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# Land Based Spill Preparedness and Response in British Columbia Response Form

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The Ministry of Environment (the Ministry) is seeking comments from the public on intentions to strengthen British Columbia's land based spill preparedness and response regime. Land based spill refers to any spill impacting the terrestrial environment, including coastal shorelines, regardless of the source. The Ministry's policy intentions will help achieve the objective of effective and timely response to all spills, building on stakeholder consultations and targeted research conducted by the Ministry through 2012 and 2013.

A paper describing the Ministry's intentions and this response form, as well as further information, are posted on the Ministry's [Land Based Spill Preparedness and Response in British Columbia](#) website.

The Ministry is proposing a world leading land based spill preparedness and response regime that includes the following components:

1. Spill preparedness, response and restoration standards
2. A provincially regulated and industry funded provincial preparedness and response organization
3. An enhanced in Provincial Environmental Emergency Program

Comments are being solicited and will be carefully considered in the development of the Province's spill preparedness and response regime. Those interested are invited to submit comments on the Ministry's intentions – using the instructions and questions provided on this response form.

All submissions will be reviewed for inclusion without attribution in a consultation summary report to be made public following the consultation period. Please note that comments you provide and information that identifies you as the source of those comments may be publicly available if a Freedom of Information request is made under the *Freedom of Information and Protection of Privacy Act*.

After review of consultation comments and further detailed program and policy development, the Ministry will draft any required regulatory changes for consideration by the Minister and/or Lieutenant Governor-in-Council and consult further with stakeholders during the design and implementation of changes that are advanced into policy or law.

If you have any questions or comments, check the website address above, or contact Cindy Bertram of C. Rankin & Associates who has been contracted to manage consultation comments, at:

**Email:** [cindybertram@shaw.ca](mailto:cindybertram@shaw.ca)  
**Mail:** PO Box 28159 Westshore RPO  
Victoria, BC V9B 6K8

The Ministry welcomes submissions or comments in addition to this response form. Completed response forms or submissions may be returned by email or mail, or by directly submitting the web-based response form on the Ministry website.

**Comments to the Ministry should be made on or before June 26, 2014.**

***Thank you for your time and comments!***

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## Discussion Areas and Questions

The following discussion areas and questions are based on a policy intentions paper for consultation which can be accessed from the Ministry's [Land Based Spill Preparedness and Response in British Columbia](#) website.

### A. British Columbia's Current Spill Preparedness and Response Regime

In your view, do you feel that British Columbia's current spill preparedness and response regime is effective?

- Not effective at all     Significant gaps     Adequate     Quite effective     Very effective

What are the reasons for your choice?

### B. Protection of Human Health and the Environment – Meeting Ministry Principles

In your view, how effectively do the Ministry's intentions support the principles (described on page 4 of the intentions paper) guiding B.C.'s land based spill preparedness and response regime?

- Not effective at all     Significant gaps     Adequate     Quite effective     Very effective

What are the reasons for your choice?

### C. Ministry Intention 1: Preparedness, Response and Restoration Requirements

See intentions paper pages 5 and 13-14.

1. General comments:

1.1 Do you have any general comments about the proposed requirements?

1.2 Are there any gaps in the preparedness, response or restoration requirements identified by the Ministry? Do you feel that any of the proposed requirements are unnecessary or duplicate existing regulations? Please be specific.

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- 1.3 Are there some requirements that you feel should be a priority for the Ministry? If so, which ones?
2. Who should lead development of geographic response plans?
3. Unannounced drills, as well as regular training and field exercises, are tools for assessing preparedness and response. Do you have any comments or suggestions for the Ministry with respect to evaluating the ability of companies (or the proposed provincial preparedness and response organization) to meet legislated requirements?
4. Do you have any comments or suggestions on how communities (including First Nations) should be involved or consulted in plans or other preparation for spill response?
5. Timely and effective response is a critical element in limiting the impacts of a spill. The Ministry is considering legislated requirements that would include specified response actions and times.
- 5.1 Do you have any comments about including spill response times in legislated requirements?
- 5.2 What response actions would you recommend attaching time requirements to (e.g., cascading levels of response action)?

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5.3 What additional factors or criteria would you recommend for consideration in determining appropriate and effective response times?

6. Responsible parties frequently provide enhancements or alternate opportunities for the public when significant damage has occurred to public properties. How should significant impacts on parks, public beaches, etc. be dealt with to ensure satisfactory outcomes?

## **D. Ministry Intention 2: Provincial Preparedness and Response Organization**

See intentions paper pages 7 and 15-16.

1. Do you have any comments or suggestions regarding establishment of a provincially regulated preparedness and response organization?
  
2. If the Ministry proceeds with the establishment of a provincial preparedness and response organization, what criteria, risk levels and other factors should be considered in determining the threshold for mandatory membership?
  
3. Do you have any comments or suggestions about how local government, First Nations and other stakeholders should be engaged or integrated into the activities of the proposed provincial preparedness and response organization?

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4. What industry based funding mechanisms should the Province consider in establishing a response organization? How should the Province ensure fairness and equity across all the industry sectors whose spills could impact provincial lands or resources?
  
  
  
  
  
  
  
  
  
  
5. Do you have any comments about development of provisions that would enable local governments and/or First Nations to recover costs and fund immediate participation in a spill incident response?

## **E. Ministry Intention 3: Enhanced Provincial Environmental Emergency Program**

See intentions paper pages 9 and 18-19.

1. Do you have any comments or suggestions regarding the Ministry's intentions to require industry funding of an enhanced Provincial Environmental Emergency Program?
  
  
  
  
  
  
  
  
  
  
2. What percentage of the cost of the Province's Environmental Emergency Program should be funded by general revenue (tax dollars) and what percentage should be funded by industries that pose a risk to the environment?

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3. Ensuring fairness and equity are important criteria for the Ministry in considering funding mechanisms. Do you have any comments or suggestions regarding fair and equitable industry based funding mechanisms that the Ministry should consider in establishing an appropriate level of funding for the Provincial Environmental Emergency Program?

### **F. Additional comments**

Do you have any additional comments or suggestions for the Ministry regarding development of a world leading land based spill preparedness and response regime for B.C.?

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## Background and Area of Interest

Please select the appropriate boxes if your primary interest in the Ministry's intentions relates to your:

- Work in the land (freight) transport sector**
- Work in the production, processing or transport of chemical or petroleum products**
- Work in the marine transport sector**
- Work for a government regulatory agency:**  
Please describe (e.g., federal, provincial, municipal):
- Work for a public sector organization:**  
Please describe (e.g., health authority, education institution, Crown corporation):
- First Nation:**  
Please describe:
- Involvement or work for an environmental or community interest group**  
Please describe:
- Other interest:**  
Please describe:

**Thank you for your time and comments.**

**Please submit this response form to the Ministry on or before June 26, 2014.**

If you wish, you may also provide contact information on the following page. This information will be compiled separate from responses and used to inform respondents of posting of the summary of comments and subsequent actions of the Ministry related to land based spill preparedness and response.

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## Contact Information

If you wish to receive further information concerning the Ministry's review to strengthen B.C.'s land based spill preparedness and response regime, please provide your contact information – **including an e-mail address** – below.

All submissions will be reviewed for inclusion, without attribution, in a consultation summary report to be made public following the consultation period. Please note that comments you provide and information that identifies you as the source of those comments may be publicly available if a Freedom of Information request is made under the *Freedom of Information and Protection of Privacy Act*.

**Contact Name:**

**Business or Organization  
Name (if appropriate):**

**Email:**

**Mailing address:**

**Telephone:**

**Thank you once more for your interest in B.C.'s land based spill preparedness and response regime.**

**If you have any further questions, please contact Cindy Bertram at: [cindybertram@shaw.ca](mailto:cindybertram@shaw.ca)**