



GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR
Department of Environment and Climate Change

CERTIFICATE OF APPROVAL

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

Issued: **September 8, 2022**
Expiration: **August 31, 2025**

Approval No.: **WMS-22-09-001**
File No.: **839.HCD.001**

Halifax Construction & Debris Recycling Ltd.
16 Mills Drive
Goodwood, Nova Scotia, B3T 1P3

Attention: Ms. Grace Gillis Environmental Mgr.
Tel: (902) 223-9289
ggillis@municipalgroup.ca

Re: Approval to construct and operate a Tire Recycling Facility, 4 Barley Street, Conception Bay South Industrial Park

Approval is hereby given for the Halifax Construction & Debris Recycling Ltd (HCD) to construct and operate a tire storage/recycling facility and a Tire Derived Aggregate (TDA) processing facility at 4 Barley Street, Conception Bay South Industrial Park.

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 Environment and Climate Change (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 written prior approval from the Minister.

This approval is subject to the terms and conditions 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 HCD to cease all activities associated with this certificate of approval, may place the HCD and its agent(s) in violation of the *Environmental Protection Act*, 2002, c. E-14-2, and will hold the HCD responsible for taking such remedial measures as may be prescribed by the Department. The Department reserves the right to add, delete, modify or revoke this approval at any time.

for, MINISTER

Administrative and General

1. Compliance is required with the most recent version of GD-PPD-018 Guidelines for the Establishment and Operation of Facilities for the Outdoor Storage of Tires.
2. Non-program tires include all-terrain (ATV), or off the road (OTR) vehicle tires, tires used on rolling stock equipment, used in the agricultural, forestry, industrial, construction and mining industries. If not approved for specific recycling applications, disposal to landfill is acceptable.
3. A copy of this Approval shall be kept on site at all times.
4. All responsible personnel who are directly involved with operation and maintenance of the facility shall be provided copies of this Approval and shall be fully aware of the terms and conditions pertaining.
5. Any changes to the proposed facility design shall have supporting documentation/ plans submitted and approved by the Department. Separate approvals or an amendment to this Approval will be required for additional storage, management or processing of tires or tire derived aggregate (TDA) at this site.
6. The requirements of this approval shall remain in effect until altered, in writing, by the Department.

Financial Assurance

7. HCD is required to carry an environmental impairment liability and/or pollution abatement insurance policy of a minimum of \$1,000,000, increasing appropriately to the operating capacity of the facility and reviewed annually.
8. HCD shall keep a surety bond of a minimum of \$20,000 payable to the Department and in place until decommissioning has been accomplished to the satisfaction of the Department.
9. HCD shall ensure that automotive insurance policies are in place for all operators contracted to support the operations of this waste management facility.

Application Submissions

10. A request for a Certificate of Approval including a letter of support from the Government of Nova Scotia received by email/courier on June 20-21, 2022.
11. Information submitted included: a letter from the Department indicating no requirement for Environmental Assessment; a site survey and plan; facility description; description of operations; Emergency Response Contingency Plan; Hydrogeological Assessment; ASTM International standard for Tire Derived Aggregate; Equipment Specifications; copy of Public Notice; confirmation of insurance requirements; surety bond; and Remediation Plan.

Legislation Guidelines

12. The activities associated with this facility may be subject to the following provincial Acts and Regulations as amended:
- *Environmental Protection Act*
 - *Air Pollution Control Regulations*
 - *Storage and Handling of Gasoline and Associated Products Regulations*
 - *Used Oil and Used Glycol Control Regulations*
 - *Halocarbon Regulations*
 - *Pesticides Control Regulations*
 - *Water Resources Act*
 - *Environmental Control Water and Sewage Regulations*
 - *Occupational Health and Safety Act*
 - *Dangerous Goods Transportation Act*
 - *Municipalities Act*
 - GD-PPD-018 Guidelines for the Establishment and Operation of Facilities for the Outdoor Storage of Tires.
 - GD-PPD-066 Sampling of Water and Wastewater – Industrial Effluent Applications
 - PD-PP2001-01.2 Accredited Laboratory Policy
 - PD-PP2013-01 Effluent Discharge Schedule Determination Policy for Industries
13. The activities associated with this facility may be subject to Federal legislation, including but not limited to:
- *Canadian Environmental Protection Act and Regulations*
 - *Transportation of Dangerous Goods Act and Regulations*
 - *Fisheries Act*
 - *National Fire Code*

Quality Control/Quality Assurance

14. Facility design, construction and operation must incorporate acceptable quality control/quality assurance (QC/QA) protocols and provide for changes if necessary to maintain and improve performance.

Utilization of Tire Derived Aggregate

15. The Department supports the utilization of TDA in accordance with *ASTM D6270-20 Standard Practice for Use of Scrap Tires in Civil Engineering Applications*. As leachate from TDA has the potential to impact drinking water and freshwater aquatic life, the Department does not support the use of TDA near a waterbody. For further information please contact the Water Resources Division at 709-729-2563.

Operation and Maintenance of a Used Tire Storage Facility

16. Used tires shall be transported to the site in a safe manner that prevents loss or spillage.
17. HCD shall provide for supervision when any tires are received at the facility to ensure appropriate placement, and that stockpiles are not exceeded.

18. Temporary stockpiling shall be restricted to levels considered safe for pile stability, occupational health and safety considerations, and to minimize risk from fire as detailed in GD-PPD-018.
19. Sufficient area shall be maintained for safe movement of vehicles, and operation of equipment at the site.
20. Storage of used tires and TDA may be continued in a safe manner as long as the material remains in a recyclable condition and does not exceed facility capacity. Details of on-site storage inventory and of transfer or processing shall be provided to the Department as part of the annual report.
21. All site operations are to be conducted in accordance with the Facility Operations Plan approved by the Department. Changes to operations shall be noted in the facility annual report and updates filed with the Department as appropriate.

Surface Water Management

22. HCD shall ensure that site run-on is minimized by appropriate drainage ditching and sloping; and that run-off from the site does not detrimentally impact off-site receptors. Any water discharged from the site shall meet criteria limits as set out in the Environmental Control Water and Sewage Regulations.

Environmental Monitoring

23. In the event of discharge from the Containment Pond, HCD shall perform an effluent monitoring program as per Table 1. Analytical results shall be submitted to the Department as per the **Reporting Section**.

Table 1: Effluent Monitoring Program – Discharge to the Environment				
Location	EDMS Code	Frequency	Parameters	Criteria¹
Containment Pond	To Be Determined	Batch	pH	5.5-9 pH units
			BOD	20
			TSS	30
			TDS	1000
			TPH	15
			Arsenic	0.5
			Barium	5.0
			Boron	5.0
			Cadmium	0.05
			Chromium	1.0
			Copper	0.3
			Cyanide	0.025
			Iron	10
			Lead	0.2
			Mercury	0.005
			Nickel	0.5
			Nitrates	10

			Nitrogen (Ammoniacal)	2.0
			Phenol	0.1
			Phosphates (total as P ₂ O ₅)	1.0
			Selenium	0.01
			Sulfides	0.5
			Silver	0.05
			Zinc	0.5
1. Criteria is measured in mg/L unless noted directly in the Table.				

24. The proponent shall commence a Groundwater Monitoring Program four times per year at least 30 days apart beginning **November 30, 2022**. The required parameters are shown in **Table 2** and all results shall be submitted to the Department as per the **Reporting** section.

Table 2 – Groundwater Monitoring Program				
Location	EDMS Location Code	Parameters		
to be determined	to be determined	General Parameters - must include the following:		
		nitrate + nitrite nitrate nitrite ammonia pH cyanide	colour sodium potassium calcium sulphide TPH	magnesium alkalinity sulfate chloride turbidity PAH reactive silica orthophosphate phosphorous DOC conductance TDS (calculated) phenolics carbonate (CaCO ₃) hardness (CaCO ₃) bicarbonate (CaCO ₃)
		Metals Scan - must include the following:		
		aluminum antimony arsenic barium beryllium bismuth	boron cadmium chromium cobalt copper	iron lead manganese molybdenum mercury nickel selenium silver strontium thallium tin titanium uranium vanadium zinc

25. If there is discharge to a municipal sewer, it shall meet parameters set out in Table 3.

Table 3: Discharge to a Municipal Sewer System				
Location ¹	EDMS Code	Frequency	Parameters	Criteria ²
Effluent Discharge		Each Batch	pH	5.5-9 pH units
			Biochemical Oxygen Demand (BOD)	300
			Total Suspended Solids (TSS)	350
			TPH	100
			Boron	5.0
			Cadmium	0.05
			Chromium	1.0
			Copper	0.3
			Cyanide	2.0

			Iron	15
			Lead	0.2
			Mercury	0.005
			Nickel	0.5
			Phenol	0.5
			Phosphates (total as P ₂ O ₅)	10.0
			Zinc	0.5
1. Criteria is measured in mg/L unless noted directly in the Table.				

Laboratory Analysis & QA/QC

26. Unless otherwise stated herein, all liquid and solids analysis 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:PP2001-01.02)*.
27. Unless otherwise stated herein, all solids and liquids analysis performed pursuant to this Approval shall be done by either a contracted commercial laboratory or an in-house laboratory. Contracted commercial laboratories shall have a recognized form of accreditation. In-house laboratories have the option of either obtaining accreditation or submitting to an annual inspection by a representative of the Department, for which HCD shall be billed for each laboratory inspection in accordance with Schedule 1 of the Accredited Laboratory Policy (PD:PP2001-01.2). Recommendations of the Department stemming from an annual inspection shall be addressed within 6 months, otherwise further analytical results shall not be accepted by the Department.
28. If HCD wishes to perform in-house laboratory testing and submit to an annual inspection by the Department then a recognized form of proficiency testing recognition shall be obtained for compliance parameters for which this recognition exists. The compliance parameters are listed in the Effluent and Monitoring section. If using a commercial laboratory, HCD shall contact that commercial laboratory to determine and to implement the sampling and transportation QA/QC requirements for those activities.
29. The exact location of each sampling point shall remain consistent over the life of the monitoring programs, unless otherwise approved by the Department. A sketch or diagram clearly identifying each sampling location shall be submitted by November 30, 2022 to the Department.
30. HCD shall bear all expenses incurred in carrying out the environmental monitoring and analysis required under conditions of this Approval.

Monitoring Alteration

31. The Department has the authority to alter the monitoring programs or require additional testing at any time when:
 - pollutants might be released to the surrounding environment without being detected;
 - an adverse environmental effect may occur; or
 - it is no longer necessary to maintain the current frequency of sampling and/or the monitoring of parameters.

32. HCD may, at any time, request that the monitoring program or requirements of this Approval be altered by:
- requesting the change in writing to the Department; and
 - providing sufficient justification, as determined by the Department.

Environmental Emergency Health and Safety Contingency (EHS)

33. HCD shall keep a contingency plan for environmental and health and safety emergencies on file with Digital Government and Service NL (DGSNL) and the Department and provide annual updates. An updated copy of the contingency plan shall be kept on site at all times.
34. In the event of an emergency incident or spill, the occurrence shall be reported immediately by calling the pollution report line at 1-800-563 - 9089 (24 hour).
35. Appropriate operations training and health and safety procedures shall be maintained at the site in accordance with applicable legislation and environmental standards.

Site Security, Signage, Noise, Air Quality

36. Appropriate signage shall be maintained.
37. There shall be no unauthorized access to the site.
38. Noise levels shall comply with occupational health and safety guidelines and legislation,
39. Dust generation shall be minimized on site.
40. If complaints regarding facility operations are received, the Department may require that HCD undertake appropriate monitoring and mitigation measures.

Digital Government and Service NL

41. Through a Memorandum of Understanding the Department has authorized DGSNL to act on its behalf in inspecting and/or auditing the operation of waste management facilities, for compliance under this Approval.

Decommissioning

42. DGSNL and the Department shall be contacted at least 4 months prior to a planned closure.
43. The proposed financial arrangements to complete site decommissioning shall be updated and submitted to the Department annually.
44. A detailed decommissioning plan must be submitted to the Department 6 months prior to the planned date of final site closure. Decommissioning details must address site security, the removal of remaining material and on-site infrastructure, and financial arrangements for any future environmental monitoring requirements, and outline potential future uses for the site.
45. An approved alternative disposal or transfer location must be identified prior to closure and

decommissioning.

Non Compliance

46. The Department and/or DGSNL shall be notified immediately of any incidents of non-compliance with this Approval.
47. Details of any non-compliant material brought to the facility and removed at the inspection/ holding area shall be recorded including: date of delivery, material type and quantity, origin and owner, name of transporter, transport vehicle identification and contact information. A contingency plan shall be in place to ensure that non-compliant material is refused and appropriately redirected.

Reporting

48. Monthly reports containing the environmental compliance monitoring and sampling information required in this Approval shall be received by the Department in digital format within 30 calendar days of the reporting month. All related laboratory reports shall be submitted with the monthly report in XML format and Adobe Portable Document Format (PDF). Digital report submissions shall be uploaded through the Department's Environmental Data Management System web portal. The Pollution Prevention Division shall provide details of the portal web address and submission requirements. Any questions may be addressed to the Pollution Prevention Division tel: (709) 729-4273.
49. An Annual Report shall be submitted to the Department by January 31st of each following year, and shall contain a summary of activity at the Used Tire Storage Facility for the previous year. The information to be submitted shall, at minimum, include:
 - a. quantity of used tires received (Information on the type, source and carrier of tires received can be kept on file but does not have to be submitted.);
 - b. quantity and type of tires rejected;
 - c. quantity of TDA processed through the facility;
 - d. quantity of residual material received at or transferred to the regional landfill;
 - e. a summary of any upsets or spills at the facility;
 - f. any changes in procedure or operations;
 - g. any changes or updates with respect to staffing and training; and
 - h. any other information deemed necessary by the Department.
50. All incidents of Contingency Plan implementation, non-conformance of any condition within this approval, spillage or leakage of a regulated substance, verbal/written complaints of an environmental nature from the public, any response, mitigation or corrective action e.g. due to air quality, odour or noise; and any incidence of vandalism or illegal dumping at or near the site shall be immediately reported to DGSNL.
51. 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 within 30 days to DGSNL.

Expiration

52. This approval expires **August 31, 2025**.
53. Should the proponent wish to continue to operate the facility beyond the expiry date of this approval, a written request for renewal shall be submitted to the Department at least three months prior to expiry.

cc. Heather Jesso
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