

To Whom You Must Report Environmental Incidents



One of an EHS coordinator’s key responsibilities is ensuring that the company properly reports any environmental incidents, such as spills of hazardous substances, that are covered by the reporting requirements in the environmental law. Naturally, you must report such incidents to the appropriate government officials, such as an environmental enforcement officer. But there are other people you may also need to notify, such as the owners of any property impacted by the incident. So here’s a chart of the people who you must notify of designated environmental incidents under the primary environmental law in each jurisdiction. (For which incidents must be reported, see “Around the Provinces: Types of Environmental Events You Must Report.”)

		RELEVANT LAWS
FED	<ol style="list-style-type: none"> 1. An enforcement officer and any other person designated pursuant to the regulations [Sec. 95(1)(a)]; and 2. Any member of the public who may be adversely affected by the release or likely release [Sec. 95(1)(c)] 	CEPA
AB	<ol style="list-style-type: none"> 1. The Director [Sec. 110(1)(a)]; 2. The owner of the substance, where the person reporting knows or is readily able to ascertain the identity of the owner [Sec. 110(1)(b)]; 3. Any person to whom the person reporting reports in an employment relationship [Sec. 110(1)(c)]; 4. The person having control of the substance, where the person reporting isn’t the person having control of the substance and knows or is readily able to ascertain the identity of the person having control [Sec. 110(1)(d)]; and 5. Any other person who the person reporting knows or ought to know may be directly affected by the release [Sec. 110(1)(e)]. 	Environmental Protection and Enhancement Act
BC	<ol style="list-style-type: none"> 1. The Provincial Emergency Program (PEP) [Sec. 2(1)]. 	Spill Reporting Regulation (under the Environmental Management Act)

MB	<p>1. The director [Sec. 30.1(3)(a)];</p> <p>2. The person responsible for the pollutant, if the person reporting isn't the person responsible for the pollutant but he or she knows or is readily able to determine the identity of that person [Sec. 30.1(3)(b); and</p> <p>3. Any other person who the person reporting knows or ought to know may be directly affected by the release [Sec. 30.1(3)(c)].</p>	<p><i>The Environment Act</i></p>
NB	<p>1. The Minister [Water Reg., Sec. 11(2)];</p> <p>2. The Provincial Mobile Communications Centre [Water Reg., Sec. 11(3)]; and</p> <p>3. The nearest fire prevention authority [Petroleum Reg., Sec. 44(1)(a)].</p>	<p><i>Water Quality Regulation; Petroleum Storage and Handling Regulation</i></p>
NL	<p>1. The department or other appropriate agency at its emergency telephone number or as required by the department or agency [Sec. 8(1)(a)];</p> <p>2. The owner of the substance if the person reporting knows or is readily able to ascertain the identity of the owner [Sec. 8(1)(b)];</p> <p>3. The person having care, management or control of the substance if the person reporting knows or is readily able to ascertain the identity of that person [Sec. 8(1)(c)]; and</p> <p>4. Another person who the person reporting knows or ought to know may be directly affected by the release [Sec. 8(1)(d)].</p>	<p><i>Environmental Protection Act</i></p>
NT/NU	<p>1. The person or office designated by the regulations [Act, Sec. 5.1(a)]; and</p> <p>2. The 24 Hour Spill Report Hotline [Regs., Sec. 10].</p>	<p><i>Environmental Protection Act; Spill Contingency Planning and Reporting Regulations</i></p>
NS	<p>1. The Department at its emergency telephone number [Act, Sec. 69(1)(a)];</p> <p>2. The owner of the substance, where applicable, if the person reporting knows or is readily able to ascertain the identity of the owner [Act, Sec. 69(1)(b)];</p> <p>3. The person having care, management or control of the substance, where applicable, if the person reporting knows or is readily able to ascertain the identity of that person [Act, Sec. 69(1)(c)];</p> <p>4. Any other person who the person reporting knows or ought to know may be directly affected by the release [Act, Sec. 69(1)(d)];</p> <p>5. The Minister, through the Department's emergency telephone number [Regs. Sec. 7(a)];</p> <p>6. If the person reporting isn't the owner, the owner of the parcel of land where the release occurred [Regs., Sec. 7(b)]; and</p> <p>7. Any person who the person reporting knows or ought to know may be directly affected by the release, including the owner or occupant of any parcel of land to which the substance has migrated or is likely to migrate from the location of the release [Regs., Sec. 7(c)].</p>	<p><i>Environment Act; Emergency Spill Regulations</i></p>

ON	<p>1. The Ministry [Secs. 13(1), 15(1) and 92(1)(a)];2. Any municipality within the boundaries of which the spill occurred or, if the spill occurred within the boundaries of a regional municipality, the regional municipality [Sec. 92(1)(b)];</p> <p>3. Where the person isn't the owner of the pollutant and knows or is able to ascertain readily the identity of the owner of the pollutant, the owner of the pollutant [Sec. 92(1)(c)]; and</p> <p>4. Where the person isn't the person having control of the pollutant and knows or is able to ascertain readily the identity of the person having control of the pollutant, the person having control of the pollutant [Sec. 92(1)(d)].</p>	<i>Environmental Protection Act</i>
PE	<p>1. The Department [Sec. 21(1)(a)].</p>	<i>Environmental Protection Act</i>
QC	<p>1. The Minister [Act, Sec. 31.23(3); Reg., Sec. 9(2)].</p>	<i>Environment Quality Act; Regulation respecting hazardous materials</i>
SK	<p>1. The minister [Act, Sec. 5(1)(a)];2. If the person reporting isn't the owner of the land on which the discharge occurred and knows or is readily able to ascertain the identity of the owner, the owner of the land [Act, Sec. 5(1)(b)];</p> <p>3. Any other person to whom the person reporting reports in an employment Relationship [Act, Sec. 5(1)(c)];</p> <p>4. If the person reporting isn't the person having control of the substance and knows or is readily able to ascertain the identity of the person having control, the person having control of the substance [Act, Sec. 5(1)(d)];</p> <p>5. Any other person who the person reporting knows or ought to know may be directly affected by the discharge [Act, Sec. 5(1)(e)];</p> <p>6. The department [Reg., Sec. 4(a)];</p> <p>7. Each owner of a property on which the pollutant is spilled [Reg., Sec. 4(b)]; and</p> <p>8. The owner of the pollutant [Reg., Sec. 4(c)].</p>	<i>The Environmental Management and Protection Act, 2002; Environmental Spill Control Regulations</i>
YT	<p>1. An environmental protection officer [Sec. 113 and 133];2. A person designated by regulation [Sec. 113];</p> <p>3. An environmental protection officer [Sec. 133];</p> <p>4. The owner or person in charge of the spilled substance [Sec. 133]; and</p> <p>5. Any members of the public who may be adversely affected by the spill [Sec. 133].</p>	<i>Environment Act</i>