



Conservation and Climate

Environmental Stewardship Division
Environmental Approvals Branch
1007 Century St.
Winnipeg MB R3H 0W4
T 204-945-8321 F 204-945-5229

File No: 6087.00

April 13, 2021

Grace Carr
Chief Administrative Officer
Municipality of Two Borders
Box 429
Melita MB R0M 1L0

Dear Grace Carr:

Re: Dangerous Goods Handling and Transportation Act Licence 350 HW

Enclosed is Dangerous Goods Handling and Transportation Act Licence No. 350 HW issued to Municipality of Two Borders for the operation of a hazardous waste collection, storage and transfer facility known as Pierson Waste Transfer Station Hazardous Waste Depot.

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 Development as licensed.

If you have any questions on this matter, please contact Kristy Forrestall, Acting Regional Supervisor, at Kristy.Forrestall@gov.mb.ca or 204-573-0518.

Pursuant to Section 25 of The Dangerous Goods Handling and 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 Climate within 30 days of the date of the Licence.

Sincerely,

Original Signed by:

Shannon Kohler, Director
The Dangerous Goods Handling and
Transportation Act

cc: Kristal Harman, Yvonne Hawryliuk, Kristy Forrestall – Environmental Compliance and Enforcement
Siobhan Burland Ross, Edwin Yazon – Environmental Approvals
Public Registry

THE DANGEROUS GOODS HANDLING and
TRANSPORTATION ACT
LOI SUR LA MANUTENTION ET LE
TRANSPORT DES MARCHANDISES
DANGEREUSES



LICENCE

File No.: 6087.00

Licence No./Licence no: 350 HW
Issue Date/Date de délivrance: April 13, 2021

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:

MUNICIPALITY OF TWO BORDERS:
"the Licencee"

for the operation of a hazardous waste collection, storage and transfer depot (the Facility) located at the Pierson Waste Transfer Station, NE 35-02-29 WPM, in the Municipality of Two Borders, Manitoba in accordance with the application filed pursuant to The Dangerous Goods Handling and Transportation Act on November 12, 2020, 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 and Climate 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;

"Act" means The Dangerous Goods Handling and Transportation Act, C.C.S.M.c.D 12;

"affected area" means a geographical area, excluding the property of the Development;

"approved" means approved by the Director or assigned Environment Officer in writing;

"containment area" means an area that is equipped or designed with an impermeable barrier that prevents leaks or spills from reaching outside the specified area;

"contaminant" means a contaminant as defined in The Dangerous Goods Handling and Transportation Act, or any future amendment thereof;

"dangerous goods" means any product, substance or organism designated in the regulations, or conforming with the criteria set out in the regulations, or in any regulation adopted in accordance with The Dangerous Goods Handling and Transportation Act, and includes hazardous wastes;

"days" means calendar days unless otherwise indicated;

"Director" means an employee so designated pursuant to The Dangerous Goods Handling and Transportation Act;

"drum" means a container having a capacity of 205 litres;

"drum equivalent" means a volume of 205 litres;

"Environment Officer" means an employee so designated pursuant to The Dangerous Goods Handling and Transportation Act;

"hazardous waste" means a product, substance or organism as defined in The Dangerous Goods Handling and Transportation Act, or any future amendment thereof;

"licenced carrier" means a person who has a valid licence to transport hazardous waste pursuant to Hazardous Waste Regulation under The Dangerous Goods Handling and Transportation Act, or any future amendment thereof;

"Manitoba Household Hazardous Waste Stewardship Program" means the program proposed by the Product Care Association and approved by the Director which provides consumers in Manitoba with a collection system for specified household hazardous waste materials using the services of qualified recycling collection facilities;

"noise nuisance" means an unwanted sound, in an affected area, which is annoying, troublesome, or disagreeable to a person:

- a) residing in an affected area;
- b) working in an affected area; or
- c) present at a location in an affected area which is normally open to members of the public; if the unwanted sound
- d) is the subject of at least 5 written complaints, received by the Director in a form satisfactory to the Director and within a 90-day period, from 5 different persons falling within clauses a), b) or c), who do not live in the same household; or
- e) is the subject of at least one written complaint, received by the Director 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 unwanted sound had occurred in a more densely populated area there would have been at least 5 written complaints received within a 90-day period, from 5 different persons who do not live in the same household;

"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 an affected area; or
- c) present at a location in an affected area which is normally open to members of the public; if the odour, smell or aroma
- d) is the subject of at least 5 written complaints, received by the Director in a form satisfactory to the Director and within a 90-day period, from 5 different persons falling within clauses (a), (b) or (c), who do not live in the same household; or
- e) is the subject of at least one written complaint, received by the Director 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 received within a 90-day period, from 5 different persons who do not live in the same household.

"operator" means a person who is responsible for the day-to-day maintenance and operation of the Facility;

"permanently closed" means that the Facility is not operated for a period of twelve (12) months or more;

"Product Care Manitoba Collection Site Guidelines" means the document "Manitoba Collection Site Guidelines – HHW Collection Sites" dated 2018, or any future amendment thereof by the Stewardship Program. This contains practical guidance and best management practices for collection site operators regarding staff handling and storing of program products collected under the Manitoba Household Hazardous Waste Stewardship program;

"QA/QC" means quality assurance/quality control;

"registered generator" means a person who is registered as a hazardous waste generator pursuant to Hazardous Waste Regulation under The Dangerous Goods Handling and Transportation Act, or any future amendment thereof;

"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 Water Works Association and the Water Environment Federation;

"Transportation of Dangerous Goods Regulations" means the Transportation of Dangerous Goods Regulations, made under The Transportation of Dangerous Goods Act, 1992 (Canada), or any future amendment thereof; and

"wastewater" means any liquid containing a contaminant as defined in The Dangerous Goods Handling and Transportation Act, associated with or resulting from the Facility which is discharged into the environment.

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 at all times maintain a copy of this licence at the Development or at the premises from which the Development's operations are managed.
2. The Licencee shall implement a high standard of equipment maintenance and good housekeeping and operational practices with respect to the Facility, at all times.
3. The Licencee shall designate an employee, within sixty (60) days of the date of issuance of this Licence, as the Licencee's Environmental Coordinator, whose job description will include assisting the Licencee in complying with the limits, terms and conditions in this Licence and assisting Senior Management of the Licencee to manage environmental issues at the Facility. The name of the Environmental Coordinator shall be submitted in writing to the Director within fourteen (14) days of the appointment and any subsequent appointment.

4. The Licencee shall notify the Director, in writing, of any intention or agreement to lease any part or portion of the Facility's property, including buildings or structures, where such leasing might involve the establishment of any other development with a potential for emissions which may affect the environment.
5. 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.
6. Nothing in this Licence shall be construed to relieve the Licencee from civil or criminal penalties.

Future Sampling

7. The Licencee shall at the request of the Director:
 - a) conduct special studies to determine ambient air quality within the vicinity of the Facility and/or emission testing for specified air pollutants in a manner satisfactory to the Director; and
 - b) submit a report containing the ambient air quality data and/or the emission testing data and all other related data to the Director within ninety (90) days after completion of the studies.
8. In addition to any 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 pollutant storage, containment, treatment, handling, disposal or emission systems, for such pollutants 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 pollutant(s) from the 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.

Sampling Methods

9. 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, dangerous goods, hazardous wastes, soil, compost or air samples in accordance with methodologies approved 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 sixty (60) days of the samples being taken, or within another time frame as specified by the Director.

Remedial Measures

10. 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.

Fire Reporting

11. The Licencee shall in the event of a fire which continues in excess of thirty (30) minutes or requires fire suppression assistance from personnel outside of the Facility (example: fire department):
 - a) call the fire department; and
 - b) report the fire by calling the Environmental Emergency Report Line (204) 944-4888 (toll free 1-855-944-4888), identifying the type of materials involved and the location of the fire.

Air and Noise Emissions

12. The Licencee shall not cause or permit an odour nuisance to be created as a result of the construction, operation, or alteration of the Facility, and shall take such steps as the Director may specify to eliminate or mitigate an odour nuisance.
13. The Licencee shall not cause or permit a noise nuisance to be created as a result of the operation or alteration of the Facility, and shall take such steps as the Director may require to eliminate or mitigate a noise nuisance.

Trained Personnel

14. The Licencee shall provide training in the following for all persons who will be assigned duties at the Facility:
 - a) transportation of dangerous goods;
 - b) regulatory requirements; and
 - c) procedures pertaining to the operation of the Facility including spill response.
15. The Licencee shall make records of the training of Clause 14 available for inspection by an Environment Officer upon request.
16. The Licencee shall have trained personnel on site at all times when the Facility is open to receive waste or materials.

Facility Access

17. The Licencee shall lock the Facility in a manner that prevents unauthorized delivery of hazardous waste when the trained personnel are not present at the Facility.
18. The Licencee shall, when the operator or other trained personnel are not present at the Facility to accept materials, restrict access to the Facility with a gate and lock.

Signage

19. The Licencee shall post legible, weatherproof signs at the entrance to the Facility identifying the area as a hazardous waste collection facility; and the signs shall indicate the hours of operation, a contact number and a warning not to leave hazardous waste at the Facility when the trained personnel are not available to accept delivery.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

Facility Operations

20. The Licencee shall not receive at the Facility any hazardous waste other than the types of hazardous wastes listed in Schedule A of this Licence.
21. The Licencee shall comply with all the applicable requirements of:
 - a) Hazardous Waste Regulation, or any future amendment thereof, respecting hazardous wastes;
 - b) Manitoba Office of the Fire Commissioner; and
 - c) Manitoba Fire Code.

Manitoba Household Hazardous Waste Stewardship Program Materials

22. The Licencee shall receive and store household hazardous wastes that are identified as program materials and non-program materials under the Manitoba Household Hazardous Waste Stewardship Program in accordance with the most current version of the Manitoba Product Care Collection Site Guidelines and this Licence.

Non-Program Hazardous Waste

23. The Licencee shall segregate hazardous waste that is deemed to be non-program waste and dispose of it at a 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.

Hazardous Waste Storage

24. The Licencee shall store hazardous waste:
 - a) in single pallet rows not more than 2 drum heights or 240 centimetres in height; and
 - b) with a minimum aisle width between rows of 1 metre.
25. The Licencee shall not store hazardous wastes outside the storage structure or depot of the Facility other than for purposes of handling during receiving or shipping operations.

Transport of Hazardous Waste

26. The Licencee shall use only licenced carriers to transport hazardous wastes from the Facility.
27. The Licencee shall accompany hazardous waste transported from the Facility by a hazardous waste movement document or a dangerous goods shipping document, as appropriate.
28. The Licencee shall transport all hazardous wastes received at the Facility within ninety (90) days. The ninety (90) day period will commence on the date the drum is filled.
29. The Licencee shall only allow transport of hazardous waste received at the Facility to:
 - a) a hazardous waste disposal facility licensed in accordance with The Dangerous Goods Handling and Transportation Act;
 - b) a facility otherwise approved by the Director pursuant to an Order; or
 - c) a facility operating under a licence or an approval of similar type in another jurisdiction.

Pesticide Container Depot

30. The Licencee shall use the pesticide container depot to store containers which were last used to contain pesticide products.
31. The Licencee shall locate the pesticide container depot on soil formations which will prevent percolation of contaminants into groundwater. Where local soils are not adequate to protect groundwater, the Licencee shall construct containment in a manner approved by the Director.
32. The Licencee shall manage the pesticide container depot in order to prevent drainage or run off from the area entering or leaving the container depot.
33. The Licencee shall grade the area within the pesticide container depot to a sump capable of retaining any accumulated precipitation and / or pesticide residues.
34. The Licencee shall surround the pesticide container depot by a fence capable of retaining all containers stored within the facility and separating the storage area from the surrounding land use.
35. The Licencee shall maintain a fire break outside of the perimeter fence identified in Clause 34 to prevent the spread of fire into the pesticide container depot.
36. The Licencee shall designate separate areas within the pesticide container depot for the storage of metal and plastic containers.
37. The Licencee shall remove the accumulated containers from the pesticide container depot at least once per year.
38. The Licencee shall manage any liquid accumulated at the pesticide container depot in the sump in accordance with the requirements of Hazardous Waste Regulation, or any future amendment thereof.

Liquid Emissions

39. The Licencee shall:
 - a) maintain the Facility in a condition capable of retaining any spillage which may occur. Floor drains or catch basins are not permitted in the storage area unless they are connected to an on-site holding tank or sump; and
 - b) direct wastewater collected in holding tanks or sumps to a wastewater treatment facility approved by the Director.

Spills

40. The Licencee shall equip the Facility with spill cleanup equipment and supplies.
41. 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 report the spill by calling the Environmental Emergency Report Line (204) 944-4888 (toll free 1-855-944-4888) in accordance with regulatory requirements, contain the spill, manage the impacted environment and restore the environment to the satisfaction of the Director.

Solid Waste

42. The Licencee shall dispose of all non-hazardous solid waste generated or collected at the Facility, which is not recycled, only to a waste disposal ground operating under the authority of a permit issued pursuant to Waste Management Facilities Regulation or any future amendment thereof, or a Licence issued pursuant to The Environment Act.

Facility Inspection

43. The Licencee shall inspect the Facility every day that the Facility is operating and manage any unauthorized materials found at the Facility by securely storing them or removing them from the Facility.
44. The Licencee shall record each inspection required by Clause 43 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.
45. The Licencee shall make records of the inspections required by Clause 44 available to an Environment Officer upon request.

Emergency Response

46. The Licencee shall prepare, within ninety (90) days of the date of issuance of this Licence, 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 guidelines acceptable to the Director.
47. The Licencee shall keep a copy of the emergency response contingency plan on site, in a location accessible to all persons who will be assigned duties at the Facility, at all times. The plan shall be made available to an Environment Officer upon request.
48. The Licencee shall review the emergency response contingency plan on an annual basis, as a minimum, and make revisions as required.

Annual Hazardous Waste Receiver Report

49. The Licencee shall, on or before the 31st day of March of each year, submit to the Director an annual report respecting the hazardous waste received by the Facility pursuant to this Licence during the previous calendar year and the manner in which the waste was treated or disposed as defined in the Hazardous Waste Regulation under The Dangerous Goods Handling and Transportation Act. The report shall be made on a form approved by the Director or submitted in a format acceptable to the Director.

Reporting Format

50. The Licencee shall submit all information required to be provided to the Director or Environment Officer under this Licence, in written and electronic format, in such form (including number of copies) and of such content as may be specified by the Director or Environment Officer, and each submission shall be clearly labelled with the Licence Number and File Number associated with this Licence.

Retain Records

51. 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.

Alterations and Decommissioning

52. The Licencee shall obtain approval, in writing, from the Director for any proposed alteration or expansion to the Facility which is likely to cause a significant environment effect or could affect compliance with any Clause(s) of this Licence, before proceeding with the alteration.
53. The Licencee shall, at the request of the Director, in the event that the Facility is permanently closed, conduct an investigation in accordance with "Environmental Site Assessments in Manitoba", (June 2016), to the satisfaction of the Director, to identify any contamination which may have resulted from the operation of the Facility.
54. The Licencee shall, where the investigation referred to in Clause 53 of this Licence shows that contamination of the environment has occurred, submit a remediation proposal, within ninety (90) days, to the Director and, upon approval of this proposal by the Director, carry out the required remediation
55. The Licencee 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 hazardous waste or dangerous good placed at the closed facility. The Licencee must manage this hazardous waste or dangerous good in a manner approved by the Director.

Insurance and Financial Assurance

56. The Licencee shall at all times during the operation of the Facility, maintain a Manitoba Household Hazardous Waste Recycling Full Service Collection Site Agreement with the Product Care Association.

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:

Shannon Kohler, Director
The Dangerous Goods Handling and
Transportation Act

Consignor (Generator) Registration No.: MBG03312

Consignee (Receiver) Registration No.: MBR06048

**Schedule 'A' to
Licence No. 350 HW, Clause 20**

Household Hazardous Waste
Aerosols
Fluorescent Lighting Tubes and Compact Fluorescent Lights
Paint Products
Pesticide Containers (Empty)
Pesticides