



Subject: Agreement for Funding from Vale Canada

To: Council

From: Community Safety & Enforcement Department

Report Number: 2023-79

Meeting Date: May 23, 2023

Recommendation:

That Community Safety & Enforcement Department Report 2023-79 be received; and
That the Chief Administrative Officer be directed to execute the gift agreement between Vale Canada Limited and the City of Port Colborne.

Purpose:

The purpose of this report is to update and receive direction from Council regarding the gift of funds to Port Colborne Fire & Emergency Services from Vale Canada Limited (VALE) to assist in enhancing the Fire Department's hazardous material response capabilities within the City.

Background:

Port Colborne Fire & Emergency Services is a full-service fire department and is regularly dispatched to hazardous materials calls. Most of these materials are liquid-based and are a result of a motor vehicle accident. The City of Port Colborne does have industrial businesses, rail networks, and road systems that see larger quantities of hazardous materials used, stored, and transported through the City.

In Ontario, there are four levels of Hazardous Materials response, in increasing order of skill, these are:

- Awareness Level
- Operational Level
- Technician Level
- Specialist Level

Within the Council-approved Establishing and Regulating By-law (6745/109/19), Port Colborne Fire & Emergency Services permits three personnel trained to technician level; all staff are trained to a minimum of Operational Level. While operational level meets the needs to be certified as a firefighter in Ontario, there are restrictions when responding to a true hazardous materials response. This limits Port Colborne Fire & Emergency Services' abilities to contain and control a hazardous materials spill that threatens life, property, and the environment.

The Ontario government passed O. Reg. 343/22: Fire Fighter Certification on April 14, 2022. This mandates that all fire fighters must be certified to a specific level of training to be allowed to perform an action. While the City's full-time staff is trained to a higher level for hazardous materials, they are not trained to the level that allows direct interventions. This is adequate for a municipality of Port Colborne's size, but as a matter of best practice, management would like to see a higher level of certification to protect the community. The funds provided under this agreement will allow the Department to reach this higher level of certification.

It is also notable that the fire service supplies decontamination services for hazardous materials incidents to the rest of the Niagara Region through a mutual aid agreement. To provide these services at the City's current level of hazardous materials certification, the Fire Department must work under the supervision of an external hazardous materials technician or allied agency. Once the recommendations in this report have been implemented, it will no longer be necessary to work under that supervision as Port Colborne will have the capacity internally.

Discussion:

In the fall of 2022, VALE contacted Port Colborne Fire & Emergency Services to discuss their compliance needs regarding materials used on the property and the Fire Department's ability to assist in the event of a spill. Over the following months, notification procedures were created to streamline the notification procedure for a potential issue on the property.

After finalizing those discussions, VALE and Port Colborne Fire & Emergency Services participated in a joint emergency management drill at VALE's Port Colborne location. The drill tested the notification system and gave staff a better understanding of potential issues at the property and each entity's ability to handle a hazardous material spill.

Fulsome discussions followed the drill, and an offer to help fund an expansion of Port Colborne Fire & Emergency Services hazardous materials response capacity was made by VALE. Staff investigated the department's needs with the assistance of subject experts. A course of action to meet those needs was determined. An application was submitted to VALE for the sum of \$200,000 to meet those needs, which was recently approved and is being gifted to Port Colborne Fire & Emergency Services.

The financial support will make it possible to acquire specialized hazardous material response training for staff. All full-time officers within the department would be trained and certified to the technician level. It will also fund the purchase of air monitoring, response supplies, and personal protective equipment. In the words of VALE “the training, supplies, and PPE is expected to support response to hazardous materials emergency response to industrial sites in the Niagara Region, in addition to VALE’s Port Colborne operations”.

The Fire Department will respond to any and all hazardous materials spills within the City. It is the unspoken expectation of the public that their fire service has the skills and abilities to act quickly and efficiently at any incident. Ensuring staff are trained and appropriately equipped for intervention actions will ensure the City meets this expectation.

Internal Consultations:

The Fire Chief has discussed the financial gift agreement with the Chief Administrative Officer, the Director of Corporate Services, and the Corporate Leadership Team.

Financial Implications:

The gifted funds will cover the immediate and future needs of Port Colborne Fire & Emergency Services regarding hazardous material response. Any future training will be funded within the current operating budget.

Any unspent funds will be encumbered (carried forward to future years) so they are available to be utilized in accordance with their intended purposes.

Public Engagement:

Not applicable.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Service and Simplicity - Quality and Innovative Delivery of Customer Services
- Value: Financial Management to Achieve Financial Sustainability
- People: Supporting and Investing in Human Capital

Conclusion:

Through training and the proper equipment, swift action can mitigate and minimize the damages that are associated with a hazardous materials spill or release. VALE's funding offer to assist the department in an upgrade of hazardous material capabilities will achieve this.

Finally, this is an example of a partnership that benefits VALE, the City of Port Colborne, industry within the municipality and the Region of Niagara as a whole. Working together as community partners to promote a safer community for all.

Appendices:

- a. Gift Agreement between Vale Canada Limited and Port Colborne Fire & Emergency Services

Respectfully submitted,

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Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.