

#53. TOWN OF LUNENBURG POLICY

RESPECTING EMERGENCY SPILLS RESPONSE

I. POLICY STATEMENT

The purpose of this policy is to establish a procedure whereby Town of Lunenburg ("Town") employees should respond to Dangerous Products which have been spilled in the Town limits or by Town employees or on other Town property. This Policy is in response to the Emergency Spill Regulations as attached under the Nova Scotia Environment Act.

II. DEFINITIONS

For the purpose of the Policy Dangerous Materials referred to in the Town Policy refers to Schedule "A" of the Emergency Spill Regulations which outlines a description of various containments and the amounts that must be spilled to initiate the requirements of fulfilling the Emergency Spill Regulations.

III. PROCEDURE

1. Requirements to Response

Under the Nova Scotia Environment Act trained responders are exempted from liability, however, untrained responders such as our Town employees at this time are able to respond to spills but must ensure that they act in a reasonable manner so as to not attract liability to them and the Town. If at a later date employee's receive the proper training there will then be additional liability protection.

2. Action to be Taken

- (a) The Town will take action to limit, control or clean up any spills of hazardous materials that:
 - (i) the Town has caused, or
 - (ii) that is on Town property and the source of the spill or after reasonable inquiries the person responsible for the spill is unknown,
- (b) For spills that are on private property but are leaking on to Town property the Town should:
 - (i) contact the property owner immediately so that they may take the responsibility for clean-up, or

- (ii) in cases where delays in controlling or cleaning up the spill or the portion of the spill that is on Town property may cause increased damage if not dealt with immediately, the Town shall take the necessary action to control or clean up the spill. In this case a record of all labour equipment and materials shall be kept in case a recovery of cost is to occur.
- (c) In cases where warranted by Section 6 of the Emergency Spills Regulations the Department of Environment shall be contacted within four (4) hours at 1-902-565-6030 or 1-800-565-1633 this contact shall be made by the responsible party.

If the responsible party is someone other than the Town and there is doubt that the responsible party has made contact to the Department of Environment a Town representative may call the Department of Environment to determine whether the spill has been reported.

3. Records and Reporting

In all cases where spills are caused by the Town or are located all or partially on Town property detailed records of the events that occur, complete with times, after the spill has been brought to the Town's attention, must be kept. The spill should also be reported to the Town Manager/Clerk or their designate within two (2) hours of discovery.

4. External Assistance

In instances where action is required by the Town, the appropriate Town employee (Department Head who is responding to the call) has the authority to engage outside assistance if required.

A:approved policy\hazspill.u97