

Review of Environmental Emergency Planning, Preparedness and Response in the Boundary Waters of the Rainy-Lake of the Woods Drainage Basin



Ranier International Train Bridge (Image: ©Bill Cooper [www.railpictures.ca])

International Rainy-Lake of the Woods Watershed Board

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1. Introduction

The Rainy River is a binational waterway that forms the international boundary between Canada and the United States flowing west from Rainy Lake to the Lake of the Woods (Figure 1). A number of communities lie along the shores of the Rainy River which represents 73% of the inflow into Lake of the Woods. A spill at the Rainer International Train Bridge, linking Fort Frances, ON and Ranier, MN would present a significant risk to human health from potential contamination of water intakes for these communities, and pose significant risk to the ecological integrity of the Lake of the Woods - a significant and sensitive natural and cultural resource.

The Rainy River and Lake of the Woods are home to over 20 First Nations and Tribal communities and two Métis Councils representing a [number of historic Métis communities](#). This represents one of the largest densities of Indigenous Communities in Ontario. These two waterways have and continue to act as significant cultural resources for Indigenous Peoples in the region.

The International Falls – Ranier, MN is the busiest port of entry on the U.S. northern border for rail car traffic and 4th busiest by tonnage (2010 data; U.S Bureau of Transportation Statistics – North American Transborder Freight Data). It is estimated that 20-25 trains cross daily with roughly 11 trains each carrying roughly 100 cars of crude oil or other petroleum product. This traffic travels across the Ranier International Train Bridge over the Rainy River at Fort Frances, ON. There is the potential for a significant environmental emergency in the event of a release of crude oil or petroleum product into the river from a derailment of a train at or near this point.



Figure 1. Rainy - Lake of the Woods basin (source: International Joint Commission).

The transportation of hazardous materials and substances carries risks that can have potentially harmful and significant impacts to human health and the environment in the event of an accident or spill. In fluvial (riverine) environments, timely and effective response to a release of a contaminant or hazardous material can pose challenges due to the rapid transport of the substance downstream and to receiving waters. Contaminants can travel long distances and in some cases persist in the environment long after the initial release. Preventative action and development of emergency response procedures is important to mitigate potential impacts.

The International Rainy-Lake of the Woods Watershed Board (IRLWWB) is charged with monitoring and reporting on the ecological health of the Lake of the Woods and Rainy Lake boundary waters aquatic ecosystem, including water quality; coordinating the management of water levels and flows on Rainy and Namakan Lakes, and assisting the Commission in preventing and resolving disputes regarding the boundary waters of the Lake of the Woods and Rainy River watershed.

In response to concerns raised by the Board's Community Advisory Group of increased transport of hazardous materials such as petrochemicals by rail in the region and specifically across the border at Fort Frances, ON and Rainer, MN; the IRLWWB initiated a review to:

- assess whether appropriate plans and procedures are in place to respond to an environmental emergency in a coordinated fashion across borders and if they are not,
- develop recommendations to the International Joint Commission for consideration for transmittal to the two federal governments

Note: A recent industrial chemical spill in International Falls, MN in the fall of 2017 has brought the issue of coordinated binational response and communication to the fore front due to the perception of a lack of timely communication with cross border communities that were potentially at risk at the time of the incident. There are concerns that, should a more severe incident occur, local agencies may be ill-equipped or ill-prepared to communicate and respond in a coordinated and binational fashion. This is of concern to the Board and residents in the boundary waters, due to the significant number of communities along the Rainy River downstream of Fort Frances, ON –International Falls, MN and the potential for significant detrimental and long-term impacts to the aquatic ecosystem of the Rainy River and Lake of Woods.

2. Collection of Information

In the winter of 2017, the Board contacted federal, state and provincial agencies with mandates related to emergency or natural resource management of water quality and aquatic ecosystem health in the Rainy-Lake of the Woods basin. The Board requested information regarding:

- agencies roles in environmental emergency planning, preparedness and response;
- environmental emergency plans, agreements or other documentation regarding environmental emergency planning, preparedness and response
- information regarding coordination among Canadian and U.S. agencies and organizations specific to the Rainy-Lake of the Woods drainage basin

The scope of recipients was expanded in a subsequent letter distributed in the spring of 2017 based on preliminary responses received. Initial recipients also suggested additional focus on the local level by including the municipalities of Fort Frances, ON and International Falls, MN. In total in total 15 government organizations were contacted. The respective organizations in Canada and the United States contacted as part of this request can be found in the tables below. Specific agency representatives contacted and the original information request can be found in Appendices 1 and 2.

Table 1. Canadian government agencies and municipality contacted as part of the information request.

Canada		
Jurisdiction	Agency or Municipality	Division Contacted
Federal	Environment and Climate Change Canada (ECCC)	Environmental Emergencies Division Gatineau, Québec
Federal	Fisheries and Oceans Canada (DFO)	Preparedness and Response Canadian Coast Guard Ottawa, Ontario
Federal	Transport Canada (TC)	Aviation Security – Ontario Toronto, Ontario
Provincial	Ontario Ministry of the Environment and Climate Change (MOECC)	Operations Integration Branch Toronto, Ontario
Provincial	Ontario Ministry of Community Safety and Correctional Services (MCSCS)	Emergency Management Ontario Toronto, Ontario
Provincial	Manitoba Department of Sustainable Development (MSD)	Environmental Compliance and Enforcement Branch Winnipeg, Manitoba
Additional recipients during second information request		
Federal	Transport Canada (TC)	Surface - Ontario Toronto, Ontario
Provincial	Ontario Ministry of Natural Resources and Forestry (MNR)	Integrated Services Section Sault Ste Marie, Ontario
Local	Town of Fort Frances (FF)	Fire Department and Community Emergency Management Coordination Fort Frances, Ontario

Table 2. U.S. government agencies and municipality contacted as part of the information request.

United States		
Jurisdiction	Agency or Municipality	Division Contacted
Federal	United States Environmental Protection Agency (US EPA)	Superfund Division ; Region 5 Chicago, Illinois
Federal	United States Coast Guard (USCG)	Marine Safety Unit Duluth Duluth, Minnesota
Federal	United States Department of Transportation (US DOT)	Regional Emergency Transportation Coordination, Region 5 Matteson, Illinois
State	Minnesota Pollution Control Agency (MPCA)	Remediation Division St. Paul, Minnesota
State	Minnesota Department of Public Safety (MDPS)	Homeland Security and Emergency Management Division St. Paul, Minnesota
Additional recipients during second information request		
Local	Koochiching County (KC)	Emergency Management Coordination International Falls, Minnesota
Local	City of International Falls (IF)	Fire Department International Falls, Minnesota

3. Results

The response rate to the information requests was very good at over 80%.

In general, there are plans, agreements and mechanisms in place to enable cooperative and coordinated binational response to an incident in the boundary waters of the basin and at or near the Ranier International Bridge, by local municipalities and using the support, advice and expertise from federal, state and provincial departments, agencies, ministries, and organizations.

Government organizations at all levels have domestic emergency management and response plans in place, required by either by mandate or by regulation. Those agencies with responsibilities for environmental management specific to water quality and aquatic ecosystem health have plans in place for environmental emergency response or have regional or national centres to provide expert advice and technical support to responders. Moreover, centralized reporting mechanisms exist at the local (e.g. 911), regional and national levels. A summary of information is provided below, with additional details included in Table 3.

Jurisdictional Responsibilities in Emergency Planning, Preparedness, and Response

Emergency management in both Canada and United States is determined through response escalation. Response is led first at the local community level, followed by the State/Provincial and finally the federal level as additional resources and expertise are needed.

In most cases, higher levels of government (provincial/ state and federal) are not first responders to emergencies; rather they assist in response activities. The severity and nature of a given incident, whether assistance is requested, and whether an emergency is declared are factors that could trigger varying levels of involvement by state/provincial and federal agencies. A number of federal and provincial/ state agencies have centres that provide 24/7 science-based expert advice to responders for a variety of factors such as weather forecasting, pollutant dispersal modelling, and impacts to wildlife.

Federal Government

In both Canada and the United States, national environmental emergency management and reporting centres exist to support first responders. In Canada, ECCC maintains the National Environmental Emergency Centre and in the U.S., the U.S. Coast Guard maintains the National Reporting Center.

In the United States, the U.S Environmental Protection Agency coordinates a Regional Area Contingency Plan/Regional Contingency Plan (ACP/RCP) and co-leads the Region 5 Regional Response Team (RRT5) that is responsible for the U.S. portion of the Rainy-Lake of the Woods watershed in Minnesota. The RRT5 is comprised of members from state and federal agencies and includes Tribes. It has identified environmentally sensitive areas for the entire U.S. portion of the watershed to support decision-making during response activities.

Prior to the reorganization of the Canadian Federal Emergency response program, a Regional Environmental Emergencies Team (REET) prepared a plan in 2005 outlining the main risks and strategies for 6 sensitive areas of Lake of the Woods. The plan is intended to support first responders.

Planning and coordination for binational response occurs at the federal level (see Binational Coordination section below). Formal notification to trigger a coordinated binational response would occur at the federal level.

Provincial and State Government

Lead agencies responsible for emergency management at the State/Provincial levels are the Minnesota Department of Public Safety (MDPS) in Minnesota and the Ministry of Community Safety and Correctional Services (MCSCS) in Ontario. Both agencies support local communities and regional agencies with preparedness, planning, training, and response in their respective jurisdictions and are also involved in binational activities.

In Ontario, under the Emergency Management and Civil Protection Act, municipalities are required to have an emergency management program and are supported by MCSCS during program development and implementation. MCSCS is also responsible for the Provincial Emergency Operations Centre which coordinates and supports provincial response to emergencies. In Ontario, the Ministry of the Environment and Climate Change (MOECC) is the lead provincial Ministry responsible for spills of pollutants to the natural environment including fixed site and transportation spills. The Ministry is responsible for the Spills Action Centre, which provides a central mechanism for reporting pollution and spills. MOECC has developed a plan specific to this emergency type and deploys staff to oversee any impacts and ensure appropriate measures are being taken during response to an incident of this type. Ministries that may not have a direct responsibility for spills of hazardous materials may also be required to support during response operations based on their respective mandates (e.g. Ministry of Natural Resources and Forestry).

In Minnesota, MDPS has adopted an all-hazards response plan that assigns the Minnesota Pollution Control Agency (MPCA) as the lead agency responsible for environmental emergencies that are not radiological, agricultural or terror related. MPCA is responsible for parts of Minnesota Statute 115E: Oil and Hazardous Substances Discharge Preparedness. This statute requires all handlers and some facilities to prevent spills and be prepared to recover material. MPCA directs, oversees and responds to incidents that meet state thresholds. The MDPS is responsible for the State Emergency Operations Centre that coordinates state level response to emergencies and the states central reporting mechanism, the Minnesota Duty Officer Program. At the county level, MDPS supports Koochiching County emergency management officials in developing planning and providing training and exercises. These activities have occurred and are planned to occur in the future.

Local Governments

Local planning is critical to responding effectively in the event of a spill at or near the Ranier International Train Bridge, since local emergency services are the likely first responders to an incident with the potential to affect the aquatic environment in the region.

Both the town of Fort Frances, ON and the city of International Falls, MN have emergency management programs and plans and have a standing mutual aid agreement for fire and emergency services. With Koochiching County and State and Provincial agencies, both local communities participate in the Rainy River Cross Border Committee, specifically established to address binational emergency management issues. Exercises specific to a rail derailment resulting in a spill of a hazardous material have occurred and further exercises are being considered in the near-term.

Binational Coordination

At the federal level, a binational cooperative plan exists in the form of the Canada-United States Joint Inland Pollution Contingency Plan (2009). The plan provides the framework and mechanism for binational cooperation in responding to a release of pollutants along the inland boundary of a magnitude that causes or may cause damage to the environment or constitutes a threat to public safety, security, health, welfare and property. The plan may also be used as a mechanism to provide assistance or support from one country to the other in the event that one country is affected by an incident of sufficient magnitude to

warrant a request for assistance from the other country. The Plan also provides details on jurisdictional roles and responsibilities and procedures related to communication, and provision of support to local first responders. The Plan includes a regional Annex (CANUSCENT) that specifically includes the boundary waters in the Rainy-Lake of the Woods basin (Figure 2). The “inland” plan as it is commonly referred to, is co-led by ECCC and US EPA. ECCC and US EPA have recently initiated a process to review and update the plan.

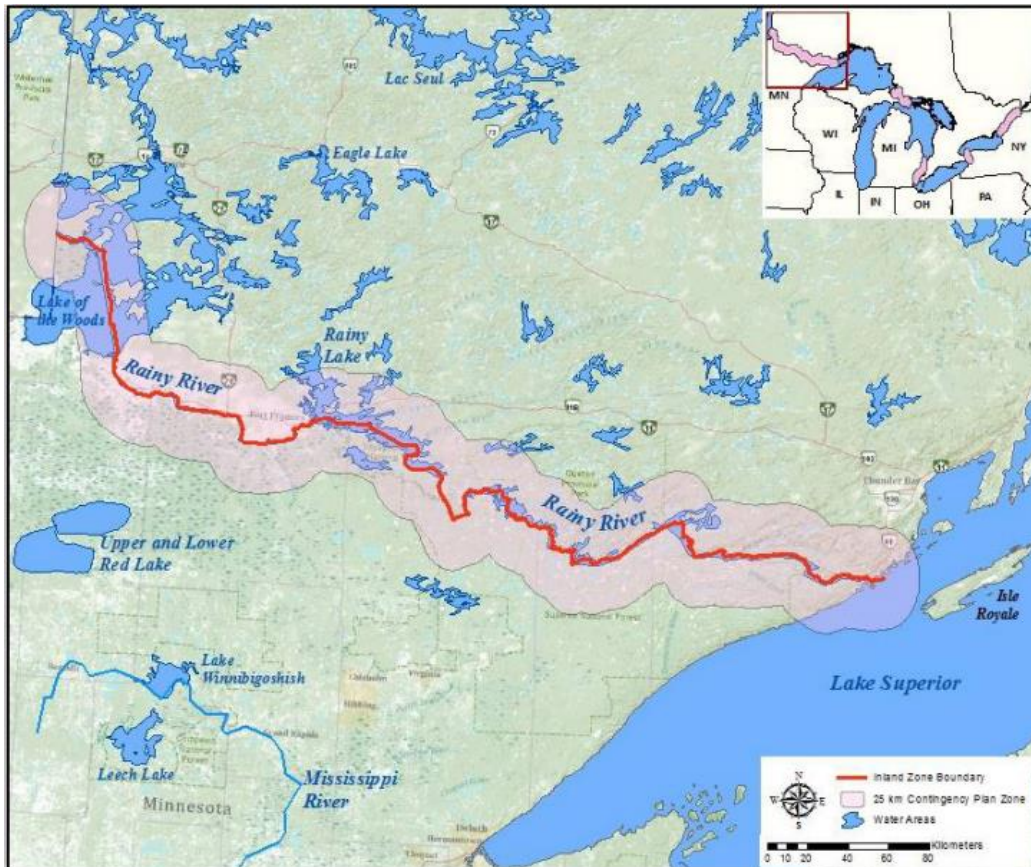


Figure 2. The international boundary and corresponding 25km buffer that falls under the Canada-U.S. Joint Inland Pollution Contingency Plan Annex III, that includes the border between Ontario and Minnesota.

Other mechanisms for cross-border support at the State/Provincial level are also being developed. The Northern Emergency Management Assistance Compact (NEMAC) among central and prairie states and provinces could greatly enhance cross-border response to an environmental emergency by using the capability and capacity of neighbouring States and Provinces. NEMAC allows for cooperative planning and exercises and is complementary to domestic mutual aid agreements or memoranda of understanding (e.g. among states in the U.S. and among provinces in Canada). The development of the compact stemmed from the fact that even when federal assistance is warranted, there are significant benefits to receiving cross border assistance from more regional partners. Minnesota and Manitoba are currently members; Ontario is not.

Information Request Response Summary

Table 3. Summary of information through recipient responses or other easily accessible sources.

Agency	Role in Environmental Emergency Planning, Preparedness and Response	Relevant Plans, Agreements, Documentation or Other Information	Binational Coordination
Environment and Climate Change Canada	<ul style="list-style-type: none"> provide scientific advice to responders on how best to reduce environmental consequences provides support through the National Environmental Emergencies Centre (available 24/7) science-based expert advice includes weather forecasting, ice conditions, contaminant trajectory modelling, fate and behaviour of hazardous substances, sensitivity mapping, establishing clean-up priorities, and protection of sensitive ecosystems and wildlife 	<ul style="list-style-type: none"> Canada-United States Joint Inland Pollution Contingency Plan ("Inland Plan") - facilitates a coordinated and integrated federal response to a polluting incident along the inland boundary and provide a mechanism for cooperative responses among all levels of government Annex III (CANUSCENT) of joint contingency plan includes the Rainy River and Lake of the Woods Environmental Emergency regulations under the Canadian Environmental Protection Act (CEPA) 	<ul style="list-style-type: none"> Co-lead on the Canada-United States Joint Inland Pollution Contingency Plan and Annex III (CANUSCENT)
Fisheries and Oceans Canada	<ul style="list-style-type: none"> no response received main role in environmental emergency planning and response is in marine environments (including the Great Lakes) by the Canadian Coast Guard 	<ul style="list-style-type: none"> Lake of the Woods Area Plan – older plan (2005) meant to act as a guide for responders on specific priorities and tactics for conducting a response to a hydrocarbon spill in the area of Lake of the Woods. The plan identifies 6 priority areas and strategies to protect environmental sensitivities 	
Transport Canada	<ul style="list-style-type: none"> Aviation Security and Surface and Intermodal Security Program has no role nor does it conduct activities related to environmental emergency planning, preparedness or response in the Rainy-Lake of the Woods basin No formal response received from the Surface Division provide national advisory service to assist 	<ul style="list-style-type: none"> Emergency Response Guidebook (ERG) 	

Agency	Role in Environmental Emergency Planning, Preparedness and Response	Relevant Plans, Agreements, Documentation or Other Information	Binational Coordination
	<p>emergency response personnel 24/7 through the Canadian Transport Emergency Centre (CANUTEC)</p> <ul style="list-style-type: none"> regulates the transport of dangerous goods and rail safety 		
Ontario Ministry of the Environment and Climate Change	<ul style="list-style-type: none"> has regulatory, monitoring and response programs related to spills and unauthorized or accidental releases of polluting substances, and their containment, cleanup and disposal; and the provision and coordination of expertise where regulated drinking water systems are threatened required to develop emergency response plan for 2 assigned types: <ol style="list-style-type: none"> spills to the natural environment including fixed site and transportation spills; and drinking water emergencies some aspects of the Ministry's legislation govern facilities and activities within private and public sector that could be involved in environmental events that exceed the capacity of the responsible party with statutory duties and responsibilities; as well as local and municipal response resources has commitment to provide a support role function for several types of emergencies where a component poses a threat to the natural environment and drinking water Spills Action Centre is the focal point for reporting and available 24/7 no environmental emergency plan specific to the Rainy River and Lake of the Woods as this is not a source water protection area for drinking water sources 	<ul style="list-style-type: none"> Ministry of the Environments and Climate Change Emergency Response Plan (2017) – establishes a coordinated response structure to events that escalate to the level warranting a Ministry response or when support is requested Ministry's regulatory role is to ensure that the discharger reports, responds promptly, and complies with the statutory requirements for clean-up, disposal, and the repair of damage to property and to the natural environment 	<ul style="list-style-type: none"> Ministry may be required to participate under the response structure established under the Canada-United States Joint Inland Pollution Contingency Plan

Agency	Role in Environmental Emergency Planning, Preparedness and Response	Relevant Plans, Agreements, Documentation or Other Information	Binational Coordination
<p>Ontario Ministry Community Safety and Correctional Services (MCSCS) – Office of the Fire Marshal and Emergency Management</p>	<ul style="list-style-type: none"> • lead emergency management agency for Ontario • monitor, coordinate and assist in developing and implementing emergency management programs in Ontario • support municipalities to comply with the Emergency Management and Civil Protection Act Regulation 380/04 that requires each municipality to establishment an emergency management program and program committee • coordinates the Provincial Emergency Operations Centre (PEOC) • delivers local support through Field Officers who assist community emergency management coordinators 	<ul style="list-style-type: none"> • Emergency Management Doctrine for Ontario – outlines the overall framework for emergency management in Ontario • Provincial Emergency Response Plan • Field Officers assist communities to develop local emergency response plans, conduct hazard identification and risk assessments, deliver training and facilitate exercises and other activities 	<ul style="list-style-type: none"> • Northwestern Ontario Field Officer participates on Rainy River Cross Border Committee • Rainy River Cross Border Committee is comprised representatives from Fort Frances, ON, International Falls, MN and other local, state, provincial and federal partners • Field Officer supported an integrated emergency management course delivered through Minnesota Homeland Security and Emergency Management • participation in the Committee’s March 2016 Conference - “Disasters Don’t Go Through Customs” – CN rail presented on the topic of rail accidents at this conference, reports from conference participants were positive
<p>Ontario Ministry of Natural Resources and Forestry</p>	<ul style="list-style-type: none"> • mandated to prepare emergency plans for 7 emergency types: forest fire, flood, dam failure, erosions, drought/low water, soil and bedrock instability, and petroleum and natural gas exploration • for all other emergency types such as a rail accident, OMNRF may provide support to lead agencies • requests for support routed through POEC • support provided could include: logistical support, specialized advice, weather forecasting, geomatics, providing aircraft for monitoring or reconnaissance etc. • as regulators of crown land the Ministry may 		<ul style="list-style-type: none"> • Ministry may be required to participate under the response structure established under the Canada-United States Joint Inland Pollution Contingency Plan • representative on IRLWWB that could act as liaison during any response involving the IJC

Agency	Role in Environmental Emergency Planning, Preparedness and Response	Relevant Plans, Agreements, Documentation or Other Information	Binational Coordination
	<p>be required to provide resource management guidance and expertise: assisting with remediation/restoration planning, monitoring site rehabilitation efforts, authorizing road construction and water crossings to access contaminant sites, providing Crown land occupation authority to deposit soil contaminants, providing authority for operational staging areas waste disposal requirement on Crown land etc.</p>		
Manitoba Department of Sustainable Development	<ul style="list-style-type: none"> no response received 		
Town of Fort Frances	<ul style="list-style-type: none"> no response received 	<ul style="list-style-type: none"> Fort Frances Emergency Plan references transportation incidents involving hazardous materials as an example of an emergency most likely to occur mutual aid agreements with other municipalities in the Rainy River District including 2 First Nations the Municipal Emergency Control Group is required to conduct a minimum of one exercise per year 	<ul style="list-style-type: none"> participates in the Rainy River Cross Border Committee mutual aid agreement in place with International Falls, MN Fire Department
United States Environmental Protection Agency	<ul style="list-style-type: none"> Federal lead for planning, preparing and responding to environmental emergencies in the inland zone, including the Rainy River and Lake of the Woods region lead the Region 5 Area Contingency Plan /Regional Contingency Plan (ACP/RCP) and co-lead the Region 5 Regional Response Team (RRT5) that is responsible for the U.S. portion of the watershed in Minnesota and includes Tribes RRT5 is comprised of members from state and federal agencies and has identified environmentally sensitive areas for the entire 	<ul style="list-style-type: none"> Canada-United States Joint Inland Pollution Contingency Plan Annex III (CANUSCENT) of joint contingency plan covers the Rainy River and Lake of the Woods Region 5 Regional/Area Contingency Plan - describes response protocols and assists in providing a coordinated response capability in the event of a release or spill that poses a threat to the environment or to human health and welfare for US EPA Region 5 	<ul style="list-style-type: none"> Co-lead on the Canada-United States Joint Inland Pollution Contingency Plan and Annex III (CANUSCENT) Canadian emergency response partners invited to all preparedness activities attended the former Canadian-led Regional Environmental Emergencies Team (REET) meetings prior to the restructuring of the Canadian program

Agency	Role in Environmental Emergency Planning, Preparedness and Response	Relevant Plans, Agreements, Documentation or Other Information	Binational Coordination
	<ul style="list-style-type: none"> US portion of the watershed participate in exercises, including a rail-specific exercise, work with Tribes and Minnesota on preparedness initiatives notified through the U.S. Coast Guard maintained, National Reporting Center (NRC) Pollution reports to the NRC activate the National Contingency Plan and the federal government's response capabilities 	<ul style="list-style-type: none"> as part of the Region 5 planning, the EPA has identified environmentally sensitive areas for the entire U.S. portion of the watershed. These areas and others are available in an online interactive atlas for first responders 	
United States Coast Guard	<ul style="list-style-type: none"> no involvement in planning or preparing for a response to a petrochemical release inland and outside of the coastal zone Rainy River and Lake of the Woods fall under the jurisdiction of the U.S. EPA; could however act as first federal official on scene at the request of EPA maintains the National Reporting Center (centralized reporting system for spills and environmental incidents) and coordinate notifying the responsible agency (US EPA for the Rainy-Lake of the Woods region) 	<ul style="list-style-type: none"> Canada-United States Joint Inland Pollution Contingency Plan 	<ul style="list-style-type: none"> may be required to participate under the response structure established under the Canada-United States Joint Inland Pollution Contingency Plan
United States Department of Transport	<ul style="list-style-type: none"> declined providing input and deferred to the expertise of other recipients 		
Minnesota Department of Public Safety	<ul style="list-style-type: none"> Homeland Security and Emergency Management (HSEM) Division is responsible for coordinating and establishing Department does not have a specific environmental emergency response plan Department has adopted an all-hazards response plan, the Minnesota Emergency Operations Plan (MEOP) MEOP assigns MPCA as lead for environmental emergencies that are non-agricultural, non-radiological and not a weapons of mass destruction event responsible for managing the State 	<ul style="list-style-type: none"> Minnesota Emergency Operations Plan (MEOP) – provides the framework for coordinated multi-agency state response to a major disaster or emergency Minnesota is a signatory of the Northern Emergency Management Assistance Compact (NEMAC) – to facilitate cross-border response at the state-provincial level. Ontario has yet to sign on. 	<ul style="list-style-type: none"> Assists organizations and agencies at the local level with planning table top exercises and mock exercises with binational partners.

Agency	Role in Environmental Emergency Planning, Preparedness and Response	Relevant Plans, Agreements, Documentation or Other Information	Binational Coordination
	<p>Emergency Operations Center (SEOC) which coordinates all state agency support to the incident commander</p> <ul style="list-style-type: none"> responsible for deploying state hazmat response teams. One of 11 teams is hosted by the International Falls Fire Department responsible for the Minnesota Duty Officer Program which provide a single point of contact for reporting spills/discharges and requesting state-level assistance for emergencies 		
Minnesota Pollution Control Agency	<ul style="list-style-type: none"> lead state agency responsible for coordinating state efforts related to discharges of hazardous substances and oil and environmental hazard response emergency response program responsible for parts of Minnesota Statute 115E: Oil and Hazardous Substances Discharge and Preparedness – includes requirements for all handlers of oil and hazardous materials to prevent spills and discharges and be prepared to recover substances during such events some facilities in the state are required to have specific preparedness. For example, railroads that operate unit trains are required to submit plans, offer trainings to fire departments along routes, conduct drills and deliver response and monitoring equipment Agency enforces Duty to Notify and Avoid Water Pollution statute 115.061 Reportable spills are directed to the Minnesota Duty Officer - reporting threshold for petroleum spills is 5 gal. (~19L) and any quantity for all other chemicals or materials Minnesota also holds contracts with businesses that provide environmental 	<ul style="list-style-type: none"> Minnesota Emergency Operations Plan (MEOP) MPCA Emergency Operations Plan Emergency management program spill cleanup policy 	<ul style="list-style-type: none"> may be required to participate under the response structure established under the Canada-United States Joint Inland Pollution Contingency Plan member of Western Lake Superior Port Area Committee - discusses border issues and concerns participates in the IRLWWB

Agency	Role in Environmental Emergency Planning, Preparedness and Response	Relevant Plans, Agreements, Documentation or Other Information	Binational Coordination
	emergency response services		
Koochiching County	<ul style="list-style-type: none"> • Koochiching County Emergency Management (KCEM) Division is responsible for maintaining emergency planning for the county • the Division works as part of the HSEM system in Minnesota • the county recognizes the risk and shares the concerns associated with the transport of petroleum based products and other chemicals • notes that trains travel at slow speeds (1-3mph) when travelling cross border as an additional safety precaution • county also leads round table discussions with emergency management partners • county has also led exercises simulating spills in Ranier with mock response activity (dispatching personnel and deploying equipment) • over the last 8 months have been working with MN HSEM to offer training to different organizations to identify their roles in an emergency such as a derailment – the scenario used in training is a southbound train carrying crude oil derails in the Port of Ranier with one car in the river and one on land that have ruptured and are leaking • once training is complete, will plan and hold a table top exercise with round table participants and work towards a full scale exercise using the scenario described above 	<ul style="list-style-type: none"> • Koochiching County Hazard Mitigation Plan (2008) • Koochiching County Emergency Operations Plan – guides emergency operations and assists officials and organizations carry out their responsibilities • EOP is currently in the third year of a four year planning and exercise cycle and will be undergoing peer review in the near-term • EOP is being revised and expanded to include response to rail incidents and County staff are willing to communicate with the IRLWWB when this is completed 	<ul style="list-style-type: none"> • participates in the Rainy River Cross Border Committee – this panel of U.S. and Canadian officials meets regularly and works to prepare and share resources in the event of an emergency • May 2015 – held a round table session in Ranier Municipal Hall involving binational Federal, State, and Local emergency management officials, CN Rail, and binational representatives from Fire, EMS and water treatment facilities • October 2015 – conducted an exercise involving U.S. and Canadian emergency management officials simulating a petroleum based product being released from a rail car due to a derailment. Bales of straw were shredded and released on the south side of Ranier International bridge to simulate a chemical spill. Emergency personnel were dispatched once notified of the incident and booms were deployed partially across the Rainy River west of the dam. The straw pooled along both sides of the dam with very little making it downstream. Post exercise, it was determined that

Agency	Role in Environmental Emergency Planning, Preparedness and Response	Relevant Plans, Agreements, Documentation or Other Information	Binational Coordination
			<p>CN Rail and Fire personnel could suck up material using existing equipment from the fire department. In addition, the booms deployed were not as effective due to the currents. CN Rail purchased new fence booms to reach farther into the water to increase their effectiveness.</p>
<p>City of International Falls</p>	<ul style="list-style-type: none"> • the likely first responder to an environmental emergency • operates a fire and EMS department • collaborates with KCEM and MN HSEM in the planning of a large-scale tabletop exercise and full-scale mock exercise • maintains a contract to act as a regional Hazardous Response Team – includes a full complement of equipment and trained personnel to respond to a variety of hazmat incidents 	<ul style="list-style-type: none"> • Mutual aid agreement with Fort Frances, ON to share fire and emergency services resources 	<ul style="list-style-type: none"> • established in the Rainy River Cross Border Committee • coordination between agencies is handled through individual mutual aid agreements or than an annex in emergency management planning • given the remoteness of the area, resources have always been shared across the border including fire and emergency services, the city therefore works very closely with the town of Fort Frances

4. Assessment

This report provides a summary and assessment of the information provided by government organizations and agencies in relation to the International Rainy-Lake of the Woods Watershed Board's request regarding environmental emergency planning, preparedness and response in the boundary waters of the Rainy-Lake of the Woods basin. As not all organizations responded to the request for information, this review does not represent a comprehensive assessment of existing frameworks and plans. Without comprehensive information on all agency activities at all levels, it is difficult to definitively conclude the state of preparedness, any gaps and the potential for binational coordination in the event of a significant environmental emergency in the boundary waters of the Rainy River and/or Lake of the Woods. Regardless, we believe the information received from respondents is sufficient to develop a broad understanding of the level of activity regarding environmental emergency planning, coordination and response in the region.

From the information received, it is clear that emergency management including environmental emergencies is a priority for governments at all levels, and local and regional agencies continue to actively plan and prepare for an incident specific to the concerns of the Board's Community Advisory Group (CAG). In addition, there are mechanisms to ensure coordination and support from higher levels of government through regional response teams and regional and national centres that can provide expert advice and best available science-based information to first responders.

A key example of binational planning and preparedness is the creation of the Rainy River Cross Border Committee, comprised of binational agency representatives that meet on a quarterly basis to review and discuss emergency management issues, including the environment. The committee has conducted exercises, held a conference on cross border emergency issues as recently in 2016, supports training, and is currently preparing for both table top and simulated exercises to prepare, assess and improve response activities. These activities are directly related to the concerns of the CAG. Moreover, past spill response exercises at the Ranier International Train Bridge resulted in actions to improve response capabilities through the acquisition of more suitable and potentially effective equipment (e.g. booms), and identifying existing equipment housed by local fire departments able to extract and remove spill material.

At the local level, Koochiching County Emergency Management is currently revising its Emergency Response Plan with the intention to enhance content regarding petrochemical releases to the boundary waters. This also reflects the work of the Cross Border Committee and will directly support planning and response efforts in the local area including Ranier and International Falls.

The Canada-United States Joint Inland Pollution Contingency Plan provides a mechanism for a coordinated binational response at the federal level to a polluting incident to significantly affect the boundary waters in the basin or elicit a request for support from one country. It covers the roles and responsibilities of agencies, notification, reporting, public information and other important considerations including the movement of personnel and equipment across the border.

Recognizing that reviewing and updating binational plans is complex and given the recent restructuring of the Canadian environmental emergencies program, the Canada-United States Joint Inland Pollution Contingency Plan requires updating. U.S. EPA has indicated that it is planning to review the plan with its Canadian co-lead (ECCC). Given that this is the main mechanism for large scale binational coordination and cooperation for environmental emergencies on the inland international border between the two countries, governments should view keeping the plan current as a priority.

Despite the level of activity described in this review, in practical terms, the implementation of various plans and procedures either domestic or international is complex and in some instances may not be as effective in coordinating timely communication and action across the international border. In June 2017, there was an unintentional release 6,700 gallons of sulfuric acid at the PCA Boise Paper mill in International Falls, Minnesota to its industrial wastewater treatment facility. The acid impacted the wastewater treatment facility, creating upset conditions and reduced the quality of treated effluent

discharged to the Rainy River. The incident raised serious concerns among border communities and First Nations that communication to warn communities of the potential risk to human health and the environment was lacking. The outcomes of a state level and federal investigation into this incident will provide further details to whether deficiencies exist and corrective actions are required.. Notification protocols and best practices may be one area of interest for the IRLWWB to consider for future follow up. This incident has illustrated the need for communities, agencies and industry to review their emergency procedures and communication protocols to ensure compliance with regulations, and that best practices are being promoted and followed.

At this time, there is no indication that there are significant gaps in planning, preparedness or response; rather that agencies, communities and personnel may be required to review and update procedures and contact information and continue to be a willing participant in exercises, training and planning. From the responses and interactions with respective agencies, there is willingness to cooperate on the issue of binational environmental emergencies and a sense that locally, binational cooperation is essential and is occurring in preparing and planning for a potential incident. Moreover, in many boundary communities, mutual aid agreements between cross border communities are common and are a critical tool as international partners in many cases are the closest neighbouring community.

5. Findings and Recommendations

This report provides a summary and assessment of the information provided by government organizations and agencies in relation to the International Rainy-Lake of the Woods Watershed Board's request regarding environmental emergency planning, preparedness and response in the boundary waters of the Rainy-Lake of the Woods basin. Below are the three main findings and corresponding recommendations resulting from the Board's assessment.

Finding 1

There are plans and procedures in place at all levels of government in both Canada and the US to respond to environmental emergency situations in the Rainy-Lake of the Woods drainage basin, including a binational mechanism to ensure coordination and support across the international boundary.

Finding 2

Based on a review of the Canada-U.S. Joint Inland Pollution Contingency Plan it is evident that plans can become dated and this could reduce their effectiveness in times of emergency.

Recommendation: EPA and ECCC should be strongly encouraged to follow through on their planned review of the Canada-U.S. Joint Inland Pollution Contingency Plan, and to put in place a schedule for regular ongoing review and revision into the future.

Finding 3

Based on a review of the 2017 release of sulfuric acid from PCA Boise Paper in the Rainy River it is evident that there is lack of clarity and potentially lack of effectiveness associated with processes in place to alert cross boarder communities of a spill occurrence, which could pose a hazard to human health and impede effective emergency response. In this context, state and provincial agencies, as well as federal agencies, play an important role.

Recommendation: Federal, provincial and state agencies should engage with other relevant entities to clarify and ensure effective functioning of emergency notification processes.

Appendix 1 – Agency and Municipal Representatives Contacted as Part of the Information Request

Canada			
Level	Agency	Information Request Recipient	Alternate Contact for Further Information
Federal	Environment and Climate Change Canada	Lo Chiang Cheng Director, Environmental Emergencies Division Gatineau, Québec Lo.Cheng@canada.ca	Marc-Etienne LeSieur Manager, Environmental Emergencies Policy Gatineau, Québec Marc-etienne.lesieur@canada.ca
Federal	Fisheries and Oceans Canada	David Tinley Director, Preparedness and Response Canadian Coast Guard Ottawa, Ontario David.Tinley@dfo-mpo.gc.ca	
Federal	Transport Canada	David Bayliss Regional Director, Aviation Security – Ontario Toronto, Ontario David.Bayliss@tc.gc.ca	
Federal	Transport Canada	Brian Jeans Regional Director, Surface - Ontario Toronto, Ontario Brian.Jeans@tc.gc.ca	
Provincial	Ontario Ministry of the Environment and Climate Change	Richard Raeburn-Gibson Director, Operations Integration Branch Toronto, Ontario Richard.Raeburngibson@ontario.ca	Randy Thompson Manager, Spills Action Centre/Emergency Management Program Office Toronto, Ontario Randy.Thompson@ontario.ca
Provincial	Ontario Ministry of Community Safety and Correctional Services	Michael Morton Director, Emergency Management Ontario Toronto, Ontario Michael.Morton@ontario.ca	Alexandra Lawless National/International/Ministry/NGO Liaison Officer Toronto, Ontario Alexandra.Lawless@ontario.ca Sharon Bak Field Officer, Amethyst Sector Thunder Bay, Ontario Sharon.Bak@ontario.ca
Provincial	Manitoba Department of Sustainable Development	Don Labossiere Director, Environmental Compliance and Enforcement Branch Winnipeg, Manitoba Don.Labossiere@gov.mb.ca	
Provincial	Ontario Ministry of Natural Resources and Forestry	Mike O'Brien Manager, Integrated Services Section Sault Ste Marie, Ontario Mike.Obrien@ontario.ca	
Local	Town of Fort Frances	Tyler Moffit Fire Chief and Community Emergency Management Coordinator Fort Frances, Ontario tmoffit@fortfrances.ca	

United States			
Level	Agency	Information Request Recipient	Contact for Further Information
Federal	United States Environmental Protection Agency	Doug Ballotti Acting Director, Superfund Division Region 5 Chicago, Illinois Ballotti.Douglas@epa.gov	Ann Whelan Superfund Division, Region 5 whelan.ann@epa.gov
Federal	United States Coast Guard	Erin E. Williams Commander, Marine Safety Unit Duluth Duluth, Minnesota Erin.E.Williams@uscg.mil	Lt Patrick Lammersen Incident Management Division Duluth, Minnesota patrick.d.lammersen@uscg.mil
Federal	United States Department of Transportation	John Rohlf, Regional Emergency Transportation Coordinator, Region 5 Matteson, Illinois John.Rohlf@dot.gov	
State	Minnesota Pollution Control Agency	Kathy Sather Director, Remediation Division St. Paul, Minnesota Kathryn.Sather@state.mn.us	Dorene Fier-Tucker Supervisor, Emergency Management Unit Minneapolis, Minnesota dorene.fier-tucker@state.mn.us
State	Minnesota Department of Public Safety	Joe Kelly Director, Homeland Security and Emergency Management Division St. Paul, Minnesota Joseph.Kelly@state.mn.us	
Local	Koochiching County	Willi Kostiuk Emergency Management Coordinator International Falls, Minnesota Willi.Kostiuk@co.koochiching.mn.us	
Local	City of International Falls	Adam Mannausau Fire Chief International Falls, Minnesota adam@ci.international-falls.mn.us	

Appendix 2 – Original Information Request Distributed



International Rainy-Lake of the Woods Watershed Board

David Tinley
Director, Preparedness and Response
Canadian Coast Guard
Fisheries and Oceans Canada
Ottawa, Ontario
David.Tinley@dfo-mpo.gc.ca

January 9, 2017

Re: Environmental emergency planning, preparedness and response in the Rainy-Lake of the Woods drainage basin.

We are writing to you in our capacity as Co-Chairs of the International Joint Commission's International Rainy-Lake of the Woods Watershed Board. The Board is charged with monitoring and reporting on the ecological health of the Lake of the Woods and Rainy Lake boundary waters aquatic ecosystem, including water quality, coordinating the management of water levels and flows on Rainy and Namakan Lakes, and assisting the Commission in preventing and resolving disputes regarding the boundary waters of the Lake of the Woods and Rainy River watershed.

Members of the Board's Community Advisory Committee and other members of the public have noted that the Rainy-Lake of the Woods drainage basin contains one of the busiest rail crossings on the U.S.-Canada border, and have highlighted the potential for a rail accident to result in a release of petroleum products or other contaminants into the waters of Rainy River and Lake of the Woods.

In order to assess whether appropriate plans and procedures are in place to respond to such an incident, we are writing on behalf of the Board, to request information on your agency's role in environmental emergency planning, preparedness and response, any environmental emergency plans, agreements or other documentation of relevance to environmental emergency planning, preparedness and response, and specifically, any information you may be able to provide regarding coordination among Canadian and U.S. federal, state and provincial agencies, specific to the Rainy-Lake of the Woods drainage basin.

Below, we have attached the list of agencies we have contacted with this request. Please take a moment to review this list and indicate if you believe other agencies should be contacted.

Your response by February 20, 2017 would be greatly appreciated. Should you have any questions or comments regarding this request, please feel free to contact Board Secretary Daniel Rokitnicki-Wojcik, at Daniel.Rokitnickiwojcik@canada.ca.

Your assistance is greatly appreciated. Thank you in advance for your response.

Sincerely,



Michael Goffin
Canadian Co-Chair
Environment and Climate Change Canada
Toronto, Ontario
416-739-4666
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Colonel Samuel Calkins
U.S. Co-Chair
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