

THE CEPA S200 ENVIRONMENTAL EMERGENCY PLANNING REGULATIONS

OTHER ASPECTS

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OTHER ASPECTS

- Recovery
- Spill notification and reporting
- Compliance promotion and enforcement

RECOVERY CONCEPTS

- CSA Z731 Emergency Preparedness Standard
⇒ "activities and programs designed to return a situation to an acceptable condition"
- Restoration of any part of the environment damaged by or during the emergency
- Affects both the operating entity and the surrounding community
- Managed through discussions with all affected parties

RECOVERY CONCEPTS (cont'd)

- Restoration level determined by size, persistence and toxicity
- Recovery to natural state may not always be possible
- Each situation is site dependent
- Returning to normal - need to define what's acceptable to affected stakeholders
- Planning arrangements need to be understood and easily applied

RECOVERY CONCEPTS (cont'd)

- “Polluter Pays” Principle applies
- Inaction could trigger other options with recovery of costs from polluter
- This portion of E2 plan provides direction to reduce impacts and hasten restoration
- Need to activate processes between responsible party and public authorities
ASAP

RECOVERY CONCEPTS (cont'd)

- Rapid response without assessing risks associated with recovery can increase damage and prolong recovery of environment
- Commence during response or staged-in
- Factors influencing recovery time:
 - ⇒ extent of damage, availability and commitment of personnel, resources and finances

RECOVERY CONCEPTS (cont'd)

- Suggested damage assessment process:
 - ⇒ Determine damage extent and communicate appropriately to all relevant parties
 - ⇒ Develop a system for timely use of right resources
 - ⇒ Work with outside resources where possible
 - ⇒ Help to organize community resources necessary for affected people

Spill Notification and Reporting

Duty to notify, report and mitigate

- S201 applies once a substance is listed under s200 - general provision
- Applies when an “environmental emergency” occurs (s193) for any listed substance that impacts human health or the environment (s194)
- Applies to anyone who owns or has charge, management or control of said substance
- Use of existing provincial reporting thresholds or those specified under the Transportation of Dangerous Goods Act (Accidental Release Immediate Reporting Requirements)

Spill Notification and Reporting

Duty to notify, report and mitigate

- Verbal notification to be made by telephone as soon as possible in the circumstances
- Written report made within 30 days to the relevant authorities
- Appendix 6 in Guidelines lists content requirements for both notification and reporting
- Phone numbers and contacts also provided

Compliance Promotion

- Compliance promotion activities underway
- Include development of both a Compliance Strategy and Compliance Promotion Plan
- Publicly available, if requested
- Identifies responsibilities/tasks for both HQ and Regions
- Range of opportunities available to raise awareness and inform regulatees of requirements
- Plan also contains various performance targets e.g. # of plans evaluated, # of exercises observed annually



Enforcement

- Internal Enforcement plan also developed
- Now in force, regulations will become part of EC's annual inspection plans
- Emergencies program to work closely with Enforcement staff
- Regulated facility database in development
- Range of penalties available for violations, consistent with CEPA's Enforcement and Compliance Policy and degree of severity