



July 2018

Spill Reporting

Report spills immediately

If a spill occurs or is at imminent risk of occurring, responsible persons must ensure that it is immediately reported to the Provincial Emergency Program (PEP)/ Environmental Management British Columbia (EMBC) by calling **1-800-663-3456**

Division 2.1 Spill Preparedness, Response, and Recovery of the *Environmental Management Act 2003* (EMA) is effective as of October 30, 2017. Section 91.2 of EMA identifies the requirements for spill reporting. The [Spill Reporting Regulation](#) prescribes the information that is required, as well as the time and manner in which it is required, when reporting spills.

This fact sheet is designed to help responsible persons understand reporting obligations should they be in possession, charge, or control of a substance when it spills or is at imminent risk of spilling.

A spill is defined by EMA as the introduction into the environment, other than as authorized and whether intentional or unintentional, of a substance or thing that has the potential to cause adverse impacts to the environment, human health, or infrastructure.

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

The Spill Reporting Regulation identifies three reports that responsible persons must make: (a) Initial Report, (b) Update to Minister Report, and (c) End-of-Spill

Report. Responsible persons may also be required to make a forth report, a Lessons-Learned Report, if ordered to do so by a director. The purpose of these four reports is to ensure the Ministry of Environment and Climate Change Strategy (the ministry) has the appropriate information necessary to assess spill impacts and fulfil oversight and regulatory roles and responsibilities.

The reports are in effect as of:

- Initial Report for all reportable spills required on/after October 30, 2017
- Update to Minister Report for all reportable spills as outlined in the Spill Reporting Regulation required on/after October 30, 2018
- End-of-Spill Report for all reportable spills required on/after October 30, 2018
- Lessons-Learned Report for all reportable spills if ordered by a director on/after October 30, 2017

This fact sheet addresses only the Initial Report in detail, but it will be updated prior to October 30, 2018 to provide information on how to complete the Update to Minister and End-of-Spill Reports. The Lessons-Learned Report is the subject of its own fact sheet.

Initial Report

Section 4 of the Spill Reporting Regulation outlines the information required in the Initial Report. An Initial Report must be made immediately if any of the following spill instances occur or is at imminent risk of occurring:

1. **A spill of any substance or thing that causes adverse impacts.** A release of a substance into the environment that may cause, is causing, or has caused an adverse impacts to, the environment, water, property, or human health and safety.
2. **A spill of a substance in excess of the quantity listed in the Spill Reporting Regulation.** If the volume spilled is equal to or greater than the minimum quantity outlined in the Spill Reporting Regulation, the spill is reportable. A list of substances and their reportable quantities is available in [Appendix 2: Prescribed substances and quantities for immediate spill reporting of this fact sheet](#).
3. **A spill is released into a body of water**
A spill, or risk of a spill, of any substance near or on water must be reported. A body of water is defined in the Spill Reporting Regulation and includes both marine and fresh bodies of water whether or not they usually contain water or ice, as well as streams, lakes, ponds, rivers, creeks, springs, aquifers, ravines, gulches, wetlands, and glaciers. The requirement to report a spill of a listed substance of any quantity also includes spills that enter a ditch that is not self-contained and connects to a body of water.

The Initial Report must be made immediately to Emergency Management British Columbia (EMBC) by calling 1-800-663-3456. Anyone can make the Initial Report, however, the responsible person must ensure that the report has been made. Appendix 1 of this fact sheet specifies the information that must be provided in the Initial Report.

Natural Gas

A release of natural gas is reportable if:

1. The spill is caused by a breakage in a pipeline or fitting operated above 100 pounds per square inch (psi) that results in a sudden release of natural gas; and
2. The amount of the spill is, or is likely to be, equal to or greater than 10 kilograms (kg).

Update to Minister Report | Required on/after October 30, 2018

Section 5 of the Spill Reporting Regulation outlines the requirement for Update to Minister Reports. Responsible persons must provide an Update to Minister Report if (a) it is requested by the minister; (b) conditions change from what was previously reported; or (c) every 30 days after the date that the spill began until such time that an End-of-Spill Report is to be made.

End-of-Spill Report | Required on/after October 30, 2018

Section 6 of the Spill Reporting Regulation outlines the requirements for an End-of-Spill Report. Responsible persons must submit a written report to the ministry within 30 days following the emergency response completion date of a spill.

Lessons-Learned Report | Required on/after October 30, 2017

Section 7 of the Spill Reporting Regulation outlines the requirements of a Lessons-Learned Report. Within six months following the emergency response completion date of a spill, a director may order a Lessons-Learned Report from the responsible person. This report must be submitted to the director in the manner and form specified by the director.

Responsibility to provide information

Section 91.2 (1) (b) of EMA stipulates that responsible persons must provide information to an officer when asked about a spill response. For example, an officer may request photographs of a spill from the responsible person.

Oil and Gas Exemption

The Oil and Gas Commission (OGC) supports the one window regulation of provincially regulated oil and gas activities. Responsible persons regulated by the OGC under the Emergency Management Regulation must provide an Initial Report to EMBC, but are exempt from the following requirements in the Spill Reporting Regulation:

- Section 5 Update to Minister Report
- Section 6 End-of-Spill Report
- Section 7 Lessons-Learned Report

Fines and Penalties

It is the responsibility of regulated persons, responsible persons, and the owners of substances or things that have the potential to spill 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, fines, and/or imprisonment, as outlined in EMA and its associated regulations.

Additional Fact Sheets

Fact sheets on other relevant topics are published by the Environmental Emergency Program (EEP) and available at:

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 Program at: spillresponse@gov.bc.ca

Appendix 1: Initial Report content

Report information	Description
1. Contact information of the individual making the report	First and last name, phone number, and email address
2. Contact information of the responsible person	First and last name, phone number, and email address
3. Contact information for the owner of the substance spilled	First and last name, phone number, and email address
4. Location, date, and time of the spill	Provide as much location specific information as possible (including: general directions, description of how to approach the area, latitude and longitude if available, street address, and the date and time in 24-hour clock format)
5. Description of the spill site and surrounding area	Provide a description of the receiving environment of the spilled material (for example, the area is wooded and the ground is soft; there are sensitive riparian areas that are at risk of contamination)
6. A description of the source of the spill	The container from which the material spilled (for example, fishing vessel, above- or below-ground storage tank, tanker truck, pipeline, or railcar)
7. Type and quantity of the substance spilled	An estimate of the amount of product spilled and a description of the product type, including product name, UN number, and Safety Data Sheet [SDS] (for example, diesel, UN 1202, 50 liters). If unknown, a description of the spill (for example, sheen or slick approximately 20 meters by 20 meters)
8. Cause and impact of the spill	The circumstances leading to the spill; the immediate cause as well as any contributing factors. May be a combination of the activity and the incident (for example, motor vehicle accident derailment, equipment failure, fire, human error, intentional/unauthorized release, natural occurrence, or unknown)
9. Details of the actions taken or proposed	Provide any necessary/ helpful details of the actions taken or planned (for example, what steps have been taken to contain the spill, which responders have been deployed, and when they will be on scene)
10. The details of further action contemplated or required	Provide any necessary/ helpful details regarding next steps, including response actions, deployment of additional resources, and monitoring activities

11. The names of agencies on scene	Any persons, government, federal government, local government, or Indigenous agencies
12. The names of other persons or agencies advised concerning the spill	Any persons, government, federal government, local government, or Indigenous agencies

Appendix 2: Prescribed substances and quantities for immediate spill reporting

Item	Column 1 Substance Spilled	Column 2 Specified Amount
1	Class 1, Explosives as defined in section 2.9 of the Federal Regulations ¹	Any quantity that could pose a danger to public safety or 50 kg
2	Class 2.1, Flammable Gases, other than natural gas, as defined in section 2.14 (a) of the Federal Regulations	10 kg
3	Class 2.2 Non-Flammable and Non-Toxic Gases as defined in section 2.14 (b) of the Federal Regulations	10 kg
4	Class 2.3, Toxic Gases as defined in section 2.14 (c) of the Federal Regulations	5 kg
5	Class 3, Flammable Liquids as defined in section 2.18 of the Federal Regulations	100 L
6	Class 4, Flammable Solids as defined in section 2.20 of the Federal Regulations	25 kg
7	Class 5.1, Oxidizing Substances as defined in section 2.24 (a) of the Federal Regulations	50 kg or 50 L
8	Class 5.2, Organic Peroxides as defined in section 2.24 (b) of the Federal Regulations	1 kg or 1 L
9	Class 6.1, Toxic Substances as defined in section 2.27 (a) of the Federal Regulations	5 kg or 5 L
10	Class 6.2, Infectious Substances as defined in section 2.27 (b) of the Federal Regulations	1 kg or 1 L, or less if the waste poses a danger to public safety or the environment
11	Class 7, Radioactive Materials as defined in section 2.37 of the Federal Regulations	Any quantity that could pose a danger to public safety and an emission level greater than the emission level established in section 20 of the "Packaging and Transport of Nuclear Substances Regulations"
12	Class 8, Corrosives as defined in section 2.40 of the Federal Regulations	5 kg or 5 L

¹'Federal regulations' refer to the Transportation of Dangerous Goods Regulations under the *Transportation of Dangerous Goods Act 1992*
'Hazardous Waste Regulation' refers to B.C. Reg. 63/88

13	Class 9, Miscellaneous Products, Substances or Organisms as defined in section 2.43 of the Federal Regulations	25 kg or 25 L
14	Waste containing dioxin as defined in section 1 of the Hazardous Waste Regulation	1 kg or 1 L, or less if the waste poses a danger to public safety or the environment
15	Leachable toxic waste as defined in section 1 of the Hazardous Waste Regulation	25 kg or 25 L
16	Waste containing polycyclic aromatic hydrocarbons as defined in section 1 of the hazardous Waste Regulation	5 kg or 5 L
17	Waste asbestos as defined in section 1 of the Hazardous Waste Regulation	50 kg
18	Waste oil as defined in section 1 of the Hazardous Waste Regulation	100 L
19	Waste containing a pest control product as defined in section 1 of the Hazardous Waste Regulation	5 kg or 5 L
20	PCB Wastes as defined in section 1 of the Hazardous Waste Regulation	25 kg or 25 L
21	Waste containing tetrachloroethylene as defined in section 1 of the Hazardous Waste Regulation	50 kg or 50 L
22	Biomedical waste as defined in section 1 of the Hazardous Waste Regulation	1 kg or 1 L, or less if the waste poses a danger to public safety or the environment
23	A hazardous waste as defined in section 1 of the Hazardous Waste Regulation and not covered under items 1 - 22	25 kg or 25 L
24	A substance, not covered by items 1 to 23, that can cause pollution	200 kg or 200 L
25	Natural gas	10 kg, if there is a breakage in a pipeline or fitting operated above 100 psi that results in a sudden and uncontrolled release of natural gas