



**Conservation and Climate**

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File No: 6093.00

January 5, 2022

Kim Duncan  
Park District Manager  
Parks and Resource Protection  
Manitoba Conservation and Climate  
Box 10, 27-2<sup>nd</sup> Ave SW  
Dauphin MB R7N 3E5

**Re: Dangerous Goods Handling and Transportation Act Licence No. 360 HW**

Dear Kim Duncan:

Enclosed is Dangerous Goods Handling and Transportation Act Licence No. 360 HW, issued to Manitoba Conservation and Climate (Parks and Resource Protection) for the operation of a hazardous waste collection, storage, and transfer facility known as Manipogo Provincial Park Hazardous Waste Depot, in accordance with the application filed pursuant to The Dangerous Goods Handling and Transportation Act.

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, Environmental Compliance and Enforcement Branch, at [Kristy.Forrestall@gov.mb.ca](mailto:Kristy.Forrestall@gov.mb.ca) or 204-573-0518.

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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

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Laura Pyles  
Acting Director

Enclosure

- c. Kathy Cass – Product Care Association  
Kristal Harman, Yvonne Hawryliuk, Kristy Forrestall – Environmental Compliance and Enforcement  
Asit Dey, 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.: 6093.00**

**Licence No./Licence n°: 360 HW  
Issue Date/Date de délivrance: January 5, 2022**

**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:**

**MANITOBA CONSERVATION AND CLIMATE (PARKS AND RESOURCE PROTECTION):  
"the Licensee"**

for the operation of a hazardous waste collection, storage, and transfer depot (the Facility) located at the Manipogo Provincial Park on portions of NW 29-29-15 WPM, in the Province of Manitoba in accordance with the application filed pursuant to The Dangerous Goods Handling and Transportation Act on December 22, 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 Facility;

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

**"container"** means a container (e.g. drum) or a collection cage, with a restricted access feature, manufactured for the purpose of holding single use propane tanks;

**"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;

**"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;

**"licensed carrier"** means a person who has a valid licence to transport hazardous waste pursuant to the 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 the 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;

**"waste disposal ground"** means an area of land designated by a person, municipality, provincial government agency, or crown corporation for the disposal of waste and approved for use in accordance with Manitoba Waste Management Facilities Regulation and any future amendments thereto, or a Licence pursuant to The Environment Act; 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 and which requires treatment prior to being discharged into the environment.

## **GENERAL TERMS AND CONDITIONS**

This Section of the Licence contains requirements intended to provide guidance to the Licensee 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.

### **Retain Copy of Licence**

1. The Licensee shall at all times maintain a copy of this Licence at the Facility or at the premises from which the Facility's operations are managed.

### **Reporting Format**

2. The Licensee 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.

### **Respecting Maintenance**

3. The Licensee shall implement a high standard of equipment maintenance and good housekeeping and operational practices with respect to the Facility, at all times.

### **Respecting Environmental Coordinator**

4. The Licensee shall designate an employee, within sixty (60) days of the date of issuance of this Licence, as the Licensee's Environmental Coordinator, whose job description will include assisting the Licensee in complying with the limits, terms, and conditions in this Licence and assisting Senior Management of the Licensee 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.

### **General Terms**

5. The Licensee 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.
6. 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.
7. Nothing in this Licence shall be construed to relieve the Licensee from civil or criminal penalties.

### **Future Sampling**

8. In addition to any terms or conditions specified in this Licence, the Licensee 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 Licensee 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 Licensee 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 Licensee 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.

### **Odour Nuisance**

12. The Licensee 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.

### **Noise Nuisance**

13. The Licensee 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 Licensee shall provide the following training 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 Licensee shall make records of the training provided pursuant to Clause 14 of this Licence available for inspection by an Environment Officer upon request.
16. The Licensee shall have trained personnel on site at all times when the Facility is open to receive waste or materials.

### **Facility Access**

17. The Licensee 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 Licensee 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 Licensee 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 Licensee shall not receive at the Facility any hazardous waste other than single use compressed gas cylinders.



21. The Licensee 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, or any future amendment thereof.

### **Manitoba Household Hazardous Waste Stewardship Program Materials**

22. The Licensee 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 Licensee 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 Licensee shall store hazardous waste in accordance with the requirements of Manitoba Fire Code, or any future amendment thereof.
25. The Licensee shall not store hazardous waste outside the storage structure or depot of the Facility except :
- a) when the Manitoba Fire Code prohibits inside storage;
  - b) when approved by an Environment Office; or
  - c) for purposes of handling during receiving or shipping operations of not more than 48 hours, unless otherwise approved by an Environment Officer.
26. The Licensee shall prominently affix a weather resistant label with the name of the hazardous waste in the container.

### **Transport of Hazardous Waste**

27. The Licensee shall only use licensed carriers to transport hazardous waste from the Facility.
28. The Licensee shall accompany hazardous waste transported from the Facility with a hazardous waste movement document.
29. The Licensee shall transport all hazardous waste received at the Facility at least once a year or as directed by the Environment Officer.

30. The Licensee 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.

### **Spills**

31. The Licensee 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 at (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**

32. The Licensee shall dispose of all non-hazardous solid waste generated or collected at the Facility, which is not recycled, only to a waste disposal ground.

### **Facility Inspection**

33. The Licensee shall inspect the Facility, and the hazardous waste storage area 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.
34. The Licensee shall record each inspection required by Clause 33 of this Licence and make records of the inspections available to an Environment Officer upon request. The record shall include the following:
- a) the date of the inspection;
  - b) the name of the person who conducted the inspection;
  - c) the observations made by that person during inspection including but not limited to:
    - i) the conditions of hazardous waste containers and all ancillary equipment;
    - ii) the conditions of secondary containment system and of any other mechanism that prevents the release of hazardous waste; and
    - iii) any indications of a release of hazardous waste or of any deteriorations of containers, piping, ancillary equipment or a secondary containment system that increase the likelihood of a release; and
  - d) recommendations for remedial action and actions undertaken.

### **Emergency Response**

35. The Licensee 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.
36. The Licensee 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.

37. The Licensee shall review the emergency response contingency plan on an annual basis, as a minimum, and make revisions as required.

#### **Annual Hazardous Waste Receiver Report**

38. The Licensee shall, on or before the 31<sup>st</sup> 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.

#### **Retain Records**

39. The Licensee 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**

40. The Licensee 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.
41. The Licensee 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.
42. The Licensee shall, where the investigation referred to in Clause 41 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.
43. The Licensee 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 goods placed at the closed facility. The Licensee must manage the hazardous waste or dangerous goods in a manner approved by the Director.

#### **Insurance and Financial Assurance**

44. The Licensee 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 Licensee 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 the Licensee has not commenced construction of the Facility within three years of the date of this Licence, the Licence is revoked.
- C. 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

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Laura Pyles  
Acting Director

**Consignor (Generator) Registration No.: MBG14848**  
**Consignee (Receiver) Registration No.: MBR30185**