



## ***Environmental Emergency Regulations (E2 Regulations)***

### **What are the E2 Regulations?**

In 2003, the E2 Regulations came into force under the authorities of the *Canadian Environmental Protection Act, 1999* (CEPA 1999). The regulations were first amended in 2011.

The E2 Regulations were put in place to enhance the safety of the environment and human life and health of Canadians by preventing, preparing for, responding to and recovering from environmental emergencies.

Under the E2 Regulations, any person who owns or has the charge, management or control of a listed substance on a fixed facility may be required to

- identify substance and place;
- prepare an environmental emergency plan (E2 plan);
- implement, update and test the E2 plan annually;
- provide notice of closure or decommissioning; and
- report environmental emergencies involving regulated substances.

There are currently 215 substances listed under the E2 Regulations.

### **What is the 2nd Amendment?**

Environment Canada is now in the initial stages of amending the E2 Regulations for the second time (2nd Amendment). The purpose of the amendments is to better protect Canadians and their environment from environmental emergencies, and to provide the regulated community with clarity on existing regulatory requirements.

The 2nd Amendment includes

- the addition of 49 substances to Schedule 1 of the E2 Regulations and the amendment of thresholds for 3 existing substances
  - 20 substances from the Chemicals Management Plan (CMP) Challenge;
  - 16 substances from the CMP Petroleum Substances Stream Approach (PSSA);
  - 12 strong acids and bases (plus revision of thresholds for 3 substances that are already regulated under the E2 Regulations); and
  - 1 additional substance to meet our intent to regulate ammonia.
- the addition of new text and modification of wording where needed to provide more clarity;
- clarifications for regulatory requirements regarding E2 plans and measures to notify members of the public;
- the identification of reporting notification triggers related to minimum substance quantity releases;
- modifications to Schedule 1 of the E2 Regulations to consolidate all three parts under one list;
- the addition of minor prescriptive changes to the regulations to provide better interpretation of the regulations; and
- clarifications for other administrative issues.

To supplement the E2 Regulations, we will also amend the Implementation Guidelines to increase regulatory flexibility and to improve our guidance to regulatees.

## What is the consultation process?

Environment Canada will consult Canadians in the fall of 2013 and early 2014 to obtain feedback on the proposed amendments. Wherever possible, Environment Canada will use existing fora such as consultation activities for other regulations, existing consultation groups, and compliance promotion activities.

### Participants include (but may not be limited to)

- Aboriginal associations
- current regulatees
- environmental non-governmental organizations
- the Federal House
- industry associations
- small and medium-sized enterprises (SMEs) in all implicated sectors
- provincial/territorial stakeholders

### Priority sectors and substances

- A phased-in approach will start with key sectors and include additional sectors as the consultations progress. The initial six key sectors are
  - chemical manufacturing
  - petroleum refineries
  - rubber products manufacturing
  - textile mills
  - paints and coatings
  - mining, quarrying and oil and gas extraction
- High priority: high-volume substances that are used by multiple sectors
- Low priority: sectors that are unlikely to require an E2 plan

### Methodology

Environment Canada will use a variety of means to inform and to consult, including

- websites
- electronic surveys
- meetings (online and/or in person)

## Results

Results will be posted on the Environmental Emergencies website as they become available. Comments and responses may be collated and summarized. All personal information created, held or collected is protected by the *Privacy Act*.

## What are the timelines?

Fall 2013 to spring 2014	Preliminary consultation
Summer 2014	Environment Canada prepares draft regulations based on stakeholder input
November 2014	Publication in the <i>Canada Gazette</i> , Part I (CGI) and formal public comment period

## Want to know more?

Refer to the Environmental Emergencies website (<http://www.ec.gc.ca/ee-ue/>) to access the latest information on the consultation process, the current E2 Regulations, and the Implementation Guidelines.

## Where can I send feedback?

- [Online form](#)
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