

## CERTIFICATE OF APPROVAL

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

Date: **June 12, 2017**

**Approval No. WMS07-06-014**

Expiry: **June 12, 2021**

File #: 830.000.289

Holder: Belfor Property Restoration  
145a McNamara Drive,  
Paradise, NL A1L 0A7

Attention: Tim Benoit's General Manager  
Phone # 725-1809  
Address: [tim.benoits@ca.belfor.com](mailto:tim.benoits@ca.belfor.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 and transportation of **hazardous waste dangerous goods (specifically – lead waste) and special wastes (asbestos) within the Province of Newfoundland and Labrador** in accordance with your email received June 6, 2017.

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 Municipal Affairs and Environment (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 **asbestos and lead waste only** (both classified as waste dangerous good/hazardous waste (WDG/HW)), 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) 729-1771**

**Fax:(709) 729-6969**

1.3 The activities associated with this operation may involve, but is 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*

*Storage and Handling of Gasoline and Associated Products 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)***

*Interprovincial Movement of Hazardous Waste and Hazardous Recyclables Materials Regulations under CEPA*

### **Other Legislation**

*Highways Traffic Act*

*National Fire Code*

*Fisheries Act*

*Newfoundland Fire Prevention Act and Regulations*

1.4 This approval shall apply to the holder, their employees, contractors, subcontractors and associates engaged in activity described in the application and this approval.

1.5 The Minister may, at any time, require that the holder investigate or conduct studies pursuant to Sections 99 &102 of the Act.



- 1.6 All responsible personnel who are directly involved with operation of this waste management system shall be provided copies of this approval.
- 1.7 Where statements in this Approval and the Application conflict, the statement in the Approval shall prevail

## **2.0 OPERATIONS**

- 2.1 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*":
- Emergency response plan on file.
  - Updated insurance and assurance documents on file.
- 2.2 All WDG/HW shall be contained in labelled sealed containers or drums.
- 2.3 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.
- 2.4 Waste importation into the province is restricted unless advance, written authorization is obtained from the Department.
- 2.5 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.
- 2.6 All non-hazardous waste material shall be disposed of in accordance with the ***Environmental Protection Act, SNL 2002*** and the use of approved waste disposal sites in the Province is dependent on the proponent obtaining the permission of the respective owner/operator of each site.
- 2.7 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.
- 2.8 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***.
- 2.9 All motor vehicles used in this operation shall be inspected and certified as road worthy by the Motor Registration Division, Service Newfoundland and Labrador.
- 2.10 Prior to any expansion or modification, a letter of application and description shall be forwarded to the Department requesting an amendment to this approval. Requirements in this Approval remain in force until changed in writing.
- 2.11 The transportation of other forms of waste not described in the application, is not permitted unless approved by the Department.

- 2.12 Personnel handling hazardous materials shall 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

### **3.0 ASBESTOS WASTE**

- 3.1 All asbestos containing material wastes are considered special wastes and shall be landfilled in an approved waste disposal site in accordance with GD-PPD-033.1 Asbestos Waste (attachment). Written consent from the owner/operator of the waste disposal site shall be obtained prior to disposal.
- 3.2 Any person(s) performing the removal and/or disposal of wastes containing asbestos shall operate under the provisions of *NF Regulation 111/98. Asbestos Abatement Code of Practice under the Occupational Health and Safety Act.*
- 3.3 Asbestos waste shall be transported in an enclosed vehicle or a vehicle to 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 kilometres.
- 3.4 The proponent shall ensure that all agents or contractors have received the necessary training as per *Section 7 of the Asbestos Abatement Regulations, 1998* and are informed, in writing, of the risks associated with handling such wastes. Also, the proponent shall apply personal health and safety protocols in handling, transporting and disposal.
- 3.5 Loose asbestos wastes shall be wetted completely and packaged in a plastic bag having a thickness of not less than 6 mil and placed within a second plastic bag having a thickness of not less than 6 mil prior to transport (double bagged). The outside surface of all bags containing asbestos wastes shall be free of asbestos before transport to a waste disposal site.
- 3.6 In cases where double bagging is not practical or may result in increased worker exposure, (eg. - removal of large objects and/or sheets of waste containing **non friable asbestos**), the asbestos waste shall be wetted to suppress dust and placed in a transport vehicle which has been lined with puncture proof polyethylene sheeting. The asbestos waste shall be completely covered and secured during transport.
- 3.7 All asbestos wastes in bags or bulk shall prominently display a tag or label indicating **"Asbestos Waste"** or **"Asbestos Contaminated Material"**.
- 3.8 In addition to bagging or polyethylene sheeting, wastes containing asbestos shall be transported in an enclosed vehicle or a vehicle equipped with a tarpaulin or netting to prevent the loss of waste during transport.
- 3.9 All requests for asbestos waste collection and disposal shall be recorded and records submitted to the Government Service Centre, Service NL.
- 3.10 Asbestos waste shall be considered as special waste and shall be landfilled in the special waste area of an approved waste disposal site, with a minimum 0.6 metres of compacted fill material and on the day of disposal.



#### **4.0 EMERGENCY RESPONSE**

- 4.1 In the event of an **emergencies and/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 The Proponent shall maintain a Emergency Response Contingency Plan, specific to operations in Newfoundland and Labrador, and submit an updated copy of this plan to the Department annually.
- 4.3 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 "Receivers" of hazardous waste/waste dangerous goods transported from Newfoundland shall be licensed by the Province having jurisdiction. A copy of the license shall be submitted to the Department showing that the Receiver is in good standing with the Province of jurisdiction.
- 6.2 All WDG/HW (**including Lead waste**) for transport **shall be manifested** and/or carry shipping documents as per Federal legislation requirements. Manifest documents shall be completed on day of shipment and copies submitted to the Department within a week. Service Newfoundland and Labrador shall be contacted prior to the disposal of asbestos material to a landfill. ***An Asbestos Waste Disposal Request Form shall be completed prior to disposal .***
- 6.3 Records of laboratory testing , manifesting and asbestos disposal forms shall be maintained for a period of at least three years and shall be made available to the Department upon request.

#### **7.0 FINANCIAL ASSURANCE/INSURANCE**

- 7.1 This approval shall only remain in effect while Environmental Liability Impairment Insurance in the amount of at least one million dollars is carried.
- 7.2 This approval shall only remain in effect while automobile liability insurance for all owned and un-owned licensed vehicles used in connection with the waste management system (which provides coverage against liability arising from third party bodily injury or property damage for a minimum of \$ 1.0 million per occurrence) is carried.

#### **8.0 EXPIRATION**

- 8.1 This certificate of approval expires *June 12, 2021*
- 8.2 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 **May 30, 2021**. Renewal is at the discretion of the Department.

## **9.0 DEFINITIONS**

**Waste Dangerous Goods/Hazardous Waste (WDG/HW) 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 Schedule III of the Export and Import of Hazardous Waste Regulations (EIHW) 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

**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.

**Waste includes:**

rubbish, offal, slime, tailings, effluent, sludge, sewage, garbage, refuse, scrap, litter or other substances or waste products that would or could cause an adverse effect;

/attachments    *Leachate Toxic Waste, Guidance Document*  
                       *Accredited & Certified Laboratories, Policy*  
                       *Asbestos Waste Disposal*

copied to...

	Mr. Robert Locke (email) Manager of Environment Protection Service Newfoundland and Labrador Gander	Fire Commissioner (email) P.O. Box 8700 St. John's, NL A1B 4J6
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