

**Order No.: 52 HW**

**Order Issued: December 5, 1996**

In accordance with the Manitoba Dangerous Goods Handling and Transportation Act (C.C.S.M. c. D12)

THIS ORDER IS ISSUED TO:

**THE TOWN OF MINNEDOSA; "the Applicant"**

for the construction and operation of an used oil collection and bulking facility (the "facility") located at NE 1/4 of 4-15-18 WPM, Manitoba, and in accordance with the Proposal dated March 11th, 1996, and subject to the following specifications, limits, terms and conditions:

**DEFINITIONS**

In this Order,

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

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

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

**SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS**

1. The Applicant shall ensure that only used oils that were generated by citizens of the Town of Minnedosa and Rural Municipalities of Minto, Odanah and Saskatchewan are received at the facility.
2. The Applicant shall ensure that the storage tank at the facility has been constructed and tested in accordance with one of the following standards as appropriate:
  - a. U.L.C. S601, latest edition; overhead horizontal tanks;
  - b. U.L.C. S630, latest edition; vertical aboveground tanks;
  - c. U.L.C. S643, latest edition; overhead horizontal utility tanks;
  - d. API Standards 650, latest edition; vertical aboveground tanks;
  - e. U.L.C./ORD-C142.23, latest edition; waste oil tanks; or
  - f. U.L.C./ORD-C142.3, latest edition; contained steel aboveground tanks.
3. The Applicant shall ensure that the storage tank is inspected weekly to ensure that any leakage from the tank into the secondary containment system is detected.
4. The Applicant shall have the bulk used oils analyzed by an analytical laboratory, which is acceptable to the Director, prior to shipment of the used oils from the facility, to determine the percent content by weight of halogenated hydrocarbons and the percent content by weight of organic solvents in the used oils.
5. The Applicant shall, upon the request of the Director, have the bulk used oils that are stored at the facility, analyzed by an analytical laboratory, which is acceptable to the Director, to determine the percent content by weight of total halogens and other parameters as specified by the Director.
6. The Applicant shall ensure that reports containing the information prescribed in Clauses 4 and 5 of this Order are forwarded to the Director within 30 days of a request by the Director for the information.
7. The Applicant 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.
8. The Applicant shall ensure that the information written in the log is legible and that the log is kept available for inspection for at least two years after the last entry in the log.
9. The Applicant shall ensure that all used oil received at the facility is inspected by the operator of the facility and 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.
10. The Applicant shall ensure that used oil contaminated by organic solvents is not transferred to the used oil storage tank.
11. The Applicant shall ensure that only the operator transfers used oil into the used oil storage tank.
12. The Applicant shall ensure that the area where used oil is transferred from the container to the storage tank is equipped with a containment system that is capable of containing 110 % of the volume of used oil being transferred.
13. The Applicant shall ensure that the used oil storage tank and used oil transfer area is surrounded 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.
14. The Applicant shall ensure that signage is posted on the fence identifying the area as a used oil collection facility and stating the hours of operation and a contact phone number for the operator. The signage must also indicate that used oil is not to be left at the facility when the operator is not available to accept delivery.
15. The Applicant shall ensure that the used oil storage tank is capable of being locked in a manner that will prevent unauthorized delivery of used oil into the used storage oil tank.
16. The Applicant shall report all spills of used oil over 100 litres at the facility immediately to the Department in Winnipeg at (204) 944-4888.
17. The Applicant shall ensure that whenever used oils are being transferred to a used oil transportation truck from the used oil storage tank, the transfer is supervised at all times in such a manner that the flow of used oil can be immediately shut off if necessary.
18. The Applicant shall ensure that all areas where vehicles may be parked during the transfer of used oils between the used oil transportation truck and the used oil storage tank are designed to contain any spillage and to allow delivery hoses and lines to be drained before they are disconnected.
19. The Applicant shall ensure that an area within the fenced area of the facility, (the used oil container containment area) is provided for the collection and storage of used oil containers.
20. The Applicant shall ensure that the container in which the used oil is delivered to the facility is:
  - a. returned to the person who supplied the used oil to the facility; or
  - b. placed in the used oil container containment area.
21. The Applicant shall ensure that the used oil container containment area is constructed of cement or metal and capable of containing any used oil spills that may occur from the storage of the used oil containers.
22. The Applicant shall ensure that the used oil container containment area is kept clean of any spilled used oil so that rain water that may collect in the area is not contaminated and can be safely discharged.

23. The Applicant shall ensure that all used oils received are transported to a licenced recycling or disposal facility.
24. The Applicant shall obtain approval in writing from the Director for any proposed alterations to the facility before proceeding with the alterations.
25. The Applicant shall provide to the Director, within 30 days of the issuance of this Order, a current contingency plan, in accordance with the guidelines attached as Appendix A to this Order, outlining procedures to be used in the event of a leak, spill, fire or other hazardous condition at the facility.
26. The Applicant 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.
27. The Applicant shall, where the investigation referred to in Clause 26 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.
28. The Applicant shall, within 30 days of issuance of this Order, post a Performance Bond, or an irrevocable letter of credit, or other security with the Manitoba Department of the Environment 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 Applicant liable on the documents, upon the Director being satisfied that the facility is in breach of any of the terms of this Order.
29. The Applicant shall, within 30 days of the issuance of this Order, 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.

#### **REVIEW AND REVOCATION**

- A. If, in the opinion of the Director, the Applicant has exceeded or is exceeding or has failed 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.: 4158.00**

**Facility Registration No.: MB3003899**

## APPENDIX A

### TO DANGEROUS GOODS HANDLING AND TRANSPORTATION ACT ORDER NO. 52 HW

#### CONTINGENCY PLAN GUIDELINE

##### 1. GENERAL POLICY STATEMENT

Provide a general statement on the company's policy as they relate to emergency planning and the way in which the contingency plan addresses these policies.

##### 2. HAZARD IDENTIFICATION

Describe the types of situations this plan will address. (Hazardous materials releases, fire, severe weather, power outages, etc.)

##### 3. COMPANY EMERGENCY PERSONNEL LIST

List the company personnel who are assigned specific functions in the case of an emergency. Include job titles, home and office phone numbers, and a description of the person's emergency response duties.

##### 4. OUTSIDE CONTACTS

List any agencies or individuals outside the company who may have to be contacted in the case of an emergency. Include 24 hour numbers and a description of the agency's function in an emergency. Typical listings in this section would include local fire and police departments, local ambulance and/or hospital, provincial or federal environmental agencies, contractors and suppliers and any other agency that may be of assistance in responding to and mitigating an emergency situation.

##### 5. EVACUATION PLAN

Describe how employees would be evacuated from various parts of the operation, including alarm or warning procedures, assembly points, rescue operations. This section should address procedures for determining how many employees are in a work area and how those employees can be accounted for during an evacuation. Evacuation co-ordinators for each area should also be identified.

##### 6. EMERGENCY RESPONSE PROCEDURES

For each of the hazard types identified in Section 2, an outline of the steps to be taken to contain, control and correct the situation should be prepared. The outline should identify who is responsible for initiating the action and some brief statements that can be used to determine what initial actions are required (eg. methods for containing and recovering a petroleum spill).

##### 7. EQUIPMENT LISTING

List any equipment and supplies available on or off site which may be useful during response to an emergency. This might include spill absorbents, monitoring equipment, communication gear, patching kits, etc. For each item, identify where they are stored and how they can be mobilized.

##### 8. MAPS/DRAWINGS

Provide site maps, building plans and any other material which may be required during an emergency to identify evacuation routes, hazardous material storage areas, and any other pertinent site information.

##### 9. HAZARDOUS MATERIALS LIST

Provide a complete list of materials stored or used on site which may present a hazard to the environment or public health or safety, if they are involved in a release or impacted by a fire. Where possible, describe the type of containment used, usual volumes on site and where they are stored.

### **GENERAL COMMENTS**

A contingency plan should be a quick reference to be used as an information source either for pre-planning or during an emergency. The sections of the plan should be written in point form in clear, concise wording with clear headings and a comprehensive table of contents. Since some of the information in the plan will change periodically, it is important that the plan be reviewed and updated on a regular basis. A current distribution list for plan copies should be kept with the original. The contingency plan should not be used as a "how-to" manual for responding to an accident. This should be addressed in the company training and pre-planning procedures.