

Draft for Consultations

**DRAFT IMPLEMENTATION GUIDELINE FOR
CANADIAN ENVIRONMENTAL PROTECTION ACT PART 8
ENVIRONMENTAL MATTERS RELATED TO EMERGENCIES -
REQUIREMENTS FOR ENVIRONMENTAL EMERGENCY PLANS**

**Environmental Emergencies Branch
Environment Canada**

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PREFACE

Sections 193 to 205 in Part 8 of the *Canadian Environmental Protection Act, 1999* (CEPA) provide the Minister of Environment with various powers to reduce gaps in federal and provincial legislation for the prevention of, preparedness for and response to (PPR) environmental emergencies. Section 199 represents one of the important new components of this PPR framework. It authorizes the Minister to require the preparation and implementation of environmental emergency (E2) plans for substances the Governor-in-Council has placed on the List of Toxic Substances (CEPA-toxic substances) and for substances the Ministers of Health and Environment have requested the Governor-in-Council to add to Schedule 1. These Guidelines describe how Environment Canada intends to administer section 199.

CEPA contains other E2 planning provisions. Part 7 authorizes the Minister to require E2 plans for sources of international air and international water pollution. Part 9 authorizes the Governor-in-Council to make regulations respecting E2 planning by federal government operations. Part 10 authorizes a judge to require anyone in violation of CEPA to prepare and implement an E2 plan. And various other provisions in Part 8 authorize the Minister to take other PPR related measures. **This draft policy only addresses Section 199 - Requirements for Environmental Emergency Plans**

Disclaimer: This document is not meant to be the definitive interpretation of CEPA or any regulation pursuant to the Act. Compliance should be based on the Act and Regulations themselves.

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1.0 SUMMARY OF CEPA'S ENVIRONMENTAL EMERGENCY PLANNING PROVISIONS UNDER PART 8 - SECTION 199

Section 199 of the *Canadian Environmental Protection Act* (CEPA), 1999 authorizes the Minister of the Environment to require the preparation and implementation of environmental emergency (E2) plans for CEPA-toxic substances (substances which have been placed on Schedule 1, List of Toxic Substances) or substances recommended to be added to the List of Toxic Substances. The Minister may require a person (i.e., company), or class of persons (i.e., industry sector), to prepare and implement an E2 plan respecting the prevention of, preparedness for, response to or recovery from an environmental emergency related to a CEPA-toxic substance. This requirement will be triggered by the issuance of a Gazette notice under section 199.

This Gazette notice may specify who will be required to prepare and implement an E2 plan, and shall specify the substance or group of substances in relation to which the plan shall be prepared and implemented, the time limits for preparing and implementing plans, and any necessary administrative matters.

Unless requested by the Minister, E2 plans are not to be submitted to Environment Canada. Instead, two types of declarations must be sent to the Department. First, a declaration of preparation must be filed within a specified period of time stating that the E2 plan has been prepared and is being implemented. Second, a declaration of implementation must be filed within a specified period of time after the E2 plan has been implemented.

In order to prevent duplication of efforts, parties can satisfy a section 199 requirement by using an E2 plan prepared or implemented for another purpose or under another jurisdiction. Where a plan does not meet all the requirements of the notice, the plan shall be amended or an additional plan shall be prepared. As with all other E2 plans prepared or implemented under Part 8, declarations of preparation and implementation must be filed respecting these plans.

There are strict penalties for not complying with these provisions of the CEPA.

Appendix 1 contains the text of the provisions of section 199. Appendix 2 contains CEPA Schedule 1 (List of Toxic Substances) and the Priority Substances List 2 (substances being assessed for toxicity and possible addition to Schedule 1).

2.0 ENVIRONMENT CANADA'S RATIONALE FOR ENVIRONMENTAL EMERGENCY PLANS

The objective of E2 planning is to ensure that appropriate measures are taken to prevent, prepare for, respond to and recover from the uncontrolled, unplanned or accidental release of CEPA-toxic substances.

Environment Canada's objective is to ensure that risk management measures adopted for CEPA-toxic substances include effective prevention, preparedness and response (PPR) components. The Minister will utilize the requirements for E2 plans as a "safety net" to complement other existing or forthcoming risk management measures (e.g., regulations, guidelines) for CEPA-toxics. In some cases, this may entail supplementing existing regulations or other instruments. And when a substance is declared CEPA-toxic, it may be necessary to ensure that E2 measures are implemented immediately to prevent, prepare for, respond to and recover from sudden, unplanned releases of that substance.

E2 planning will provide a number of benefits. PPR measures are key to reducing the frequency and severity of the impacts of environmental emergencies. Implementation of E2 plans could also minimize the need for additional regulatory or other government interventions to manage the risks from CEPA-toxic and other potentially harmful substances. Experience from E2 planning in Canada and elsewhere further suggests that participants may receive additional benefits in the form of cost savings and improved worker and community safety and support.

3.0 SCOPE OF APPLICATION

Part 8 provides the Minister with a new authority that did not exist under the original CEPA. Therefore, the application of these provisions distinguishes between substances that were placed on Schedule 1 under CEPA, 1988 (many of which are regulated) and those that will be added to Schedule 1 under CEPA, 1999.

3.1 SUBSTANCES PLACED ON SCHEDULE 1 UNDER CEPA, 1988

For substances placed on Schedule 1 under CEPA, 1988, the Minister may require E2 plans for substances:

- about which the Minister has new information, or
- for which the risk management measures may not achieve or take into account the environmental goal of preventing, preparing for or responding to a sudden, unplanned release of that substance.

3.2 SUBSTANCES PLACED ON SCHEDULE 1 UNDER CEPA, 1999

Section 199 authorizes the Minister to require E2 plans for any substance once it has been recommended for addition to Schedule 1. The requirement to prepare and implement E2 plans may be issued for a single substance, for groups of substances or for particular users or groups of users. Substances will be examined on a case-by-case basis to determine the immediacy for which E2 plans will be required.

Appendix 3 lists the criteria the Minister proposes in determining when an E2 plan would be required.

3.3 WHICH USERS AND PRODUCERS?

The Minister proposes that E2 plans will be required from:

- all commercial, manufacturing, processing or other users and sources of those CEPA-toxic substances identified under 3.2 (above) who meet NPRI reporting criteria; and
- all other commercial, manufacturing, processing or other activities from which the Minister is satisfied that the uncontrolled, unplanned or accidental release of the substance would pose an unacceptable risk to the environment or human health.

E2 plans prepared on a voluntary basis or pursuant to some other legal requirement may be deemed to meet some or all of the requirements of the section 199 Notice. Where the existing plan does not meet all of the requirements of the section 199 notice, the person shall either amend the plan or prepare a new one. In any event, all persons using a pre-existing plan to satisfy a section 199 notice shall file both a declaration of preparation and a declaration of implementation (see "Accountability" below).

4.0 PROCESS

4.1 SECTION 77(6) STATEMENTS

For each substance they propose to add to the List of Toxic Substances, the Ministers of the Environment and Health will publish, under section 77(6), a summary of their screening risk assessment and a statement indicating the manner in which they intend to develop an instrument or regulation respecting preventive or control measures in relation to that substance. Among other things, this statement may indicate whether E2 plans will be required.

4.2 SECTION 199 NOTICES

Section 199(2) states that the Minister's notice requiring E2 plans may specify:

- a) the substance or group of substances in relation to which the plan is to be prepared;
- b) the period within which the plan is to be prepared;
- c) the period within which the plan is to be implemented; and
- d) any other matter that the Minister considers necessary.

The section 199 notice will be as minimally prescriptive as possible. It will identify clearly who is subject to the requirement to produce an E2 plan, and will provide as much assistance as possible to those parties subject to the requirement. As such, it may explain the issues of concern to the government, describe potentially useful E2 measures, and, where appropriate, refer to relevant examples, models or guidelines (i.e., CSA Z731-95 Emergency Planning for Industry).

Appendix 4 contains a draft model Section 199 notice.

4.3 OPPORTUNITIES FOR COMMENT

The Minister will involve stakeholders as early as possible in the decision-making process. Where time permits, the Minister will involve stakeholders before the section 77(6) statement is published. Stakeholders may help identify who should be required to develop environmental emergency plans and appropriate issues to be considered in such plans.

4.4 TIME PERIODS

In general, the Minister will provide a period of approximately 6 months after publication of the section 199 notice for the preparation of E2 plans and a further 6 months for the implementation of the plans.

Section 199(3) authorizes the Minister to extend the periods to prepare and implement a plan where the Minister is of the opinion that further time is necessary. Appendix 5 contains draft forms for applying for time extensions.

5.0 CONTENT OF AN ENVIRONMENTAL EMERGENCY PLAN

The Minister may issue guidelines, models or examples (such as the CSA Z731-95, Emergency Planning for Industry - A National Standard for Canada) to guide the preparation of E2 plans.

In general, E2 plans should contain:

- a senior-level statement of commitment to implement and maintain the environmental emergency plan;

- a clear statement of the objectives and environmental goals for the plan, and a schedule for meeting those goals;
- an identification of what types of emergencies might possibly occur;
- a description of the roles and responsibilities of individuals during an environmental emergency;
- accurate contact lists for emergency resource personnel and equipment;
- detailed training logs for emergency response individuals; and
- a means for ensuring that the plan is current, comprehensive and effective (e.g., routine testing and updating of the plan).

6.0 ACCOUNTABILITY

6.1 SECTION 199(6) DECLARATIONS

Parties required to prepare and implement an E2 plan must submit at least two declarations to the Minister:

1. within 30 days after the end of the period provided to prepare the plan, a declaration indicating that the plan has been prepared and is being implemented; and
2. within 30 days of implementing the plan, a declaration indicating that the implementation has been completed.

In addition, if any of the information contained in either of these declarations subsequently becomes false or misleading (e.g., regarding anticipated targets or timelines), an amended declaration must be filed within 30 days.

The first declaration (preparation of plans) shall describe:

- a) facility tombstone data;
- b) environmental baseline information, including an indication of current environmental management practices; and
- c) the types of E2 measures chosen.

The second declaration (implementation of plans) shall describe the E2 measures implemented, for example when the plan has been tested or exercised.

Appendix 6 contains draft declarations.

6.2 SUBMISSION OF E2 PLANS UNDER SECTION 199(7)

The Minister is authorized to require the submission of part of or all of an E2 plan when he has determined that there is a need to develop further risk management measures in relation to specific substances in the plan (or users) and that the required information is

not reasonably available by other means. It may also be necessary to submit an E2 plan required under a court order issued under section 291 or under an environmental protection alternative measures agreement.

6.3 REQUESTS BY ENFORCEMENT OFFICERS OR ANALYST TO SEE AN E2 PLAN

Facilities are required to keep a copy of their E2 plans at the place in Canada in relation to which the plan has been prepared.

Enforcement Officers or analysts may request access to these plans in order to confirm that they have been prepared and are being implemented from facilities targeted for other inspections or investigations or on a random basis. Enforcement Officers will not be reviewing or judging the adequacy of E2 plans.

7.0 CONCLUSIONS

The E2 planning provisions of CEPA, 1999 provide a new authority for the Minister of Environment to enhance emergency PPR measures in Canada.

It is expected that the development, preparation and implementation of E2 plans will contribute to a reduction in the frequency and severity of environmental emergencies and improve PPR measures nationwide.

APPENDICES

APPENDIX 1: RELEVANT CEPA PROVISIONS

APPENDIX 2: CEPA SCHEDULE 1 AND PSL2

**APPENDIX 3: PROPOSED CRITERIA TO DETERMINE WHEN AN
ENVIRONMENTAL EMERGENCY PLAN WOULD BE REQUIRED**

APPENDIX 4: PROPOSED MODEL SECTION 199(2) NOTICE

APPENDIX 5: PROPOSED APPLICATIONS FOR TIME EXTENSIONS

**APPENDIX 6: PROPOSED DECLARATIONS OF PREPARATION AND
IMPLEMENTATION**

APPENDIX 1

RELEVANT CEPA PROVISIONS

APPENDIX 2

CEPA SCHEDULE 1 AND PSL2

APPENDIX 3

**PROPOSED CRITERIA TO DETERMINE WHEN AN ENVIRONMENTAL
EMERGENCY PLAN WOULD BE REQUIRED**

Criteria to Determine When an Environmental Emergency Plan Would Be Required

Background

Section 199(1) of the *Canadian Environmental Protection Act, 1999* (CEPA) authorizes the Minister of Environment to require any person or class of persons to prepare and implement an environmental emergency plan respecting the prevention of, preparedness for, response to or recovery from an environmental emergency in respect of substances on the List of Toxic Substances in Schedule 1 and substances the Ministers of Health and Environment have recommended the Governor-in-Council add to Schedule 1.

Below are the proposed criteria for determining when an environmental emergency plan would be required under section 199(1).

Criteria to Determine When an Environmental Emergency Plan Would Be Required

1.0 Substances on Schedule 1, the List of Toxic Substances

For substances on the List of Toxic Substances in Schedule 1:

- i) Where the substance is no longer manufactured or used in Canada, the Minister will not require an environmental emergency plan.
- ii) Where the management option for the substance includes an emergency plan outlining preventative or control measures (or equivalent), the Minister will not require an environmental emergency plan.
- iii) For all other substances on the List of Toxic Substances, where the Minister determines that there is potential for a sudden, unplanned or accidental release to occur, given the existing or proposed preventative or control measures, the Minister will require an environmental emergency plan.

2.0 Substances Recommended for Addition to Schedule 1

For substances the Ministers have recommended under section 77(6)(b) that the Governor-in-Council add to Schedule 1, the Minister may require an environmental emergency plan for the interim period until a risk management measure or measures are implemented that address environmental emergencies satisfactorily.

**APPENDIX 4
PROPOSED MODEL SECTION 199(2) NOTICE**

Proposed Section 199 Canada Gazette 1 Notice

CANADIAN ENVIRONMENTAL PROTECTION ACT

Notice is hereby given that, pursuant to the provisions of Part 8 of the *Canadian Environmental Protection Act*, the persons or classes of persons described in paragraph 1 of this Notice shall prepare and implement an environmental emergency plan in respect of [***name the substance or substances***], which [is/ are] on the List of Toxic Substances in Schedule 1] [the Ministers of Health and Environment have recommended that the Governor-in-Council add to Schedule 1] of the *Canadian Environmental Protection Act*.

1. *Persons required to prepare environmental emergency plans:* [***typically will specify persons required to prepare plans by referring to factors such as use, quantity and storage volumes, rather than by naming individual companies***].
2. *Period within which the plan is to be prepared:* The plan shall be prepared, and a declaration of the form prescribed in paragraph 5 of this Notice shall be submitted within [***time period to be specified; it will usually be six months***] of the date of this Notice.
3. *Period within which the plan is to be implemented:* The plan shall be implemented, and a declaration of the form prescribed in paragraph 6 of this Notice shall be submitted within [***time period to be specified; it will usually be six months***] of the date of this Notice.
4. *Content of plans:* Although persons preparing plans may determine the appropriate content of their own plans, each plan prepared under this Notice should consider [***refer to any relevant guidelines- CSA Z731-95, Emergency Planning for Industry - A National Standard for Canada***].
5. *Declaration of preparation:* Every person identified in paragraph 1 of this Notice shall file, within 30 days after the end of the period for the preparation of the plan specified in paragraph 2 of this Notice, a *Declaration that an Environmental Emergency Plan Has Been Prepared and is Being Implemented*. Forms for these declarations are available from [***insert appropriate coordinates such as web address***].
6. *Declaration of implementation:* Every person identified in paragraph 1 of this Notice shall file, within 30 days after the completion of the implementation of the plan, and in any event, no later than 30 days after the implementation date specified in paragraph 3 of this Notice, a *Declaration that an Environmental Emergency Plan Has Been Implemented*. Forms for these declarations are available from [***insert appropriate coordinates such as web address***].

7. *Filing of amended declaration:* Where a person has filed a declaration under paragraph 5 or 6 of this Notice, and the declaration contains information that, at any time after the filing, has become false or misleading, that person shall file an amended declaration to the Minister within 30 days after that time.
8. *Requirement to keep plan:* Every person identified in paragraph 1 of this Notice shall keep a copy of the plan at the place in Canada in relation to which the plan is prepared.
9. *Prior plans:* Where a person uses an environmental emergency plan prepared or implemented on a voluntary basis or for another government or under another Act of Parliament to meet the requirements of paragraphs 1 to 4 of this Notice, that person must submit a declaration of preparation under paragraph 5 of this Notice, a declaration of implementation under paragraph 6 of this Notice, and any amended declarations under paragraph 7 of this Notice that are appropriate.
10. *Extension of preparation date:* Where the Minister is of the opinion that further time is necessary to prepare the plan, the Minister may extend the period for preparing the plan for a person who submits a *Request for Extension of Time to Prepare an Environmental Emergency Plan* before the expiry of the date referred to in paragraph 2 of this Notice. These forms are available from [***insert appropriate coordinates such as web address***].
11. *Extension of implementation date:* Where the Minister is of the opinion that further time is necessary to implement the plan, the Minister may extend the period for implementing the plan for a person who submits a *Request for Extension of Time to Implement an Environmental Emergency Plan* before the expiry of the date referred to in paragraph 3 of this Notice. These forms are available from [***insert appropriate coordinates such as web address***].
12. *Other administrative matters:* [***include any other information or requirements relevant to the administration of the Notice***].
13. *More information on environmental emergency planning:* Additional information and guidance on preparing environmental emergency plans may be obtained from [***insert possible sources of information***].
14. *Reference number:* for administrative purposes, all communication with Environment Canada concerning this Notice should refer to the following reference number:

Minister's name

**APPENDIX 5
PROPOSED APPLICATIONS FOR TIME EXTENSIONS**

**Application for Extension of Time to Prepare or Implement an Environmental
Emergency Plan Pursuant to a Notice under
Section 199 of CEPA**

Background

Paragraphs 199(2)(b) and (c) of the *Canadian Environmental Protection Act, 1999* (CEPA) authorize the Minister of Environment to specify the period within which an environmental emergency plan is to be prepared and implemented, respectively. Section 199(3) authorizes the Minister of Environment to extend these periods to where the Minister is of the opinion that further time is necessary.

The attached documents are the proposed forms for applying for extensions under section 199(3).

**Application for Extension of Time to Prepare an Environmental Emergency Plan
Pursuant to a Notice Under Section 199 of CEPA**

1.0 Facility Information

- Name of facility: _____
- Address: _____
- Contact person: _____
- Phone number: _____
- Fax number: _____
- e-mail: _____

2.0 Date of Section 199 Notice and Substance(s) of Concern Identified in the Notice

- Date of section 199 Notice: _____
- Reference number of the section 199 Notice: _____
- Substance(s) of concern identified in the Notice: _____

3.0 Date for Preparation of the Plan Prescribed in Section 199 Notice _____

4.0 Requested Date for Preparation of the Plan: _____

5.0 Rationale for Application

Explain why further time is necessary to prepare the plan.

**Application for Extension of Time to Implement an Environmental Emergency
Plan Pursuant to a Notice under Section 199 of CEPA**

1.0 Facility Information

- Name of facility: _____
- Address: _____
- Contact person: _____
- Phone number: _____
- Fax number: _____
- e-mail: _____

2.0 Date of section 199 Notice and Substance(s) of Concern

- Date of section 199 Notice: _____
- Reference number of the section 199 Notice: _____
- Substance(s) of concern identified in the Notice: _____

3.0 Implementation Date Prescribed in the section 199 Notice _____

4.0 Requested Implementation Date: _____

5.0 Rationale for Application

Explain why further time is necessary to implement the plan.

APPENDIX 6
PROPOSED DECLARATIONS OF PREPARATION AND IMPLEMENTATION

Section 58 Declarations [Related to Section 199(6)]

Background

Parties required to prepare an environmental emergency plan under the *Canadian Environmental Protection Act, 1999* (CEPA) will be required to submit at least two declarations under section 58 [section 199(6)] to the Minister of Environment:

1. Within 30 days after the end of the period provided to prepare the plan, indicating that the plan has been prepared and is being implemented; and
2. Within 30 days of the earlier of a) implementing the plan or b) the implementation date predicted in the first section 58 [section 199(6)] declaration, indicating that the implementation has been completed.

In addition, if any of the information contained in either of these declarations subsequently becomes false or misleading (for example, regarding anticipated timelines), an amended declaration must be filed.

Subsection 199(4) states that plans prepared in respect of environmental emergencies on a voluntary basis or pursuant to some other legal requirement may be deemed to meet some or all of the requirements of a section 199 notice. Subsection 199(5) states that where the other plan does not meet all of the requirements of the section 199 notice, the person shall either amend the plan or prepare a new one. Persons wishing to use such a plan will be required to submit both section 58 [section 199(6)] declarations, and to indicate on those declarations that they are using a pre-existing plan to satisfy the section 199 notice.

The attached documents are proposed forms for the section 58 [section 199(6)] Declarations.

Section 58 [Section 199(6)] Declaration That Plan Has Been Prepared And Is Being Implemented

1.0 Facility Information

- Name of facility: _____
- Address: _____
- Contact person: _____
- Phone number: _____
- Fax number: _____
- e-mail: _____

2.0 Date of the section 199 Notice and Substance(s) of Concern

- Date of section 199 Notice: _____
- Reference number of the section 199 Notice: _____
- Substance(s) of concern identified in the Notice: _____

3.0 Date for Preparation of the Plan Prescribed in the Section 199 Notice:

4.0 Use of Prior Plans

Are you using a plan respecting environmental emergencies prepared on a voluntary basis or pursuant to some other legal requirement to satisfy the requirement in the section 199 Notice? Yes/No

If No, go to 5, below.

If Yes:

- If the Plan was prepared on a voluntary basis, explain the rationale for the plan:

- If the Plan was prepared for a legal requirement, describe the legal requirement:

5.0 Baseline Information

5.1 Nature of Activities

For each substance(s) of concern, indicate whether it is

- a) manufactured,
- b) processed or
- c) otherwise used or created (as a physical or chemical processing aid, as a manufacturing aid, as a by-product or for an ancillary or other use)

In each case, indicate the nature of such activities, uses at the facility and average quantities involved during the manufacture, storage, distribution, transportation, handling, use or disposal of the substance. For each substance, you may identify more than one activity.

5.2 Potential On-Site Environmental Emergencies

Describe potential on-Site environmental emergencies related to the substance(s) of concern located at the facility. This includes possible uncontrolled, unplanned or accidental releases of the substance(s).

5.3 Type of Pre-Existing Environmental Emergency Prevention, Preparedness and Response (PPR) Measures In Place at the Facility

Describe measures taken to prevent, prepare for, respond to and recover from the uncontrolled, unplanned or accidental release of a substance(s) of concern. Such measures could include, but are not limited to the following:

- Corporate Environmental Emergency Policy Statement
- Corporate Environmental Emergency Response Plan(s)
- On-Site Emergency Planning Committee
- On-Site Emergency Response Team(s)
- Routine Testing of On-Site Emergency Response Plan(s)
- Joint Facility-Community Emergency Planning Committee
- Joint Facility-Community Emergency Response Team(s)
- Routine Testing of Joint Facility-Community Emergency Response Plan(s)
- Good Operating Practices or Training
- Identification of what type of Emergencies might possibly occur
- Accurate Contact Lists for Emergency Resource Personnel and Equipment

- Other

5.4 Additional Baseline Information

Describe any additional baseline information required by the section 199 Notice about the facility's pre-existing environmental emergency PPR initiatives and other environmental protection measures related to the substance(s).

5.5 Previous Environmental Emergency Information

Describe environmental emergencies related to the substance(s) of concern which have occurred at the facility in the past 5 years.

6.0 Type of Environmental Emergency PPR Measures That Will Be Adopted

Describe measures to be implemented to prevent, prepare for, respond to and recover from the uncontrolled, unplanned or accidental release of a substance(s) of concern. Such measures could include, but are not limited to, the following:

- Corporate Environmental Emergency Policy Statement

- Corporate Environmental Emergency Response Plan(s)
- On-Site Emergency Planning Committee
- On-Site Emergency Response Team(s)
- Routine Testing of On-Site Emergency Response Plan(s)
- Joint Facility-Community Emergency Planning Committee
- Joint Facility-Community Emergency Response Team(s)
- Routine Testing of Joint Facility-Community Emergency Response Plan(s)
- Identification of what Types of Emergencies Might Possibly Occur
- Accurate Contact Lists of Emergency Resource Personnel
- Good Operating Practices or Training
- Other

7.0 Other Environmental Protection Methods That Will Be Adopted Related to the Substance(s) of Concern

Describe any other, non-environmental emergency-based environmental protection methods that will be implemented relevant to the substance(s) of concern. These might include, for example, more frequent pick-up of hazardous materials and/or storage containers from the site, a change from large hazardous material storage containers to smaller storage containers or installation of emergency isolation switches for storage areas.

8.0 Employee Training and Testing Measures of the Environmental Emergency Plan(s) for Substance(s) of Concern That Will be Adopted

Describe any training and testing components of the environmental emergency plan. These might include, for example how often the environmental emergency plan will be tested, who will be involved with the test, or type and frequency of training provided to employees involved with substance(s) of concern.

Section 58 Declaration That An E2 Plan Has Been Implemented

1.0 Facility Information

- Name of facility: _____
- Address: _____
- Contact person: _____
- Phone number: _____
- Fax number: _____
- e-mail: _____

2.0 Date of the Notice and Substance(s) of concern

Date of the section 199 Notice: _____

Reference number of the Section 199 Notice: _____

Substance(s) of concern identified in the Notice: _____

3.0 Date for Implementation of the Plan Prescribed in the Section 199 Notice:

4.0 Use of Prior Plans

Are you using a plan prepared respecting environmental emergencies on a voluntary basis or pursuant to some other legal requirement to satisfy the requirement in the section 199 Notice? Yes/No

If No, go to 5, below.

If Yes:

- If the Plan was prepared on a voluntary basis, explain the rationale for the plan:

- If the Plan was prepared for a legal requirement, describe the legal requirement:

5.0 Type of Environmental Emergency Prevention, Preparedness and Response (PPR) Measures Predicted in the Section 58 [Section 199(6)] Declaration of Preparation

Describe measures taken to prevent, prepare for, respond to and recover from the uncontrolled, unplanned or accidental release of a substance(s) of concern that the section 58 [section 199(6)] Declaration of Preparation stated would be implemented relevant to the substance(s) of concern. Such measures could include, but are not limited to the following:

- Corporate Environmental Emergency Policy Statement

- Corporate Environmental Emergency Response Plan(s)
- On-Site Emergency Planning Committee
- On-Site Emergency Response Team(s)
- Routine Testing of On-Site Emergency Response Plan(s)
- Joint Facility-Community Emergency Planning Committee
- Joint Facility-Community Emergency Response Team(s)
- Routine Testing of Joint Facility-Community Emergency Response Plan(s)
- Identification of what Types of Emergencies Might Possibly Occur
- Accurate Contact Lists of Emergency Resource Personnel
- Good Operating Practices or Training
- Other

6.0 Other Environmental Protection Methods Predicted in the Section 58 [Section 199(6)] Declaration of Preparation

Describe any other, non-environmental emergency-based environmental protection methods that the Section 58 [Section 199(6)] Declaration of Preparation stated would be implemented relevant to the substance(s) of concern.

7.0 Employee Training and Testing Measures of the Environmental Emergency Plan(s) for Substance(s) of Concern Predicted

Describe any training and testing components of the environmental emergency plan that the section 58 [section 199(6)] Declaration of Preparation stated would be implemented relevant to the substance(s) of concern.

8.0 Type of Environmental Emergency PPR Measures Implemented

Describe measures implemented to prevent, prepare for, respond to and recover from the uncontrolled, unplanned or accidental release of a substance(s) of concern. Such measures could include, but are not limited to the following:

- Corporate Environmental Emergency Policy Statement
- Corporate Environmental Emergency Response Plan(s)
- On-Site Emergency Planning Committee
- On-Site Emergency Response Team(s)
- Routine Testing of On-Site Emergency Response Plan(s)
- Joint Facility-Community Emergency Planning Committee
- Joint Facility-Community Emergency Response Team(s)
- Routine Testing of Joint Facility-Community Emergency Response Plan(s)
- Identification of what Types of Emergencies Might Possibly Occur
- Accurate Contact Lists of Emergency Resource Personnel
- Good Operating Practices or Training
- Other

9.0 Other Environmental Protection Methods Implemented

Describe any other, non-environmental emergency-based environmental protection methods implemented relevant to the substance(s) of concern.

10.0 Employee Training and Testing Measures of the Environmental Emergency Plan(s) for Substance(s) of Concern Implemented

Describe any training and testing components of the environmental emergency plan implemented relevant to the substance(s) of concern.

- Date of Testing of Environmental Emergency Plan : _____
- What internal departments were involved with the Environmental Emergency Plan testing: _____
- What external organizations were involved with the Environmental Emergency Plan testing (e.g., Fire Department, Police, Ambulance): _____
- Substance(s) of concern used as part of the Environmental Emergency Plan test: _____
- Describe the effectiveness of the Environmental Emergency Plan during the testing _____
- Describe problems encountered during the testing of the Environmental Emergency Plan, lessons learned and plans for improvement