

# **Contingency Planning**

## Guidelines



# Contents

I. Purpose .....	2
II. Legislation .....	2
III. Definitions .....	3
IV. Guidelines.....	4
V. Contingency Plan Elements .....	4
VI. Appendices.....	11
<b>Appendix A:</b> Contingency Plan Template for Commercial Salvage Facilities Handling Vehicles .....	11
<b>Appendix B:</b> Contingency Plan Template for Pesticide Business Operators Storing 25L/25 kg or Less of Commercial or Restricted Class Pesticides.....	11
<b>Appendix C:</b> Contingency Plan Template for Pesticide Business Operators Storing More Than 25L/25 kg of Commercial or Restricted Class Pesticides and for Application Sites Designated in the Activities Designation Regulations.....	11
<b>Appendix D:</b> Contingency Plan Template for Motive Fuel Retailer Facilities and Petroleum Bulk Plants.....	11

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Contingency Planning Guidelines

Department of Environment

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## I. Purpose

These guidelines have been developed to assist organizations in preparing a contingency plan. They outline the requirements under the Environment Act or regulations made pursuant to the Act. Contingency plan templates are also provided for:

- commercial salvage facilities handling vehicles;
- pesticide business operators storing 25 L/25 kg or less of commercial or restricted class pesticides;
- pesticide business operators storing more than 25 L/25 kg of commercial or restricted class pesticides and for application sites designated in the Activities designation Regulations; and
- motive fuel retailer facilities and petroleum bulk plants.

## II. Legislation

### Environment Act

78(2)(h) The Minister may direct a person responsible for dangerous goods or waste dangerous goods to prepare and submit to the Minister a written contingency plan respecting the handling of dangerous goods or waste dangerous goods.

### Dangerous Goods Management Regulations

10(1) Every person responsible for a storage facility which has:

- (a) a combined capacity of 2000 kg of dangerous goods or waste dangerous goods;
- (b) a combined capacity of 2000 L of dangerous goods or waste dangerous goods; or
- (c) waste dangerous goods in quantities greater than those listed in column II of Schedule "A"

shall have contingency plans respecting

- (i) fires or other emergencies, and
- (ii) discharges, emissions, escapes, leaks, or spills of dangerous goods or waste dangerous goods.

10(2) An Administrator may require contingency plans to be approved before allowing dangerous goods or waste dangerous goods to be stored at a storage facility.

### Petroleum Management Regulations

7(5) No person shall operate a bulk plant without having in place a contingency plan approved by an Administrator or an inspector.

## Pesticide Regulations

- 17 The Minister or an Administrator may require contingency plans respecting a release of a pesticide to be prepared for approval by the Minister or the Administrator by a person who holds a Class IX certificate of qualification or by an approval holder who applies a commercial class or restricted class pesticide.

## Approval and Notification Procedures Regulations

- 6(1) Unless specified otherwise on the application form for the class of approval sought or by the minister under subsection (2), an application must be accompanied by all of the following information:
- (s) contingency plans to deal with any reasonably foreseeable sudden or gradual release of a substance that is likely to have an adverse effect.

## Regulations adopting the Standard for Commercial Vehicle Salvage Facilities

- 5(1) The facility's contingency plan for spills and releases must be updated annually in accordance with the Nova Scotia Department of Environment's Contingency Planning Guidelines.
- 5(2) The contingency plan and any changes to the plan must be communicated to staff working at the facility.
- 5(3) The contingency plan must be located at the site at all times and if requested made available to an inspector from Nova Scotia Environment or fire and emergency personnel.
- 10 The contingency plan must be followed during a spill or release of automotive fluids, battery acid, regulated refrigerants and other substances.

## III. Definitions

In this guideline:

**Approval** means an approval issued pursuant to the Environment Act or regulations with respect to an activity and includes the renewal of an approval.

**CAS Registry Number** means a unique numerical identifier assigned to chemical compounds by the Chemical Abstracts Service (CAS) of the American Chemical Society. The registry is an authoritative collection of disclosed chemical substance information.

**Contingency plan** means a planned procedure for reporting, containing, removing and cleaning up a reasonably foreseeable sudden or gradual release of a substance which has caused, is causing or may cause an adverse effect to the environment, including human health.

**Countermeasures phase** means the time period beginning at the time of discovery of the unauthorized release and ending upon completion of all response activities, including the filing of a report detailing the response, if necessary.

**Organization** means a public or private company, partnership, non-profit group, individual, government (federal, provincial, municipal, etc.), governmental agency, public or private company, partnership, non-profit group, individual, or other entity.

**Unauthorized release** means a release of a substance into the environment as defined under the Environmental Emergency Regulations.

**Response Commander** means the individual in charge of the counter-measures phase of the response which in most cases will be the individual representing the person responsible for the unauthorized release.

**UN Number** means the four - digit numbers that identify dangerous goods, hazardous substances and articles (such as explosives, flammable liquids, toxic substances etc.) in the framework of international transport. They are assigned by the United Nations Committee of Experts on the Transportation of Dangerous Goods. For the purposes of this guideline, UN numbers are found in column 1 of Schedule 1 of the Transportation of Dangerous Goods Regulations (Canada).

## IV. Guidelines

Unless otherwise approved, contingency plans must include the information outlined in the Contingency Plan Elements section below or follow the appropriate template<sup>1</sup> located in appendices A through D.

An existing contingency plan or environmental emergency plan previously developed either on a voluntary basis or required under other statutes or regulations (federal, provincial, municipal) may be used to fulfill the requirements of these Guidelines, provided that the plan meets the requirements outlined in the Contingency Plan Elements section below.

## V. Contingency Plan Elements

### Table of Contents

The table of contents shall indicate the various subsections of the plan as well as the associated page number.

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<sup>1</sup> A format other than the provided templates can be used provided, as a minimum, it contains the same elements and level of detail.

## Introduction

This section should identify the general terms of reference of the contingency plan and shall include the following:

- (a) a policy statement indicating the organization's commitment to the protection of public health and safety, the environment, and property;
- (b) an objective/scope outlining the purpose of the plan;
- (c) the geographic or physical location of where the plan will operate, including civic and Provincial Property Identification Number;
- (d) the location of the plan if different than the location identified in subsection (c);
- (e) the nature of the activities at the place where the plan will operate; and
- (f) the date on which the plan was completed.

## Planning

### Hazard Assessment

This section shall include a description of the hazards associated with the operation including:

- the types of dangerous/waste dangerous goods covered by the plan including the name and if applicable the CAS Registry Number and UN Number;
- the maximum quantity that may be released;
- the maximum storage capacity for each type of dangerous/waste dangerous goods;
- the locations as to where the materials are stored, processed, mixed or transferred (indicated on schematic);
- incompatible materials or materials that are reactive with fire suppression agents shall be clearly identified in the plan; and
- identification of the types of emergencies that might be reasonably expected to occur, both on-site and off-site, resulting in potential adverse effects involving public health and safety, the environment, and property. Included shall be a description of the characteristics of the site indicating the expected point of discharge area likely to be impacted and key features (e.g. culverts, catch basins, streams).

## Resources

The plan shall include an inventory of available resources including contacts and the following:

- countermeasure equipment;
- manpower;
- contractors;
- treating agents;
- expertise;
- security;
- communications; and
- emergency information systems.

Any pre-arranged contracts to provide the above should be identified including the mechanism to obtain the desired resource.

## Roles and Responsibilities

The plan must clearly define the scope of the authority and responsibility of the organization as well as all key personnel and responders during an emergency. The plan shall also include references to the roles and responsibilities of outside response organizations and other agencies who have specific responsibilities under the plan. An organizational chart outlining roles and responsibilities of all stakeholders shall be attached.

The Response Commander is the key individual in charge of the countermeasures phase of any response and the plan must clearly define the scope of their authority and responsibility. The Response Commander must perform or ensure the performance of the following:

- critical decision making;
- commitment of financial resources;
- communication with appropriate government agencies;
- direct the use of other required resources;
- act as the focal point for information exchange;
- ensure that the environment is cleaned to a level acceptable to the Department; and
- prepare and submit a report detailing the response when necessary.

Should the designated Resource Commander have limited authority, the procedure to activate the higher level of response must be indicated.

## Command Centre

This section shall include a description of how, where and when an Incident Command Centre is to be established in the event of an emergency and shall take into consideration the emergency scenarios identified in the facility's hazard assessment.

## Public Relations

This section shall include a description of procedures to carry-out public relations and must identify who can speak on behalf of the person responsible. It shall also include measures to be taken to notify members of the public who may be adversely affected by the emergency.

## Implementation and Operation

### Activation

This section shall include a description of the procedures for processing emergency calls, signals, or information. The activation procedure must also identify the following:

- what is to be reported and with what urgency;
- by whom is it to be reported; and
- to whom is it to be reported.

All activation procedures shall be operational 24 hours per day and all applicable telephone numbers must be shown.

### Notification

This section shall include a description of the procedures for notifying key personnel who have specific responsibilities under the plan. The Notification Procedures section must also include the following:

- internal procedures whereby personnel discovering a release will advise the Response Commander who will then activate the internal reporting procedures within their own organization; and
- external procedures whereby the Response Commander will report releases to the Environmental Emergencies Reporting System operated within the Province.



## Notification Contact List

This section shall include detailed notification lists including:

- the office and home and/or the 24-hour telephone numbers for activating the contingency plan, the Response Commander, local management and if applicable the regional or national management.
- the Environmental Emergencies Reporting number 1-902-426-6030 or 1-800-565-1633 and applicable municipal authorities such as the police and fire services.

The following numbers should also be considered:

- hospital;
- ambulance;
- industry assistance contacts;
- local clean-up contractors;
- security;
- media;
- Government assistance contacts (i.e. CANUTEC); and
- response equipment and material suppliers

## Response Procedures

This section shall include the specific detailed countermeasures or standard operating procedures to be implemented to contain and mitigate the release of a dangerous goods or waste dangerous good that occurs either at a fixed facility or during transport. Response flow diagrams shall be included identifying the necessary countermeasures steps for each of the potential emergency scenarios as identified in the Planning - Hazard Assessment section. The procedures shall also include descriptions of the types of containment and clean-up equipment which can be employed.

## Rehabilitation

This section shall include a description of damage assessment and site rehabilitation procedures and shall have, as a minimum objective, the restoration of the site so that it can be safely used for the same purposes as it was prior to the spill. A method to take immediate restorative measures must be indicated. The Department may place more stringent requirements for site rehabilitation depending on the circumstances which exist at the time of site rehabilitation.

## Disposal

This section shall include a description of acceptable disposal procedures suitable for the emergency scenarios for which the plan was written. Adequate disposal techniques are a complex problem and may include both in and out-of-province disposal. The plan shall include information on disposal options as follows:

- location of disposal sites(s) approved to accept the materials which may be involved in a release;
- method of transport;
- waste disposal contactors;
- means of storage prior to disposal; and
- approval required.

## Reporting

The Department may request a report from the person responsible outlining the measures taken in response to the release. This section should identify the key personnel who have specific responsibilities under the plan with respect to reporting and outline the procedures for reporting. Reports may include the following:

- date and time of release;
- weather/atmospheric conditions at the time of release and during the response phase;
- cause of the release;
- substance or substances involved;
- quantities involved;
- affected environment and/or properties;
- identification of all parties and individuals involved in the response or exposed to the product including by-products of combustion;
- health and safety concerns;
- containment used;
- mitigation (clean up) techniques employed;
- disposal methods used, including quantities and location;
- site remediation completed and planned;
- short and long-term impacts;
- status of the response;
- a log of actions taken including associated times; and
- measures to be implemented to prevent any re-occurrence.

## Administrative

### Training

This section shall include a description of the following training elements:

- commitment from the organization that staff shall be sufficiently trained to be thoroughly familiar with company policy and procedures for responding to emergencies;
- identification of training requirements for key personnel and responders depending on their responsibilities under the plan;
- identification of training frequency for key personnel and responders; and
- procedures for training curriculum and exercise review and update.

Emergency response training should be considered a necessity. Fundamentals include knowledge of the hazards from the materials likely to be encountered as well as knowledge and use of any response equipment that may be used.

### Exercises

This section shall identify response exercises to be carried out including type and frequency. An exercise is a simulation of an actual emergency - either administrative (i.e. tabletop) or operational (i.e. simulation). The purpose of an exercise is to:

- validate the contingency plan;
- confirm the effectiveness of response training;
- practice response techniques and procedures;
- develop improvements in response procedures; and
- introduce new concepts for future exercises.

Records of all exercises shall be maintained and include the following information:

- the date of testing; and
- the list of all local, provincial or federal authorities, community or interest groups, if any, that have been involved in the testing of the plan.

As a minimum, exercises should be carried out annually to ensure that the plan continues to meet the requirements of these guidelines.

### Maintenance of Response Equipment

This section shall describe the type of and show schedules for the preventative maintenance of relevant equipment.

## Updating

This section shall describe the steps taken to ensure that the plan is improved on a continual basis. As a minimum, the plan should be updated annually to ensure that the plan continues to meet the requirements of these guidelines.

A description of the following review process elements shall be included:

- a plan review schedule (minimum - annual review);
- the plan should be reviewed in accordance with any changes in company policy, industrial emergency planning standards, industrial codes of practice, or applicable legislation (federal, provincial, municipal);
- record in writing and consecutively number, on a “Record of Amendments” page at the front of the plan, each amendment to the contingency plan. The most common amendments include telephone listings, named response personnel, equipment available, list of dangerous goods handled, and emergency services available;
- following an exercise or an incident involving the activation of the contingency plan, the response should be evaluated via debriefing sessions, and the plan upgraded and modified as necessary; and
- any revisions to the plan should be reviewed and approved by the organization.

## VI. Appendices

**Appendix A:** Contingency Plan Template for Commercial Salvage Facilities Handling Vehicles

**Appendix B:** Contingency Plan Template for Pesticide Business Operators Storing 25L/25 kg or Less of Commercial or Restricted Class Pesticides

**Appendix C:** Contingency Plan Template for Pesticide Business Operators Storing More Than 25L/25 kg of Commercial or Restricted Class Pesticides and for Application Sites Designated in the Activities Designation Regulations

**Appendix D:** Contingency Plan Template for Motive Fuel Retailer Facilities and Petroleum Bulk Plants



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