



## Terms and Conditions

### General

1. The terms and conditions for this approval shall apply to all aspects of the operation.
2. Approval is given for a mobile metal recycling operation, including the collection, crushing, baling, sorting, loading, transportation and export from the province of scrap metals and derelict vehicles on a province-wide basis.
3. Mobile refers to an operation that engages in crushing metal on a site for a number of weeks (in this case two weeks; two additional weeks may possibly be permitted), and then moves to a different site to set up operation. Refer to Section 80 for further details. This crushing occurs with the prior approval of the site owner/operator and/or the owner of the metal.
4. Crushing means compaction, shearing, or other means of reducing the size of the body of vehicles and/or other scrap metal. This approval does not authorize or include shredding; if shredding is anticipated, a separate approval from the Department is required.
5. Prior to any expansion or modification of the facility, a letter of application shall be forwarded to the Department requesting an amendment to this approval. Rayan Investments Ltd./Neighbourhood Recycling (Rayan) must receive said approval before any such expansion or modification can commence.
6. Should Rayan wish to request an amendment in any way to the terms and conditions of this approval, a written request detailing the proposed deviation shall be made to the Minister. Rayan shall comply with the most current terms and conditions until the Minister has authorized otherwise. In the case of meeting a deadline requirement, the request shall be made at least 60 days ahead of the applicable date as specified in this approval or elsewhere by the Department.
7. Any inquiries concerning this approval shall be directed to the St. John's office of the Pollution Prevention Division (tel: 709-729-2556; fax: 709-729-6969).

### Definitions

8. In this approval:
  - **Department** means Department of Municipal Affairs and Environment;
  - **Director** means the Director of the Pollution Prevention Division;
  - **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.

- **MMSB** means Multi-Materials Stewardship Board;
- **OHS** means Occupational Health and Safety;
- **QA/QC** means Quality Assurance/Quality Control;
- **Regional Director** means the Regional Director of Service NL;
- **used oil** means oil that, through use, storage or handling, can no longer be used for its intended purpose.

## Legislation

9. The activities associated with this operation may involve, but not be limited to, the following Provincial Acts and Regulations as amended (or their successors):
  - *Dangerous Goods Transportation Act and Regulations*
  - *Newfoundland Fire Prevention Act and Regulations*
  - *Environmental Protection Act*
  - *Air Pollution Control Regulations, 2004*
  - *Storage and Handling of Gasoline and Associated Products Regulations, 2003*
  - *Used Oil Control Regulations*
  - *Halocarbon Regulations*
  - *Water Resources Act*
  - *Environmental Control Water and Sewage Regulations*
  - *Occupational Health and Safety Act and Regulations*
  
10. The activities associated with this operation may involve, but not be limited to, the following Federal Acts and Regulations as enforced:
  - *Canadian Environmental Protection Act and Regulations*
  - *Interprovincial Movement of Hazardous Waste and Hazardous Recyclable Material Regulations*
  - *Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations*
  - *Transportation of Dangerous Goods Act and Regulations*
  - *Fisheries Act*
  - *National Fire Code*

## **Service NL**

11. Through a Memorandum-of-Understanding, this Department has authorized Service NL to act on its behalf in monitoring this operation for compliance under this approval and all applicable provincial Acts and Regulations.

## **Insurance and Financial Assurance**

12. Valid environmental impairment liability insurance in the amount of \$1,000,000 shall be maintained; otherwise this approval is null and void. Proof of the environmental impairment liability insurance policy shall be provided to the Department prior to issuance of this approval.
13. A valid surety bond of \$20,000 shall be on file with the Department; otherwise this approval is null and void. Proof of a valid surety bond shall be provided to the Department prior to the issuance of this approval.
14. Annual updates of the insurance and financial assurance documents shall be filed with the Department.
15. Rayan shall provide the Department with three (3) months' notice if they intend to cancel and/or change the insurer or bonding agent.

## **Security**

16. Rayan shall secure all equipment in a safe manner when not in use.

## **Vehicle Signage**

17. Rayan's vehicles used in the handling, collection and transportation in this waste management system shall be clearly marked with the company name, address, and telephone number.

## **Air Emissions**

18. Burning and/or smelting of any materials shall not occur.
19. Combustion of used oil in stoves and/or space heaters is not permitted unless prior written approval has been obtained from the Department and/or Service NL. Combustion of used oil shall comply with the *Used Oil Control Regulations* and the *Air Pollution Control Regulations, 2004*.

## **Emergency and OHS Preparedness**

20. The proponent shall ensure that this approval, or a copy, is kept on site at all times and that personnel directly involved in the operation of the recycling facility are made fully aware of the terms and conditions which pertain to this approval.
21. All responsible personnel who are directly involved with the operation and maintenance of the processing system shall be provided copies of this approval.
22. For after hours emergencies and spill reports, call: **1-800-563-9089 or (709) 772-2083**.
23. All appropriate health and safety procedures shall be constantly maintained at the site in accordance with applicable legislation.
24. The crushing and baling systems shall be operated and maintained in accordance with the manufacturers' operating and maintenance specifications.
25. The Occupational Health and Safety Division of Service NL shall be contacted regarding requirements for a Worker Health and Safety Plan. A plan shall be prepared. The plan shall be updated at least annually. The Department shall be copied on this plan and all updates. A copy of the plan and all updates shall also be sent to Service NL (refer to the contact at the end of this approval.)
26. Contingency Plan/Emergency Response Plan updates shall be provided at least annually to the Department and its Service NL agents.
27. Personnel handling waste shall be trained in the use of protective clothing and clean-up equipment and be familiar with safety and emergency response procedures.
28. The holder of this approval shall ensure that all staff are alerted to hazards associated with all materials received and handled as part of the waste management system.

## **Spill Prevention**

29. A spill kit shall be maintained on site (at each and every location of mobile operations) consisting of at least a supply of absorbent materials and an 18-gauge 205 litre drum to clean up and contain small spills of hydrocarbons and other fluids from derelict vehicles. Rayan employees shall be aware of the location of the spill kit. Rayan employees shall be trained in use of the spill kit.

## **Training**

30. Rayan shall ensure its employees are appropriately trained to ensure protection of the

environment. Training certificates shall be made available for review upon request by the Department and/or Service NL.

### **Monitoring**

31. The Director has the authority to establish and/or alter monitoring programs and/or require testing at any time, including when:
- an adverse environmental effect may occur; or
  - an adverse environmental effect may have occurred; or
  - it is no longer necessary to maintain the frequency of sampling and/or the monitoring of parameters.

### **Further Assessment**

32. 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.

### **Laboratory Analysis and QA/QC**

33. Unless otherwise stated herein, all liquid and solid analyses performed pursuant to this approval shall be done by a contracted commercial or in-house laboratory as per the *Accredited and Certified Laboratory Policy (PD:PP2001-01.01)*.

### **Reporting**

34. An Annual Report containing the following information shall be provided to the Department and Service NL by January 31 of the following year. The Annual Report shall include:
- quantity of metals (tonnes or m<sup>3</sup>) exported from the sites of mobile operation (i.e. a total quantity which is the sum of all mobile sites);
  - records of all transfers of vehicles, fluids, and other wastes (e.g. batteries, mercury switches, tires, halocarbons, oil, and gas) collected and disposed. These records will include the quantity and type of material collected and disposed, and will include the name of the disposal facility for each type of waste; and
  - an overview of verbal/written complaints of an environmental nature from the public received by Rayan related to its operation.

The above information is to be recorded monthly and provided to the Department and Service NL in the Annual Report.

35. Rayan shall provide to the Department, within a reasonable time, any information, records, reports, or access to data requested or specified by the Department.
36. Failure to submit records as required may result in this approval being revoked.
37. Records, including the source name and address (i.e. municipality, scrap yard, waste disposal site) of salvaged materials, shall be maintained for a period of not less than three (3) years and be made available for inspection by representatives of Service NL or the Department upon request.
38. Records related to this approval shall be kept for a period of not less than three (3) years. These records shall be made available for review by officials of the Department or Service NL when requested.
39. All incidents of:
  - contingency Plan implementation,
  - non-conformance of any condition within this approval,
  - spillage or leakage of a regulated substance, and/or
  - whenever discharge criteria are, or are suspected to be, exceeded,shall be immediately reported to the nearest Service NL office, within one working day, to a person or message manager or facsimile by phoning or faxing:

Service NL (St. John's)  
P.O. Box 8700  
St. John's, NL A1B 4J6  
Telephone (709) 729-2550  
Facsimile: (709) 729-7400

Service NL (Clarenville)  
8 Myers Ave., Suite 201  
Clarenville, NL A5A 1T5  
Telephone (709) 466-4060  
Facsimile (709) 466-5674

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

Service NL (Corner Brook)  
Operations Division (Environmental)  
Sir Richard Squires Bldg., 5<sup>th</sup> Floor  
P.O. Box 2006  
84 Mt. Bernard Ave.  
Corner Brook, NL A2H 6J8  
Telephone: (709) 637-2204  
Facsimile: (709) 637-2681

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

Service NL (Harbour Grace)  
7-9 Roddick Cres.  
PO Box 512  
Harbour Grace, NL A0A 2M0  
Telephone: (709) 945-3107

Service NL (Grand-Falls-Windsor)  
3 Cromer Ave.  
Provincial Building  
Grand Falls-Windsor, NL A2A 1W9  
Telephone: (709) 292-4206  
Facsimile: (709) 292-4149

40. Subsequent to any occurrence of an incident (as outlined in the previous clause), a written report shall be prepared, including: a detailed description of the incident, summary of contributing factors and an action plan to prevent future incidents of a similar nature; this report shall be submitted to the local 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 (30) days of the date of the initial incident or complaint.

### **Storage and Transportation of Waste Dangerous Goods/Hazardous Waste**

41. Rayan shall undertake the responsibility of removing fluids, gases, tires, and hazardous substances from vehicles, white goods, and other metals. Fluids, gases, tires, and hazardous substances shall be removed, stored, and disposed of in accordance with provincial Acts and Regulations, and in a manner which ensures protection of the environment.
42. All WDG/HW generated at a site shall be placed in enclosed containers. Containers must be labelled in accordance with regulations under the *Canadian Environmental Protection Act* and *Transportation of Dangerous Goods Regulations (latest version)*. Removal and disposal to approved transfer stations or hazardous waste disposal sites, with the consent of the owner/operator is required.
43. Appropriate steps shall be taken to ensure that all volatile chemical and solvent wastes, if they cannot be reused, are placed in suitable covered containers for disposal in a manner acceptable to the Department. Disposal of liquid wastes at waste disposal sites in the province is not permitted.
44. Disposal of WDG/HW in a municipal or regional waste disposal site in this province is prohibited. Transporters of hazardous waste shall have an approval issued by the Minister. Those generating hazardous waste shall have a waste generator's number issued by the Director and shall also complete the required information outlined in the Waste Manifest Form.
45. Transportation of all WDG/HW, as defined under *Canadian Environmental Protection Act, Interprovincial Movement of Hazardous Waste and Hazardous Recyclables*

*Regulations* shall be conducted by a licensed hazardous/special waste transporter.

46. All WDG/HW generated and/or handled during mobile operations is the responsibility of Rayan and shall be removed from a mobile site by the time that Rayan leaves the site.
47. Rayan has indicated that they will transport all fluids, halocarbons, mercury switches, and batteries to New Brunswick for appropriate disposal. Proposed changes to this shall be submitted in writing to the Department for review.

### **Oil Filters**

48. Oil filters, drained or otherwise, are restricted from disposal in a landfill.
49. Used oil and glycol shall be handled in a manner that adheres to the *Waste Management Regulations*, Part VI – Used Oil and Used Glycol.
50. Up until May 2<sup>nd</sup>, 2019, oil filters (and the oil contained in them) shall be handled and disposed of in a manner that adheres to the *Used Oil Control Regulations*.
51. Commencing May 2<sup>nd</sup>, 2019, oil filters (and the oil contained in them), used oil, and used glycol shall be handled and disposed of in a manner that adheres to the *Used Oil and Used Glycol Control Regulations*.
52. Used oil that drains from oil filters shall be collected into an approved container (i.e. jerry can), tank, or drum for appropriate disposal.

### **Oil Tanks**

53. (a) Rayan shall not accept fuel tanks unless they are completely cleaned and purged of fuel, sludge, and vapours. This does not apply to vehicle fuel tanks.  
  
(b) If Rayan wishes to clean fuel tanks, a plan shall be developed and submitted to the Department requesting approval.

### **Fluids (General)**

54. The removal of automotive fluids, especially gasoline, shall be completed in a safe manner. Vapours and free-product may pose an explosion, health, and/or environmental hazard. The safe and proper handling of all fluids is required.
55. Vehicle wrecks shall be drained of all fluids and shall have batteries and halocarbons removed. These drainage and removal processes shall be done in accordance with provincial Acts and Regulations and in a manner which protects the environment.

56. All petroleum products, waste oils, cooling fluids, or other potentially hazardous fluids, shall be removed/purged from vehicles and/or equipment and placed into approved labelled containers, drums or storage tank systems.
57. Mixing of recovered fluids shall be avoided to minimize safety hazards and costs for recovery/reuse/recycling of these products.
58. Re-use of fluids (ex. used oil) may require an approval for any proposed re-use.
59. Where possible, waste oils, oils, greases, diesel, gasoline, hydraulic and transmission fluids shall be stored at least 100 m from any body of water. Re-fuelling and maintenance activities shall also occur at least 100 m from any body of water and on level terrain.
60. In the event of an environmental emergency, including a spill or leak of WDG/HW, the holder shall invoke the Contingency Plan as provided to the Department and as discussed in the Emergency and OHS Preparedness section of this approval.

### **Storage of Other Fluids**

61. Other fluids shall be stored in containers designed and compatible for the fluid.

### **Disposal and Recycling**

62. All oils, gasoline, fluids, lubricants, halocarbons, coolants or other regulated fluids shall be stored, and/or disposed of in accordance with the requirements of all applicable Acts and Regulations. All filled drums and containers must be emptied for disposal at regular intervals by licensed WDG/HW transporters. Drums/containers shall be secured to ensure accidental spillage does not occur.

### **Used Oil**

63. Within the province, used oil shall be delivered only to:
  - Another approved used oil collector;
  - An approved used oil storage facility;
  - An approved used oil re-refinery or treatment facility for recycling; or
  - An approved used oil combustion facility, where that facility is approved to take such used oil and the used oil has been tested and meets standards for combustion.

## Used Oil Storage

64. Used oil storage shall occur in systems approved under Section 18 of the *Used Oil Control Regulations* and designed and installed so as to have secondary containment of the tank and all associated piping in accordance with Section 21.1(b) of the *Used Oil Control Regulations*.
65. Contamination of used oil (e.g. by mixing classes of used oil or adding chemicals such as paint, paint thinner, solvents, gasoline or other substances) is prohibited as per Section 7 of the *Used Oil Control Regulations*.

## Drained Gasoline Storage

66. Containers designed for and compatible with gasoline storage are required. For the purposes of this approval, temporary storage containers (e.g. jerry cans, 205 litre drums) are acceptable. A total of 410 litres is the maximum volume of drained gasoline that may be stored at a work site at any given time.

## Refrigeration and Air Conditioning

67. Refrigeration and air conditioning equipment shall be handled in a manner to prevent release of halocarbons.
68. Only approved persons as defined in the *Halocarbon Regulations* shall recover and contain regulated substances. They must have available at the job site operational equipment that can recover and contain these regulated substances. The recovered regulated substance shall be put into approved containers and the drained equipment shall then be labelled "Halocarbon Free".
69. The recovered regulated substances must be disposed of in accordance with the *Halocarbon Regulations*.

## PCBs

70. Any electrical equipment which previously contained PCB liquid and/or solid, shall be verified as being PCB free by the generator and/or transporters of the equipment. Written notification in the form of a test certificate from an approved laboratory shall be required.

## Batteries

71. Batteries shall be removed from vehicles prior to crushing.

72. Batteries shall be removed from a mobile site when Rayan leaves that site, unless the site owner is in agreement that the batteries shall remain on-site and stored out of the elements. (Wet lead acid filled batteries shall be safely stored off the ground on an impermeable liner/surface and secured from the elements in a covered ventilated area. Combustible materials and other incompatible hazardous wastes shall not be stored near a battery storage area.)
73. Lead acid batteries are not permitted to be sent to a landfill for disposal.
74. A licensed WDG/HW transporter (i.e. licensed by the Department) must be contracted to transport lead-acid batteries.

### **Mercury Switches**

75. Mercury switches shall be removed from vehicles for return for mercury recovery by an appropriate program. These switches shall be removed prior to crushing of vehicles. This shall be done in a manner that does not result in mercury contamination. More information can also be found on the Switch Out Program website, [www.switchout.ca](http://www.switchout.ca).

### **Tires**

76. Regarding tires on mobile sites:
  - (a) prior to work on a site, Rayan shall, in writing, make the site owner aware of Rayan's operational methods, including the practice of tires (without rims) remaining on the site after Rayan has moved off that site.
  - (b) tires (without rims) that are left on a site shall remain there with the knowledge and permission of the site owner/operator.
  - (c) tires (without rims) that are left on a site shall be stored and stacked in a segregated area away from other waste and debris that is fully accessible for collection.
  - (d) tires with rims shall not be left on a site after Rayan has moved off that site.
  - (e) tire rims shall be recycled.

### **Mobile Operations - General**

77. Storage of crushed material and/or wastes are not permitted on a mobile site after Rayan has ceased mobile operations on that site.
78. Written permission from the owner/operator of a site must be obtained prior to Rayan removing metals from the site or commencing crushing operations.
79. Rayan's practices regarding fluids, gases, tires, and hazardous substances shall be clearly indicated, in writing, to the site owner/operator prior to any on-site work. Rayan shall

obtain the site owner/operator's full written understanding of these practices.

80. Mobile operations are restricted to two (2) weeks on a site, but a further two weeks may be permitted if Rayan provides Service NL and the Department with written notice prior to the expiry of the initial two week period. An application to Service NL (and copy to the Department) can be made for an extension exceeding four (4) weeks and a detailed explanation will be required as to why more than four (4) weeks are required on any one site.
81. Rayan shall notify the local Service NL office prior to entering a site, indicating the proposed date of commencement of crushing operations and the proposed date of completion of crushing operations. This notice shall be faxed and/or e-mailed to Service NL.
82. All vehicles and equipment shall be in good repair, and shall be free of leaks of oil or other harmful substances that could impair water quality or other aspects of the environment.
83. Efforts shall be made to minimize and control noise resulting from this operation. All vehicles and equipment shall have exhaust and muffling devices in good working order.
84. All recyclable materials shall be promptly shipped for export to an approved recycling facility.

### **Movement of WDG/HW**

85. All WDG/HW shall be contained and transported in labelled containers or drums.
86. Municipal and industrial landfills in NL are not permitted to accept WDG/HW materials. Non-hazardous wastes may be disposed of to a landfill with the approval of Service NL and the landfill owner/operator.
87. 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. All vehicles shall be secured and covered.
88. Rayan will have to meet the Transportation of Dangerous Goods (TDG) requirements and Interprovincial Movement of Hazardous Waste. Refer to:  
<https://www.tc.gc.ca/eng/tdg/safety-menu.htm>  
<https://pollution-waste.canada.ca/environmental-protection-registry/regulations/view?Id=48>

89. If Rayan is working in more than one province, they should have a Permit of Equivalent Level of Environmental Safety (PELES) under Environment Canada, Tel: 1-844-524-5295.

### **Termination of Mobile Operation**

90. Written notification shall be provided a minimum of one (1) month in advance to the Department and Service NL of the termination of this waste management system.

### **Expiration**

91. This approval expires on April 24, 2022.
92. 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 *three (3) months prior to expiration*.

c.c. Peter Haring,  
Manager of Environmental Science and Waste  
Management  
Pollution Prevention Division  
Department of Municipal Affairs and  
Environment  
[PHaring@gov.nl.ca](mailto:PHaring@gov.nl.ca)

Heather Jesso  
Environment Canada  
[heather.jesso@canada.ca](mailto:heather.jesso@canada.ca)

Robert Locke, Manager  
Service NL  
St. John's  
[rlocke@gov.nl.ca](mailto:rlocke@gov.nl.ca)

Michael Duke, Manager  
Service NL  
Clarenville  
[MichaelDuke@gov.nl.ca](mailto:MichaelDuke@gov.nl.ca)

Wayne Lynch, Regional Director  
Service NL  
Gander  
[waynelynch@gov.nl.ca](mailto:waynelynch@gov.nl.ca)

Susan Hoddinott, Regional Director  
Service NL  
Western/Labrador  
[susanhoddinott@gov.nl.ca](mailto:susanhoddinott@gov.nl.ca)