



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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Canada Energy Regulator
210-517 10 Ave SW
Calgary AB T2R 0A8

Re: Discussion Paper for the Onshore Pipeline Regulations

Dear Review Panel,

Thank you for the opportunity to provide input on the Discussion Paper for the Onshore Pipeline Regulations. The Department of Ecology (Ecology) is Washington's environmental protection agency. Our mission is to protect, preserve, and enhance Washington's land, air, and water for current and future generations. We are offering recommendations on these regulations because of our shared border with Canada, and we recognize that the Trans Mountain pipeline passes through our shared borders.

Ecology's Spill Prevention, Preparedness, and Response Program regulates transmission pipelines transporting oil in or through Washington State. These regulations focus on our preparedness work, including contingency plans, exercises, equipment pre-staging, and notification requirements for transmission pipeline companies.

Ecology recommends the following be included in the scope of updates for these regulations to ensure a robust readiness posture for a potential oil spill:

Equipment for Pre-staging Standards

To ensure a rapid, aggressive, and well-coordinated response to a potential spill, Ecology recommends determining pre-staging standards for spill response equipment. These standards could:

- Determine effective locations for equipment based on spill risk.
- Identify and contract with personnel trained in the mobilization and deployment of equipment.

- Determine requirements for participation in exercises to test the readiness and deployment of equipment.

Oil Spill Contingency Plans

In Washington State, transmission pipeline companies submit oil spill contingency plans to Ecology. These plans provide information about how that company would respond if a spill were to occur. Ecology recommends including oil spill contingency plan requirements to the Onshore Pipeline Regulations. These requirements could include:

- Oil spill response procedures.
- Equipment needed to respond to a potential spill.
- Training of personnel within the incident command system.
- Notification and communication procedures.

Oil Spill Exercises

Oil spill contingency plans provide the company with a framework for their ability to respond to oil spills. To ensure these plans are up-to-date and effective, Ecology recommends conducting oil spill exercises. This allows company personnel to work on their training and skills, practice deployment of spill response equipment, test their notification procedures, and discover lessons learned and areas for improvement. Continual testing of the company's contingency plan allows for constant improvement and preparedness for an actual incident.

Qualifications of Spill Management Teams (SMTs)

In Washington State, Spill Management Teams (SMTs) are dedicated personnel trained to work within an incident command system in order to manage an oil spill. Team members could include personnel from the company or those contracted by the company. Ecology's contingency plan rule, Chapter 173-182 WAC, includes requirements for approval of a SMT. These requirements include, but are not limited to:

- Twenty-four hour availability to mobilize equipment and personnel if needed.
- Timeframe requirements for personnel to arrive within the state and on-scene for an incident.
- Implementation of the contingency plan in which they are contracted for.
- Work within the incident command system.

Spill Notification Requirements

Ecology recommends including spill notification requirements to the Onshore Pipeline Regulations as well. This includes information about how to report a spill and the steps the company should take if they are the responsible party. The regulations could outline reporting

requirements scaled to the type of product spilled, where it was spilled, and how much was spilled.

Conclusion

All of these recommendations work together to provide a robust oil spill preparedness posture for onshore pipelines transporting oil in and through Canada. Having plans in place, equipment staged, notification procedures ready, and practicing for a real incident allows companies and the response community to be better prepared if and when a spill occurs.

We appreciate the opportunity to comment on these regulations and thank you for taking the time to review our recommendations.

Sincerely



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