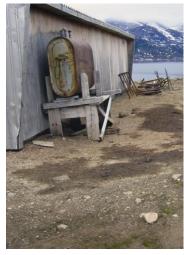
A Property Owner's Guide

to the Management of Contaminated Sites











Originally Approved August 2009 Revised: February 2015

USE OF THIS GUIDE

This Guide is not an official statement of the law and is provided for guidance only. Its intent is to increase the understanding of the risks and hazards associated with contaminated sites and to assist in the management and cleanup of these sites. It is a companion document to the *Environmental Guideline for Management of Contaminated Sites* and should always be used in association with the *Guideline*.

This Guide does not replace the need for the property owner, facility operator or person in charge, management or control of a contaminated site to consult Nunavut's Department of Environment, other regulatory authorities and qualified persons with expertise in contaminated site management and cleanup.

Copies of this Property Owners' Guide are available upon request from:

Department of Environment
Government of Nunavut
P.O. Box 1000, Station 1360, Iqaluit, NU, X0A 0H0
Electronic version of this Guideline is available at http://www.gov.nu.ca/env/environment

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Introduction

Petroleum products and other hazardous materials are used every day to heat homes and businesses; to run trucks, cars, snowmobiles and boats; and to keep pipes from freezing in the winter. While these materials serve many useful and important purposes, they can also be a hazard to people, property, plants and animals if spilled on the land or into water.

Community, territorial and federal laws exist to protect the environment. One of these laws is Nunavut's *Environmental Protection Act*. The Act maintains the high quality of Nunavut's land, water and air by preventing spills of hazardous materials into the environment. Every person is responsible for making sure that hazardous materials they own are used, handled and stored safely. If a spill occurs, the owner must ensure that a cleanup happens and any damage caused by the spill is repaired.

Unfortunately, many hazardous materials are spilled into the environment each year. Questions commonly asked following a spill include "what do I do now?" and "who can I call for help?" In 2014, the Nunavut Department of Environment updated the *Environmental Guideline for the Management of Contaminated Sites* to help answer these and many other questions.



Oil sheen on collected water.

The Guideline describes how to identify, assess, plan and clean up land that has become contaminated. It is a technical document intended to be used by engineers, consultants and other experts. Throughout the document technical and scientific terms are used which, although commonly used by the environmental industry, are sometimes difficult for the public to understand. This Property Owners' Guide has been developed to help explain the *Environmental Guideline for Contaminated Site Remediation* using non-technical language.



Stable fuel tank on a metal stand with flexible connector.

Why have an Environmental Guideline for the Management of Contaminated Sites?

Spills are a major source of environmental contamination. Each year more than 200 spills of heating oil, diesel fuel, gasoline, lubricating oils, antifreeze, sewage and other hazardous materials are reported to the NWT-Nunavut 24-Hour Spill Report Line. Each spill must be cleaned up to ensure the safety of people, property, animals, plants and the environment.

"What do I do now?"
"Who can I call for help?"

The Environmental Guideline for the Management of Contaminated Sites has been adopted under the Environmental Protection Act to make sure a consistent approach is taken to managing and cleaning up contaminated sites in Nunavut. It provides an overview of the owner's responsibilities and actions that must be taken to identify, assess, plan and clean up the site. It also provides cleanup standards for petroleum and other hazardous materials. These standards are sometimes referred to as "remediation criteria". If the amount of any hazardous material present at a site after a spill exceeds the remediation criteria, then the site is said to be contaminated.

Who does the Guideline apply to?

The Guideline applies to every person who owns, stores, handles or transports petroleum products and other hazardous materials. This includes home and business owners and operators. If you know, or have reason to believe, that a site has been or is being contaminated, you must immediately report the incident to the 24-Hour Spill Report Line and take actions to prevent further damage to the environment. Failure to take these actions could result in fines or other penalties under the *Environmental Protection Act*.



Cleanup of spring melt water using a temporary dyke and absorbent pads.



Waste oil at a community landfill site.

Where can I get a copy of the Guideline?

Copies of the *Environmental Guideline for the Management of Contaminated Sites* are available from any office of the Nunavut Department of Environment. Electronic copies can also be downloaded from the Department's web site at http://env.gov.nu.ca/node/82#Guideline Documents.

What is an environmental contaminant?

An environmental contaminant is any substance that, when spilled or released into the environment, could harm people, plants and animals. A substance that could damage property (e.g. buildings) or interfere with people's general enjoyment of the environment could also be an environmental contaminant. Examples include:

- Gasoline
- Kerosene
- Jet fuel
- Fuel oils and diesel fuel
- Lubricating oil (e.g. hydraulic fluid, transmission fluid and gear oil)
- Antifreeze
- Sewage

What is a contaminated site?

A contaminated site is broadly defined as a location at which levels of contaminants in soil, water or sediment pose an unacceptable risk to the health and safety of people, plants and wildlife. Normally, the contaminant is found at higher levels than would be expected in the surrounding area.

What do I do if I suspect my property is contaminated?

The general rule to follow if you suspect a site is contaminated is to *anticipate*, *plan and act*. The best approach is a *phased approach*, starting from the general and proceeding to the specific details. This will enable the development of an effective work plan and result in the safe, effective and least costly cleanup of the contaminated site. The steps in this phased approach are:

- Report the incident
- Assess the site
- Determine the most appropriate remediation criteria
- Prepare a cleanup plan
- Implement the cleanup plan
- Report the results



Conservation Officer assembling a containment boom.

Who do I notify?

The Environmental Protection Act requires that spills of an environmental contaminant be immediately reported to the 24-Hour Spill Report Line. The Spill Report Line can be contacted by telephone at (867) 920-8130 any time of the day or night. Collect calls are accepted. Any person whose health, safety or property could be affected by the spill (e.g. neighbours) must also be notified.

The Government of Nunavut's Department of Environment is the key environmental agency dealing with spills of contaminants and contaminated sites within communities. Departmental representatives must be notified if a spill has taken place or is suspected. If technical advice is necessary on how best to manage and clean up a contaminated site, a local contractor, environmental consultant or other knowledgeable person can be hired. The property owner and facility operator are responsible for the safe operation of their facility and for taking the actions necessary to clean up the site.

Does an engineer have to be hired to clean up a contaminated site?

No, but it is recommended that a knowledgeable and qualified person be contracted to help in cleaning up a contaminated site. Each site is unique. The cleanup methods will depend on what and how much is spilled, the site's location and its proximity to people, other property and water bodies, the type of soil present, and other factors. Employing an engineer or other knowledgeable person helps to ensure the cleanup is done right the first time, and for the least amount of money. The Department of Environment can provide a list of qualified environmental consultants.

Report the incident to the 24-Hour Spill Report Line.

While an engineer or other knowledgeable person can provide advice and assistance, it remains the responsibility of the owner or facility operator to ensure the contaminated site is properly and thoroughly cleaned up and all legal requirements are fully complied with.



Setting a floating containment boom.

What is a site assessment?

During an environmental site assessment information is gathered to determine what environmental contaminants are present at a site and at what levels. The goal is to learn as much as possible about the site so that a cleanup plan can be prepared.

A site assessment usually takes a phased approach – from the general to the specific:

Phase I – Initial actions to gather information on the land, hazardous materials, buildings and other facilities (e.g. storage tanks) on site. Phase I includes reviewing reports, studies and other available information, but not the sampling and testing of soil and water.

Phase II – Builds upon the results of Phase I by sampling and testing soil and water to determine whether contaminants are present, how much and where they are located. This information is then compared to remediation criteria to determine whether a cleanup is required. A cleanup plan

may be developed following Phase II testing if enough information about the site has been obtained.

Phase III – The most detailed level of assessment that addresses any outstanding issues and information gaps.

Is it always necessary to complete a Phase III site assessment?

No. A Phase III assessment is required only when sufficient information is not available to prepare a cleanup plan. Cleanup may be very expensive. A Phase III assessment can provide information that is required to better "target" the cleanup activities. This could save time and money if the site is large, complex or located in a remote area.

What remediation criteria should be used for petroleum products in soil? How clean is clean enough?

The remediation criteria for petroleum that are approved for use in Nunavut are provided in Table 2 of the *Environmental Guideline for the Management of Contaminated Sites*. These criteria have been developed by scientists and researchers from across Canada, and have been adopted as Canada's national standards by territorial, provincial and federal governments.



Documenting soil sampling locations and samples



Unstable fuel tank on wooden stand and oil staining on ground.

Deciding what remediation criteria to use can be difficult. Information gathered through the site assessment process is important in making the right decision. Several factors that must be considered when deciding what remediation criteria to use include:

- What, and how much, was spilled?
- How is the land being used?
- What type of soil is present?
- Where is the nearest shoreline, river or stream?

The Department of Environment, an environmental consultant or other knowledgeable person should be contacted for assistance in identifying the appropriate remediation criteria for soil. In Nunavut, Environment Canada (EC) and Aboriginal Affairs and Northern Development Canada (AANDC) are responsible for protecting water bodies, including the ocean. If the contaminant has entered water, an EC or AANDC representative should also be contacted.

Why is the type of petroleum important in deciding on remediation criteria?

Every petroleum product is a complex mixture of "chemical chains" made up of carbon, oxygen and other elements. The specific combination of these "chains" is unique to each petroleum

product (e.g. gasoline, kerosene, diesel fuel) and gives it its own physical and chemical properties. When spilled into the environment, different petroleum products behave differently and present different hazards. For example, a spill of gasoline will evaporate quickly and may present a large fire or explosion hazard. A spill of diesel fuel will not evaporate quickly, presents only a small fire hazard but will affect plants and animals that depend on clean soil for many years.

Different remediation criteria are applied to different petroleum products because of the different hazards each product presents to people, property and the environment. In this way, the same high level of protection is achieved regardless of the type of product spilled.

Why is use of the land considered in deciding on remediation criteria?

The Environmental Guideline for the Management of Contaminated Sites identifies four types of land use: agricultural/wildland, residential/parkland, commercial and industrial. Definitions for each land use are provided in the Environmental Guideline.



Oil runoff through road culvert.

The sooner actions are taken, the easier the cleanup will be.

People, plants and animals can come in contact with contaminants at a contaminated site in three different ways. These are by touching the contaminant, breathing it (e.g. dust) or swallowing it (e.g. soil or water). The amount of contaminant that people will touch, breathe or swallow depends in large part on what these people are doing (e.g. living, playing, working) and the amount of time they spend on the site. For example, a small child living in a house with a yard or playground that is located on contaminated land will generally come into contact with more soil than will an adult working eight hours per day, five days per week at an industrial site. For this reason, remediation criteria are more stringent for residential land than for commercial or industrial land.



1,000 gallon oil tank in concrete berm.

Why is the type of soil important?

Two types of soil are identified in the *Environmental Guideline for the Management of Contaminated Sites*. These are fine-grained soil (e.g. silt and clay) and course-grained soil (e.g. sand and gravel). In general, contaminants will move more quickly and easily through sand and gravel than they will through clay or other fine-grained soils. This can result in contaminants rapidly spreading throughout sandy or gravel areas, and possibly entering nearby oceans, lakes, rivers, streams and groundwater. For this reason, remediation criteria are generally more stringent for course-grained soil than for fine-grained soil.

How much can be spilled before cleanup is required?

Any amount of contaminant that is spilled must be cleaned up. Even a very small spill can create a contaminated site. To help illustrate this, the table below shows the approximate amount of gasoline that would need to be spilled to create a contamination level that exceeds the remediation criteria.

Approximate Amount of Soil and Gasoline Needed to Create a Level that Exceeds the Remediation Criteria

Volume of Soil	Volume of Gasoline
4.5 litres or 1 gallon bucket	Less than 1 teaspoon
205 litres or 45 gallon drum	Less than one quarter cup
Enough soil to fill a room that is 15'x20'x8' (e.g. a typical living room)	Less than 5 gallons or 1 jerry can

How do I clean up and dispose of petroleum contaminated soil?

Every contaminated site is different and your cleanup plan must take into account all the conditions present at the site. Questions such as: what product was spilled; how much; how close is the contaminated soil to houses, other buildings, roads and water bodies; and what resources are available locally are only a few of the questions that must be considered when preparing a remedial action, or cleanup, plan.



Oil tank with unsupported fuel line.

Table 5 in the Environmental Guideline for the Management of Contaminated Sites describes several methods that can be used to clean up a site. A common method is to excavate the contaminated soil and transport it using local equipment to a site where it can be treated. The site should be identified as early as possible during the planning process and authorized for use by the Department of Environment. Treatment methods that enable the soil to be reused are preferable as costs are generally lower and the environmental impacts of obtaining new fill material is avoided. A knowledgeable and qualified person can help in selecting the most practical and cost effective way of cleaning up a contaminated site.

Any amount of contaminant that is spilled must be cleaned up.

Are there cleanup criteria for contaminants other than petroleum?

Yes. Remediation criteria for a wide range of environmental contaminants have been adopted for use in Nunavut. These include heavy metals, pesticides, antifreeze and many other man-made products. The remediation criteria for these contaminants are provided in Appendix 4 of the *Environmental Guideline for the Management of Contaminated Sites*.

Does a contaminated site always need to be cleaned up immediately?

Actions must always be taken to clean up or reduce the hazards associated with a spill of a contaminant, regardless of the amount spilled. The sooner actions are taken, the easier the cleanup will be and the less likely the surrounding environment and safety of neighbours will be affected. Immediate actions also help to reduce the costs of cleanup. The general rule is to start the cleanup immediately upon discovering a spill.

Exceptions to this rule will be considered by the Department of Environment on a case-by-case basis. As an example, if the area around a community fuel storage facility's pump island



Stained soil after servicing vehicles.



Recovering pooled oil using absorbent pads and booms.

becomes contaminated because of repeated small spills, a decision could be made to delay cleanup until the facility is shut down. Factors to consider in making such a decision include the size of the contaminated area, actions taken by the owner to avoid further spills, whether the contaminants are moving off-site and the facility's proximity to water, houses, playgrounds and other sensitive areas. In all cases, the owner or facility operator needs to prepare a remedial action plan, monitor the area to ensure the situation does not worsen and report regularly to the Department of Environment.

What is a remedial action plan?

A remedial action plan, also known as a cleanup plan, is a written document that clearly and concisely describes what actions will be taken to clean up a contaminated site and repair any damage caused to the environment. The results of the environmental site assessment and other information collected are used to develop the plan.

A remedial action plan describes what actions will be taken to clean up a site.

In general terms, the plan should:

- Summarize information collected through the site assessment
- Identify the proposed remediation criteria
- Describe the selected cleanup and disposal methods
- Include a time schedule for completing the work

A remedial action plan should ensure the health and safety of workers and neighbouring residents are protected. In some cases, a Community Information Plan should also be prepared to inform the local community government and public of the cleanup work.

Why is it important to provide the proposed remedial action plan to Nunavut's Department of Environment for review before starting the cleanup?

The proposed remedial action plan should be submitted to the Department of Environment for review to ensure the plan meets all regulatory requirements. Without this important step, the plan may have to be revised later and cleanup activities repeated. This can result in delays to remediating the site and significantly higher costs to the owner or facility operator.



Recovering oil from culvert stream during spring melt



Installing a containment berm and liner near the ocean.

Can the remedial action plan be changed after cleanup has begun?

Yes. It is possible that new information will be obtained after cleanup of the site has begun. This could include information such as there being greater or less contamination than previously thought or additional types of contaminants being found. This new information would require changes to the remedial action plan. In all cases, changes to the plan should first be discussed with the Department of Environment and a revised copy provided for review.

What is a site closure report and why do I need to prepare one?

A site closure report is a permanent record of the cleanup activities taken on the site. It is prepared by the owner or facility operator and includes a summary of all site cleanup activities carried out, the amount of contaminated soil treated or disposed of, the results of final soil testing and any other relevant information. A copy of the final site closure report must be provided to the Department of Environment.

In some cases, monitoring and testing of the site may be required over many years to ensure environmental problems do not re-occur as a result of the spill. This monitoring program should be outlined in the site closure report.

How will I know when the site has been cleaned up to a satisfactory condition?

An Officer of the Department of Environment will be monitoring the site during the cleanup process. If an excavation is being done, an Officer must visit the site to confirm all contamination has been removed before backfilling takes place.

The Department of Environment will then review the site closure report to ensure the remediation criteria and other objectives outlined in the remedial action plan have been achieved. Once this has been confirmed, the Department will issue a letter advising that no further cleanup is required based upon the information provided. If it is determined that further work is required (e.g. cleanup, sampling, long-term monitoring) or if restrictions need to be placed on the future use of the land, these will be outlined in the Department's letter.



Excavated contaminated soil.

A site closure report is a permanent record of the cleanup activities.



Excavation to remove contaminated soil near building foundation.

What happens if the site is declared clean and more contamination is found on the site later?

The owner and facility operator remain responsible for ensuring the facility is operated in a safe manner and the environment is protected. If additional contamination is discovered on the site because the first cleanup was not complete, then the entire process may need to be repeated, starting with another assessment. This would cost the owner or facility operator a lot of extra money and could require the temporary closure of the facility. The possibility of this occurring can be reduced by ensuring a knowledgeable and qualified person assists in the identification, assessment, planning and cleanup of the contaminated site.

The owner or facility operator must ensure the contaminated site is properly and thoroughly cleaned up.

Am I responsible for damages caused to neighbouring properties?

Yes. The responsibility to clean up a contaminated site does not stop at your property line. The *Environmental Protection Act* requires the owner or facility operator, upon discovering a spill, to take all reasonable measures to repair damages to the environment. If your neighbours' property is impacted by contamination coming from your facility, then it is your responsibility to clean up their properties as well as your own. You would need to consult your neighbours to ensure they agree with the remedial action plan and obtain permission to enter onto their property. A more extensive Community Information Plan may also be required if many properties or public land is contaminated.

Besides the Department of Environment, what other government agencies can become involved in the cleanup of contaminated sites?

While the Department of Environment is the key environmental agency dealing with contaminated sites within communities, the owner or facility operator may also need to contact one or more of the following agencies.

- Environment Canada
- Aboriginal Affairs and Northern Development Canada
- Office of the Fire Marshal, Department of Community and Government Services
- Office of the Chief Medical Officer of Health, Department of Health
- Motor Vehicles Division, Department of Economic Development and Transportation
- Workers' Safety and Compensation Commission
- Local Community Government

For further information on the management of contaminated sites in Nunavut contact:

Environmental Protection Division Department of Environment Government of Nunavut 1104 A Inuksugait Plaza Box 1000, Station 1360 Iqaluit, Nunavut, XOA 0H0

Phone: (867) 975-7700 Fax: (867) 975-7742

Website: http://env.gov.nu.ca/programareas/

Environmentprotection

Appendix
NT-NU Spill Report Form
Instructions for Completing the NT-NU Spill Report Form





Canada NT-NU SPILL REPORT

NT-NU 24-HOUR SPILL REPORT LINE

TEL: (867) 920-8130 FAX: (867) 873-6924

Northwe Terr	itories Nunavut	Cariaga	OIL, GASOLINE	E, CHEMIC <i>A</i>	ALS AND OTH	IER HAZ	ZARDOL	JS MATERIAL	3		EMAIL: spills@gov.nt.ca
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F	RESPONSIBLE PARTY	OR VESSEL NAME		RESPONS	BLE PARTY AD	DRESS C	R OFFIC	E LOCATION			
G	ANY CONTRACTOR IN	VOLVED		CONTRAC	TOR ADDRESS	OR OFFI	CE LOCA	ATION			
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Instructions for Completing the NT-NU Spill Report Form

Spills of hazardous substances can be reported by calling the NT-NU Spill Report Line at (867) 920-8130. Collect calls are accepted. As an alternative, the Spill Report form can be filled out and e-mailed as an attachment to spills@gov.nt.ca. Receipt of e-mail transmissions should be verified with a follow-up telephone call to the Spill Line. Completed forms can also be faxed to the Spill Line at (867) 873-6924.

A. Report Date/Time	The actual date and time that the spill was reported to the spill line. If the spill is phoned in, the Spill Line will fill this out. <i>Please do not fill in the Report Number:</i> the spill line will assign a number after the spill. is reported.
B. Occurrence Date/Time	Indicate, to the best of your knowledge, the exact date and time that the spill occurred. Not to be confused with the report date and time (see above).
C. Land Use Permit Number /Water Licence Number	This needs to be filled in only if the activity has been licensed by the Nunavut Water Board or if a Land Use Permit has been issued. Applies primarily to mines and mineral exploration sites.
D. Geographic Place Name	In most cases, this will be the name of the community where the spill occurred. For remote locations, identify the most prominent geographic feature, such as a lake or mountain or the distance and direction from the nearest community
E. Geographic Coordinates	This needs to be filled out if the spill occurred outside of an established community such as at a mine site. The location should be stated in degrees, minutes and seconds of Latitude and Longitude.
F. Responsible Party Or Vessel Name	Identify the person or party who owned or was in control of the substance at the time it was spilled. In the case of a spill from a ship or vessel, include the name of the ship or vessel. Include full address, telephone number and e-mail. Use box K if there is insufficient space. Note that the owner of the spilled substance is ultimately responsible for any spills of that substance, regardless of who may have actually caused the spill.
G. Contractor involved?	Were there any other parties or contractors involved? (e.g. a construction company who is working on behalf of the owner of the spilled substance and who may have contributed to, or directly caused the spill and is responding to the spill).
H. Product Spilled	Identify the product spilled. Most commonly this is gasoline, diesel fuel or sewage. Use the chemical name of the substance and, where possible, identify the product using the four digit UN number (e.g. UN1203 for gasoline; UN1202 for diesel fuel; UN1863 for Jet A & B). Avoid trade names.

I. Spill Source	Identify the source of the spill (e.g. truck, ship, home heating fuel tank) and the cause (e.g. fuel tank overfill, leaking tank, ship ran aground, traffic accident, vandalism, storm). Provide an estimate of the extent of the contaminated area (e.g. 10 m ²)
J. Factors Affecting Spill	Identify any factors which might make it difficult to clean up the spill (e.g. rough terrain, bad weather, remote location, lack of equipment). Do you require advice and assistance with the cleanup? Identify any hazards to persons, property or environment (e.g. a gasoline spill beside a daycare centre would pose a safety hazard to children). Use box K if there is insufficient space.
K. Additional Information	Provide any additional pertinent details about the spill. State what action is being taken to clean up the spill, dispose of spilled material or notify affected parties. Attach additional sheets to the spill report if necessary. Number the pages in the same format found in the lower right hand corner of the spill form (e.g. Page 1 of 2). Number the pages to ensure that recipients can be certain they received all pertinent documents. If only the Spill Report form was filled out, number the form as "Page 1 of 1".
L. Reported to Spill Line by	Include your full name, employer, contact number and the location from which you are reporting the spill. Use box K if there is insufficient space.
M. Alternate Contact	Identify any alternate contacts. This information assists regulatory agencies to obtain additional information if they cannot reach the individual who reported the spill.
N. Report Line Use Only	Leave Blank. This box is for Spill Line use only.