Land Based Spill Preparation and Response in BC Review

Summary of Pre-Symposium Survey Responses – March 2013

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A. Common Themes (overall)

- Increased communication, cooperation and understanding would help to overcome barriers, as well as support symposium outcomes
- Symposium participants are seeking to improve understanding of government direction and the roles of government, industry, communities, First Nations and the public in spill preparation and response standards
- There is an opportunity to build on existing standards to establish consistency across industry sectors and throughout the province – through information sharing and collaboration among provincial and federal agencies, as well as other jurisdictions

B. Common Themes – Question 3: information desired or information to share

- How to identify world leading standards and what will be proposed for British Columbia
- Understanding of primary response organizations – in BC and elsewhere
- Understanding of alternative funding mechanisms, responsibilities between private and public sectors and best practices – in BC and elsewhere
- Risk assessment and fairness in application across industries
- Inter-agency and cross-border coordination, engagement and communication tools (e.g., web based geographic response plans)

C. Common Themes – Question 4: key elements of a world class regime

- Standardized components and best practices (e.g., authority, structure, process, accountability)
- Comprehensive, cooperative, coordinated and collaborative (inclusive of First Nations and other communities)
- Demonstrated response capacity – technical expertise, training and experience
- Funding
- A science and research & development program

D. Common Themes – Question 5: challenges or constraints

- Coordination – e.g., between provincial and federal agencies
- Funding – levels, sources, governance, long-term
- Distribution of resources – consistency and access for smaller communities and interior of province
- BC's terrain and weather
- Roles and responsibilities – for government and industry
- Baseline information for environmental quality and monitoring of industrial activity – to support preparation and response effort

E. Common Themes – Question 6: opportunities or strengths

- [Opportunity for] Engagement, cooperation and collaboration – government agencies (federal and provincial), First Nations, communities
- Building on existing experience and system (e.g., oil and gas sector, marine spill response system) and the experience of other jurisdictions
- Exchange and cross-coverage between industry organizations
- GIS and web based tools
- Increased study and research [opportunity] – with level of new and proposed development

F. Common Themes – Question 7: questions to be discussed at symposium

- What are the expected outcomes for the initiative?
- What funding mechanisms will government be proposing?
- How will First Nations and federal and local government interests be addressed?
- How will this affect my organization? What costs will be involved?
- Will major industry groups be able to work together (e.g., oil & gas, railways, pipelines, road transport, shipping)?

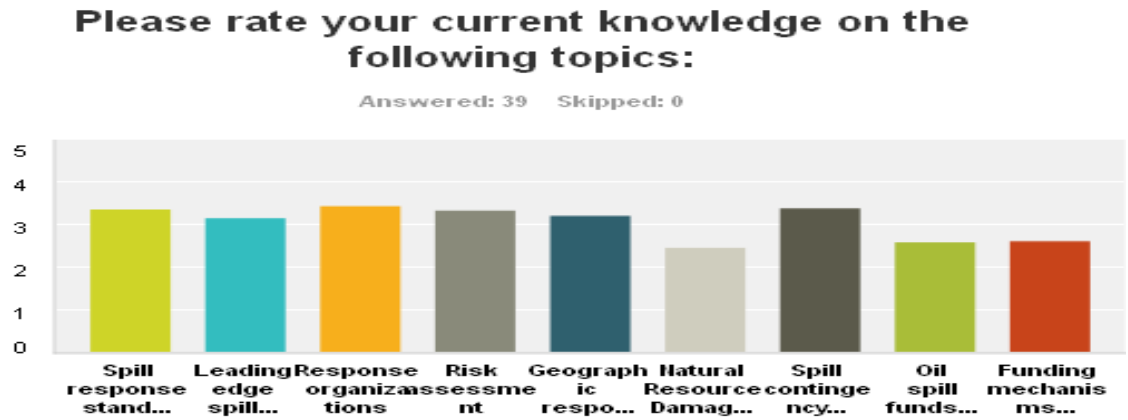
G. Common Themes – Question 8: how will you measure success?

- Shared information, insights, common understandings, contacts
- Common ground on "big picture" framework and next steps
- Clear messaging re roles and responsibilities

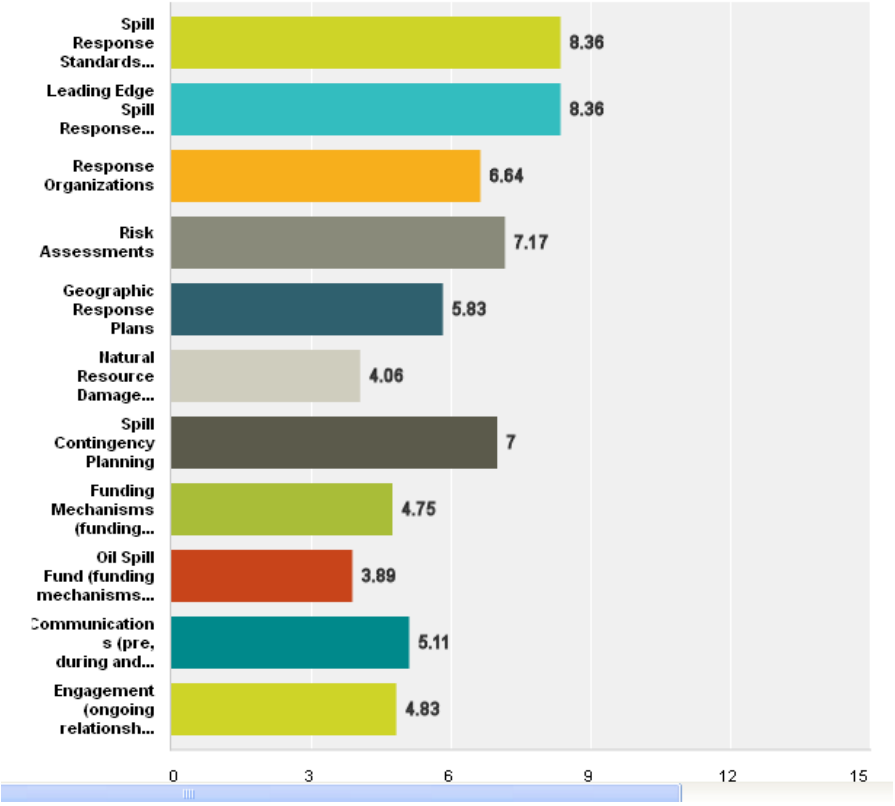
Compilation of Responses (by question)

Question 1: Please rate your current knowledge on the following topics: (5-"Expert" 0-"None")

Respondents indicated a significant degree of knowledgeable on all topics, with few respondents considering themselves "expert" in one or more topic. Respondents were least knowledgeable on the topics of natural resource damage assessment, oil spill funds and funding mechanisms.



Question 2: The following spill response topics will be on the agenda at the symposium. Rank these according to you or your association's priorities for discussion, from highest (1) to lowest (11).



Q 3 Based on your rankings in the previous question, provide the following additional information for each of your top three priority topics. If your knowledge of this topic is low, briefly describe specifically what information you hope to receive on the topic during the symposium. If your knowledge of this topic is high, briefly describe what information or expertise you are able to contribute BEFORE the symposium to other participants.

- From U.S. perspective, seek better understanding of primary response organizations for B.C., mechanisms for cross-border communications on response, resources at risk and resource protection, and better understanding of Canadian response standards/requirements.
- 1) Funding, what models. Where authority rests, risk management, where accountability lies, cost benefit analysis, transparency re use of funds. 2) Leading edge response what is leading edge. 3) Response standards, these are my terms of reference. Expertise; Economist, 10+ yrs. experience purchasing transport. I am very familiar with vendor's response capabilities whether developed in-house or contracted via commercial responders. I have training/simulation in response and practical experience.
- How jurisdictions outside Canada have funded spill response and oil spill fund. 2) How other jurisdictions have divided responsibilities between privately funded and managed spill response organizations and public sector spill response 3.) How jurisdictions have ensured funding for spill response is based on risk associated with a potential polluters operations
- Environmental endpoints for clean-up and remediation need to be established ahead of time. Note that these are different than initial response clean up.
- We're hopeful that the symposium will provide more information and context as to why the program BC MOE is proposing is relevant and how it will respond to an existing gap or problem.
- Looking for BC specific. I am generally familiar but not in BC
- I would like to learn about the regulatory framework of risk assessments and NRDAs, best practices from around the world in all three; and the gaps between current law and practice in BC and those best practices.
- Our members are the response organizations, so the organization of those organizations, and how they are currently (and probably should be) engaged is an important topic for discussion. The standards they need to hold are a high priority to get sorted out as well.
- How do we identify best practices across operating areas/regulatory regimes? How do we measure/validate?
- ADEC [Alaska Department of Environmental Conservation] has created an interactive web map with information contained in our Sub area Contingency Plans. The information includes base maps, sensitivity indexes, critical habitats, response equipment container locations, Potential Places of Refuge, and Geographic Response Strategies. I would like to provide a short write up and URL: www.dec.state.ak.us/spar/perp/grs/home.htm
- Update on what the standards are and perhaps will be 2 & 3. How seasonal challenges will be acknowledged along with issues of fast moving mountain streams, lack of access to shorelines and issues like spring break up will be dealt with.
- The level of spill response capability required for a particular site.

Spill Contingency Planning - I have materials on how we do interagency spill planning in Washington State. I am hoping to increase our coordination with BC since Environment Canada has reduced their program. 2 - Engagement - we have fact sheets that have been developed for WA, Oregon and Idaho. I am interested in hearing new ideas for Tribal engagement, as we struggle with that. 3 - Communications - we need to improve this, and I am looking for new ideas.

- Interest in emerging technology like the Crucial Skimmer; interest in other govts contingency planning; would like to understand engagement mechanisms used (social media, liaisons, etc.)

Q 4 In your opinion, what are the key elements that would create a world class spill preparedness and response regime in British Columbia?

- Standardized fundamental components within emergency planning (e.g., authority, structure, process and accountability). Clearly written protocols that are applied consistently.
- Standardized fundamental components within environmental emergency planning, e.g. Authority, Structure, Process and Accountability
- The right tools, in the right place, with much training and coordination.
- System that requires all businesses that have spill risk to enter into agreements with response organizations; rigorous Standards for Spill Response Organizations; Fund to ensure spill response is funded immediately and is not de-railed by disputes re: responsibility or funds of SROs.
- Preparedness plans that match level of risk/volumes, establish ecological baselines and endpoints for restoration, and energy planning that shifts our society away from fossil fuel dependency.
- Experienced expertise, up to date technology and incorporating environmental stewardship principles and involving the public
- Understanding what each industry has, limitations and abilities. Getting past the egos and agendas and working as a unified entity
- Collaboration; some parts already exist
- Response timing
- Excellent coordination among Coast Guard, B.C., First Nations, environmental community and stakeholders
- Need to DEFINE what World Class means, so it can be measured against.
- Development of one-window reporting. Clear protocols and identification of necessary response activities with an identification of the government departments and personnel involved.
- Regulatory cooperation, and coordination, and transparency with industry and other stakeholders.
- Spill response that is effective using all available tools

- Polluters are 100% responsible for spills • The fund is large enough to cover 100% of costs in the event of a large scale spill, including wildlife rescue and ecosystem recovery • There is sufficient staffing at the provincial level to manage, and respond to spills in BC.
- Funding mechanisms, universal best practices, GRPs
- Experience, technical expertise, technology and training
- Assurance that the relevant sectors have the appropriate management systems in place to demonstrate that they have the appropriate processes and procedures for responding to and addressing land-based spills.
- Commitment, Knowledge, Political support
- Involvement of FN and non-Aboriginal communities, and the general public; the involvement of non-government organizations; the oversight of an independent watchdog comprised of members of the public, industry, FNs and non-government environmental organizations.
- Robust coverage, proper communication and leading edge spill response techniques.
- Planning and funding of the plan along with construction standards that are world class
- Demonstrated capability to mount a worst case discharge response.
- Cooperative, comprehensive response approach; business funded
- Adequate resources to provide world class response and follow up monitoring.
- From an interagency/transboundary perspective I'm looking forward to the transition to the ICS system.
- A good science and R&D program are important in establishing a world class system
- Spill expertise and equipment.
- Communication of Best Practices. Dedicated funding for response
- Close coordination and exercises between regulators and industry. High response standards for industry to meet. Frequent exercises.
- Funding for oversight of planning and response; reasonable but conservative (i.e. high) response planning standard volumes; good technically and organizationally developed spill response organizations

Q5 What is the key challenge or constraint to developing such a regime in B.C.?

- Agreements in principle and standardized process
- Seamless integration of responders, ensuring high standards are set and met, ensuring there is heavy emphasis on training and simulating.
- Resistance from industry due to costs.
- At an overarching society scale: political will & cultural focus on short term profit at the expense of future generations. At a lower, more specific scale: one key challenge is the lack of a well established, robust baseline for environmental quality conditions i.e. a lack

of an extensive monitoring & reporting network appropriate for the level of industrial activity currently underway.

- current views on spill response and failed attempts such as the ferry sinking at Gil isle
- Coordination
- Federal vs. Provincial
- Reasonable costs vs. risks
- Coordination between Coast Guard and BC.
- Funding, Government oversight (enforcement and audit) and industry collaboration.
- A long-term, funded regime with a commitment to expertise and capacity.
- Clarity and coordination, and availability and distribution of resources.
- misinformation on what currently exists and is available, prevent duplication
- Ensuring that polluters pay enough into the fund for clean up of spills • Ensuring that there is enough response capabilities in small, rural, coastal communities to deal with large scale spills.
- Funding, communication, lack of strategic pre-planning
- Funding transfers from sectors already meeting full requirements
- Clarifying roles and responsibilities of government and industry. Currently industry leads a number of approaches to spills and response programs. Will the initiative BC require a rebalancing of responsibilities? Is there sufficient precedence in place to underline a greater role for government?
- Financial Support
- Pressure from Canada and industry to water down a spill response regime; funding.
- Lack of resources from communities, private industry and government. There are not many people in the Province dedicated to spill preparedness and response.
- Reality of terrain and seasonal challenges of cold winters and fast moving streams
- Acknowledging gaps, building a tiered capacity.
- Free riders
- Political will to support such Government oversight. Reluctance of Industry to pay towards such a regime. Industry will fight to keep the status quo. This likely will be driven by Lower Mainland, Vancouver Island and Coastal concerns with the remainder of the Province largely ignored
- Various funding and governance models will provide a challenge
- Funding and proper training
- Probably funding
- I'm not familiar with politics in BC
- Unknown

Q6 What are the key opportunities and strengths to be considered in developing such a regime in B.C.?

- There is an excellent opportunity to learn from the success achieved in similar processes (e.g. self assessment audits that have been used in Occupational Health and Safety) and the opportunity to create a level playing field for all by creating standardization of the environmental emergency planning process.
- We are not starting from scratch.
- Building on model for Marine spills under the *Canada Shipping Act*
- Deeper engagement, cooperation and collaboration amongst government agencies to establish an effective monitoring &reporting network that is appropriately resourced, has clear objectives, is used to inform adaptive management, is continually improved, is transparent and is well coordinated and communicated with clear expectations. In order to do this, it is essential to have current environmental guidelines and criteria for various ecological compartments and contaminants.
- Making first nations part of the solution closes the door on environmentalists pursuing their own agenda
- As in 4, that there are resources outside that of the government and WCMRC. These should be investigated, documented and used as required. Coordination of resources is what will make response effective
- Look at best practices that apply ALL Dangerous Goods
- Existing oil & gas programs
- Utilize lessons learned from Deepwater Horizon and Pacific States/BC Oil Spill Task Force
- Effective models exist in the US.
- Oil and Gas activities are primarily regulated by one agency, and as such, spill response can be coordinated in the same manner.
- Industries have developed programs that are effective and we have many good practices
- Key opportunity - development of consultation framework with impacted stakeholders
- Sharing best practice and maintaining consistency
- Leverage existing resources and approaches applied by industry.
- Environmental value, awareness
- Best practices and experiences from around the world.
- Opportunities lie in coordinating cross-coverage between industry organizations. Transparency in spill response capabilities would make a big difference to a lot of analysis and community outreach that needs to take place.
- Planning and funding
- You are essentially starting from whole cloth. There is a great deal of focused attention/energy on the issue & lessons from other regimes.

- Strong spill response systems north and south of BC
- The "bones" of a Program are there. It needs to be developed but it can't be a large bureaucratic Planning monster in Victoria. It must exist and function with adequate resources in the Regions
- I think GIS and web mapping have amazing potentials for improving decision making during a response and public outreach. This is a relatively new field and BC could easily become a progressive response community by considering the potential of GIS.
- Planned and future pipeline work in the province. Opportunities to study/research spill impacts, etc.
- Collaboration with the Federal Government, Transport Canada and Canadian Coast Guard
- Industry may be on best behavior because they want approval for construction, may be amendable to aggressive preparedness programs
- Industry funded government programs and spill response organizations

Q7 What specific questions do you have regarding this process that you would most like to discuss at the symposium?

- What will be the next steps after the symposium, how can I stay involved in the process?
- I am very interesting in understanding the funding mechanisms that the government will be proposing.
- Can we develop clear, consistent environmental performance measures (e.g.: attainment of water, sediment and tissue quality guidelines & no detectable impact on ecosystem functioning) for monitoring, reporting and long term restoration? This would manage proponents' expectations, increase their capacity to provide the best possible response for environmental protection, avoid externalizing costs to taxpayers & society and eliminate costly incident-by-incident oversight by regulatory agencies.
- Spill response does have provincial, federal and industry interests but at the end of the day, where do you see First Nations participation?
- How will the federal jurisdiction would ancre itself to a new BC Regime
- I want to know how this will affect my organization. I also want to know how the government plans to coordinate response to be effective
- Questions will arise during presentations and discussions
- Sharing of knowledge of what practices are currently in place
- If emergency management is a shared responsibility, does this mean that local governments will be required to share in the costs and clean up efforts?
- Trying to understand if oil is the prime issue versus all DG
- What process? The initiative or the symposium? To what extent can the government articulate the potential expected outcomes for this initiative? What will supplementary resources from industry be spent on? How will these activities add value?
- How will the process go forward, what is the commitment

- Will a spill response framework have at its ultimate goal the complete restoration of spill sites and affected lands, water systems and species.
- Most will be covered, and discovered, in the working group beforehand. I am most interested in finding out how the government plans on ensuring that companies do what they say, and that the spill responders are properly trained with adequate equipment as well.
- I have concerns that the cost of this as a stand alone organization that may have no need operationally for long periods of time will be seen as not needed in the future and thus we need to understand how this organization will be funded, managed and have the most updated equipment needed.
- What needs to happen for all major business groups whose activities may cause land based spills to work together
- Will Response standards be applied equally through out the Province or will rural areas be largely ignored or remain status quo? Will these discussions truly be Land Based Spill Response or will the Urban and Coastal/Marine theme continue to dominate the conversation?
- How does BC plan to respond to a spill in Canadian waters, and how will that influence the impact to the US side of the border?
- Successes /failures of other regimes

Q 8 How will you and/or your organization measure the success of this symposium?

- Was there open discussion/learning and a tangible process for continuous improvement going forward?
- The extent to which we leverage our already considerable investment in response capability.
- Ability of MOE to take learnings from Symposium and provide clear recommendations as to what BC system should entail to be world class.
- That items 4,5,6 & 7 above are included and discussed
- If the full weight of aboriginal rights and title is measured and dealt with
- Having a better understanding of BC vision and identify common area of interest between BC and Federal government under a new regime
- When I feel that spill response has been dealt with at a provincial level, not at a provincial government or private spill response level. When the term "expert" is no longer a part of the spill response language.
- Cannot determine at this point
- Shared information
- Gain insights from varied group of participants
- Collaboration and partnering with interested parties to design solutions.
- Clear messaging outlining roles and responsibilities.

- If the dialogue is constructive
- If we come away with a clear understanding of the impact of the framework on local governments
- Creation of working groups, a strategic plan to move preparedness and response activities forward.
- Common ground on future framework and next steps
- Clarity on the relevancy of the proposed initiative and how it will address a gap or area for improvement.
- Understanding gained and response contacts
- Whether a spill response regime will engage FNs and ENGOs; whether it will require restoration (not just reclamation and remediation); how much participation in the symposium FNs and ENGOs have had.
- A successful gap analysis is shown to all participants that identifies where we need to provide better coverage as an industry. Then, action items for the government to commit to with industry to try and fill in the gaps with deadlines. Then buy-in from the "users".
- That we understand that this is well funded and planned. The cheapest parts of this idea is the symposium and this province has been cutting back on funding the stewardship of this province while handing out access to the resources
- Ability to foster consensus on at least "big picture" questions.
- Whether there is any political will to advance such a regime or if just "tweeking" what is there or abandoning the existing Program in favour of a Privatized scheme prevails.
- I'm looking forward to hearing ideas which could also be applied to improving Alaska's response framework.
- Short term success will be measured by the number of partnerships (learning and sharing of information) formed with BC ministries and stakeholders. Long term measure of success will be the actual implementation of symposium outcomes
- We are updating our own spill plan, and I hope to take away best practices as well as information related to the minimum requirements for spill response given the size of our facility and our own inherent risks.
- Relationships established with Canadian counterparts, new ideas received to improve spill response in US.
- Breadth of information - not just about one 'answer'