

## CERTIFICATE OF APPROVAL

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

Date: December 2, 2016

Approval No. WMS15-09-009

Expiry: December 2, 2019

File #: 830.000.002

Holder: Envirobate Inc.

Attention: J.R. (Jason) Wall (Manager Nova Scotia Divisions)

Tele : 902-832-0820/902-237-8293

e-mail : J.R.Wall@envirobate.ca

**Re: *Collection and Transportation of asbestos province-wide***

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Approval is hereby given for the operation of a waste management system for the collection and transportation of asbestos containing material within Newfoundland and Labrador

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*.

  
FOY MINISTER

## **1.0 General**

- 1.1 This approval is limited to the equipment and operations for the collection, handling, and transportation of Asbestos Containing Materials (ACM) only but does not include the storage of ACM on or in properties owned, leased and/or operated by Envirobate Inc.
- 1.2 For inquiries, notifications, and report submissions associated with this approval, contact shall be made with the:

**Department of Environment and Climate Change  
Pollution Prevention  
Telephone: (709) 729-1771**

- 1.3 For all Environmental Emergencies call:

**1-800-563-9089  
or  
(709) 772-2083**

- 1.4 The activities associated with this operation may involve, but not necessarily be limited to, the following Acts and Regulations:

### **Provincial Legislation**

- *Environmental Protection Act SNL 2002 c.E-14.2*
- *Water Resources Act SNL 2002 c.W-4.01*
- *Highway Traffic Act SNL 1990 c.H-3*
- *Newfoundland Fire Prevention Act and Regulations*
- *Occupational Health and Safety Act and Regulations*

### **Federal Legislation**

- *Transportation of Dangerous Goods Act and Regulations*
- *Canadian Environmental Protection Act*
  - *Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations; and*
  - *Interprovincial Movement of Hazardous Waste Regulations.*
- *Federal Fisheries Act*

### **Other Legislation/Codes**

- National Fire Code

- 1.5 This approval shall apply to the holder, their employees, contractors, subcontractors and associates engaged in the activity described in the application and this Certificate of Approval.
- 1.6 All responsible personnel who are directly involved with the operation and maintenance of the waste management system shall be provided with a copy of this approval.

- 1.7 The proponent may at any time request, in writing, a variation or suspension of a term or condition in this approval. The approval variation will be temporary for a specified period of time and will apply on a case by case basis and shall be provided to the proponent in writing.
- 1.8 The Minister may at any time, with reasonable notice, amend or revoke this approval.
- 1.9 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.
- 1.10 Where statements in this Appendix and the Application conflict, the statement in this Appendix shall prevail.

## **2.0 Insurance/Surety Bond**

- 2.1 Automobile liability insurance shall be maintained throughout the approval period for all owned and un-owned licensed vehicles used in connection with the waste management system and which provides coverage against liability arising from third party bodily injury or property damage for a minimum of \$1,000,000 per occurrence. If the automobile liability policy excludes coverage for sudden and accidental pollution, this coverage shall be provided under an environmental impairment liability policy.
- 2.2 Environmental liability impairment insurance in the amount of at least \$1,000,000 shall be maintained and original copies filed with the Department throughout the period of the approval.
- 2.3 A surety bond, deposit of funds or an irrevocable letter of credit in the amount of \$ 10,000.00 CDN shall be supplied and maintained as long as the waste management system is operational in order to satisfy section 84 of the *Environmental Protection Act*. Original copies shall be filed with the Department throughout the period of the approval.

## **3.0 Contingency Plan**

- 3.1 A detailed and current contingency plan shall be maintained during the period of this approval. The plan shall adequately address spill reporting, containment, clean-up, health and safety issues and other issues/situations requiring emergency response which may occur through operation of this collection-transport system. A copy of the contingency plan shall be kept in each vehicle used in the operation of this waste management system.

## **4.0 Training**

- 4.1 The proponent shall ensure that all employees, 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.

## **4.0 Operations**

- 4.1 Any person(s) performing the removal and/or disposal of wastes containing asbestos shall operate under the provisions of *NL Regulation 111/98* issued under the *Occupational Health and Safety Act*, [http://www.servicenl.gov.nl.ca/ohs/safety\\_info/si\\_asbestos.html](http://www.servicenl.gov.nl.ca/ohs/safety_info/si_asbestos.html) .

- 4.2 Any spillage or leakage of an ACM into the environment shall be reported to the Department immediately by calling the **Canadian Coast Guard at (709) 772-2083 or 1-800-563-9089**.
- 4.3 Loose asbestos wastes shall be wetted completely and packaged in a plastic bag having a thickness of no less than 6 mil and placed within a second plastic bag having a thickness of no 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.
- 4.4 In cases where double bagging is not practical or may result in increased worker exposure (e.g.- 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.
- 4.5 All asbestos wastes in bags or bulk shall prominently display a tag or label indicating Asbestos Waste or Asbestos Contaminated Material.
- 4.6 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.
- 4.7 All motor vehicles used in this operation shall be inspected and certified as road worthy by the Motor Registration Division of Service NL.
- 4.8 Every vehicle used for collection and transport of ACM shall be operated and marked / placarded in accordance with Transport Canada - *Transportation of Dangerous Goods Act and its Regulations*.
- 4.9 **All requests for asbestos waste collection and disposal shall be recorded on the forms contained in guidance document GD-PPD-033.1** (copy attached) and submitted to the Government Service Centre for approval. Asbestos waste shall not be disposed of until a written approval from the Government Service Centre is received by the proponent.
- 4.10 All asbestos wastes are considered special wastes and shall be land filled in an approved waste disposal site, with a minimum 0.6 metres of compacted fill material applied on the day of the disposal, in accordance with guidance document GD-PPD-033.1 Written consent from the owner/operator of the waste disposal site shall be obtained prior to disposal. Only those waste disposal sites with properly designated approved asbestos disposal areas shall be used by the proponent.
- 4.11 The proponent shall be aware of, and comply with, the requirements of the Department of Environment and Climate Change for the operation of waste disposal systems with respect to asbestos, with particular reference to 4.9 and 4.10
- 4.12 The landfill operator shall ensure that the boundaries of the asbestos disposal area are clearly defined and that an all-weather sign is posted. The disposal location shall be plotted on a scale drawing or plan. The plot plan shall be filed with the regional office of the Government Service Centre, Service NL and the owner/operator.
- 4.13 The waste disposal site owner/operator shall ensure that backfilled asbestos waste is not excavated/disturbed in the future.

## **5.0 Records**

- 5.1 Records with respect to the volume, source, type and disposal location of asbestos containing material wastes received from each pickup and delivered on each trip shall be kept for at least two years and shall be made available to the Department upon request.

## **6.0 Expiry**

- 6.1 This Certificate of Approval expires on **December 2, 2019**.
- 6.2 Should the proponent wish to continue to operate beyond this expiry date, a written request shall be submitted to Department of Environment and Climate Change for the renewal of this approval.

Cc: Mr. Robert Locke (email)  
Manager of Environmental Protection, Service NL