

PREPAREDNESS – SPILL CONTINGENCY PLAN

Slide 2 – Agenda for the day

- Thank you Cameron for the introduction.
- I'm going to cover the following topics during this session.
 - Plan content
 - Plan alignment
 - Keeping plans current plans
 - Record keeping
- I'll then provide a summary of our proposed policy.
- I'll cover off next steps. One being the upcoming technical working group on worst case and possibly also on the content of spill contingency plans. More details on that later in the presentation.
- We should have time for your questions at that point.
- And after the answers, if we have time, we have questions for us to discuss.

Slide 3 – Tiered Planning

We are proposing a 3 tier planning system in BC that includes area response plans (ARPs), geographic response plans (GRPs) and spill contingency planning.

This is hierarchical planning is seen in other jurisdictions and is proposed in the 3rd intentions paper. Daphne described this in the plenary session.

Slide 4 – What are SCPs?

- Common in spill preparedness – seen in other jurisdictions in Canada and US.
- For example under OGAA EMR, TC ERAP
- Usually at operational or business level of planning
- Outlines risks, personnel, resources, procedures and actions to respond to a spill

Slide 5 – Why have SCPs?

- Demonstrates readiness to respond effectively as you are aware of the risks, enables you to prepare for the worst case as well as the smallest spill – tailgate to UC.
- This type of planning ensures that you have trained personnel, equipment and resources
- Better preparedness - quicker response. This may save time in clean-up and recovery as well as costs. Also could increase health and safety.

Slide 6 – Who has a SCP?

- Regulated person - Prescribed substance and quantity
- Possession, charge or control
- There is a session on this and my colleague Ben will provide more details on the types of substances and volumes proposed.

Slide 7 – Before amendments

- Under the *Environmental Management Act*, you only had a spill contingency plan if you were ordered to and only implemented it if ordered to.

Slide 8 - Consequences

- There are consequences to not requiring plans.
The obvious one is that the plans may not be developed because not required.
- So not available to first responders or government.
- Difficult to coordinate a response if folks aren't familiar with your plan or operations.
- This can make a stressful, time sensitive situation much worse for all involved.

Slide 9 – After amendments

- The amendments have completed 2nd reading as Daphne mentioned and lays out:
 - Regulated persons must develop a plan
 - Implemented to extent practical
 - Enables plan requirements in regulations
- These prescribed rules are developed through policy.

Slide 10 – Proposed policies

- Here's the proposed policy for consideration.
- It is documented in the intentions paper and available for comment. How many have read the paper?
- The following slides will touch on the content.
- Currently our federal colleagues considering changes to their plans or plan related policies and we will align as best we can.

Slide 11 – Worst case spill planning

- We see the tiered approach to planning important in determining worst case for not only a single operation/activity but in an area
- Up to worst case but need to consider the range it could be
- How should this be defined?
- As this is a complex issue we plan to organize a technical working group to address this topic and provide recommendations.
- Others define by sector like for pipeline or rail. California defines by sector but then specifies that for rail, a tank car carrying 714 barrels of oil, if 20% spills that would be a worst case spill. Washington State has calculations.
- That's the kind of detail we will need to get into at the technical working group for this topic. There will be homework – looking at various jurisdictions and determining the best for BC.
- Most common for marine and terrestrial spill contingency planning.
- The objective to ensure up to and include worst case spill planning is completed in BC and we can be prepared.

Slide 12 – Proposed plan content

- This is summarized version is in Appendix D of the 3rd intentions paper.
- I couldn't list all of the topic areas on this slide but this gives you the general idea.
- Some of you might be required to have federal plans and already have some of this content.
- We plan to align our requirements.
- If plan required by another jurisdiction we don't have the authority to request it or have it...so we created authority for ourselves.
- We envision that if you have a plan you could append any missing information to meet our requirements.

- We heard in past consultation that duplication must be avoided and a gap analysis is needed.
- So have we done this work...can we align these plans?

Slide 13 – White area = Gaps

- Other jurisdictions have contingency planning on federal level and on a provincial level. G/I means guideline and requirements are represented by solid colours.
Explain table – Elements of plan from intentions paper in first column, next 3 columns in blue are federally required plans, the next are in BC, then Alberta and Saskatchewan – shows other provinces requiring preparedness in addition to the federal requirements so BC is not unique. Industry has a guideline and then Alaska and Washington State in green (far right columns) and is where we want to go.
- Probably too small to read so here are the gaps where reviewing all these plans and could be missing information.
- We need to ensure a seamless transition so warning...this might create some overlap.
- We anticipate forming a technical working group to hammer out the details and reduce any overlap.

Slide 14 – Proposed policies 3, 4 and 5

- Okay now back to our proposed policies. We covered off worst case and content.
- Now on format, we're proposing an electronic format.
- We believe transparency is needed so we are proposing publishing on plans on a website. We recognize that proprietary information should be severed.
- On April 5th the NEB has issued a Board Order that directs NEB-regulated pipeline companies to publish their emergency procedures manuals online for public viewing by September 30, 2016. With the exception of information that would compromise infrastructure protection and personal security and safety. Although excluded from online availability, they remain in company emergency procedures manuals provided to first responders and to the NEB.
- Some have federally required plans that are approved.
- We're proposing that plans are developed and as part of government oversight we can request a copy or review the plan or more importantly, test the plan through drills and exercises. My colleague D'Arcy has a session with more details on drills and exercises.

Slide 15 – Keeping plans current

- Proposing annual updates to plans but for those significant details, updates would be required more frequently so that responders and others have updated, accurate information.
- We see the following as significant changes that require updates sooner due to changes in equipment such as it's been lost, sold or replaced. Perhaps staff have changed or the volume of the substance or your transport route has changed.
- These details are listed in the intentions paper for you to comment on.

Slide 16 – Keeping records

- Required records could include:
 - Equipment inventory and maintenance
 - Personnel training
 - Drills and exercises
 - Updating and testing plans
- A critical role of government oversight is to verify compliance with legislated and/or regulated requirements.

- Compliance is verified by on-site inspections or by reviewing required records and reports.
- Other jurisdictions have rules on record keeping like:
 - Alberta’s Directive 071 also requires records be kept of plan updates, training, meetings and exercises and retained for a period of three years.
 - State of Washington’s Washington Administrative Code 173-182 Oil Spill Contingency Plan requires training records be maintained for five years and be available upon request. It continues to state that records related to equipment maintenance as well as drills could be inspected.
 - Transport Canada requires holders of Emergency Response Assistance Plans under the Transport of Dangerous Goods Regulations to retain inspection and maintenance records of response equipment that staff inspect to verify compliance. In addition Transport Canada requires records to be maintained for training and exercises and the activation of the plan and be made available upon request.

Slide 16 – Summary

Slide 17 – Next steps

- Gather input from this workshop.
- Second will be comments and responses to playbook.
- Third is our in depth consultation on determining worst case through technical working group meetings and contingency plan content and plan alignment.
- Confirm policy will help inform the regulations.