



**Conservation and Climate**

Environmental Stewardship Division  
Environmental Approvals Branch  
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**File No.: 5798.00**

November 17, 2020

Nadine Gapka  
Chief Administrator Officer  
Rural Municipality of Yellowhead  
Box 278  
Shoal Lake MB R0J 1Z0

Dear Nadine Gapka:

Enclosed is Dangerous Goods Handling and Transportation Act Licence No. 292 HW R, issued to Rural Municipality of Yellowhead for the operation of a hazardous waste collection, storage and transfer depot known as Shoal Lake Recycling Centre.

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.

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.

If you have any questions on this matter, please contact Kristy Forrestall, Acting Regional Supervisor, Environmental Compliance and Enforcement at [Kristy.Forrestall@gov.mb.ca](mailto:Kristy.Forrestall@gov.mb.ca) or 204-573-0518.

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.: 5798.00

Licence No./Licence n°

292 HW R

Issue Date/Date de délivrance:

January 8, 2016

Revised:

November 17, 2020

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:**

**RURAL MUNICIPALITY OF YELLOWHEAD;**  
**"the Licencee"**

for the operation of a hazardous waste collection, storage and transfer depot (the Facility) known as Shoal Lake Recycling Centre located at NW 10-17-23 WPM, in the Rural Municipality of Yellowhead, Manitoba in accordance with the application filed pursuant to The Dangerous Goods Handling and Transportation Act on May 15, 2015, the additional information dated August 21, 2015, and the amended proposal dated September 21, 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;

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

**"container"** means a container with a capacity of less than 30 litres that is manufactured for the purpose of holding oil or in which oil is supplied;

**"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;

**"licensed carrier"** means a person who has a valid licence to transport hazardous waste pursuant to Manitoba Regulation 195/2015 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

**"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;
- d) if the unwanted sound 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;

**"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 Manitoba Regulation 195/2015 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, SOR/2001-286, made under The Transportation of Dangerous Goods Act, 1992 (Canada), or any future amendment thereof;

**"used oil"** means petroleum-derived or synthetic lubrication oil that has become unsuitable for its original purpose due to the presence of physical or chemical impurities or the loss of original properties if the oil falls within any of the following categories:

- a) lubrication oils for internal combustion engines such as motor oil, vehicle crankcase oil and engine lubricating oil;
- b) transmission fluids, gearbox and differential oils; and
- c) hydraulic fluids;

**"used oil filter"** means an oil filter containing used oil that through use, storage, handling, defect, damage or other similar circumstances can no longer be used for its original purpose;

**"used oil products and material"** means used oil, used oil filters or used oil containers;

**"waste automotive battery"** means a lead-acid electromotive battery that:

- a) through use, storage, handling, defect, damage, expiry of shelf life or other similar circumstance can no longer be used for its original purpose; or
- b) for any other reason, the owner or person in possession of the battery intends to dispose of it; 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) Manitoba Regulation 188/2001, or any future amendment thereof, respecting the Storage and Handling of Petroleum Products and Allied Products;
  - b) Manitoba Regulation 195/2015, or any future amendment thereof, respecting hazardous wastes; and
  - c) Manitoba Office of the Fire Commissioner.

### **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 container 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 consignee who operates a used oil burner in accordance with The Hazardous Waste Regulation;
  - c) a consignee who operates a used oil collection facility in accordance with The Hazardous Waste Regulation;
  - d) a facility otherwise approved by the Director pursuant to an Order; or
  - e) a facility operating under a licence or an approval of similar type in another jurisdiction.

### **Used Oil Products and Material Collection Depot**

30. The Licencee shall store used oil only in the double wall storage tank.
31. The Licencee shall situate the storage tank referred to in Clause 30 on an impermeable surface acceptable to the Director.
32. The Licencee shall ensure that only a storage tank with a capacity of 4500 litres or less is used to collect used oil at the Facility.
33. The Licencee shall equip the used oil transfer area with a containment system that is capable of containing 110 % of the volume of used oil being transferred.
34. The Licencee shall whenever used oil is being transferred to or from the tank of a vehicle, or to or from the storage tank, or any other transfer systems, supervise the transfer at all times and in such a manner that the flow of liquid can be immediately shut off.
35. The Licencee shall store used oil filters received at the facility in containers that have a maximum capacity of 205 liters and are designed so that they will contain any used oil which may drain from the filters.
36. The Licencee shall store the containers for used oil filters referred to in Clause 35, of this Licence, in a manner which provides protection from precipitation.
37. The Licencee shall store used oil containers received at the facility in containers that are constructed of a material that will contain any used oil that may drain from the containers.

### **Waste Automotive Batteries**

38. The Licencee shall store the waste automotive batteries in an area where the floor or base is resistant to acid.
39. The Licencee shall store the waste automotive batteries on pallets or in tub skids in the following manner:
  - a) if pallets are used, the waste automotive batteries shall be placed on the pallets with a layer of corrugated cardboard or other material which will prevent casing ruptures, placed between successive layers of waste automotive batteries. The full pallet of batteries shall have three layers of batteries and be shrink wrapped with plastic before shipment from the Facility; and
  - b) if tub skids are used, the waste automotive batteries shall be placed in acid resistant, leak-proof tub skids.
40. The Licencee shall conspicuously place in the area used for storage of waste automotive batteries effective neutralizing materials, or materials approved by the Director in writing, for the containment or clean up of spills.
41. The Licencee shall in the event of a spill, dispose of the water used to clean up the spill in accordance with applicable regulations.
42. The Licencee shall not allow the inventory of waste automotive batteries at the Facility to exceed 200 at any one time.

### **Liquid Emissions**

43. 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**

44. The Licencee shall equip the Facility with spill cleanup equipment and supplies.
45. 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**

46. 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 Manitoba Regulation 37/2016 or any future amendment thereof, or a Licence issued pursuant to The Environment Act.

**Facility Inspection**

47. The Licencee shall inspect the Facility every day that the Facility is operating; and properly manage any unauthorized materials found at the Facility by securely storing or removing them from the Facility.
48. The Licencee shall record each inspection required by Clause 47 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.
49. The Licencee shall make records of the inspections required by Clause 48 available to an Environment Officer upon request.

**Emergency Response**

50. 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.
51. 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.
52. 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**

53. The Licencee 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 Manitoba Regulation 195/2015 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**

54. 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.

### **Maintain Records**

55. 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**

56. 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.
57. 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.
58. The Licencee shall, where the investigation referred to in Clause 57 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
59. 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 shall manage this hazardous waste or dangerous good in a manner approved by the Director.

**Insurance and Financial Assurance**

- 60. 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. This Licence replaces The Dangerous Goods Handling and Transportation Act Licence No. 292 HW which is now hereby rescinded.
- B. 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.
- 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

Shannon Kohler, Director  
The Dangerous Goods Handling and  
Transportation Act

**Consignor (Generator) Registration No.: MBG01102**  
**Consignee (Receiver) Registration No.: MBR30130**

**Schedule 'A' to  
Licence No. 292 HW R, Clause 20**

<b>Household Hazardous Waste</b>
Aerosols
Automotive Antifreeze
Batteries, Wet, filled with Acid
Batteries, Wet, filled with Alkali
Batteries, Dry containing Potassium Hydroxide Solid
Batteries, Rechargeable
Lithium Metal Batteries
Compressed Gases
Fluorescent Lighting Tubes and Compact Fluorescent Lights
Paint Products
Used Oil
Used Oil Filters & Used Oil Containers (Used Oil Products and Materials)