



GOVERNMENT OF  
NEWFOUNDLAND AND LABRADOR  
Department of Municipal Affairs and Environment

## CERTIFICATE OF APPROVAL

Pursuant to the Environmental Protection Act, SNL 2002 c E-14.2 Section 83

Issue Date: **May 7, 2019** Approval No. WMS08-03-003

Expiration: **May 7, 2023** File No. 830.000.089

Proponent: Clean Harbors & Affiliates  
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Re: ***Transportation of Waste Dangerous Goods/Hazardous Waste:  
Province-wide***

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Approval is hereby given for: the transportation of waste dangerous goods/hazardous waste within Newfoundland and Labrador

This Certificate of Approval does not release the proponent from the obligation to obtain appropriate approvals from other concerned provincial, federal and municipal agencies. Nothing in this Certificate of Approval negates any regulatory requirement placed on the proponent. Where there is a conflict between conditions in this Certificate of Approval and a regulation, the condition in the regulation shall take precedence. Approval from the Department of Municipal Affairs and Environment (the Department) shall be obtained prior to any significant change in operation. This Certificate of Approval shall not be sold, assigned, transferred, leased, mortgaged, sublet or otherwise alienated by the proponent without obtaining prior approval from the Minister.

This Certificate of Approval is subject to the terms and conditions as contained therein, 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*, and will make the proponent responsible for taking such remedial measures as may be prescribed by the Department. The Department reserves the right to add, delete or modify conditions in the Certificate of Approval or to address significant environmental or health concerns.

  
For **MINISTER**

## General

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, but does not include the storage of any of these wastes on or in properties owned, leased and/or operated by the Approval Holder.
2. Any inquiries concerning this approval shall be directed to the St. John's office of the Pollution Prevention Division, telephone: 709-729-2556; or facsimile: 709-729-6969. All responsible personnel who are directly involved with operation of this waste management system shall be provided copies of this approval.
3. The Department reserves the right to make this Certificate of Approval publicly available.
4. The proponent is responsible to ensure that appropriate and adequate financial assurance and environmental impairment liability or pollution and automotive insurance policies are in place for all operators of this waste management system.
5. In this Certificate of Approval:
  - **accredited** means the formal recognition of the competence of a laboratory to carry out specific functions;
  - **Department** means the Department of Municipal Affairs and Environment and its successors;
  - **Director** means the Director of the Pollution Prevention Division of the Department;
  - **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 (as described below);
  - **leachable test** means the US EPA Toxicity Characteristic Leaching Procedure (TCLP) Test Method 1311 (as amended) is to be used to determine the leachate toxicity hazard;
  - **licensed** means has a Certificate of Approval issued by the Minister to conduct an activity;
  - **Minister** means the Minister of the Department;
  - **PCB's** means polychlorinated biphenyls, which means the chlorobiphenyls that have the molecular formula  $C_{12}H_{10-n}Cl_n$  in which "n" is greater than 2;

- **spill or spillage** means a loss of gasoline or associated product in excess of 70 litres from a storage tank system, pipeline, tank vessel or vehicle, or an uncontrolled release of any volume of a regulated substance onto or into soil or a body of water;
- **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 refining or other permitted uses;
- **used oil** means a used lubricating oil or waste oil;
- **waste dangerous goods/hazardous waste (WDG/HW)** means a product, substance or organism that is intended for disposal or recycling and that:
  - (a) is listed in Schedule III of the *Export and Import of Hazardous Waste Regulations under the Canadian Environmental Protection Act, 1999*;
  - (b) is included in any of Classes 2 to 6, and 8 and 9 of the *Transportation of Dangerous Goods Regulations* under the *Transportation of Dangerous Goods Act, 1992*; or
  - (c) 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.
- **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;

6. All necessary measures shall be taken to ensure compliance with all applicable acts, regulations, policies and guidelines, including the following, or their successors:

- *Environmental Protection Act*;
- *Water Resources Act*;
- *Air Pollution Control Regulations, 2004*;
- *Environmental Control Water and Sewage Regulations, 2003*;
- *Halocarbon Regulations, 2005*;
- *Storage and Handling of Gasoline and Associated Products Regulations, 2003*;
- *Used Oil Control Regulations*;
- *Heating Oil Storage Tank System Regulations, 2003*;
- *Leachable Toxic Waste, Testing and Disposal, 2003*
- *Canadian Environmental Protection Act and Regulations (CEPA)*
- *Transportation of Dangerous Goods Act and Regulations as amended*

This Approval provides terms and conditions to satisfy various requirements of the above listed acts, regulations, Departmental policies and guidelines. If it appears that any of the pertinent requirements of these acts, regulations, policies and guidelines are not being met, then a further review of the works shall be conducted, and suitable pollution control measures may be required by the Minister.

## Transportation Requirements

7. Receivers to which WDG/HW 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.
8. All motor vehicles used in this operation shall meet Service NL inspection requirements.
9. The *Transportation of Dangerous Goods 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.
10. 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 WDG/HW.
11. The transportation of other forms of WDG/HW not described in the application for this Certificate of Approval is not permitted.
12. All WDG/HW shall be contained in labelled containers or drums.
13. Municipal and industrial landfills in this province are not permitted to accept WDG/HW materials. Non-hazardous wastes may be disposed of to a landfill with the approval of the Service NL and landfill owner/operator.
14. All handling and transport operations shall be conducted in a manner that prevents the release of contaminants into the environment. Measures such as secondary containment (for liquid waste) shall be taken to prevent leakage and spillage of WDG/HW.
15. The importation of WDG/HW to the Province of NL is not permitted.
16. All manifest/moving documents shall be completed and remitted to the Department either prior to shipment or immediately following each export .
17. Care shall be taken during tank pump out procedures to ensure no spillage takes

place.

18. 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.
19. Every vehicle used for the hauling, collection and transportation of WDG/HW shall be operated and marked/placarded in accordance with Federal *Transportation of Dangerous Goods Regulations*.
20. Personnel handling WDG/HW 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.
21. 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*.
22. The holder shall fully comply with the *Used Oil Control Regulations* under the *Environmental Protection Act, SNL 2002*.
23. Disposal of waste hydrocarbons shall be through a licensed used oil treatment / recycling facility.
24. Any spillage or leakage of gasoline or associated product shall be reported immediately through the Canadian Coast Guard at 1-(709)-772-2083.

### **Emergency Response**

25. In the event of an emergency and/or WDG/HW incident or spill, the operator of the vehicle shall notify Canadian Coast Guard immediately by calling:  

772-2083 or 1-800-563 - 9089 (24 hour basis).
26. In an emergency, the Canadian Transport Emergency Center (CANUTEC) shall be called at 613-996-6666 (24 hours) or \* 666 cellular (press \* 666, Canada only). In a non-emergency situation call the information line at 613-992-4624 (24 hours).
27. 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.
28. 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.

## Expiration

29. This Certificate of Approval expires *May 7, 2023*.
30. Should the proponent wish to continue to operate beyond this expiry date, a written request shall be submitted to the Director for the renewal of this approval. Such request shall be made prior to *April 7, 2023, 2023*.

cc: Fire Commissioner (email)  
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