

Order No.: 57 HW

Order Issued: June 2, 1997

In accordance with the Manitoba Dangerous Goods Handling and Transportation Act (C.C.S.M. c. D12) this Order is issued pursuant to Section 13 to:

THE TOWN OF KILLARNEY; "the Applicant"

for the construction and operation of a used oil collection and bulking facility (the "facility") located at the waste disposal grounds located at NE 1/4 7-3-16W, in the Rural Municipality of Turtle Mountain, Manitoba and in accordance with the Proposal filed under The Dangerous Goods Handling and Transportation Act on March 11, 1996 and subject to the following restrictions 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;

"operator" means a person who is responsible for the operation of the facility;

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

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

RESTRICTIONS AND CONDITIONS

1. The Applicant shall ensure that the storage tank at the facility has been constructed and tested in accordance with the standard U.L.C. S652.93, latest edition.
2. 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.
3. The Applicant shall maintain and keep available on-site for inspection by an Environment Officer a log of all the storage tank inspections referred to in Clause 2 of this Order. The log shall contain the following information:
 - a. the name of the person who inspected the used oil tank secondary containment system;
 - b. the date and time of inspection; and
 - c. the observations made during the inspection.
4. The Applicant shall ensure that:
 - a. the bulk used oil is sampled prior to every shipment of the used oil from the facility; and
 - b. the samples are stored at the facility for at least 90 days after the date of shipment of the used oil from the facility.
5. The Applicant shall, upon the request of the Director, have the bulk used oil samples that are stored at the facility, analyzed by an analytical laboratory, which is acceptable to the Director, to determine those parameters specified by the Director.
6. The Applicant shall ensure that reports containing the information required by Clauses 3 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 receipts of used oil greater than 25 litres 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 required by Clause 7 of this Order, is legible and that the log is kept available on-site 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 to determine whether there is any obvious contamination of the used oil.
 10. The Applicant shall ensure that the operator is trained so that when he/she visually inspects a container of used oil he/she is able to determine whether there is any obvious contamination of the used oil.
 11. The Applicant shall ensure that contaminated used oil is not transferred to the used oil storage tank.
 12. The Applicant shall ensure that only the operator transfers used oil into the used oil storage tank.
 13. 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.
 14. The Applicant shall ensure that signage is posted 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 transfer 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 Manitoba Department of the Environment in Winnipeg at (204) 944-4888.
 17. The Applicant shall ensure that whenever used oil is 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 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 or handling 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 or melt water that may collect in the area is not contaminated and can be safely discharged.
 23. The Applicant shall ensure that all used oil received at the facility is transported to a licenced recycling or

disposal facility.

24. The Applicant shall ensure that there is a written agreement in place with the receiver of the used oil shipped from the facility at all times. The agreement shall state how and where the used oil will ultimately be sent for disposal or recycling.
25. The Applicant shall maintain and keep available on-site for inspection by an Environment Officer a copy of the written agreement referred to in clause 24 of this Order
26. The Applicant shall obtain approval in writing from the Director for any proposed alterations to the facility before proceeding with the alterations.
27. The Applicant shall submit to the Director for approval, within 30 days of the date of this Order, a contingency plan, in accordance with CAN/CSA-Z731-95 Emergency Planning for Industry, outlining procedures to be used in the event of a leak, spill, fire or other hazardous condition at the facility.
28. 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.
29. The Applicant shall, where the investigation referred to in Clause 28 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.
30. The Applicant shall, within 30 days of the date of this Order, post a Performance Bond, 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.
31. The Applicant shall, within 30 days of the date 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.

TERMINATION, VARIATION, SUSPENSION

If, in the opinion of the Director, the Applicant has exceeded or is exceeding or has or is failing to meet the restrictions or conditions set out in this Order, or in the opinion of the Director a hazardous situation exists, the Director may, temporarily or permanently, terminate, vary, or suspend this Order.

"original signed by"

Larry Strachan, P. Eng.

Director

Dangerous Goods Handling and Transportation Act

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