



Government of Newfoundland and Labrador
Digital Government & Service NL

CERTIFICATE OF APPROVAL

Pursuant to *the Environmental Protection Act SNL 2002 cE-14.2, Section 78*

Effective Date: June 30, 2023

Approval # CL-WMS23-06020

Expiry Date: June 30, 2024

File # 834.093.01

Proponent: Burin Peninsula Regional Service Board
P.O. Box 510,
Burin Bay Arm, NL A0E 1G0

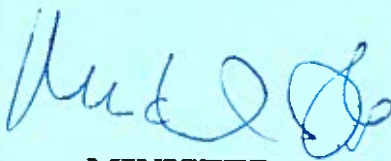
Attention: Mr. Joe Pittman, General Manager
Tel: (709) 891-1717
Email: info@burinpenwaste.com

Re: Approval to operate a Regional Waste Management System located in Marystown

Approval is hereby given for the continued operation of the Regional Waste Management System located at Marystown, NL.

This Certificate of Approval does not release the proponent from the obligation to obtain appropriate approvals from other concerned provincial, federal and municipal agencies. Approval from the Minister 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. The Certificate of Approval shall not be sold, assigned, transferred, leased, mortgaged, sublet or otherwise alienated by the proponent without obtaining prior approval from the Minister.

This Certificate of Approval is subject to the terms and conditions as contained in Appendix "A" attached hereto, as may be revised from time to time by the Minister. 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 the Certificate of Approval, may place the proponent and its agent(s) in violation of the *Environmental Protection Act SNL 2002 cE-14.2*, and will make the proponent responsible for taking such remedial measures as may be prescribed by the Minister. The Department reserves the right to add, delete or modify the terms and conditions to correct errors in this Certificate of Approval or to address significant environmental or health concerns.


/s/ **MINISTER**

Administrative and General

1. The Regional Waste Management System is intended to serve the municipal solid waste recycling/disposal requirements of the Burin Peninsula Region of the Province.
2. A copy of this Approval shall be kept on site at all times.
3. All responsible personnel who are directly involved with operation and maintenance of the system shall be provided copies of this Approval and shall be fully aware of the terms and conditions pertaining.
4. The approval holder shall advise the Department of any new participants joining or proposing to leave the Regional System.
5. The approval holder is responsible for the collection of waste material from the participants of the consolidated waste management system

Financial Assurance

6. The approval holder is responsible to ensure that appropriate and adequate financial assurances and/ or environmental impairment liability and/ or pollution abatement assurance and automotive insurance policies are in place for all operators contracted to support the operations of this waste management facility.

Definitions

7. **Minister** means Minister of the Department of Environment and Climate Change (ECC)
PPD means the Pollution Prevention Division of ECC
Director means the Director of PPD
Regional Director means the Regional Director of Digital Government and Service NL

Legislation Standards and Guidelines

8. 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 and Used Glycol Control Regulations, 2018*
 - *Halocarbon Regulations, 2005*
 - *Pesticides Control Regulations, 2012*
 - *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*
 - *Municipalities Act, 1999*
 - *Regional Service Board Act, 1990*
 - *Transportation and Works Act, 1995 (and Highway specifications as amended)*
 - *Electronic Waste Regulations, Waste Paint Regulations and Used Tire Recycling Regulations under the Waste Management Regulations, 2003 (as amended)*

9. 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*

Construction and Operation of a Consolidated MSW System

Collection

10. Household waste material shall be collected weekly unless less frequent collection is approved by the Department. The maximum period between two consecutive collections shall not be more than 14 days.
11. Waste must be transported in an enclosed vehicle or a vehicle in which a tarpaulin or netting is attached to prevent the loss of waste while the vehicle is moving any distance in excess of 0.5 km.

Site Security and Signage

12. Access roads to the site shall be kept free of waste material and litter shall be controlled at all times.
13. Existing tree screens, outside the firebreak, that may conceal the sites from public view are to be maintained.
14. Unauthorized access to the waste management site shall be controlled. Measures may include fencing (wire mesh with a maximum opening of 20 cm), and shall include a secure gate or barrier at the site entrance (minimum opening of 8.5 m) with appropriate, highly visible signage to inform the public of acceptable waste materials, hours of operation, telephone number for contact and containing a "No Scavenging" stipulation.
15. An operator shall be kept on duty when and if the site is open to the public. The gate must be locked shut when the operator is not in attendance.
16. Areas shall be allocated and signs posted designating separate areas for the transfer, temporary storage and recycling or disposal of construction debris, white goods, household hazardous waste, municipal solid waste, and other approved waste as applicable.
17. A firebreak may be required around the perimeter of the site, please check with the authority having jurisdiction.
18. There shall be sufficient area for weigh scales for incoming materials and for queuing vehicles.

19. A program to manage and control vectors, rodents, birds and wildlife that may scavenge or develop populations associated with the waste management facility shall be developed.
20. Each municipal council within the Regional Waste Management System shall enforce littering bylaws or Sections 16 and 17 of the *Environmental Protection Act* to control indiscriminate dumping and wrecked and abandoned vehicles. This is not applicable to Local Service Districts and unincorporated areas.

Disposal

21. Where a waste material presents a management problem, consultation with the Department is required to make accommodations, and achieve a solution.
22. The approval holder shall provide supervision when any material is being disposed at the facility and special waste areas. Unsupervised landfill disposal is not permitted.
23. Incoming waste shall be routinely scrutinized to ensure unacceptable waste is not received at the site. (Refer to Appendix B for Prohibition and Restrictions)
24. Regular and uniform compaction of waste is recommended to maximize utilization of air space and minimize voids.
25. The approval holder shall ensure that all exposed waste disposed is covered with a minimum of 150 mm of clean soil (or alternate cover material that has been pre-approved in writing by the Department). The municipal waste material disposal area shall be backfilled daily. All special waste must be covered on the day of arrival. (Refer to Appendix B for Prohibition and Restrictions)

Composting:

26. Composting of source separated organics is preferred and is subject to the following conditions:
 - a) The following separation distances from the compost facility shall be maintained:

i) Property boundaries	50 m
ii) Private wells	150 m
iii) Residential, Industrial, Commercial property	500 m
iv) Rivers and Lakes	150 m
v) Intermittent streams, brooks	15 m
 - b) Putrescible organics shall be incorporated into the composting process within 24 hours after being delivered on site.
 - c) The composting site must have an impermeable surface. The proponent must determine the depth to groundwater and select a site that is 1.5 meters above the groundwater. Site assessment to determine depth to groundwater must be available for review by the Department upon request.
 - d) The impermeable compost storage pad must be sufficient to meet operational and production needs.
 - e) Impermeable surfaces shall be inspected annually and kept in good repair.

- f) Operations of the composting shall be properly monitored and recorded and kept on file for review by the Department of Environment, Climate Change and Municipalities. Windrow temperature, oxygen content, and moisture levels shall be checked daily. The measurements shall be taken at a minimum depth of 0.6 m (24 inches).
- g) Temperature shall be monitored to ensure that a thermophillic phase of the composting process is completed. Windrow systems shall achieve a temperature of 55°C for 15 consecutive days to achieve desired pathogen kill. If the temperature/time requirements are not achieved the material shall not be considered to be composted.
- h) The windrow shall be turned if the temperature exceeds 65°C or if oxygen levels decline to 12%.
- i) The moisture levels of the windrows shall be kept between 45% and 60% with the objective of maintaining moisture content of 55%.
- j) Compost piles shall be tarped when necessary to guard against impacts of precipitation and in order to minimize leaching and run-off.
- k) Records of the feedstock and carbon: nitrogen ratio of the compost mix shall be maintained.

Monitoring and Reporting Requirements

- l) Daily reports of the activities on the site are to be prepared and available for review upon request by the Department of Environment, Climate Change and Municipalities Finished Product Testing and Compost Classification
- m) The testing requirements and compost classifications are outlined in the Canadian Council of Ministers of the Environment (CCME) Guidelines for Compost Quality. Testing of compost shall be done in accordance with the minimum testing procedures in Section 4 of the CCME Guidelines for Compost Quality.
- n) End use of the compost will depend upon meeting CCME criteria for Class A or B compost quality.
- o) Testing to meet Canadian Council of the Ministers for the Environment (CCME) Guidelines for Compost Quality shall be conducted and submitted to Environment before marketing or movement of compost from the facility.

Leachate

- p) All leachate and surface drainage within the receiving, composting and curing area, generated year round, shall be prevented from discharging directly into the environment, and directed toward a leachate collection system and directed back onto the compost pile.

Operations and Maintenance Manuals/Plans

- 27. All site operations are to be conducted in accordance with an up-to-date Facility Operations Plan approved by the Department. A plan shall be submitted to the Department within three months of the effective date of this Certificate of Approval. Changes to operations shall be noted in the facility annual report and updates filed with the Department as appropriate. The goal is to always maintain a high level of operational efficiency with minimal adverse environmental impact. A non-exhaustive list of operations and maintenance manual inclusions is provided in the applicable Department of Environment and Climate Change Environmental Standards documents as posted on the Departmental website. The purpose of the Facility Operations Plan is for facility operators and employees is to ensure they are trained

and are clear on how daily operations proceed, that routine maintenance is conducted, and that contingency plans are appropriately enacted.

28. Workers at the site shall be trained for the tasks they undertake and shall adhere to Provincial Occupational Health and Safety legislation, standards, and guidelines respecting the use of personal protective equipment, and safe workplace practices.
29. The approval holder shall file a contingency plan for environmental and health and safety emergencies with Digital Government and Service NL and the Department prior to commencing operation and, thereafter, provide any annual updates. An updated copy of the contingency plan shall be kept on site at all times.

Site Water Management

30. The approval holder shall ensure that site run-on is minimized by appropriate drainage ditching and sloping; and that run-off from the site does not detrimentally impact off-site receptors.
31. Side slopes of disposal areas shall be properly stabilized and maintained to limit erosion; and any final cover applied shall be sloped to ensure positive drainage and prevent pooling of water on the surface.
32. The approval holder shall be required to mitigate significant adverse impacts to receiving watercourses which are impacted as a result of point source and non-point source discharges attributed to the facility.

Non-Compliance

33. Digital Government and Service NL shall be notified immediately of any incidents of non-compliance with this Approval.

Further Assessment

34. The Minister may at any time, with reasonable notice, require the approval holder 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 the waste management system may have had, or has the potential to have, an adverse effect on the environment.

Environmental Emergency Health and Safety Contingency (EHS)

35. For after hours emergencies and spill reports call: **1-800-563-9089 or (709) 772-2083.**
36. All appropriate operations training and health and safety procedures shall be constantly maintained at the site in accordance with applicable legislation and Department of Environment and Climate Change Environmental Standards for the waste management facility in question.
37. Incidents that could occur and would require specific response planning include: contingency for unacceptable waste; equipment failure; waste or hazardous materials incidents/ spills; fire; air quality or odour problems, vector infestation. In the event of problems with wildlife encounters (e.g. black bears); the Forestry & Agrifoods

Agency can be contacted. Please refer to their website at <http://www.flr.gov.nl.ca/>

Hazardous Materials Incident/Spill Prevention

38. A separate approval, and facility-specific Environmental Health and Safety Contingency Plan, is required for the operation of a Household Hazardous Waste Depot. The Department of Environment, Climate Change Environmental Standard for Household Hazardous Waste Depots located on the website shall apply.
39. For all waste management facilities the areas in which hazardous materials or chemicals may be 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. This requirement stands for facilities where quantities of hazardous materials may be kept on a regular basis, or intermittently from time to time.
40. Any storage tank systems, containers or separators for used oil or used glycol shall be registered per the ***Used Oil and Used Glycol Control Regulations***.

Digital Government and Service NL

41. Through a Memorandum of Understanding the Department of Environment and Climate Change has authorized Digital Government and Service NL to act on its behalf in inspecting and/or auditing the operation of waste management facilities, for compliance under this approval and all applicable provincial Acts and Regulations.

Reporting

42. The annual monitoring of operations report shall be submitted to the Department by January 31, each year summarizing facility activities of the previous year. The information to be submitted is described in the Department of Environment and Climate Change Environmental Standards and includes as follows and where applicable.
 - i. quantity, type, source (origin) and carrier of waste received;
 - ii. quantity and type of materials recycled;
 - iii. quantity and type of waste dangerous goods removed and the final disposal site;
 - iv. records of any waste diversion;
 - v. a summary of any upsets or spills at the facility;
 - vi. a summary of any registered complaints and measures taken to resolve the complaints;
 - vii. any changes in procedure or operations;

- viii. any changes or updates with respect to staffing and training
 - ix. any other information deemed necessary by the Department.
 - x. A discussion and evaluation of incidents, complaints, actions, results, residual impact and path forward.
 - xi. Disposal Records for: special waste including the origin and description for; biosolids, fish/animal processing waste, Asbestos Contaminated Waste; potentially hazardous waste.
43. Any operational difficulties with potential environmental implications must be immediately reported to Digital Government and Service NL. The nature of the operational difficulty as well as the mitigation measures shall be included in the yearly report.
44. All incidents of:
- Contingency Plan implementation;
 - non-conformance of any condition within this approval;
 - spillage or leakage of a regulated substance;
 - verbal/written complaints of an environmental nature from the public, any response, mitigation or corrective action e.g. due to air quality, odour or noise.
- shall be reported to Digital government and Service NL within one working day.
- Digital Government and Service NL**
8 Myers Avenue, Suite 201
Clareville, NL A5A 1T5
Telephone (709) 466-4060
Facsimile: (709) 466-5674
45. 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 Digital Government and Service NL. 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.

Decommissioning

46. Digital Government and Service NL and the Department of Environment and Climate Change shall be contacted when planning closure.
47. An approved alternative disposal or transfer location must be identified prior to closure and decommissioning.
48. The requirements of this approval shall remain in effect until altered, in writing, by the Department.

Expiration

49. This approval expires on the date indicated on the first page of this certificate.
50. 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 **3 months prior to expiration.**

c.c. Robert Locke, Director
Pollution Prevention Division
Department of Environment and Climate Change

Chris Parsons, Manager of Operations and
Environmental Protection
Digital Government and Service NL

Attachments\

Appendix B Restrictions and Prohibitions

Appendix B

Restrictions and Prohibitions

Waste management systems are subject to the following restrictions and prohibitions:

- Only waste from the area of service identified in the approval may be received at the facility unless specifically authorized by the Department and approved by the approval holder.
- There shall be no incineration or open burning of any kind at this facility.
- There shall be NO bulk liquids of any kind received or accepted at the facility with the exception of used oil, where a registered and approved used oil storage tank system is in place.
- The disposal of petroleum contaminated soil at this facility is prohibited. Petroleum contaminated soil is defined as soil containing equal or greater than 1000ppm total petroleum hydrocarbons.
- Special waste (please refer to definitions in Appendix D on the Departmental website) shall normally be accepted upon written consent of the owner/operator and the Department.
- All special waste must be disposed of in an approved area of the waste disposal site which has been designated for this purpose only. The special waste area must be posted and the boundary of the area clearly marked. Fish waste and septic/ sewage sludge and other special waste that may produce odours and/or attract scavengers and vectors must be limed and backfilled with a minimum of 0.6 metres of fill material on the day of disposal. Lime refers to hydrate of lime (not to be confused with "dolomite" lime used as a soil conditioner/fertilizer). Liming will assist in disinfection/decomposition as well as suppress odour, flies and rodent infestation.
- Effective April 1, 2002, the disposal of tires was banned at all waste disposal sites throughout the province with the exception of Off The Road (OTR) tires, those with a rim diameter greater than 24.5 inches. The site operator is required to accept for disposal all Off The Road (OTR) tires and waste tire material generated within the area served by the site.
- Electronic goods covered by a stewardship program (eWaste) shall not be disposed to landfill. This material must be directed to an approved collection site. Collection of these materials on behalf of the product stewards is an option but requires the approval of the product stewards and the Department. Damaged monitors and cathode ray tubes are not recyclable and must be managed as hazardous waste.
- Biomedical waste (please refer to definitions in Appendix D on the Departmental website) shall NOT be accepted.

- International waste may only be disposed of at specific waste disposal sites which have been approved by the Canadian Food Inspection Agency and the Province to accept international waste from licensed waste transporters, at the regular tipping face for municipal solid waste. International waste volume(s)\weight(s) and their origin shall be separately recorded for tracking purposes and shall be made available to the department upon request
- Specified risk material (please refer to definitions in Appendix D on the Department website), for the purposes of this approval, is to be considered as “special waste”, and may ONLY be disposed at the Regional Landfill. However, a permit is required from the Canadian Food Inspection Agency under the Health of Animals Act prior to moving this material from its point of origin.
- Any asbestos containing material (ACM) containing friable asbestos, accepted for disposal at the facility, shall be handled by personnel who are trained and properly equipped with personal protective clothing and respirators. The ACM shall be wetted and fully contained in sealed, uncompromised double 6 mil polyethylene bags. The bags/secondary containment shall be labelled “Waste Asbestos UN2590”. The material shall be landfilled at a dedicated location that is permanently marked to avoid any reexcavation, and covered immediately. All handling of ACM shall be supervised and a sufficient quantity of wetting agent shall be available in the event of a containment breach. “Friable asbestos” is waste material containing asbestos fibre or asbestos dust in a concentration greater than 1% by weight that is not tightly bound within a solid matrix, such that it is easily crumbled by hand. A copy of the department’s guidelines for Asbestos Waste Disposal (GD-PPD-033) may be accessed at the Departmental website. An Asbestos Disposal Record shall be maintained.
- The approval holder shall accept for disposal all non-program tires. Non program tires include all-terrain (ATV), or off the road (OTR) vehicle tires, tires used on rolling stock equipment used in the agricultural, forestry, industrial/construction and mining industries. These tires are not collected under the Used Tire Recycling Program by the MMSB. If not approved for specific recycling applications, processing and disposal to landfill is acceptable.
- Acceptance of tires under the Used Tire Recycling Program for temporary storage is limited to 100 tires per site with the prior approval of the Department. The MMSB provides a collection service and shall be contacted at 1-800-901-6672. Additional information on tire storage can be found on the Departmental website.
- There shall be no burying of scrap metal. Where appropriate facilities exist, vehicle wrecks and scrap metal shall be directed to recognized metal salvage and recycling operations. White metal wastes, ensuring compliance under the *Halocarbon Regulations*, such as freezers, refrigerators and stoves may be appropriately stockpiled in a separate area, pending at least semi annual

transport to a recycling operation. Metals shall be stockpiled in a neat and tidy fashion and not exceed 90% storage capacity. Additional information is found in the appendix of the Environmental Standards for Transfer Stations.

- Equipment containing regulated substances, as defined in the *Halocarbon Regulations* Schedules A-E (refrigeration, air conditioning and fire extinguishing equipment) shall not be disposed of at a waste disposal site without first having the regulated substance recovered by a person approved under the *Halocarbon Regulations* and shall be labelled "Halocarbon Free".
- Fuel storage tanks (commercial or residential) must be drained of product prior to entering the site and shall only be accepted at the metal storage area. The approval holder must submit a plan if draining of any fluids is undertaken and stored on site.
- If deemed unacceptable for recycling, prior to landfilling, fuel tanks and drums shall have confirmation that they have been purged of product, tank bottom sludge and vapour. The tank must also be cut in half or sufficient openings cut in the tank to prevent the accumulation of vapour and to accommodate visual inspection. If the approval holder would like to develop a fuel storage tank management program, the Department shall be contacted to amend or issue an approval.
- Low level radioactive material (NORMS <70 becquerels/g total specific activity) shall not be accepted at landfills. An exception may be made for the collection and storage of small quantities of smoke detectors at household hazardous waste depots.
- Radioactive material (>70 becquerels/g) is separately regulated by the Canadian Nuclear Safety Commission, and shall not be accepted.
- Any mixture or combination of the above restricted waste is also restricted or prohibited.
- Any recyclable or waste material that is banned from landfill disposal shall be appropriately redirected. Refer to *Waste Management Regulations, 2003 (amendment)*.

Notwithstanding all of the above, where options for waste treatment/disposal are limited, the Department shall be consulted regarding accommodation of the waste material.