

# Lessons-Learned Report

Division 2.1 of the *Environmental Management Act* (EMA) outlines a series of provisions aimed at enhancing spill preparedness, response and recovery to better manage environmental emergencies in British Columbia. Division 2.1 of EMA enables the [Spill Reporting Regulation](#) (SRR) which outlines the reporting requirements for responsible persons following a spill incident. The SRR describes the reports that are required by responsible persons.

The Lessons-Learned Report is required only when ordered by a director and may be requested when the emergency response phase is complete and there is time to reflect on the effectiveness of spill response actions. The Lessons-Learned Report fulfils one of the core principles outlined in Division 2.1 of EMA, the development of a process for continuous improvement.

This document is designed to assist responsible persons in understanding and complying with the requirements of a Lessons-Learned Report if ordered to submit one.

## Who can be ordered to complete a Lessons-Learned Report?

Responsible persons are required to complete a Lessons-Learned Report if ordered by the director. In cases where the responsible person is also a regulated person, there are additional requirements for the Lessons-Learned Report.

## What must be included in the Lessons-Learned Report?

When ordered to complete a Lessons-Learned Report, the director will ask the responsible person specific questions about the spill and the response. In addition to this, the report must include:

- A description of the effectiveness of the spill response actions; and
- A description of actions taken to prevent future spills and improve the response to future spills.

If a responsible person is also a regulated person, the Lessons-Learned Report must also include:

- A description of any changes that the regulated person intends to make to their Spill Contingency Plan to improve the response to future spills.

## Emergency response completion date

The director may order the submission of a Lessons-Learned Report up to six months following the emergency response completion date.

The SRR outlines that the emergency response completion date for a spill is met when all the following criteria are complete:

- The Incident Command Post is disestablished;
- The source of the spill is under control and is neither spilling nor at imminent risk of spilling;
- Emergency actions to stabilize, contain, and remove the spill have been taken;
- The waste removed from the spill site has been received at a facility for disposal or received for transportation to a facility for disposal;
- If applicable, all notices respecting evacuations from the spill area have expired or been rescinded;

### Responsible Person

A responsible person has possession, charge or control of a substance or thing when a spill of the substance or thing occurs or is at imminent risk of occurring.

- All equipment, personnel, and other resources used in emergency spill response actions have been removed from the spill site other than equipment, personnel, or other resources required for:
  - Sampling, testing, monitoring, or assessing impacts at the spill site; and/or
  - Recovery or restoration of the spill site.

### **B.C. Energy Regulator Equivalency**

Responsible persons regulated under the *Energy Resource Activities Act 2008* and its associated Emergency Management Regulation and Pipeline Regulation are exempt from submitting Lessons-Learned Reports.

### **Fines and Penalties**

It is the responsibility of regulated persons, responsible persons and the owners of substances or things to understand and comply with EMA and its associated regulations.

This document is solely for the convenience of the reader and is intended to assist in understanding the legislation and regulations, not replace them. It does not contain and should not be construed as legal advice. Current legislation and regulations should be consulted for complete information.

Failure to be in compliance can result in convictions of fines and imprisonment, as outlined in EMA and its associated regulations.

### **Additional Fact Sheets**

Fact Sheets on other relevant topics are published by the Environmental Emergency Branch and available at:

[www.gov.bc.ca/spillresponse](http://www.gov.bc.ca/spillresponse)

The complete list of available Fact Sheets:

- 01 Regulated Person
- 02 Responsible Person
- 03 Spill Reporting
- 04 Lessons-Learned Report
- 05 Cost Recovery
- 06 Requirement to Provide Information
- 07 Spill Contingency Planning
- 08 Testing Spill Contingency Plans
- 09 Recovery Plan

**For more information, contact the Environmental Emergency Branch at [spillresponse@gov.bc.ca](mailto:spillresponse@gov.bc.ca)**