



Department of Municipal Affairs & Environment
Government of Newfoundland and Labrador
Pollution Prevention Division

CERTIFICATE OF APPROVAL

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

Issued: September 23 2018
Expiration: September 23 2023

Approval No.: WMS-18-09-003
File No.: 839.WTR.001

Proponents: Western Trading Limited
P.O. Box 870
Pasadena, NL
A0L 1K0

Attention: Mr. Todd Rockwell

Re: Sewage Sludge/Septic & Waste Oil Collection and Storage(Province-wide)

Approval is hereby given for the operation of a waste management system consisting of the province-wide collection and transportation of oily and sewage liquid wastes.

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 Municipal Affairs & Environment (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 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. 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. The Department reserves the right to modify or revoke this approval at any time.


For **MINISTER**

General

1. This Certificate of Approval will be posted on the department's website at https://www.mae.gov.nl.ca/env_protection/waste/certificates.html

Province-Wide Collection &Transport of Oily Waste

2. Approval is given for the province-wide collection and transportation of used oil; waste gasoline; waste jet fuel; waste diesel; waste furnace oil; oily water; oiled rags; used oil filters; wastewater; tank bottom sludge; de-icing fluids; emulsions; tank and sump/catch basin materials; spent drilling fluids; and other industrial waste liquids.

Province-Wide Collection & Transport of Septic

3. Approval is given for the province-wide collection and transportation of septic and sewage sludge and digester sludge.

Emergency & OHS Preparedness

4. The proponent shall file a contingency plan for environmental and OHS emergencies with the regional Service NL office and the Department prior to commencing operations and, thereafter, provide any annual updates. An updated copy of the contingency plan shall be kept at the workplace at all times.
5. The proponent shall ensure that this approval, or copies are kept in the workplace at all times and that personnel directly involved in the operations are made fully aware of the terms and conditions which pertain to this approval.
6. For after hours emergencies and spill reports call: **1-800-563-9089 or (709) 772-2083.**
7. All appropriate health and safety procedures shall be constantly maintained at the workplace in accordance with applicable legislation.
8. Contingency Plan updates shall be provided at least annually to the Department and Service NL.

Definitions

9. 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 Municipal Affairs and Environment;
- **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;
- **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.
- **Proponent** mean Western Trading Ltd.
- **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

10. Western Trading Ltd.'s application to the Department included:
- Pollution liability insurance for contractors from *Encon Group Inc.* (policy # **PLC477058**); and
 - Canadian commercial policy from *The Dominion of Canada General Insurance Company* (policy # **CCP 8428689**); and
 - Certificate of Automobile Insurance from *The Dominion of Canada General Insurance Company* (policy # **AFL8608933**); and
 - Surety bond from *Western Surety Company* (Bond # **314,944**)

Further Assessment

11. 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

12. Through a Memorandum-of-Understanding this Department has authorized the GSC of 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

13. 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.*

Financial Assurance

14. Valid environmental liability impairment insurance in the amount of \$1,000,000 shall be maintained otherwise this approval shall be null and void.
15. A surety bond of \$10,000 shall be on file with the Department, otherwise this approval shall be null and void.
16. Annual updates of the financial assurance documents shall be filed with the Department.
17. The proponent shall provide the Department with three months advance notice if they intend to cancel coverage and/or change the insurer or bonding agent.

Spill Prevention

18. 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 Water

19. All holding tanks for oily water shall be registered with GSC as per the *Storage and Handling of Gasoline and Associated Products Regulations*.
20. All holding tanks for used oil shall be approved by Service NL as per the *Used Oil Control Regulations*.

Oily Water & Materials Collection & Transport (Province-Wide)

21. Landfill disposal of oily water is prohibited.
22. Within the province, used oil may be delivered only to:
 - another approved used oil collector;
 - an approved used oil storage facility;
 - an approved used oil re-refinery or treatment facility; or
 - an approved used oil combustion facility.
23. Used oil contaminations levels

Table of Contamination Limits (Schedule from the <i>Used Oil Control Regulation</i>)		
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.

24. Hazardous contaminated, or any class of used oil not approved for combustion in the province shall be shipped out of province or delivered to a facility in the province which is approved to store, transport, re-refine, re-use, treat, and/or dispose of hazardous, contaminated or the applicable class of used oil.
25. Disposal of used oil petroleum contaminated water or virgin/unused waste petroleum products, including petroleum contaminated snow and ice, at private, industrial or municipal landfills is prohibited unless otherwise approved by the Department
26. Hydrocarbon contaminated water is defined as water containing equal to or greater than 15 ppm TPH or containing BTEX in concentrations equal to or greater than the limits prescribed in the latest edition of the *CEQG*.
27. The operator of a collection vehicle shall visually inspect each container of used oil for visible contamination before the contents are transferred to the collection tank/truck to avoid further contaminating the used oil that has been collected.
28. Used oil collectors and transporters are prohibited from blending used oils with virgin oil to meet the specification levels for used oil combustion. In addition, used oils assigned different classifications as described in Section 23 shall not be knowingly mixed (blended) except as permitted in the *Used Oil Control Regulations*.
29. The mixing (blending) of otherwise uncontaminated products resulting from the flushing of product lines from a tanker, tank vessel, tank car or tanks at a bulk plant or similar facility is not considered contamination. Blending of different used oils may also occur along a collection route and during initial bulking after collection.
30. After bulking, all used oil shall be analysed by an accredited laboratory to determine the levels of contaminants of concern as identified in Section 23.
31. All used oils intended for transfer to an approved used oil combustion facility within the province shall be analysed by an accredited laboratory to ensure the used oil contaminant concentrations are within the limits, as defined by the classification procedure of Section 23, and as outlined in the approval issued to the used oil combustion facility. A copy of the used oil combustion facility approval shall be obtained prior to transfer of used oil.
32. All used oils intended for transfer to an approved used oil combustion facility within the province shall be analysed by an accredited laboratory to ensure the used oil contaminant concentrations are within the limits, as defined by the classification procedure of Section 23, and as outlined in the approval issued to the used oil combustion facility. A copy of the used oil combustion facility approval shall be obtained prior to transfer of used oil.

33. Records of the volume of used oil **received or collected**, the date of the transaction, and the person/company from whom the used oil 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 made available for review to the department.
34. An annual report summarizing the records of **received, collected and transferred** used oil shall be provided to the department in electronic or hard copy form by January 31 of each year.

Septic Liquid & Sludge Collection & Transport (Province-Wide)

35. Landfill disposal of septic sludge is prohibited as per the East Coast Sewage Disposal Ban and West Coast Sewage Disposal Ban as defined in the *Definitions* section.
36. All septic liquid and sludge collected inside a Disposal Ban area shall be disposed at an approved facility within a Disposal Ban area, and shall not be transported for disposal outside a Disposal Ban area at a landfill site or any other location/facility.
37. The disposal of sewage waste from sewage waste haulers into municipal sewer systems is prohibited. The only exception would be in instances where a malfunction in the municipal sewer system requires pumping of waste to another point in the system
38. Records documenting the collection data, volume, source, type of waste, disposal date and disposal location are to be completed for each and every job. These records are to be provided to the Department every three months at intervals described in the table below. The records may be requested more frequently and must be made available to the Department.

Reporting Period	Report Due Date
Jan 1- March 31	April 15
April 1 – June 30	July 15
July 1- September 30	October 15
October 1- December 31	January 15

Reporting

39. An annual report shall be submitted to the Department by January 31, each year summarizing the proponents activities for the previous year. 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*.

40. 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 the proponent.

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.

Mount Pearl
P.O. Box 8700
St. John's NL
A1B 4J6
Telephone (709) 729-3699
Facsimile: (709) 729-7400

Clareville
8 Meyers Ave, Suite 201
Clareville, NL
A0E 1J0
Telephone (709) 466-4060
Facsimile (709) 466-4070

Gander
P.O. Box 2222
Gander, NL
A1V 2N9
Telephone (709) 256-1420
Facsimile: (709) 256-1438

Corner Brook
P.O. Box 2006
Corner Brook, NL
A2H 6J8
Telephone: (709) 637-2204
Facsimile: (709) 637-2681

Happy Valley-Goose Bay
P.O. Box 3014 – Stn B
Happy Valley – Goose Bay, NL
A0P 1E0
Telephone (709) 896-5428
Facsimile: (709) 896-4340

Grand Falls – Windsor
3 Cromer Ave
Grand Falls- Windsor, NL
A2A 1W9
Telephone: (709) 292-4206
Facsimile: (709) 292-4049

41. 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

42. This approval expires on September 23, 2023.
43. 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. Dexter Pittman, Director (Acting)
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