



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: March 10, 2025
Expiration: March 31, 2028

Approval No.: WMS-22-03-001
File No.: 839.COX.001

Proponent: Cox's Construction Ltd.
P.O. Box 157
Lawn, NL
A0E 2E0

Attention: Mr. Dale Cox
709 873 7731 (cell)
709 873 2301 (office)

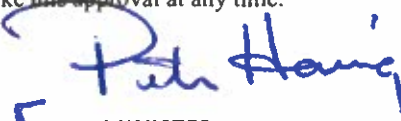
dalecoxcl@gmail.com

Re: Mobile Wastewater Treatment System

Approval is hereby given for the continued province-wide operation of a Mobile Wastewater Treatment System.

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 as contained in Appendices 'A' and 'B' 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 add, delete, modify or revoke this approval at any time.


For MINISTER

General

1. This approval is issued to Cox's Construction Ltd. for the operation of an SCG mobile wastewater treatment system for the processing of petroleum hydrocarbon contaminated water province wide. The system details have been submitted to this Department.
2. Terms and conditions specific to **Used Oil and Sludge** are contained in Appendix A.
3. **Notification of Wastewater Treatment** is contained in Appendix B.
4. 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.

Definitions

5. 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;
 - **CCME** means Canadian Council of Ministers of the Environment;
 - **CEQG** means CCME Canadian Environmental Quality Guidelines;
 - **contaminant** means, unless otherwise defined in the regulations, a substance that causes or may cause an adverse effect;
 - **Department** means Department of Environment and Climate Change;
 - **DGSNL** means Department of Digital Government and Service NL
 - **Director** means the Director of the Pollution Prevention Division of the Department;
 - **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;
 - **QA/QC** means Quality Assurance/Quality Control;
 - **Regional Director** means the Director of the nearest Digital Government and Service NL regional office;
 - **TCLP** means the US Environmental Protection Agency Toxicity Characteristic Leaching Procedure Method 1311.
 - **TPH** means total petroleum hydrocarbons as measured by the Atlantic PIRI method;
 - **TSS** means total suspended solids;
 - **used glycol** means glycol that, through use, storage or handling, can no longer be used for its original purpose
 - **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 oil that, through use, storage or handling, can no longer be used for its original purpose;
- **waste oil** means an oil that as a result of contamination by any means including waste drilling muds, or by its use, is altered so that it is no longer suitable for its intended purpose.
- **WWTP** means wastewater treatment plant.

Application Submissions

6. Email request/application from Cox's Construction for the province-wide operation of an SCG mobile waste water treatment system, including diagram/description details was received March 5, 2025.
7. Environmental Liability Insurance coverage and financial assurance effective March 5, 2025.
8. A copy of Cox's Construction Health Safety and Environmental Contingency Plan, submitted to the Department on March 5, 2025.

Emergency & OHS Preparedness

9. Cox's Construction shall maintain a health and safety environmental contingency plan and submit annual updates for review and approval by the Department.
10. Cox's Construction 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 wastewater treatment system are made fully aware of the terms and conditions which pertain to this approval.
11. All responsible personnel who are directly involved with operation and maintenance of the processing system shall be provided copies of this approval.
12. For after-hours emergencies and spill reporting call: **1-800-563-9089**.
13. All appropriate health and safety procedures shall be constantly maintained at the site in accordance with applicable legislation.

Further Assessment

14. 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.

Digital Government and Service NL

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

Legislation

16. The activities associated with this operation may involve, but not be limited to, the following provincial Acts and Regulations and their successors:
- *Dangerous Goods Transportation Act*
 - *Fire Prevention Act, 1999*
 - *Environmental Protection Act, 2002*
 - *Air Pollution Control Regulations, 2004*
 - *Storage and Handling of Gasoline and Associated Products Regulations, 2003*
 - *Used Oil and Used Glycol Control Regulations, 2018*
 - *Water Resources Act, 2002*
 - *Environmental Control Water and Sewage Regulations, 2003.*
17. The activities associated with this operation may involve, but not be limited to, the following federal Acts and Regulations and their successors:
- *Canadian Environmental Protection Act, 1999 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*

Financial Assurance

18. Valid environmental liability impairment insurance in the minimum amount of \$1,000,000 shall be maintained otherwise this approval is null and void.
19. A surety bond specific to the operations of this mobile wastewater treatment unit, in the amount of \$20,000, shall be on file with the Department, otherwise this approval is null and void.
20. Annual updates of the financial assurance documents shall be filed with the Department.
21. Cox's Construction shall provide the Department with three months advance notice if they intend to cancel and/or change the insurer or bonding agent.

Spill Prevention

22. 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.

Oily Water & Used Oil Holding Tanks

23. Oily water and waste oil holding tanks shall be approved by DGSNL as per the *Used Oil and Used Glycol Control Regulations*.

Effluent Monitoring Program – Mobile Location

24. Two (2) business days prior to the experimental, industrial and/or property remediation application of this unit, Cox's Construction shall provide the Department and the local DGSNL office with a **Notification of Wastewater Treatment** form located in Appendix B.
25. The effluent monitoring and discharge criteria will be based on the duration of discharge and the location of discharge as identified in the **Notification of Wastewater Treatment** form located in Appendix B. Effluent discharged to the environment is subject to Schedule A of the *Environmental Control Water and Sewage Regulations*. Effluent discharged to a municipal sewer system with sewage treatment is subject to Schedule B of the *Environmental Control Water and Sewage Regulations*.
26. Monitoring requirements and criteria for discharge to the environment are shown in **Table 1**.
27. Monitoring requirements and criteria for discharge to a municipal sewer system are shown in **Table 2**.
28. Discharge to a municipal sewer system requires permission from the municipality.
29. Cox's Construction may transfer collected wastewater to another approved wastewater treatment facility, provided they have permission from the facility.

Table 1: Discharge to the Environment

Location ¹	EDMS Code ²	Frequency	Parameters	Criteria ³
To be Determined	To be Determined	Within the first 24 hours of discharge of each batch and once per week for the duration of discharge.	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
<div>1. Location will be determined once Notification of Wastewater Treatment form is received.</div> <div>2. Following receipt of the Notification of Wastewater Treatment form the Department will provide the EDMS Code.</div> <div>3. Criteria is measured in mg/L unless noted directly in the Table.</div>				

Table 2: Discharge to a Municipal Sewer System

Location ¹	EDMS Code ²	Frequency	Parameters	Criteria ³
To be Determined	To be Determined	Within the first 24 hours of discharge of each batch and once per week for the duration of treatment.	pH	5.5-9 pH units
			BOD	300
			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
<div>1. Location will be determined once Notification of Wastewater Treatment form is received.</div> <div>2. Following receipt of the Notification of Wastewater Treatment form the Department will provide the EDMS Code.</div> <div>3. Criteria is measured in mg/L unless noted directly in the Table.</div>				

30. Upon completion of the treatment project, Cox's Construction shall confirm to the Department and DGSNL that the information contained in the **Notification of Wastewater Treatment** form is correct. Updated information on dates and flow volumes, discharge location, etc., shall be provided as required

Laboratory Analysis & QA/QC

31. 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 Laboratory Policy PD:PP2001-01.2* (available at http://www.env.gov.nl.ca/env/env_protection/index.html)
32. In-house laboratories have the option of either obtaining accreditation or submitting to an annual inspection by a representative of the Department, for which Cox's Construction shall be billed for each laboratory inspection in accordance with Schedule 1 of the *Accredited Laboratory Policy (PD:PP2001-01.02)*. Recommendations of the Department stemming from the annual inspections shall be addressed within 6 months; otherwise further analytical results shall not be accepted by the Department.
33. If Cox's Construction 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. If using a commercial laboratory, Cox's Construction shall contact that commercial laboratory to determine and to implement the sampling and transportation QA/QC requirements for those activities.
34. The exact location of each sampling point shall remain consistent over the life of the monitoring programs, unless otherwise approved by the Department. Using a GPS or similar device, the northing and easting of each sampling location shall be recorded and submitted to the Department.
35. Cox's Construction shall bear all expenses incurred in carrying out the environmental monitoring and analysis required under conditions of this Approval.

Monitoring Alteration

36. The Department has the authority to alter 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.
37. The proponent may, at any time, request that 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.
38. The requirements of this Approval shall remain in effect until altered, in writing, by the Department.

Reporting

39. 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 EDMS web portal. The Pollution Prevention Division shall provide details of the portal web address and submission requirements.
40. Each monthly report shall include a summary of all environmental monitoring components and shall include an explanation for the omission of any requisite data. The monthly summary reports shall be in Microsoft Word or Adobe PDF and shall be uploaded through the EDMS web portal with the data submissions. If there is no wastewater treatment performed in the month, Cox's Construction shall indicate that there were no activities and provide this information to the Department.
41. An annual report shall be submitted to the Department and DGSNL by January 31, of the following year summarizing all of the wastewater treatment system transactions, laboratory results, inventory of all wastewater streams for the previous year. Also, this report shall include the current insurance and bonding documents as specified in the **Financial Assurance** section and any updates to the *Contingency Plan* as discussed in the **Emergency & OHS Preparedness** section of this approval.
42. 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
 - public complaints concerning possible non-compliance
- shall be immediately reported, within one working day, to a person or message manager or facsimile machine to the regional DGSNL.
43. A written 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. 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

44. This approval expires as indicated on March 31, 2028.
45. Should the proponent wish to continue to operate beyond this expiry date, a written request shall be submitted to Department for the renewal of this approval. Such request shall be made 2 months prior to expiration.

c.c.

Chris Parsons, Manager
Operations and Environmental
Protection
Department of Digital Government and Service NL
chriswparsons@gov.nl.ca

Robert Locke
Director
Pollution Prevention Division
Department of Environment and Climate Change
Email: rlocke@gov.nl.ca

Haseen Khan
Water Resources Management Division
Department of Environment and Climate Change
Email: hkhan@gov.nl.ca

Heather Jesso
6 Bruce Street
Mount Pearl,
Newfoundland and Labrador
A1N 4T3
heather.jesso@canada.ca

Appendix A Used Oil and Sludge

1. Within the province, used oil may be delivered to an approved used oil storage facility.
2. Approved used oil combustion facilities in the province may have restrictions as to the classes of used oil which may be combusted.
3. Hazardous, contaminated or any class of used oil shall be 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.
4. Where possible, the operator of a used oil 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 contaminating the used oil that has been collected.
5. Used oil collectors and transporters are prohibited from blending used oils with virgin oil in an effort to meet the specification levels for used oil combustion.
6. Records of the volume of used oil transferred for combustion or treatment and for shipment out of province, the date of the transaction, and the person/company that received the used oil 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 by officials of DGSNL.
7. An annual summary of the records of used oil collected and transferred shall be provided to DGSNL in electronic or hard copy form by January 31 of the following year.

Sludge and/or Solid Hazardous Waste

8. Until confirmed to be non-hazardous, all potentially hazardous waste shall be placed in corrosion resistant and leak proof containers and placed in storage on an impermeable surface. These containers shall be covered to prevent the infiltration of precipitation. Containers shall be inspected on a weekly basis and those leaking or showing signs of deterioration shall be replaced or repaired immediately.
9. Prior to landfill disposal, all solid wastes generated by the treatment system shall have an adequate chemical analysis performed to verify they do not contain hazardous constituents. Where concentrations of contaminants are within acceptable limits as per the latest edition of the CCME recommended Canadian Soil Quality Guidelines, as outlined in the latest edition of the CEQG for commercial and/or industrial land use, the waste is not considered hazardous and may be disposed of to a landfill with the approval of DGSNL and landfill owner/operator.
10. For parameters not included in this document refer to the CCME September 1991 Interim Canadian Environmental Quality Criteria for Contaminated Sites. Where

one or more contaminants are in excess of the CSQG, the wastes must be further tested using the US EPA Method 1311, the TCLP or other procedure as determined by the Department.

11. Wastes failing the TCLP are considered hazardous and will not be approved for landfill disposal in this province and will require hazardous waste manifesting before shipment. For wastes meeting the TCLP criteria, a copy of the laboratory results shall be forwarded to DGSNL with a request for landfill disposal.
12. Hazardous wastes are those which are corrosive, reactive, flammable, ignitable, carcinogenic, teratogenic, mutagenic, infectious, oxidizing, radioactive, explosive, poisonous/toxic (acute and chronic), bio-accumulative, persistent, TCLP defined leachable, or any waste which does not meet any of the above criteria but has other properties of concern which are significant enough to consider the material to be hazardous.
13. Municipal and industrial landfills in this province are not permitted to accept hazardous waste materials. Where there exists any doubt regarding the properties of a given waste, consultation with DGSNL is required prior to disposal.
14. Non-hazardous wastes are approved for landfill disposal with the permission of a local Service NL office and the landfill site owner/operator.

Appendix B - Notification of Wastewater Treatment

SNL office: _____ Date: _____
 Treatment Company: _____ Treatment Date(s): _____
 Contact Name: _____ Phone: _____
 Treatment Unit: _____ Approval Number: _____

Type and Source of Wastewater (describe):

Total Volume: _____ Proposing Rate: _____

Are Pre-treatment Lab Results Attached? Yes ☐ No ☐

Describe Treatment Site/Plan (location, adjacent water body, adjacent land usage, zoning, etc.)

Point of Discharge & Receiving Environment

Waterbody ☐ Sewer: ☐
 Fresh ☐ Storm: ☐
 Marine ☐ Sanitary ... Sewage Treatment? Yes: ☐ No: ☐
 Name: _____ If "No", sewer outfall discharges to: Fresh : _____ or Marine: _____

Approval from Sewer System Owner/Operator Yes: ☐ No: ☐ N/A: ☐

Additional Information

Signature: _____ Date: _____

