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SPILL REPORTING REGULATION

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SPILL REPORTING REGULATION

B.C. Reg. 263/90

[includes B.C. Reg. 166/93 amendments (effective May 14, 1993)]

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[Provisions of the *Waste Management Act*, RSBC 1996, c. 482, relevant to the enactment of this regulation: sections 12 and 57]

Interpretation

1. In this regulation:

"Act" means the *Waste Management Act*,

"PEP" means the Provincial Emergency Program of the Ministry of Attorney General;

"spill" means a release or discharge except as authorized or allowed by

- (a) section 3 of the Act,
- (b) a waste management plan approved by the minister or under the Act, or
- (c) a permit, approval or order under the Act

into the environment of a substance in an amount equal to or greater than the amount listed in Column 2 of the Schedule of this regulation for that substance;

"substance" means a substance, product, material or other thing listed in Column 1 of the Schedule to this regulation.

Report

2. (1.) A person who had possession, charge or control of a substance immediately before its spill shall immediately report the spill to PEP by telephoning 1-800-663-3456 or 387-5956 as provided in section 12 (5) of the Act or, where it is not practical to report to PEP within a reasonable time, to the local police or nearest detachment of the Royal Canadian Mounted Police.
- (2.) Where it appears to a person observing a spill that a report under subsection (1) has not been made, he or she shall make the report referred to in this section.
- (3.) A report under this section shall include, to the extent practical,
- (a) the reporting person's name and telephone number,
 - (b) the name and telephone number of the person who caused the spill,
 - (c) the location and time of the spill,
 - (d) the type and quantity of the substance spilled,
 - (e) the cause and effect of the spill,
 - (f) details of action taken or proposed to comply with section 3,
 - (g) a description of the spill location and of the area surrounding the spill,
 - (h) the details of further action contemplated or required,
 - (i) the names of agencies on the scene, and
 - (j) the names of other persons or agencies advised concerning the spill.

Further action

3. Where a spill occurs, the person who immediately before the spill had possession, charge or control of the spilled substance shall take all reasonable and practical action, having due regard for the safety of the public and of himself or herself, to stop, contain and minimize the effects of the spill.

SCHEDULE

[am. B.C.Reg.166/93.]

Reportable Levels for Certain Substances

1. In this Schedule:

“**Federal Regulations**” means the Transportation of Dangerous Goods Regulations made under the *Transportation of Dangerous Goods Act (Canada)*;

“**Special Waste Regulation**” means B.C. Reg. 63/88.

Item	Column 1	Column 2
1	Explosives of Class 1 as defined in section 3.9 of the Federal Regulations	any
2	Flammable gases, other than natural gas, of Division 1 of Class 2 as defined in section 3.11 (a) of the Federal Regulations	10 kg, if the spill results from equipment failure, error or deliberate action or inaction
3	Non-flammable gases of Division 2 of Class 2 as defined in section 3.11 (d) of the Federal Regulations	10 kg, where spill results from equipment failure, error or deliberate action or inaction
4	Poisonous gases of Division 3 of Class 2 as defined in section 3.11 (b) of the Federal Regulations	5 kg, where spill results from equipment failure, error or deliberate action or inaction
5	Corrosive gases of Division 4 of Class 2 as defined in section 3.11 (c) of the Federal Regulations	5 kg, where spill results from equipment failure, error or deliberate action or inaction
6	Flammable liquids of Class 3 as defined in section 3.12 of the Federal Regulations	100 L
7	Flammable solids of Class 4 as defined in section 3.15 of the Federal Regulations	25 kg
8	Products or substances that are oxidizing substances of Division 1 of Class 5 as defined in section 3.17 (a) and 3.18 (a) of the Federal Regulations	50 kg
9	Products or substances that are organic compounds that contain the bivalent “-0-0-” structure of Division 2 of Class 5 as defined in sections 3.17 (b) and 3.18 (b) of the Federal Regulations	1 kg
10	Products or substances that are poisons of Division 1 of Class 6 as defined in section 3.19	5 kg

	(a) to (e) and 3.20 (a) of the Federal Regulations	
11	Organisms that are infectious or that are reasonably believed to be infectious and the toxins of these organisms as defined in sections 3.19 (f) and 3.20 (b) of the Federal Regulations	any
12	Radioactive materials of Class 7 as defined by section 3.24 of the Federal Regulations	All discharges or a radiation level exceeding 10 mSv/h at the package surface and 200 µSv/h at 1 m from the package surface
13	Products or substances of Class 8 as defined by section 3.25 of the Federal Regulations	5 kg
14	Miscellaneous products or substances of Division 1 of Class 9 as defined by section 3.27 (1) and (2) (a) of the Federal Regulations	50 kg
15	Miscellaneous products or substances of Division 2 of Class 9 as defined in section 3.27 (1) and (2) (b) of the Federal Regulations	1 kg
16	Miscellaneous products or substances of Division 3 of Class 9 as defined in section 3.27 (1) and (2) (c) of the Federal Regulations	5 kg
17	Waste asbestos as defined in section 1 of the Special Waste Regulation	50 kg
18	Waste oil as defined in section 1 of the Special Waste Regulation	100 L
19	Waste containing a pest control product as defined in section 1 of the Special Waste Regulation	5 kg
20	A substance not covered by items 1 to 19 that can cause pollution	200 kg
21	Natural gas	10 kg, if there is a breakage in a pipeline or fitting operated above 100 psi that results in a sudden and uncontrolled release of natural gas

[Provisions of the *Waste Management Act*, RSBC 1996, c. 482, relevant to the enactment of this regulation: sections 12 and 57]