

# GOVERNMENT

**OF** 

# NEWFOUNDLAND AND LABRADOR Department of Environment and Climate Change

#### CERTIFICATE OF APPROVAL

Pursuant to the Environmental Protection Act, SNL 2002, Sections 16, 78 and 83.

Amended:

March 31, 2022

Approval No.:

WMS-07-09-023

Expiration:

March 31, 2027

File No.:

834.241.000

Proponent:

Capital Crane Limited (CCL)

1050 Lorraine	2
Avenue	N
Labrador City	N
NL, A1V 2K5	1

20 Sagona Avenue Mount Pearl, NL, A1L 4R2

123 McNamara Dr. Paradise, NL

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Attention:

Ms. Ashley Sheppard, HSE Advisor

Re:

Collection of Liquid Wastes (Province-Wide)

Mobile Oily Water Treatment System

Approval is hereby given for the continued province-wide operation of a waste management system for the collection and transport of liquid waste and for a mobile oily water treatment unit.

This approval does not release the holder from the obligation to obtain appropriate approvals from other concerned provincial, federal and municipal agencies. Approval from the Department of Environment and Climate Change (the Department) shall be obtained prior to any significant change in the design, construction, installation, or operation of the facility, including any future expansion of the works. This certificate shall not be sold, assigned, transferred, leased, mortgaged, sublet or otherwise alienated by the holder without obtaining written prior approval from the Minister.

This approval is subject to the terms and conditions as contained in Appendices 'A, B, and C' attached hereto, as may be revised from time to time by the Department. Failure to comply with any of the terms and conditions may render this certificate of approval null and void, may require the proponent to cease all activities associated with this certificate of approval, may place the proponent and its agent(s) in violation of the *Environmental Protection Act*, SNL., 2002, c. E-14-2, and will make the proponent responsible for taking such remedial measures as may be prescribed by the Department. The Department reserves the right to add, delete, modify or revoke this approval at any time.

MINISTER

#### General

- 1. This approval is for the continued province-wide collection and transportation of used oil, waste gasoline, waste jet fuel, waste diesel, waste furnace oil, oily water, oiled rags, industrial waste liquids, wastewater, sewage, septic and sewage sludge, digester sludge, tank bottom sludge, de-icing fluids and emulsions, tank bottoms, sump bottoms and catch basin debris. Specific terms and conditions for these activities are located in Appendix A.
- 2. This approval is also for the province-wide operation of an SCG Industries oily water treatment system. Specific terms and conditions for this activity are located in Appendix B.
- 3. Notification of Wastewater Treatment Project form is contained in Appendix C.
- 4. Prior to any expansion or modification of operations, a letter of application shall be forwarded to the Department requesting an amendment to this approval.

#### **Definitions**

- 5. In this Certificate of Approval:
  - adverse effect means an effect that impairs or damages the environment and includes an adverse effect to the health of humans;
  - BTEX means benzene, toluene, ethylbenzene, and/or xylene;
  - contaminant means, unless otherwise defined in the regulations, a substance that causes or may cause an adverse effect;
  - CCME means Canadian Council of Ministers of the Environment;
  - CCL means Capital Crane Limited;
  - CEQG means CCME Canadian Environmental Quality Guidelines;
  - **Department** means Department of Environment and Climate Change:
  - **Director** means the Director of the Pollution Prevention Division of the Department;
  - DGSNL means Department of Digital Government and Service NL
  - oily water means water contaminated with only TPH in excess of 15 ppm (or 100 ppm if discharging to sanitary sewer systems with a WWTP; It should be noted that WWTP's do not treat flows from storm sewers). Furthermore, oily water may contain TSS below or above acceptable levels, but not likely contain other contaminants of concern;
  - QA/QC means Quality Assurance/Quality Control;
  - Regional Director means the Director of the nearest office of the Department of Digital Government and Service NL;
  - TCLP refers to the USEPA Toxicity Characteristic Leaching Procedure
  - TPH means total petroleum hydrocarbon as measured by the Atlantic PIRI method;
  - USGPM means US gallons per minute. It should be noted that 1 US gallon is approximately equal to 0.8326 imperial gallon or 3.785 litres;
  - used lubricating oil means lubricating oil that as a result of its use, storage

- or handling, is altered so that it is no longer suitable for its intended purpose, but is suitable for refining or other permitted uses;
- used oil means a used lubricating oil or waste oil;
- waste oil means an oil that as a result of contamination by any means or by its use, is altered so that it is no longer suitable for its intended purpose;
- **WWTP** means wastewater treatment plant. Generally, a municipal WWTP treats sanitary sewer flows, but not stormwater flows.

**Application Submissions** 

- 6. Request for amendment of existing Certificate of Approval No. WMS-07-09-023 received by e-mail March 24, 2022;
- 7. Contingency Plan for Oil Water Separator and Corporate Health and Safety Policy, Version 3, January 12, 2021; and
- 8. Annual reports on wastewater volumes collected for 2021.
- 9. Updated Certificate of Insurance coverage for Capital Crane/Capital Environmental dated February 10, 2022.

**Emergency & OHS Preparedness** 

- 10. The proponent shall file a contingency plan for environmental emergencies with the Regional DGSNL office and the Department prior to operation and, thereafter, provide any annual updates. An updated copy of the contingency plan shall be kept on site at all times.
- 11. The proponent shall ensure that this approval, or a copy, is kept on site at all times and that personnel directly involved in the operation of the remediation facility are made fully aware of the terms and conditions which pertain to this approval.
- 12. All responsible personnel who are directly involved with operation and maintenance of the processing system shall be provided copies of this approval.
- 13. For after-hours emergencies and spill report call: 1-800-563-9089.
- 14. All appropriate health and safety procedures shall be followed at the site in accordance with applicable legislation.
- 15. The treatment and monitoring system(s) shall be operated and maintained in accordance with the respective manufacturers' operating and maintenance specifications.
- 16. The operator(s) shall have petroleum fire and spill response training.

#### **Further Assessment**

17. The Minister may at any time, with reasonable notice, require the proponent to conduct or have conducted environmental studies, site assessments, sampling,

testing, or investigations where, based upon reasonable and probable grounds, the Minister is of the opinion that this waste management system may have had, or has the potential to have, an adverse effect on the environment.

## The Department

18. Through a Memorandum-of-Understanding this Department has authorized the DGSNL to act on its behalf in inspecting and/or auditing this operation for compliance under this approval and all applicable provincial Acts and Regulations.

## Legislation

- 19. The activities associated with this operation may involve, but not be limited to, the following provincial Acts and Regulations and any future amendments:
  - Dangerous Goods Transportation Act
  - Fire Prevention Act, 1999
  - Environmental Protection Act
  - Air Pollution Control Regulations, 2004
  - Storage and Handling of Gasoline and Associated Products Regulations, 2003
  - Used Oil and Used Glycol Control Regulations, 2018
  - Water Resources Act
  - Environmental Control Water and Sewage Regulations, 2003.
- 20. The activities associated with this operation may involve, but not be limited to, the following federal Acts and Regulations:
  - Canadian Environmental Protection Act, 1999 and Regulations
  - Interprovincial Movement of Hazardous Waste and Hazardous Recyclable Material Regulations
  - Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations
  - Transportation of Dangerous Goods Act and Regulations
  - Fisheries Act
  - National Fire Code

## Sewage Disposal Bans

- 21. The proponent is bound by all current and future sewage disposal to landfill bans in the Province. Currently in place are the following:
  - East Coast Sewage Disposal Ban means that the Department does not approve the landfill disposal on the Avalon Peninsula defined as all areas east of and including Shoal Hr. and which is bounded to the south by Swift Current; and
  - West Coast Sewage Disposal Ban means that the Department does not approve the landfill disposal in the area bounded: to the north by the northern boundary of Gros Morne National Park; to the south by the southern boundary of Barachois Pond Provincial Park; to the west by Romaines River; and to the east by Halls Bay; and

#### Financial Assurance

- 22. Valid environmental impairment liability insurance in the minimum amount of \$1,000,000 shall be maintained or this approval shall be considered null and void.
- 23. A surety bond of \$20,000 shall be on file with the Department, or this approval shall be considered null and void.
- 24. Annual updates of the financial assurance documents shall be filed with the Department.
- 25. CCL shall provide the Department with three months advance notice if they intend to cancel coverage and/or change the insurer or bonding agent.

**Spill Prevention** 

Areas in which chemicals are used or stored shall have impermeable floors and dykes or curbs and shall not have a floor drain system, nor shall it discharge to the environment. Areas inside the dykes or curbs shall have an effective secondary containment capacity of at least 110% of the chemical storage tank capacity, in the case of a single storage container. If there is more than one storage container, the dyked area shall be able to retain no less than 110% of the capacity of the largest container or 100 % of the capacity of the largest container plus 10% of the aggregate capacity of all additional containers, whichever is greater. These dyked areas shall be kept clear of material that may compromise the capacity of the dyke system. Once a year, the dykes shall be visually inspected for their liquid containing integrity, and repairs shall be made when required. Once every ten years, the dykes shall be inspected, by a means other than visual inspection, for their liquid containing integrity, and repairs shall be made when required.

Oily Water & Used Oil Holding Tanks

27. Oily water and waste oil holding tanks shall be approved by the Department as per the *Used Oil and Used Glycol Control Regulations*.

Laboratory Analysis & QA/QC

28. Unless otherwise stated herein, all liquid and solids analysis performed pursuant to this Approval shall be done by a contracted commercial or in-house laboratory as per the Accredited and Certified Laboratory Policy (PD:PP2001-01.02).

**Monitoring Alteration** 

- 29. The Department has the authority to alter the monitoring programs or require additional testing at any time when:
  - pollutants might be released to the surrounding environment without being detected:
  - an adverse environmental effect may occur; or
  - it is no longer necessary to maintain the current frequency of sampling

and/or the monitoring of parameters.

- 30. CCL may, at any time, request that the monitoring program or requirements of this Approval be altered by:
  - requesting the change in writing to the Department; and
  - providing sufficient justification, as determined by the Department.
- 31. The requirements of this Approval shall remain in effect until altered, in writing, by the Department.

Reporting

- 32. Monthly reports containing the environmental compliance monitoring and sampling information required in this Approval shall be received by the Department in digital format within 30 calendar days of the reporting month. All related laboratory reports shall be submitted with the monthly report in XML format and Adobe Portable Document Format (PDF). Digital report submissions shall be uploaded through the Department's Environmental Data Management System web portal. The Pollution Prevention Division shall provide details of the portal web address and submission requirements. Any questions may be addressed to the Pollution Prevention Division.
- 33. The annual report shall be submitted to the Department and to the DGSNL by January 31, of the following year and shall include:
  - a. A summary of complete volumes of waste streams received and the applicable recycling or final disposal destination.
  - b. The report shall also include the current insurance and bonding documents as specified in the Financial Assurance section and any updates to the Contingency Plan as discussed in the Emergency & OHS Preparedness section.
- 34. All incidents of:
  - Contingency Plan implementation;
  - non-conformance of any condition within this approval;
  - spillage or leakage of a regulated substance;
  - whenever discharge criteria is, or is suspected to be, exceeded; or
  - verbal/written complaints of an environmental nature from the public received by CCL related to the temporary site

shall be immediately reported, within one working day, to a person or message manager or facsimile machine to DSGNL by phoning or faxing.

DGSNL (St. John's) P.O. Box 8700 A1B 4J6

Telephone (709) 729-3699

Facsimile: (709) 729-2071

DGSNL (Clarenville)

P.O. Box 1148

AOE 1JO

Telephone (709) 466-4060 Facsimile (709) 466-4070

DGSNL (Gander) P.O. Box 2222 A1V 2N9

Telephone (709) 256-1420 Facsimile: (709) 256-1438

DGSNL (Goose Bay) P.O. Box 3014 - Stn "B" A0P 1E0

Telephone: (709) 896-5473 Facsimile: (709) 896-4340 DGSNL (Corner Brook) P.O. Box 2006 A2H 6J8

Telephone: (709) 637-2204 Facsimile: (709) 637-2681

35. A written incident report including a detailed description of the incident, summary of contributing factors and an action plan to prevent future incidents of a similar nature, shall be submitted to the respective Regional Director of DGSNL. The action plan shall include a description of actions already taken and future actions to be implemented, and shall be submitted within thirty days of the date of the initial incident.

## **Expiration**

- 36. This approval expires on March 31, 2027.
- 37. Should the proponent wish to continue to operate beyond this expiry date, a written request shall be submitted to the Department for the renewal of this approval. Such request shall be made at least 2 months prior to expiration.

c.c. Robert Locke - Director
Pollution Prevention Division

Department of Environment and Climate

Change

rlocke@gov.nl.ca

Compliance Promotion & Expert Support

Environment Canada Heather.Jesso@ec.gc.ca

Heather Jesso

Rick J. Curran - Director DGSNL (Mount Pearl) rjcurran@gov.nl.ca Susan Hoddinott - Regional Director DGSNL (Corner Brook)
SusanHoddinott@gov.nl.ca

Michael Duke - Manager DGSNL (Clarenville) MichaelDuke@gov.nl.ca Wayne Lynch- Regional Director DGSNL (Gander)
WayneLynch@gov.nl.ca

Dean Shute – Manager DGSNL (Harbour Grace) deanshute@gov.nl.ca Kelvin Mok– EPO DGSNL (Happy Valley-Goose Bay) Kelvin Mok@gov.nl.ca

# Appendix A - Collection of Liquid & Associated Waste

#### General

1. This appendix is for the continued province-wide collection and transportation of used oil, waste gasoline, waste jet fuel, waste diesel, waste furnace oil, oily water, oiled rags, industrial waste liquids, wastewater, sewage, septic and sewage sludge, digester sludge, tank bottom sludge, de-icing fluids and emulsions, tank bottoms, sump bottoms and catch basin debris.

## Landfilling of Oily Wastewater

- 2. Landfill disposal of water containing petroleum hydrocarbons is prohibited. Disposal of used oil, petroleum contaminated water or virgin/unused waste petroleum products, including petroleum contaminated snow and ice, at private, industrial or municipal landfills is prohibited unless otherwise approved by the Department.
- 3. All new and/or amended bans of liquid & associated wastes, as approved and described by the Minister of the Department, will apply to the operation of the waste management system described in this approval.
- 4. For liquid & associated wastes not subjected to any bans, the disposal at an approved landfill site is permitted with the approval of the owner/operator provided the following conditions are met:
  - the waste shall be placed in a trench of sufficient size to handle the volume to be disposed;
  - the waste shall be limed before backfilling with sufficient lime to suppress odour and other vectors; and
  - the waste is covered with at least 60cm of fill material.

# Transportation of Dangerous Goods and Training

- 5. The characteristics of the waste product being collected will determine whether or not provisions of provincial and/or federal dangerous goods regulations apply. Safety standards, placards, labels, tanker truck inspections, etc. under the provisions of the *Transportation of Dangerous Goods Act* and Regulations are applied to all transport of waste and hazardous waste dangerous goods.
- 6. The Canadian Environmental Protection Act and Interprovincial Movement of Hazardous Waste Regulations have waste manifesting requirements and these forms may be obtained from the Department. Completed copies of the manifest shall be returned as indicated to the Pollution Prevention Division of the Department.
- 7. The company name and phone number shall be printed on both doors and rear of all vehicles used in the collection and transportation of liquid and associated wastes.

All lettering shall be at least 5 centimetres in height.

8. The *Dangerous Goods Transportation Act* and Regulations require that all personnel involved in the handling, offering for transport, and transport of dangerous goods participate in a training program which includes the essential training components as outlined in the *Transportation of Dangerous Goods Act* and Regulations. In addition to these essential components, the training program shall also include relevant waste management legislation, regulations, and guidelines and the major environmental and health and safety concerns for the wastes to be handled, offered for transport, or transported.

#### **Used Oil**

- 9. Within the province, used oil may be delivered to an approved used oil storage facility.
- 10. Hazardous, contaminated or any class of used oil shall be delivered to a facility in the province which is approved to store, transport, re-refine, re-use, treat, and/or dispose of hazardous, contaminated or the applicable class of used oil.
- 11. Where possible, the operator of a used oil collection vehicle shall visually inspect each container of used oil for visible contamination before the contents are transferred to the collection tank/truck to avoid contaminating the used oil that has been collected.
- 12. Used oil collectors and transporters are prohibited from blending used oils with virgin oil in an effort to meet the specification levels for used oil combustion.

#### **Monitoring**

- 13. Records of the volume of used oil received or collected, the date of the transaction, and the person/company from whom the used oil was obtained, shall be maintained and the records held for a period of not less than three years from the date of the transaction, and made available for review by officials of the Department.
- 14. Records of the volume of used oil **transferred** for combustion or treatment and for shipment out of province, the date of the transaction, and the person/company that received the used oil shall be maintained and the records held for a period of not less than three years from the date of the transaction, and made available for review by officials of the Department.
- 15. An annual summary of the records of used oil **received**, **collected** and **transferred** shall be provided to the Department in electronic or hard copy form by January 31 of the following year.

## Sewage & Septic wastes

16. All sewage collected within the east and west coast sewage disposal ban area shall be delivered to an approved sewage treatment facility.

- 17. For sewage, sludge and/or septic wastes collected outside these areas the disposal of sewage sludge waste at an approved landfill site is permitted with the approval of the owner/operator provided the following conditions are met:
  - the waste shall be placed in a trench of sufficient size to handle the volume to be disposed;
  - the waste shall be limed before backfilling with sufficient lime to suppress odour and other vectors; and
  - the waste is covered with at least 60cm of fill material.
- 18. Discharge of untreated septic/septic supernatant into a municipal sewer system is not permitted.
- 19. Records of the volume of sewage sludge received, the date of the transaction and the person from whom the sewage was obtained shall be maintained, and the records held for a period of not less than three years from the date of the transaction, and the records must be made available for review by officials of the Department.
- 20. A summary of the above information shall be provided to the Department in electronic or hard copy form by January 31 of each year for the preceding calendar year.

## Sludge and/or Solid Hazardous Waste

- 21. Until confirmed to be non-hazardous, all potentially hazardous waste shall be placed in corrosion resistant and leak proof containers and placed in storage on an impermeable surface. These containers shall be covered to prevent the infiltration of precipitation. Containers shall be inspected on a weekly basis and those leaking or showing signs of deterioration shall be replaced or repaired immediately.
- 22. Prior to any landfill disposal, concentrations of contaminants for all solid wastes generated by the treatment system shall meet acceptable limits as per the latest edition of the CCME recommended *Canadian Soil Quality Guidelines*, as outlined in the latest edition of the CEQG for commercial and/or industrial land use, the waste is not considered hazardous and may be disposed of to a landfill with the approval of the Department and landfill owner/operator.
- 23. For parameters not included in this document defer to the CCME September 1991 Interim Canadian Environmental Quality Criteria for Contaminated Sites. Where one or more contaminants are in excess of the CSQG, the wastes must be further tested using the US EPA Method 1311, the TCLP or other procedure as determined by the Department.
- 24. Wastes failing the TCLP are considered hazardous and will not be approved for landfill disposal in this province and will require waste manifesting before shipment. For wastes meeting the TCLP criteria, a copy of the laboratory results shall be forwarded to the Department with a request for landfill disposal.

- 25. Hazardous wastes are those which are corrosive, reactive, flammable, ignitable, carcinogenic, teratogenic, mutagenic, infectious, oxidizing, radioactive, explosive, poisonous/toxic (acute and chronic), bioaccumulative, persistent, TCLP defined leachable, or any waste which does not meet any of the above criteria but has other properties of concern which are significant enough to consider the material to be hazardous.
- 26. Municipal and industrial landfills in this province are not permitted to accept hazardous waste materials. Where there exists any doubt regarding the properties of a given waste, consultation with the Department is required prior to disposal.
- 27. Non-hazardous wastes are approved for landfill disposal with the permission of the site owner/operator.

# Appendix B - Mobile Oily Water Treatment

#### General

1. This appendix applies to the continued province-wide operation of a mobile SCG Industries oily water treatment system.

## **Mobile Project Notification**

2. Two (2) business days prior to the experimental, industrial and/or property remediation application of this unit, CCL shall provide the Department and the local Department of Digital Government and Service NL office with a **Notification of Wastewater Treatment Project** form located in Appendix C.

## **Effluent Monitoring Program**

- 3. Treated effluent monitoring and discharge criteria will be based on the duration of discharge and the location of discharge as identified in the Notification of Wastewater Treatment Project form located in Appendix C. Effluent discharged to the environment is subject to Schedule A of the Environmental Control Water and Sewage Regulations. Effluent discharged to a municipal sewer system with sewage treatment is subject to Schedule B of the Environmental Control Water and Sewage Regulations.
- 4. Effluent monitoring requirements and criteria for discharge to the environment are shown in **Table 1**. All results shall be submitted as per the **Reporting** section.
- 5. Effluent monitoring requirements and criteria for discharge to a municipal sewer system are shown in **Table 2**. All results shall be submitted as per the **Reporting** section.
- 6. Discharge to a municipal sewer system requires permission from the municipality.
- 7. CCL may transfer collected wastewater to another approved wastewater treatment facility, provided they have permission from the facility.
- 8. Upon completion of the treatment project, CCL shall confirm to the Department and the local Department of Digital Government and Service NL office that the information contained in the **Notification of Wastewater Treatment Project** form is correct. Updated information on dates and flow volumes, discharge location, etc., shall be provided as required.

Location <sup>1</sup>	Discharge to the Environment   EDMS Code <sup>2</sup>   Frequency		Parameters	Criteria <sup>3</sup>	
To be Within the			pН	5.5-9 pH units	
Determined	Determined	first 24 hours of discharge of each batch and once per week for the duration of discharge.	Biochemical Oxygen Demand (BOD)	20	
			Total Suspended Solids (TSS)	30	
			Total Dissolved Solids (TDS)	1000	
			TPH	15	
			Arsenic	0.5	
			Barium	5.0	
			Boron	5.0	
			Cadmium	0.05	
			Chromium	1.0	
			Copper	0.3	
			Cyanide	0.025	
			Iron	10	
			Lead	0.2	
			Mercury	0.005	
			Nickel	0.5	
			Nitrates	10	
			Nitrogen (Ammoniacal)	2.0	
			Phenol	0.1	
			Phosphates (total as P <sub>2</sub> O <sub>5</sub> )	1.0	
			Selenium	0.01	
			Sulfides	0.5	
			Silver	0.05	
			Zinc	0.5	

- 1. To be determined once Notification of Wastewater Treatment Project form is received.
- 2. To be determined once Notification of Wastewater Treatment Project form is received.
- 3. Criteria is measured in mg/L unless noted directly in the Table.

Location <sup>1</sup>	charge to a Mu EDMS Code	Frequency	Parameters	Criteria <sup>2</sup>
Effluent	00688	Each Batch	pH	5.5-9 pH units
Discharge (123 McNamara Dr, Paradise, NL)			Biochemical Oxygen Demand (BOD)	300
			Total Suspended Solids (TSS)	350
			TPH	100
			Boron	5.0
			Cadmium	0.05
			Chromium	1.0
			Copper	0.3
			Cyanide	2.0
			Iron	15
			Lead	0.2
			Mercury	0.005
			Nickel	0.5
			Phenol	0.5
			Phosphates (total as P <sub>2</sub> O <sub>5</sub> )	10.0
			Zinc	0.5

- 1. If the unit is used in a different municipality, a new location and corresponding EDMS code will be issued based on the Notification of Wastewater Treatment Project form.
- 2. Criteria is measured in mg/L unless noted directly in the Table.

# Appendix C - Notification of Wastewater Treatment Project

Government Service Centre:		Phone:			
Treatment Company:					
Contact Name:					
Treatment Unit:					
Type and Source of Wastewater (	describe):				
Total Volume:		Proposing Rate	:		
Are Pre-treatment Lab Results At	tached?	Yes	No		
Describe Treatment Site/Plan (loc	ation, adjacent	water body, adja	cent land usage	, zoning, etc.)	
Point of Discharge & Receiving I	Environment				
Waterbody	Sewer:				
Fresh Marine	Storm: Sanitary	Sewage Tre	eatment? Yes:	No:	
Name:	If "No", se	wer outfall discha	rges to: Fresh:	or Marine:	
Approval from Sewer System Ow	ner/Operator	Yes:	No:	N/A:	
Additional Information					
Signature:		Date:			

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