

SPIILLS MANAGEMENT WORKSHOP OUTCOMES REPORT

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**Spills Management in the GTA Workshop
September 28, 2004
Black Creek Pioneer Village**



Sponsored by the Toronto Area of Concern Remedial Action Plan Partners

*Environment Canada
Ontario Ministry of Environment
Toronto and Region Conservation Authority*

SPILLS MANAGEMENT WORKSHOP OUTCOMES REPORT

BACKGROUND AND CONTEXT

The Toronto and Region Conservation Authority (TRCA) and the Region RAP, identified the "*improvement of spills response and prevention*" as a priority action under the Storm Water Criterion on Clean Waters, Clear Choices, the Stage 2 report for the Toronto and Region RAP. The RAP Team partners supported the development of a multi-stakeholder constituency-building process in 2004 to enhance watershed and watershed spills prevention, response and understanding of issues. One key component of this process was the hosting of a spills management workshop which was held on September 29, 2004 with the Ministry of the Environment, municipal partners, agency and community-based watershed groups.

The workshop was an important step in identifying specific issues and challenges pertaining to spills response and prevention in the Region RAP. It provided the opportunity for major stakeholders to share ideas on various approaches being undertaken and elevated the discussion around what actions are needed to improve both spills response and prevention. There were many views expressed and some frustration around shortcomings with respect to enforcement, outreach to industry, spills containment and follow-up to cite a few. The discussion while high-level also focused on some specific areas where improved coordination and collaboration amongst stakeholders could provide significant benefit to advocacy, improved policy, new tools and public outreach.

This workshop outcomes report prepared by Cumming + Company from the workshop discussion documents the key directions emanating from the September 29th workshop as a path forward for the multi-stakeholder constituency to take action on a number of notable recommendations. Continuing spills prevention, response and restoration of the natural environment is essential to implement the RAP Spills Workshop recommendations. TRCA in its role with the Region RAP is committed to facilitating the implementation of these recommendations through collaboration with other key stakeholders.

This report is organized in two sections as follows:

- Key Recommendations emanating from the multi-constituency workshop discussion.
- Next steps for addressing the key recommendations.

The participants who attended and collaborated at the workshop are noted in **Appendix A**.

KEY DIRECTIONS EMANATING FROM THE WORKSHOP

The workshop discussion provided an interactive forum for discussion amongst the participants on what they felt was working well, what needed to be improved and provided the opportunity for discussing what new tools and infrastructure would be necessary to ensure continued action on improved spills management and prevention. A further area highlighted where the multi-stakeholder constituency should focus their efforts to collaborate on spills management. The following highlights key points noted. The specific workshop discussion points are found in **Appendix B**.

Key themes noted through the discussion

- Need for better coordination and communication between agencies and clarification on decision-making structure and roles and responsibilities.
- Opportunity for more collaboration amongst partners and sharing of information & approaches.
- More enforcement and follow-through.
- More transparency with the public.
- Public outreach and education on spills prevention and consequences.
- Hotlines and 24 hour reporting and follow-up.
- Industry-specific outreach.
- Improved tools and infrastructure: sewer mapping, better use of MOE and municipal data, tracking of spills, assessment and monitoring.
- Mandatory requirement for spills plans both at the municipal level and for industry.
- Improved base line data and sharing of information between agencies and organizations.
- Use of internet for posting of municipal spills management plans.
- Involvement with municipal organizations (AMO, OGRA, OCMBP) for education and outreach.
- Training for frontline staff and enforcement officers.
- Better reporting on nature of spill and on-site coordination.

Refer to Appendix B for detailed comments

The following recommended directions involve policy action, advocacy, education and outreach, training and tools for more effective coordination and management:

1. Policy Action:

- a. *Require mandatory spills prevention plans for all businesses in the ICI sectors* and link to a municipal licensing or permit that is required to be renewed yearly (i.e. occupancy permit, when inspected by fire department or by building inspections). Develop a template for the specific nature and detail of these contingency plans which would include measures for preventing spills, what to do if a spill occurs, use of spill kits on-site and in vehicles and training for staff.
- b. *Require mandatory spills plans for all municipalities.* It was noted that many municipalities do not have spills plans. Work with smaller urban and rural municipalities to develop spills plans and to train staff and resource for spills management. Develop consistent approaches for developing municipal plans. Encourage municipalities to put spills plans on web sites and to link these to other relevant sites.
- c. *Elevate the relevance and importance of municipal spill plans and tie into source water protection.* Treat spills response as a regular topic at Association of Municipalities of Ontario, in Municipal World, through Ontario Centre for Municipal Best Practices and other organizations, conferences and events. Launch Peel and Toronto on the web.
- d. *Identify gaps and overlap in coordination to improve efficiencies between multiple agencies and departments* on first response, follow-up, data monitoring and assessment of cumulative impact. Improve cross-communication and sharing of information. Prepare a decision tree and decision-making tool to clarify roles and responsibilities across levels of government. Review roles for effective consolidation.

- e. *Explore policies for alternate prevention practices* and investigate alternative methods of spills clean-up (natural foam and bacteria) a non-point source approach
- f. *Improve on-site coordination and communication between agencies and departments.*

2. Advocacy

- a. *Investigate ways to increase effectiveness of enforcement while working on ways to tighten up legislation as deterrence to spills.* Voluntary compliance, low fines, political pressure, reluctance/ time restrictions to complete paperwork, little media coverage act are threats. Develop a strategy for continuing to advocate for increased protection through enforcement.
- b. *Provide input to the Ministry of Environment on proposed Bill 133,* enforcement amendments to the *Environmental Protection Act* and *Ontario Water Resources Act* concerning spills.

3. Education and Outreach

- a. *Develop public education strategy* for educating general public and industry on preventative measures and what to do if a spill occurs. The strategy should incorporate efficient communication with small business (through Internet, water bills and other means) and public through workshops, events and environment days. Better identification in the blue pages. Educate public on numbers to call, where input to catchbasin go, and outreach at local fairs and increased media coverage.
- b. *Targeted outreach with industrial sectors* (example of Trucking Industry, Waste disposal, Construction) around prevention and immediate spill management. Education of mandatory reporting, what to do when a spill occurs, first response, use of containment kits, mandatory spills management training for drivers and employees and follow-up. Outreach and training for businesses on the laws, reporting procedures, and preventative measures.

4. Tools and new/enhanced data base and information

- a. *Improve spills database management* through better tracking of spills on UTM and Watershed basis, frequency of spills, type and cumulative impacts.
- b. *Ensure that first responders have necessary equipment available immediately* and that are provided with enough information in advance to assess needs before arrive on the scene.
- c. *Continually update sewer maps* for first line staff while developing other mapping tools for data inventory.
- d. *Improve information that is required to be reported when a spill occurs.* Document and map sewer system outfalls.

- e. *Make better use of MOE and municipal data.* Reduce barriers to sharing information and streamline availability for first responders.
- f. *Investigate the development of a call system* with a simple contact number (i.e. 711 – if you see a spill” one central dispatch) and promote the number so that it becomes well known publicly.
- g. *Expand after-hour reporting procedures.*
- h. Undertake thorough research on the assessment and monitoring of restoration efforts.

5. Training

- a. *Develop training kit for first response staff* (i.e. watershed maps, flow information, sewer maps, and other key information).
- b. *Develop training kit for municipalities in developing spills management plans.*

NEXT STEPS FOR ADDRESSING THE KEY DIRECTIONS

The recommended next steps are as follows:

- TRCA to continue facilitating involvement of the multi-stakeholder group, and exchange of information, in order to improve the efficiency of spills management practices through coordinated action based on the key directions from the workshop.
- Formulate response to proposed Bill 133 for spills management.
- Establish an implementation team to work with TRCA in overseeing and resourcing the implementation of the key directions.
- Establish working teams aligned around specific themes to develop work plans. It is envisioned that the teams would be informally constituted and would meet a few times to develop strategies and identify resources needed for implementation.

Key priorities to be addressed by working teams to include the following:

- Develop an education and training plan with implementation tasks, timelines, resources and measurable outputs
- Develop a spills action outreach plan tailored to specific industry sectors. Involve industry experts to develop proactive relationships with individual companies.
 - Develop strategies for integrating spills management directions with the source protection plans.

Appendix A – Workshop Participants

Allison Humphries	Credit Valley Conservation
Luciano Martin	Action to Restore a Clean Humber / Humber Alliance
Dan McDonell	Great Lakes Sustainability Fund / Environment Canada
Karen Weaver	City of Toronto
Amy Thurston	Toronto Region Conservation
Randy McGill	Greater Toronto Airports Authority / Etobicoke-Mimico Coalition
Bill Buchan	Friends of Claireville
Ann MacKenzie	International Joint Commission
Bob Sanderson	City of Brampton
Anita Li	Environment Canada
Tim Van Seeters	Toronto Region Conservation
Jullian Aristizable	Ministry of the Environment
Sandy Agnew	Black Creek Project
Mike Stevens	Town of Markham
Levi Bourgeois	City of Brampton
John Bush	Conservation Halton
Chandra Sharma	Toronto Region Conservation
Emily Stewart	Ministry of the Environment
Janice Palmer	Don Council
Gordon Reidt	Region of Durham
Rob Meek	City of Vaughan
Jim Harris	Conservation Halton
Karen Sun	Toronto Region Conservation
Dave Morris	City of Brampton
Rod Anderton	City of Toronto
Jeff Borisko	Toronto Region Conservation
Suzanne Barrett	Etobicoke-Mimico Coalition
Tony Dicristofaro	Region of Peel
Tupper Wheatley	Milne Park Conservation Association
Brad Conklin	City of Brampton
Elaine Gilliland	Region of Peel
Gary Wilkins	Toronto Region Conservation
Irena Cooney	Ministry of the Environment
Chris Nelson	Markham Wood Golf & Country Club / Etobicoke-Mimico Coalition
Mark Mattson	Waterkeepers
Clarence Bootsma	City of Brampton
John Patterson	City of Vaughan
Bruce Carlin	Ministry of the Environment
Adele Freeman	Toronto Region Conservation
Steve Clement	Environment Canada
Debbie Wagdin	CCFEW / Etobicoke-Mimico Coalition
Joan Miles	Humber Alliance
Rod Landry	City of Brampton
Ashley Spearin	Town of Richmond Hill
Robert Hatvani	Ministry of the Environment
James Li	Ryerson University
Kristin Geater	Toronto Region Conservation
Tom Sudak	City of Vaughan
Anatoly Fisenko	Ontario Centre for Ecology
Dan Olding	Town of Richmond Hill
Nicole Corley	Ministry of the Environment
Kevin Young	Town of Markham
Connie Pinto	Toronto Region Conservation
Beverley Thorpe	Don Council
Steve Joudrey	Black Creek Project
Brian Howieson	consultant
Ed Graham	Clarifica
Anthony Desilum	Action to Restore A Clean Humber
Gwendolyn Omoruwa	Ministry of the Environment
Lisa Turnbull	Toronto Region Conservation
Paul Willms	Toronto Region Conservation

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Appendix B – Discussion Group Notes

The following are the points noted through the workshop discussion. Each group’s input is shown in a separate table. The discussion was focused on the following questions:

Question 1: What is working well? What would you like to see done differently? Are there new tools, approaches and information for spill management that you would like to see?

Question 2: Where should we focus our collaborative efforts on spill management? Are there certain initiatives, projects, and areas, sectors that we should focus on?

What is working well?	What would you like to see done differently?	New Tools / Information	Where should we focus to collaborate efforts on spill management
<ul style="list-style-type: none"> ▪ When notification of a spill has been received (City, TRCA, SAC) affected agencies etc are then notified ▪ Good coordination between Regional Municipalities and local municipalities 	<ul style="list-style-type: none"> ▪ On-site coordination and communication ▪ Municipal first responders often do not have enough equipment available immediately ▪ Often no enough information provided during the report of a spill (possibly due to lack of training, etc) ▪ Municipal spills plan not on web-site ▪ A need for more spill contingency planning in industry (i.e. smaller industries) ▪ Municipalities (not all) require more training as to roles and responsibilities and powers of authority (who is responsible for what and the existence of the M.O.U’s) ▪ Public education 	<ul style="list-style-type: none"> ▪ Industrial pollution prevention plans ▪ Greater deterrence (Bill 82) ▪ Mandate industry to have spill kits and contingency planning ▪ Increase media exposure on convictions ▪ Transparency with the public after the case closed ▪ GPS all spill locations 	<ul style="list-style-type: none"> ▪ Spills database management (electronic) ▪ Sharing of info on what has worked, what hasn’t ▪ Sharing of pros. Cons, experiences, with communication structures and technologies ▪ Public education ▪ Better collaboration on spills prevention

What is working well?	What should be done differently?	New Tools / Information	Where should we collaborate efforts on spills management
<ul style="list-style-type: none"> ▪ SAC is excellent ▪ Clear understanding ▪ legislation 	<ul style="list-style-type: none"> ▪ Continuous need for prevention practices ▪ Notification needs from various groups ▪ Need for citizens active participation and awareness on who and when to report to ▪ Legislation not very clearly understandable ▪ Not all spills are reported 		
What is working	What would you like to see done	New Tools	Where should we

well?	differently	/Information	collaborate efforts on spills management
<ul style="list-style-type: none"> ▪ Awareness (public) "who" i.e. Peel 24 hour hotline ▪ Coordination between agencies ▪ Modern planning practices and laws 	<ul style="list-style-type: none"> ▪ Mapping – asset inventory ▪ XGPS (location) finding and follow-up ▪ Incentive for industry for prevention ▪ Communication between Municipal Departments ▪ Recommended technology from MOE and Federal Government 	<ul style="list-style-type: none"> ▪ Mapping – available and digitized 	<ul style="list-style-type: none"> ▪ Require industry to do more i.e. Spills Prevention Plans, Spill Response within specific timeframe ▪ Municipalities able to write tickets for minor spills ▪ More awareness – industry specific – driven (small) ▪ More staff for inspections ▪ Province needs to work with trucking industry on prevention i.e. containment on board

What is working well?	What should be done differently?	New Tools / Information	Where should we collaborate efforts on spill management
<ul style="list-style-type: none"> ▪ Database exists and municipalities can access it 	<ul style="list-style-type: none"> ▪ Provincial legislation too onerous in burden of proof ▪ Not thorough enough assessment and monitoring and restoration efforts ▪ Corporation not aware of laws / requirements related to spills 	<ul style="list-style-type: none"> ▪ Tie spills to prevention /response plan to C of A's or operating permit ▪ Training and dedicated staff ▪ Cultural outreach / general education ▪ Encourage formation of industrial associations ▪ Update education on laws regularly ▪ Infrastructure to contain spills for certain areas – i.e. parking lots and highways 	

What is working well?	What should be done differently?	New Tools / Information	Where should we collaborate efforts on spills management
<ul style="list-style-type: none"> ▪ Regulations at hand ▪ Municipalities have plans ▪ Tiered response 	<ul style="list-style-type: none"> ▪ Mandatory monitoring of industries with polluting potential (i.e. US) or previous polluters ▪ Bigger penalties for not reporting ▪ More and better trained enforcement officers 	<ul style="list-style-type: none"> ▪ Environmental 911 – central easy to remember number to report and trigger action ▪ Educating public and 	<ul style="list-style-type: none"> ▪ Federal Legislation states " A spill" means the accidental discharge... (Ref page 2 of TRCA

	<ul style="list-style-type: none"> Improved trapping / containment with storm water facilities – improved design guidelines 	<p>industry on preventative measures / educate / clarify roles by each party</p> <ul style="list-style-type: none"> Legislation should define / differentiate accidental vs. willful spill (PTO) 	<p>backgrounder) – why accidental? – a spill can be intentional – legislation should be generic and refer only to spill</p> <ul style="list-style-type: none"> Media coverage of spills / effects, remediation and penalties with follow-up to ensure things get done – this should take place Better cross-communication (share of info) of action / prevention plans through web Sewer mapping – pollution flow path available before pollution / spills occurs – better faster response
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What is working well?	What should be done differently?	New Tools / Information	Where should we collaborate efforts on spills management
<ul style="list-style-type: none"> Municipalities ability to contain spills – Brampton Containment (flood prevention) ponds and circ pumps This workshop Municipal SER plans working well Municipal and provincial staff doing a good job Inter-agency communication – on-site only 	<ul style="list-style-type: none"> Spill prevention plan to be mandatory – similar to fire prevention plans More staff for enforcement Difficult to track spills – sewer maps for first line staff need to continually updated Consolidated roles – efficiency Access to information 		<ul style="list-style-type: none"> Spills prevention – public education Incentives monitory etc – go beyond compliance Identify lead responsibility for collaborative efforts Impacts on human health More involvement of ENGO's in monitoring and certification Ongoing training Better use of MOE and municipal data Focus on waste disposal, construction and transportation industry – mandatory spill training for drivers

What is working well?	What would you like to see done differently?	New Tools / Information	Where should we collaborate efforts on spills management
<ul style="list-style-type: none"> ▪ One SAC contact Peel Region Example ▪ This workshop is a sign of cooperation ▪ JPs know the municipal by-laws – hence success with charges – opposite for Province ▪ Remedial work ▪ Peel coordinates the cross boundary spills response (not the case everywhere) 	<ul style="list-style-type: none"> ▪ Too many jurisdictions (Fed/ Prov/ Municipal/ TRCA/ Private ▪ Roles and responsibilities not too clear ▪ Not enough inspectors / staff – one person for large areas ▪ Some municipalities have excellent plans – and others do not ▪ Municipalities are not resourced to develop and no source by-law not a core service ▪ Data is not accessible ▪ Record keeping is weak – needs standards 	<ul style="list-style-type: none"> ▪ Treat spills response as a regular topic at AMO – educate politicians ▪ Educate public – numbers to call, where the catch basin goes, outreach via Fairs, etc ▪ Educate small industry – provide mechanisms – using new technology to collect data (GPS – GIS) ▪ Document and map sewer systems (convergence and outfall) ▪ Improve sewer infrastructure ▪ Municipalities take a strong role at devising and resourcing sewer by-laws ▪ Accessibility between agencies (confidential and faster connects with front line staff) 	

What is working well?	What would you like to see done differently?	New Tools / Information	Where should we collaborate efforts on spills management
<ul style="list-style-type: none"> ▪ Collaboration between agencies ▪ Regional and transferred powers 	<ul style="list-style-type: none"> ▪ More funding for spills prevention staff ▪ Require mandatory spills prevention plans for all businesses in the ICI sectors and link to a municipal licensing or permit that is required to be renewed yearly (i.e. occupancy permit, when inspected by fire department or by building inspections) Mandate ISO 14000 ▪ Investigate / look to alternative methods of spills clean-up (natural foam and bacteria) a non-point source approach ▪ Regulate the sales of chemicals (i.e. cleaning products) such as “CLR” vs. baking soda to reduce 		

- contaminants
- Need one level / agency to take the lead of the entire spills response, following it through from start to finish
- Need a simple contact number (i.e. 711 – if you see a spill” one central dispatch – the number becomes promoted intensively and is well known publicly
- Some people don’t report their spills in fear of prosecution – reduce this fear and work with the proponent to prevent it from happening again – fines are too small anyway to make a difference for all of the trouble that they are worth
- Communication with smaller municipalities / townships need to be improved with dedicated staff response, known contact name and telephone number
- Problem in a one industry town that industry pollutes but nothing is done about it because of the fear that the industry will collapse and leave – whole town is then out of work
- Enforcement officers may be inclined to walk away from a spill once it is cleaned up to not pursue prosecution because of paperwork, low fines, and political pressure, judge viewing scientific evidence as unsatisfactory but it was.

What is working well?	What should be done differently?	New Tools / Information	Where should we focus to collaborate efforts on spills management
<ul style="list-style-type: none"> ▪ Contact after hours – Brampton is good ▪ Spills management and containment ▪ Good response once notified ▪ Region of Peel – flow plan ▪ Industrial spills – fewer and less severe 	<ul style="list-style-type: none"> ▪ Strengthen after hour contacts ▪ More coordination amongst regions ▪ Spill prevention – inspection of buildings – where do drains go? Mapping of drains – update ▪ Industrial inspections – beneficial ▪ Proactive education – multilingual ▪ Stronger enforcement of By-laws 		<ul style="list-style-type: none"> ▪ Outreach to small industrial businesses and training ▪ Prevention and education involving community workshops ▪ Improve media coverage of good news ▪ Build relationships ▪ Fridge magnet with

<ul style="list-style-type: none"> City of Toronto ads 	<ul style="list-style-type: none"> phone numbers Better identification in the blue pages Efficient communication with small business (through internet-water bill info) and public through workshops and environment days Spill clean-up and need to follow up
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What is working well?	What should be done differently?	New Tools /Information	Where should we focus to collaborate efforts on spills management
<ul style="list-style-type: none"> Reporting ER Network Integration over 3 jurisdictions 		<ul style="list-style-type: none"> Tracking, data base UTM and Watershed (georeference) - frequency, type, impact, Cumulative impact assessment... Need above to direct management activity Training kit for First Response staff (i.e.watershed maps, etc, flow infor, chemical properties) Decision tree and decision-making tool for managing clean-up – standardization Targeted solutions based on monitoring history Using DCA to install pollution prevention device / process in known trouble areas Coordinate and clarify multiple agency interest/responsibility Enforcement does not equal prevention or mitigate effect Don't put more \$ into enforcement (for more officers) instead focus on education and communication – 	<ul style="list-style-type: none"> Reach out to industrial sectors i.e. the Ontario Trucking Association – public corporations, CN and Hydro One Use resources to increase understanding in each industry] Basic (sand, absorbent pads) Kits should be mandatory and employees should receive basic training re: first response Education – target specific industry Identify problem areas and implement targeted solutions