

## Informational Letter

### IL 98-1

6 February 1998

TO: All Oil, Gas, Oil Sands, and Pipeline Operators

**A MEMORANDUM OF UNDERSTANDING BETWEEN ALBERTA ENVIRONMENTAL PROTECTION AND THE ALBERTA ENERGY AND UTILITIES BOARD REGARDING COORDINATION OF RELEASE NOTIFICATION REQUIREMENTS AND SUBSEQUENT REGULATORY RESPONSE.**

This document supersedes Informational Letter (IL) 96-10, which is hereby rescinded.

IL 94-5 and IL 96-10 introduced and clarified a Memorandum of Understanding (MOU) which described the process to be used by the upstream oil and gas industry to notify either Alberta Environmental Protection (AEP) or the Alberta Energy and Utilities Board (EUB) whenever a spill or other form of release has occurred. The MOU described a reporting process that integrated the needs of both agencies, providing the upstream oil and gas industry with a single call process to report various types of releases.

The attached updated MOU further clarifies and streamlines the release notification requirements for any release that may cause, is causing, or has caused an adverse effect as defined in the Alberta Environmental Protection and Enhancement Act.

Questions regarding the MOU can be directed to the EUB's Field Surveillance Group at (403) 826-8333 or AEP's Pollution Control Division at (403) 427-6209.

*Original signed by*

---

Céline Bélanger  
Chair  
Alberta Energy and Utilities Board

*Original signed by*

J. R. Nichols  
Deputy Minister  
Alberta Environmental Protection

Attachment

# **MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN AEP AND THE EUB ON RELEASE NOTIFICATION REQUIREMENTS FOR THE UPSTREAM OIL AND GAS INDUSTRY AND SUBSEQUENT REGULATORY RESPONSE**

**6 FEBRUARY 1998**

## **1 INTRODUCTION**

Regulation of the oil and gas industry release notification requirements (oil, in-situ oil sands, natural gas, pipelines, and all other associated facilities) in the province is the joint responsibility of Alberta Environmental Protection (AEP) and the Alberta Energy and Utilities Board (EUB). Both agencies have release notification requirements of the upstream oil and gas industry, including pipelines, and each has a role to play in the regulatory response to such release incidents.

## **2 PURPOSE OF THE AGREEMENT**

This agreement updates the previous MOU (IL 96-10). It maintains the previous approach and roles of each organization with regard to release notification, complaint and emergency response. It also continues a framework for separate and joint inspections and investigations in the upstream oil and gas sector. Its purpose remains to:

- \$** provide an integrated and streamlined notification and reporting procedure for industry and the public through a **Ane-window@**approach, to the greatest degree possible,
- \$** ensure consistent notification and reporting requirements are in place for industry,
- \$** optimize the efficient use of resources available to both organizations,
- \$** ensure a coordinated and integrated response to complaints or emergencies between the regulatory agencies, and
- \$** provide for improved inter-agency communication.

This agreement does not override any existing acts, regulations or approvals of either organization.

## **3 JURISDICTION**

### **3.1 AEP/EUB Approved Facilities**

For the purpose of this agreement, all upstream oil and gas facilities that require approval from AEP and the EUB are considered **AEP/EUB Approved Facilities@** These facilities are defined in regulations pursuant to the Alberta Environmental Protection and Enhancement Act (EPEA) and typically include certain gas processing plants, some compressor stations, designated and regulated (Class I) pipelines, waste disposal wells, and heavy oil and oil sands projects.

### **3.2 EUB Approved Facilities**

For a variety of other upstream energy-related facilities, only EUB approvals are required. These include such facilities as oil and gas wells, most injection and disposal wells, various production facilities, Class II pipelines, lines and oilfield waste management facilities.

## **4 NOTIFICATION REQUIREMENTS**

In an effort to streamline the industry reporting requirements of the EUB and AEP, which are somewhat different, a **one window** approach is desirable for those requirements that overlap.

Attachment 1: **Industry Notification Requirements** outlines a number of the common industry notification requirements.

Upon becoming aware of a reportable release whether immediate/current or cumulative, industry operators are required to orally notify the appropriate regulatory authority. This initial notification of a release, spill or pipeline break should be to the primary contact agency identified in Attachment 1. Cumulative releases are generally small spills that individually may not have an adverse effect but combined over a period of time may accumulate and likely will have an adverse effect on the environment.

### **4.1 Unrefined Product Releases**

Release of substances regulated by the EUB (e.g., unrefined products such as conventional crude oil, LPG, diluent, condensate, synthetic crude, sour gas, produced water, and other produced fluids), pipeline breaks and incidents involving oilfield wastes are to be immediately **reported orally to the appropriate EUB Field Centre** if:

- (a) the release is in **excess of 2 m<sup>3</sup> on lease or any release off lease**,
- (b) there is **any release from a pipeline**, or
- (c) **any release**, on or off lease, of any size that may cause, is causing or has caused an **adverse effect**.

**NOTE:** **Adverse effect is defined in EPEA as impairment of or damage to the environment, human health or safety, or property. Where this has occurred, the operator is required to notify the appropriate EUB Field Centre.**

Figure 1 provides a flow chart for industry operators to follow in determining whether to report the release of an unrefined product.

For the purpose of reporting, the industry operator shall use the following guidelines to assess whether the release may cause, is causing or has caused an adverse effect for the assessment process outlined in the Figure 1.

- \$ Any third party impact (off lease), e.g., crop damage, vegetation damage, and livestock impact,
- \$ unrecovered spilled substance likely to contaminate surface or ground water,
- \$ groundwater and/or surface water is contaminated,
- \$ release or spill has potential for offsite odour complaints, or
- \$ toxic or flammable release to air going offsite.

The EUB will maintain a mutually satisfactory system for capturing release notification data for unrefined releases and provide this information to AEP's Pollution Control Division (PCD) in an appropriate time period mindful of the severity of the release (see Figure 2: EUB Field Centre reporting interface with Pollution Control Division of AEP). To provide the required notification to AEP and provide industry with a **one window** contact for unrefined product releases, the EUB's Field Surveillance Group will notify PCD of all reported releases of unrefined product or pipeline breaks. PCD will notify AEP's Land and Forest Service, or Agriculture, Food and Rural Development's Public Land Management Branch of all reported releases or pipeline breaks on public lands in the **Green Area** or the **White Area** respectively. In addition, PCD will notify the AEP's Natural Resources Service, Environment Canada and Alberta Transportation and Utilities Dangerous Goods Control, as required.

**NOTE: It is the responsibility of the industry operator reporting a release to the EUB or PCD (as appropriate) to inform any private individuals whose lands may be affected by the release. The industry operator must notify the landowner of any release that occurs off a lease site, migrates off a lease site or occurs on an easement or right-of-way. Industry operators are reminded that landowner cooperation is essential in being able to quickly respond to a release that is not on the normal working area of your lease site.**

For National Energy Board (NEB) regulated pipelines and facilities, the industry operator is obligated to notify the NEB regarding releases or breaks. The EUB may act as first responder to the incident, if required by the NEB. The EUB will notify the NEB of any releases or pipeline break incidents that EUB staff become aware of in the course of their work or via a public complaint, pursuant to the NEB/EUB Memorandum of Understanding dated 26 May 1995.

Once an unrefined product release has occurred, it is the industry operators responsibility to manage contaminated soils, sludge and waters generated as a result of the spill, and to decontaminate all on-lease and off-lease adverse impacts to the satisfaction of AEP<sup>1</sup>. The EUB is the regulatory agency charged with the responsibility for ensuring that the spill is adequately contained and any free product is recovered. AEP is responsible for ensuring that operators properly decontaminate their sites. The industry operators are required to decontaminate the spill site in accordance with the AEP remediation objectives<sup>1</sup>.

---

1 AEP and the EUB are currently preparing a Memorandum of Understanding regarding the Suspension and Reclamation of Upstream Oil and Gas Facilities which will be issued later this year.

## **4.2 Refined Product Releases**

For releases of refined product (e.g., diesel, gasoline, sulphur, and solvents) the operator is required to **orally notify PCD** immediately upon becoming aware of such a release as stipulated in the Release Reporting Regulation (AR 117/93) of the EPEA. Any release that **has caused, is causing or may cause an adverse effect** must be reported under this Act. Refer to Appendix A: Alberta Environmental Protection Release Reporting Guideline, for more details.

## **4.3 Written Reports to PCD**

The industry operator is responsible to provide a **written report directly to PCD within seven (7) days of any oral report** of an unrefined or refined product release only if it has caused, is causing, or may cause an adverse effect on the environment.

If the release is fully contained on site or there are no adverse effects, then a written report is not required.

Under the Release Reporting Regulation of AEP, the written report must include the following information, where reasonably available:

- \$** the date and time of the release, or the time period over which the release occurred, if known,
- \$** the location of the release,
- \$** the duration, frequency and rate of release, if known,
- \$** the composition of the material released (e.g., crude oil, produced water, sour gas condensate, etc.) including concentration of key components and amount released, if known,
- \$** a detailed description of the circumstances leading to the release (e.g., leaking tank, dripping valve, etc.),
- \$** the steps or procedures which were taken to minimize, control or stop the release,
- \$** the steps or procedures which will be taken to prevent a similar release from occurring,
- \$** the status of the remediation program (e.g., remediated, under active remediation or to be remediated),
- \$** the remediation plan and schedule of implementation, if required, and
- \$** where appropriate, information regarding landowner notification.

## **4.4 Flaring**

PCD is the primary contact for flaring at joint AEP/EUB approved facilities. Operators are required to **report to PCD when an AEP/EUB approved facility exceeds an approval condition or when flaring has occurred that has the potential to cause an adverse effect**. PCD will, in turn, notify the EUB's Field Surveillance Group.

**Operators of EUB approved facilities are required to report to the appropriate EUB Field Centre when flared volumes exceed approved limits or when flaring occurs that results in smoke or odours, or that extends over a long duration (24 hours).**

## **5 COMPLAINT AND EMERGENCY RESPONSE**

To ensure an appropriate response, both the EUB and AEP have emergency response personnel and resources based throughout the province. In addition, both organizations use 24-hour response systems with telephone numbers published on the front pages of all Alberta telephone directories.

The Government of Alberta Emergency Response Support Plan for an Upstream Petroleum Industry Incident (EUB Information Letter IL 96-11) is designed to protect the public and minimize hazards by ensuring a coordinated effective response to an incident. This document details the roles of various government agencies in responding to an emergency situation.

**NOTE: The EUB Field Surveillance Group is responsible for assuming the lead role in responding to emergencies and complaints regarding all oil and gas facilities.**

Recognizing the distribution of personnel throughout the province, upon request and by mutual agreement, PCD and the EUB Field Surveillance Group will assist each other by responding to non-routine situations. This will most likely occur in cases of releases of unknown material (for example hydrocarbon material that has not yet been identified to be either unrefined or refined). It is not intended that the responding organization will assume the responsibilities of the other organization, but rather to assist each other where possible. If specific problems are noted, the organization with jurisdiction must be contacted and the responsible party is expected to respond.

## **6 INVESTIGATIONS/INSPECTIONS**

The difference in the focus of PCD and the EUB Facilities Division is the distinction between **Investigations** and **Inspections**. The primary focus of PCD is investigations; for the EUB Facilities Division, it is inspections.

An investigation performed by PCD is conducted to gather evidence which substantiates or disclaims alleged contravention of EPEA or Regulations made under that Act. It is initiated on reasonable beliefs that a contravention has occurred.

An inspection, performed by the EUB Facilities Division, is an on-site review of a facility for the purpose of:

- \$** reviewing information, checking equipment and procedures,
- \$** identifying problems and plans for resolution, and
- \$** ensuring compliance with EUB regulations and approvals.

Inspections are usually performed in cooperation with the facility operator during which time any deficiencies and appropriate remedial actions noted are discussed.

**NOTE: Staff of the two agencies will endeavor to coordinate their investigation and inspection activities in those situations where there may be some potential to**

**minimize duplication of effort for the regulatory agencies or the operator involved.**

## **7 ENFORCEMENT**

AEP and PCD and the EUB and Facilities Division place priority on facilities located in sensitive areas, facilities or operators with a poor operating history, and situations with the potential to adversely affect the environment.

**NOTE: Both organizations will communicate with each other and the operator and may work with or assist each other in their enforcement actions. Upon request and by mutual agreement, the PCD and the EUB and Facilities Division will exchange information, data or documents in areas of their respective jurisdiction to facilitate investigations/inspections and each other's enforcement activities. In the event documents filed with the EUB are requested by AEP for possible use as evidence for enforcement actions including prosecutions, the EUB will advise the companies of that request and outline the documents that have been released.**

## **8 EDUCATION**

AEP and the EUB are committed to promote and enhance their relationship with industry, the public, and all interested and concerned parties by providing relevant information about their organizations and their respective regulatory roles and requirements.

## **9 LEGISLATION AND REVIEW**

This agreement between AEP and the EUB may require modification or review depending on changes in legislation or other factors. Should modifications be required, the EUB and AEP will review their proposed modifications with any affected parties prior to instituting the changes. The regulatory requirements and processes described in this document will be periodically reviewed to ensure that they continue to meet the needs of the regulatory agencies, the industry and any other affected parties.

## **10 CONTACTS**

Requests for further information may be directed to either:

David Onuczko  
Pollution Control Division  
Alberta Environmental Protection  
Edmonton, Alberta  
Phone: (403) 427-6225  
Fax: (403) 427-3178

Troy Geertsen  
Facilities Division  
Alberta Energy and Utilities Board  
Bonnyville, Alberta  
Phone: (403) 826-8333  
Fax: (403) 826-2366

## ATTACHMENT I: INDUSTRY NOTIFICATION REQUIREMENTS

### JOINT AEP/EUB APPROVED FACILITY OR PIPELINE

Facility Type Locations	Event	Primary Contact	Phone Numbers
_____	1 SPILL/RELEASES/CUMULATIVE RELEASES		
_____	1.1 Unrefined product spill (e.g., liquid hydrocarbon or produced water)	EUB	Local field centre (see reverse side)
_____	1.2 Refined product spill	AEP	422-4505
_____	1.3 Contravention of AEP approvals	AEP	422-4505
_____	1.4 Unplanned or planned releases in accordance with EUB approvals	EUB	Local field centre (see reverse side)
_____	2 UNSCHEDULED/EMERGENCY FLARING		
_____	<b>For flaring resulting in one or more of the following, contact the most appropriate organization and request referral.</b>		
_____	2.1 Exceed AEP approval conditions	AEP	422-4205
_____	2.2 Exceed EUB approved volume or greater than 24 hours in duration	EUB	Local field centre (see reverse side)
_____	2.3 Black smoke or potential adverse conditions (e.g., public complaints)	AEP	422-4205
_____	3 ODOURS/FUGITIVE EMISSIONS		
_____	3.1 From unrefined products	EUB	Local field centre (see reverse side)
(For use by industry to identify the type and location of facilities)	3.2 From refined products	AEP	422-4505
	3.3 Sulphur dust/fires	AEP	422-4505
_____	4 EMERGENCY RESPONSE		
	4.1 Blowouts/Pipeline Failures/Sour Gas Releases/Fires	EUB	Local field centre (see reverse side)

### EUB ONLY APPROVED FACILITY OR PIPELINE

Facility Type Location(s)	Event	Primary Contact	Phone Numbers
_____	1 SPILL/RELEASES/CUMULATIVE RELEASES		
_____	1.1 Unrefined product spill (e.g., liquid hydrocarbon or produced water)	EUB	Local field centre (see reverse side)
_____	1.2 Unplanned or planned releases in accordance with EUB approvals	EUB	Local area office (see reverse side)
_____	1.3 Refined product spill	AEP	422-4505
_____	2 UNSCHEDULED/EMERGENCY FLARING		
_____	2.1 Exceed EUB approved volume limits or greater than 24 hours in duration	EUB	Local field centre (see reverse side)
_____	2.2 Black smoke or potential adverse conditions (e.g., public complaints)	EUB	Local field centre (see reverse side)
_____	3 ODOURS/FUGITIVE EMISSIONS		
_____	3.1 From refined/unrefined products	EUB	Local field centre (see reverse side)
(For use by industry to identify the type and location of facilities)	4 EMERGENCY RESPONSE		
	4.1 Blowouts/Pipeline Failures/Sour Gas Releases/Fires	EUB	Local field centre (see reverse side)
	<b>NOTE: When circumstances require notification to AEP's Pollution Control Division and the EUB's Facilities Division, the initial organization contacted will notify the other.</b>		



**ALBERTA ENERGY AND UTILITIES BOARD  
FIELD SURVEILLANCE - FIELD CENTRES**

**CALGARY HEAD OFFICE**

640 - 5 Avenue S.W.  
Calgary, Alberta T2P 3G4

**Telephone Number**  
297-8311

**FIELD SURVEILLANCE - CALGARY MAIN**

**FAX 297-8114**

Group Leader	D. D. (Dwayne) Waisman	297-3730
Operations Leader - North	D. T. (Dennis) McCullough	460-3824
Operations Leader - South	E. (Ed) May	340-5136
Facility Performance Leader	D. B. (Dan) Sarnecki	297-8186
Surface Impacts Leader	F. G. (Fred) Sorenson	297-8132
Program Liaison Leader	M. S. (Marilyn) Craig	297-3194
Systems and Support Leader	W. (Bill) Wylie	297-8185

**FIELD CENTRES**

Bonnyville	P. O. Box 5169, 2 <sup>nd</sup> Fl., Northlands Development Building 4901 - 50 Avenue, T9N 2G4	826-5352 (24 hours) FAX 826-2366
Calgary South	640 - 5 Avenue S.W., Calgary, T2P 3G4	297-8303 (24 hours) FAX 297-5283
Drayton Valley	P. O. Box 7048, 5136 - 51 Avenue, T7A 1S3	542-5182 (24 hours) FAX 542-2540
St. Albert	Main Floor, 30 Sir Winston Churchill Avenue St. Albert, T8N 3A3	460-3800 (24 hours) FAX 460-3802
Grande Prairie	#200, 11209 - 98 Avenue, T8V 5A5	538-5138 (24 hours) FAX 538-5582
Medicine Hat	#302, 346 - 3 Street S.E., T1A 0G7	529-3626 (24 hours) FAX 529-3103
Red Deer	#210, 4920 - 51 Street, T4N 6K8	340-5454 (24 hours) FAX 340-5136
Wainwright	801 - 2 Avenue, T9W 1C4	842-7570 (24 hours) FAX 842-7536

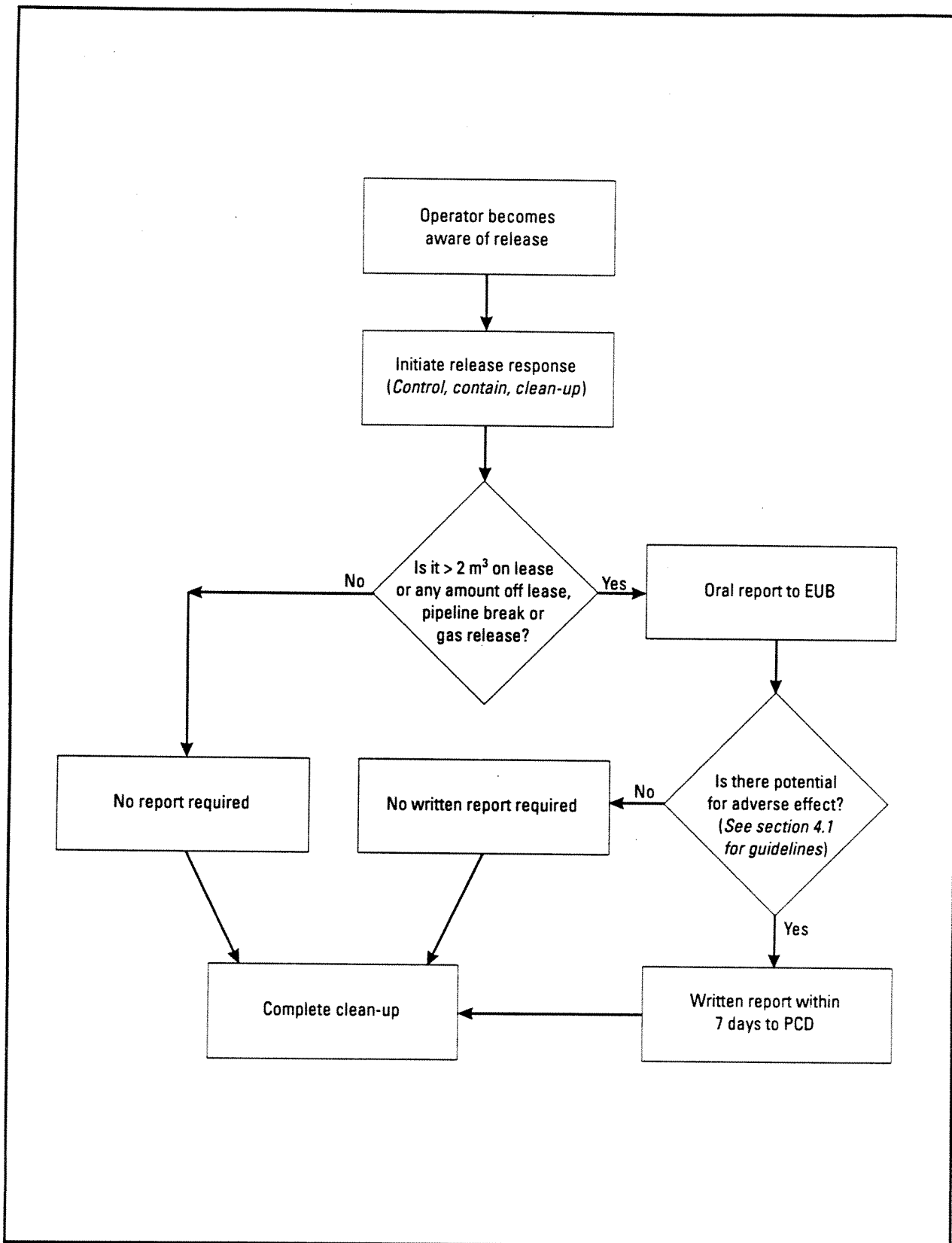


Figure 1: Release Reporting Requirements for Unrefined Products

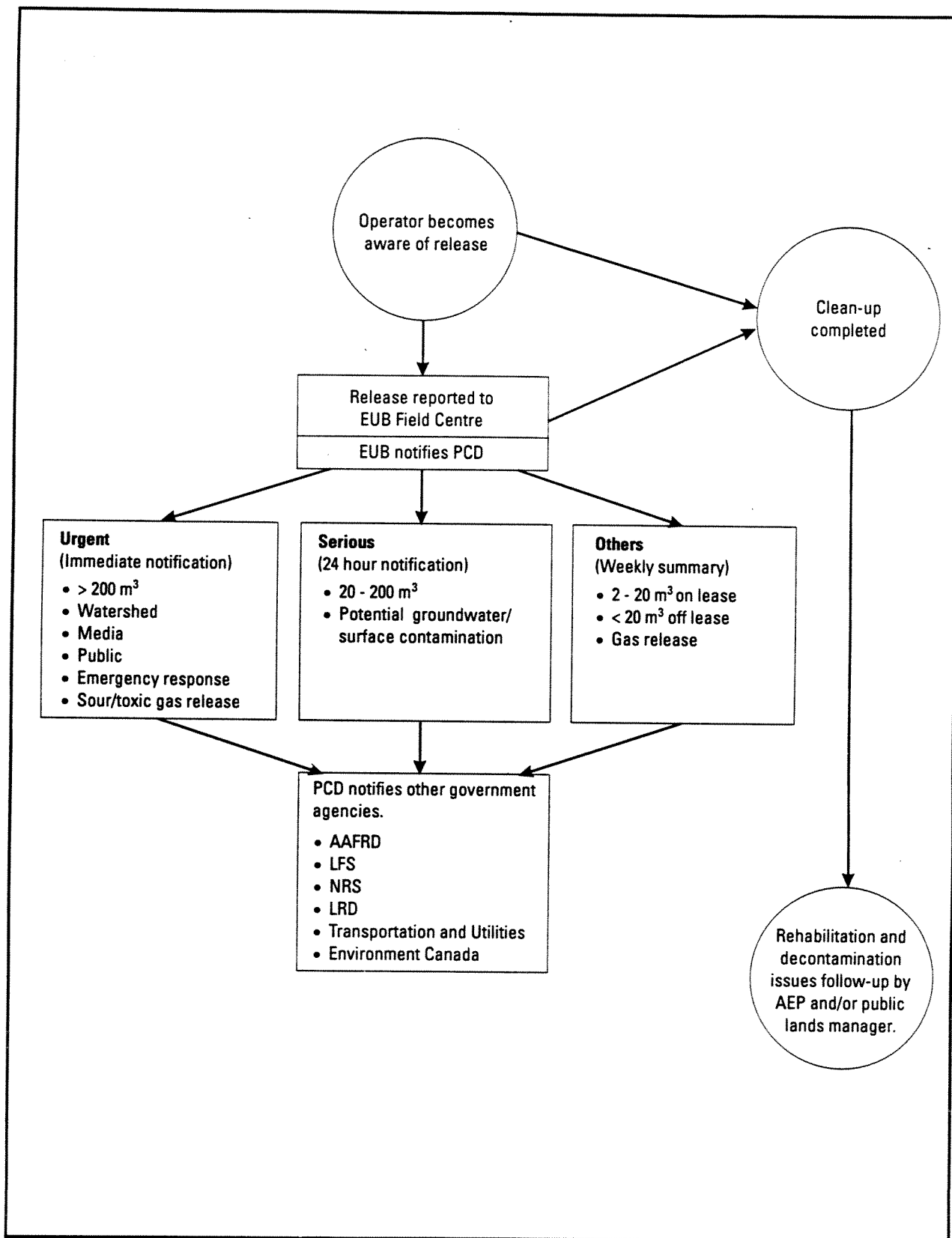
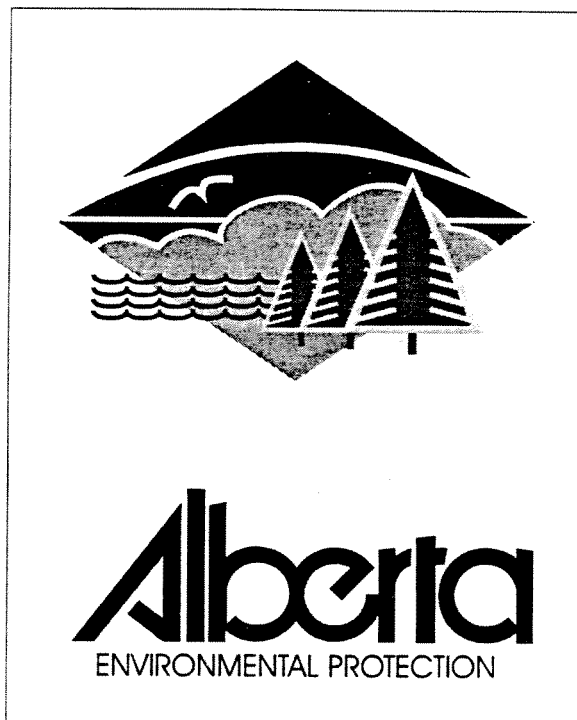


Figure 2: EUB Field Centre Reporting Interface with Pollution Control Division of AEP

## **APPENDIX A:**

# **ALBERTA ENVIRONMENTAL PROTECTION RELEASE REPORTING GUIDELINE**

# Release Reporting Guideline



June 1995

More information regarding the Release Reporting Guideline  
may be obtained by contacting:

**Pollution Control Division  
Alberta Environmental Protection  
11th Floor, 9820 - 106 Street  
Edmonton, Alberta T5K 2J6  
Phone: (403) 427-6225**

Additional copies of the Release Reporting Guideline  
may be obtained by contacting:

**Regulatory Approvals Centre  
Alberta Environmental Protection  
Main Floor, 9820 - 106 Street  
Edmonton, Alberta T5K 2J6  
Phone: (403) 427-6311**

## RELEASE REPORTING GUIDELINE

The Environmental Protection and Enhancement Act as amended (EPEA) and the Release Reporting Regulation, Alberta Regulation 117/93 as amended ("The Regulation") deal with the release of substances into the environment and set out requirements for the reporting of such releases to the Director of the Pollution Control Division of Alberta Environmental Protection (AEP).

### BACKGROUND

The Release Reporting Guideline is designed to clarify how AEP will interpret the Regulation, in view of the broad range of interpretation and potential reporting obligations. The reporting requirements, set out in sections 99 to 101 of EPEA and the Regulation, are in place to ensure that AEP is aware of releases that may have an adverse effect on the environment, public health or safety, and to confirm that proper remedial actions are taken in a timely manner.

This guideline and the legislative requirement to report apply to releases of all substances which cause an adverse effect. In reference to substances listed in the Transportation of Dangerous Goods Regulations (TDGR) under the Transportation of Dangerous Goods Act (Canada) and the Canadian Environmental Protection Act (CEPA), releases which have caused, are causing, or may cause an adverse effect, AND either:

- i) exceed the minimum reportable quantities referenced in TDGR, OR
- ii) are listed as toxic, prohibited, or restricted substances under CEPA are to be reported to the Director of the Pollution Control Division immediately.

The person who causes or permits the release or the person having control of the released substance is responsible for determining whether there was adverse effect and for reporting the release.

### DEFINITIONS

Adverse Effect - Adverse effect is defined in EPEA as "impairment of or damage to the environment, human health or safety or property".

Containment - Containment means the use of a building, structure or thing designed to prevent the released substance from causing an adverse effect. If the release is fully contained with no adverse effect, then the Release Reporting Regulations do not apply.

Immediate Reporting - An individual shall report the release of the substance and potential adverse effect and the information listed in S.100 of EPEA at the first available opportunity. This is not to be interpreted to mean the convenience of a person.

Written Report - A written report shall be received by the Director of the Pollution Control Division within seven calendar days of the oral report. The report must include the information required by s. 4(3) of the Regulation. A waiver of the written report may be requested as stipulated in s. 4(2) of the Regulation.

## WHO MUST REPORT

The oral reporting obligation is on:

- a) the person who releases or causes or permits the release of the substance,
- b) the person having control of a substance that is released (unless they have reasonable grounds to believe that the release has already been reported), and
- c) a police officer or employee of a local authority or other public authority who is informed of or who investigates a release of a substance (unless they have reasonable grounds to believe it has already been reported).

The reporting duty on police officers, and local or public authorities is consistent with their existing obligations relating to environmental and public safety emergency response. Although it is not an offence under the Act for them to fail to report, it is expected that the local authorities will establish appropriate training and response systems and that they will immediately notify the Director of a release. This will assist in ensuring potential and existing adverse impacts are addressed properly and directly affected parties are notified of the release.

## WHAT MUST BE REPORTED

The following section provides information on: (a) the interpretation of adverse effects; (b) the reporting of releases that have and may have adverse effects, and are at or in excess of the minimum reportable quantity; (c) the reporting of releases causing adverse effect through cumulative effects; and (d) the requests for waiver of a written report.

- a) Release of substances to the environment that have caused, are causing, or may cause an adverse effect

Adverse effect may be determined by a number of factors, including but not limited to the following:

- the chemical and physical characteristics of the substance released,
- the receiving media,
- the location of the release, and
- the risk to the environment.

**The onus is on the person who causes or permits the release or has control of the released substance to determine whether there is an adverse effect.**

Table 1 of this Guideline provides examples of some releases and the associated reporting obligations.



b) Release of substances in quantities required to be reported by the Regulations

The Regulation (S.3) states that the release of substances into the environment must be reported if the release has caused, is causing or may cause an adverse effect, and

- i) the release is at or in excess of the amount listed in Table 1 in Part IX of the TDGR; or
- ii) the substance falling within the classes set out in Table 1 in Part IX of TDGR is released into a watercourse, groundwater, or surface water in any quantity; or
- iii) the substance released is classified as Class 2 dangerous goods under TDGR (compressed gases) and released to the environment in any quantity; or
- iv) the substance released is listed as a toxic, prohibited or restricted substance in CEPA and released to the environment in any quantity.

Table 2 of the Guideline summarizes the TDGR quantities or levels of substance release which are reportable in the event an adverse effect or potential adverse effect occurs. In situations where there may be difficulty in determining whether an adverse effect does exist, it is recommended that the release be reported if the quantities or levels listed in TDGR are exceeded. *(Note: TDGR regulated substances, their class and division, and reportable quantities or levels may be obtained through TDG Bulletin Board Service at (613)998-9247 or (613)998-9470.*

Table 3 of this Guideline provides additional clarification for the reporting of particular substances referenced in S.3 of the Regulation where TDGR and CEPA describe different limits. The Table lists the types of substances and under what circumstances reporting of releases of these substances is required.

c) Cumulative releases and adverse effect

It is recognized that the cumulative effect of numerous small releases could result in a potential adverse effect even if the individual release itself may not have caused an adverse effect. For example, a number of small releases may not be of sufficient quantity individually to harm groundwater. However, if they continue at the same location over a prolonged time period, there is a potential for an adverse effect to the groundwater. The person who causes or caused the release or has control of the released substance should report the adverse effect immediately upon discovery of the adverse effect.

d) Waiver of the written report

S.4(2) of the Regulation allows the Director of the Pollution Control Division to waive the requirement to submit a written report in circumstances where no adverse effects are likely to occur or the adverse effects of the release have been adequately controlled. A request for a waiver of the written report should be made by the person responsible. (This request should be made at the time of the oral report). The granting of a waiver is conditional upon a satisfactory oral report. (ie. all necessary information has been submitted through the oral report and no additional information is required.)

## **WHEN TO REPORT THE RELEASE**

The release should be reported as soon as a person knows or ought to have known of the release. This means at the first available opportunity not when it is convenient and the emergency is over. A person "ought to have known" a release has occurred when based on the information available, it is possible a release has occurred. That person should then confirm whether a release has occurred and report accordingly.

## **HOW TO REPORT AND TO WHOM**

Reports should be made to the Director of the Pollution Control Division.

- Verbal reports can be phoned to the Director at:  
**(403) 422-4505 or 1-800-222-6514 on a 24 hour basis**
- A reference number will be provided at the time of the oral report to confirm that the report of the release was made.
- Written reports can be faxed to:  
**(403) 427-3178; or**

mailed to:

**Director, Pollution Control Division  
Alberta Environmental Protection  
11th Floor, 9820 - 106 Street  
Edmonton, Alberta T5K 2J6**

Releases related to motor vehicle accidents must verbally be reported to the local authority. The local authority will forward the oral report to the Pollution Control Division. A written report is not required unless specifically requested by the Pollution Control Division. For other types of transportation spills and releases related to transportation of dangerous goods, verbal reporting is required to be made to both the Pollution Control Division as per the Regulation and this Guideline, and the local authority.

## **FOR MORE INFORMATION CONTACT**

**Pollution Control Division (403) 427-6225**

## **REFERENCES**

- Sections 99 to 101 of the Environmental Protection and Enhancement Act, as amended.
- Release Reporting Regulation, Alberta Regulation 117/93 with amendments up to and including Alberta Regulation 247/93.
- Transportation of Dangerous Goods Regulations (SOR 85-77) under the Transportation of Dangerous Goods Act, 1992 (Canada).
- Canadian Environmental Protection Act.

**TABLE 1**  
**ENVIRONMENTAL PROTECTION REQUIREMENTS FOR RELEASE REPORTING**

INCIDENT TYPE	NOT REPORTABLE	IMMEDIATE REPORT
A Releases that are fully contained within a containment device/facility or confined to an acceptable barrier and do not have odour or vapours released that cause or may cause an adverse effect.	X	
B Releases, not contained by a containment device or acceptable barrier, that cause or may cause an adverse effect, i.e. odour, contamination of groundwater or soil.		X
C Airborne discharges that are not detectable beyond the plant site and do not have an adverse effect .	X	
D Unauthorized airborne discharges that have the potential or are creating an adverse effect beyond the plant site, i.e. odours, excessive ambient air quality readings.		X
E Particulate or smoke emissions from a stack or vent that may exceed visible emissions, as detected by an observer, (>40%) for a period extending beyond six minutes.		X
F Flaring incidents that may cause an adverse effect by the type and quantity of product being flared, the presence of visible emissions, the duration of the event, or the proximity of the event to the public.		X
G Non-compliance with Approval emission and effluent limits* if it results in adverse effect.		X
H Ambient air quality readings which are in excess of Alberta Ambient Air Quality Guidelines.		**

\*All other non-compliance with Approval limits or conditions are to be reported according to the requirements of the specific facility Approval.

\*\*See D - The discharge that caused the excessive ambient reading is reportable immediately as an unauthorized airborne discharge under D; the ambient air quality reading is reportable according to the requirements of the specific facility Approval.

**TABLE 2 - SUMMARY OF TDGR CLASSES AND QUANTITIES OR LEVELS**

ITEM	CLASS & DIVISION	QUANTITIES OR LEVELS
1.	2.1 (compressed gas, flammable)	At or in excess of 100 litres **
2.	2.2 (compressed gas, non-flammable, non-toxic)	At or in excess of 100 litres**
3.	2.3 (poisonous gas)	All
4.	2.4 (corrosive gas)	All
5.	3. (flammable liquids)	At or in excess of 200 litres
6.	4. (flammable solids)	At or in excess of 25 kilograms
7.	5.1 (oxidizer)	At or in excess of 50 kilograms or 50 litres
8.	5.2 (organic peroxide)	At or in excess of 1 kilogram or 1 litre
9.	6.1 (poisonous substance)	At or in excess of 5 kilograms or 5 litres
10.	6.2 (infectious substance)	All
11.	8. (corrosive substance)	At or in excess of 5 kilograms or 5 litres
12.	9.1 (substance having sufficient hazard to regulate)	At or in excess of 50 kilograms
13.	9.2 (environmental hazard)	At or in excess of 1 kilogram
14.	9.3 (dangerous waste)	At or in excess of 5 kilograms or 5 litres

\*TDGR (Table 1 in Part IX)

\*\*Container capacity (liquid volume prior to release)

**TABLE 3**  
**SPECIAL SUBSTANCES REFERENCED IN SECTION 3 OF THE RELEASE REPORTING REGULATION**

SUBSTANCE	REPORTING CONDITIONS TO BE FOLLOWED
Ammonia (NH <sub>3</sub> )	report releases which have or may have an adverse effect
Benzene	report releases which have or may have an adverse effect, and are at or exceed 1 kilogram (TDGR). (note - for gasoline releases, see "Gasoline")
Containers and scrap metal	report releases into a watercourse that have or may have an adverse effect
Diesel	report releases that have or may have an adverse effect and are at or exceed 200 litres (TDGR)
Gasoline	report releases that have or may have an adverse effect and are at or exceed 200 litres (TDGR)
Glycols	not regulated under TDGR ; report spills that have or may have an adverse effect
Hydraulic Oil	not regulated under TDGR; report spills that have or may have an adverse effect
Hydrogen Sulphide (H <sub>2</sub> S)	report releases that have or may have an adverse effect
Mixture of Substances	report releases which have or may have an adverse effect and are at or exceed quantities or levels of specific substances referenced in TDGR
Natural Gas	report natural gas releases that have or may have an adverse effect (i.e. odours, noise, or safety to the public); reporting does not apply to planned releases related to routine maintenance and servicing
Ozone-Depleting Substances	report all releases that are at or exceed 10 kilograms (refer to the Alberta Ozone-Depleting Substances Regulation (125/93) for schedule of substances)
Persistent plastics and other synthetic materials	report releases into a watercourse that have or may have an adverse effect
Polychlorinated biphenyl (PCBs)	report all releases containing concentrations of PCBs >50 ppm
Refined products in the Oil & Gas Industry* (e.g. diesel, gasoline, sulphur, sweeteners, inhibitors, treating chemicals)	report refined product and chemical releases in the oil & gas industry to PCD as per IL 94-5 Oil & Gas Industry Notification Requirements as follows: -any releases (on- or off-lease) that have or may have an adverse effect and that are at or exceed quantities or levels referenced in TDGR
TDGR Class 2 Compressed gasses	report releases that have or may have an adverse effect

<b>Unrefined product in the Oil &amp; Gas Industry* (e.g. conventional crude oil, LPG, diluent, condensate synthetic crude, produced water)</b>	<b>report unrefined product releases in the oil &amp; gas industry to the AEUB as per IL 94-5 Oil &amp; Gas Industry Notification Requirements as follows:</b> <b>-any release greater than 2m<sup>3</sup> on-lease</b> <b>-any release off-lease as per the Oil and Gas Conservation Regulations,</b> <b>-any release that has entered or has potential to enter surface water</b>
<b>Unregulated TDGR Substances</b>	<b>report releases that have or may have an adverse effect</b>
<b>Used oil (spent lubricating oil and undrained lube oil filters)</b>	<b>report releases that have or may have an adverse effect and are at or exceed 5 kilograms or 5 litres (TDGR)</b>

**\*Oil & Gas Industry refers to oil, in-situ oil sands, sweet gas and sour gas production facilities and pipelines in Alberta**