



ENVIRONMENTAL EMERGENCY REGULATIONS, 2019

Overview

What are the *Environmental Emergency Regulations, 2019*?

The *Environmental Emergency Regulations, 2019* under the *Canadian Environmental Protection Act, 1999* are one of the instruments used by the Government of Canada to protect Canadians and the environment. They are designed to reduce the frequency and impacts of environmental emergencies involving accidental releases of hazardous substances, such as oil and chemical spills, from facilities in Canada. Environment and Climate Change Canada (ECCC) is responsible for administering and enforcing these Regulations.

How have the Regulations changed?

The *Environmental Emergency Regulations, 2019* clarify the requirements of the legislation and reinforce sound environmental emergency management and timely public notifications. They introduce new definitions and periodic reporting requirements for facilities, substances and emergency plans. The new regulations will better protect Canadians and the environment by adding 33 new substances to the list of regulated substances in Schedule 1. All reports are to be submitted through ECCC's Single Window Interface to adhere to regulatory reporting requirements.

Who is subject to the Regulations?

The *Environmental Emergency Regulations, 2019* apply to any person or company that owns or has the charge, management or control of any of the 249 listed hazardous substances located at any fixed land-based facility in Canada.

What are the major requirements under the Regulations?

Facilities that have a regulated substance and meet the concentration, total quantity and/or container capacity thresholds may have to:

- submit notices (some periodic) to inform ECCC of compliance with the regulatory requirements
- prepare an Environmental Emergency Plan (E2 Plan) and review and update it, if necessary, at least once per year
- bring the E2 Plan into effect to make sure the facility is ready to respond to an accidental release
- conduct simulation exercises of the E2 Plan each year, a more extensive simulation exercise every five years and prepare a record after each exercise to be kept for a minimum of seven years
- keep a copy of the E2 Plan readily available at the facility and other places where it is needed

Facilities must also provide ECCC with a written report describing any environmental emergency (e.g., spill) involving a regulated substance.

What is the purpose of an Environmental Emergency Plan?

An Environmental Emergency Plan helps facilities to better prevent, prepare for, respond to and recover from an environmental emergency. The plan used, in part, to develop response procedures that deal with unexpected releases of the regulated substances, establish specific training requirements and cycles for those involved and formulate exercises to test the plan to make sure the environment and human life and health are protected.

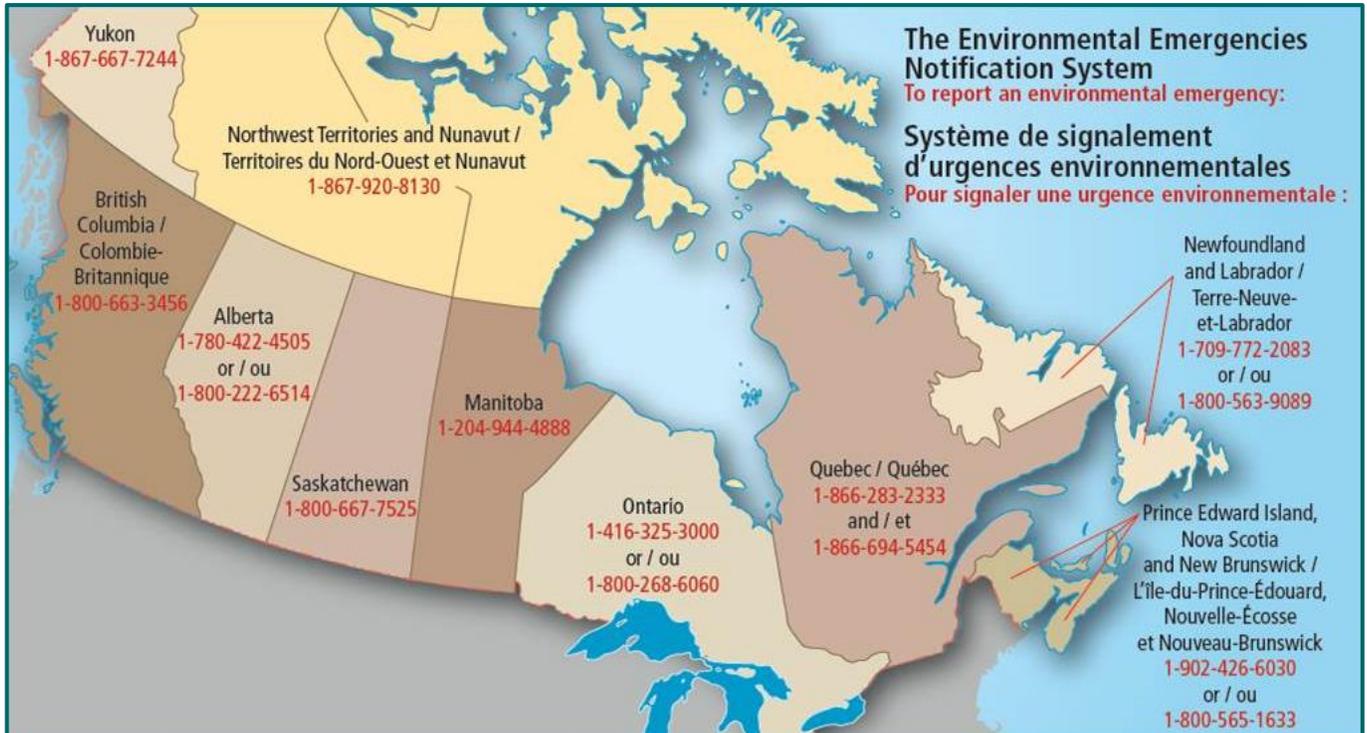
What are the obligations to inform the public?

Members of the public who could be affected by an environmental emergency need to be made aware of this risk before, during and after an emergency. Facilities must inform the public about possible risks and impacts, as well as the actions the facility will take to reduce these effects on the environment and human health. The facility is also responsible for describing how they will communicate with the public during an emergency.

How do facilities report an environmental emergency?

When an environmental emergency (i.e. a spill of a hazardous substance) occurs that involves a listed substance at a fixed facility, any person who owns or has the charge, management or control of a substance or causes or contributes to the environmental emergency must take a number of actions as soon as possible. These include:

- Calling the 24-hour telephone service in the respective province or territory where the release occurs as identified in the map below
- Taking all measures to respond to the environmental emergency and reduce any impacts on the environment or human health
- Making a reasonable effort to contact any member of the public who may be affected by the environmental emergency
- Submitting a written report through ECCC's Single Window Interface: <https://ec.ss.ec.gc.ca>



Disclosure: this material has been prepared for convenience of reference and accessibility and does not have an official character. It is of a general nature only. For all purposes of interpreting and applying the Regulations, users must consult the official version of the Environmental Emergency Regulations, 2019 and seek their own legal advice as appropriate.

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