

ST. CLAIR RIVER BINATIONAL PUBLIC ADVISORY COUNCIL  
(BPAC)

Minutes - Approved  
Meeting 2020-2

Thursday, March 12, 2020

Sarnia-Lambton Environmental Association (SLEA)  
1086 Modeland Road  
Sarnia, Ontario

**ATTENDEES:**

Donna Blue  
Patty Troy  
Terry Burrell  
Vince Gagner

Kathy Watts  
Kris Lee  
Susan MacFarlane

Paulette Duhaime  
Archie Kerr  
Fred Kemp

**BY PHONE:**

April White

Melanie Foose

**GUESTS:**

Mary-Jane McColl  
Sean Morrison – Ministry of the Environment, Conservation and Parks (MECP)  
Amy Meeker-Taylor – US Friends of the St. Clair River – by phone

**REGRETS:**

Ted Briggs

Naomi Williams

Marina Plain

**Call to Order and Introductions – K. Lee**

The meeting was called to order by Kris Lee at 6:46 pm.

**Adoption, Additions or Corrections of Draft Agenda – All**

The draft agenda was reviewed, and additions or corrections were solicited from BPAC members.

**Moved by Patty Troy and seconded by Fred Kemp that the draft agenda be accepted as prepared.**

***CARRIED***

## **Approval of January 23, 2020 Draft Minutes and Actions – All**

The draft minutes from the last meeting on January 23, 2020 were reviewed.

**Moved by Susan MacFarlane and seconded by Archie Kerr that the draft minutes of January 23, 2020 meeting be accepted as prepared.**

***CARRIED***

## **Spill Notification Plan – Ministry of the Environment, Conservation and Parks (MECP) – S. Morrison**

Sean Morrison, Manager of the Sarnia District Office of the Ministry of the Environment, Conservation and Park (MECP) attended the BPAC meeting to provide members with an overview and update on the MECP spill notification system and procedures including downstream notifications along the St. Clair River.

### Current Procedures:

Any spill that occurs in a provincial waterway must be reported to the MECP through the Spills Action Centre (SAC). For the St. Clair River, two non-standard procedures are implemented to address 1) any spill of any material into the river and 2) spills of sewage into the river caused by Water Pollution Control Plant (WPCP) bypasses and Combined Sewer Overflows (CSOs).

Upon notification of a spill to the St. Clair River, SAC employees notify downstream users and emergency response agencies including:

- MECP Sarnia District Office
- Private downstream water users
- Aamjiwnaang First Nation
- Walpole Island First Nation
- Municipal Drinking Water Operating Authorities
- Chatham-Kent Health Unit
- Lambton County Health Unit
- City of Sarnia
- City of Sarnia Police
- St. Clair Township
- Michigan State Police
- Michigan Department of Environment, Great Lakes and Energy (EGLE)

Several problems have been identified by MECP staff regarding the current process of reporting spills in Ontario and notifying the appropriate response agencies and public. These include:

- Maintaining a current and up-to-date database of contact information
- The length of time required to complete the notification process, particularly during severe storm events where the incidence and reporting of WPCP bypasses and CSOs are elevated. On average, for spills to the St. Clair River, it can take SAC up to 3 hours to successfully complete all notifications.

### New Notification System:

MECP is currently preparing to implement a new notification system in April. A trial period will be conducted prior to implementation throughout the province.

The new notification system, called “Send Word Now” allows MECP staff to pre-populate information regarding a spill and send it out instantaneously to all emergency notification contacts. The system allows the use of multiple notification options including phone, text or email and produces a report that identifies who received the information.

The system also allows for individuals to update their own contact information as needed and provides the option for a person to contact a SAC staff person directly if they want additional information regarding the incident.

#### BPAC Questions and Discussion:

- *Question* - How long would it take for a person calling SAC for additional information to physically speak to a SAC representative? During a major event, likely all staff members would be working towards obtaining information and providing downstream notifications?
  - *Answer* – That is one of the issues MECP staff are currently working on. SAC is kept updated on how a spill incident is transpiring by regional staff so they can update their initial notification.
- *Question* – Does SAC send out the notifications directly, or does it first go through a “Send Word Now” contractor?
  - *Answer* – A representative from SAC will issue the notifications directly. It will not go through an outside contractor.
- *Question* – How long will it take to implement the new notification system province-wide?
  - *Answer* – It is expected that the new system will be in place in less than 6 months. There will be plenty of communication with municipalities, etc. prior to its official launch. It is also likely that both the old and new notification systems will run simultaneously while the new system is being phased in. An MECP representative could be available to provide a presentation on the new notification system if requested by BPAC.
- *Question* – Can we get clarification on what the difference is between the notifications implemented by the Ministry and by the Sarnia-Lambton Environmental Association (SLEA)?
  - *Answer* – Notification from industry proper in the Sarnia area is administered by the Chemical Valley Emergency Coordinating Organization (CVECO). The system is not specific to spills to waterways but encompasses all potential industrial emergencies (e.g., fires, etc.). There are ten different codes, with Code 10 relating to spills to the St. Clair River and Lake Huron. A Code 10 is automatically reported to SAC, along with the Sarnia Police Department and downstream users via the SLEA spill notification guidelines. Ultimately, the notification systems administered by SAC and CVECO run in tandem.
- *Question* – Have you conducted exercises that test the efficiency and effectiveness of your spill notification procedures?
  - *Answer* – Full-scale binational emergency spill response drills are organized and conducted to test the effectiveness of response procedures in the St. Clair River. The most recent was conducted in the Fall of 2019 (CANUSLAK). The exercise involved the simulation of a release from the Shell dock. Notification of downstream users was an important part of that drill and lessons learned during the exercise help us continually improve our procedures.

- *Comment* – Even the smallest of spills to the river are reported to MECP and recorded.
- *Comment* – The discussion around spill notification stemmed from the recent release at the Dow property. In early 2020, a substance was detected above its allowable limit at an outfall along the Dow property controlled by a sluice gate. The water was pumped out; however, heavy rains caused the outfall to fill again and because of debris lodged in the sluice gate, some of the stormwater discharged into the river. Proper notification to downstream user occurred and Dow has resolved the issue at the outfall.
  - **ACTION** – Kris Lee will forward Donna Blue the summary of events related to the Dow property incident provided by the company and circulate to BPAC members.
- *Question* – In your notifications, do you distinguish between WPCP bypasses and CSOs?
  - *Answer* – The notifications do not distinguish between bypasses or CSOs. No notifications are issued for partial bypasses where the water has gone through primary or secondary treatment.
- *Comment* – Drinking water intake operators have expressed that the number of notifications (the majority of which are for non-emergency issues) seem excessive and disrupt their ability to effectively work at the plant.
  - *Answer* – In Ontario, the Drinking Water Branch of the MECP is working on this issue. They are working closely with municipalities to improve communications.
- *Comment* – The Michigan State Police shouldn't be a main point of contact by SAC when spills occur in the river. Rather, SAC should be contacting both the Pollution Emergency Alerting System (PEAS) administered by EGLE and Justin Westmiller, Director of Emergency Management at St. Clair County.
  - *Answer* – SAC already contacts PEAS during an emergency situation. Justin Westmiller's information will be forwarded to SAC.
    - **ACTION** – Patty Troy will forward Sean Morrison the contact information for Justin Westmiller, Director of Emergency Management at St. Clair County.

**Updates from OMECP, ECCC, Michigan EGLE and USEPA – T. Briggs, A. White, M. Foose and R. Ellison**

**OMECP Update:**

Donna Blue reported on MECP activities on behalf of Ted Briggs who was unable to attend the meeting.

- Ted is actively working on finding information related to the 38 recommendations outlined in the 2004 Industrial Pollution Action Team (IPAT) report.
- Ted is working on the preparation of a draft status assessment report for the "Restrictions on Drinking Water Consumption or Taste and Odour Problems" Beneficial Use Impairment (BUI). The report will recommend re-designating this BUI from "Impaired" to "Not Impaired".

**ECCC Update:**

April White updated BPAC on a number of recent and on-going Environment and Climate Change Canada (ECCC) activities.

- Applications for the Great Lakes Protection Initiative (GLPI) are currently being reviewed. Funding for various streams including restoration of AOCs closed on March 3<sup>rd</sup>. One application was submitted by the St. Clair Region Conservation Authority (SCRCA) to support RAP coordination/governance. The proposal is for two years and notification of funding is anticipated to occur in the early summer.
- The process to hire a new RAP Coordinator has been initiated. It is hopeful that the position will be filled by the early summer.
- April has reached out to the federal AOC sister program, Great Lakes Ecosystem Management Unit, to provide a presentation at a future BPAC meeting regarding maintaining BPACs participation and engagement post-delisting.
- The Indigenous engagement process for the “Fish Tumours or Other Deformities” BUI is nearing completion.
- The 5<sup>th</sup> St. Clair River AOC Science Symposium is scheduled for April 22, 2020 (Earth Day) from 5:30 pm to 8:00 pm. The event will include a light dinner at Bogeys Inn and Banquet Hall. The theme will be habitat and the private landowners who participated in habitat projects in the Mitchell’s Bay area will be invited and recognized for their contributions. Invites will be sent out to the BPAC membership.

Michigan Department of Environment, Great Lakes and Energy (EGLE) Update:

Melanie Foose reported on recent EGLE activities.

- Melanie continues to work on the “Restrictions on Drinking Water Consumption or Taste and Odour Problems” BUI status assessment. She is waiting on two reports. The first is related to facility response plans along the St. Clair River and the second is related to the drinking water monitoring system that has been established along the Michigan Huron-Erie-Corridor.
- The upcoming Statewide Public Advisory Council (SPAC) meeting scheduled in March has been cancelled. There is the potential for the business portion of the meeting to be held via webinar.
  - Presenters may include students from the University of Michigan who are conducting an AOC project. The project is following-up on the recommendations provided by previous UofM students regarding AOCs and public advisory councils. They will likely be contacting BPAC members over the summer to conduct interviews.

**ACTION** – Melanie Foose will provide Patty Troy with a one-page overview of the recommendations and proposed responses for her review.

USEPA Update:

No update available.

**Committee Reports:**

Statewide Public Advisory Council (SPAC) – P. Troy and P. Duhaime

The next SPAC meeting scheduled for March has been cancelled.

Friends of the St. Clair River (FOSCR) – Canada – T. Burrell

Archie Kerr reported on FOSCR - Canada activities on behalf of Terry Burrell who was unable to attend the last FOSCR meeting.

- The new FOSCR website has been launched.

- FOSCR is funding approximately 40% of a habitat restoration project located on Moore Line.
- A FOSCR booth will be set up at the upcoming Emergency Preparedness Day on May 8<sup>th</sup> in Sarnia. FOSCR will also have a presence at the Sombra Fishing Derby scheduled for July 4<sup>th</sup>.
- An updated PowerPoint will be developed for the St. Clair River AOC to present to local community and service groups.
- FOSCR has also provided funding to the 2020 Chatham-Kent and Lambton Children's Water Festival that occurs in the fall.

Friends of the St. Clair River (FOSCR) – USA – K. Lyons

Paulette Duhaime reported on recent FOSCR – USA activities on behalf of Sheri Faust who was unable to attend the meeting.

- The annual Sturgeon Festival is scheduled for May 30<sup>th</sup>. River cruises for the upcoming event will be limited to school children and not to the public as has taken place in previous years due to a change in festival location.
- FOSCR has applied for a two-year PAC support grant and are currently waiting for confirmation of funding.
  - The focus of FOSCR over the next two years will be on post-delisting transition and stewardship.

Canadian RAP Implementation Committee (CRIC) – K. Lee

No meeting has occurred since the last BPAC meeting.

Four Agency Managers Work Group – T. Briggs

No report available.

**Other Business:**

- After discussion between BPAC Chairs and Vice-chairs, it was decided that the BPAC membership subcommittee be disbanded. BPAC acknowledged and thanked Fred Kemp and Archie Kerr for the years of service running this committee.
 

**ACTION** – Donna Blue will send BPAC Chairs and Vice-chairs the current BPAC membership list.
- Vince Gagner advised BPAC members that the Optimist Club of Sombra Township is organizing a kids fishing derby on July 4<sup>th</sup>, 2020. The event will run simultaneously with Sombra Days. Entry to the derby is \$100 dollars per team. The grand prize of a boat, motor and trailer has been sponsored by the Building Trades. A second prize has been sponsored by FOSCR – Canada and will include a fishing kayak. Winners are not selected based on the size or number of fish caught, but rather by the submission of a photograph of a youth fishing.

**Next Meeting Date**

The next meeting will be held on June 25, 2020 on the American side (Location – TBD).

**Adjournment**

The meeting was adjourned at 8:40 pm.