside of the storage structure of the facility other than for purposes of handling during receiving or shipping operations.
8. Unless otherwise approved by the Director, the Applicant shall ensure that any container used to accumulate small quantities of hazardous waste, is not stored at the facility for more than fourteen days after the container has been filled.
9. The Applicant shall ensure that all spills or leaks of hazardous waste at the facility are contained and cleaned up immediately.
10. The Applicant shall not construct, alter or operate the facility, or permit the facility to be constructed, altered or operated, in a way which causes or results in an odour nuisance, and shall take steps as the Director may require to eliminate or mitigate an odour nuisance.
11. The Applicant shall, in the event that the facility is to be permanently closed as a household hazardous waste collection facility, 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.
12. The Applicant shall, where the investigation referred to in Clause 11 of this Order 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 Applicant.
13. The Applicant shall ensure that all used oil is transferred to and stored in the double walled ULC/ORD C142.23-1991 tank as described in the July, 1995, Dangerous Goods Handling and Transportation Act Proposal.
14. The Applicant shall 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 household hazardous waste placed at the closed facility. The Applicant must manage this hazardous waste in a manner approved by the Director.
15. The Applicant shall obtain approval in writing from the Director for any proposed alterations to the facility before proceeding with an alteration.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS
FOR THE INTERIM BULK STORAGE OPERATION

16. The Applicant shall ensure that trucks carrying hazardous waste that are parked at the facility are equipped with secondary containment.

17. The Applicant shall ensure that trucks carrying hazardous waste that are parked at the facility are only of the box type design.
18. The Applicant shall ensure that no more than two trucks at a time that are carrying hazardous waste are parked overnight at the facility.
19. The Applicant shall ensure that the parking pad is bermed and fenced and that the name of the Applicant together with the Emergency telephone number are indicated on a sign that is attached to the fence.
20. The Applicant shall ensure that truck to truck transfer of hazardous wastes is only carried out with the use of spill booms that are used to border the sides of the truck tailgate and that all transfers are carried out within the fenced contained area.
21. The Applicant shall, within 30 days of the date of issuance of this Order, provide the Director with the following documentation:
 - a. a copy of the current liability and/or environmental impairment insurance policies relating to the facility; and
 - b. a current contingency plan outlining procedures to be used in the event of a leak, spill, fire or other hazardous condition at the facility.
22. The Applicant shall ensure that hazardous wastes being shipped from the facility are transported by Licenced Carriers directly to receivers approved in the jurisdiction where the receiver is located.
23. The Applicant shall provide the Director and the Fire and Police Departments serving the facility with a 24 hour contact number for the Applicant personnel who have access to current on-site waste inventories.
24. The Applicant shall obtain approval in writing from the Director for any proposed alterations to the facility before proceeding with an alteration.

REVOCATION

- A. If, in the opinion of the Director, the Applicant has exceeded or is exceeding or has or is failing to meet the specifications, limits, terms, or conditions set out in this Order, the Director may, temporarily or permanently, revoke this Order.
- B. If the Applicant has not commenced construction of the facility within three years of the date of this Order, the Order is revoked.
- C. If, in the opinion of the Director, new evidence warrants a change in the specifications, limits, terms or conditions of this Order, the Director may require the filing of a new proposal pursuant to Section 13 of The Dangerous Goods Handling and Transportation Act.

"original signed by"

Larry Strachan, P. Eng.

Director

Dangerous Goods Handling and Transportation Act

Client File No.: 4058.00

Registration Number: MB 3003043