



City of Richmond

Report to Committee

To: Community Safety Committee **Date:** May 20, 2015
From: John McGowan **File:** 09-5125-01/2015-Vol
 Fire Chief, Richmond Fire-Rescue 01
Re: **National Energy Board (NEB) Public Consultation: Emergency Management Information**

Staff Recommendation

That the staff report titled “National Energy Board Public Consultation: Emergency Management Information” be forwarded to the National Energy Board, in response to their request for written feedback by June 25, 2015.

That the National Energy Board be advised that the City of Richmond would be pleased to participate in further consultation and stakeholder meetings.

John McGowan
 Fire Chief
 (604-303-2734)

REPORT CONCURRENCE		
ROUTED TO: Sustainability	CONCURRENCE <input checked="" type="checkbox"/>	CONCURRENCE OF GENERAL MANAGER
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: 	APPROVED BY CAO

Staff Report

Origin

This report supports Council's Term Goal #1 Community Safety:

To ensure Richmond remains a safe and desirable community to live, work and play in, through the delivery of effective public safety services that are targeted to the City's specific needs and priorities.

Findings of Fact

On April 30, 2015, the National Energy Board (NEB) published "Engaging with Canadians on Emergency Response" for public consultation. This consultation was being held to obtain information regarding "concerns about the transparency of emergency management information should a pipeline incident occur" and "specifically, the clarity and consistency of NEB Emergency Procedures Manual filing requirements" to "verify that the public, local authorities, emergency responders, aboriginal groups and other stakeholders have the information they need, when they need it regarding pipeline emergency response"¹.

Discussion Questions

1. What information would help you better understand how prepared a company is to respond in the event of an emergency, beyond what is currently available?

City Response: A company would need to provide evidence of having a comprehensive emergency management program which would be based on the four pillars of emergency management: prevention/mitigation, preparedness, response and recovery and align with the British Columbia Emergency Response Management System.

A comprehensive Hazard Risk Vulnerability Impact Analysis must be completed by the company with input from subject matter experts and considerations from those local authorities, jurisdictions and First Nations that may be impacted.

Public Safety Canada (2012) states that this type of hazard analysis includes but is not limited to the structures and products owned and operated and transported by the company, security of vulnerable infrastructure and includes short and long term impacts on land, environment, waterways, marine life and ecosystems, economy, security, society and psychosocial impacts of the individuals impacted.

This type of hazard analysis has not been completed on recent NEB projects within the region in an acceptable manner to local authorities or stakeholders. For example, local authorities have uncertain jurisdictional authority over many activities on City lands (pipelines, port activity, rail activity), local authorities currently have limited ability to see that risks are identified and

¹ Engaging with Canadians on Emergency Response – Public Consultation, National Energy Board, April 30, 2015. Accessed: <http://www.neb-one.gc.ca/sftnvrnmnt/mrgnc/rspns/index-eng.html>

addressed, and local authorities are challenged to measure risk exposure, as information sharing may be limited for “security” or other reasons.

Currently, there’s no formal structure or mandate for local authorities to see that these issues are identified or addressed, even during the project review and approval process. This inability to understand the risks, mitigation and impacts of NEB projects compromises the City’s ability to fulfill its mandate under the *BC Emergency Program Act* section 2 (1) which states that”

“A local authority must reflect in the local emergency plan prepared by it under 6(2) of the Act.

(a) the potential emergencies and disaster that could affect all or any part of the jurisdictional area for which the local authority has responsibility, and

(b) the local authority’s assessment of the relative risk of occurrence and potential impact on people and property of the emergencies or disasters referred to under paragraph (a)”².

The company must demonstrate that a comprehensive Hazard Risk Vulnerability Impact Assessment was completed in good faith, with an acceptable scope and sharing of information with local authorities who require information to meet Provincial legislative requirements. The process and outcomes of identifying risks, impacts and mitigation measures taken to reduce those risks must be shared with local authorities and stakeholders.

Prevention and mitigation is defined by Public Safety Canada as “actions taken to identify and reduce the impacts and risks of hazards before an emergency or disaster occurs”.³ Local authorities and stakeholders would benefit from having a clear understanding as to the types of mitigation steps that were taken during the project planning, design, development and construction to limit potential impacts on infrastructure and containment of product. What engineering controls have been designed and implemented to establish procedures to reduce or eliminate risks? The company should provide documentation to substantiate review of mandates, best practices within the industry and the development of new research and technologies that have been evaluated and implemented.

Preparedness is defined by Public Safety Canada as a process to increase “ability to respond quickly and effectively to emergencies and to recover more quickly from their long-term effects and involves actions taken prior to an event to ensure the capability and capacity to respond”⁴. This pillar is characterized by the creation of emergency plans, training and exercising to provide education and demonstrate competency so that should an event occur, the response and communication will be structured, effective and efficient at protecting life safety, property, the environment and the long term effects of an oil spill or related event.

Documentation should reflect the required training and exercise schedule for those individuals with roles within response plans. The BC Oil & Gas Commission Emergency Management Manual (2014) outlines training and exercises for personnel but does not define personnel as

²Government of British Columbia. Emergency Program Act Local Authority Emergency Management Regulation. Accessed: http://www.bclaws.ca/civix/document/id/complete/statreg/380_95

³ Public Safety Canada. Emergency Management Planning. March 4, 2014. Accessed: <http://www.publicsafety.gc.ca/cnt/mrgnc-mngmnt/mrgnc-prprdss/mrgnc-mngmnt-plnng-faq-eng.aspx>

⁴ Public Safety Canada. Emergency Management Planning

including those outside of the company. It would be recommended that training and exercises should be conducted for company staff as well as those agencies and stakeholders who may be responding and/or impacted by an event to increase understanding, expectation, roles and coordination of efforts and communication prior to an emergency.

IPIECA is the international global oil and gas industry association for environmental and social issues and is the industry's principal channel of communication with the United Nations. IPIECA and the International Association of Oil & Gas Producers published The IAOGP/ OGP Report No. 510 (June, 2014) Operating Management System Framework for Controlling Risk and Delivering High Performance. This document reviewed legislative and industry mandates and multiple sector organization and associated organization documents and recognized that although "these [documents] are usually based on similar concept, but often vary in scope; covering such areas as environment, social responsibility, quality, process safety and offshore operations".⁵ This document template has been made available to the general public and all oil and gas industry companies and could serve as the basis for a conversation between the companies and the local authorities as a provision of emergency information.

Response is defined by Public Safety Canada as referring to "actions taken during or immediately after an emergency or disaster for the purpose of managing the consequences"⁶. Although the company may focus on sector specific requirements and actions taken, there should be inclusion of information to provide understanding, knowledge, guidance and provision of expectations to local authorities to outline the response and steps that may be taken to provide life safety, decrease impacts and aid the community into recovery.

The company should identify what response capabilities exist internally, are contracted externally as well as any limitations that may exist in capacity to respond, such as delay in arrival or access to equipment, etc. Due to the urgent nature of these types of incidents there should also be identified time response thresholds identified to provide local authorities and response agencies with an understanding of expectations of internal and external responders. Providing this information would assist communities in understanding the time line between identification of an incident, communication to responders and stakeholders and having responders on site to begin, assessment, containment and remediation of an oil spill.

Recovery is defined by Public Safety Canada as "actions taken after an emergency or disaster to re-establish or rebuild conditions and services"⁷. This cycle of events, decisions and implementation of strategy to assist the community begins during response and may take longer than any other phase.

Due to the unique nature of every event, it is important that benchmarks to measure recovery are established prior to the event occurring. Areas at risk of impact from construction, operations, or spills must have be documented prior to the initiation of a project. This documentation must be routinely updated as conditions change over the life of the project and as cumulative effects of other projects impact the local and regional ecosystems and communities. This documentation is

⁵ IPIECA. Operating Management System Framework for controlling risk and delivering high performance in the oil and gas industry. Accessed: <http://www.ipieca.org/publication/operating-management-system-framework-controlling-risk-and-delivering-high-performance->

http://www.ipieca.org/sites/default/files/publications/Operating_management_system_framework_2014.pdf

⁶ Public Safety Canada. Emergency Management Planning.

⁷ Public Safety Canada. Emergency Management Planning.

the only way to measure the true impacts of an event, and the success of any longer-term recovery efforts.

A company should have established best practices utilizing current technologies, third party specialists, subject matter experts and response organizations to understand the most likely situations/types of events and possible outcomes. Information regarding these findings should be shared with communities that may be impacted to assist in emergency and recovery planning.

2. What detail in Emergency Procedures Manuals is useful that would improve understanding amongst first responders and emergency personnel should a pipeline incident occur?

City Response: Useful information would include knowledge of site information, processes and procedures to identify and notify local authorities and response organizations that an event has occurred, expected capability/limitations and procedures to assess and respond to the event and provide structure for multiple agencies to effectively integrate in a coordinated response with adequate training and exercises prior to an event. This document should provide an overview of procedures and capabilities that exist within the organization, provided by contractors on behalf of the company and by those local authorities and first responders.

Responders would benefit by obtaining specific information regarding the details and characteristics of the product such as volume of product, site plan, location of response equipment, training (including response and Incident Command System). Emergency Planning Zone maps that are clearly marked with infrastructure, locations of equipment and any other responder information would be useful.

The BC Oil & Gas Commission Emergency Management Manual states that an emergency response map is required as part of the Emergency Management Plan under s.15 of the Emergency Management Regulation⁸. Access to this type of information would be useful for local authorities for emergency planning and response.

3. Please add any additional comments on the transparency and the availability of emergency management and response information that you feel we should hear.

City Response: Guidance is provided by The BC Oil & Gas Commission Emergency Management Manual in identifying that companies “must share emergency management information with local authorities to ensure coordination of emergency response activities and to ensure that the applicant or permit holder is familiar with the local authority’s communication procedure and chain of command”⁹. There is no guidance on what type or level of information should be shared and therefore it is at the company’s discretion which may not meet the needs of the local authority. Due to the legislative mandates to the City by the *Emergency Program Act*, the local authority should have the ability to have input as to the level and amount of information needed to provide adequate planning and response capabilities for the community.

⁸ Public Safety Canada. Emergency Management Planning.

⁹ The BC Oil & Gas Commission. Emergency Management Manual V.1 (2014) accessed: <http://www.bcogc.ca/node/5767/download>

When communicating information regarding hazards and risks to a community due to a project or existing oil structure/transport system, the information has to be holistic and in good faith. Recently Robyn Allen, former president and CEO of ICBC resigned from the NEB's Trans Mountain Expansion Project hearings due to multiple reasons that included her questioning the transparency and ethics of the review, she stated "the scope of the issues [being presented for review] are so narrow from a professional level that it puts the public interest at risk" and she then utilized the example that the review restricts pipeline activities assessment to 12 nautical miles which is less than minimal distance for areas to be impacted by a large spill¹⁰. Ms. Allen also highlighted that the project being reviewed is only focused on new facilities and does not include the pre-existing pipeline which is 61 years old. This type of information decreases faith in the review process, transparency of information and can create a lack of trust in the process and information received.

Local authorities require accurate, unbiased, holistic information provided by companies to ensure that understanding of the company, products, infrastructure and possible failures are identified, planned for and that communication, training and exercises take place prior to an event to provide adequate public safety for the community.

Financial Impact

None at this time.

Conclusion

City staff will continue to participate in further consultation and stakeholder engagement with the NEB, and recommend that the report titled "National Energy Board Public Consultation: Transparency of Emergency Management Information" be submitted to the National Energy Board in response to their request for public consultation.



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¹⁰ <http://vancouver.24hrs.ca/2015/05/19/economist-says-neb-hearings-rigged>