Newfoundland Labrador

Department of Environment & Conservation
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:	November 1 2015	Approval No.:	WMS-15-10-011
Expiration:	November 1 2020	File No.:	842.037.6

Proponents: **Disposal Services Limited**
25 Stentaford Ave
Pasadena, NL
A0L 1K0

Attention: Mr. Derek Pardy, Director

Re: Waste Oil & Oily Water Treatment & Septic Storage (Pasadena)

Approval is hereby given for the continued operation of a waste management system consisting an oily waste storage and treatment facility and the sewage sludge/septic waste storage facility in Pasadena.

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 Conservation (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 of Environment and Conservation. Appendices 'A, B, and C forms part and parcel of this certificate of approval. 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 of Environment and Conservation. The Department reserves the right to modify or revoke this approval at any time.

MINISTER

Appendix A - Administrative

General

1. This Certificate of Approval will be posted on the departments website at www.env.gov.nl.ca/env/env_protection/waste/certificates.html

2. The administrative terms and conditions for this Appendix are found in Appendix A.

3. Pardy's Holdings Limited is the parent company of: Pardy's Waste Management and Industrial Services Limited; 10643 Newfoundland Inc.; and Disposal Services Limited.

4. Prior to any expansion or modification of the facility, a letter of application shall be forwarded to the Department requesting an amendment to this approval or a separate approval for the additional activity.

Pasadena Operations

5. Approval is given for the continued operation of bulk plants for the storage and treatment of used oil, oily water, and other hydrocarbon contaminated wastes at Pasadena. Pardy's Waste Management Limited and Industrial Services Limited is responsible for these activities The specific terms and conditions for these activities are found in Appendix D.

6. Approval is given for the operation of the SCG Industries Limited mobile wastewater treatment processing system which is an oily water separation unit located at Pasadena. Disposal Services Limited is responsible for this activity. The specific terms and conditions for these activities are found in Appendix B.

7. Approval is given for the storage of septic sludge. The sludge shall be stored until it can be moved to an approved treatment facility. Discharge of untreated sewage and septic waste into a municipal sewer system is not permitted.

8. Records of the volume of sewage and septic wastes received, the date of the transaction and the person from whom the waste 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 and ServiceNL

Other Appendices

9. ***Used Oil Contamination Limits*** are contained in Appendix C.

Emergency & OHS Preparedness

10. The proponent shall file a contingency plan for environmental and OHS emergencies with the regional GSC office 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.

11. The proponent shall ensure that this approval, or a copy, is kept onsite 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 reports call: **1-800-563-9089 or (709) 772-2083.**

14. All appropriate health and safety procedures shall be constantly maintained at the site in accordance with applicable legislation.

15. Pre-engineered treatment system(s) shall be operated and maintained in accordance with the manufacturers' operating and maintenance specifications and health and safety plan.

16. Contingency Plan updates shall be provided at least annually to the Department and Service NL.

17. The operator(s) shall have petroleum fire and spill response training.

Definitions

18. 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;
- **CEQG** means CCME Canadian Environmental Quality Guidelines;
- **Department** means Department of Environment and Conservation;
- **Director** means the Director of the Pollution Prevention Division (PPD) of the Department;

- **discharge location** means either a sanitary sewer, storm sewer, waterbody, groundwater re-injection, holding tank/pond, or settling pond;
- **East Coast Sewage Disposal Ban** means that the Department does not approve the landfill disposal of sewage sludge and septic waste on the Avalon Peninsula, defined as all areas east of and including Shoal Hr. and which is bounded in the south by Swift Current;
- **GSC** means Government Service Centre of Service NL
- **FAL** means freshwater aquatic life;
- **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;
- **Pardy's** means either Pardy's Holdings Limited, Pardy's Waste Management and Industrial Services Limited; 10643 Newfoundland Inc.; and/or Disposal Services Limited;
- **PCB** means polychlorinated biphenyl;
- **PPD** means Pollution Prevention Division of the Department;
- **pre-treatment laboratory results** means wastewater sampling and analysis prior to, and without dilution, before processing.
- **QA/QC** means Quality Assurance/Quality Control;
- **Regional Director** means the Director of the nearest GSC;
- **TPH** means total petroleum hydrocarbon including BTEX;
- **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 re-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. (It should be noted that oil collected by Pardy's Holdings Ltd. unit will most likely be considered as waste oil and, therefore, considered used oil);
- **West Coast Sewage Disposal Ban** means that the Department does not approve the landfill disposal of sewage sludge and septic waste 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
- **WWTP** means wastewater treatment plant. Generally, a municipal WWTP treats sanitary sewer flows, but not stormwater flows.

Application Submissions

19. Pardy's application to the Department included:

- environmental liability impairment insurance from ***Certain Underwriters at Lloyds's under Contract ESR2014001 (Policy Number 133223)***; and
- surety bond from ***Intact Insurance Company (Bond No. 960012508)***.

Further Assessment

20. 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 the waste management system may have had, or has the potential to have, an adverse effect on the environment.

Service NL

21. Through a Memorandum-of-Understanding this Department has authorized Service NL 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

22. 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*
- *Environmental Protection Act*
- *Air Pollution Control Regulations, 2004*
- *Storage and Handling of Gasoline and Associated Products Regulations, 2003*
- *Used Oil Control Regulations*
- *Water Resources Act*
- *Environmental Control Water and Sewage Regulations, 2003.*

23. The activities associated with this operation may involve, but not be limited to, the following federal Acts and Regulations:

- *Canadian Environmental Protection Act 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*

Financial Assurance

24. Valid environmental impairment liability insurance in the amount of $1,000,000 shall be maintained otherwise this approval shall be null and void.

25. A surety bond of $40,000 shall be on file with the Department, otherwise this approval shall be null and void.

26. Annual updates of the financial assurance documents shall be filed with the Department.

27. Pardy's shall provide the Department with three months advance notice if they intend to cancel coverage and/or change the insurer or bonding agent.

Air Emissions

28. The proponent shall comply with the *Air Pollution Control Regulations, 2004* at all times. Schedule E of the regulations prohibits the open burning of tires; plastics; treated lumber; asphalt and asphalt products; drywall; demolition waste; hazardous waste; biomedical waste; domestic waste; trash, garbage, or other waste from commercial, industrial or municipal operations; manure; rubber; tar paper; railway ties; paint and paint products; fuel and lubricant containers; used oil; animal cadavers; hazardous substances; materials disposed of as part of the removal or decontamination of equipment, buildings or other structures.

Spill Prevention

29. 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.

Holding Tanks for Oily Water, Used Oil & Septic Waste

30. All holding tanks for oily water shall be registered with Service NL as per the ***Storage and Handling of Gasoline and Associated Products Regulations.***

31. All holding tanks for used oil shall be approved by Service NL as per the ***Used Oil Control Regulations***.

32. Only wastewater which exceeded the criteria set out in ***Discharge Water Quality*** section before treatment, and which has been processed by the facilities as specified in this approval, is permitted to be placed in the holding tanks/impoundment basin.

33. Treated wastewater shall be directed to a holding tank(s) or impervious impoundment basin and held until laboratory results are available.

34. As soon as treated wastewater laboratory results are received by the proponent they shall be submitted to the department.

35. Treated wastewater in the holding tank or impoundment basin which does not fall within the applicable discharge criteria prescribed in ***Discharge Water Quality*** section shall be retreated.

Discharge Water Quality

36. Prior to discharge to the environment, all contaminated wastewater shall be within acceptable limits as per the latest edition of the ***Canadian Environmental Quality Guidelines (CEQG)***. For those parameters regulated in the ***Environmental Control Water and Sewage Regulations, 2003*** the limits established in these regulations shall apply.

37. In addition, the wastewater shall be within acceptable limits as per the latest edition of the **CEQG** Freshwater Aquatic Life (FAL) for BTEX or CEQG for protection of marine life.

38. A maximum allowable limit for TPH is 15 ppm prior to discharge.

39. When discharging any water to fresh water bodies consideration shall be given to critical periods for resident, anadromous, and catadromous fish. Critical periods are those periods during which species of fish are known to migrate, spawn, incubate or hatch. Consult with the federal Department of Fisheries and Oceans at (709) 772-5488 in this regard.

Discharge to Sewage Treatment Plants & Sewer

40. For discharges to a sewer which does not lead to a sewage treatment facility, the limits established under Schedule A of the ***Environmental Control Water and Sewage Regulations*** apply.

41. For discharges to a sewer which leads to a sewage treatment facility, the limits

established under Schedule B of the ***Environmental Control Water and Sewage Regulations*** apply.

42. For parameters not included in either Schedule A or B of these regulations refer to the applicable criteria as per the ***Discharge Water Quality*** section.

43. Approval from the sewer system owner and Water Resources Division of the Department will be required prior to discharging to any sewer system.

44. Discharge of untreated septic/septic supernatant into a municipal sewer system is not permitted.

Laboratory Analysis & QA/QC

45. 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:PP2001-01.01)***.

Monitoring Alteration

46. The Director 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.

47. Pardy's may, at any time, request that the monitoring program or requirements of this Approval be altered by:

- requesting the change in writing to the Director; and
- providing sufficient justification, as determined by the Director.

48. The requirements of this Approval shall remain in effect until altered, in writing, by the Director.

Reporting

49. The annual report shall be submitted to the Department by January 31, each year summarizing Pardy's activities the previous year. Also, this report shall include the current insurance and bonding documents as specified in the ***Emergency & OHS Preparedness*** and ***Financial Assurance*** sections and any updates to the *Contingency Plan*.

50. 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 Pardy related to the temporary site

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

St. John's	Corner Brook
P.O. Box 8700	P.O. Box 2006
A1B 4J6	Corner Brook, NL
Telephone (709) 729-3699	A2H 6J8
Facsimile: (709) 729-2071	Telephone: (709) 637-2204
	Facsimile: (709) 637-2681

51. 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 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.

Expiration

52. This approval expires on the date indicated on the first page of this Certificate.

53. 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 ***6 weeks prior to expiration.***

c.c.

D. Maddocks, Director
Pollution Prevention Division
Department of Environment
dmaddocks@gov.nl.ca

Butch Vardy, Regional Director
Service NL Corner Brook
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Appendix B - Oily Water Storage & Treatment

General

1. The general administrative terms and conditions for this appendix are found in Appendix A.

2. Approval is given for the continued operation of bulk plants for the storage and treatment of used oil, oily water, and other hydrocarbon contaminated wastes at Pasadena. Pardy's Waste Management Limited and Industrial Services Ltd. is responsible for these activities.

3. Approval is given for the operation of the SCG Industries Limited Mobile Wastewater Treatment Processing System which is an oil water separation unit located at Pasadena. Disposal Services Limited is responsible for this activity.

Pre-treatment Sampling

4. Pardy's may take pre-treatment samples of oily water to fine tune the treatment.

Holding Tanks

5. Refer to Appendix A for terms and conditions regarding ***Holding Tanks for Oily Water, Used Oil & Septic Water***.

Post-treatment Laboratory Results

6. One sample for every 40,000 litres of treated water will be required, unless otherwise approved in writing by the department.

7. Treated wastewater shall be directed to a holding tank(s) and held until laboratory results, as specified in this approval, are made available.

8. As soon as treated wastewater laboratory results are received by the proponent they shall be submitted to the department.

9. Treated wastewater in the holding tank which does not fall within the applicable discharge criteria prescribed in items ***Discharge Water Quality*** section shall be retreated.

Discharge Water Quality

10. Refer to Appendix A for terms and conditions regarding ***Discharge Water Quality***.

Discharge to Sewage Treatment Plants and Sewer

11. Refer to Appendix A for terms and conditions regarding ***Discharge Water Quality***.

Appendix C – Used Oil Contamination Limits

Table of Contamination Limits (taken from the *Used Oil Control Regulation)*		
Substance	**Concentration (milligrams/kilogram)**	
Column 1	Column 2	Column 3
Polychlorinated Biphenyls (PCBs)	5	50
Total Organic Halogens (as chlorine)	1000	3000
Cadmium	2	2
Chromium	10	10
Lead	10	100
Note: Dilution of used oil to meet these concentrations is not acceptable.		

"*class 1*" means used oil in which the concentration of each contaminant listed in column 1 of the Schedule is equal to or below the corresponding level in column 2 of the Schedule;

"*class 2*" means used oil in which the concentration of each contaminant listed in column 1 of the Schedule is equal to or below the corresponding level in column 2 of the Schedule with the exception of lead which is above the corresponding level in column 2 of the Schedule but below or equal to the corresponding level in column 3 of the Schedule;

"*class 3*" means used oil in which the concentration of each contaminant listed in column 1 of the Schedule is equal to or below the corresponding level in column 2 of the Schedule, with the exception of polychlorinated biphenyls (PCBs) and total organic halogens (TOHs) with the concentration of PCBs or TOHs being above the corresponding level in column 2 of the Schedule and equal to or below the corresponding level in column 3 of the Schedule; and

"*class 4*" means used oil in which the concentration of at least one of the contaminants listed in column 1 of the Schedule is above the corresponding level in column 3 of the Schedule.