

From: [Frampton, Caelie ENV:EX](#)
To: [Bain, Don PREM:EX](#)
Subject: FW: FOR APPROVAL: Spills NR re-ordered
Date: Thursday, January 25, 2018 12:56:48 PM
Attachments: [NR Spills Regs Phase2 Jan 2018 Draft 17.docx](#)

NEWS RELEASE

[release number]
January 30, 2018

Ministry of Environment and Climate
Change Strategy

Additional measures being developed to protect B.C.'s environment from spills

VICTORIA –The provincial government is proposing a second phase of regulations to improve preparedness, response, and recovery from potential spills.

The first phase of the regulations, approved in October 2017, establish a standard of preparedness, response and recovery necessary to protect B.C.'s environment. With some exceptions for B.C. Oil and Gas Regulated entities, the phase one regulations apply to pipelines transporting any quantity of liquid petroleum products, and rail or trucking operations transporting over 10,000 litres of liquid petroleum products.

For the second phase, the province will be looking for feedback in five areas:

- Response times, to ensure timely responses following a spill;
- Geographic response plans, to ensure resources are available to support an immediate response that take into account unique characteristics of a given sensitive area;
- Compensation for loss of public and cultural use of land, resources or public amenities in the case of spills;
- Maximizing application of regulations to marine spills; and,
- Restrictions on the increase of diluted bitumen ("dilbit") transportation until the behaviour of spilled bitumen can be better understood and there is certainty regarding the ability to adequately mitigate spills.

"The people of B.C. need to know that there is effective spill management across the province, and in particular for our most sensitive and vulnerable areas, including coastlines," said George Heyman, Minister of Environment and Climate Change Strategy. "We believe spills should not happen. But if hazardous pollutants have potential to spill, our government will ensure that spillers must be prepared and able to fully mitigate the environmental damage."

To support the development of the new measure to restrict increased transport of diluted bitumen, an independent scientific advisory panel will be established to make recommendations to the Minister of Environment and Climate Change Strategy on if and how heavy oils can be safely transported and cleaned up if spilled.

“The potential for a diluted bitumen spill already poses significant risk to our inland and coastal environment and the thousands of existing tourism and marine harvesting jobs,” said Heyman. “British Columbians rightfully expect their government to defend B.C.’s coastline and our inland waterways, and the economic and environmental interests that are so important to the people in our province, and we are working hard to do just that.”

The process to receive feedback on the proposed regulations will feature engagement with First Nations, to begin as soon as possible. To ensure the views of the broad range of stakeholders are heard, government will meet with industry, local governments and environmental groups over the coming weeks and months.

As well the general public will be able to provide input online through written comments, once an intentions paper is released .The intentions paper will provide an overview of the proposed regulations, and is expected to be posted before the end of February 2018. New regulations are expected to come into force in Spring 2019.

A backgrounder follows.

BACKGROUND

Proposed regulations to improve liquid petroleum spill response and recovery:

1. Response times

Response times are the established timeframes within which response resources will be activated and arrive at a spill site. Currently, the Ministry of Environment and Climate Change Strategy does not regulate in this area. Establishing response time requirements would align with practices of other regulators and in neighbouring jurisdictions.

2. Geographic response plans

Geographic response plans (GRPs) identify sensitive, natural, cultural, or significant economic resources at risk from spills, and outline the response actions that are appropriate for that site to minimize impacts to these resources should a spill occur. GRPs are map-based and each one has a variety of information that is useful to responders, particularly in the first 48 to 72 hours of a response.

3. Loss of public use

Loss of public use refers to the requirement that spillers provide some form of restitution for the impacts of spills on the use and/or enjoyment of public spaces and resources, such as the use of beaches, parks, and forests, the enjoyment of wildlife, wilderness spaces, food resources, recreation, and drinking water, as well as the intrinsic value of archaeological and cultural sites.

4. Marine application

The Province seeks to broaden existing ministry authority to ensure provincial interests are fully addressed in marine spill prevention, preparedness, response and recovery. While the primary responsibility for marine spills lies with federal agencies, a spill of any significance will impact and involve all orders of government. The provincial government has a responsibility to ensure there is a regulatory framework in place that protects its coastal resources.

5. Diluted bitumen transportation restrictions

The Province will create an independent scientific advisory panel to help address the scientific uncertainties outlined in the report of the Royal Society of Canada Expert Panel on the Behaviour and Environmental Impacts of Crude Oil Released into Aqueous Environments. The recommendations of the advisory panel will inform future regulatory development and approaches to spill response.

In order to protect B.C.'s environmental and economic interests while the advisory panel is proceeding, the Province will assess potential restrictions to be placed on the increase of diluted bitumen ("dilbit") transportation.

Contact:

Media Relations
Ministry of Environment and Climate Change Strategy
250-953-3834

From: [Frampton, Caelie ENV:EX](#)
To: [Bain, Don PREM:EX](#)
Subject: Latest version of our release for Tuesday
Date: Wednesday, January 24, 2018 9:50:25 AM
Attachments: [NR_Spills_Regs_Phase2_Jan_2018_Draft_13\(2\)\(2\).docx](#)
[ATT00001.htm](#)

Updated again to include additional tweaks from MGH

NEWS RELEASE

[release number]
January 29, 2018

Ministry of Environment and Climate
Change Strategy

Additional measures being developed to protect B.C.'s environment from spills

VICTORIA –The provincial government is proposing a second phase of regulations to improve preparedness, response, and recovery from potential spills.

The first phase of the regulations, approved in October 2017, establish a standard of preparedness, response and recovery necessary to protect B.C.'s environment. With some exceptions for B.C. Oil and Gas Regulated entities, the phase one regulations apply to pipelines transporting any quantity of liquid petroleum products, and rail or trucking operations transporting over 10,000 litres of liquid petroleum products.

For the second phase, the province will be looking for feedback in five areas:

- Response times, to ensure timely responses following a spill;
- Geographic response plans, to ensure resources are available to support an immediate response that take into account unique characteristics of a given sensitive area;
- Compensation for loss of public and cultural use of land, resources or public amenities in the case of spills;
- Maximizing application of regulations to marine spills; and,
- Restrictions on the increase of diluted bitumen ("dilbit") transportation until the behaviour of spilled bitumen can be better understood and there is certainty regarding the ability to adequately mitigate spills.

To support the development of the new measures, an independent scientific advisory panel will be established to make recommendations to the Minister of Environment and Climate Change Strategy on if and how heavy oils can be safely transported and cleaned up if spilled.

"The people of B.C. need to know that there is effective spill management across the province, and in particular for our most sensitive and vulnerable areas, including coastlines," said George Heyman, Minister of Environment and Climate Change Strategy. "We believe spills should not happen. But if they do, our government will ensure that spillers are prepared and able to fully mitigate the environmental damage."

Stakeholder meetings will continue into spring 2018, beginning with First Nations and also including industry, local and federal governments, environmental groups and the response community. Intentions papers will be posted for comment in the next few weeks. New regulations are expected to be in place by Spring 2019.

“The potential for a diluted bitumen spill already poses significant risk to our inland and coastal environment and the thousands of existing tourism and marine harvesting jobs,” said Heyman. “British Columbians rightfully expect their government to defend B.C.’s coastline and our inland waterways, and the economic and environmental interests that are so important to the people in our province, and we are working hard to do just that.”

A backgrounder follows.

BACKGROUND

Proposed regulations to improve liquid petroleum spill response and recovery:

1. Response times

Response times are the established timeframes within which response resources will be activated and arrive at a spill site. Currently, the Ministry of Environment and Climate Change Strategy does not regulate in this area. Establishing response time requirements would align with practices of other regulators and in neighbouring jurisdictions.

2. Geographic response plans

Geographic response plans (GRPs) identify sensitive, natural, cultural, or significant economic resources at risk from spills, and outline the response actions that are appropriate for that site to minimize impacts to these resources should a spill occur. GRPs are map-based and each one has a variety of information that is useful to responders, particularly in the first 48 to 72 hours of a response.

3. Loss of public use

Loss of public use refers to the requirement that spillers provide some form of restitution for the impacts of spills on the use and/or enjoyment of public spaces and resources, such as the use of beaches, parks, and forests, the enjoyment of wildlife, wilderness spaces, food resources, recreation, and drinking water, as well as the intrinsic value of archaeological and cultural sites.

4. Marine application

The Province seeks to broaden existing ministry authority to ensure provincial interests are fully addressed in marine spill prevention, preparedness, response and recovery. While the primary responsibility for marine spills lies with federal agencies, a spill of any significance will impact and involve all orders of government. The provincial government has a responsibility to ensure there is a regulatory framework in place that protects its coastal resources.

5. Dilbit transportation restrictions

The Province will create an independent scientific advisory panel to help address the scientific uncertainties outlined in the report of the Royal Society of Canada Expert Panel on the Behaviour and Environmental Impacts of Crude Oil Released into Aqueous Environments. The recommendations of the advisory panel will inform future regulatory development and approaches to spill response.

In order to protect B.C.'s environmental and economic interests while the advisory panel is proceeding, the Province will assess potential restrictions to be placed on the increase of diluted bitumen ("dilbit") transportation.

Contact:
Media Relations
Ministry of Environment and Climate Change Strategy
250-953-3834

From: [Zacharias, Mark ENV:EX](#)
To: [Yuma Morisho, Okenge PREM:EX](#)
Cc: [Plecas, Bobbi ENV:EX](#); [Crebo, David GCPE:EX](#); [Morel, David P ENV:EX](#); [Frampton, Caelie ENV:EX](#)
Subject: Tomorrow's Phase 2 Spills announcement and request to provide a heads up to the State of Washington
Date: Monday, January 29, 2018 11:26:02 AM
Attachments: [NR Spills Regs Phase2 Jan 2018 Draft 17 \(2\) SoW.pdf](#)

Hi Okenge:

This is scheduled for release 10:00 am tomorrow and Minister Heyman will be doing media at 11:30am after the Ministers-Chiefs Aquaculture meeting. We will be notifying stakeholders, First Nations, and local/federal governments this afternoon. You may want to let Governor Inslee's office know about the announcement. I'm not sure how protocol with Washington State works so I've included key bullets below as well as the embargoed NR in pdf. I'm pretty sure they will be strongly supportive of these proposed measures. I'm happy to walk them through any questions they might have.

VICTORIA –The provincial government is proposing a second phase of regulations to improve preparedness, response, and recovery from potential spills.

The first phase of the regulations, approved in October 2017, establish a standard of preparedness, response and recovery necessary to protect B.C.'s environment. With some exceptions for B.C. Oil and Gas Regulated entities, the phase one regulations apply to pipelines transporting any quantity of liquid petroleum products, and rail or trucking operations transporting over 10,000 litres of liquid petroleum products.

For the second phase, the province will be looking for feedback in five areas:

- Response times, to ensure timely responses following a spill;
- Geographic response plans, to ensure resources are available to support an immediate response that take into account unique characteristics of a given sensitive area;
- Compensation for loss of public and cultural use of land, resources or public amenities in the case of spills;
- Maximizing application of regulations to marine spills; and,
- Restrictions on the increase of diluted bitumen ("dilbit") transportation until the behaviour of spilled bitumen can be better understood and there is certainty regarding the ability to adequately mitigate spills.

The process to receive feedback on the proposed regulations will feature engagement with First Nations, to begin as soon as possible. To ensure the views of the broad range of stakeholders are heard, government will meet with industry, local governments and environmental groups over the coming weeks and months.

As well, the general public will be able to provide input online through written comments, once an intentions paper is released. The intentions paper will provide an overview of the proposed regulations, and is expected to be posted before the end of February 2018.

NEWS RELEASE

[release number]
January 30, 2018

Ministry of Environment and Climate
Change Strategy

Additional measures being developed to protect B.C.'s environment from spills

VICTORIA –The provincial government is proposing a second phase of regulations to improve preparedness, response, and recovery from potential spills.

The first phase of the regulations, approved in October 2017, establish a standard of preparedness, response and recovery necessary to protect B.C.'s environment. With some exceptions for B.C. Oil and Gas Regulated entities, the phase one regulations apply to pipelines transporting any quantity of liquid petroleum products, and rail or trucking operations transporting over 10,000 litres of liquid petroleum products.

For the second phase, the province will be looking for feedback in five areas:

- Response times, to ensure timely responses following a spill;
- Geographic response plans, to ensure resources are available to support an immediate response that take into account unique characteristics of a given sensitive area;
- Compensation for loss of public and cultural use of land, resources or public amenities in the case of spills;
- Maximizing application of regulations to marine spills; and,
- Restrictions on the increase of diluted bitumen ("dilbit") transportation until the behaviour of spilled bitumen can be better understood and there is certainty regarding the ability to adequately mitigate spills.

"The people of B.C. need to know that there is effective spill management across the province, and in particular for our most sensitive and vulnerable areas, including coastlines," said George Heyman, Minister of Environment and Climate Change Strategy. "We believe spills should not happen. But if hazardous pollutants have potential to spill, our government will ensure that spillers must be prepared and able to fully mitigate the environmental damage before they proceed."

An independent scientific advisory panel will be established to make recommendations to the Minister of Environment and Climate Change Strategy on if and how heavy oils can be safely transported and cleaned up if spilled.

“The potential for a diluted bitumen spill already poses significant risk to our inland and coastal environment and the thousands of existing tourism and marine harvesting jobs,” said Heyman. “British Columbians rightfully expect their government to defend B.C.’s coastline and our inland waterways, and the economic and environmental interests that are so important to the people in our province, and we are working hard to do just that.”

The process to receive feedback on the proposed regulations will feature engagement with First Nations, to begin as soon as possible. To ensure the views of the broad range of stakeholders are heard, government will meet with industry, local governments and environmental groups over the coming weeks and months.

As well, the general public will be able to provide input online through written comments, once an intentions paper is released. The intentions paper will provide an overview of the proposed regulations, and is expected to be posted before the end of February 2018.

A backgrounder follows.

Embargoed NR for State of Washington

BACKGROUND

Proposed regulations under the Environmental Management Act (EMA) to improve liquid petroleum spill response and recovery:

1. Response times

Response times are the established timeframes within which response resources will be activated and arrive at a spill site. Currently, the Ministry of Environment and Climate Change Strategy does not regulate in this area. Establishing response time requirements would align with practices of other regulators and in neighbouring jurisdictions.

2. Geographic response plans

Geographic response plans (GRPs) identify sensitive, natural, cultural, or significant economic resources at risk from spills, and outline the response actions that are appropriate for that site to minimize impacts to these resources should a spill occur. GRPs are map-based and each one has a variety of information that is useful to responders, particularly in the first 48 to 72 hours of a response.

3. Loss of public use

Loss of public use refers to the requirement that spillers provide some form of restitution for the impacts of spills on the use and/or enjoyment of public spaces and resources, such as the use of beaches, parks, and forests, the enjoyment of wildlife, wilderness spaces, food resources, recreation, and drinking water, as well as the intrinsic value of archaeological and cultural sites.

4. Marine application

The Province seeks to broaden existing ministry authority to ensure provincial interests are fully addressed in marine spill prevention, preparedness, response and recovery. While the primary responsibility for marine spills lies with federal agencies, a spill of any significance will impact and involve all orders of government. The provincial government has a responsibility to ensure there is a regulatory framework in place that protects its coastal resources.

5. Diluted bitumen transportation restrictions

The Province will create an independent scientific advisory panel to help address the scientific uncertainties outlined in the report of the Royal Society of Canada Expert Panel on the Behaviour and Environmental Impacts of Crude Oil Released into Aqueous Environments. The recommendations of the advisory panel will inform future regulatory development and approaches to spill response.

In order to protect B.C.'s environmental and economic interests while the advisory panel is proceeding, the Province will assess potential regulatory restrictions to be placed on the increase of diluted bitumen ("dilbit") transportation.

Contact:
Media Relations
Ministry of Environment and Climate Change Strategy
250-953-3834

Embargoed NR for State of Washington

From: Williams, Chelsea S LASS:EX
Subject: RE: Additional measures being developed to protect B.C.'s environment from spills - BC Gov News
Date: Tuesday, January 30, 2018 11:57:44 AM

Please also share the following related graphics on social media:

Twitter link:

<https://twitter.com/BCNDPCaucus/status/958413970230005761>

Facebook:

<https://www.facebook.com/BCNDPCaucus/photos/a.1084550158274515.1073741828.1061053830624148/1740337232695801/?type=3&theater>

From: Williams, Chelsea S
Sent: January-30-18 11:54 AM
Subject: FW: Additional measures being developed to protect B.C.'s environment from spills - BC Gov News

The following release went out earlier this morning -

From: noreply.newsondemand@gov.bc.ca
Sent: 30 January 2018 10:00:35 (UTC-08:00) Pacific Time (US & Canada)
Subject: BC Gov News - Additional measures being developed to protect B.C.'s environment from spills

For Immediate Release
2018ENV0003-000115
Jan. 30, 2018

Ministry of Environment and Climate Change Strategy

NEWS RELEASE

Additional measures being developed to protect B.C.'s environment from spills

VICTORIA - The provincial government is proposing a second phase of regulations to improve preparedness, response and recovery from potential spills.

The first phase of the regulations, approved in October 2017, established a standard of preparedness, response and recovery necessary to protect B.C.'s environment. With some exceptions for B.C. oil and gas regulated entities, the Phase-1 regulations apply to pipelines transporting any quantity of liquid petroleum products, and rail or trucking operations transporting over 10,000 litres of liquid petroleum products.

For the second phase, the Province will be looking for feedback in five areas:

- * Response times, to ensure timely responses following a spill;
- * Geographic response plans, to ensure resources are available to support an immediate response, that take into account unique characteristics of a given sensitive area;
- * Compensation for loss of public and cultural use of land, resources or public amenities in the case of spills;
- * Maximizing application of regulations to marine spills; and
- * Restrictions on the increase of diluted bitumen ("dilbit") transportation until the behaviour of spilled bitumen can be better understood and there is certainty regarding the ability to adequately mitigate spills.

"The people of B.C. need to know that there is effective spill management across the province and, in particular, for our most environmentally sensitive areas, including coastlines," said George Heyman, Minister of Environment and Climate Change Strategy. "We believe spills should not happen. But if hazardous pollutants have potential to spill, our

government will ensure that spillers must be prepared and able to fully mitigate the environmental damage before they proceed."

An independent scientific advisory panel will be established to make recommendations to the Minister of Environment and Climate Change Strategy on if and how heavy oils can be safely transported and cleaned up, if spilled.

"The potential for a diluted bitumen spill already poses significant risk to our inland and coastal environment and the thousands of existing tourism and marine harvesting jobs," Heyman said. "British Columbians rightfully expect their government to defend B.C.'s coastline and our inland waterways, and the economic and environmental interests that are so important to the people in our province, and we are working hard to do just that."

The process to receive feedback on the proposed regulations will feature engagement with First Nations, to begin as soon as possible. To ensure the views of the broad range of stakeholders are heard, government will meet with industry, local governments and environmental groups over the coming weeks and months.

As well, the general public will be able to provide input online through written comments, once an intentions paper is released. The intentions paper will provide an overview of the proposed regulations, and is expected to be posted before the end of February 2018.

A backgrounder follows.

Contact:

Media Relations
Ministry of Environment and Climate Change Strategy
250 953-3834

BACKGROUND

Proposed regulations under the Environmental Management Act

The following are proposed regulations under the Environmental Management Act (EMA) to improve liquid petroleum spill response and recovery:

1. Response times

Response times are the established timeframes within which response resources will be activated and arrive at a spill site. Currently, the Ministry of Environment and Climate Change Strategy does not regulate in this area. Establishing response-time requirements would align with practices of other regulators, and those in neighbouring jurisdictions.

2. Geographic response plans

Geographic response plans (GRPs) identify sensitive, natural, cultural, or significant economic resources at risk from spills. They outline the response actions that are appropriate for that site to minimize impacts to these resources, should a spill occur. GRPs are map-based, and each one has a variety of information that is useful to responders, particularly in the first 48 to 72 hours of a response.

3. Loss of public use

Loss of public use refers to the requirement that spillers provide some form of restitution for the impacts of spills on the use and/or enjoyment of public spaces and resources. These include the use of beaches, parks and forests, the enjoyment of wildlife, wilderness spaces, food resources, recreation and drinking water, as well as the intrinsic value of archaeological and cultural sites.

4. Marine application

The Province seeks to broaden existing ministry authority to ensure provincial interests are fully addressed in marine spill prevention, preparedness, response and recovery. While the primary responsibility for marine spills lies with federal

agencies, a spill of any significance will impact and involve all orders of government. The provincial government has a responsibility to ensure there is a regulatory framework in place that protects its coastal resources.

5. Diluted bitumen transportation restrictions

The Province will create an independent scientific advisory panel to help address the scientific uncertainties outlined in the report, The Royal Society of Canada Expert Panel: The Behaviour and Environmental Impacts of Crude Oil Released into Aqueous Environments. The recommendations of the advisory panel will inform future regulatory development and approaches to spill response.

In order to protect B.C.'s environmental and economic interests while the advisory panel is proceeding, the Province is proposing regulatory restrictions to be placed on the increase of diluted bitumen ("dilbit") transportation.

Contact:

Media Relations
Ministry of Environment and Climate Change Strategy
250 953-3834

► READ MORE

[Economy, Environment and Climate Change Strategy, Government Operations](#)