



Ministry of
Environment

Guidance Document

Provincial Use of Fire Departments during Hazardous Materials Incident Response.

Manager, Environmental Emergencies

Date

This document provides additional guidance for circumstances in which the province of British Columbia will provide financial reimbursement to fire departments for costs incurred during a response to a hazardous materials incident.

The primary responsibility for on-site emergency planning and response rests with the Responsible Party (spiller) of the hazardous material released. Local governments (cities, municipalities, and regional districts) are responsible for providing the initial response to emergencies occurring within their boundaries. Local governments with their emergency services (fire, police, and ambulance) are responsible for operational support to the extent that expertise and resources are available and to the extent that the response functions are within their mandate. Local governments throughout the province provide their local first responders with the guidelines and training to complement expected municipal response actions. When fire departments are established, local government often outlines the expectations of the fire department in local bylaws. Where it is decided the fire department will respond to hazardous materials incidents, the extent of this response should be clearly defined.

It should also be noted that the *Emergency Management Act* outlines the roles and responsibilities of Local Governments in planning and preparing for emergencies, including hazardous material incidents, which may occur in their jurisdiction.

Transport Canada, through the Transportation of Dangerous Goods Act ensures the safe transportation of dangerous goods. Transport Canada develops and enforces safety standards and regulations for hazardous materials being transported by road, rail, marine, and air. They provide oversight and give expert advice (through the Canadian Transport Emergency Centre — CANUTEC) on dangerous goods accidents to promote public safety in the transportation of dangerous goods in Canada.

The BC Ministry of Environment is the identified lead provincial agency for planning and coordinating the provincial response to spill incidents, and invoking provincial response plans (including the *BC Inland Oil Spill Response Plan* and the *BC Hazardous Material Response Plan*). The reporting of hazardous materials spills to the Ministry of Environment is done through the Provincial Emergency Program's (PEP) Emergency Coordination Center at 1-800-663-3456 as required by the provincial Spill Reporting Regulation. The BC Ministry of Environment has three fundamental roles during a spill incident:

- **Monitoring** - ensuring response is adequate and meets provincial expectations. The monitoring role also includes establishing public safety and environmental protection priorities; and / or
- **Augmenting** - providing provincial resources (equipment and expertise) to the Responsible Party and /or federal or local government, if required; or
- **Taking Over** - assuming the full incident management role in the event there is no identified Responsible Party (spiller / polluter), the Responsible Party is unwilling to take necessary actions, or their response is deemed to be inadequate.

British Columbia has enacted legislation (*Environmental Management Act* and associated regulations) to address releases of hazardous materials and other pollutants into the environment. The act and regulations enable the province to investigate incidents, order

those responsible to take remedial actions, to lay charges, to undertake emergency actions, and to recover costs.

When a hazardous material incident is reported to the Ministry of Environment, the Environmental Emergency Response Officer (EERO) will:

- Assess the incident and ensure the Responsible Party is responding appropriately;
- Ensure the available equipment and trained personnel are effectively and safely managing the hazardous material response; and
- Where necessary, directly employ contractors to provide skilled assistance and resources for field support in the event the Responsible Party is unable or unwilling to take appropriate actions.

The Ministry of Environment may directly employ private contractors, and if needed appropriately trained local fire departments, to provide skilled assistance and resources for field support in the event the Responsible Party is unable or unwilling to take appropriate actions. In circumstances where a qualified contractor is not available to appropriately contain and manage a hazardous material release and a local fire department is determined, by the EERO, to have appropriate training and equipment to manage the incident, the EERO may request the local Fire Department to conduct appropriate defensive actions to mitigate and resolve the incident.

In these circumstances, the fire department will only be requested to respond if fully willing. Additionally, in such instances where the EERO contracts (hires) a fire department to conduct spill prevention, containment or cleanup actions, the EERO will provide the local fire department with directions for submitting invoices pertaining to costs incurred. Invoices will be forwarded directly to the EERO to verify that costs are reasonable and consistent with agreed upon response objectives. The EERO will include this amount in any spill cost recovery efforts directed at the responsible person.

Neither the ministry nor PEP will cover the costs associated with a local government's (i.e., fire department's) decisions to create capacity and respond to a hazardous material emergency if conducted within their normal area of jurisdiction or within the scope of their municipal mutual aid agreements.

The Ministry of Environment encourages local governments to develop bylaws enabling them to directly pursue cost recovery actions from a Responsible Party (individual or corporation responsible for the release or spill of the product) for their response costs related to hazardous material incidents. Such bylaws may provide local government's additional cost recovery options for operational functions during responses to hazardous materials emergencies within their municipal boundaries.