



Department of Municipal Affairs & Environment
Government of Newfoundland and Labrador
Pollution Prevention Division (Environment)

CERTIFICATE OF APPROVAL

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

Issued: July 15, 2020
Expiration: July 31, 2025

Approval No.: WMS-14-06-001

Approval holder: Newfoundland Aqua Service Limited
3 Bay D'Espoir Highway
P.O.Box 58
Milltown, NL
A0H 1W0

Attention: Mr. Boyd Pack, President

Re: Waste Management System - Net Washing

Approval is hereby given for the continued operation of the net washing system, together with the associated liquid and solid waste management systems at St. Alban's, NL.

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 Municipal Affairs and Environment (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 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 approval holder to cease all activities associated with this certificate of approval, may place the approval holder and its agent(s) in violation of the *Environmental Protection Act, SNL., 2002, c. E-14-2*, and will hold the approval holder 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.


For MINISTER

Administrative and General

1. Approval is hereby given for operation of the net washing system, together with the associated liquid and solid waste management systems in accordance with the provisions and commitments made by Newfoundland Aqua Service Limited (NASL) in its original application for a Certificate for Approval (dated December 05, 2013), submitted waste management plans and other supporting documentation (dated May 2012 through August 2014).
2. The Department of Municipal Affairs and Environment (MAE) regulates waste management under the Environmental Protection Act (SNL2002 CHAPTER E-14.2). Section 15 and Part XI of this Act specifically identifies the authority of MAE to issue such an approval to operate a Waste Management System.
3. All responsible personnel who are directly involved with operation and maintenance of the net washing and waste management operations shall be provided copies of this Approval and shall be fully aware of the terms and conditions pertaining.
4. The approval holder shall immediately notify the Department or Service NL in writing of any change in the legal name, address, ownership, or facility operators associated with the site.

Definitions

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;
- **associated product** means petroleum or a derivate of it, except gasoline, which is in a liquid state at ambient temperature and pressure;
- **BTEX** means benzene, toluene, ethylbenzene, and xylene
- **CCME** means Canadian Council of Ministers of the Environment;
- **CEQG** means CCME Canadian Environmental Quality Guidelines;
- **contaminant** means, unless otherwise defined in the regulations, a substance that causes or may cause an adverse effect;
- **CSQG** means CCME Canadian Soil Quality Guidelines;
- **Department** means Department of Municipal Affairs and Environment;
- **Director** means the Director of the Pollution Prevention Division of the Department;
- **Minister** means the Minister of the Department of Municipal Affairs and Environment;
- **NASL** means Newfoundland Aqua Service Limited;
- **oily water** means water contaminated with only TPH in excess of 15 ppm
- **QA/QC** means Quality Assurance/Quality Control;
- **OHS** means occupational health and safety;

- **Regional Director** means the Director of the nearest Service NL regional office in Gander;
- **Substance** means any chemical or mixture that may be harmful to the environment and/or human health;
- **TCLP** means toxicity characteristics leaching protocol as per US EPA Method 1311;
- **TPH** means total petroleum hydrocarbons as measured by the Atlantic PIRI method;
- **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.

Emergency & OHS Preparedness

5. NASL shall develop and maintain an environmental emergency and health and safety contingency plan, and submit annual updates for review and approval by the Department.
6. 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 wastewater treatment system are made fully aware of the terms and conditions which pertain to this Approval.
7. For after hours emergencies and spill report call: **1-800-563-9089 or (709) 772-2083**.
8. All appropriate health and safety procedures shall be constantly maintained at the site in accordance with applicable legislation.

Legislation Standards and Guidelines

9. The activities associated with this operation may involve, but not be limited to, the following provincial Acts and Regulations as amended:
 - *Environmental Protection Act RSNL, 2002 as amended*
 - *Air Pollution Control Regulations, 2004*
 - *Storage and Handling of Gasoline and Associated Products Regulations, 2003*
 - *Used Oil Control Regulations, 2002*
 - *Halocarbon Regulations, 2005*
 - *Pesticides Control Regulations, 2007*
 - *Water Resources Act, 2002 as amended*
 - *Environmental Control Water and Sewage Regulations, 2003.*
 - *Occupational Health and Safety Act RSNL, 1990*
 - *Dangerous Goods Transportation Act, 2006*

- *Regional Service Board Act, 1990*
 - *Transportation and Works Act, 1995* (and Highway specifications as amended)
10. The activities associated with this operation may involve, but not be limited to, the following federal Acts and Regulations as enforced by the respective Federal Regulatory Agencies:
- *Canadian Environmental Protection Act and Regulations*
 - *Transportation of Dangerous Goods Act and Regulations*
 - *Fisheries Act*
 - *National Fire Code*
 - *Health of Animals Act*
 - *Fertilizers Act*

Further Assessment

11. 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.

Service Newfoundland and Labrador

12. Through a Memorandum-of-Understanding this Department has authorized Service NL to act on its behalf in monitoring this operation for compliance under this approval and all applicable provincial Acts and Regulations.

Spill Prevention

13. Areas in which substances are used or stored, and which cause or may cause an adverse effect: shall have impermeable floors with dykes or curbs; shall not have a floor drain system, and shall not drain/discharge to the environment. Areas inside the dykes or curbs shall have an effective secondary containment capacity of at least ***110%*** of the storage 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.

Laboratory Analysis & QA/QC

14. 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 Laboratory Policy-PD:PP2001-01.02*** (available at http://www.env.gov.nl.ca/env/env_protection/index.html).

Monitoring Alteration

15. The Director has the authority to alter 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.

Reporting

16. An annual report shall be submitted to the Department and Service NL by **January 31**, of the following year summarizing all of the waste transactions, laboratory results, inventory of all solid and liquid waste streams for the previous year. Also, this report shall 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.

Incident Reporting

17. 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
 - public complaints concerning possible non-compliance

shall be reported within one working day, to an official or message manager or facsimile machine at the Service NL by phoning or faxing:

Service NL (St. John's)
P.O. Box 8700, A1B 4J6
Telephone (709) 729-3699
Facsimile: (709) 729-2071

A written 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. 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

18. This approval expires on the date indicated on July 31, 2025.
19. Should the approval holder wish to continue to operate beyond this expiry date, a written request shall be submitted to Service NL for the renewal of this approval. Such request shall be made at least **2 months prior to expiration**.

cc.

Rick Curran, Regional Director
Service NL, Mount Pearl, NL
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Environment Canada, Mount Pearl, NL
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Appendix B – Solid Waste Treatment/Handling/Disposal

General

1. This appendix applies to the operation of the NASL solid waste treatment and processing system at the proponent's location in St. Alban's.
2. The general administration terms and conditions are found in Appendix A while the specific terms and conditions for the handling, storage, treatment, and sampling are found in this Appendix.

Sludge and Other Potentially Hazardous Wastes

3. Prior to landfill disposal, all solid wastes generated by the treatment system shall have an adequate chemical analysis performed to verify they do not contain hazardous constituents. One composite sample shall be taken per each bin (1m³) containing Waste Material originating from the Centrifugal process. One composite sample shall be taken from 6 bins containing Waste Material originating from the Dewatering drum. The analysis shall include the parameters listed in Table 1 and shall comply with the *Laboratory Analysis & QA/QC* section.

Table 1: Solid Waste Monitoring Program	
Frequency	Parameters
Prior to Disposal	General Parameters: pH, TPH, BTEX Metals Scan (Total Available Metals or Leachable Metals): aluminium, antimony, arsenic, barium, beryllium, bismuth, boron, cadmium, chromium, cobalt, copper, iron, lead, manganese, molybdenum, mercury, nickel, selenium, silver, strontium, thallium, tin, titanium, uranium, vanadium, zinc.

4. Where concentrations of contaminants are within acceptable limits as per the latest edition of the CCME *Canadian Soil Quality Guidelines (CSQG)*, for commercial and/or industrial land use, the waste is not considered hazardous and may be disposed of to a landfill with an approval of Service NL and the landfill owner/operator.
5. For parameters not included in the CSQG, the CCME Interim Canadian Environmental Quality Criteria for Contaminated Sites (September 1991) shall be used as the acceptable limits.
6. All solid waste material which has been tested and confirmed as non-compliant as per the criteria described above shall be dewatered to the maximum extent and mixed with lime at a ratio of 2:1 (2 lime : 1 waste).

7. Representative samples shall be obtained from the waste/lime mixture for leachate testing using the TCLP (US EPA Method 1311) procedure or some other procedure acceptable to the Department.
8. Wastes conforming to TCLP leachate criteria may be disposed of at an approved landfill, with the approval of Service NL, via direct burial mixed with additional lime. The buried waste material shall be encapsulated in an impermeable liner (10 mil HDPE or equivalent approved by the Department) to inhibit water from percolating through the waste material. A copy of the laboratory results shall be forwarded to Service NL with the disposal request.
9. Wastes failing the TCLP leachate criteria shall be managed as hazardous wastes (see definition below) via manifested shipping to a facility approved to accept those wastes.
10. Hazardous wastes are those which are corrosive, reactive, flammable, ignitable, carcinogenic, teratogenic, mutagenic, infectious, oxidizing, radioactive, explosive, poisonous/toxic (acute and chronic), bio-accumulative, 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.
11. The quantity of non-compliant solid waste stored at this facility at any one time shall not exceed 100 tonnes.
12. Solid wastes must always be stored in impermeable containers that are protected from the weather and are secured from the general public. The means of storage must address issues related to pest management, odour control and decommissioning.
13. All liquid wastes stored on the company's premises shall be considered as non-compliant as per the existing **Environmental Control Water and Sewage Regulations, 2003**, and therefore shall not be discharged. The liquid wastes shall be processed using the existing evaporating system to eliminate the excessive volumes of water. The liquid or solid waste collected from the evaporator shall be considered hazardous and shall be tested. Any removal of the waste originating from the evaporating system must obtain prior approval from the Department.