RESPONSE – REPORTING & TIMES

Slide 2 – Agenda

- Thank you (facilitator) for the introduction.
- The topics covered in this session are:
    - Spill reporting
    - Sampling and monitoring, and
    - Response times
- I will then summarize the policy presented.
- Tell you about next steps.
- Of interest is a technical working group on response times. This group will dive into the details on response times. I'm hoping they will have your input from these sessions when considering the options in setting response times and developing recommendations for response times.
- After this presentation we should have time for questions. If you don't have many we have some questions we can discuss.

Slide 3 – Spill reporting

- Currently we have the Spill Reporting Regulation where a spill is immediately reported.
- As the initial information is recorded, often the spill can be better assessed and often times the initial spill information needs to be updated or corrected.
- Our experience is that initial spill information quickly becomes outdated. With no requirement to submit updated information, only some submit updated information but format, completeness and intervals vary.
- For responders and for government, detailed and ongoing information helps us assess the incident and confirm an appropriate response or involvement.
- Updated information also helps inform trend analysis in B.C.

Slide 4 – Before Amendments

As indicated in the previous slide, before the amendment to the *Environmental Management Act*:

- A spill is reported immediately as per the Spill Reporting Regulation.
- There is no requirement to submit updated information or reports.

Slide 5 – After Amendments

After the amendments, the legislation enables regulations on the following. As time is limited, only selected excerpts from the Act are listed here.
Rules could be created on:

- Notification of spills or if there's an imminent risk of spill.
- Sampling, monitoring or assessing the spill.
- Reporting the spill and publishing these reports, and
- Response times.

The following updates to reporting are proposed in the third intentions paper and are summarized in the next slide.

Slide 6 – Proposed policy – 5 step report

1. Initial spill report A
    - Report immediately after spill is discovered by calling the provincial emergency call centre.
    - Same as before so no changes here.
    - The report must be complete to the extent it is practical and safe to do so.

2. Initial Spill Report B
- Report within 6 hours of spill through a webform.
- Any updated information and photographs would be reported.
- See APPENDIX B of the third intentions paper that compares the content of the first and this second report.

3. Confirmation report
- Report within 48 hours of spill through a webform.
- Another opportunity to confirm initial information is accurate or is an opportunity to provide new information like an initial damage assessment, resources deployed and maps.

4. Follow-up reports during response
- As requested, if conditions change significantly and every 30-days again via the web.
- This is similar to Transport Canada's reporting requirements for ERAPs.
- The content for these reports would contain response actions, the quantity of spilled material collected to date, disposal methods and the overall environmental impacts and success of response efforts.

5. End of spill report
- Report within 30 days of completion of the emergency response phase through a webform.
- The end of spill report would provide a detailed overview of the incident, including details on the quantity spilled, amount recovered and how it was disposed of, as well as a discussion of the techniques used to respond and tentative next steps.

- The intention is that responsible persons would accesss a website, complete online forms and load up any related documents and photographs.

Slide 7 – Sampling and monitoring
- On sampling and monitoring, other jurisdictions have rules on this topic.
- For example, California requires sampling to confirm the petroleum hydrocarbons that are recovered, Alberta to confirm concentrations and Alaska to determine if actions are a greater risk than the spill itself.
- We recognize that there are varieties of spills as well as the locations and volumes.
- This makes it a challenge to set monitoring rules as each spill is unique.
- We see value in setting rules to ensure there's monitoring for health and safety and for assessing the environmental impacts.
- Proposed policy is detailed in the third intentions paper and includes the following.
- The publishing of data is sometimes critical. From experience, we've seen that sharing monitoring data as soon as possible is important in large spills as many need access for different reasons. It also ensures transparency.
- We are considering:
  - setting guidelines or best practice or rules
  - sampling and monitoring be captured in spill contingency plans
  - Use of qualified professional to assist in assessing the impacts of the spill, designing an appropriate monitoring plan.
  - These professionals could include Registered Biologists, Hydrologist, Hydro-geologist etc.

Slide 8 – Response times

Our next topic that I'll be covering in this session is response times.

Slide 9 – Response times
- They ensure certain response actions occur within specified time.

- Response times ensure timely activation, which can lead to an effective response which then minimizes impacts and hopefully protects human health and environment.

Slide 10 – Other jurisdictions

- Here are examples of response times set in the US federally and at a state level for oil products. The State of Washington State sets planning standards for plan holders. Others set response times.
- When response times are set, whether someone is a regulated person who is required to prepare for a spill or not, these rules would apply ensuring actions are taken in prescribed or specified times.
- Here in Canada Transport Canada has set response times for oil spills in the marine environment.
- In addition industry associations have voluntarily set response times for certain spill milestones.

Slide 11 – Before Amendments

- Remember we are talking about a responsible person i.e. the spiller or potential spiller.
- Before the amendments to the EMA, the responsible person would immediately report the spill and follow industry guidelines on response times, if any.

Slide 12 – After Amendments

- After the amendments, the responsible person must ensure persons with the skills, experience, resources, and equipment arrive at the scene in prescribed times.
- Also implement ICS in prescribed times.
- These amendments enable regulations to prescribe times.
- We are developing policy prescribing response times and seeking your input.

Slide 13 – Proposed response milestones

- Appendix B of the 3rd intentions paper lists proposed milestones that could be used to set response times.
- Examples are activating a GRP or incident communications or assessing the shoreline.

Slide 14 – Recognize circumstances

- There is always a balance in responding to a spill or not because of the circumstances of that spill because:
- extreme weather conditions or circumstances make response impossible for example a blizzard or landslide
- after doing a safety assessment, or
- in some cases responding to the spill is more detrimental to the environment than the spill itself.
- For example.
- That’s when good record keeping pays off. You can prove that you weren’t able to meet response times due to these circumstances and enforcement is not needed.

Slide 15 – Considerations for setting response times

- Here are some considerations for setting response times.
- Times could be set via a blanket approach or any, some or all of these options or a combination.

Slide 16 – Summary

- Here’s a summary of the policy presented in the third intentions paper and during this presentation.
- On spill reporting, the proposed 5 steps and need for transparency.
- For sampling and monitoring, a safety and environmental impact assessments.
- On response times, proposed milestones that can be used to set response times for the entire province or by area or sector.

Slide 17 – Next steps

- We are looking for your feedback at this workshop.
- Next we'll form a technical working group to review your input, how other jurisdictions set these times, and develop a recommendation to help confirm our policy.
- The intentions paper is available on line and we encourage you to provide feedback by June.
- We then will confirm our policy that then feeds into the making of regulations.

Slide 18 – Thank you

Slide 19 – Questions

- Now that you've heard from me, it's your turn to ask questions. If there aren't many I have some engagement questions we can discuss.
- Any questions?

Slide 20 – Discussion questions