

Reporting Discharges and Spills



This fact sheet is not a substitute for the law. Please consult The Environmental Management and Protection Act, 2002 and The Environmental Spill Control Regulations for all purposes of interpreting and applying the law.

In an event of a difference between this fact sheet and the Act or Regulation, the Act or Regulation prevails.

Contact Information

For more information about discharge and spill reporting requirements, contact the Ministry of Environment Saskatoon office or visit the Ministry of Environment spill web site at:
www.saskspills.ca.

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This fact sheet is intended to assist those who use, transport and store hazardous and environmentally dangerous substances in understanding the reporting requirements for discharges and spills under The Environmental Management and Protection Act, 2002 (EMPA, 2002) and The Environmental Spill Control Regulations respectively.

Individual approvals, permits, licences, orders, and codes of practice may also contain reporting requirements for contraventions to their terms and conditions, monitoring results and sampling programs.

When to Report

The discharge of a substance is reportable under EMPA, 2002 when the discharge is in an amount, concentration or level or at a rate of release that may cause or is causing an adverse effect, unless otherwise expressly authorized. An adverse effect is impairment of, or damage to the environment, or harm to human health.

The spill of a pollutant is reportable under The Environmental Spill Control Regulations when the pollutant is in an amount equal to or exceeding the specified amount and time period listed in the Appendices of the Regulation.

Some of the more common hazardous substances reported in Saskatchewan include gasoline, anhydrous ammonia and wastewater.

Immediate reporting helps to ensure adverse effects are addressed properly and minimized, if possible, to safeguard the public and protect the environment.

Who must Report

The person who discharges, allows the discharge, or has control of the substance discharged is responsible for reporting. Police officers and employees of municipalities or government agencies are also required to report.

How to Report

Discharges must be reported to the Minister at the first available opportunity, as soon as that person knows or ought to know of the discharge.

Reports can be made by phoning **1-800-667-7525** (toll-free, 24 hours-a-day); or in person during regular office hours at any Ministry of Environment office.

When reporting, please provide the following:

- your name, call back telephone number/fax number;
- location and time of the spill (ie. city, town, address, highway number, land location, UTM coordinates, LSD, etc.);
- shipper name/consignor/point of origin;
- type and quantity of pollutant spilled (UNPN if applicable, product name, volume spilled);
- a description of the spill site and immediate surrounding area (soil type, on or near surface water, drainage characteristics, groundwater depth, proximity to dwellings, location of domestic service lines, etc.);
- what agencies have responded and who is on scene at present;



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- local weather conditions (wind direction and speed, rain, snow, etc.);
- the names of all persons notified of the spill;
- the known causes and effects of the spill;
- first response and remedial actions that have taken place with respect to the spill (containment work at time of spill); and
- any further action or work that is contemplated or required (details of cleanup and restoration procedures, and details of disposal including location and procedures).

Written Report

A written report must be submitted to the Minister within seven days after the immediate report. The Spill Report Forms can be downloaded from the ministry's spill web site and must include:

- the location and time of the spill;
- the type and quantity of the pollutant spilled;
- a description of the spill-site area;
- the names of all persons notified of the spill;
- the known causes and effects of the spill;
- any remedial action that was taken with respect to the spill; and
- any further action or work that is contemplated or required.

Written reports can be mailed, e-mailed or faxed to your Ministry of Environment contact person or to the ministry's Saskatoon office (see contact information).

WHAT DOES NOT HAVE TO BE REPORTED

Generally, discharges of the following substances do not have to be reported to the Ministry of Environment, but reporting to other agencies may be required:

- substances released as authorized by EMPA, 2002 and associated regulations;
- substances released as authorized by any other Act, Act of Parliament of Canada or the regulations;
- substances released according to conditions in an approval, permit, licence or order made pursuant to the above; or
- petroleum, natural gas, or salt water associated with oil or gas production or pipelines.

Although generally exempted, the discharge of these substances is reportable to the ministry when:

- the discharge may cause or is causing an adverse effect (as defined by EMPA, 2002); or
- the discharge exceeds the amount, concentration, or level or at a rate of release that is expressly authorized.

If unsure whether the discharge is or may cause an adverse effect, or if the quantities or levels are exceeded, the discharge should be reported.

WHAT HAPPENS AFTER YOU REPORT

The ministry's primary role is to ensure the safety of the public and protection of the environment.

When a spill is reported, ministry staff will confirm the adequacy of measures taken to contain and clean up the spill and/or give instructions on measures to be taken. The ministry will also act as a liaison with other agencies that might be affected.

The ministry's spill response team is equipped to make on-site inspections, determine if appropriate measures are being taken during the cleanup operation and ensure that spilled materials are cleaned up and disposed of in an approved manner.

After the incident has been concluded and the impacted area is made safe, the ministry will gather more information about the incident to determine the cause and how to prevent future releases.

Once all the information is gathered, a decision is made whether enforcement action is necessary, and what that enforcement action should be.

PENALTIES FOR NOT REPORTING

Failure to report a discharge of a substance causing an adverse effect or the spill of a pollutant can, at the discretion of a court, result in a fine up to \$1,000,000 and/or up to 3 years in jail.