



APPROVAL TO OPERATE

I-10385

Pursuant to paragraph 8(1) of the *Water Quality Regulation - Clean Environment Act*, this Approval to Operate is hereby issued to:

McLaughlin Soil Management Facility Ltd.
for the operation of the
Bioremediation Pilot Projects

Description of Source: **Grand Falls Petroleum Contaminated Soil Treatment Facility**

Source Classification: **Fees for Industrial Approvals Regulation - Clean Water Act** **Class 4**

Parcel Identifier: **65222887**

Mailing Address: **304 Kelly Road
Grand Falls, NB E3Z 1K3**

Conditions of Approval: **See attached Schedule "A" of this Approval**

Supersedes Approval: **I-8600**

Valid From: **January 22, 2019**

Valid To: **January 21, 2024**

Recommended by: 

Issued by: 
for the Minister of Environment and Local Government

January 14, 2019
Date

SCHEDULE "A"

A. DESCRIPTION AND LOCATION OF SOURCE

McLaughlin Soil Management Facility Ltd. operates a petroleum contaminated soil (PCS) treatment facility in Grand Falls, NB treating PCS by ex-situ bioremediation. In the ex-situ bioremediation process, petroleum contaminated soil is piled onto an impermeable liner to form bioremediation treatment cells where microbial activity is enhanced through the introduction of moisture, selected nutrients, and oxygen, to biodegrade the petroleum contaminants. The Facility has a site capacity of 30,000 tonnes of PCS.

There exist *potential* environmental impacts from: 1) loss of petroleum from the concrete receiving pad and the treatment area; 2) spillage of petroleum from PCS during handling at the site; and 3) petroleum contamination of surface water or local groundwater due to runoff.

This approval constitutes approval for McLaughlin Soil Management Facility Ltd., to undertake pilot projects for the purpose of enhancing the application of their ex-situ bioremediation process at the Grand Falls Bioremediation Facility located on Parcel Identifier (PID) #65222887, located in Grand Falls, County of Victoria, and in the Province of New Brunswick. This approval is hereby approved under the *Water Quality Regulation-Clean Environment Act*, **subject to the following:**

B. DEFINITIONS

"Approval Holder" means McLaughlin Soil Management Facility Ltd.

"Department" means the New Brunswick Department of Environment and Local Government.

"Director" means the Director of the Authorizations Branch of the Department of Environment and Local Government and includes any person designated to act on the Director's behalf.

"Inspector" means an Inspector designated under the *Clean Air Act*, the *Clean Environment Act*, or the *Clean Water Act*.

"Facility" means the property, buildings and equipment as identified in the Description of Source above, and all contiguous property in the title of the Approval Holder at that location.

"environmental emergency" means a situation where there has been or will be a release, discharge, or deposit of a contaminant or contaminants to the atmosphere, soil, surface water, and/or groundwater environments of such a magnitude or duration that it could cause significant harm to the environment or put the health of the public at risk.

"after hours" means the hours when the Department's offices are closed. These include statutory holidays, weekends, and the hours before 8:15 a.m. and after 4:30 p.m. from Monday to Friday.

"normal business hours" means the hours when the Department's offices are open. These include the period between 8:15 a.m. and 4:30 p.m. from Monday to Friday excluding statutory holidays.

"Petroleum Contaminated Soil (PCS)" for the purpose of this Approval means soil that has come in contact with any petroleum product(s) except bunker C free product, asphalt and crude oil, because of spillage, leakage or other means, and has a Total Petroleum Hydrocarbon concentration greater than 20 mg/kg, or has a concentration of Benzene greater than 0.5 mg/kg.

"Petroleum Product" means a mixture of hydrocarbons, or their by-products, of any kind and in any form, including airplane fuel, asphalt, bunker C oil, crude oil, diesel fuel, engine oil, fuel oil, gasoline, kerosene, lubricants, mineral spirits, naphtha, petroleum based solvents regardless of specific gravity, transformer oil and waste petroleum products and excluding propane and paint.

"Pilot Project" for the purposes of this approval means any ex-situ bioremediation process that is being used to treat anything other than Petroleum Contaminated Soil as defined in this approval.

C. TERMS AND CONDITIONS

GENERAL

1. This Facility has been classified as a **Class 4** Facility, pursuant to the *Fees for Industrial Approvals Regulation 93-201* filed under the *Clean Water Act*. The Approval Holder shall pay the appropriate fee **on or before April 1 of each year**.
2. The issuance of this Approval does not relieve the Approval Holder from compliance with other by-laws, federal or provincial acts or regulations, or any guidelines issued pursuant to regulations.
3. The Approval Holder shall notify the Department **within 30 days** of any change in its name or address.

4. The Approval Holder must apply in writing to the Department for any modifications to the source that would change the currently approved composition and/or quantity of contaminants being discharged to the environment. Such application must be received by the Department **at least 90 days** prior to the planned modifications.
5. The terms and conditions of this Approval are severable. If any term and/or condition of this Approval is held invalid, is revoked or is modified, the remainder of the Approval shall not be affected.
6. The Approval Holder shall ensure that a copy of this Approval, including all attached Schedules, is posted in a prominent location in the office or working area of the Facility.

EMERGENCY REPORTING

7. Immediately following the discovery of an environmental emergency, a designate representing the Approval Holder shall notify the Department in the following manner:

During normal business hours, telephone the Department's applicable Regional Office **until personal contact is made** (i.e. no voice mail messages will be accepted) and provide all information known about the environmental emergency. The telephone number for the Regional Office is provided below:

Grand Falls Regional Office (506) 473-7744

After hours, telephone the Canadian Coast Guard **until personal contact is made** and provide all information known about the environmental emergency. The telephone number for the **Canadian Coast Guard is 1-800-565-1633**.

8. Within 24 hours of the time of initial notification, a copy of a Preliminary Emergency Report shall be faxed, by a designate representing the Approval Holder, to the Department's applicable Regional Office *as well as* the Department's Central Office using the fax numbers provided below. The Preliminary Emergency Report shall clearly communicate all information available at the time about the environmental emergency.

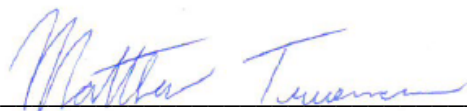
Within five (5) days of the time of initial notification, a copy of a Detailed Emergency Report shall be faxed, by a designate representing the Approval Holder, to the Department's applicable Regional Office *as well as* the Department's Central Office using the fax numbers provided below. The Detailed Emergency Report shall include, as a minimum, the following: i) a description of the problem that occurred; ii) a description of the impact that occurred; iii) a description of what was done to minimize the impact; and iv) a description of what was done to prevent recurrence of the problem.

Grand Falls Regional Office Fax No: (506) 475-2510
Central Office Fax No: (506) 453-2390

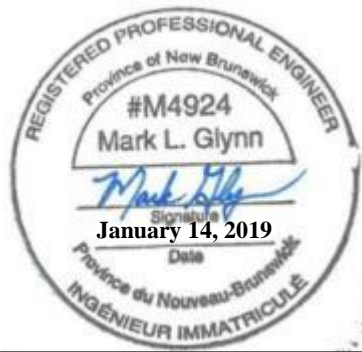
MATERIALS MANAGEMENT

9. The Approval Holder shall ensure that each Pilot Project that is to be undertaken under the authority of this approval shall have an Information Report prepared and submitted to the Department for review and written approval from the Director of the Authorizations Branch prior to proceeding. As a minimum the subject Information Report shall include, but not be limited to the following written information:
- i) Characterization of the waste stream to be treated. This shall include as a minimum the origin of the waste stream to be piloted; the amount in tonne of the waste stream; and the contaminants, expressed in concentrations (mg/kg), in the waste stream;
 - ii) Storage and handling of the waste stream. This shall include as a minimum a description of how the material is being stored on the site and handled through the ex-situ bioremediation process, providing details regarding any mixing, sampling and testing to be completed to provide confirmation on the success of the pilot project using the ex-situ bioremediation process;
 - iii) Planned schedule for the pilot project from beginning to end; and
 - iv) Contingency plan to deal with any wastes generated as a result of the pilot project.
10. In the event the Approval Holder violates any Term and Condition of this Approval or the *Water Quality Regulation*, the Approval Holder is to immediately report this violation by facsimile to the Department's applicable Regional Office and the Central Office in Fredericton at **(506) 453-2390**. In the event the violation may cause the health or safety of the general public to be at risk and/or significant harm to the environment could or has resulted, the Approval Holder shall follow the Emergency Reporting procedures contained in this Approval.

Prepared by: _____



Matt Trueman, EIT
Approval Coordinator, Authorizations Branch



Reviewed by: _____

Mark Glynn, P.Eng.
Manager, Permitting South
Authorizations Branch