

PROVINCE OF BRITISH COLUMBIA
REGULATION OF THE BOARD OF THE OIL AND GAS COMMISSION

Oil and Gas Activities Act

The board of the Oil and Gas Commission orders that the Emergency Management Regulation, B.C. Reg. 217/2017, is amended as set out in the attached Schedule.

DEPOSITED September 1, 2021 B.C. REG. <u>226/2021</u>
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September 1, 2021

Date



Chair, Board of Directors

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Oil and Gas Activities Act*, S.B.C. 2008, c. 36, s. 112

Other: _____

R10513055

SCHEDULE

1 Section 1 of the Emergency Management Regulation, B.C. Reg. 217/2017, is amended

(a) by adding the following definition:

“airport zoning area” means a geographical area that is subject to an airport zoning regulation under the *Aeronautics Act* (Canada);

(b) in the definition of “emergency” by striking out “section 10 (1)” and substituting “section 10”, and

(c) by adding the following definition:

“local Indigenous nation”, in relation to a hazard planning zone, means an Indigenous nation that is identified for the hazard planning zone in a manner specified by the commission; .

2 Section 4 is repealed and the following substituted:

Training plan

- 4** A permit holder must develop a training plan that takes into account all of the elements referred to in clause A.4.9.2 of Annex A of CSA Z246.2.

Full-scale exercise

4.1 (1) In this section:

“full-scale exercise” means a full-scale (major) exercise described in Annex A of CSA Z246.2;

“LNG facility” has the same meaning as in the Liquefied Natural Gas Facility Regulation;

“processing facility” has the same meaning as in the Oil and Gas Processing Facility Regulation.

(2) A permit holder must conduct a full-scale exercise as follows:

- (a) at least once every 3 years;
- (b) before the first time process fluid is introduced to a facility, a pipeline or equipment described in subsection (3);
- (c) at any time required by an official under section 4.3.

(3) Subject to subsection (4), the following facilities, pipelines and equipment require a full-scale exercise in accordance with subsection (2) (b):

- (a) a processing facility;
- (b) an LNG facility;
- (c) a petroleum or natural gas pipeline, other than a petroleum or natural gas pipeline that is part of a gathering system or a fuel gas system;
- (d) any other facility, pipeline or equipment that has
 - (i) a supervisory control and data acquisition (SCADA) system, and
 - (ii) the potential to create a hazard.

- (4) A full-scale exercise is required in relation to the addition of a facility or pipeline or equipment referred to in subsection (3) (a) to (d) to an operating area only if
 - (a) a full-scale exercise has not previously been conducted in relation to another facility or pipeline, or equipment, in the operating area that is of a similar type and nature as the facility, pipeline or equipment to be added, or
 - (b) the addition of the facility, pipeline or equipment does not increase the hazard planning zone for the oil and gas activity.
- (5) At least 30 days before conducting a full-scale exercise, a permit holder must give the commission notice that the exercise will be conducted and include with the notice a description of the exercise.

Tabletop exercise

- 4.2** (1) In this section,
- “**functional exercise**” means a functional exercise described in Annex A of CSA Z246.2;
- “**tabletop exercise**” means a tabletop exercise described in Annex A of CSA Z246.2.
- (2) A permit holder must conduct a tabletop exercise or a functional exercise as follows:
- (a) at least once in each year that a full-scale exercise referred to in section 4.1 is not conducted;
 - (b) within 3 months after the first day the permit holder carries out an oil and gas activity;
 - (c) within 3 months after a change in the permit holder’s emergency response staff, if both of the following conditions are met:
 - (i) there is a change in at least 1/3 of the permit holder’s emergency response staff since the permit holder last conducted a tabletop exercise or a functional exercise;
 - (ii) none of the new emergency response staff have previously participated in a tabletop exercise or a functional exercise under the permit holder’s program for a similar oil and gas activity;
 - (d) as required by an official under section 4.3.
- (3) At least 30 days before conducting a tabletop exercise or a functional exercise, a permit holder must give the commission notice that the exercise will be conducted and include with the notice a description of the exercise.

If official is not satisfied

- 4.3** If an official is not satisfied that a permit holder has conducted an exercise referred to in section 4.1 or 4.2 in accordance with Annex A of CSA Z246.2, the official may require the permit holder to do one or more of the following:
- (a) conduct the exercise again;
 - (b) provide additional information or training to its employees, directors or officers;

- (c) implement a system or procedure that the official considers necessary to improve the permit holder's capacity to respond in an emergency.

Commission may publish

- 4.4** The commission may publish information relating to a permit holder's conduct of an exercise, including
- (a) whether an official was satisfied with the permit holder's conduct of the exercise, and
 - (b) a requirement imposed by an official under section 4.3.

3 *Section 5 (5) is repealed and the following substituted:*

- (5) If part of the emergency planning zone for an oil and gas activity is located within an airport zoning area, a plan for the oil and gas activity must include contact information for the operator of the airport.

4 *Section 7 is repealed and the following substituted:*

Hazard planning distances

- 7** (1) For the purposes of this regulation, a hazard planning distance is
- (a) the greatest horizontal distance calculated under subsection (2) or (3), as applicable, in respect of an oil and gas activity that is the subject of a plan, and
 - (b) measured from the site of the oil and gas activity.
- (2) For a hazard involving hydrogen sulphide, the hazard planning distance must be equal to or greater than one of the following:
- (a) a distance recommended for the hazard in an assessment conducted by a qualified professional;
 - (b) a distance determined for the hazard using a table, software application or other resource evaluated and approved by a qualified professional;
 - (c) a distance determined in accordance with Schedule A, B or C, as applicable.
- (3) For a hazard other than a hazard involving hydrogen sulphide, the hazard planning distance must be equal to or greater than one of the following:
- (a) a distance recommended for the hazard in an assessment conducted by a qualified professional;
 - (b) a distance determined for the hazard using a table, software application or other resource evaluated and approved by a qualified professional;
 - (c) unless the hazard is a well, pipeline, or other oil and gas activity with a fluid capacity greater than 200 m³, a distance recommended for the hazard by the Emergency Response Guidebook published by Transport Canada, as amended from time to time.

5 *Section 10 (1) is amended by striking out "according to the Incident Classification Matrix in Schedule D" and substituting "according to the event or consequence in the*

Incident Classification Matrix in Schedule D that most closely describes the most severe event or consequence of the incident”.

6 Section 11 is amended

(a) by repealing subsection (1) and substituting the following:

- (1) When an emergency occurs, a permit holder must do the following:
 - (a) immediately respond to the emergency in accordance with the permit holder’s plan;
 - (b) notify local Indigenous nations as soon as possible, after the permit holder has taken any immediate actions necessary
 - (i) for public safety, or
 - (ii) to minimize immediate environmental impacts;
 - (c) notify the commission within one hour of becoming aware of the incident. ,

(b) in subsection (2) by striking out “critical sour well” and substituting “special sour well”, and

(c) in subsection (3) by striking out “a sour well is critical” and substituting “a sour well is special”.

7 The following section is added:

Notify commission after a minor incident

11.1 (1) A permit holder must notify the commission within 24 hours of becoming aware of an incident classified in accordance with section 10 as a minor incident.

8 Section 13 is amended

(a) in subsection (1) by repealing paragraph (d) and substituting the following:

- (d) a local Indigenous nation; ,

(b) in subsection (1) by adding the following paragraph:

- (h) the operator of an airport, if part of the airport zoning area for the airport is located within the emergency planning zone. ,

(c) in subsection (2) (d) by striking out “and” at the end of subparagraph (i), by adding “and” at the end of subparagraph (ii) and by adding the following subparagraph:

- (iii) if the person or other entity is a local Indigenous nation, a description of any sites or areas in the emergency planning zone that are likely to be in use by members of the local Indigenous nation. , **and**

(d) in subsection (3) by adding “or (iii)” after “(2) (d) (ii)”.

9 Sections 15 (2) and 16 (1) and (2) are amended by striking out “section 4 (2) or (3)” and substituting “sections 4.1 or 4.2”.

10 Section 16 is amended by adding the following subsection:

(2.1) If spillage that is reportable under section 91.2 (1) (a) of the *Environmental Management Act* occurs in relation to an oil and gas activity, a permit holder for the oil and gas activity must provide a written report to the commission at the following times:

- (a) within 30 days of the date on which the spillage was discovered;
- (b) at least once every 30 days after the first report, until the spillage is contained and eliminated, and
- (c) within 30 days of the date on which the spillage has been contained and eliminated.

11 *Schedule D is amended*

- (a) *in item 2 by striking out* “Occurrence of magnitude 4.5 or greater induced earthquake (felt at surface, probability must be recorded as 2 or higher)”, *and*
- (b) *in item 4 by striking out* “Occurrence of magnitude 4.0 or greater induced earthquake (felt at surface, probability must be recorded as 2 or higher)”.