

## CERTIFICATE OF APPROVAL

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

Date: April 25, 2017

**Approval No. WMS WMS07-02-004**

Expiry: April 25, 2021

File #: 830.000.142

Approval Holder: Harold Marcus Limited  
15124 Longwoods Road  
Bothwell, ON , NOP 1CO

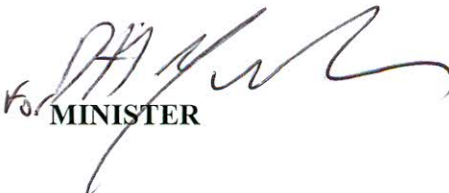
Attention: Amy Jo Marcus  
Tel: Tele: 519-695-3734  
E-mail: annie@haroldmarcus.com

**Re: *Transportation of Hazardous Waste Dangerous Goods: Province-wide***

Approval is hereby given for the **OPERATION** of a waste management system including the handling, temporary storage (less than 96 hours) and transportation of **hazardous waste dangerous goods within the Province of Newfoundland and Labrador** in accordance with your email received **November 16, 2016**.

This certificate of 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 operation of the system, including any future expansion of the waste management system. This approval shall not be sold, assigned, transferred, leased, mortgaged, sublet or otherwise alienated by the holder without obtaining prior written approval from the Minister.

This 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 Department. Appendix 'A' 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 holder to cease all activities associated with this approval, may place the holder and its agent(s) in violation of the *Environmental Protection Act, SNL 2002* and will make the holder responsible for taking such remedial measures as may be prescribed by the Department. The Department reserves the right to make an amendment, addition or deletion to this approval or cancel or suspend it in accordance with the *Environmental Protection Act*.

  
MINISTER

## **1.0 GENERAL**

- 1.1 The operation of this waste management system is limited to all equipment and operations for the collection, handling and transportation of waste dangerous goods/hazardous waste (refer to section 7.0 for a definition) but does not include the **storage** of any of these wastes on or in properties owned, leased and/or operated by the Certificate Holder.
- 1.2 For inquiries, notifications, and report submissions associated with this approval, contact shall be made with the:  
**Department of Municipal Affairs and Environment , Pollution Prevention Division:**
- Telephone:(709) 729-6483/1771**  
**Fax:(709) 729-6969**
- 1.3 This approval shall only remain in effect while Environmental Liability Impairment Insurance in the amount of at least one million dollars is carried.
- 1.4 The activities associated with this operation may involve, but are not necessarily limited to, the following Acts and Regulations;

### **Provincial Legislation**

#### Environmental Protection Act SNL 2002 E.14.2

Air Pollution Control Regulations, 2003

Ozone Depleting Substance Regulations (Halocarbon), 2003

Storage and Handling of Gasoline and Associated Products Regulations NLR, 2003

Used Oil Control Regulations, 2002

Waste Management Regulations, 2003

Pesticides Control Regulations, 2003

Storage of PCB Waste Regulations, 2003

#### Occupational Health and Safety Act and Regulations

#### Water Resources Act SNL 2002 W- 4.01

Environmental Control Water and Sewage Regulations, 2003

### **Federal Legislation**

Transportation of Dangerous Goods Act and Regulations as amended

Canadian Environmental Protection Act and Regulations (CEPA)

### **Other Legislation**

Highways Traffic Act

National Fire Code

Fisheries Act

Newfoundland Fire Prevention Act and Regulations

- 1.5 This approval shall apply to the holder, their employees, contractors, subcontractors and associates engaged in activity described in the application and this approval.
- 1.6 The Minister may, at any time, require that the holder investigate or conduct studies pursuant to Sections 99 & 102 of the Act.

- 1.7 All responsible personnel who are directly involved with operation of this waste management system shall be provided copies of this approval.
- 1.8 Should the holder 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 a request shall be made prior to **November 1, 2018**. Renewal is at the discretion of the Department.
- 1.9 The Department reserves the right to make this Certificate of Approval publicly available
- 1.10 This approval has been prepared based on the information provided in the documentation listed below. The list below shall be referred to herein as *"the application"*:
- Copy of an Emergency Response Plan on file;
  - Copies of assurance and insurance documents on file.

## **2.0 General Requirements**

- 2.1 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.
- 2.2 The waste manifesting provisions of the *Canadian Environmental Protection Act, Inter-provincial Movement of Hazardous Waste Regulations*, are the responsibility of the Waste Management Section, of the Department. *Waste manifest forms may be obtained from the Department (Tele - 709-729- 1771)*. Completed hazardous waste transport manifests shall be remitted to the Department either prior to shipment or immediately following each export shipment.
- 2.3 Receivers to which WDG/HW waste is transported for treatment prior to disposal both within Newfoundland & Labrador and Canada must be licensed by the Province having jurisdiction. A copy of the license must be submitted to the Department showing that the Receiver is in good standing with the Province of jurisdiction.
- 2.4 All motor vehicles used in this operation must be inspected and certified as road worthy by the Motor Registration Division of Service NL.
- 2.5 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 federal *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. This training is a requirement of the Certificate-of-Approval.
- 2.6 The transportation of forms of hazardous waste not described in the application for this Certificate of Approval is not permitted.
- 2.7 *Municipal and industrial landfills in this province are not permitted to accept waste dangerous goods/hazardous waste materials.* Non-hazardous wastes may be disposed of to a landfill with the

approval of the GSC and landfill owner/operator.

- 2.8 All hazardous waste/waste dangerous goods shall be contained in labelled containers or drums.
- 2.9 All handling and transport operations shall be conducted in a manner that prevents the release of contaminants into the environment. Measures shall be taken to prevent leakage and spillage of hazardous waste/waste dangerous goods.
- 2.10 The importation of waste to the Province of NL is not permitted
- 2.11 Liquid waste shall be transported in a secure vehicle to prevent any loss during transportation. Care shall be taken during tank pump out procedures to ensure no spillage takes place.
- 2.12 The company name, address, and telephone number shall be clearly displayed on every waste collection vehicle. Lettering should be at least 5 centimetres in size.
- 2.13 Every vehicle used for the hauling, collection and transportation of hazardous waste/waste dangerous goods shall be operated and marked/placarded in accordance with Federal *Transportation of Dangerous Goods Regulations*.
- 2.14 Prior to any expansion or modification, a letter of application and description shall be forwarded to the Department requesting an amendment to this approval.
- 2.15 Personnel handling hazardous materials should be trained in the use of personal protective equipment, clean-up equipment and all applicable safety procedures. In addition, sufficient equipment including sorbents, and related clean-up materials shall be kept on hand in the event of a leak or a spill during storage, handling, or transportation.
- 2.16 Transportation of PCB materials shall fully comply with the *Transportation of Dangerous Goods Act* and the *Interprovincial Movement of Hazardous Waste Regulations* and *PCB Regulations* under the *Canadian Environmental Protection Act*.

### **3.0 USED OIL/WASTE OIL**

- 3.1 The holder shall fully comply with the *Used Oil Control Regulations* under the *Environmental Protection Act, SNL 2002*.
- 3.2 Disposal of waste hydrocarbons shall be through a licensed used oil treatment / recycling facility.
- 3.3 The holder shall analyse all waste oil for PCB, total organic halogens as chlorine, arsenic, cadmium, chromium, and lead. A certified copy from the laboratory of the analysis shall be submitted to the Department before interprovincial transportation can commence.

### **4.0 EMERGENCY RESPONSE**

- 4.1 In the event of an **emergency and/or WDG/HW incident or spill**, the operator of the vehicle shall notify the Department immediately by calling:

772-2083 or 1-800-563- 9089 (on a 24 hour basis).

- 4.2 In an emergency, CANUTEC may be called at 613-996-6666 (24 hours) or \* 666 cellular (press \* 666, Canada only). In a non emergency situation call the information line @ 613-992-4624 ( 24 hours).
- 4.3 The Proponent shall maintain an Emergency Response Contingency Plan, specific to operations in Newfoundland and Labrador, and submit an updated copy of this plan to the Department annually.
- 4.4 A copy of the holder's current contingency plan, shall be kept in each vehicle used in the operation of this waste management system. Personnel shall be briefed on the contents of the plan and any associated emergency response equipment.

## **5.0 SAMPLING AND ANALYSIS**

- 5.1 Laboratory analysis shall be conducted in accordance with the Departmental Policy PPD 2001-01
- 5.2 Quality Assurance / Quality Control (QA/QC) results shall accompany all laboratory test reports submitted to the Department.

## **6.0 RECORD KEEPING**

- 6.1 All hazardous waste for transport must be manifested and/or carry shipping documents as per Federal legislation requirements.
- 6.2 Records of laboratory testing and manifesting records shall be maintained for a period of at least **three (3) years** and shall be made available to the Department upon request.

## **7.0 DEFINITIONS**

**Department:** means Department of Municipal Affairs and Environment.

**Hazardous Waste/ Waste Dangerous Goods means:** a product, substance or organism that is  
(a) included in any of Classes 2 to 6 and class 8 of the *Transportation of Dangerous Goods Regulations*, or in Class 9 of those Regulations and destined for disposal;

(b) hazardous and intended for disposal

(c) listed in the *Schedules (3- 7 and 10)* *EXPORT AND IMPORT OF HAZARDOUS WASTE AND HAZARDOUS RECYCLABLE MATERIAL REGULATIONS (EIHWHRM)* under the *Canadian Environmental Protection Act (CEPA)*

(d) according to information that Canada has received from the United States or in accordance with the Convention, is considered or defined as hazardous under the legislation of the country receiving it and is prohibited by that country from being imported or conveyed in transit.

**Approval Holder:** refers to company owner.

**Leachable Toxic Waste (LTW) means:** waste material which, upon laboratory analysis, is shown to contain levels of contaminants that exceed parameters listed in the Canadian Council of

Ministers of the Environment (CCME) Canadian Soil Quality Guidelines (CSQG); and/or the leachate from the material exceeds criteria limits when the material is subjected to the leachate (TCLP) test.

**Leachate Test** - The U.S. EPA Toxicity Characteristic Leaching Procedure (TCLP), Test Method 1311 (as amended) is to be used to determine the leachate toxicity hazard.

The TCLP Canadian Equivalent is a standard designed to determine the mobility of both organic and inorganic analytes present in liquid, solid and multi-phase wastes. If a total analysis of the waste demonstrates that individual analytes are not present in the waste or that they are present but at such low concentrations that the appropriate regulatory levels could not possibly be exceeded, the test need not be run. This test does not apply to metals in non-dispersible form, which are bits and pieces of metal parts, bars, rods, sheets, wires, cables, bales, scrap automobiles (crushed, baled, shredded or otherwise), railroad box cars, used beverage cans, whole television sets and white goods.

**“PCB’s”** means the chlorobiphenyls that have the molecular formula  $C_{12}H_{10-n}Cl_n$  in which “n” is greater than 2;

**Used oil:** means a used lubricating oil or waste oil; as per definitions in *Used Oil Control Regulations, 2002*(as amended).

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|---|---|
| Fire Commissioner (email)<br>Pleasantville Fire Station<br>P.O. Box 8700<br>St. John's, NL<br>A1B 4J6 | Robert Locke<br>Manger of Operations and Environmental Protection<br>Service NL<br><a href="mailto:rlocke@gov.nl.ca">rlocke@gov.nl.ca</a> |
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