

**VOLUME 6**

**REPORT OF TASK GROUP FIVE  
Government Management  
Appendices**



**FOR THE  
BEAUFORT SEA STEERING COMMITTEE**  
April 1991

**REPORT**  
**by**  
**TASK GROUP NUMBER FIVE**

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**GOVERNMENT MANAGEMENT  
APPENDICES**

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**for**  
**BEAUFORT SEA STEERING COMMITTEE**

**APRIL, 1991**

**List of Appendices  
in Support of  
Report by Task Group 5  
on  
Beaufort Sea Oil Spill Management**

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and  
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**December 12, 1990**

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June, 1990

7.0 RECOMMENDATIONS

APPENDIX A

7.1 Introduction

The Board has not recommended approval of Gulf's Drilling Program, therefore there are no terms and conditions to be recommended. However, the problems identified in the Board's decision are of such importance that it is imperative they be urgently addressed and resolved in order to facilitate future drilling activity.

The recommendations that follow should not be viewed or construed in any way as detracting from the Board's decision to recommend against Gulf's Drilling Program proceeding. Nor should they be viewed as constituting terms and conditions upon which, in the Board's view, it would be proper or responsible to permit Gulf's Drilling Program to go ahead.

Recommendation 1

The governmental responsibility for oil spill countermeasure and cleanup activities, either in support of a developer or pursuant to intervention obligations must be concentrated in one governmental agency, preferably the Canadian Coast Guard, regardless of the source of the oil spill.

The Board recognizes that other tribunals and agencies have made similar recommendations following their review of offshore oil and gas activities. Some are presently examining these issues in greater depth than occurred during the course of this public review. Nevertheless, the Board notes that the distinction between a ship-sourced oil spill and an oil and gas

drilling activity sourced spill in terms of who is responsible for countermeasures and cleanup is, in large part, an artificial one. The potential for conflict and confusion in planning for and responding to emergencies is clear, and has been commented on in detail elsewhere in the Board's decision.

Recommendation 2

The governmental authority responsible for oil spill cleanup must become the approval agency for all oil spill contingency plans which should include oil spill countermeasure plans, oil spill cleanup plans and oil spill related wildlife protection plans. The prior approval of all such plans must be made a condition of the granting of any DPA.

As noted in this decision, the absence of the requirement of such plans on the part of the Government of Canada and of acceptable plans on the part of Gulf at this stage of Beaufort Sea drilling is difficult to understand. This recommendation should be immediately instituted.

Arctic Waters Pollution Prevention Act

## DEPOSIT OF WASTE

## Prohibition

4. (1) Except as authorized by regulations made under this section, no person or ship shall deposit or permit the deposit of waste of any type in the arctic waters or in any place on the mainland or islands of the Canadian arctic under any conditions where the waste or any other waste that results from the deposit of the waste may enter the arctic waters.

## Exemption

(2) Subsection (1) does not apply to the deposit of waste in waters that form part of a water quality management area designated pursuant to the *Canada Water Act* if the waste so deposited is of a type and quantity and is deposited under conditions authorized by regulations made under paragraph 18(2)(a) of that

## DÉPÔT DE DÉCHETS

## Interdiction

4. (1) Sauf de la façon prévue par règlement d'application du présent article, il est interdit aux personnes et aux navires de déposer des déchets de toute nature — ou d'en permettre le dépôt — dans les eaux arctiques, ou sur le continent ou les îles de l'Arctique canadien mais dans des conditions qui permettent à ces déchets ou à ceux résultant de leur dépôt d'atteindre les eaux arctiques.

## Exemption

(2) Le paragraphe (1) ne s'applique pas au dépôt de déchets dans des eaux comprises dans une zone de gestion qualitative des eaux désignée en application de la *Loi sur les ressources en eau du Canada* si, étant donné la nature et la quantité des déchets déposés et les conditions dans lesquelles s'effectue le dépôt, celui-ci est

Continued on the next page



Act with respect to that water quality management area.

autorisé par règlement d'application de l'alinéa 18(2)a) de cette loi relativement à cette zone.

Regulations

(3) The Governor in Council may make regulations for the purposes of this section prescribing

(3) Pour l'application du présent article, le gouverneur en conseil peut, par règlement :

- (a) the type and quantity of waste, if any, that may be deposited by any person or ship in the arctic waters or in any place on the mainland or islands of the Canadian arctic under any conditions where that waste or any other waste that results from the deposit of that waste may enter the arctic waters; and
- (b) the conditions under which any such waste may be so deposited. R.S., c. 2(1st Supp.), s. 4.

- a) indiquer la nature et la quantité des déchets, le cas échéant, qui peuvent être déposés dans les eaux arctiques, ou sur le continent ou les îles de l'Arctique canadien mais dans des conditions qui permettent à ces déchets ou à ceux résultant de leur dépôt d'atteindre les eaux arctiques;
- b) fixer les conditions dans lesquelles un tel dépôt peut s'effectuer. S.R., ch. 2(1<sup>re</sup> suppl.), art. 4.

Report of deposit of waste or danger thereof

- 5. (1) Any person who
  - (a) has deposited waste in contravention of subsection 4(1), or
  - (b) carries on any undertaking on the mainland or islands of the Canadian arctic or in the arctic waters that, by reason of any accident or other occurrence, is in danger of causing any deposit of waste described in that subsection otherwise than of a type, in a quantity and under conditions prescribed by regulations made under section 4,

5. (1) Est tenu de rapporter sans délai à un fonctionnaire compétent, à l'endroit et selon les modalités prévues par le gouverneur en conseil, le dépôt de déchets, l'accident ou l'autre événement survenu quelconque :

shall forthwith report the deposit of waste or the accident or other occurrence to a pollution prevention officer at such location and in such manner as may be prescribed by the Governor in Council.

- a) a déposé des déchets en contravention avec le paragraphe 4(1);
- b) entreprend sur le continent ou les îles de l'Arctique canadien ou dans les eaux arctiques une opération qui, du fait d'un accident ou d'un autre événement, menace de provoquer un dépôt de déchets visé à ce paragraphe et dont la nature, la quantité et les conditions ne seraient pas permises par les règlements d'application de l'article 4.

Report by master of ship

- (2) The master of any ship that has deposited waste in contravention of subsection 4(1), or that is in distress and for that reason is in danger of causing any deposit of waste described in that subsection otherwise than of a type, in a quantity and under conditions prescribed by regulations made under section 4, shall forthwith report the deposit of waste or the condition of distress to a pollution prevention officer at such location and in such manner as may be prescribed by the Governor in Council. R.S., c. 2(1st Supp.), s. 5.

- (2) Le capitaine du navire qui a déposé des déchets en contravention avec le paragraphe 4(1) ou qui est en détresse et qui, pour cette raison, menace de provoquer un dépôt de déchets visé à ce paragraphe et dont la nature, la quantité et les conditions ne seraient pas permises par les règlements d'application de l'article 4 doit sans délai en faire rapport à un fonctionnaire compétent, à l'endroit et selon les modalités prévues par le gouverneur en conseil. S.R., ch. 2(1<sup>re</sup> suppl.), art. 5.

Report of condition of vessel

Civil liability resulting from deposit of waste

- 6. (1) The following persons, namely,
  - (a) any person who is engaged in exploring for, developing or exploiting any natural resource on any land adjacent to the arctic waters or in any submarine area subjacent to the arctic waters,

- 6. (1) Sont respectivement responsables des frais, dépenses, pertes ou dommages visés au paragraphe (2) — et, dans le cas du propriétaire d'un navire et des propriétaires de sa cargaison, cette responsabilité est solidaire — jusqu'à concurrence du montant déterminé

Responsabilité civile résultant d'un dépôt de déchets

(b) any person who carries on any undertaking on the mainland or islands of the Canadian arctic or in the arctic waters, and

(c) the owner of any ship that navigates within the arctic waters and the owners of the cargo of any such ship.

are respectively liable and, in the case of the owner of a ship and the owners of the cargo thereof, are jointly and severally liable, up to the amount determined in the manner prescribed by regulations made under section 9 in respect of the activity or undertaking so engaged in or carried on or in respect of that ship, as the case may be, for costs, expenses and loss or damage described in subsection (2).

**Extent of liability**

(2) Liability under subsection (1) is

(a) for all costs and expenses of and incidental to the taking of action described in subsection (3) on the direction of the Governor in Council, and

(b) for all actual loss or damage incurred by other persons

resulting from any deposit of waste described in subsection 4(1) that is caused by or is otherwise attributable to the activity, undertaking or ship, as the case may be, referred to in subsection (1).

**Costs and expenses of Her Majesty**

(3) Where the Governor in Council directs any action to be taken by or on behalf of Her Majesty in right of Canada to repair or remedy any condition that results from a deposit of waste described in subsection (2), or to reduce or mitigate any damage to or destruction of life or property that results or may reasonably be expected to result from such a deposit of waste, the costs and expenses of and incidental to the taking of that action, to the extent that those costs and expenses can be established to have been reasonably incurred in the circumstances, are, subject to this section, recoverable by Her Majesty in right of Canada from the person or persons described in paragraph (1)(a), (b) or (c), with costs, in proceedings brought or taken therefor in the name of Her Majesty.

**Proceedings for recovery of claims**

(4) All claims pursuant to this section against a person or persons described in paragraph (1)(a), (b) or (c) may be sued for and recovered in any court of competent jurisdiction in Canada, and all those claims shall rank

(a) first, in favour of persons who have suffered actual loss or damage as provided in

selon les modalités prévues par règlement d'application de l'article 9 quant à l'activité, à l'opération ou au navire en cause, selon le cas, les personnes suivantes :

a) quiconque s'occupe de prospection, de mise en valeur ou d'exploitation d'une ressource naturelle sur une terre contiguë aux eaux arctiques ou dans une zone sous-marine des eaux arctiques;

b) quiconque entreprend une opération sur le continent ou les îles de l'Arctique canadien ou dans les eaux arctiques;

c) le propriétaire du navire qui navigue dans les eaux arctiques et les propriétaires de la cargaison du navire.

(2) La responsabilité couvre les frais, dépenses, pertes et dommages résultant de tout dépôt de déchets visé au paragraphe 4(1) et attribuable à l'activité, à l'opération ou au navire en cause, à savoir :

a) les frais et dépenses directement ou indirectement imputables à la prise des mesures visées au paragraphe (3) sur l'ordre du gouverneur en conseil;

b) l'intégralité des pertes ou dommages subis par des tiers.

**Étendue de la responsabilité**

(3) Les frais et dépenses directement ou indirectement imputables à la prise, par Sa Majesté du chef du Canada ou pour son compte, de mesures ordonnées par le gouverneur en conseil en vue de redresser, en tout ou en partie, la situation créée par le dépôt de déchets visé au paragraphe (2) ou de réduire la destruction, totale ou partielle, d'êtres vivants ou de biens résultant de ce dépôt, ou raisonnablement susceptible d'en résulter, peuvent, sous réserve des autres dispositions du présent article et pour autant qu'il soit possible d'établir en l'espèce que les frais et dépenses ont été entraînés par la prise des mesures, être recouvrés, avec dépens, par Sa Majesté du chef du Canada à l'issue de poursuites engagées contre les personnes visées à l'alinéa (1)a), b) ou c).

**Frais et dépenses de Sa Majesté**

(4) Les réclamations faites en application du présent article contre des personnes visées à l'alinéa (1)a), b) ou c) peuvent être portées en justice pour recouvrement devant tout tribunal compétent au Canada, jusqu'à concurrence du montant déterminé, selon les modalités prévues par règlement d'application de l'article 9, quant

**Procédure de recouvrement en matière de réclamations**

paragraph (2)(b), which claims shall among themselves rank *pari passu*, and

(b) second, to meet the costs and expenses described in subsection (3),

up to the limit of the amount determined in the manner prescribed by regulations made under section 9 in respect of the activity or undertaking engaged in or carried on by the person or persons against whom the claims are made, or in respect of the ship of which any such person is the owner or of all or part of whose cargo any such person is the owner.

à l'activité ou à l'opération poursuivie par les personnes contre lesquelles les réclamations sont faites ou quant au navire dont une de ces personnes est propriétaire ou de la cargaison duquel une de ces personnes est propriétaire, en tout ou partie, et prennent rang comme suit :

a) premièrement, celles en faveur des personnes qui ont subi des pertes ou dommages visés à l'alinéa (2)b), lequel prévoit que les réclamations viennent toutes au même rang;

b) deuxièmement, celles faites pour subvenir aux frais et dépenses visés au paragraphe (3).

#### Limitation period

(5) No proceedings in respect of a claim pursuant to this section shall be commenced after two years from the time when the deposit of waste in respect of which the proceedings are brought or taken occurred or first occurred, as the case may be, or could reasonably be expected to have become known to those affected thereby. R.S., c. 2(1st Supp.), s. 6.

(5) Les poursuites en réclamation prises sous l'autorité du présent article se prescrivent par deux ans à compter de la date à laquelle le dépôt de déchets est intervenu ou est intervenu pour la première fois, selon le cas, ou à compter de la date à laquelle il était raisonnable de s'attendre à ce qu'il soit connu de ceux qui en ont été affectés. S.R., ch. 2(1<sup>re</sup> suppl.), art. 6.

#### Prescription

#### Nature and limitation of liability

7. (1) The liability of any person pursuant to section 6 is absolute and does not depend on proof of fault or negligence, except that no person is liable pursuant to that section for any costs, expenses or actual loss or damage incurred by another person whose conduct caused any deposit of waste described in subsection 6(2), or whose conduct contributed to any such deposit of waste, to the degree to which that other person's conduct contributed thereto.

7. (1) La responsabilité visée à l'article 6 est absolue et non subordonnée à la preuve d'une faute ou d'une négligence, sauf que nul n'est responsable, aux termes de cet article, des frais, dépenses, pertes ou dommages subis par une autre personne dont la conduite a provoqué le dépôt de déchets visé au paragraphe 6(2) ou y a contribué, dans la mesure où sa conduite y a contribué.

#### Nature et étendue de la responsabilité

#### Construction of reference to conduct

(2) For the purposes of subsection (1), a reference to any conduct of "another person" includes any wrongful act or omission by that other person or by any person for whose wrongful act or omission that other person is by law responsible.

(2) Pour l'application du paragraphe (1), la conduite d'une autre personne s'entend d'un acte ou d'une omission dommageable imputable à cette autre personne ou à quiconque dont celle-ci répond légalement.

#### Disposition interprétative

#### Prohibited construction

(3) Nothing in this Act shall be construed as limiting or restricting any right of recourse or indemnity that a person liable pursuant to section 6 may have against any other person.

(3) La présente loi n'a pas pour effet de restreindre le recours ou le droit à une indemnité d'une personne responsable aux termes de l'article 6 à l'égard d'un tiers.

#### Interprétation

#### Limitation on liability of cargo owner

(4) Notwithstanding anything in this Act, no person is liable pursuant to section 6, either alone or jointly and severally with one or more other persons, by reason only that the person is the owner of all or any part of the cargo of a ship, if the person can establish that the cargo or that part thereof is of such a nature, or is of such a nature and is carried in such a quantity, that, if it and any other cargo of the same

(4) Malgré les autres dispositions de la présente loi, nul n'est responsable, aux termes de l'article 6, soit seul soit solidairement avec d'autres, du seul fait qu'il est le propriétaire de tout ou partie de la cargaison d'un navire s'il peut établir que la cargaison, ou partie de celle-ci, dont il est le propriétaire est d'une nature telle, ou est d'une nature telle et est transportée en une telle quantité que, si cette

#### Responsabilité restreinte du propriétaire de la cargaison

nature that is carried by that ship were deposited by that ship in the arctic waters, the deposit would not constitute a contravention of subsection 4(1). R.S., c. 2(1st Supp.), s. 7.

cargaison et toute autre cargaison de la même nature ou d'une nature similaire étaient déposées par ce navire dans une zone des eaux arctiques, le dépôt ne constituerait pas une contravention au paragraphe 4(1). S.R., ch. 2(1<sup>re</sup> suppl.), art. 7.

**Evidence of financial responsibility**

8. (1) The Governor in Council may require (a) any person who engages in exploring for, developing or exploiting any natural resource on any land adjacent to the arctic waters or in any submarine area subjacent to the arctic waters,

(b) any person who carries on any undertaking on the mainland or islands of the Canadian arctic or in the arctic waters that will or is likely to result in the deposit of waste in the arctic waters or in any place under any conditions where that waste or any other waste that results from the deposit of that waste may enter the arctic waters,

(c) any person, other than a person described in paragraph (a), who proposes to construct, alter or extend any work or works on the mainland or islands of the Canadian arctic or in the arctic waters that, on completion thereof, will form all, or part of an undertaking described in paragraph (b), or

(d) the owner of any ship that proposes to navigate or that navigates within any shipping safety control zone specified by the Governor in Council and, subject to subsection 7(4), the owners of the cargo of any such ship,

to provide evidence of financial responsibility, in the form of insurance or an indemnity bond satisfactory to the Governor in Council, or in any other form satisfactory to the Governor in Council, for an amount determined in the manner prescribed by regulations made under section 9.

**Persons entitled to claim against insurance or bond**

(2) Evidence of financial responsibility in the form of insurance or an indemnity bond shall be in a form that will enable recovery, directly from the proceeds of the insurance or bond, by any person entitled pursuant to section 6 to claim against the person or persons giving that evidence. R.S., c. 2(1st Supp.), s. 8.

**Regulations respecting manner of determining limit of liability**

9. (1) The Governor in Council may make regulations for the purposes of section 6 prescribing, in respect of any activity or undertaking engaged in or carried on by any person or

**Preuve de solvabilité**

8. (1) Le gouverneur en conseil peut exiger la fourniture d'une preuve de solvabilité agréée par lui-même — assurance, cautionnement ou autre — d'un montant déterminé selon les modalités prévues par règlement d'application de l'article 9 :

a) de quiconque s'occupe de prospection, de mise en valeur ou d'exploitation d'une ressource naturelle sur une terre contiguë aux eaux arctiques ou dans une zone sous-marine des eaux arctiques;

b) de quiconque entreprend une opération sur le continent ou les îles de l'Arctique canadien ou dans les eaux arctiques qui entraînera ou risque vraisemblablement d'entraîner le dépôt de déchets soit dans les eaux arctiques, soit ailleurs mais dans des conditions qui permettent à ces déchets ou à ceux résultant de leur dépôt d'atteindre les eaux arctiques;

c) de quiconque, autre qu'une personne visée à l'alinéa a), se propose de construire, de modifier ou d'agrandir sur le continent ou dans les îles de l'Arctique canadien ou dans les eaux arctiques un ou plusieurs ouvrages qui, une fois terminés, constitueront tout ou partie d'une opération visée à l'alinéa b);

d) du propriétaire d'un navire qui navigue à l'intérieur d'une zone de contrôle de la sécurité de la navigation déterminée par le gouverneur en conseil — ou se propose de le faire — et, sous réserve du paragraphe 7(4), des propriétaires de la cargaison du navire.

**Personne en droit de demander la réalisation de l'assurance ou du cautionnement**

(2) La preuve de solvabilité sous la forme d'une assurance ou d'un cautionnement doit être telle qu'elle permette à quiconque ayant le droit, en application de l'article 6, de présenter une réclamation contre celui qui la produit d'en recouvrer directement le quantum sur le produit de la réalisation de l'assurance ou du cautionnement. S.R., ch. 2(1<sup>re</sup> suppl.), art. 8.

**Règlement sur le mode de détermination de la limite de la responsabilité**

9. (1) Le gouverneur en conseil peut, par règlement, pour l'application de l'article 6, à l'égard de toute action ou opération poursuivie par une personne visée à l'alinéa 6(1)a), b) ou

persons described in paragraph 6(1)(a), (b) or (c), or in respect of any ship of which any such person is the owner or of all or part of whose cargo any such person is the owner, the manner of determining the limit of liability of any such person or persons pursuant to section 6.

c) ou à l'égard de tout navire dont une telle personne est soit le propriétaire soit le propriétaire de tout ou partie de la cargaison, fixer le mode de détermination de la responsabilité d'une telle personne.

Manner to be taken into account

(2) In the case of the owners of a ship and its cargo, the manner prescribed under subsection (1) shall take into account the size of the ship and the nature and quantity of the cargo carried or to be carried by it. R.S., c. 2(1st Supp.), s. 9.

(2) Dans les cas mettant en cause le propriétaire du navire et le propriétaire de la cargaison, la dimension du navire, ainsi que la nature et la quantité de la cargaison transportée ou à transporter, sont des facteurs dont le mode de détermination visé au paragraphe (1) doit tenir compte. S.R., ch. 2(1<sup>re</sup> suppl.), art. 9.

Factors to be taken into account

# SHIPPING SAFETY CONTROL ZONES

# ZONES DE CONTRÔLE DE LA SÉCURITÉ DE LA NAVIGATION

Prescription of shipping safety control zones

11. (1) Subject to subsection (2), the Governor in Council may, by order, prescribe as a shipping safety control zone any area of the arctic waters that is specified in the order, and may, as the Governor in Council deems necessary, amend any such area.

11. (1) Sous réserve du paragraphe (2), le gouverneur en conseil peut, par décret, désigner toute zone des eaux arctiques y spécifiée; il peut en outre, s'il l'estime nécessaire, modifier une telle zone.

Désignation des zones de contrôle de la sécurité de la navigation

Publication of proposed orders

(2) A copy of each order that the Governor in Council proposes to make under subsection (1) shall be published in the *Canada Gazette* and no order may be made under that subsection, based on any such proposal, except after the expiration of sixty days following publication of the proposal in the *Canada Gazette*. R.S., c. 2(1st Supp.), s. 11.

(2) Les projets de décrets d'application du paragraphe (1) sont publiés dans la *Gazette du Canada* et ne peuvent être pris par le gouverneur en conseil avant l'expiration d'un délai de soixante jours de la date de leur publication. S.R., ch. 2(1<sup>re</sup> suppl.), art. 11.

Publication des projets de décrets

Regulations relating to navigation in shipping safety control zones

12. (1) The Governor in Council may make regulations applicable to ships of any class specified therein, prohibiting any ship of that class from navigating within any shipping safety control zone specified therein

12. (1) Le gouverneur en conseil peut, par règlement applicable aux navires d'une catégorie y spécifiée, interdire à tout navire de cette catégorie de naviguer à l'intérieur de la zone de contrôle de la sécurité de la navigation y spécifiée:

Règlement sur la navigation dans les zones de contrôle de la sécurité de la navigation

(a) unless the ship complies with standards prescribed by the regulations relating to

a) à moins que le navire ne satisfasse aux normes réglementaires ayant trait:

(i) hull and fuel tank construction, including the strength of materials used therein, the use of double hulls and the subdivision thereof into watertight compartments,

(i) à la construction de la coque et de la soule à combustible, notamment à celles relatives à la résistance des matériaux employés, à l'usage de coques doubles et à leur subdivision en compartiments étanches,

(ii) the construction of machinery and equipment, the electronic and other navigational aids and equipment and telecommunications equipment to be carried and the manner and frequency of maintenance thereof,

(ii) à la construction de la machinerie et de l'équipement, aux aides à la navigation et à l'équipement, électroniques ou non, et à l'équipement de télécommunication devant se trouver à bord ainsi qu'à leur mode d'entretien et à la fréquence de celui-ci,

(iii) the nature and construction of propelling power and appliances and fittings for steering and stabilizing,

(iii) au type et à la construction de l'organe de propulsion et des appareils et installations nécessaires à la manœuvre de la barre et à la stabilisation du navire,

(iv) the manning of the ship, including the number of navigating and look-out personnel to be carried who are qualified in a manner prescribed by the regulations,

(iv) à l'équipage du navire, notamment au nombre des membres du personnel de navigation et de veille qui doivent se trouver à

(v) with respect to any type of cargo to be carried, the maximum quantity thereof that may be carried, the method of stowage thereof and the nature or type and quantity of supplies and equipment to be

carried for use in repairing or remedying any condition that may result from the deposit of any such cargo in the arctic waters.

(vi) the free-board to be allowed and the marking of load lines,

(vii) quantities of fuel, water and other supplies to be carried, and

(viii) the maps, charts, tide tables and any other documents or publications relating to navigation in the arctic waters to be carried;

(b) without the aid of a pilot, or of an ice navigator who is qualified in a manner prescribed by the regulations, at any time or during one or more periods of the year, if any, specified in the regulations, or without ice-breaker assistance of a kind prescribed by the regulations; and

(c) during one or more periods of the year, if any, specified in the regulations or when ice conditions of a kind specified in the regulations exist in that zone.

Ouvert  
à tout type  
de navires

(2) The Governor in Council may by order exempt from the application of any regulations made under subsection (1) any ship or class of ship that is owned or operated by a sovereign power, other than Canada, where the Governor in Council is satisfied that

(a) appropriate measures have been taken by or under the authority of that sovereign power to ensure the compliance of the ship with, or with standards substantially equivalent to, standards prescribed by regulations made under paragraph (1)(a) that would otherwise be applicable to it within any ship-planning safety control zone; and

(b) in all other respects all reasonable precautions have been or will be taken to reduce the danger of any deposit of waste resulting from the navigation of the ship within that ship-planning safety control zone.

bord, dont la conformité est établie de la manière réglementaire.

(v) pour tout type de cargaison à transporter, à la quantité maximale qui peut être transportée, à la méthode d'arrimage ainsi qu'à la nature ou au type et à la quantité des fournitures et de l'équipement devant se trouver à bord en vue de réduire toute situation susceptible de résulter du dépôt d'une telle cargaison dans les eaux arctiques, ou d'y remédier.

(vi) au free-board autorisé et au marquage des lignes de charge,

(vii) aux quantités de combustible, d'eau et d'autres fournitures devant se trouver à bord,

(viii) aux cartes marines et autres, tables des marées et autres documents ou publications se rapportant à la navigation dans les eaux arctiques devant se trouver à bord;

b) sans l'aide d'un pilote, ou d'un navigateur dont la compétence est établie de la manière réglementaire pour la navigation dans les glaces en tout temps ou pendant la période de l'année prévue par les règlements, le cas échéant, ou sans l'assistance d'un brise-glaces de type réglementaire;

c) pendant la période de l'année prévue par les règlements, le cas échéant, ou lorsque l'état des glaces qui prévaut dans cette zone est d'un genre prévu par les règlements.

(2) Le gouverneur en conseil peut, par décret, exempter de l'application des règlements pris sous le régime du paragraphe (1) un navire ou une catégorie de navires qui est la propriété d'un État souverain autre que le Canada ou dont un tel État assure l'exploitation, s'il est convaincu :

a) que des mesures appropriées ont été prises par cet État ou sous son autorité pour que le navire réponde aux normes fixées par les règlements d'application de l'alinéa (1)a) ou à des normes essentiellement similaires qui lui seraient autrement applicables à l'intérieur d'une zone de contrôle de la sécurité de la navigation;

b) qu'à tous autres égards, toutes les précautions voulues ont été ou seront prises pour réduire le risque d'un dépôt de déchets résultant de la navigation du navire à l'intérieur de la zone.

Certificats  
évidençant  
conformité

(3) The Governor in Council may make regulations

(a) providing for the issue, to the owner or master of any ship that proposes to navigate within any shipping safety control zone specified therein, of a certificate evidencing, in the absence of any evidence to the contrary, the compliance of that ship with standards prescribed by regulations made under paragraph (1)(a) that are or would be applicable to it within that shipping safety control zone; and

(b) governing the use that may be made of any such certificate and the effect that may be given thereto for the purposes of any provision of this Act. R.S., c. 2(1st Supp.), s. 12.

(3) Le gouverneur en conseil peut, par règlement :

a) prévoir la délivrance, au propriétaire ou au capitaine d'un navire qui se propose de naviguer dans une zone de contrôle de la sécurité de la navigation y spécifiée, d'un certificat indiquant, sauf preuve contraire, que le navire répond aux normes fixées par les règlements d'application de l'alinéa (1)a) qui lui sont ou lui seraient applicables à l'intérieur de cette zone;

b) définir l'utilisation et la portée que peut avoir un tel certificat pour l'application de toute disposition de la présente loi. S.R., ch. 2(1<sup>re</sup> suppl.), art. 12.

Certificats  
d'embarquementDestruction or  
removal of  
ships or their  
contents

13. (1) Where the Governor in Council believes on reasonable grounds that waste is being deposited or is likely to be deposited in the arctic waters by a ship that is within those waters and is in distress, stranded, wrecked, sunk or abandoned, the Governor in Council may cause the ship or any cargo or other material on board the ship to be destroyed, if necessary, or to be removed if possible to such place and sold in such manner as the Governor in Council may direct.

13. (1) Dans les cas où le gouverneur en conseil a des motifs raisonnables de croire que des déchets sont déposés, ou risquent vraisemblablement de l'être, dans les eaux arctiques par un navire s'y trouvant en détresse, échoué, naufragé, coulé ou abandonné, il peut, au besoin, ordonner la destruction — ou, si possible, le déplacement à l'endroit qu'il précise et la vente de la manière qu'il indique — du navire, de sa cargaison, en tout ou en partie, ou d'autres objets se trouvant à son bord.

Destruction ou  
enlèvement des  
navires ou de  
leur contenuApplication of  
proceeds of sale

(2) The proceeds from the sale of a ship or any cargo or other material pursuant to subsection (1) shall be applied towards meeting the expenses incurred by the Government of Canada in removing and selling the ship, cargo or other material, and any surplus shall be paid to the owner of that ship, cargo or other material. R.S., c. 2(1st Supp.), s. 13.

(2) Le produit de la vente est affecté au règlement des dépenses encourues par le gouvernement fédéral pour l'enlèvement et la vente du navire, de la cargaison ou des autres objets et tout excédent est versé au propriétaire du navire, de la cargaison ou des autres objets. S.R., ch. 2(1<sup>re</sup> suppl.), art. 13.

Affectation des  
produits de la  
vente

## ENFORCEMENT

Pollution  
prevention  
officers

14. (1) The Governor in Council may designate any person as a pollution prevention officer with such of the powers set out in sections 15 and 23 as are specified in the certificate of designation of that person.

Certificates to  
be produced

(2) A pollution prevention officer shall be furnished with a certificate of his designation specifying the powers set out in sections 15 and 23 that are vested in the officer, and on exercising any such power a pollution prevention officer shall, if so required, produce the certificate to any person in authority who is affected thereby and who requires the officer to do so. R.S., c. 2(1st Supp.), s. 14.

## CONTROLE D'APPLICATION

14. (1) Le gouverneur en conseil peut désigner quiconque à titre de fonctionnaire chargé de la prévention de la pollution et lui conférer ceux des pouvoirs énoncés aux articles 15 et 23 qu'il indique dans son certificat de désignation.

(2) Le fonctionnaire compétent reçoit un certificat — attestant sa qualité et indiquant les pouvoirs énoncés aux articles 15 et 23 qui lui sont conférés — que celui-ci présente, sur demande, au responsable du lieu en cause. S.R., ch. 2(1<sup>re</sup> suppl.), art. 14.

Fonctionnaire  
compétentProduction du  
certificat

Persons or  
prevention  
officers

15. (1) Subject to subsection (3), a pollution prevention officer may at any reasonable time

(a) enter any area, place or premises occupied by any person described in paragraph 8(1)(e) or (b) in which the officer believes on reasonable grounds that

(i) there is any waste that may be or has been deposited in the arctic waters or on the mainland or islands of the Canadian archipelago under any conditions where that waste or any other waste that results from the deposit of that waste may enter the arctic waters in contravention of subsection 4(1), or

(ii) there is being or has been carried on any activity that may result in or has resulted in waste that may be or has been so deposited;

(2) examine any waste found in that area, place or premises in bulk or open any container found therein that the officer believes on reasonable grounds contains any waste and take samples thereof; and

(c) require any person in that area, place or premises to produce for inspection or for the purpose of obtaining copies or extracts any books or other documents or papers concerning any matter relevant to the administration of this Act or the regulations.

Persons or  
prevention  
officers

(2) Subject to subsection (3), a pollution prevention officer may at any reasonable time

(a) enter any area, place or premises in which any construction, alteration or extension of a work described in subsection 10(2) is being carried on; and

(b) conduct such inspections of the work being constructed, altered or extended as the officer deems necessary in order to determine whether any plans and specifications provided to the Governor in Council, and any modifications required by the Governor in Council, are being complied with.

Persons or  
prevention  
officers

(3) No pollution prevention officer may, pursuant to paragraph (1)(a) or (2)(a), enter a ship, a private dwelling-place or any part of any area, place or premises other than a ship that is designed to be used and is being used as a permanent or temporary private dwelling-place.

Persons or  
prevention  
officers

(4) A pollution prevention officer may

(a) board any ship that is within a shipping safety control zone and conduct such inspec-

15. (1) Sous réserve du paragraphe (3), le fonctionnaire compétent peut, à toute heure convenable :

a) procéder à la visite de toute zone ou tout autre lieu occupés par une personne visée aux alinéas 8(1)a) ou b), s'il a des motifs raisonnables de croire, selon le cas :

(i) que s'y trouvent des déchets qui ont été déposés, ou sont susceptibles de l'être, dans les eaux arctiques, ou sur le continent ou les îles de l'Arctique canadien mais dans des conditions qui permettant à ces déchets ou à ceux résultant de leur dépôt d'atteindre les eaux arctiques, en contravention avec le paragraphe 4(1),

(ii) que s'y déroule, ou s'y est déroulée, une activité qui a produit — ou risque de produire — des déchets qui ont été ainsi déposés, ou sont susceptibles de l'être;

b) examiner tout déchet en vrac ou ouvrir tout contenant s'il a des motifs raisonnables de croire qu'il contient des déchets et en prélever des échantillons;

c) exiger la communication, pour examen, ou reproduction totale ou partielle, de tout livre ou autre document ou notes concernant toute question pertinente à l'application de la présente loi ou de ses règlements.

(2) Sous réserve du paragraphe (3), le fonctionnaire compétent peut, à toute heure convenable :

a) procéder à la visite de toute zone ou tout autre lieu où s'effectuent des travaux pour la construction, la modification ou l'agrandissement des ouvrages visés au paragraphe 10(2);

b) procéder à l'examen des travaux selon qu'il le juge nécessaire afin d'établir si les plans et devis fournis au gouverneur en conseil et les modifications imposées par celui-ci ont été suivis.

(3) Il est interdit au fonctionnaire de procéder à la visite d'un lieu visé à l'alinéa (1)a) ou (2)a) s'il s'agit d'un navire, d'un local d'habitation ou d'une partie de zone ou de lieu, autre qu'un navire, conçue et utilisée, de façon temporaire ou permanente, comme local d'habitation.

(4) Le fonctionnaire compétent peut :

a) monter à bord de tout navire se trouvant dans une zone de contrôle de la sécurité de la

Personne  
contrôlant les  
navires



tions thereof as will enable the officer to determine whether the ship complies with standards prescribed by any regulations made under section 12 that are applicable to it within that shipping safety control zone.

(b) order any ship that is in or near a shipping safety control zone to proceed outside the zone in such manner as the officer may direct, to remain outside the zone or to anchor in a place selected by the officer, if

(i) the officer suspects, on reasonable grounds, that the ship fails to comply with standards prescribed by any regulations made under section 12 that are or would be applicable to it within that shipping safety control zone,

(ii) the ship is within the shipping safety control zone or is about to enter the zone in contravention of a regulation made under paragraph 12(1)(b) or (c), or

(iii) the officer is satisfied, by reason of weather, visibility, ice or sea conditions, the condition of the ship or its equipment or the nature or condition of its cargo, that such an order is justified in the interests of safety; and

(c) where the officer is informed that a substantial quantity of waste has been deposited in the arctic waters or has entered the arctic waters or where, on reasonable grounds, the officer is satisfied that a grave and imminent danger of a substantial deposit of waste in the arctic waters exists,

(i) order all ships within a specified area of the arctic waters to report their positions to the officer, and

(ii) order any ship to take part in the clean-up of the waste or in any action to control or contain the waste. R.S., c. 2(1st Supp.), s. 15.

16. The owner or person in charge of any area, place or premises entered pursuant to subsection 15(1) or (2), the master of any ship boarded pursuant to paragraph 15(4)(e) and every person found in the area, place or premises or on board the ship shall give a pollution prevention officer all reasonable assistance to enable the officer to carry out his duties and functions under this Act and shall furnish the officer with any information he may reasonably require. R.S., c. 2(1st Supp.), s. 16.

navigaison et y procéder aux examens qui lui permettent d'établir si le navire satisfait aux normes réglementaires applicables, fixées en application de l'article 12;

b) ordonner à tout navire se trouvant dans une zone de contrôle de la sécurité de la navigation, ou près d'une telle zone, d'en sortir en suivant ses instructions, de rester en dehors de la zone ou de mouiller dans un endroit choisi par lui, le cas échéant, dans l'une ou l'autre des situations suivantes :

(i) l'inspecteur a des motifs raisonnables de croire que le navire a omis de satisfaire aux normes réglementaires applicables, fixées en application de l'article 12,

(ii) le navire se trouve dans la zone de contrôle de la sécurité de la navigation, ou est sur le point d'y entrer, en contravention avec un règlement d'application de l'article 12(1)b) ou c),

(iii) en raison des conditions atmosphériques, de la visibilité, de l'état des glaces ou de la mer, de l'état du navire ou de son équipement ou de la nature ou de l'état de sa cargaison, l'inspecteur est convaincu que des raisons d'ordre sécuritaire le justifient à agir de la sorte;

c) lorsque'il est averti qu'une quantité importante de déchets a été déposée dans les eaux arctiques ou à proximité des eaux, ou s'il est convaincu en se fondant sur des motifs raisonnables qu'il existe un risque grave et imminent que se produise un tel dépôt, ordonner :

(i) d'une part, à tous les navires se trouvant dans une zone précisée des eaux arctiques, de lui signaler leur position,

(ii) d'autre part, à tout navire de participer au nettoyage des déchets ou à toute opération pour les contrôler ou les éliminer. S.R., ch. 2(1<sup>re</sup> suppl.), art. 15.

16. Le propriétaire ou le responsable de lieu visité aux termes des paragraphes 15(1) ou (2), le capitaine du navire à bord duquel monte le fonctionnaire compétent aux termes de l'article 15(4)e) ainsi que toute autre personne se trouvant sur les lieux ou à bord du navire sont tenus de prêter au fonctionnaire toute l'assistance possible dans l'exercice des fonctions que lui confère la présente loi et de lui donner les renseignements qu'il peut valablement exiger. S.R., ch. 2(1<sup>re</sup> suppl.), art. 16.

Assistance to  
pollution  
prevention  
officers

Assistance to  
environmental  
inspectors

Obstruction  
and false  
statements

17. No person shall obstruct or hinder, or knowingly make a false or misleading statement either orally or in writing to, a pollution prevention officer while the officer is engaged in carrying out his duties or functions under this Act. R.S., c. 2(1st Supp.), s. 17.

17. Il est interdit d'entraver l'action du fonctionnaire compétent dans l'exercice des fonctions que lui confère la présente loi ou de lui faire en connaissance de cause, oralement ou par écrit, une déclaration fautive ou trompeuse. S.R., ch. 2(1<sup>re</sup> suppl.), art. 17.

Entrave et  
fausses  
déclarations

#### OFFENCES AND PUNISHMENT

Contravention  
of subsection  
4(1)

18. (1) Any person who contravenes subsection 4(1) and any ship that contravenes that subsection is guilty of an offence and liable on summary conviction to a fine not exceeding, in the case of a person, five thousand dollars and, in the case of a ship, one hundred thousand dollars.

18. (1) Toute personne ou tout navire qui contrevient au paragraphe 4(1) commet une infraction et encourt, sur déclaration de culpabilité par procédure sommaire, s'il s'agit d'une personne, une amende maximale de cinq mille dollars, et s'il s'agit d'un navire, une amende maximale de cent mille dollars.

Contravention  
au par. 4(1)

Continuing  
offences

(2) Where an offence referred to in subsection (1) is committed by a person on more than one day or continued by him for more than one day, it shall be deemed to be a separate offence for each day on which it is committed or continued. R.S., c. 2(1st Supp.), s. 18.

(2) Il est compté une infraction distincte pour chacun des jours au cours desquels se commet ou se continue l'infraction prévue au paragraphe (1). S.R., ch. 2(1<sup>re</sup> suppl.), art. 18.

Infractions  
continues

Additional  
offences by  
persons

19. (1) Any person who

(a) fails to make a report to a pollution prevention officer as and when required under subsection 5(1),

(b) fails to provide the Governor in Council with evidence of financial responsibility as and when required under subsection 8(1),

(c) fails to provide the Governor in Council with any plans and specifications required of the person under subsection 10(1), or

(d) constructs, alters or extends any work described in subsection 10(2)

(i) otherwise than in accordance with any plans and specifications provided to the Governor in Council in accordance with a requirement made under subsection 10(1), or with any such plans and specifications as required to be modified by any order made under subsection 10(3), or

(ii) contrary to any order made under subsection 10(3) prohibiting the carrying out of the construction, alteration or extension,

is guilty of an offence and liable on summary conviction to a fine not exceeding twenty-five thousand dollars.

19. (1) Commet une infraction et encourt, sur déclaration de culpabilité par procédure sommaire, une amende maximale de vingt-cinq mille dollars quiconque, selon le cas :

a) omet de faire rapport au fonctionnaire compétent selon les modalités, à l'endroit et au moment où il en est requis en vertu du paragraphe 5(1);

b) omet de fournir au gouverneur en conseil la preuve de sa solvabilité selon les modalités et au moment où il en est requis en application du paragraphe 8(1);

c) omet de fournir au gouverneur en conseil les plans et les devis qu'il exige en application du paragraphe 10(1);

d) construit, modifie ou agrandit un ouvrage visé au paragraphe 10(2) :

(i) de façon non conforme aux plans et devis fournis au gouverneur en conseil, à la demande de celui-ci, sous le régime du paragraphe 10(1) ou tels qu'ils doivent être modifiés aux termes d'un décret pris sous l'autorité du paragraphe 10(3),

(ii) contrairement à tout décret pris sous l'autorité du paragraphe 10(3) et interdisant de tels travaux.

Autres  
infractions  
commises par  
des personnes

Additional  
offences by  
ships

(2) Any ship

(a) that navigates within a shipping safety control zone when the ship does not comply

(2) Commet une infraction et encourt, sur déclaration de culpabilité par procédure som-

Autres  
infractions  
commises par  
des navires

with standards prescribed by any regulations made under section 12 that are applicable to it within that shipping safety control zone.

(b) that navigates within a shipping safety control zone in contravention of a regulation made under paragraph 12(1)(b) or (c),

(c) that, having taken on board a pilot in order to comply with a regulation made under paragraph 12(1)(b), fails to comply with any reasonable directions given to it by the pilot in carrying out his duties,

(d) that fails to comply with any order of a pollution prevention officer under paragraph 15(4)(b) or (c) that is applicable to it,

(e) the master of which fails to make a report to a pollution prevention officer as and when required under subsection 5(2), or

(f) the master of which, or any person on board which, contravenes section 17,

is guilty of an offence and liable on summary conviction to a fine not exceeding twenty-five thousand dollars.

maître, une amende maximale de vingt-cinq mille dollars tout navire :

e) qui navigue à l'intérieur d'une zone de contrôle de la sécurité de la navigation sans se conformer aux normes fixées par les règlements d'application de l'article 12 qui lui sont applicables à l'intérieur de cette zone;

b) qui navigue à l'intérieur d'une zone de contrôle de la sécurité de la navigation en contravention avec un règlement d'application de l'alinéa 12(1)b) ou c);

c) qui, ayant pris à son bord un pilote pour se conformer à un règlement d'application de l'alinéa 12(1)b), omet de se conformer à toute instruction raisonnable que lui donne celui-ci dans l'exercice de ses fonctions;

d) qui omet de se conformer à tout ordre du fonctionnaire compétent donné sous le régime de l'alinéa 15(4)b) ou c) et qui lui est applicable;

e) dont le capitaine omet de faire rapport au fonctionnaire compétent selon les modalités, à l'endroit et au moment où il en est requis en vertu du paragraphe 5(2);

f) dont le capitaine ou toute personne se trouvant à bord contrevient à l'article 17.

Contravention  
of section 17

(3) Any person, other than the master of a ship or any person on board a ship, who contravenes section 17 is guilty of an offence punishable on summary conviction. R.S., c. 2(1st Supp.), s. 19.

(3) Quiconque, autre que le capitaine d'un navire ou une autre personne à bord de celui-ci, contrevient à l'article 17 commet une infraction punissable sur déclaration de culpabilité par procédure sommaire. S.R., ch. 2(1<sup>re</sup> suppl.), art. 19.

Contravention  
l'art. 17

Offence by  
employee or  
agent

20. (1) In a prosecution of a person for an offence under subsection 18(1), it is sufficient proof of the offence to establish that it was committed by an employee or agent of the accused, whether or not the employee or agent is identified or has been prosecuted for the offence, unless the accused establishes that the offence was committed without the knowledge or consent of, and that all due diligence to prevent its commission was exercised by, the accused.

20. (1) Dans les poursuites contre des personnes pour toute infraction prévue au paragraphe 18(1), il suffit, pour prouver l'infraction, d'établir qu'elle a été commise par un agent ou un mandataire de l'accusé, que cet agent ou mandataire ait été ou non identifié ou poursuivi. L'accusé peut se disculper en prouvant que la perpétration a eu lieu à son insu ou sans son consentement et qu'il avait pris les mesures nécessaires pour l'empêcher.

Perpétration  
par un agent  
mandataire

Proof of offence  
by ship

(2) In a prosecution of a ship for an offence under this Act, it is sufficient proof that the ship has committed the offence to establish that the act or neglect that constitutes the offence was committed by the master of or any person on board the ship, other than a pollution prevention officer or a pilot taken on board in compliance with a regulation made under para-

(2) Dans les poursuites contre des navires pour infraction à la présente loi, il suffit, pour prouver l'infraction, d'établir que l'acte ou la négligence constituant l'infraction ont été commis par le capitaine du navire ou par une personne se trouvant à bord, autre que le fonctionnaire compétent ou le pilote pris à bord conformément à un règlement d'application de

Preuve de  
l'infraction  
navire

graph 12(1)(b), whether or not the person on board the ship has been identified.

l'alinéa 12(1)b), que la personne ait été identifiée ou non.

Orders and directions  
données à bord du navire

(3) For the purposes of any prosecution of a ship for failing to comply with any order or direction of a pollution prevention officer or pilot, any order given by the officer or any direction given by the pilot to the master or any person on board the ship shall be deemed to have been given to the ship. R.S., c. 2(1st Supp.), s. 20.

(3) Dans des poursuites contre des navires pour omission de se conformer à un ordre ou à une instruction d'un fonctionnaire compétent ou d'un pilote, l'ordre donné par le fonctionnaire ou l'instruction donnée par le pilote au capitaine du navire ou à une personne se trouvant à bord est réputé avoir été donné au navire. S.R., ch. 2(1<sup>re</sup> suppl.), art. 20.

Assimilation à ordre ou instruction donné au navire

Certificate of  
analyst

21. (1) Subject to this section, a certificate purporting to be signed by an analyst and stating that the analyst has analyzed or examined a sample submitted by a pollution prevention officer to the analyst and stating the result of the analysis or examination is admissible in evidence in any prosecution for a contravention of subsection 4(1) and, in the absence of evidence to the contrary, is proof of the statements contained in the certificate without proof of the signature or official character of the person appearing to have signed the certificate.

21. (1) Sous réserve des autres dispositions du présent article, le certificat censé signé par l'analyste, où il est déclaré que celui-ci a étudié tel échantillon que lui a remis le fonctionnaire compétent et où sont donnés ses résultats, est admissible en preuve dans les poursuites engagées pour contravention au paragraphe 4(1) et, sauf preuve contraire, fait foi de son contenu sans qu'il soit nécessaire de prouver l'authenticité de la signature qui y est apposée ou la qualité officielle du signataire.

Certificat de l'analyste

Attendance of  
analyst

(2) The party against whom a certificate of an analyst is produced pursuant to subsection (1) may, with leave of the court, require the attendance of the analyst for the purposes of cross-examination.

(2) La partie contre laquelle est produit le certificat peut, avec l'autorisation du tribunal, exiger la présence de l'analyste pour contre-interrogatoire.

Présence de l'analyste

Notice

(3) No certificate shall be admitted in evidence pursuant to subsection (1) unless the party intending to produce it has given reasonable notice of that intention, together with a copy of the certificate, to the party against whom it is intended to be produced. R.S., c. 2(1st Supp.), s. 21.

(3) Le certificat n'est recevable en preuve que si la partie qui entend le produire donne de son intention à la partie qu'elle vise un préavis suffisant, accompagné d'une copie du certificat. S.R., ch. 2(1<sup>re</sup> suppl.), art. 21.

Préavis

Jurisdiction

22. (1) Where any person or ship is charged with having committed an offence under this Act, any court in Canada that would have had cognizance of the offence if it had been committed by a person within the limits of the ordinary jurisdiction of that court has jurisdiction to try the offence as if it had been so committed.

22. (1) Dans les poursuites pour infraction à la présente loi, tout tribunal au Canada qui aurait eu compétence pour juger l'infraction si elle avait été commise dans son ressort a compétence pour juger l'infraction comme si elle avait été ainsi commise.

Tribunal compétent

Service on ship  
and appearance at trial

(2) Where a ship is charged with having committed an offence under this Act, the summons may be served by leaving it with the master or any officer of the ship or by posting the summons on a conspicuous part of the ship, and the ship may appear by counsel or agent but, if it does not appear, a summary conviction court may, on proof of service of the summons,

(2) En cas de poursuite d'un navire pour infraction à la présente loi, la signification des assignations se fait par leur remise au capitaine ou à toute autre personne responsable du navire ou par leur affichage bien en évidence sur le navire et le navire peut comparaître par avocat ou par mandataire; en cas de non-comparution, une cour des poursuites sommaires peut, sur

Signification et comparution

proceed *ex parte* to hold the trial. R.S., c. 2(1st Supp.), s. 22.

preuve de la signification des assignations, instruire le procès *ex parte*. S.R., ch. 2(1<sup>re</sup> suppl.), art. 22.

## SEIZURE AND FORFEITURE

## SAISIE ET CONFISCATION

Seizure of ship and cargo

23. (1) Where a pollution prevention officer suspects on reasonable grounds that

(a) any provision of this Act or the regulations has been contravened by a ship, or

(b) the owner of a ship or the owner of all or part of the cargo thereof has committed an offence under paragraph 19(1)(b),

the officer may, with the consent of the Governor in Council, seize the ship and its cargo anywhere in the arctic waters or elsewhere in the territorial sea or internal or inland waters of Canada.

23. (1) Un fonctionnaire compétent peut, avec le consentement du gouverneur en conseil, saisir un navire et sa cargaison où qu'ils se trouvent dans les eaux arctiques ou dans la mer territoriale du Canada ou les eaux intérieures du Canada s'il a des motifs raisonnables de soupçonner :

Saisie de navire et de la cargaison

a) que le navire a enfreint une disposition de la présente loi ou de ses règlements;

b) que le propriétaire du navire ou de tout ou partie de sa cargaison a commis l'infraction prévue à l'alinéa 19(1)b).

Custody

(2) Subject to subsection (3) and sections 24 to 26, a ship and cargo seized under subsection (1) shall be retained in the custody of the pollution prevention officer making the seizure or shall be delivered into the custody of such person as the Governor in Council directs.

(2) Sous réserve du paragraphe (3) et des articles 24 à 26, le navire et la cargaison saisis sont retenus par le fonctionnaire compétent qui a opéré la saisie ou confiés à la garde de la personne que le gouverneur en conseil désigne.

Garde des biens saisis

Perishable goods

(3) Where all or any part of a cargo seized under subsection (1) is perishable, the pollution prevention officer or other person having custody thereof may sell the cargo or the portion thereof that is perishable, as the case may be, and the proceeds of the sale shall be paid to the Receiver General or shall be deposited in a bank to the credit of the Receiver General. R.S., c. 2(1st Supp.), s. 23.

(3) Lorsque tout ou partie de la cargaison saisie conformément au paragraphe (1) est périssable, le fonctionnaire compétent ou toute autre personne ayant la garde de celle-ci peut la vendre, totalement ou seulement la partie qui est périssable, selon le cas. Le produit de la vente est versé au receveur général ou porté à son crédit dans une banque. S.R., ch. 2(1<sup>re</sup> suppl.), art. 23.

Vente de marchandises périssables

Court may order forfeiture

24. (1) Where a ship is convicted of an offence under this Act, or where the owner of a ship or an owner of all or part of the cargo thereof is convicted of an offence under paragraph 19(1)(b), the convicting court may, if the ship and its cargo were seized under subsection 23(1), in addition to any other penalty imposed, order that the ship and cargo or the ship or its cargo or any part thereof be forfeited and, on the making of the order, the ship and cargo or the ship or its cargo or part thereof are or is forfeited to Her Majesty in right of Canada.

24. (1) Sur déclaration de culpabilité d'un navire pour infraction à la présente loi ou d'un propriétaire de navire ou de cargaison pour toute infraction prévue à l'alinéa 19(1)b), le tribunal peut, en cas de saisie du navire et de sa cargaison effectuée sous l'autorité du paragraphe 23(1), prononcer, en sus de toute autre peine, la confiscation immédiate au profit de Sa Majesté du chef du Canada soit du navire et de sa cargaison, soit du navire, soit de sa cargaison, en tout ou en partie.

Confiscation

Forfeiture of proceeds of sale

(2) Where any cargo or part thereof that is ordered to be forfeited under subsection (1) has been sold under subsection 23(3), the proceeds of the sale are, on the making of that order,

(2) En cas de vente sous le régime du paragraphe 23(3) de tout ou partie d'une cargaison ayant fait l'objet d'une ordonnance de confiscation en application du paragraphe (1), le pro-

Confiscation du produit de la vente

forfeited to Her Majesty in right of Canada. R.S., c. 2(1st Supp.), s. 24.

duit de cette vente est, dès la prise de l'ordonnance, confisqué au profit de Sa Majesté du chef du Canada. S.R., ch. 2(1<sup>re</sup> suppl.), art. 24.

Redelivery of ship and cargo on bond

25. (1) Where a ship and cargo have been seized under subsection 23(1) and proceedings that could result in an order that the ship and cargo be forfeited have been instituted, the court in or before which the proceedings have been instituted may, with the consent of the Governor in Council, order redelivery of the ship and cargo, to the person from whom they were seized, on the giving of security to Her Majesty in right of Canada by bond, with two sureties, in an amount and form satisfactory to the Governor in Council.

25. (1) À toute étape de la poursuite, le tribunal ou le juge peut, avec le consentement du gouverneur en conseil, ordonner la remise au saisi du navire et de sa cargaison, sur fourniture à Sa Majesté du chef du Canada d'une garantie — liant deux cautions — dont le montant et la forme sont acceptables au gouverneur en conseil.

Remise sur cautionnement

Seized ship, etc., to be returned unless proceedings instituted

(2) Any ship and cargo seized under subsection 23(1) or the proceeds realized from a sale of any perishable cargo under subsection 23(3) shall be returned or paid to the person from whom the ship and cargo were seized within thirty days from the seizure thereof unless, prior to the expiration of the thirty days, proceedings are instituted in respect of an offence alleged to have been committed by the ship against this Act or in respect of an offence under paragraph 19(1)(b) alleged to have been committed by the owner of the ship or an owner of all or part of the cargo thereof.

(2) Le navire et la cargaison saisis, ou le produit de la vente visée au paragraphe 23(3), sont remis au saisi à l'expiration des trente jours suivant la date de la saisie, sauf si une poursuite est intentée dans ce délai pour une infraction à la présente loi imputée au navire ou pour toute infraction prévue à l'alinéa 19(1)b) imputée au propriétaire du navire ou à un propriétaire de tout ou partie de la cargaison.

Remise à défaut de poursuites

Return if no forfeiture ordered

(3) Where a ship and cargo have been seized under subsection 23(1) and proceedings referred to in subsection (2) have been instituted, but the ship and cargo or ship or cargo or part thereof or any proceeds realized from the sale of the cargo or any part thereof are not at the final conclusion of the proceedings ordered to be forfeited, they or it shall, subject to subsection (4), be returned or the proceeds shall be paid to the person from whom the ship and cargo were seized.

(3) Si, à l'issue de la poursuite, le tribunal ne prononce pas la confiscation, le navire et la cargaison saisis ou l'éventuel produit de la vente de tout ou partie d'une cargaison sont, sous réserve du paragraphe (4), remis au saisi.

Remise à défaut de confiscation

Exception in case of conviction and fine

(4) Where the proceedings referred to in subsection (3) result in a conviction and a fine is imposed,

(a) the ship and cargo or proceeds may be detained until the fine is paid;

(b) the ship and cargo may be sold under execution in satisfaction of the fine; or

(c) the proceeds realized from a sale of the cargo or any part thereof may be applied in payment of the fine. R.S., c. 2(1st Supp.), s. 24.

(4) Dans les cas où l'accusé a été condamné à une amende :

a) le navire et la cargaison ou le produit peuvent être retenus jusqu'au paiement de l'amende;

b) le navire et la cargaison peuvent être vendus en justice pour payer l'amende;

c) le produit de la vente de tout ou partie de la cargaison peut être affecté au paiement de l'amende. S.R., ch. 2(1<sup>re</sup> suppl.), art. 24.

Exception en cas de condamnation à une amende

Disposal of  
forfeited ship

26. Where proceedings referred to in subsection 25(2) are instituted and, at the final conclusion of those proceedings, a ship and cargo or ship or cargo or part thereof are or is ordered to be forfeited, they or it may, subject to section 27, be disposed of as the Governor in Council directs. R.S., c. 2(1st Supp.), s. 24.

26. Si, à l'issue de la poursuite, le tribunal prononce la confiscation, il peut, sous réserve de l'article 27, être disposé des biens qui en font l'objet suivant les instructions du gouverneur en conseil. S.R., ch. 2(1<sup>re</sup> suppl.), art. 24.

Sont en tous  
confiscationProvisions of  
persons  
claiming  
interest

27. (1) The provisions of sections 74 to 77 of the *Fisheries Act* apply, with such modifications as the circumstances require, in respect of any ship and cargo forfeited under this Act as though the ship and cargo were, respectively, a vessel and goods forfeited under subsection 72(1) of that Act.

27. (1) Les articles 74 à 77 de la *Loi sur les pêches* s'appliquent, compte tenu des adaptations de circonstance, à toute confiscation effectuée en vertu de la présente loi comme s'il s'agissait d'une confiscation effectuée en vertu du paragraphe 72(1) de cette loi.

Provisions des  
personnes  
réclamant  
un droitReading  
reference in  
applying  
*Fisheries Act*

(2) References to "the Minister" in sections 75 and 76 of the *Fisheries Act* shall, in applying those sections for the purposes of this Act, be read as references to the Governor in Council and the phrase "other than a person convicted of the offence that resulted in the forfeiture or a person in whose possession the vessel, vehicle, article, goods or fish were when seized" shall be deemed to include a reference to the owner of the ship where it is the ship that is convicted of the offence that results in the forfeiture. R.S., c. 2(1st Supp.), s. 25.

(2) Pour l'application de la présente loi, «ministre» aux articles 75 et 76 de la *Loi sur les pêches* doit s'entendre du gouverneur en conseil et «autre que celle déclarée coupable de l'infraction ayant entraîné la confiscation ou que le saisi est présumé comprendre le propriétaire du navire dans le cas où c'est le navire qui est déclaré coupable de l'infraction ayant entraîné la confiscation. S.R., ch. 2(1<sup>re</sup> suppl.), art. 25.

Min

(N)

Canadian Petroleum Resources Act*Cancellation of Right*Nous ne  
sommes pas

105. (1) Where the Minister has reason to believe that an interest owner or holder is fail-

*Annulation des titres*

105. (1) Le ministre, s'il a des motifs de croire qu'un titulaire ou un individu ne se

ing or has failed to meet any requirement of or under this Act or the *Oil and Gas Production and Conservation Act* or any regulation made under either Act, the Minister may give notice to that interest owner or holder requiring compliance with the requirement within ninety days after the date of the notice or within such longer period as the Minister considers appropriate.

fait pas ou n'a pas satisfait aux obligations de la présente loi ou de la *Loi sur la production et la rationalisation de l'exploitation du pétrole et du gaz* ou de leurs règlements, peut, par avis, enjoindre à l'intéressé de s'y conformer dans les quatre-vingt-dix jours suivant la date de l'avis ou dans le délai supérieur qu'il juge indiqué.

Désormais

(2) Notwithstanding anything in this Act, where an interest owner or holder fails to comply with a notice under subsection (1) within the period specified in the notice and the Minister considers that the failure to comply warrants cancellation of the interest of the interest owner or holder or any share in the interest held by the holder with respect to a portion only of the frontier lands subject to the interest, the Minister may, by order subject to section 106, cancel that interest or share, and where the interest or share is so cancelled, the frontier lands thereunder become Crown reserve lands.

Désormais

(2) Par dérogation aux autres dispositions de la présente loi, si l'intéressé ne se conforme pas à l'avis dans le délai imparti, le ministre peut, par un arrêté assujéti à l'article 106 ou s'il juge que le défaut justifie la mesure, annuler les titres ou la fraction en cause, auquel cas les terres domaniales sur lesquelles ils portaient deviennent des réserves de l'État.



Oil and Gas Production  
and Conservation Act

## Oil and Gas Spills

Definition of  
"spill"

24. (1) In sections 25 to 28, "spill" means a discharge, emission or escape of oil or gas other than one that is authorized pursuant to subsection (4) or any other Act of Parliament or that constitutes a discharge of a pollutant caused by or otherwise attributable to a ship within the meaning of the *Canada Shipping Act*.

Definition of  
"debris"

(2) In sections 26 and 28, "debris" means any installation or structure on the seabed of those submarine areas described in paragraph 3(b) that was put in place in the course of any work or activity authorized pursuant to paragraph 5(1)(b) and that has been abandoned without the authorization of the Chief Conservation Officer or any material that has broken away or has been jettisoned, or that has been displaced from the seabed, in the course of that work or activity.

Definition of  
"actual loss or  
damage"

(3) In section 26, "actual loss or damage" includes loss of income, including future income, and, with respect to any aboriginal peoples of Canada, includes loss of hunting, fishing and gathering opportunities.

Regulations

(4) The Governor in Council may make regulations authorizing the discharge, emission or escape of oil or gas of such types, in such quantities, at such locations, under such conditions and by such persons as are specified in the regulations, but Her Majesty in right of Canada has no liability whatever to any person arising out of that authorization. R.S., c. O-4, s. 19; 1980-81-82-83, c. 81, s. 80.

## Rejets de pétrole ou de gaz

Définition de  
«rejets»

24. (1) Aux articles 25 à 28, «rejets» désigne les déversements, dégagements ou écoulements de pétrole ou de gaz non autorisés sous le régime du paragraphe (4) ou de toute autre loi fédérale ou constituant des déversements de polluants imputables à un navire au sens de la *Loi sur la marine marchande du Canada*.

Définition de  
«débris»

(2) Aux articles 26 et 28, «débris» désigne toute installation posée sur le fond des zones sous-marines visées à l'alinéa 3b) dans le cours d'activités, ou des travaux connexes autorisés conformément à l'alinéa 5(1)b) et abandonnée sans l'autorisation du délégué ou tout objet arraché, largué ou détaché du fond marin au cours de ces activités.

Définition de  
«perte ou  
dommages  
réels»

(3) À l'article 26, sont assimilées à une perte ou à des dommages réels la perte d'un revenu, y compris un revenu futur, et, à l'égard des peuples autochtones du Canada, la perte de possibilités de chasse, de pêche ou de cueillette.

Règlements

(4) Le gouverneur en conseil peut, par règlement, autoriser certaines personnes à effectuer certains types de rejets, en des quantités, à des lieux et dans des conditions déterminés; cependant, Sa Majesté du chef du Canada n'encourt aucune responsabilité du fait d'une telle autorisation. S.R., ch. O-4, art. 19; 1980-81-82-83, ch. 81, art. 80.

## Spills prohibited

25. (1) No person shall cause or permit a spill on or from any area to which this Act applies.

25. (1) Il est interdit d'effectuer ou de permettre des rejets dans les limites ou en provenance d'une zone à laquelle la présente loi s'applique.

Interdiction

## Duty to report spills

(2) Where a spill occurs in any area to which this Act applies, any person who at the time of the spill is carrying on any work or activity related to the exploration for or development or production of oil or gas in the area of the spill shall, in the manner prescribed by the regulations, report the spill to the Chief Conservation Officer.

(2) Les personnes qui exercent des activités liées à la recherche, à l'exploitation ou à la production du pétrole ou du gaz dans une telle zone au moment où s'y produisent des rejets doivent les signaler au délégué selon les modalités réglementaires.

Obligation de signaler les rejets

## Duty to take reasonable measures

(3) Every person required to report a spill under subsection (2) shall, as soon as possible, take all reasonable measures consistent with safety and the prevention of pollution to prevent any further spill, to repair or remedy any condition resulting from the spill and to reduce or mitigate any danger to life, health, property or the environment that results or may reasonably be expected to result from the spill.

(3) Les personnes visées au paragraphe (2) sont tenues, dans les plus brefs délais possible, de prendre toutes mesures voulues et compatibles avec la sécurité et la protection de l'environnement en vue d'empêcher d'autres rejets, de remédier à la situation créée par les rejets et de réduire ou limiter les dommages ou dangers à la vie, à la santé, aux biens ou à l'environnement qui en résultent effectivement ou éventuellement.

Mesures à prendre

## Taking emergency action

(4) Where the Chief Conservation Officer, on reasonable grounds, is satisfied that

(a) a spill has occurred in any area to which this Act applies and immediate action is necessary in order to effect any reasonable measures referred to in subsection (3), and

(b) such action is not being taken or will not be taken under subsection (3),

he may take such action or direct that it be taken by such persons as may be necessary.

(4) Le délégué peut prendre toutes mesures d'urgence voulues ou ordonner qu'elles soient prises par d'autres personnes si nécessaire, s'il a des motifs valables de croire :

Prise de mesures d'urgence

a) que des rejets se sont produits dans une zone à laquelle la présente loi s'applique et que les mesures visées au paragraphe (3) doivent être prises immédiatement;

b) que de telles mesures ne sont pas prises ou ne le seront pas.

## Taking over management

(5) For the purposes of subsection (4), the Chief Conservation Officer may authorize and direct such persons as may be necessary to enter the place where the spill has occurred and take over the management and control of any work or activity thereat.

(5) Pour l'application du paragraphe (4), le délégué peut enjoindre aux personnes dont les services peuvent être requis de se rendre sur les lieux des rejets et de prendre en charge la direction des activités qui s'y exercent.

Mesures d'exécution

## Managing work or activity

(6) A person authorized and directed to take over the management and control of any work or activity under subsection (5) shall manage and control that work or activity and take all reasonable measures in relation to the spill that are referred to in subsection (3).

(6) Les personnes ainsi autorisées prennent, à l'égard des rejets, les mesures visées au paragraphe (3).

Prise en charge et frais

## Costs

(7) Any costs incurred under subsection (6) shall be borne by the person who obtained an authorization under paragraph 5(1)(b) in respect of the work or activity from which the spill emanated and until paid constitute a debt recoverable by action in any court of competent

(7) Les frais exposés en application du paragraphe (6) sont à la charge du bénéficiaire de l'autorisation visée à l'alinéa 5(1)b) et relative aux activités qui ont provoqué les rejets et, jusqu'à leur règlement, constituent une créance de Sa Majesté du chef du Canada, dont le

Frais

jurisdiction as a debt due to Her Majesty in right of Canada.

recouvrement peut être poursuivi à ce titre devant toute juridiction compétente.

## Appeal

(8) Section 21 applies, with such modifications as the circumstances require, to any action or measure taken or authorized or directed to be taken under subsections (4) to (6) as if it were taken or authorized or directed to be taken by order under subsection 19(1) and as if that order were not subject to an investigation.

(8) L'article 21 s'applique, compte tenu des adaptations de circonstance, à toute mesure prise, ordonnée ou autorisée en application des paragraphes (4) à (6) comme si elle l'avait été au titre d'un arrêté visé au paragraphe 19(1) et comme si l'arrêté ne pouvait faire l'objet d'une enquête.

Appel

## Personal liability

(9) No person required, directed or authorized to act under this section is personally liable either civilly or criminally in respect of any act or omission in the course of complying with this section unless it is shown that he did not act reasonably in the circumstances. 1980-81-82-83, c. 81, s. 80.

(9) Les personnes qui prennent les mesures visées au présent article n'encourent, sauf décision injustifiable prouvée, aucune responsabilité personnelle pour les actes ou omissions découlant de l'application de cet article. 1980-81-82-83, ch. 81, art. 80.

Responsabilité personnelle

## Recovery of loss, damage, costs or expenses

26. (1) Where a spill or any discharge, emission or escape of oil or gas that is authorized under subsection 24(4) occurs in any area to which this Act applies,

26. (1) Lorsque des rejets, autorisés ou non sous le régime du paragraphe 24(4), se produisent dans une zone à laquelle la présente loi s'applique :

Recouvrement des pertes, frais, etc. : rejets

(a) the person who obtained an authorization under paragraph 5(1)(b) in respect of the work or activity from which the spill or authorized discharge, emission or escape of oil or gas emanated is liable, without proof of fault or negligence, up to any applicable limit of liability, for

a) le bénéficiaire de l'autorisation visée à l'alinéa 5(1)b) et relative aux activités qui ont provoqué l'événement est responsable, même en l'absence de preuve de faute ou de négligence, jusqu'à concurrence de la limite de responsabilité applicable :

(i) all actual loss or damage incurred by any person as a result of the spill or the authorized discharge, emission or escape of oil or gas, and

(i) de l'intégralité de la perte ou des dommages réels subis par un tiers à la suite des rejets,

(ii) the costs and expenses reasonably incurred by Her Majesty in right of Canada or any other person in taking any action or measure in relation to the spill or the authorized discharge, emission or escape of oil or gas; and

(ii) des frais entraînés pour Sa Majesté du chef du Canada ou toute autre personne par les mesures prises à l'égard des rejets;

(b) all persons to whose fault or negligence the spill or the authorized discharge, emission or escape of oil or gas is attributable or who are by law responsible for others to whose fault or negligence the spill or the authorized discharge, emission or escape of oil or gas is attributable are jointly and severally liable, to the extent determined according to the degree of the fault or negligence proved against them, for all actual loss or damage incurred by any person as a result of the spill or the authorized discharge, emission or escape of oil or gas.

b) tous ceux à la faute ou négligence desquels les rejets sont attribuables ou que la loi rend responsables de préposés à la faute ou négligence desquels ces rejets sont attribuables sont solidairement tenus, dans la mesure où la faute ou négligence est prononcée, de l'intégralité des pertes ou dommages réels subis par un tiers à la suite des rejets.

Recovery of  
loss, damage,  
costs or  
expenses caused  
by debris

(2) Where any person incurs actual loss or damage as a result of debris or Her Majesty in right of Canada reasonably incurs any costs or expenses in taking any remedial action in relation to debris,

(a) the person who obtained an authorization under paragraph 5(1)(b) in respect of the work or activity from which the debris originated is liable, without proof of fault or negligence, up to any applicable limit of liability, for all such actual loss or damage and all such costs or expenses; and

(b) all other persons to whose fault or negligence the debris is attributable or who are by law responsible for others to whose fault or negligence the debris is attributable are jointly and severally liable, to the extent determined according to the degree of the fault or negligence proved against them, for all such actual loss or damage and all such costs or expenses.

(2) Lorsque des débris causent à quiconque une perte ou des dommages réels ou en cas de frais entraînés pour Sa Majesté du chef du Canada afin de remédier à la situation créée par la présence de débris :

a) le bénéficiaire de l'autorisation visée à l'alinéa 5(1)b) et relative aux activités qu'a provoquées la présence du débris est responsable, même en l'absence de preuve de faute ou de négligence, jusqu'à concurrence de la limite de responsabilité applicable, de l'intégralité de ces pertes, dommages ou frais;

b) tous ceux à la faute ou négligence desquels la présence de débris est attribuable ou que la loi rend responsables de préposés à la faute ou négligence desquels cette présence est attribuable sont solidairement tenus, dans la mesure où la faute ou négligence est prononcée, de l'intégralité des mêmes pertes, dommages ou frais.

Récouvrement  
des pertes, frais  
etc. : débris

Claims

(3) All claims under this section may be sued for and recovered in any court of competent jurisdiction in Canada and shall rank firstly in favour of persons incurring actual loss or damage, without preference, and secondly to meet any costs and expenses incurred by Her Majesty in right of Canada.

(3) Le recouvrement des créances fondées sur le présent article peut être poursuivi devant toute juridiction compétente au Canada; les créances correspondant aux pertes ou dommages réels sont traitées au prorata et prennent rang avant celles qui correspondent aux frais engagés par Sa Majesté du chef du Canada.

Créances

Saving

(4) Nothing in this section suspends or limits  
(a) any legal liability or remedy for an act or omission by reason only that the act or omission is an offence under this Act or gives rise to liability under this section;

(b) any recourse, indemnity or relief available at law to a person who is liable under this section against any other person; or

(c) the operation of any applicable law or rule of law that is not inconsistent with this section.

(4) Le présent article n'a pas pour effet de suspendre ou de limiter :

a) des obligations ou recours légaux à l'égard d'un fait — acte ou omission — au seul motif que le fait constitue une infraction à la présente loi ou entraîne la responsabilité sous le régime du présent article;

b) les moyens de droit susceptibles d'être opposés à des poursuites fondées sur celui-ci;

c) l'application d'une règle de droit compatible avec le présent article.

Réserve

Limitation  
period

(5) Proceedings in respect of claims under this section may be instituted within three years from the day when the loss, damage, costs or expenses occurred but in no case after six years from the day the spill or the discharge, emission or escape of oil or gas occurred or, in the case of debris, from the day the installation or structure in question was abandoned or the material in question broke away or was jettisoned or displaced. 1980-81-82-83, c. 81, s. 80; 1984, c. 40, s. 56.

(5) Les poursuites en recouvrement de créances fondées sur le présent article se prescrivent par trois ans après la date des pertes, dommages ou frais et par six ans après la date des rejets ou après la date où s'est manifestée la présence des débris. 1980-81-82-83, ch. 81, art. 80; 1984, ch. 40, art. 56.

Prescription

Financial  
responsibility

27. (1) The Minister shall require a person who obtains an authorization under paragraph 5(1)(b) in respect of any work or activity in any area to which this Act applies to provide for financial responsibility for the purposes of subsections (2) and (3) in the form of a letter of credit, a guarantee or indemnity bond or in any other form satisfactory to the Minister, in an amount satisfactory to the Minister.

27. (1) Pour l'application des paragraphes (2) et (3), le ministre exige du bénéficiaire de l'autorisation visée à l'alinéa 5(1)b) le dépôt à titre de preuve de solvabilité du montant qu'il estime suffisant, sous toute forme jugée acceptable, notamment lettre de crédit, garantie ou cautionnement.

Preuve de  
solvabilitéPayment of  
claims

(2) The Minister may require that moneys in an amount not exceeding the amount prescribed by the regulations for any case or class of cases or determined by the Minister in the absence of regulations be paid out of the funds available under the letter of credit, guarantee or indemnity bond or other form of financial responsibility provided pursuant to subsection (1), in respect of any claim for which proceedings may be instituted under section 26, whether or not those proceedings have been instituted.

(2) Le ministre peut exiger que des sommes n'excédant pas un plafond fixé par règlement pour tout cas particulier ou catégorie de cas ou, en l'absence de règlement, par lui-même, soient payées sur les fonds rendus disponibles en vertu de la lettre de crédit, de la garantie, du cautionnement ou de toute autre forme d'engagement financier prévus au paragraphe (1) à l'égard des créances dont le recouvrement peut être poursuivi sur le fondement de l'article 26, qu'il y ait eu ou non poursuite.

Paiement sur  
les fonds  
déposésManner of  
payment

(3) Where payment is required under subsection (2), it shall be made in such manner, subject to such conditions and procedures and to or for the benefit of such persons or classes of persons as may be prescribed by the regulations for any case or class of cases, or as may be required by the Minister in the absence of regulations.

(3) Le paiement est effectué selon les modalités et formalités, aux conditions et au profit des personnes ou catégories de personnes fixées par règlement pour tout cas particulier ou catégorie de cas, ou, en l'absence de règlement, par le ministre.

Modalités du  
paiement

## Deduction

(4) Where a claim is sued for under section 26, there shall be deducted from any award made pursuant to the action on that claim any amount received by the claimant under this section in respect of the loss, damage, costs or expenses claimed. 1980-81-82-83, c. 81, s. 80.

(4) Sont à déduire des sommes allouées à l'issue des poursuites fondées sur l'article 26, celles reçues par le demandeur sous le régime du présent article à l'égard des pertes, dommages ou frais en cause. 1980-81-82-83, ch. 81, art. 80.

## Déduction

*Inquiries*

## Inquiries

28. (1) Where a spill or debris or an accident or incident related to any activity to which this Act applies occurs or is found in any area to which this Act applies and results in death or injury or danger to public safety or the environment, the Minister may direct an inquiry to be made and may authorize any person he deems qualified to conduct the inquiry.

28. (1) Lorsque, dans une zone à laquelle la présente loi s'applique, des rejets, la présence de débris, un accident ou un incident liés à des activités visées par la présente loi provoquent la mort ou des blessures ou constituent des dangers pour la sécurité publique ou l'environnement, le ministre peut ordonner la tenue d'une enquête et autoriser toute personne qu'il estime qualifiée à la mener.

## Enquêtes

Power of  
persons  
conducting  
inquiry

(2) For the purposes of an inquiry under subsection (1), a person authorized by the Minister under that subsection has all the powers of a commissioner under Part I of the *Inquiries Act*.

(2) La personne ainsi autorisée ou l'enquêteur a les pouvoirs d'un commissaire nommé en vertu de la partie I de la *Loi sur les enquêtes*.

Pouvoirs des  
enquêteurs

Compatible  
procedures and  
practices

(3) The person or persons authorized to conduct an inquiry under subsection (1) shall ensure that, as far as practicable, the procedures and practices for the inquiry are compatible with investigation procedures and practices followed by any appropriate provincial authorities, and for those purposes may consult with any of those authorities concerning compatible procedures and practices.

(3) Les personnes visées au paragraphe (1) sont tenues de veiller à la compatibilité des modalités de l'enquête qu'elles mènent avec celles des enquêtes éventuellement menées par des autorités provinciales; elles peuvent consulter ces autorités à cette fin.

Compatibilité  
des modalités  
d'enquête

Report

(4) As soon as possible after the conclusion of an inquiry under subsection (1), the person or persons authorized to conduct the inquiry shall submit a report to the Minister, together with the evidence and other material that was before the inquiry.

(4) Après l'enquête, l'enquêteur remet au ministre dans les plus brefs délais possible un rapport accompagné des éléments de preuve et autres pièces dont il a disposé pour l'enquête.

Rapport

Publication

(5) A report made pursuant to subsection (4) shall be published by the Minister within thirty days after he has received it.

(5) Le ministre publie le rapport dans les trente jours de sa réception.

Publication

Copies of report

(6) The Minister may supply copies of a report published pursuant to subsection (5) in such manner and on such terms as he considers proper. 1980-81-82-83, c. 81, s. 80; 1984, c. 40, s. 56.

(6) Le ministre peut diffuser le rapport selon les modalités et aux conditions qu'il estime indiquées. 1980-81-82-83, ch. 81, art. 80; 1984, ch. 40, art. 56.

Diffusion

Page 31

*Contingency Plans*

79. (1) Every operator shall ensure that contingency plans have been formulated and that equipment is available to cope

Page 32

with any foreseeable emergency situation during a drilling program, including

- (a) a serious injury to or the death of any person;
- (b) a major fire;
- (c) the loss of or damage to support craft;
- (d) the loss or disablement of a drilling unit or a drilling rig;
- (e) the loss of well control;
- (f) arrangements for the drilling of a relief well should such become necessary;
- (g) hazards unique to the site of the drilling operation; and
- (h) spills of oil or other pollutants.

(2) The plans referred to in subsection (1) shall provide for coordination with any existing local or national contingency plans.

- (3) A copy of the plans referred to in subsection (1) shall be
- (a) readily accessible at each drilling rig and on each drilling unit where drilling operations are being carried out; and
  - (b) on the request of the Chief, submitted to the Chief.

September, 1986 (updated)

Appendix G

APPENDIX E:-

CONTINGENCY PLAN GUIDELINES

1.0 INTRODUCTION:

Section 79 of the Canada Oil and Gas Drilling Regulations requires petroleum operators to ensure equipment is available and that emergency response plans have been prepared for any emergency that has the potential to occur during a drilling program. An analogous requirement for production is contained in Section 60 of the Oil and Gas Production and Conservation Regulations. Emergencies that may be anticipated include:

1. serious injury or loss of life
2. a major fire and/or explosion
3. damage to the drilling unit
4. evacuation of the drilling unit
5. loss of support craft (including aircraft)
6. loss of well control, or release of flammable or toxic gas
7. spills of pollutants
8. a diving accident
9. hazards unique to the program

Hazards unique to the program may include ice encroachment, man overboard, uncontrolled flooding, loss of ballast control or stability, risk of vessel collision, heavy weather and difficulties with ancillary facilities such as ice roads, aircraft or shuttle tankers.



## 2.0 FORMAT FOR EMERGENCY RESPONSE PLANS:

Documentation will differ according to the type and location of the project; exploration vs development, offshore vs land.

Response plans are intended to serve, first, as standing orders/emergency procedures for on-site personnel, and secondly, as a vehicle to outline the safety regime for field staff and for purposes of regulatory approval. As such, it may prove convenient to limit the content of the response plan to essential information such as:

- organization
- responsibilities and
- procedures

and provide the necessary support documentation on safety precautions as stand alone appendices or separate documents (see section 4.0).

## 3.0 CONTENT OF RESPONSE PLAN

Plans should reflect an integration of responsibilities of the petroleum operator, drilling contractor, and other service companies eg. air carrier, standby vessel, shipping company etc. A clear chain of command for crisis management should emerge from a description of the responsibilities of

key personnel on site and at corporate headquarters. To this end, terminology should be consistent from the organization chart to various operator and contractor positions, to the contract list and throughout the appropriate support documentation.

Where an operator chooses to adopt the plans of another company for a project, the appropriate amendments should be made to avoid any doubt concerning the chain of command and responsibilities of personnel within the various components of a project.

While the format of the response plans are a matter of operator preference, the points listed hereunder are considered essential to crisis management:

- 3.1 organization chart depicting key positions of the petroleum operator and service contractors
- 3.2 responsibilities of key personnel in the management of emergencies
- 3.3 procedures for responding to the emergencies listed in section I.D.
- 3.4 reporting procedures and government notification.
- 3.5 contact list
- 3.6 precautionary measures for the following east coast MODU alert criteria:

- a) wind speeds at the drilling installation are forecasted to exceed or actually exceed 80 knots;
- b) wind speeds at the drilling installation are forecasted to exceed 70 knots or actually exceed 45 knots and icebergs or sea ice are present in the vicinity of the drilling installation;
- c) a kick or well control problem is being experienced;
- d) ballast control, flooding or stability problems are being experienced;
- e) a vessel is on a possible collision course with the drilling installation; or
- f) any other alert situation described in the operator's alert/emergency response manual occurs.

3.7 alert criteria and corresponding precautionary measures to secure the well and evacuate personnel for the following parameters as applicable to the type of drilling platform engaged in Arctic marine operations:

- a) existing/forecast weather and sea conditions as they relate to marine operations, anticipated ice movement, platform loading, or erosion.
- b) pack ice encroachment

- c) disposition and character of multiyear ice hazards
- d) kick tolerance status
- e) ice loading

#### 4.0 CONTENTS OF THE SUPPORT DOCUMENTATION

Applications for Drilling Program and Development Plan Approval should be supported by documentation of a descriptive nature relating to safety and environmental matters (see also Development Application Guidelines). These should include the following elements:

- 4.1 a description of on-site first aid and available backup medical support
- 4.2 communications facilities between operational components
- 4.3 flight following and overdue aircraft procedures, including a description of self-help facilities e.g. standby helicopter, air deplorable life rafts, sea rescue equipment
- 4.4 description of other emergency facilities e.g. emergency fuelling sites, on-ice survival gear, and secondary communications
- 4.5 platform stability monitoring program (where applicable) including instrumentation, data processing and decision making procedures
- 4.6 for land-based projects, alternate accommodation, emergency power and medevac facilities

- 4.7 relief well arrangements (see section 6.0 for details)
- 4.8 standby vessel/ice road procedures
- 4.9 oil spill support documentation
- 4.10 ice management program for detection of ice hazards,  
monitoring and countermeasures
- 4.11 list of emergency exercises (see also item 5.4)

5.0 OIL SPILL RESPONSE PLAN:

The oil spill plan will differ according to the location and nature of the drilling program and extent of documentation previously submitted to the regulatory agency.

Petroleum operators are required to have access to oil spill countermeasures hardware. In some regulatory areas this requirement is met by oil spill cooperative membership and as such, need not include descriptions nor maintenance instructions for countermeasures hardware in the contingency plan. Where coop membership is not exercised, operators must itemize hardware retained on site for immediate contingency purposes and outline mobilization arrangements suitable for managing a major incident.

Plans are to include the qualifications of company personnel responsible for the management of oil spill countermeasures.

5.1 Plans in support of land wells should include:

- organization charts, responsibilities and contact list (as per item 2.0)
- diagram of the drill site indicating slope, water courses, buildings, roads, and potential collection points
- site specific containment and disposal strategy
- countermeasures equipment maintained on location (as above)
- source listing of supplementary countermeasures equipment and expertise

5.2 Plans in support of marine programs located in areas that have undergone an environmental assessment review should:

- briefly describe the drilling program e.g. site, site preparation, water depth, seasonal constraint, logistical support, organization, responsibilities, and source listing of equipment and expertise
- reference all environmental support material that would be relevant to establishing oil spill cleanup priorities

- include details on the operator's capability to implement an oil spill trajectory model using real time wind and current data.
- describe the cleanup and containment strategy required for shoreline and ice covered areas
- include a brief description of the on-site precautions for responding to small spills from the drilling unit, shore base, or loading operation.

5.3 Plans in support of marine programs located in areas where environmental sensitivities are not well documented should (in addition to item 5.2) be supplemented by a series of charts identifying pollution sensitive areas so that resources at risk may be readily identified. The charts are to be arranged sequentially by month or season for those areas indicated by spill trajectories as being potentially exposed to oil pollution. The charts should include:

- marine resource activities e.g. fishing, hunting, recreational activities, and aquaculture sites
- shoreline types, coastal currents, ice forms and movement

areas of marine or wildlife significance e.g. spawning or calving areas, waterfowl nesting areas, seal haulants, bird sanctuaries with seasonal distributions and movements.

other relevant features; borrow pits, harbours, water intakes, fish processing plants and commercial shipping activities

monthly oil spill trajectory analyses followed until the slick volume is reduced to 5%, the shoreline is reached, or the slick moves out of the modelled area. The presentation is to be complemented by contours or envelopes of 90%, 50%, and less than 50%, probability of the extent of oil migration from the release point.

#### 5.4 EXERCISES

##### Drilling Regulation 151 (d)

An oil spill field exercise is required every year the operator is engaged in a drilling program. Accordingly, the operator is directed to make arrangements for an exercise and be prepared to outline these preparations upon application for DPA. Four weeks in advance of the exercise, the operator is to tender an operations order containing the following information:



- a) objective;
- b) date;
- c) location;
- d) protocol;
- e) personnel;
- f) hardware; and
- g) logistical support

A summary report of the exercise is to be forwarded to the regulatory agency within four weeks of the actual exercise.

#### Communications exercise

Operators must be prepared to conduct a communications exercise in response to an accident scenario provided by a COGLA official without prior notification. A report of the notification process, message acknowledgments, and status of response preparedness is to be submitted to COGLA upon completion of the exercise.

#### 6.0 RELIEF WELL DRILLING ARRANGEMENTS

Petroleum operators are advised to consult the regulatory authority for their theatre of operations concerning relief well drilling arrangements.

COGLA requires that the operator prepare a detailed relief well plan for all drilling operations undertaken on the frontier lands. This plan must outline the operator's immediate response to a well control incident or blowout. The operator must identify an alternate drilling unit or platform suitable for the relevant environmental conditions encountered at the wellsite. In addition, the necessary equipment, consumables and support systems to be utilized must be demonstrated to be readily available. COGLA requires that the operator design the drilling program to ensure that a relief well can be completed within the seasonal constraints in the specific area of operation. Careful relief well preplanning by the operator will ensure a minimum delay in the commencement of a relief well thus reducing any potential environmental impact which may occur.

The relief well plan should include details on the following items:

- A schedule for implementing the relief well plan within seasonal constraints.
- Identification of the alternate drilling unit/platform, operating capability and limitations, location, contractual commitments, state of readiness, requirements and schedule for mobilization and support vessels required for relocation.

- Relief well site preparation.
- Identification and preparation of the staging site.
- Identification of marine units required to support the relief well operation including their operating and ice management capabilities.
- The location and mobilization of the necessary pumping equipment, mud tanks, consumables, well control and drilling equipment and any other specialty equipment required for the relief well operation.
- Layout of mud tanks and pumps and associated manifolding facilities to be installed on the relief well unit and identification of a separate kill platform if required.
- Fuel requirements for relief well operation and support craft.
- Logistical requirements such as ice roads, marine and air transport.
- Requirement, sourcing, and marine support for firefighting (cooling) equipment.
- Availability and accessibility of trained and experienced personnel.
- Relief well design relative to the specific drilling program and known geology including assumed flow rates and reservoir pressure. The relief well design should include details on the surface location of relief well, casing and cementing program, specific precautions and safety procedures while drilling relief well, type of

directional program, depth of intersection with original wellbore, size of relief well, total volume of mud to be pumped, kill mud weight, pump rates, hydraulic horsepower, time to drill and kill well.

- Abandonment program for both wells once original well is under control.

For Beaufort Sea floating operations, the operator must identify a relief well drilling unit which can be mobilized within two weeks of the occurrence of the blowout. If the relief well drilling unit is under contract to another company, then a letter of agreement is required between the two parties stipulating that the unit will be made available in a blowout situation. The major consumables and drilling equipment must be readily available and located in the vicinity of the approved area of the drilling program. In this regard, sufficient amounts of the following materials must be available for the drilling of the specific relief well to total depth.

- Barite
- Mud Chemicals
- Cement
- Fuel
- Casing

- Drill Pipe
- Collars
- Wellheads
- Marine Riser System
- Survey and Directional Drilling Equipment

All suppliers of major pieces of equipment such as vessels, helicopters, pumps, piping manifold, etc., should be identified, the location of such equipment noted and updated and the time to mobilize the equipment to the site specified.

In some situations it may be necessary for northern operators to share a common source of contingency equipment and supplies for the drilling of a relief well.

#### 7.0 SUBMISSION AND REVIEW

Response plans are reviewed by COGLA and its resource agencies who provide advice on safety and environmental matters. Because the review process is currently being restructured, operators are encouraged to discuss the format and availability of the plans with COGLA in order to arrange for direct distribution of the documentation.

# The National Energy Board Act

## Definition

"pipeline"  
«pipe-line»

"pipeline" means a line that is used or to be used for the transmission of oil or gas, alone or with any other commodity, and that connects a province with any other or others of the provinces or extends beyond the limits of a province or the offshore area as defined in section 87, and includes all branches, extensions, tanks, reservoirs, storage facilities, pumps, racks, compressors, loading facilities, interstation systems of communication by telephone, telegraph or radio and real and personal property and works connected therewith;

«pipe-line» signifie une canalisation utilisée ou destinée à être utilisée pour la transmission du pétrole ou du gaz, seul ou accompagné d'un autre produit, qui relie une province à une autre ou à d'autres provinces, ou qui s'étend au-delà des limites d'une province ou d'un endroit au large des côtes, selon la définition au sens de l'article 87, et comprend tous les branchements, extensions, citernes, réservoirs, installations d'emmagasinement, pompes, rampes de chargement, compresseurs, moyens de chargement, systèmes de communication entre stations par téléphone, télégraphe ou radio, ainsi que les biens immeubles ou meubles et les ouvrages connexes;

«pipe-line»  
"pipeline"

## Part III

Operation of  
pipelines

20. (1) No company shall operate a pipeline unless

- (a) there is a certificate in force with respect to that pipeline; and
- (b) leave has been given under this Part to the company to open the pipeline.

Compliance  
with conditions

(2) No company shall operate a pipeline otherwise than in accordance with the terms and conditions of the certificate issued with respect thereto. R.S., c. N-4, s. 26.

20. (1) La compagnie ne peut exploiter un pipeline que si les conditions suivantes sont réunies :

- a) il existe un certificat en vigueur relativement à ce pipeline;
- b) elle a été autorisée à mettre le pipeline en service aux termes de la présente partie.

(2) La compagnie doit exploiter le pipeline conformément aux conditions du certificat délivré à cet égard. S.R., ch. N-4, art. 26.

Exploitation  
d'un pipeline

Observation des  
conditions

### Location of Pipelines

Approval of  
Board

31. Except as otherwise provided in this Act, no company shall begin the construction of a section or part of a pipeline unless

- (a) the Board has by the issue of a certificate granted the company leave to construct the line;
- (b) the company has complied with all applicable terms and conditions to which the certificate is subject;
- (c) the plan, profile and book of reference of the section or part of the proposed line have been approved by the Board; and
- (d) copies of the plan, profile and book of reference so approved, duly certified as such by the Secretary, have been deposited in the offices of the registrars of deeds for the districts or counties through which the section or part of the pipeline is to pass. R.S., c. N-4, s. 27; 1980-81-82-83, c. 116, s. 9.

Approval for  
certificates,  
general to be  
filed

32. (1) On an application for a certificate, the company shall file with the Board a map showing the general location of the proposed

line, the termini, and all cities, towns, villages, railways and navigable waters through, under or across which the line is to pass, together with such further or other plans, specifications and information as the Board considers necessary.

Plans to  
provincial  
survey  
general

(2) The company shall file a copy of the application and of the map referred to in subsection (1) with the attorney general of each province to which the application relates in whole or in part, and the Board shall require

### Tracé des pipelines

31. Sauf dispositions contraires de la présente loi, la compagnie ne peut commencer la construction d'une section ou partie de pipeline que si les conditions suivantes sont réunies :

- a) l'Office l'a, par la délivrance d'un certificat, autorisée à construire la canalisation;
- b) elle s'est conformée aux conditions dont le certificat est assorti;
- c) les plans, profil et livre de renvoi de la section ou partie de la canalisation projetée ont été approuvés par l'Office;
- d) des copies des plans, profil et livre de renvoi approuvés, certifiés conformes par le secrétaire, ont été déposés aux bureaux des directeurs de l'Enregistrement des districts ou comtés que doit traverser cette section ou partie du pipeline. S.R., ch. N-4, art. 27; 1980-81-82-83, ch. 116, art. 9.

Approuvés de  
l'Office

32. (1) La demande de certificat doit être accompagnée d'une carte indiquant l'emplacement général de la canalisation projetée, les

terminus, et les villes, villages, voies ferrées et eaux navigables qu'elle doit traverser ou sous lesquels elle doit passer, ainsi que les plans, devis et renseignements complémentaires ou supplémentaires que l'Office estime nécessaires.

Demande de  
certificat  
accompagnée d'une  
carte et à  
produire

(2) La compagnie est tenue de transmettre une copie de la demande et de la carte au procureur général de chaque province touchée par la demande; l'Office doit exiger qu'un avis de la demande soit donné par publication dans

Avec un  
procureur  
général de  
chaque  
province

### Leave to Open Pipelines

Leave to open line

47. (1) No pipeline and no section thereof shall be opened for the transmission of hydrocarbons by a company until leave therefor has been obtained from the Board.

Grant of leave

(2) Leave may be granted by the Board under this section if the Board is satisfied that the pipeline may safely be opened for transmission. R.S., c. N-6, s. 38.

### Regulation of Construction, etc.

Safety

48. (1) To promote safety of operation of a pipeline, the Board may order the company to repair, reconstruct or alter part of the pipeline and may direct that, until the work has been done, that part of the pipeline shall not be used.

Regulations as to safety

(2) The Board may, with the approval of the Governor in Council, make regulations governing the design, construction, operation and abandonment of a pipeline and providing for the protection of property and the environment and the safety of the public and of the company's employees in the construction, operation and abandonment of a pipeline.

Offence

(3) Every person who contravenes a regulation made under subsection (2) is guilty of an offence punishable on summary conviction. R.S., c. N-6, s. 39; 1980-81-82-83, c. 116, s. 11.

### Autorisation de mise en service

47. (1) La compagnie ne peut mettre en service, pour le transport d'hydrocarbures, un pipeline ou une section de celui-ci que si elle a obtenu une autorisation à cette fin de l'Office.

Obtention d'une autorisation

(2) L'Office ne délivre l'autorisation prévue au présent article que s'il est convaincu que le pipeline peut, sans danger, être mis en service pour le transport. S.R., ch. N-6, art. 38.

Délivrance de l'autorisation

### Règlementation de la construction

48. (1) Pour favoriser la sécurité de l'exploitation d'un pipeline, l'Office peut ordonner à la compagnie de réparer, reconstruire ou modifier une partie de celui-ci et interdire l'utilisation de cette partie avant la fin des travaux.

Sécurité

(2) L'Office peut, avec l'approbation du gouverneur en conseil, prendre des règlements concernant la conception, la construction, l'exploitation et la cessation d'exploitation d'un pipeline ainsi que, dans le cadre de ces opérations, la protection des biens et de l'environnement et la sécurité du public et du personnel de la compagnie.

Règlements de la compagnie

(3) Quiconque viole un règlement pris sous le régime du paragraphe (2) commet une infraction punissable sur déclaration de culpabilité par procédure sommaire. S.R., ch. N-6, art. 39; 1980-81-82-83, ch. 116, art. 11.

Infraction

Unless the Board Otherwise Directs, Environmental Information Required to be  
Filed by an Applicant for Authorization to Construct and Operate Pipelines  
Pursuant to Part III of the Act

(1) Any request for relief from the requirement of filing any of the information referred to in subsections (4) and (5) shall be accompanied by reasons for requesting such relief.

(2) The level of detail of the information provided pursuant to subsections (4) and (5) shall correspond to the nature and magnitude of the anticipated environmental impact of the proposed project.

(3) In complying with the requirements set out in subsections (4) and (5) the applicant may, with leave of the Board, refer to existing information, to information previously filed with the Board or use information submitted to other agencies or governments.

(4) For applications pursuant to Section 49 of the Act, the information set out in paragraphs 5(c), 5(d) and 5(e) shall be provided.

(5) For applications pursuant to Section 44 of the Act, the following information shall be provided:

Project Description

(a) A brief description of the project and its construction schedule, including a summary of those aspects of the project which could reasonably be expected to affect the biophysical environment, land use and natural resource use.

General Route and/or Facility Site Selection Process

(b) Information on the general route and/or facility site selection process, including:

(i) a map(s) at an appropriate scale(s) (eg. 1:250,000) upon which are depicted:

(A) the study area or selected corridor;

(B) any alternative routes studied;

(C) the areas of physical and environmental constraint (biophysical and land use or natural resource use) which limit pipeline route or facility site location;

(D) the proposed general route; and



(E) approximate locations of all proposed ancillary facilities such as compressor, pump and meter stations, production platforms, and storage facilities;

(ii) a general description of the environmental, land-use and other criteria used for the identification of the proposed, and any alternative, general routes and major facility locations; and

(iii) a justification for the selection of the proposed general route and locations for facilities.

#### Environmental Description

(c) A description of the environment as it exists prior to the commencement of construction work and which may be affected by the project. That description should include:

(i) maps at an appropriate scale (eg. 1:50,000) upon which are depicted accurately and in sufficient detail those significant environmental concerns which may influence or be influenced by the construction, operation, and maintenance of the project; and

(ii) a narrative description of the existing environment in sufficient detail to permit the identification of environmental impacts which are expected to be caused by the project.

#### Environmental Impact Assessment

(d) An assessment of the probable short and long-term impacts of the proposed project upon the biophysical environment, and the present land and natural resource use, and an assessment of any major environmental issues requiring individual identification and attention. Such assessment should consider, but not be limited to, the relevant parts of the following:

(i) with respect to the physical environment:

(A) the bedrock, types of unconsolidated deposits and landforms;

(B) permafrost conditions;

(C) areas of ground instability such as landslides, mudflows, slumping, avalanches, potential subsidence, fault zones and earthquakes;

(D) hydrological features such as channelled and unchannelled surface water flow, groundwater movement and aquifer recharge zones, flood zones and water quality;

- (E) areas susceptible to wind or water erosion;
  - (F) ambient air quality and noise levels; and
  - (G) areas of high fire potential.
- (ii) with respect to the biotic environment:
- (A) for fish species of ecological, economic or human importance:
    - (I) the migratory patterns and routes;
    - (II) important habitat areas, including spawning, nursery, feeding and over-wintering areas; and
    - (III) management or other protected areas;
  - (B) for terrestrial wildlife of ecological, economic or human importance:
    - (I) the seasonal range or habitat use, movements, and population status;
    - (II) significant habitats such as calving and rearing areas, nesting sites, migratory bird staging areas and migration stops, and special locations such as mineral licks;
    - (III) wildlife management areas and established or proposed sanctuaries or other wildlife areas; and
    - (IV) habitats of any rare or endangered wildlife.
  - (C) plant and forest communities, including any rare or unique species or species assemblages;
- (iii) with respect to existing and proposed land and natural resource use on, or in the vicinity of the right-of-way:
- (A) rural and urban residential areas;
  - (B) Indian reserves and lands reserved for the use of Canada's native people;
  - (C) agricultural areas, including sugar bushes, sod farms, tree nurseries, orchards and vineyards;
  - (D) recreation areas;
  - (E) provincial parks and lands under Parks Canada's jurisdiction;
  - (F) industrial and commercial areas;
  - (G) conservation areas;

- (H) International Biological Program Sites or other ecological reserves or preserves;
  - (I) known or predicted palaeontological, archaeological and historical sites or areas;
  - (J) controlled or managed forest areas, including agreement forests, timber sales areas and seed orchards;
  - (K) registered or recognized hunting, trapping or guiding areas;
  - (L) commercial, native and sport fishing areas;
  - (M) recognized scenic areas;
  - (N) water reserves and licences;
  - (O) water supply sources or intakes for private dwellings and farmsteads, as well as for agricultural, industrial and municipal users that may be affected by the proposed pipeline;
  - (P) transportation infrastructure; and
  - (Q) navigable waters;
- (iv) the official land status, soil types and Canada Land Inventory capability classes of agricultural lands; and
- (v) with respect to offshore pipelines, a description of the special environmental concerns associated with their routing, design, construction and operation such as:
- (A) the important physical parameters of marine waters and of coastal and offshore features, with particular reference to:
    - (I) tides, currents, bottom contours, sediment movement, wave action and shoreline characteristics; and
    - (II) ice conditions, including shore-fast ice, ice cover, ice movement and bottom scour;
  - (B) the biotic resources, communities and habitats, including species of marine fish, birds, mammals and plants of economic and ecological importance, sensitive aspects of their life cycles, and their populations and distribution with respect to the proposed pipeline; and
  - (C) the uses made of areas (e.g. fishing, shipping, anchorage) crossed by the pipeline.

#### Environmental Mitigation and Restoration Information

- (e) A description of the general and/or specific procedures to be used to avoid, prevent or mitigate the probable impacts set out in paragraph (d), and to restore any adversely affected sites, including:

(i) those general environmental protection procedures, with any alternatives, which the applicant intends to use on a project such as, but not limited to:

(A) avoidance procedures such as construction scheduling which would be used to avoid biologically sensitive periods of the year;

(B) standard mitigative procedures which would be implemented during construction; and

(C) standard restorative procedures to be used on adversely affected sites.

The details of those procedures may be provided in the application, or in an environmental procedures manual, or by reference to some other document previously submitted to the Board;

(ii) the specific environmental protection procedures for the resolution of any environmental issues which require individual identification and attention;

(iii) for onshore pipelines, a description of the condition to which the applicant intends to restore and maintain the right-of-way, once construction has been completed; and

(iv) for offshore pipelines, a description of the anticipated condition of the seabed following construction.

#### Environmental Commitments

(f) Where environmental information and recommendations have been provided to the applicant by a consultant and used in the application, a statement by the applicant with respect to the acceptance of and intended adherence to those recommendations.

(g) A description of the applicant's program for the environmental education of appropriate personnel to ensure they are aware of their role in the protection of the environment.

#### Contingency Plans

(h) With respect to the preparation of contingency plans:

(i) a general description of any environmentally hazardous materials to be used during the construction and operation of the pipeline;

(ii) a general assessment of the probable effects upon humans, animals and the environment of any accidental release of such substances; and

(iii) the general procedures to be used in their handling, storage, use, disposal, or the clean-up of any accidental release of such substances, including procedures for notifying the appropriate agencies or emergency response organizations.

Environmental Inspection

(i) A description of the applicant's:

- (i) policy and procedures for the implementation of environmental inspection during construction and operation of the pipeline; and
- (ii) on-site inspection procedures and staff responsibilities.

Environmental Monitoring and Issue Resolution

(j) A description of the general program to monitor the status of environmental issues during the construction and restoration phases of the project:

- (i) to assess the success of mitigative and restorative procedures; and
- (ii) to determine that each environmental issue has been resolved.

References and Additional Studies

(k) A list of those references used in support of the environmental impact assessment.

(l) A description of the applicant's plans to carry out additional environmental and siting studies following certification to identify specific environmental impacts and protection procedures not determined at the time of certification.

(m) A list of those agencies or organizations contacted to discuss environmental matters related to project development, together with a brief outline of the topics discussed.



### 3. HIGHLIGHTS OF THE CANADIAN ENVIRONMENTAL ASSESSMENT ACT

The Canadian Environmental Assessment Act (CEAA) is the cornerstone of the federal government's environmental assessment Reform Package.

The Act outlines the legal process, establishes ground rules and creates an efficient, balanced approach for the EA process. In addition, it guarantees the public an opportunity to participate in the process and to influence government decision-making.

It can be divided into the following six sections:

#### INTERPRETATION

This section defines key terms and states the purpose of the Act. It:

- defines key terms such as 'environment', 'environmental effect', 'environmental assessment', 'project', 'federal authority', 'responsible authority' and 'follow-up program';
- states the purpose of the Act:
  - to ensure that project decisions by responsible authorities are based on an informed appreciation of the likely environmental effects;
  - to encourage project decisions by responsible authorities that promote and maintain a healthy environment and a healthy economy;
  - to ensure that projects in Canada do not cause serious environmental effects outside the jurisdictions in which they are located.

#### ENVIRONMENTAL ASSESSMENT OF PROJECTS

This section states when an EA must be carried out, who is responsible, its timing, and its scope. It says:

Canada

Information

**Page 3.2**

- the Act covers projects for which the federal government holds decision-making authority - as a proponent, as a land manager, as a provider of funding and as a regulatory authority (legislation to be covered by the CEAA will be specified by regulation);
- the assessment is to be completed as early in the planning stages as possible;
- a federal authority which has a decision to make on a project is responsible for the completion of the EA;
- where there is more than one responsible authority, they are to determine together the manner in which to carry out the EA;
- the assessment is to include consideration of:
  - environmental effects of a project, including cumulative environmental effects, and their significance,
  - public concerns and comments,
  - mitigating measures;
- if a mandatory study, mediation or full public review is required (i.e. for major projects), the following factors must also be considered:
  - purpose of the project,
  - alternative means of carrying out the project,
  - follow-up program,
  - sustainability for future generations of renewable resources that are likely to be significantly affected by the project;
- for projects undergoing a Mandatory Study, panel review or mediation no federal action or decision may be taken that would allow the project to proceed until the assessment is complete.

**INITIAL ENVIRONMENTAL ASSESSMENTS AND MANDATORY STUDIES**

This part of the Act deals with the initial stages of environmental assessment. It states:

- a Mandatory Study List will be issued describing major projects likely to have significant adverse effects on the environment; a government-wide Exclusion List for environmentally-benign projects exempted from the EA process will be developed with full public consultation;
- all projects not on the Mandatory Study or Exclusion Lists are to be screened individually by the responsible authority. A report summarizing the results of each project screening is required;
- projects that are similar to previously assessed projects, routine in nature and well understood from an environmental point of view, can be screened as a class;
- where the responsible authority determines, through self-assessment, that a project:
  - will have no significant adverse environmental effects or any such effects can be mitigated, the authority may proceed with the project, ensuring that any necessary mitigating measures are put in place;
  - will have significant adverse effects that may not be mitigable or has generated extensive public interest or concern, the project must be referred to the Minister of the Environment for mediation or a review panel.
  - will have significant adverse effects that cannot be mitigated and cannot be justified, the project must be abandoned;
- the responsible authority must take into consideration any comments of the public with respect to the environmental assessment of a project;
- assessments for projects on the Mandatory Study List will follow procedures specified in regulations and will require public notification and consultation, as well as a mandatory study report. The Minister of the Environment will determine the need for public review or mediation of these projects;



#### **DISCRETIONARY PROVISIONS**

This section of the Act states that a responsible authority may refer a project to the Environment Minister for public review or mediation at any time when it becomes apparent that the environmental effects will be significant, or may abandon the project and its assessment whenever the environmental effects appear unacceptable.

At any time, if the Environment Minister is of the opinion that a project will have significant adverse environmental effects, or if public concerns warrant it, the Minister may initiate a public review or mediation.

#### **MEDIATION AND PANEL REVIEWS AND PUBLIC REGISTRIES**

These sections of the Act outline how mediation and review panels will operate. They establish provisions for the hearing of witnesses, consideration of recommendations, joint review panels, substitute review panels, transborder review panels and public registries.

- the Act states under what circumstances the Minister may appoint a mediator or a panel to review a project;
- panels are to hold public hearings and submit their advice to the responsible authority and to the Minister of the Environment;
- public hearings will continue to be informal, but a panel has the power to subpoena witnesses and information;
- the Act requires the responsible authority, following mediation or a panel review, to advise the public of its course of action, any mitigation measures being put in place and the extent to which the recommendations of the panel or mediation are being adopted;
- the Minister, in order to establish a review panel jointly with another jurisdictions must be able to:
  - appoint or approve the chairperson or co-chairperson and one or more of the panel members,
  - fix or approve the terms of reference,

- afford the public an opportunity to participate,
- receive and publish the panel's report;
- the Act establishes a substantial role for the federal government in the assessment of projects in Canada having serious adverse transborder environmental effects but not otherwise falling under federal jurisdiction;
- each responsible authority must establish a public registry containing the information relating to its project assessments;

#### **ADMINISTRATION**

These sections describe additional powers of the Minister of the Environment and the Governor-in-Council.

- The Minister of the Environment may:
  - issue guidelines and codes of practice on the conduct of assessment;
  - establish research and advisory groups;
  - enter into assessment agreements;
  - establish criteria for the appointment of mediators and panel members, and for the substitution of other federal regulatory bodies in place of panels.
- The Governor-in-Council may make regulations to guide and control the EA process, including, for example, special regulations to establish distinct EA processes for Crown Corporations and Harbour Commissions that reflect the competitive nature of their activities, and for foreign aid projects that reflect the fact that such projects are undertaken foreign jurisdictions.

#### **CANADIAN ENVIRONMENTAL ASSESSMENT AGENCY**

The duties and functions of the Agency and the appointment of its president and staff are elaborated in this section.

- The Act establishes the Canadian Environmental Assessment Agency to:

**Page 3.6**

- advise and assist the Minister in the administration of the environmental assessment process,
  - promote uniformity in the application of the process across Canada,
  - promote research,
  - support mediations,
  - support environmental assessment panels;
- 
- The President of the Agency is a Governor-in-Council appointment and reports to the Minister of the Environment;
  - The Agency will report to the Minister on the implementation of the process across the federal government.

**June 1990**

**(Aussi disponible en français)**

GOVERNMENT STRATEGY  
FOR MAJOR POLLUTION INCIDENTS  
IN THE ARCTIC SEAS REGIONS

April 16, 1986

## 1. OBJECTIVE OF THE STRATEGY

The aim of this strategy is to facilitate and co-ordinate government preparation and response to major pollution incidents in the Arctic Seas which significantly threaten the public interest and/or the environment. It provides a employ framework to existing authorities and arrangements, describes the mechanism available for co-ordination and review of overall government planning, identifies the principal phases of government's response to an emergency event, and clarifies the priority of operational plans by specific emergency. It is not an operational plan which described the processes for dealing with a specific emergency.

Operational plans are the direct responsibility of those departments so charged by established legislation or government policy. These operational plans became supporting plans for the purpose of this strategy.

## 2. NEED FOR THE STRATEGY

In the 1970's the Government of Canada commenced issuing drilling permits for hydrocarbon exploration in certain areas of the Beaufort Sea. Similar activities have now been underway in the High Arctic for several years and drilling in Lancaster Sound, Eastern Arctic waters and Hudson Bay have received increased attention. Exploration and development of mineral properties in the High Arctic has also increased dramatically. Currently two major mines are located on the coast and are serviced directly by sea and other properties close to tide water are receiving increasing attention. All coastal settlements in the Arctic are resupplied each year by sea lift. In addition, large amounts of petroleum products and toxic materials are stored and handled on lands adjacent to arctic waters.

While the Government of Canada recognized the value of developing the hydrocarbon and other natural resources of the Arctic, it also recognized the need to protect the delicate ecological balance that exists within the Canadian North as well as to anticipate the unique problems and situations that a major accident would create.

The Government of Canada has passed specific legislation which deals directly with its involvement in exploration and development within the Arctic Seas:

The Arctic Waters Pollution Prevention Act, 1970  
The Canada Oil and Gas Production and Conservation Act,  
1972

Under this legislation, the Government of Canada has taken steps to ensure that resource development in Canadian waters proceeds in a safe, orderly manner, with a view to preserving the natural environment, while providing maximum benefit to all Canadians.

If an accident should occur during the search for transportation of, or production of, natural resources in the Arctic waters, the polluters and their service contractors shall deal with it. However, if during the event the situation deteriorates and remedial measures are required which are beyond the capability of the operator, the Government of Canada reserves the right to intervene in the management of the remedial measures.

The responsibility for dealing with an immediate threat to a civilian population from a pollution event is described under the appropriate Territorial legislation with support from Federal Departments and agencies as required.

### 3. DEFINITIONS

In this strategy:

- a) Arctic Seas Region includes: the waters defined as "arctic waters" in the Arctic Waters Pollution Prevention Act; the balance of the waters of Hudson Bay and Ungava Bay; James Bay; all of the islands defined as part of the territory of the Northwest Territory Act and the Yukon Territory Act; and the mainland coasts of the Northwest Territories and Yukon Territory adjacent to the waters described above.
- b) Co-ordinator means an official appointed by the Minister of Indian Affairs and Northern Development to facilitate the co-ordination of all federal and provincial/territorial agencies to achieve the objectives of this strategy.
- c) Task Force means an administrative grouping of federal and territorial officials established to achieve the objectives of this strategy. The Task Force will be a dynamic organization adjusted to the phases of planning and response as required by the Co-ordinator.

#### 4. PLANNING AND PREPARATION

##### A. PREPARATION AND CO-ORDINATION

The Task Force shall ensure that the overall government responsibilities of planning for emergencies is complete and done to satisfactory standards. It shall ensure adequate efforts are directed to emergency planning and shall facilitate co-ordination and communications between operational plans. In particular, as a first order of priority, it will assess the adequacy of co-operative planning against the complexity of possible emergencies. Particular emphasis will be placed on consistency and co-ordination between operational plans to deal with these events. It shall ensure common and consistent operation of, and co-ordinated approaches, to simplify industry and support agency adoption to lead agency requirements.

##### B. OPERATIONS PLANNING

Individual departments and agencies are responsible for planning for specific emergencies in accordance with their legislation mandate. These plans are put into operation by the departments when an event occurs. The details of each plan developed by the line departments/agencies account for government's response to environmental emergencies and describe the organizational structures, authorities and processes appropriate to the event.

These operational plans are the responsibility of individual programs but are referred to the Task Force for review, co-ordination and general assessment of the overall state of preparedness. The Task Force will only become involved in the operational phase if there is uncertainty regarding which plan should be activated in response to an event. In this instance the Co-ordinator will appoint the lead agency, confirm the appointment with the other committee members, and then withdraw.

#### 5. PHASES OF GOVERNMENT INVOLVEMENT

The prime responsibility to respond to an environmental emergency rests with the polluters, including federal, territorial and municipal departments and agencies, and/or

their service contractors. Government has the responsibility to plan for major environmental events and if necessary enforce an adequate response to these events as required. Government intervention and operational planning shall be based on the following stages:

**PHASE 1 - Monitoring and Assistance**

- The initial objectives of government will be to monitor the situation, assess the effectiveness of countermeasures undertaken by industry, indicate areas for additional effort/assistance and forecast possible escalation of government involvement.
- As described under specific plans, government personnel will be deployed to the operations area and establish and maintain liaison with the polluters.
- Based on information provided by the polluters and as described in the established plans, regular reports will be submitted to Ministers of the Federal Government.
- Resources (personnel and equipment) may be provided to industry by government to assist in remedial measures.

**PHASE 2 - Complement and Enhancement**

- If the polluters are unable to, or experience difficulty in dealing with the problem, they may request a significant increase in government assistance and government may become involved in directing or managing portions of the industry response.
- The primary emphasis of government response will be to provide supporting, mission oriented, resources to industry.
- In this phase, specific operational plans of government agencies describe the assistance that will be provided to polluters and the methods by which such assistance will be co-ordinated.
- Monitoring the effectiveness of the operation continues.



### PHASE 3 - Directing

- If conditions dictate, the government may decide to assume total control of the operations and/or the resources tasked by both industry and government.

## 6. RESPONSIBILITIES AND TASKS

The following departments and agencies have specific tasks in fulfilling the government's responsibility for emergency planning and action:

### A. TASK FORCE

The Task Force will co-ordinate government planning led by the Co-ordinator (INAC, Northern Program), with the co-operation of the Canada Oil and Gas Lands Administration, Department of Fisheries and Oceans, Department of the Environment, Department of Transport (Canadian Coast Guard), Emergency Planning Canada, Government of the Yukon Territory and Government of the Northwest Territories. This body will carry out the following functions:

- ensure adequate emergency plans addressing all major pollution events are in place;
- ensure there is a co-ordination and co-operation between plans;
- provide a forum for discussing common concerns and for exchange of information;
- to provide advice to the Minister of DIAND and the government at large on general matters of emergency planning and preparedness for the Arctic Seas Regions.

### B. OPERATIONAL PLANNING

The following Departments are responsible for planning for specific events:

- Department of Transport, Canadian Coast Guard - pollution or environmental emergencies from ships or shipping;

- Canada Oil and Gas Lands Administration - pollution or environmental emergencies from oil and gas exploration;
- Department of Indian Affairs and Northern Development - pollution or environmental emergencies from all other activities: mining, natural disasters, development etc.; and
- Federal Departments/agencies operating in the North (e.g. MOT Air Transport, Northern Canada Power Commission, etc.) - pollution or environmental emergencies from their facilities (with assistance from the Environmental Protection Service).
- Territorial Governments - pollution or environmental emergencies from their facilities and communities, and for managing an immediate impact on the civilian population.

**C. SERVICES AND SUPPORT**

**a) Government of the Northwest Territories**

**(I) Direct logistical support.**

Because of its operational presence in every community in the Northwest Territories and its existing system of decentralized administration through regional offices, the Government of the N.W.T. is positioned to direct the provision of logistic and immediate support services through the Regional Director and his Regional Superintendent of Government Services.

The logistical support provided by the Territorial Government will include:

- a) transportation
- b) accommodation
- c) manpower
- d) communications services
- e) administrative support for the Headquarters

f) support and services.

The Government of the Northwest Territories can also provide the contract authority for any commercial communications resources required. Technical advice on communication systems and services will be provided by Communications Canada.

(II) The Territorial Government may invoke extraordinary powers under their Civil Emergency Act, depending on the impact the event has on the civilian population.

b) Government of the Yukon Territory

(I) Technical and logistical support to plans will be co-ordinated by Yukon Transportation and Community Services.

c) Department of the Environment

(I) Provides weather, ice and pollutant tracking information services and information on environmental sensitivities, prevention, response and clean-up strategies, approvals for dispersant use, ocean dumping emergencies (Ocean Dumping Control Act Section 8), information on pathways and effects of hazardous materials in the marine environment and follow-up impact assessment as requested.

d) Department of Fisheries and Oceans

(I) Will invoke their Arctic Marine Emergency Response Plan and provide advice and expertise on arctic marine ecosystems, oceanography, environmental sensitivities and clean-up strategies; and when appropriate their Scientific Response Plan to conduct research.

e) Emergency Planning Canada

(I) Will facilitate both interdepartmental and intergovernmental co-ordination as requested.

f) Canadian Broadcasting Corporation

- (I) Will provide emergency broadcasting services throughout the Arctic as requested. These services will be done in addition to the Corporation's normal broadcasting.

Other Resource Departments/Agencies

Federal departments and agencies are required, in accordance with the Emergency Planning Policy, to provide assistance to any Minister who has been assigned responsibility for an emergency, as that Minister may require. The mechanism requesting such assistance is described in each specific plan to meet the requirements of all phases of the operation. Although specific prediction of resource requirements is not possible, there are some general categories of assistance which may be anticipated. These include:

- (I) Energy, Mines and Resources Polar Continental Shelf Project - accommodation and data.
- (II) Department of National Defence - individuals to assist operations staff:
  - air support for liaison, reconnaissance, command and logistics support within the operations area;
  - air transport of resources to the operations area;
  - communications support in the operations area;
  - field logistic resources.
- (III) Specific plans of Departments with operational responsibilities (see section 6B) may be activated in support of each other.

Assistance from specific provinces may also be requested and may be co-ordinated by Emergency Planning Canada.

## **7. INTERNATIONAL AND PROVINCIAL RELATIONS**

The involvement of foreign countries must recognize procedures and processes negotiated under existing agreements and understandings and must include External Affairs. Of particular note are the agreements with the United States and Denmark/Greenland. Specifically, the Joint Canada United States Contingency Plan and the Agreement between the Government of Canada and the Government of the Kingdom of Denmark for Co-ordination relating to the Marine Environment and Canada-U.S., Letters of Understanding on emergency preparedness.

## **8. IMPLEMENTATION**

### **A. PLANNING**

The Task Force will be a Standing Committee and shall be constituted upon acceptance of this plan by the Minister of Indian Affairs and Northern Development. The prime function of the Task Force is to provide a co-ordinating function and to advise the Minister on pollution and environmental emergencies for the Arctic Seas Regions.

### **B. OPERATION**

The work of the Task Force is limited during an actual event to:

- a) confirming the lead agency/plan to be applied in response to an emergency if required;
- b) assisting if requested by the senior government officer directing an operational plan;
- c) reviewing the adequacy of government response after the event and making recommendations to the appropriate agency.



Transport  
Canada

Transports  
Canada

Coast Guard

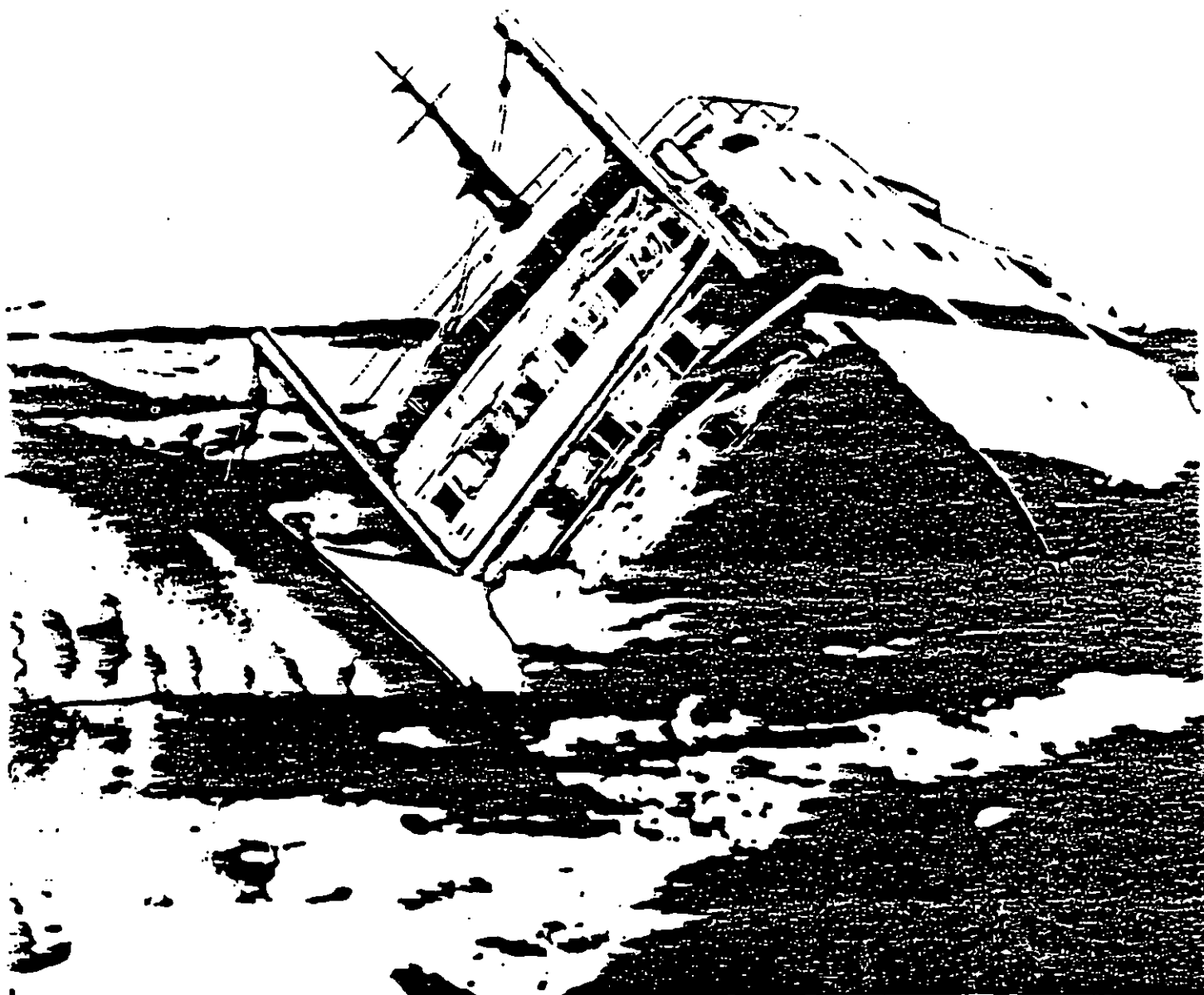
Garde côtière

TP 849

APPENDIX 3r

## NATIONAL MARINE EMERGENCY PLAN

## PLAN D'URGENCE MARITIME NATIONAL



**TRANSPORTS CANADA — GARDE COTIERE CANADIENNE  
PLAN NATIONAL D'URGENCE MARITIME  
LETTRE DE PROMULGATION**

1. Le plan national d'urgence maritime remplace le plan d'urgence fédéral provisoire pour combattre les déversements d'hydrocarbures et de substances nocives.
2. L'objectif du plan provisoire, soit l'application d'un plan d'urgence national global grâce à la collaboration des autorités fédérales, provinciales et locales demeure en vigueur. Le plan national d'urgence maritime a pour but de servir de base à la participation de la Garde côtière canadienne dans le cadre du plan global.
3. Les déversements d'hydrocarbures et d'autres substances nocives ou les dangers imminents de déversements constituent la grande majorité des urgences maritimes relevant de la Garde côtière canadienne de Transports Canada, toutefois ce plan établit aussi la politique à suivre pour faire face à toutes les urgences maritimes en temps de paix lorsque la Garde côtière agit en qualité d'organisme directeur ou fournit des services de soutien à un tel organisme.
4. La considération majeure étant de sauver des vies humaines, ce plan est assujéti aux exigences de l'organisation fédérale maritime de recherche et sauvetage.
5. Ce plan a été étudié et approuvé par les ministères fédéraux de l'Energie, des Mines et des Ressources, de la Pêche et de l'Environnement, des Affaires indiennes et du Nord, de la Défense nationale, de la Santé et du Bien-être social et par le Centre national de planification des mesures d'urgence.
6. Le chef, urgences de la Garde côtière canadienne (Ottawa) est le dépositaire du présent document. Les commentaires, recommandations et communications concernant le plan national d'urgence maritime doivent être envoyés à son bureau.



Le Sous-ministre  
Transports Canada

5 mai 1977

Date de promulgation

## AMENDMENT

1. A master copy of this Plan has been retained by the Chief, Emergencies (CCGE) in both official languages. At the top of each page is date of issue (month/year). When a page is amended, recipients should enter the new issue date on the amendment sheet. Should a recipient wish to check his copy, CCGE will forward a copy of the Master Amendment Sheet, giving the latest issue dates. The recipient may then request any amendments he is missing.
2. Annually, CCGE will forward a copy of the latest amendment sheet to each region for purposes of verification. The Regional Manager Emergency Operations is in turn responsible for ensuring that copies of the plan within his region are updated.
3. For purposes of uniformity, only the Chief, Emergencies, is authorized to issue amendments.



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**TRANSPORT CANADA — CANADIAN COAST GUARD  
NATIONAL MARINE EMERGENCY PLAN  
LETTER OF PROMULGATION**

1. The National Marine Emergency Plan replaces the Interim Federal Contingency Plan for Combatting Oil and Toxic Material Spills.
2. The objective stated in the Interim Plan of the "implementation of a truly comprehensive national contingency plan through a cooperative Federal-Provincial-local approach" remains in force. The National Marine Emergency Plan is designed to provide the basis for the Canadian Coast Guard element of that comprehensive plan.
3. While Oil and other noxious material spills or imminent threats of spills constitute the major portion of the marine emergencies with which Transport Canada's Canadian Coast Guard is tasked to deal, this plan establishes the policy for responding to all peacetime marine emergencies where the Coast Guard either is tasked as, or supports, the agency leading the response.
4. The saving of life being the paramount consideration, this plan is subordinate to the requirements of the federal marine search and rescue structure.
5. This plan has been reviewed by, and received the concurrence of, the federal departments of Energy, Mines and Resources, Fisheries and the Environment, Indian and Northern Affairs, National Defence, National Health and Welfare, and the National Emergency Planning Establishment.
6. The custodian of this document is the Chief, Emergencies, Canadian Coast Guard, Ottawa. Comments, recommendations and communications relating to the National Marine Emergency Plan should be addressed to that office.



Deputy Minister  
Transport Canada

May 5, 1977

Date of Promulgation

## MODIFICATION

1. L'original de ce plan, écrit dans les deux langues officielles, se trouve chez le chef, urgences (CCGE). Au haut de chaque page apparaît la date de publication (mois/année). Celui qui reçoit une page modifiée doit inscrire la nouvelle date de publication sur la feuille des modifications. Si un destinataire désire vérifier son exemplaire, CCGE lui enverra une copie de la feuille des modifications apportées à l'original sur laquelle sont inscrites les dernières dates de publication. Le destinataire pourra alors demander toutes les modifications qui lui manquent.
2. Chaque année, CCGE enverra à chaque région un exemplaire de la feuille des modifications à jour aux fins de vérification. Le gestionnaire régional — opérations d'urgences, de son côté, doit s'assurer que les exemplaires du plan en circulation dans sa région soient mis à jour.
3. Pour plus d'uniformité, seul le chef, urgences a le droit de publier les modifications.

# AMENDMENT SHEET

Page	Latest Issue Date	Page	Latest Issue Date

## FEUILLE DES MODIFICATIONS

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## 1 PLAN TERMINOLOGY

1. **Appointed OSC (A/OSC)** — A federal officer appointed by the Coast Guard, charged with the responsibility of responding to minor emergencies and of providing support to major operations.
2. **Beneficial parties of a casualty**. All parties that benefit from a casualty's normal activities. They include its owner, parties having possession and use of the casualty as well as the owners of its cargo and contents. By legislation these beneficial parties have financial responsibility for any damage a casualty causes.
3. **Call Lists** — Lists of appropriate resource agency personnel in both Ottawa and the regions who can assist in a response to an emergency.
4. **Canadian Marine Environment** — The physical condition of all waters of Canadian interest and their littoral areas.
5. **Casualty** — A vessel or facility including all substances it contains which, through accident, malfunction or some other reason, represents a hazard, or threatens to become a hazard, to the public interest.
6. **Designated OSC** — The officer designated by the lead agency to command its response to a particular emergency. Once designated, he becomes the OSC for that operation.
7. **Lead Agency** — The agency designated by statute, inter-agency agreement, cabinet decision and/or custom and precedent to lead the response to an emergency on behalf of that government. In accordance with this responsibility, the lead agency is required to undertake the necessary preparatory measures such as contingency planning, training, and appropriate liaison with resource agencies, involved commercial organizations, the public, and other interested parties. However, a lead agency is not expected to provide all the resources and expertise required to undertake an emergency response, but rather, those that are not available elsewhere in the total lead-resource agency inventory.  
  
When an emergency occurs that is within a lead agency's mandate, it is responsible for organizing, commanding and funding the response.
8. **Marine Emergency** — A marine emergency is the situation that exists when a vessel or facility becomes a casualty in the Canadian Marine Environment.
9. **Marine Traffic** — All vessels operating in waters of Canadian interest.
10. **Monitoring Response** — Where the casualty, if it is a vessel, and its beneficial parties are conducting the response, the relevant Transport Canada lead agency, Canadian Coast Guard, harbour authority, or St. Lawrence Seaway Authority, will monitor the operation, and provide support, if required.
11. **Operational Response** — If, in the view of the monitoring agency, the casualty and its beneficial parties will not, or cannot, conduct an effective operation with the result that the public interest is not being adequately protected, the lead agency takes over the operation in its entirety.
12. **Protection of the Public Interest** — To prevent, and/or minimize, the casualty's impact on the health, social, economic, environmental and other interests of the public.
13. **Resource Agency** — Any agency that owns, controls and/or has access to, expertise, authority, responsibility, manpower and resources required by the OSC for the conduct of an operation. A resource agency may be any federal, provincial, or local government department, any commercial or private organization, any individual in Canada or any government, commercial, or private organization or individual in another country.
14. **Search and Rescue (S.A.R.)** — Operations aimed at saving the lives on board a marine casualty including its crew, supernumeraries, and passengers.
15. **Vessel (Ship)** — Any structure designed or intended to operate in the waterborne mode, and, when not anchored or moored, to be mobile, other than war-ships, auxiliary craft or equipment of the Department of National Defence.

## I DEFINITIONS

1. **Commandant sur place désigné (CSP/D):** Agent désigné par l'organisme directeur pour commander l'action de l'organisme dans une situation d'urgence donnée. Une fois désigné, il devient le CSP pour l'opération.
2. **Commandant sur place nommé (CSP/N):** Agent fédéral désigné par la Garde côtière, ayant la responsabilité de faire face aux situations d'urgence mineure et de fournir le soutien voulu pour les opérations importantes.
3. **Contrôle:** Lorsque le personnel à bord d'un navire sinistré et les parties bénéficiaires prenant en charge l'opération, l'organisme directeur pertinent de Transports Canada, la Garde côtière canadienne, l'administration des ports ou l'Administration de la voie maritime du Saint-Laurent contrôle les opérations et, s'il y a lieu, apporte son aide.
4. **Eaux d'intérêt public pour le Canada:** Cette expression inclut ce qui suit:
  - a) toutes les eaux sur lesquelles le Canada s'est déclaré compétent
  - b) toutes les eaux pour lesquelles le Canada délivre des permis pour l'exercice de certaines activités telles que l'exploration minière au large ou la pêche et sur lesquelles il exerce un contrôle. Il s'agit des eaux mentionnées dans la Loi sur la production et la conservation du pétrole et du gaz et la Loi sur la prévention de la pollution des eaux arctiques.
  - c) toutes les eaux sur lesquelles le Canada, par une entente internationale, a une certaine compétence ou pour lesquelles il a une certaine responsabilité.
  - d) toutes les eaux sur lesquelles le gouvernement fédéral demande à des organismes d'exercer un contrôle ou de diriger des opérations.
5. **Intervention:** Si l'organisme de contrôle décide que les parties bénéficiaires d'une installation ou d'un navire sinistré ne dirigent pas efficacement les opérations ou ne peuvent le faire, mettant ainsi en danger l'intérêt public, l'organisme directeur intervient et prend les opérations en main.
6. **Listes d'appel:** Listes du personnel des organismes ressources appropriés à Ottawa et dans les régions pouvant fournir leur aide pour faire face à une situation d'urgence.
7. **Milieu marin canadien:** Condition des littoraux et de toutes les eaux d'intérêt public pour le Canada.
8. **Navire:** Tout bâtiment fait pour naviguer et être mobile quand il n'est pas ancré ou amarré, autre que les navires de guerre, les bateaux auxiliaires ou l'équipement du ministère de la Défense nationale.
9. **Navire ou installation sinistré:** Navire ou installation, y compris toutes les substances qu'il contient, qui, à cause d'un accident, d'un mauvais fonctionnement ou toute autre raison, présente ou pourrait présenter un danger pour l'intérêt public.
10. **Organisme directeur:** Organisme désigné à la suite d'une entente statutaire entre des organismes par une décision du cabinet ou par la coutume pour prendre en charge l'action dans une situation d'urgence, au nom du gouvernement. De par son mandat, l'organisme directeur est tenu de prendre les mesures préparatoires qui s'imposent telles que la planification des mesures d'urgence, la formation et l'établissement d'une liaison appropriée avec les organismes ressources, les organisations commerciales concernées, le public et les autres parties concernées. Toutefois, l'organisme directeur n'est pas tenu de fournir tous les moyens et toutes les compétences requises pour faire face aux situations d'urgence. Il doit cependant fournir celles qui ne sont disponibles chez aucun des organismes ressources ou des organismes directeurs.

En cas d'urgence relevant de la compétence de l'organisme directeur, il est responsable de l'organisation, du commandement et du financement des opérations.

16. Waters of Canadian Interest — This term covers the following areas:

- a) all waters over which Canada claims jurisdiction;
- b) all waters where Canada licenses or otherwise exercises control over activities such as offshore mineral exploration and fishing. Such waters include all those covered by the Oil and Gas Production and Conservation Act and the Arctic Waters Pollution Prevention Act;
- c) all waters where, by international agreement, Canada has some jurisdiction or responsibility;
- d) all waters where the federal Government instructs agencies to exercise control and/or conduct operations.



11. **Organisme ressource:** Tout organisme qui possède la compétence, les pouvoirs, la responsabilité, la main-d'oeuvre et les ressources dont a besoin le CSP pour une opération, les contrôle ou y a accès. Tout ministère fédéral ou provincial, tout service municipal, toute organisation commerciale ou privée, toute personne au Canada ou toute organisation gouvernementale, commerciale ou privée ou toute personne d'un autre pays peut être un organisme ressource.
12. **Parties bénéficiaires d'un sinistre maritime:** Toutes les parties qui tirent profit des activités normales d'un navire ou d'une installation sinistré, y compris le propriétaire, les parties qui possèdent et utilisent l'installation ou le navire sinistré et les propriétaires de sa cargaison et de son contenu. En loi, ces parties bénéficiaires sont financièrement responsables de tout dommage causé par un sinistre.
13. **Protection de l'intérêt public:** Prévenir ou minimiser les conséquences du sinistre sur la santé, l'économie, l'environnement et les intérêts sociaux et autres du public.
14. **Recherche et sauvetage (R.E.S.):** Opérations visant à sauver la vie de l'équipage, des surnuméraires et des passagers d'un navire ou d'une installation sinistré.
15. **Situation d'urgence maritime:** Situation qui existe lorsqu'une installation ou un navire devient sinistré dans le milieu marin canadien.
16. **Trafic maritime:** Tous les navires navigant dans les eaux d'intérêt public pour le Canada.

## II GENERAL

The extensive marine activity in waters of Canadian interest at times generates emergency situations which are beyond the casualty's resources to contain and ameliorate. In order to protect lives, property, economic activity, the environment and other aspects of the public interest, government must then itself initiate an operational response.

Federal Government policy for crisis management is to allocate lead agency responsibility for different types of emergencies to particular departments. Transport Canada, through legislation, regulation, inter-agency agreement, custom and precedent, has lead agency responsibility for all emergencies resulting from vessels, including their equipment, cargo, fuel and stores, in waters of Canadian interest.

The Canadian Coast Guard, as the sea-going arm of the Department, operates Canada's largest civilian fleet of ships and aircraft with the most comprehensive inventory of special marine pollution cleanup equipment in Canada. It has therefore, an inherent responsibility to act as a major resource agency by responding to emergencies beyond its mandate, when requested to do so by the lead agency.

## II GENERALITES

L'activité maritime importante dans les eaux d'intérêt public pour le Canada crée parfois des situations d'urgence qui dépassent les moyens des parties bénéficiaires de l'installation ou du navire sinistré. Afin de protéger les vies humaines, les biens, l'activité économique, l'environnement et les autres aspects de l'intérêt public, le gouvernement doit lui-même intervenir pour faire face à la situation.

En matière de situation de crise, le gouvernement fédéral a pour politique d'attribuer la responsabilité d'organisme directeur à certains ministères selon les différents types d'urgence. Transports Canada, conformément aux lois, aux règlements, à des ententes entre les organismes et à la coutume, est l'organisme directeur responsable de toutes les situations d'urgence causées par des navires, y compris leur armement, marchandises, carburant et dépôts, dans les eaux d'intérêt public pour le Canada.

La Garde côtière canadienne, qui est l'élément maritime du ministère, exploite la plus grande flotte de navires et d'aéronefs civils au Canada, flotte munie de la gamme la plus complète d'équipement spécial pour le nettoyage de la pollution. Elle a, par conséquent, la responsabilité inhérente d'agir à titre d'organisme ressource principal, en intervenant dans les situations d'urgence qui dépassent son mandat, si l'organisme directeur le lui demande.

### III PURPOSE OF THE PLAN

1. To set out the concepts under which the Canadian Coast Guard responds to a marine emergency, either as a lead or a resource agency.
2. To establish the procedures for the rapid activation of a command structure and the marshalling and deployment of the appropriate resources to respond to any marine incident, other than Search and Rescue (S.A.R.), where CCG has the lead role.
3. To establish the points in the Canadian Coast Guard structure where:
  - a) the decision as to the nature of the response required for a particular emergency is made;
  - b) command and control of that response is exercised;
  - c) the necessary administrative, financial and legal actions, are carried out;
  - d) other lead agencies and industry may seek CCG assistance.
4. To establish the authority and framework under which regional, district and local CCG staff may develop their own plans, which will be of a more detailed nature.
5. To establish reporting systems by which CCG and Transport Canada can be alerted to an emergency, and informed of operational progress.
6. To establish procedures by which the Canadian Coast Guard acts as the financial agent for the federal government, responsible for the disbursement and collection of funds associated with the operation, in those cases where Coast Guard has the lead role. Where the Canadian Coast Guard is a resource agency, such procedures will permit the recording of CCG costs.

### III OBJET DU PLAN

1. Etablir les principes régissant les opérations de la Garde côtière canadienne en cas d'urgence, qu'elle agisse en tant qu'organisme directeur ou en tant qu'organisme ressource.
2. Etablir la procédure à suivre pour rapidement mettre sur pied une structure de commandement et mobiliser et déployer les ressources appropriées pour faire face à tout incident maritime, autre que la recherche et le sauvetage (R.E.S.), où l'organisme directeur est la Garde côtière.
3. Déterminer, dans l'organisation de la Garde côtière:
  - a) qui décide du genre d'intervention requise pour répondre à une situation d'urgence donnée;
  - b) qui commande et contrôle cette intervention;
  - c) qui prend les mesures administratives, financières et juridiques voulues;
  - d) à qui les autres organismes directeurs et le secteur privé qui demandent l'aide du CCG doivent s'adresser.
4. Délimiter les pouvoirs et établir un plan cadre en vertu duquel le personnel régional, local ou de district de la Garde côtière peuvent élaborer leurs propres plans, plus détaillés.
5. Mettre sur pied des systèmes de rapports pour permettre d'alerter la Garde côtière et Transports Canada en cas d'urgence et pour les informer du progrès des opérations.
6. Etablir la procédure utilisée par la Garde côtière canadienne à titre d'agent financier du gouvernement fédéral, chargé de déboursier et d'obtenir les fonds nécessaires à l'opération, dans les cas où la Garde côtière joue le rôle d'organisme directeur. Cette procédure permettra d'enregistrer les coûts dans les cas où la Garde côtière est l'organisme ressource.

#### IV PRINCIPLES OF THE PLAN

1. Safety of life will always be the primary consideration. The requirements of the S.A.R. command and control structure therefore supersede this plan.
2. The Canadian Coast Guard has the lead role in responding to those marine emergencies where:
  - a) Transport Canada, by legislation, regulations and precedent, has been so authorized;
  - b) assignment of authority has not been established but the Federal Government instructs Transport Canada, because of its authorities, marine expertise and resources, to lead the response.
3. Within the Department and related agencies:
  - a) The St. Lawrence Seaway Authority, and port authorities have lead agency responsibility for the waters under their jurisdiction;
  - b) The Canadian Coast Guard is lead agency for all other Canadian navigable waters, waters of Canadian interest, and public harbours.
4. When CCG acts as a resource agency, it will do so only at the request of the lead agency, and normally, on a cost recovery basis unless otherwise directed by the Department of Transport.
5. The reaction principle is that of appropriate response. No standard response, in terms of dedicated resources and expertise will be established. The On-Scene-Commander will develop a response appropriate to the particular characteristics and requirements of each emergency.
6. It is axiomatic that a successful emergency operation can only be conducted under a unified command structure, with responsibility, direction, and financial accountability emanating from a single source. Establishment of a unified command structure is the basic, and paramount, element of this plan.

#### IV LES PRINCIPES DU PLAN

1. La première considération sera toujours de sauver des vies humaines. C'est pourquoi les exigences concernant l'organisation du commandement et du contrôle de la recherche et du sauvetage (R.E.S.) ont la priorité sur ce plan.
2. La Garde côtière joue le rôle d'organisme directeur des opérations dans les cas d'urgences maritimes où:
  - a) Transports Canada est autorisé à intervenir en vertu d'une loi, de règlements ou de précédents;
  - b) des pouvoirs n'ont pas été établis, mais où le gouvernement fédéral demande à Transports Canada de prendre en charge les opérations à cause des pouvoirs, de la compétence maritime et des ressources du Ministère.
3. Au sein du Ministère et des organismes connexes:
  - a) L'Administration de la voie maritime du Saint-Laurent et les autorités des ports sont considérées comme des organismes directeurs en ce qui concerne les eaux qui relèvent de leur compétence;
  - b) La Garde côtière canadienne joue le rôle d'organisme directeur en ce qui concerne toutes les autres eaux navigables canadiennes, les eaux d'intérêt public pour le Canada et les ports publics.
4. La Garde côtière agit en tant qu'organisme ressource uniquement lorsque le lui demande l'organisme directeur et le fait ordinairement contre recouvrement des coûts, à moins que le ministère des Transports n'en décide autrement. Le principe de base est que l'intervention doit être appropriée.
5. Aucune ligne de conduite générale concernant les ressources et les compétences employées ne sera établie. Le CSP organisera une intervention appropriée correspondant aux exigences et aux caractéristiques de chaque situation d'urgence.
6. Il est clair que, pour réussir, une opération d'urgence doit relever d'une organisation de commandement unifiée et la responsabilité, la direction et le financement doivent provenir d'une seule et même source. L'établissement d'une organisation de commandement unifiée est l'élément fondamental et essentiel de ce plan.

## V CANADIAN COAST GUARD NATIONAL EMERGENCY PLAN

1. Within Coast Guard headquarters, an Emergency Office has been established, consisting of operations, planning, technical and support staff, under the Chief, Emergencies (CCGE). This office reports to the Deputy Commissioner, Canadian Coast Guard (XCCG). Each region is staffed by a Regional Manager, Emergency Operations (RMEO), who reports to the Regional Director, Coast Guard (RDCG). The RMEO is supported by operations and maintenance staff.

This Emergency structure is tasked to:

- in conjunction with the Department of the Environment, develop, evaluate and acquire special emergency equipment, techniques, expertise and training required for spills of oil and noxious substances;
  - monitor the casualty's operations when the casualty and/or its contractor is leading the response, and to take over command of the operation under the Canada Shipping and Arctic Waters Pollution Prevention Acts, if it is not being conducted to the satisfaction of this legislation;
  - Command the operational response when Coast Guard is the lead agency;
  - coordinate post-operational activity;
  - Organize and direct the appropriate Coast Guard contribution when it is a resource agency; and
  - liaise with other responsible public and commercial agencies.
2. At each CCG base, and at other strategic locations, including the Arctic, CCG, Transport Canada, and other government officers are Appointed On-Scene Commanders, tasked to handle limited emergency operations within their area and resources, and to assist the Designated On-Scene Commander for larger operations.

The Appointed OSC's preparedness duties are:

- Maintenance of emergency equipment located in his area;
- preparation of local contingency plans;
- conduct of local emergency exercises; and
- liaison with local authorities.

### 3. OPERATIONAL COMMAND STRUCTURE

- a) The operational command structure is designed to provide the On-Scene Commander with the necessary personnel to conduct a particular emergency operation;
- b) Concept - the On-Scene Commander will request from all available resource agencies, specialist officers to staff his Command Team, as appropriate to the requirements of that particular operation. For major operations, staffing should include:
  - i) personnel with the expertise and authority to organize and carry-out, or oversee, the different phases of an operation. (The composition of the team may, therefore, change as the operation progresses);
  - ii) personnel capable of providing the OSC with the support he requires, in terms of manpower, equipment, logistics, advice, administration and public relations;
- c) Operational Call Lists - through liaison, the RMEO's and CCGE will ensure that resource agencies who have a capability required for operations agree to supply staff to the Command Team, if called upon to do so. Names and/or contacts will be placed on the Call Lists maintained by RMEO's and CCGE. The Call Lists should specifically include the names of officials with the authority to commit their agencies' resources.

When an incident occurs, the On-Scene Commander, after assessing the requirements for the team, will use the call list as a basis for staffing the required positions.



## V PLAN D'URGENCE NATIONAL DE LA GARDE COTIERE CANADIENNE

1. On a établi au sein de l'Administration centrale de la Garde côtière un bureau d'urgences. En plus d'un personnel technique et de soutien, on y trouve un personnel pour les opérations et la planification qui dépendent d'un chef, Urgences (CCGE). Ce bureau fait rapport au Sous-commissaire, Garde côtière canadienne. Chaque région a un gestionnaire régional, urgences maritimes (GRUM) qui relève du Directeur régional, Garde côtière (DRGC) et est assisté par un personnel pour les opérations et l'entretien.

Cette organisation d'urgence doit:

- conjointement avec le ministère de l'Environnement, non seulement mettre en place l'équipement, élaborer les techniques, développer les compétences et former le personnel spécial requis pour faire face aux déversements d'hydrocarbures et de substances nocives, mais aussi les évaluer;
  - contrôler les opérations du navire ou de l'installation sinistré quand celui-ci ou son contractant dirigent les opérations et prendre en charge les opérations en vertu de la Loi sur la marine marchande du Canada et de la Loi sur la prévention de la pollution des eaux arctiques, si celles-ci ne sont pas conformes à la loi;
  - commander l'intervention si la Garde côtière est l'organisme directeur;
  - coordonner les activités post-opérationnelles;
  - organiser et diriger les opérations de la Garde côtière quand celle-ci agit en tant qu'organisme ressource; et
  - établir la liaison avec d'autres organismes publics et commerciaux responsables.
2. A toutes les bases de la Garde côtière et à d'autres endroits stratégiques incluant l'Arctique, les agents de la Garde côtière, ceux de Transports Canada et d'autres agents gouvernementaux sont les commandants sur place nommés (CSP/N). Leur travail consiste à diriger des opérations d'urgence dans leur secteur qui correspondent à leurs moyens et à aider le commandant sur place désigné (CSP/D) pour les opérations de plus grande envergure.

Les fonctions du CSP/N sont:

- l'entretien de l'équipement d'urgence situé dans sa région;
- la préparation de plans d'urgence locaux;
- la conduite d'exercices d'urgence locaux; et
- la liaison avec les autorités locales.

### 3. ORGANISATION DU COMMANDEMENT DES OPERATIONS

- a) L'organisation du commandement des opérations est conçue de façon à fournir au CSP le personnel nécessaire pour une opération d'urgence donnée.
- b) Principe: Le CSP demandera à tous les organismes ressources disponibles des spécialistes qui feront partie de son équipe de commandement, suivant les besoins de l'opération. En ce qui concerne les opérations importantes, le personnel doit comprendre:
  - i) des personnes ayant la compétence et les pouvoirs nécessaires pour organiser et mener à bien ou surveiller les différentes étapes d'une opération (La composition de l'équipe peut donc changer au cours de l'opération).
  - ii) des personnes capables de fournir le soutien nécessaire au CSP, (main-d'oeuvre, équipement, logistique, conseils, administration et relations extérieures).
- c) Listes d'appel de l'intervention: En étant en liaison avec eux, le GRUM et le CCGE veilleront à ce que les organismes ressources qui ont les moyens voulus pour les opérations acceptent de fournir du personnel à l'équipe de commandement si on le leur demande. Les noms ou les contacts seront inscrits sur les listes d'appel tenues par le GRUM et le CCGE.

Les listes d'appel doivent préciser le nom des agents ayant le pouvoir d'engager leurs organismes.

En cas d'incident, le CSP, après avoir examiné les besoins de l'équipe, se base sur la liste d'appel pour doter les postes requis.

## MARINE EMERGENCY STRUCTURE

**Appointed/OSC - Appointed On-Scene Commander**





## **VI DEVELOPMENT OF THE APPROPRIATE RESPONSE WHERE COAST GUARD IS LEAD AGENCY**

1. **Monitoring response** — Where the casualty and its beneficial parties are conducting the response, the RDCG, on recommendation of the RMEO, will designate a Coast Guard or other government official to monitor the operation.
2. **Escalation to Operational Response** — When, in the opinion of the monitoring officer, public interest is not being adequately protected, he will advise the RMEO and RDCG that escalation of the response to an operational level is required. Should the RDCG concur, he will inform the casualty that the Coast Guard is assuming control of the operations as of a specified time. The RDCG's instructions will be conveyed either in writing, or verbally followed by written confirmation.
3. **Operational Response — Minor Emergencies** — Where the Appointed On-Scene Commander has the resources to respond to an emergency on his own, he shall commence action and report to the RMEO as soon as possible.
4. **Operational Response — Major Emergencies**
  - a) Where the emergency is of a nature and scope that is beyond the resources of the A/OSC to resolve, he will commence action and report to the RMEO immediately.
  - b) The RMEO will recommend the appropriate response to the RDCG. The recommendation will include:
    - i) whether the On-Scene Commander should be designated at a higher level, i.e. at the RMEO or CCGE level;
    - ii) the resources and manpower likely to be required and their availability and source;
    - iii) whether contracts should be let and/or exercised;
    - iv) whether international contingency plans should be invoked;
    - v) whether regional and local plans should be invoked;
    - vi) whether legal steps are required and/or legal advice sought.
5.
  - a) These decisions will be conveyed to CCGE as an action report. (Section VIII) (Annex 4).
  - b) When the Commissioner designates CCGE as OSC, the RMEO will assume control until CCGE reaches the scene, after which, the RMEO will act as his deputy.
6. **Guidelines for Establishing a Command Team for a Major Operation**

When an operation is such that a large structure, including many disciplines, is required, some lines of authority must be established. Following are guidelines for developing and staffing a large scale Command Team:

  - a) **On-Scene-Commander (OSC)** — The OSC will command the team and report to the Regional Director.
  - b) **Deputy On-Scene-Commander (Deputy OSC)**
  - c) **Operations (O)** — (O) Section is responsible for ensuring that the operation is conducted as the OSC requires. This section should consist of officers with the specialist capabilities required to conduct the different phases of the operation.
  - d) **Support (S)** — (S) section is responsible for ensuring that the operation is supplied with the required resources, including material, logistics, communications, manpower and expertise.
  - e) **Administration (A)** — (A) section is responsible for operational administration, contract administration, and finance.

## VI MISE AU POINT DE L'INTERVENTION APPROPRIÉE LORSQUE LA GARDE CÔTIÈRE EST L'ORGANISME DIRECTEUR

1. **Contrôle des opérations:** Dans les cas où le personnel à bord d'une installation ou d'un navire sinistré et les parties bénéficiaires dirigent les opérations, le DRGC, sur recommandation du GRUM désignera un agent de la Garde côtière ou un autre agent du gouvernement pour contrôler les opérations.
2. **Intervention:** Si l'agent de surveillance considère que l'intérêt public n'est pas bien protégé, il avisera le GRUM et le DRGC de la nécessité d'intervenir dans les opérations. Si le DRGC en convient, l'agent de surveillance informera le personnel à bord du navire ou de l'installation sinistré et les parties bénéficiaires du moment précis à partir duquel la Garde côtière prend le contrôle des opérations. Les instructions du DRGC seront soit transmises par écrit, ou soit communiquées verbalement et confirmées par écrit ensuite.
3. **Intervention en cas d'urgences mineures:** Dans le cas où le CSP/N a les moyens nécessaires pour intervenir seul dans une situation d'urgence, il entreprendra l'opération et fera rapport au GRUM aussitôt que possible.
4. **Intervention en cas d'urgences majeures:**
  - a) dans le cas où une situation d'urgence dépasse les moyens du CSP/N, il interviendra et fera rapport immédiatement au GRUM
  - b) Le GRUM recommandera au DRGC l'intervention qu'il juge appropriée, en précisant:
    - i) s'il faut que le CSP désigné soit d'un niveau plus élevé, par exemple au niveau du GRUM ou de CCGE.
    - ii) les moyens et la main-d'œuvre qui pourraient être nécessaires, s'ils sont disponibles et où les obtenir;
    - iii) s'il faut donner ou des contrats ou en appliquer;
    - iv) s'il faut avoir recours aux plans d'urgence internationaux;
    - v) s'il faut avoir recours aux plans locaux et régionaux;
    - vi) s'il faut prendre des mesures juridiques ou obtenir une opinion juridique;
5.
  - a) Ces décisions seront communiquées au CCGE, sous forme de rapport d'opérations (Section VIII) (Annexe 4);
  - b) une fois que le CCGE a été désigné par le Commissionnaire comme CSP, le GRUM assure le contrôle jusqu'au moment où le CCGE arrive, puis devient son adjoint.
6. **Lignes directrices pour la création d'une équipe de commandement pour une opération importante.**

Si une opération exige la mise sur pied d'une vaste organisation incluant des spécialistes de beaucoup de disciplines, on doit avoir une certaine structure hiérarchique. Voici les lignes directrices à utiliser pour établir une équipe de commandement de grande envergure et la doter en personnel:

  - a) **Commandant sur place (CSP):** Il commande l'équipe et fait rapport au Directeur régional.
  - b) **Commandant sur place adjoint**
  - c) **Opérations (O):** Cette section doit veiller à ce que l'opération soit conforme aux exigences du CSP. Elle doit être composée d'agents possédant les capacités de spécialistes requises pour diriger les différentes étapes de l'opération.
  - d) **Soutien (S):** Cette section doit voir à ce que toutes les ressources nécessaires, notamment l'équipement, la logistique, les communications, la main-d'œuvre et les personnes compétentes soient disponibles pour l'opération
  - e) **Administration (A):** Cette section est responsable des finances et de l'administration des opérations et des contrats.

- f) (O), (S), (A) sections should each have a section chief;
- g) *Advisors.* Personnel with expertise (environmental, technical, legal, etc) required for an operation should be represented on the Command Team Executive. The On-Scene Commander should, however, ensure that those officers who will most benefit from direct advice be able to receive it. In such cases, advisors should be seconded to those officers. Advisors may also be given operational responsibilities, as appropriate.
- h) *Public Relations* — A Transport Canada public relations officer, tasked with both providing the media and public with pertinent information, and advising the OSC of public reaction to the course of events, should be attached to every Command Team.
- i) *Executive* — Comprising the OSC, Deputy OSC, the chiefs of (O), (S), (A) sections, and the public relations officer, the executive will provide the overall coordination of the operation.
- j) *Task Groups* — for particular phases of an operation, task groups should be formed from team and outside personnel, with each group under an officer-in-charge.

7. **Command Centre**

A command centre should be established as both the official focus of operations and source of public information. Its location should be governed by such factors as access to the area of operations and requirements for space, communications, and logistics.

- f) Les sections des opérations, du soutien et de l'administration doivent avoir chacune un chef de section.
- g) *Conseillers:* Le personnel ayant la compétence voulue dans les domaines technique, juridique et de l'environnement, etc. pour une opération doit être représenté au sein de l'exécutif de l'équipe de commandement. Toutefois, le CSP doit s'assurer que les agents qui ont le plus besoin de conseils directs puissent les recevoir, et les conseillers doivent alors être détachés auprès d'eux. Le cas échéant, on peut aussi donner des responsabilités opérationnelles aux conseillers.
- h) *Relations publiques:* Un agent de relations publiques de Transports Canada, chargé à la fois de donner l'information pertinente à la presse et au public et d'aviser le CSP de la réaction du public au cours des événements, doit être attaché à chaque équipe de commandement.
- i) *Direction:* La direction, composée du CSP, du CSPA, des chefs de sections et de l'agent de relations publiques, s'occupera de la coordination générale de l'opération.
- j) *Groupes de travail:* Pour certaines étapes des opérations, un groupe de travail dirigé par un responsable doit être formé de membres de l'équipe et d'autres personnes.

7. **Centre de commandement**

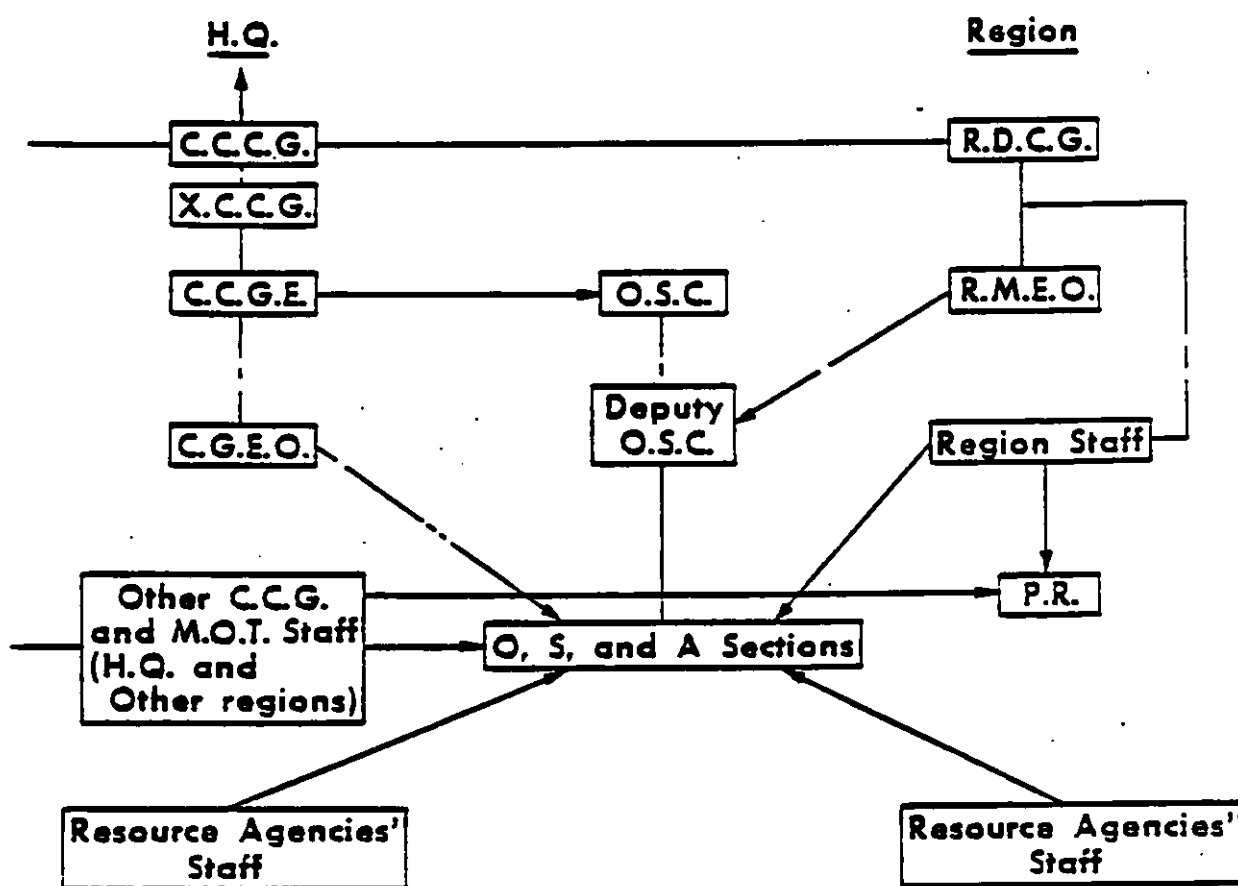
On doit établir un centre de commandement qui sera le point central officiel des opérations et de la diffusion de l'information, en tenant compte de facteurs tels que l'accès au théâtre des opérations et des exigences relatives à l'espace, aux communications et à logistique.



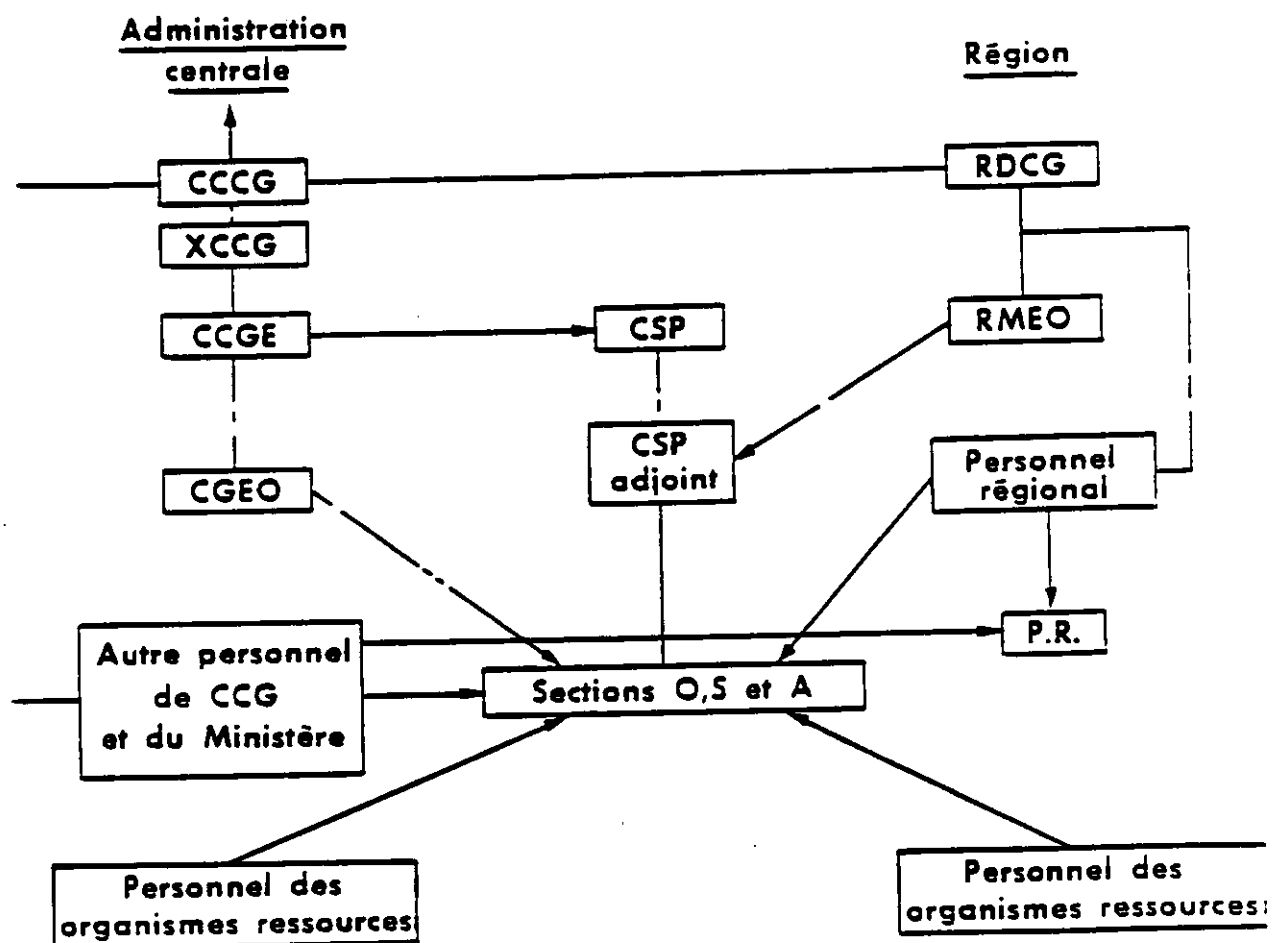




Staffing of a National Command Team (H.Q. Commands)



Dotation en personnel d'une équipe de commandement  
(Administration centrale)



## VII COAST GUARD RESPONSE AS A RESOURCE AGENCY

1. Where CCG is approached to provide resources to another agency which is leading the emergency response, the RMEO will evaluate the request and make a recommendation to the Regional Director, as to:
  - a) the propriety and justification of the request;
  - b) CCG's capability to respond;
  - c) the effect that a positive response will have on CCG's normal operations.
2. When the decision is required at the national level, the Chief, Emergencies will make similar recommendations to the Commissioner, Canadian Coast Guard.
3.
  - a) if the CCG supplies ships or aircraft to the lead agency, then the masters and pilots will be responsible for the safety of their units. However, if special equipment is supplied, then CCG will have it accompanied and operated by CCG personnel;
  - b) The RMEO will ensure that CCG costs are itemized and chronologically recorded, including the repair or replacement of damaged equipment and material;
  - c) The RMEO will undertake cost recovery action against the lead agency, as appropriate.

## VII INTERVENTION DE LA GARDE COTIERE EN QUALITE D'ORGANISME RESSOURCE

1. Dans le cas où l'on demande à la Garde côtière de fournir des ressources à un autre organisme qui dirige des opérations d'urgence, le GRUM évaluera la demande et fera au directeur régional une recommandation en y indiquant:
  - a) si la demande est opportune et justifiée;
  - b) si la Garde côtière a les moyens voulus;
  - c) quelles seront les conséquences d'une réponse positive sur les opérations normales de la Garde côtière.
2. Si une telle décision doit être prise au niveau national, le CCGE fera une recommandation similaire au Commissionnaire de la Garde côtière canadienne.
3.
  - a) Si la Garde côtière fournit des navires ou des aéronefs à l'organisme directeur, les capitaines et les pilotes seront responsables de la sécurité de leurs unités. Toutefois, si l'on fournit un équipement spécial, la GCC fournira un personnel compétent pour le faire fonctionner.
  - b) Le GRUM s'assurera que les coûts incluant les réparations ou le remplacement de l'équipement et du matériel endommagés de la Garde côtière sont bien détaillés et enregistrés chronologiquement.
  - c) S'il y a lieu, le GRUM prendra les mesures voulues contre l'organisme directeur pour le recouvrement des coûts.

## VIII REPORTING

1. The objectives of the reporting system are:
  - a) to inform the Administration, the Minister, Parliament, provincial and local governments and the public of the situation;
  - b) to inform agencies that might be required to assist in the operation; and
  - c) to minimize the reporting workload of the OSC.
2. Operational Reporting — The basic requirement is to keep Coast Guard Regional and HQ officials fully informed of developments. Other agencies that are involved in the operation must also be briefed.
  - a) *Reporting Format* — a basic Situation Report (Sitrep) format should be used. (Annex IV);
  - b) *Reporting Times* — Sitreps are to be submitted at least once every 24 hours, or more frequently if required;
  - c) *Reporting Modes* — any rapid transmittal system may be used, but telephone and telex are preferred. Telephoned reports should be confirmed by telex, when possible.

## VIII RAPPORTS

1. Les objectifs du système de rapports sont les suivants:
  - a) informer l'Administration, le Ministre, le Parlement, les gouvernements provinciaux et locaux et le public de la situation;
  - b) informer les organismes susceptibles d'apporter leur aide à l'exécution des opérations.
  - c) réduire le volume des rapports que doit faire le CSP.
2. **Rapports des opérations:** Ces rapports ont pour but premier de tenir les agents régionaux de la Garde côtière et l'Administration centrale au courant de ce qui se passe. Les autres organismes qui participent à l'opération doivent aussi être informés.
  - a) *Présentation des rapports:* On doit faire les rapports sous forme de rapport de situation (Annexe IV);
  - b) *Calendrier des rapports:* Les rapports doivent être envoyés au moins une fois toutes les 24 heures, mais plus souvent si nécessaires;
  - c) *Envoi des rapports:* On peut utiliser n'importe quel système de transmission rapide, de préférence le téléphone, et le télex. Les rapports téléphoniques doivent être confirmés par télex si possible.

## IX PARLIAMENTARY, PRESS AND PUBLIC RELATIONS

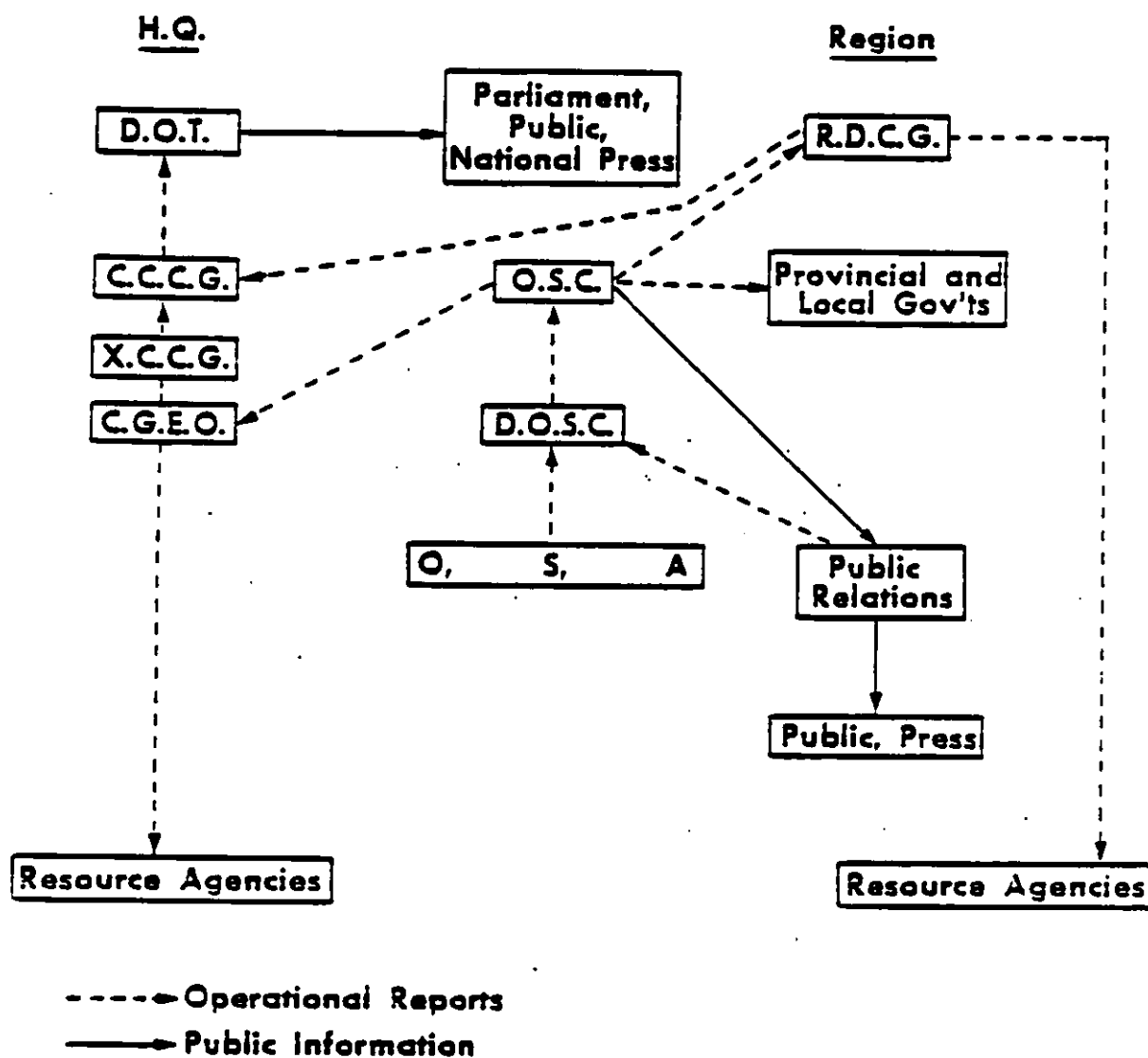
1. The objective is to provide sufficient information to satisfy parliamentary, press, and public inquiries while not interfering with the conduct of operations. Most concern is generated:
  - a) in the vicinity of an emergency;
  - b) in provincial and local governments;
  - c) in Parliament.
2. The reporting system, as outlined in Section VIII, will form the basis by which the demand will be satisfied. For any particular operation, the reporting system may have to be augmented in order to respond to intense demands for information. In such cases, the Chief, Emergencies and the RMEO will establish a more frequent and comprehensive reporting system.
3. The On-Scene Commander, in conjunction with the Public Relations Officer will be responsible for making arrangements to satisfy local requirements, including provincial and local governments, for operational information.
4. The Chief, Emergencies, will assume responsibility, through the Marine Administration, for informing the Minister, Parliament, and the national press.



## **IX RELATIONS AVEC LE PARLEMENT, LA PRESSE ET LE PUBLIC**

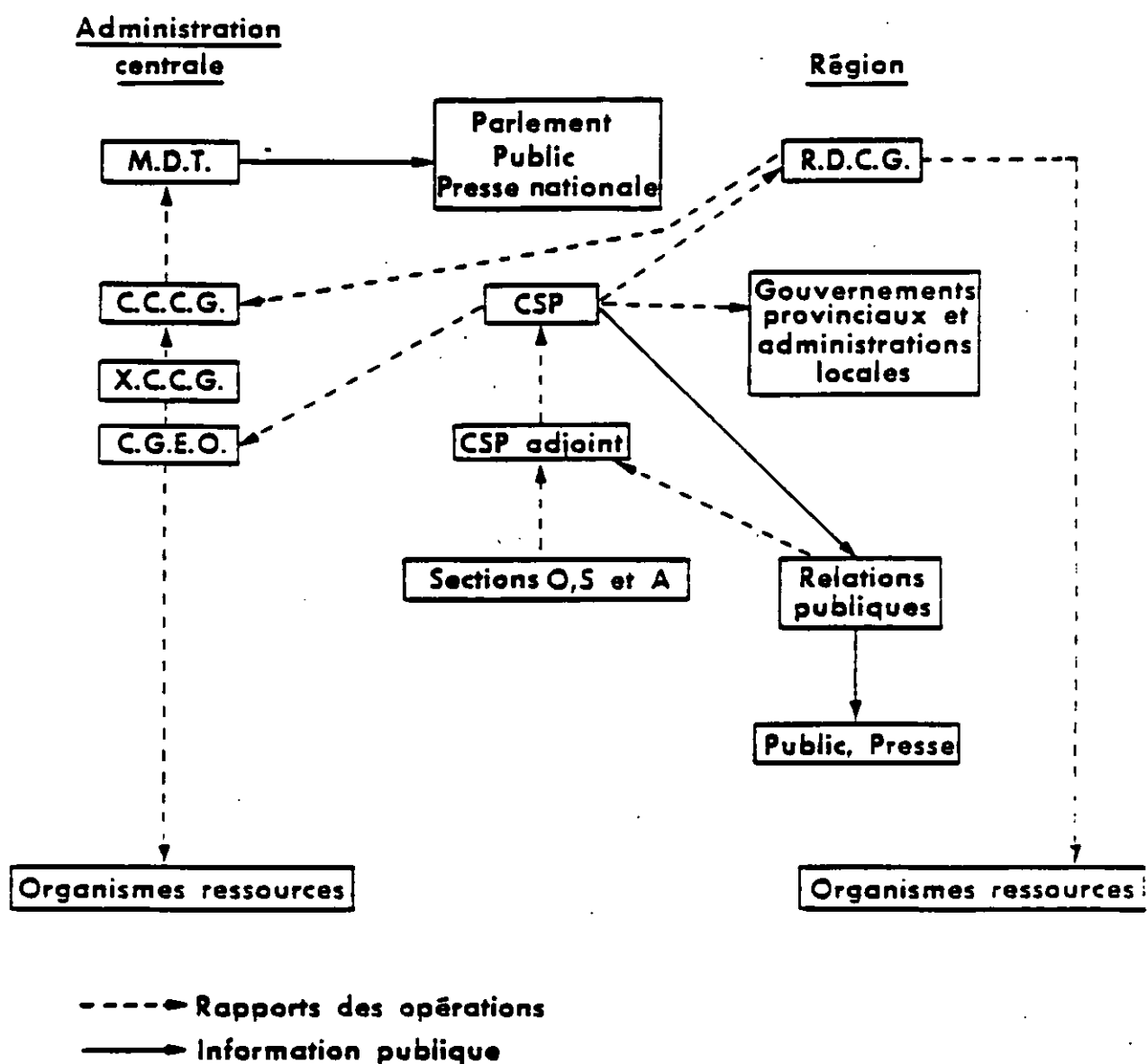
1. Il s'agit de fournir tous les renseignements nécessaires pour répondre aux questions parlementaires, ainsi qu'à celles de la presse et du public, sans entraver pour autant la bonne marche des opérations. La plupart des questions proviennent:
  - a) des environs du lieu où se produit la situation d'urgence;
  - b) des gouvernements provinciaux et locaux;
  - c) du Parlement.
2. Le système de rapports, exposé à la section VII, servira de base pour répondre aux questions. Au cours de certaines opérations, on devra multiplier les rapports afin de pouvoir répondre à tous les renseignements. Le chef, Urgences, et le GRUM devront alors établir un système où les rapports seront plus fréquents et plus complets.
3. Le CSP, conjointement avec l'agent des relations publiques, devra prendre les dispositions nécessaires pour répondre aux demandes de renseignements locales, notamment celles des gouvernements provinciaux et des administrations locales concernant les opérations.
4. Le chef, Urgences, sera chargé par l'intermédiaire de l'Administration maritime, d'informer le Ministre, le Parlement et la presse nationale.

National Command Team  
Routing of Reports, Parliamentary, and Public Information



# Équipe nationale de commandement

## Diffusion des rapports et de l'information parlementaire et publique



## **X FINANCIAL SUPPORT**

### **1. Principles:**

- a) Where the Canadian Coast Guard has the role of lead agency, it will also assume financial control and responsibility, on behalf of the Federal Government.
- b) Where CCG supports the lead agency, the RMEO shall ensure that a record is maintained of the costs to CCG of providing that support. This record may be used:
  - i) in support of CCG claims on the lead agency;
  - ii) in support of the lead agency's claims against third parties;
  - iii) in support of a submission for contingency funds to cover the cost of the operation.

### **2. Procedure:**

- a) At the beginning of an operation, the RMEO and the Regional Manager Financial Administration (RMFA) on approval of the RDCG, will establish an Activity Code for the operation, against which all expenditures incurred to complete the operation will be accounted. The RMFA will advise the Director, Finance, Coast Guard, (DCGF), who will in turn be responsible for communicating with Treasury Board. CCGE will assist as required.
- b) After Action: On completion of the operation, the RMEO and RMFA will supply DCGF and CCGE with all data required for further action. Where more than one region is involved, CCGE will coordinate the input.

## **X SOUTIEN FINANCIER**

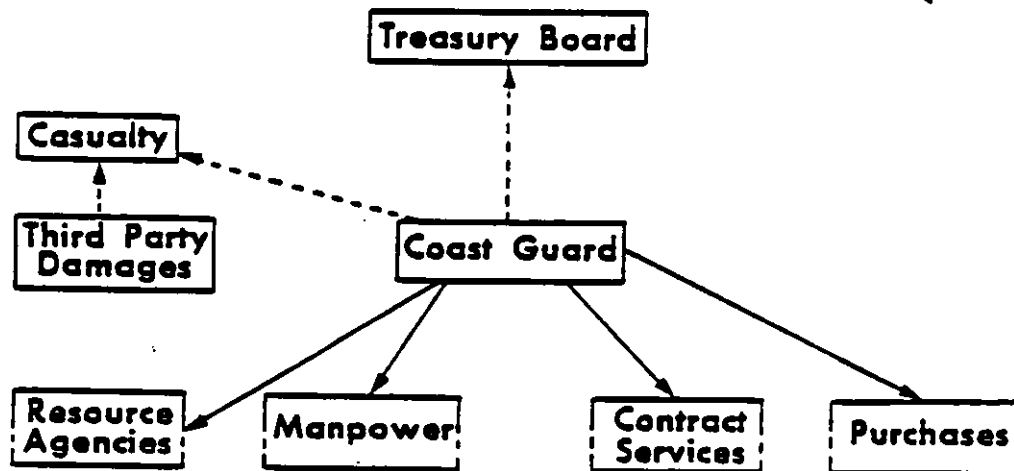
### **1. Principes:**

- a) Lorsque la Garde côtière canadienne joue le rôle d'organisme directeur, elle assumera également le contrôle et les responsabilités financières au nom du Gouvernement fédéral.
- b) Lorsque la Garde côtière fournit un soutien à l'organisme directeur, le GRUM devra s'assurer qu'on tient un dossier des coûts de la Garde côtière pour ce soutien. Ce dossier pourra servir à justifier:
  - i) les demandes de remboursement de la Garde côtière à l'organisme directeur;
  - ii) les demandes de l'organisme directeur à des tiers;
  - iii) les demandes de fonds pour imprévus afin de couvrir le coût de l'opérations.

### **2. Procédure:**

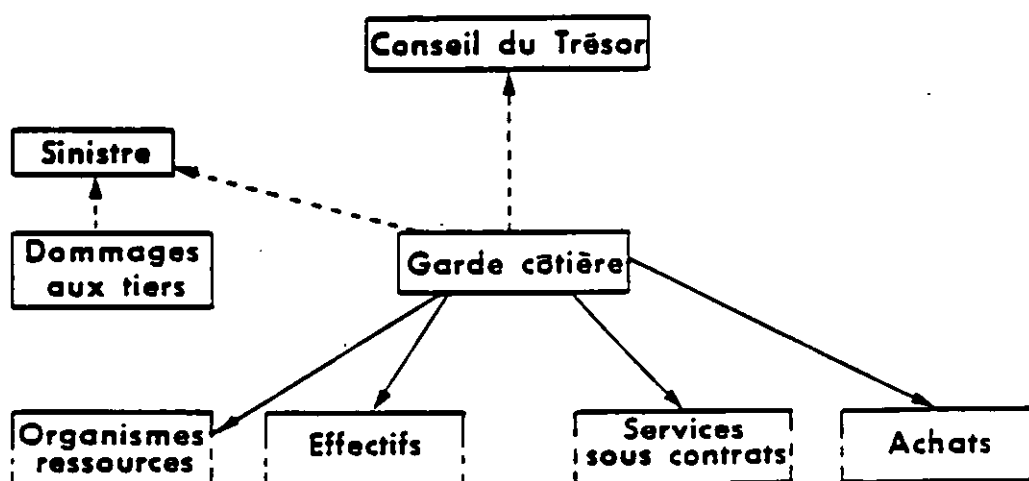
- a) Au début d'une opération, le GRUM et le Gestionnaire régional — Administration financière (RMFA), sur approbation du DRGC, établiront un code d'activité pour l'opération, qui sera utilisé pour la comptabilisation de toutes les dépenses encourues pour l'opération. Le RMFA informera le Directeur des Finances de la Garde côtière (DCGF) qui aura la responsabilité de communiquer avec le Conseil du Trésor. Le CCGE fournira son aide au besoin.
- b) Après l'opération: A la fin de l'opération, le GRUM et le RMFA transmettront au DCGF et au CCGE toutes les données nécessaires pour le suivi de la question. Lorsque les opérations concernent plus d'une région, c'est le CCGE qui coordonnera l'apport de données.

SCHEMATIC FLOW OF OPERATIONAL  
FUNDING AND POST OPERATIVE CLAIMS



Op Funding      —————→  
Post Op Cost  
Recovery and  
Damage Claims      - - - - -→

**SCHÉMA DU FINANCEMENT DES OPÉRATIONS**  
**ET DES DEMANDES POST-OPÉRATIONNELLES**



Financement des opérations —————>  
Demandes de remboursement et  
réclamations pour les dommages  
post-opérationnelles - - - ->

## **XI OPERATION LOG**

The OSC will ensure that a complete log is maintained covering all aspects of the operation. Where an administrative section is attached to a Command Team, preparation and maintenance of the Operation Log will form part of their duties. The Operation Log will form the basic working document for the preparation of Sitreps and final reports, as well as support for post-operative claims and legal actions. At a minimum, the log should include the following:

- chronological list of events;
- minutes of meetings and decisions;
- times, dates and location of task group activity;
- composition of task groups;
- cessation and/or conclusion of task group activities;
- equipment down time, holidays, and all eventualities which would have a bearing on the cost recovery process.



## **XI DOSSIER DE L'OPERATION**

Le CSP s'assurera que l'on tient un dossier complet de tous les aspects de l'opération. Si une section administrative est rattachée à une Equipe de commandement, la préparation et la tenue à jour du dossier de l'opération feront partie de ses fonctions. Ce dossier sera le document de base de la préparation des rapports de situation et des rapports définitifs, de même qu'un justificatif pour les demandes de remboursement post-opérationnelles et les poursuites. Le dossier devra comprendre au moins les renseignements suivants:

- liste chronologique des événements
- procès-verbaux des réunions, décisions
- heure, date et endroit des activités des groupes de travail
- composition des groupes de travail
- cessation ou conclusion des activités du groupe de travail
- temps d'immobilisation du matériel, congés et tout ce qui peut influencer sur le recouvrement des coûts.

## **XII REGIONAL AND DISTRICT PLANS**

The RMEO is responsible for preparing for RDCG approval, a Regional Marine Emergency Plan. The RMEO should also guide the preparation of district plans.

1. The regional and district plans will conform to the concepts of the National Plan, including command structures.
2. The plans will contain a mechanism for escalating a district or regional response into a national or international response, as appropriate. Escalation will occur when the response required is beyond regional resources.
3. The plans should include the Appointed On-Scene Commanders in the areas covered by the plans.

## **XII PLANS REGIONAUX ET DE DISTRICT**

Le GRUM a la responsabilité de préparer un Plan régional d'urgence maritime qui sera soumis à l'approbation du DRGC, il doit également orienter l'élaboration des plans de district.

1. Les plans régionaux et de district devront être conformes aux principes du Plan national, notamment en matière d'organisation de commandement.
2. Les plans doivent prévoir un moyen d'extension d'une intervention de district ou régionale en intervention nationale ou internationale, au besoin, c'est-à-dire si l'intervention nécessaire dépasse les ressources régionales.
3. Les plans doivent prévoir la présence des commandants sur place nommés dans les zones visées.

### **XIII LOCAL PLANS**

Local plans cover focal points of marine activity, such as a harbour and its approaches, an area of offshore drilling, or any other sector with marine risk potential:

1. Local plans should conform to the concepts of the national, regional and district plans.
2. In addition, local plans should define:
  - i) possible points of high risk within the locality;
  - ii) resources and facilities available within the locality which could be used in support of an operation. Items (i) and (ii) should preferably be in chart form.
  - iii) a call list of officials from which the local Command Team may be staffed;
  - iv) a mechanism for escalation should the response required be beyond local resources.

### XIII PLANS LOCAUX

Les plans locaux couvrent les centres de l'activité maritime, notamment les ports et leurs approches, les plates-formes de forage en mer, ou toute autre zone représentant un risque maritime;

1. Les plans locaux doivent suivre les concepts des plans nationaux, régionaux et de district.
2. De plus, dans les plans locaux doivent figurer les renseignements suivants:
  - i) Les endroits susceptibles de représenter un risque élevé dans la localité;
  - ii) Les ressources et les installations disponibles dans la localité qui pourraient être utilisées lors d'une opération. Il serait préférable de présenter les points (i) et (ii) sous forme de tableau.
  - iii) Une liste d'appel à partir de laquelle on pourra constituer l'équipe de commandement locale.
  - iv) Un mécanisme d'extension de l'intervention au cas où l'intervention nécessaire dépasse les ressources locales.

## XIV SPILLS OF OIL AND NOXIOUS MATERIALS INTO WATERS OF CANADIAN INTEREST

### GENERAL

- 1) Spills, or the threat of spills, usually form part of any marine emergency. In addition, the spill generally represents the main threat to the public interest.
- 2) Both federal and provincial governments have established departments and agencies specifically tasked to protect the environment. Their activities are covered by legislation, regulation and several levels of agreement. In addition, industry has established organizations for the conduct of cleanup operations. Finally, the polluter also has statutory responsibilities under the Canada Shipping Act, Arctic Water Pollution Prevention Act and other Acts.
- 3) For any spill, therefore, the lead agency may call on a range of public and private organizations to provide resources and expertise and/or, carry out their obligations.
4. Allocation of Lead Agency Responsibility

By law the casualty is primarily responsible for cleaning up its own spill and/or reimbursing government agency for all of its costs. However, the lead agency has the responsibility to protect the public interest by establishing a monitoring or operational response, as appropriate. By legislation, agreement, custom and precedent, lead agency responsibility is allocated as follows:

Spill Source	Lead Agency	CCG Responsibility
Marine traffic in waters of Canadian interest and public harbours	CCG	Lead Agency
Any source into the Great Lakes	CCG	Lead Agency
Marine Traffic in N.H.B. and Commission Harbours	Harbour Commissions, N.H.B.	Resource
Marine Traffic in St. Lawrence Seaway Authority waters.	S.L.S.A.	Resource
Offshore Mooring points	1. CCG (if spill from ship or ship's equipment)	Lead Agency
	2. Department of the Environment and the Provinces if spill from the buoy, its underwater pipeline or other equipment supplied from shore.	Resource
Land based	D.O.E. and the provinces	Resource
Unknown	D.O.E.	Resource
*Offshore Mineral exploration or production platform.	1. Energy, Mines and Resources, South of Line of Administrative Convenience (L.O.A.C.) Indian Affairs and Northern Development North of L.O.A.C.	Resource

\*E.M.R. and D.I.A.N.D. have, in addition, responsibility for operations on the rig and the seabed. Coast Guard is responsible for waterborne and shoreline clean-up.

On the Great Lakes, the Canadian Coast Guard has lead agency responsibility, in accordance with the Great Lakes Water Quality Agreement. The Ontario Ministry of Natural Resources is responsible for operations on the rig and the lake bed.

# **XIV DEVERSEMENTS D'HYDROCARBURES ET D'AUTRES SUBSTANCES NOCIVES DANS LES EAUX D'INTERET PUBLIC POUR LE CANADA**

## **GENERALITES**

- 1) Les déversements ou risques de déversement font habituellement parties des situations d'urgence maritime. De plus, un déversement représente généralement une menace sérieuse pour l'intérêt public.
- 2) Les gouvernements provinciaux et le gouvernement fédéral ont créé des ministères et organismes dont la responsabilité est précisément de protéger l'environnement. Leurs activités sont couvertes par des lois, des règlements et des ententes diverses. De plus, l'industrie a mis sur pied des organisations chargées des opérations de nettoyage. Enfin, le pollueur est légalement responsable en vertu de la *Loi sur la marine marchande du Canada*, de la *Loi sur la prévention de la pollution des eaux arctiques par les navires* et d'autres lois du même genre.
- 3) Dans tout déversement, l'organisme directeur pourra faire appel à une série d'organisations publiques et privées qui fourniront des ressources et des compétences et rempliront leurs obligations.
4. Attribution des responsabilités d'organisme directeur  
Légalement, c'est au propriétaire du navire pollueur ou sinistré que revient la responsabilité de nettoyer son propre déversement et de rembourser à l'organisme gouvernemental tous les coûts de nettoyage. Toutefois, l'organisme directeur doit protéger l'intérêt public en assumant, au besoin, le contrôle des opérations ou même en intervenant. En vertu des lois, accords coutumes et précédents, la responsabilité d'organisme directeur est attribuée comme suit:

Source de déversement	Organisme directeur	Responsabilité de la G.C.G.
Trafic maritime dans les eaux d'intérêt public pour le Canada et dans les ports publics	G.C.C.	Organisme directeur
Toute source dans les Grands Lacs	G.C.C.	Organisme directeur
Trafic maritime dans les ports du C.P.N. et les ports de commission	Commissions portuaires C.P.N.	Organisme ressource
Trafic maritime dans les eaux de l'Administration de la voie maritime du Saint	A.V.M.S.L.	Organisme ressource
Bouées d'amarrage au large	1. G.C.C. (si le déversement provient d'un navire ou des installations d'un navire)	Organisme directeur
	2. Ministère de l'Environnement et les provinces si le déversement est à partir d'une bouée, une conduite sous-marine ou autre matériel provenant de la terre ferme	Organisme ressource
Sur terre	M.D.E. et les provinces	Organisme ressource
Inconnue	M.D.E.	Organisme ressource
*Exploration ou production minière au large.	1. Énergie, Mines et Ressources, au sud de la Ligne de démarcation des sphères de responsabilité ministérielle (L.D.S.A.M.) 2. Affaires indiennes et du Nord, au nord de la L.D.S.R.M.	Organisme ressource

**5. Operational Liaison with the Department of Fisheries and the Environment and Provincial Environmental Agencies when the Canadian Coast Guard is Lead Agency**

The long term objective of Government is to complete a framework of agreements which will clarify the responsibilities of the different federal, provincial, and local agencies. Additional agreements have been or will be arranged with neighboring countries. This framework will provide the authority on which will be based a comprehensive national pollution plan, of which the Canadian Coast Guard Plan will form part.

At present, federal and provincial environmental agencies have statutory responsibilities for the protection of fisheries, wildlife and other natural resources. In matters under their jurisdiction, and in such related areas as the use of dispersants, they are responsible for advising the OSC and their advice must be given appropriate weight. Specifically CCG will:

- a) include the names of the relevant environmental officers in its Call Lists.
- b) invite environmental officers to staff positions on its Command Team, where required.

**6. Canadian Coast Guard Response as a Resource Agency**

CCG will:

- ensure that CCG resources are properly and effectively used;
- staff positions on the lead agency's Command Team if requested to do so;
- operate CCG's specialized equipment;
- record CCG's costs for later recovery.

**7. Operational Liaison with the Pollutor (Casualty) and Beneficial Parties**

In working with the pollutor, the OSC should be guided by the following factors:

- a) the pollutor is financially responsible for both the impact of a spill and the cleanup, and, if in doubt, should be made fully aware of this;
- b) the pollutor may be willing and able to conduct an effective cleanup, in which case, the lead agency will therefore only have to monitor the operation. This should be ascertained immediately;
- c) the pollutor may be a member of an industry cleanup co-operative with access to its resources;
- d) the pollutor may have special knowledge of the casualty;
- e) the relationship may influence post-operative claims and legal actions;
- f) the O.S.C. may have to issue instructions to the casualty. He must ensure that they are received by a representative having sufficient authority to carry them out.

**8. Operational Liaison with Industries and Organizations Involved with the Production, Storage, Transportation, and/or Utilization of Oil and Other Toxic Substances.**

Such organizations, and the local co-ops which they have established, can be considered as sources of:

- 1) expertise concerning the spilled material;
- 2) facilities for the handling, transportation, and storage of the material;
- 3) pollution cleanup equipment.

Canadian Coast Guard emergency officers will, therefore:

- 1) place the names of designated industry officials on their Call Lists;
- 2) be familiar with industry plans, working arrangements, etc;
- 3) where appropriate, the OSC may invite such officials to staff positions on the Command Teams.

**9. Joint Canada - United States Marine Pollution Contingency Plan**

Should this plan be invoked, it will supercede the National Plan as well as regional and local plans.



\*Le ministère de l'Energie des Mines et des Ressources et celui des Affaires indiennes et du Nord sont responsables des opérations sur les plates-formes et le fond marin. La Garde côtière est responsable du nettoyage sur la surface des eaux et sur les rives.

Sur les Grands Lacs, la Garde côtière canadienne agit en qualité d'organisme directeur, conformément aux Accords sur la qualité de l'eau des Grands Lacs. Le ministère des Richesses naturelles de l'Ontario est responsable des opérations sur les plates-formes de forage et le fond du lac.

5. Liaison opérationnelle avec Environnement Canada et les organismes provinciaux responsables de la protection de l'environnement lorsque la Garde côtière est l'organisme directeur

L'objectif à long terme que s'est fixé le Gouvernement est d'arriver à un cadre d'ententes qui contribueront à préciser les responsabilités des organismes fédéraux, provinciaux et locaux. D'autres accords ont été mis au point ou sont en voie de l'être avec les pays voisins. Ce cadre donnera les pouvoirs sur lesquels sera fondé un plan national global de prévention de la pollution, dont fera partie celui de la Garde côtière canadienne.

A l'heure actuelle les organismes fédéraux et provinciaux en matière d'environnement sont responsables statutairement, de la protection des pêches, de la faune et des autres ressources naturelles. Lorsqu'il s'agit de questions relevant de leur compétence de même que dans les domaines connexes comme l'utilisation de dispersants, ils doivent informer le CSP, qui devra pondérer cette information. Plus précisément, la Garde côtière se chargera:

- a) d'inclure les noms des agents responsables de l'environnement dans ses listes d'appel;
- b) de demander aux agents responsables de l'environnement de combler au besoin, des postes dans son équipe de commandement.

6. Intervention de la Garde côtière canadienne à titre d'organisme ressource

La Garde côtière:

- s'assurera que ses ressources sont utilisées adéquatement et efficacement;
- comblera des postes dans l'équipe de commandement de l'organisme directeur, si on le lui demande;
- s'occupera du fonctionnement de son matériel spécialisé;
- inscrira tous ses coûts pour fins de recouvrement.

7. Liaison opérationnelle avec le Pollueur (navire ou installation sinistré) et les parties bénéficiaires

Lorsqu'il collaborera avec le pollueur, le CSP suivra les directives suivantes:

- a) le pollueur est financièrement responsable des effets du déversement et des opérations de nettoyage, et, en cas de doute, on devra l'informer de cette responsabilité;
- b) le pollueur pourrait avoir l'intention et être en mesure d'entreprendre un nettoyage efficace, dans ce cas-ci, le rôle de l'organisme directeur se limitera au contrôle des opérations, il faudra régler cette question sur le champ;
- c) il se peut que le pollueur soit membre d'une coopérative de nettoyage industriel et qu'il ait accès à ses ressources;
- d) le pollueur peut avoir une connaissance particulière du sinistre;
- e) cette relation peut influencer sur les demandes de remboursement post-opérationnelles et les poursuites en justice;
- f) le C.S.P. pourrait avoir à donner des instructions au personnel à bord de l'installation ou du navire sinistré. Il doit faire en sorte que ces instructions soient reçues par un représentant ayant les pouvoirs de les faire observer.

10. **Operational Considerations**

The general concepts for establishing command structures, communications, public relations, emergency funding, etc., set out in the N.M.E.P. will be followed, tailored to the requirements of the cleanup operation.

11. **Reporting**

- a) **Warning:** The warning Sitrep should include the nature and source of the pollutant, its owner and carrier, their proposed response, and other relevant data. It is recognized that this data may not be readily available initially, but it should be forwarded as the situation clarifies.
- b) Once the Command Team is established, the names and positions of its officers should be included in the next Sitrep.

8. **Liaison opérationnelle avec les industries et les organisations concernées de la production, du stockage du transport et de l'utilisation d'hydrocarbures et autres substances toxiques.**

Ces organisations et les coopératives locales qu'ils ont établies peuvent être considérées comme:

- 1) des sources de compétence concernant le produit déversé;
- 2) des sources d'installations de manutention, de transport et de stockage du produit;
- 3) des sources de matériel de nettoyage de pollution.

Les agents d'urgences de la Garde côtière canadienne doivent donc:

- 1) inscrire les noms de représentants désignés de l'industrie sur leurs listes d'appels;
- 2) avoir une bonne connaissance des plans de l'industrie et des ententes de travail, etc.
- 3) Au besoin, le CSP demandera aux agents de combler des postes au sein des équipes de commandement.

9. **Plan d'urgence conjoint canado-américain en cas de pollution des eaux**

Si ce plan est utilisé, il remplacera le plan national de même que les plans régionaux et locaux.

10. **Considérations d'ordre opérationnel**

On suivra les concepts généraux relativement à l'organisation de commandement, aux communications, aux relations publiques, aux fonds de secours, etc. exposés dans le P.N.U.M. et adaptés aux exigences de l'opération de nettoyage.

11. **Rapports**

- a) **Avertissement:** Le rapport d'avertissement devra mentionner la nature et la source de la pollution, le propriétaire et le transporteur de polluant, le genre d'intervention qu'il se propose de faire et toute autre information pertinente. Certaines données peuvent ne pas être connues immédiatement mais devront être transmises à mesure que la situation se précise.
- b) Dès qu'on a mis sur pied l'équipe de commandement, on inscrira les noms et postes de ses agents dans le rapport de situation suivant.

## ANNEXES

- I. On-Scene Commanders
  - A) Appointment and Designation of On-Scene Commanders
  - B) Primary Duties of On-Scene Commanders
- II. Regional Coverage
  - A) Brief Description
  - B) Regional Offices
  - C) Regional Boundaries Map
- III. Canadian Coast Guard Emergency Structure
- IV. Canadian Coast Guard Emergency Report
  - A) Report Format
  - B) Instructions for Use.

## ANNEXES

- I. Commandants sur place
  - A) Nomination et désignation des commandants sur place
  - B) Fonctions essentielles des commandants sur place
- II. Régions
  - A) Courte description
  - B) Bureaux régionaux
  - C) Carte des limites des régions
- III. Organisation d'urgence de la Garde côtière canadienne
- IV. Rapports d'urgence de la Garde côtière canadienne
  - A) Présentation des rapports
  - B) Guide d'utilisation

## ANNEX I

### A.

#### 1. APPOINTED ON-SCENE COMMANDERS

- a) *Regional:* The Regional Manager Emergency Operations (RMEO) will recommend federal officers strategically located throughout the region for RDCG to appoint as On-Scene Commanders. Appointed OSC's will handle incidents in their areas which are within their resources and support the designated OSC in larger operations.
- b) *Arctic:* In the Arctic, outside the regionally controlled areas, the Chief Emergencies (CCGE) will appoint officers as Appointed OSC's who will report, in that capacity, to him.

#### 2. Criteria for Selection of Appointed On-Scene Commanders:

Where possible for following criteria shall guide the selection of Appointed On-Scene Commanders.

- a) They should be appointed from:
  - i) Transport Canada — Coast Guard;
  - ii) Transport Canada — Canadian Marine Transportation Administration Staff, (including port authority and S.L.S.A. personnel);
  - iii) all Transport Canada;
  - iv) federal government;
  - v) in the Arctic, candidates from outside Transport Canada should be selected from the Government of the Northwest Territories and the Department of Indian and Northern Affairs.
- b) Candidates should hold, or be eligible for, certification as pollution prevention officers.
- c) Officers of Canadian Coast Guard ships may be designated as On-Scene Commanders for operations until relieved by another O.S.C.
- d) If the above criteria cannot be met, the RMEO's will select such candidates whose location and qualifications most suit them for the role.

## ANNEXE I

### A.

#### 1. COMMANDANTS SUR PLACE NOMMES

- a) *Niveau régional:* Le gestionnaire régional d'urgences maritimes (GRUM) recommandera au DRGC de nommer commandants sur place les agents fédéraux demeurant dans des endroits stratégiques. Les CSP/N se chargeront des incidents de leur secteur qui ne dépassent pas leurs moyens et ils fourniront leur soutien au CSP/D lors des opérations plus importantes.
- b) *Arctique:* Dans l'Arctique, à l'extérieur des zones régionales le chef, urgences (CCGE) nommera les agents au poste de CSP/N, qui relèveront de lui.

#### 2. Critères de sélection des commandants sur place nommés:

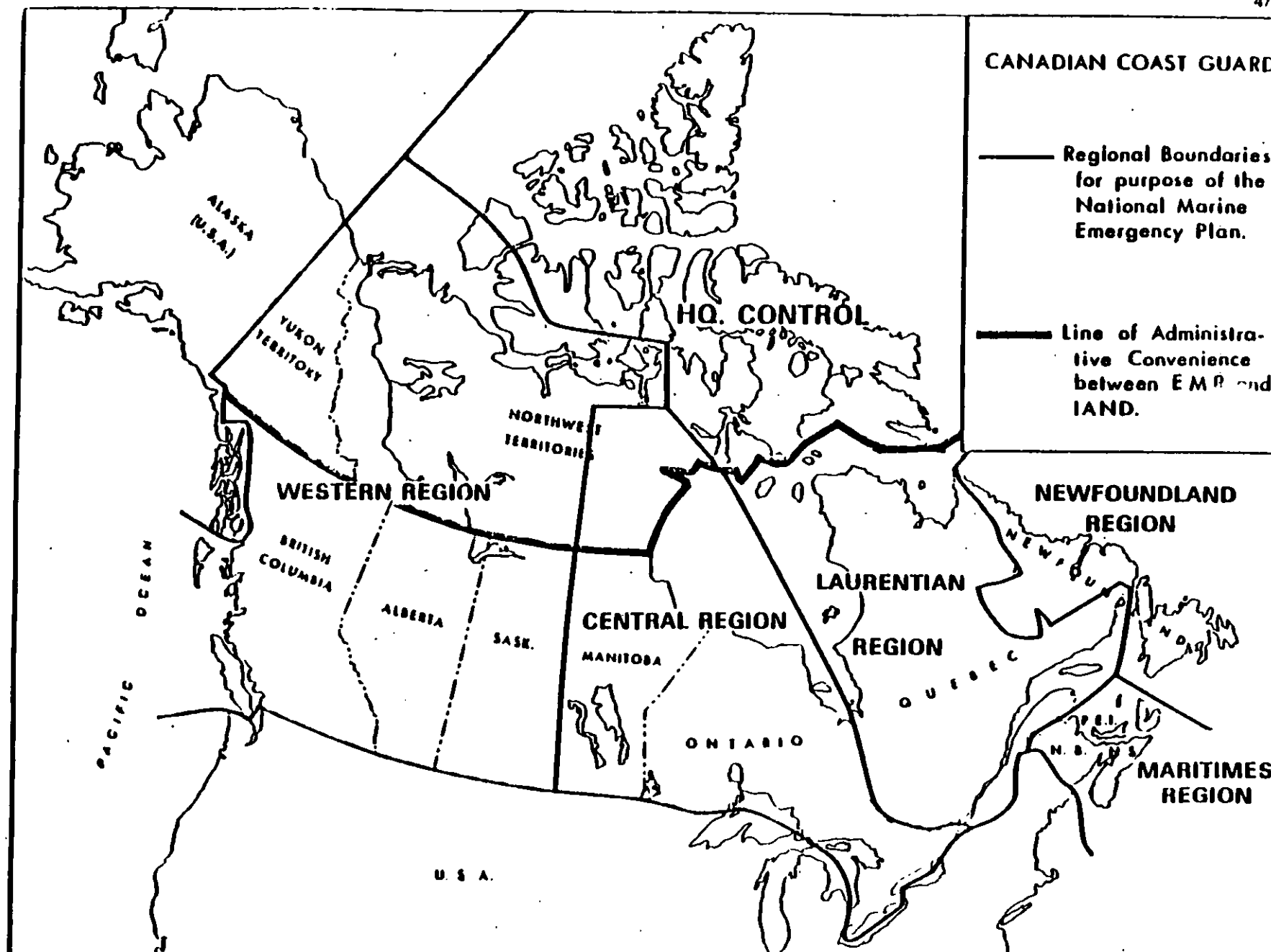
Dans la mesure du possible, on observera les critères suivants.

- a) Les candidats devront faire partie de:
  - i) Transports Canada — Garde côtière.
  - ii) Transports Canada — Personnel de l'Administration canadienne du transport maritime (notamment le personnel de l'Administration portuaire et de l'Administration de la Voie maritime du Saint-Laurent).
  - iii) de toute direction de Transports Canada.
  - iv) du gouvernement fédéral.
  - v) dans l'Arctique, les candidats qui ne font pas partie de Transports Canada devront être des employés du Gouvernement des Territoires du Nord-Ouest ou du ministère des Affaires indiennes et du nord.
- b) Les candidats doivent détenir un certificat d'agent de prévention de la pollution, ou y être admissibles.
- c) Les officiers des navires de la Garde côtière canadienne peuvent être désignés commandant sur place pour les opérations jusqu'à ce qu'ils soient relevés par un autre CSP.
- d) Si on ne peut satisfaire aux critères ci-dessus, les GRUM choisiront les candidats qui, par leurs qualifications et leur lieu de travail, sont les plus aptes à assumer ce rôle.

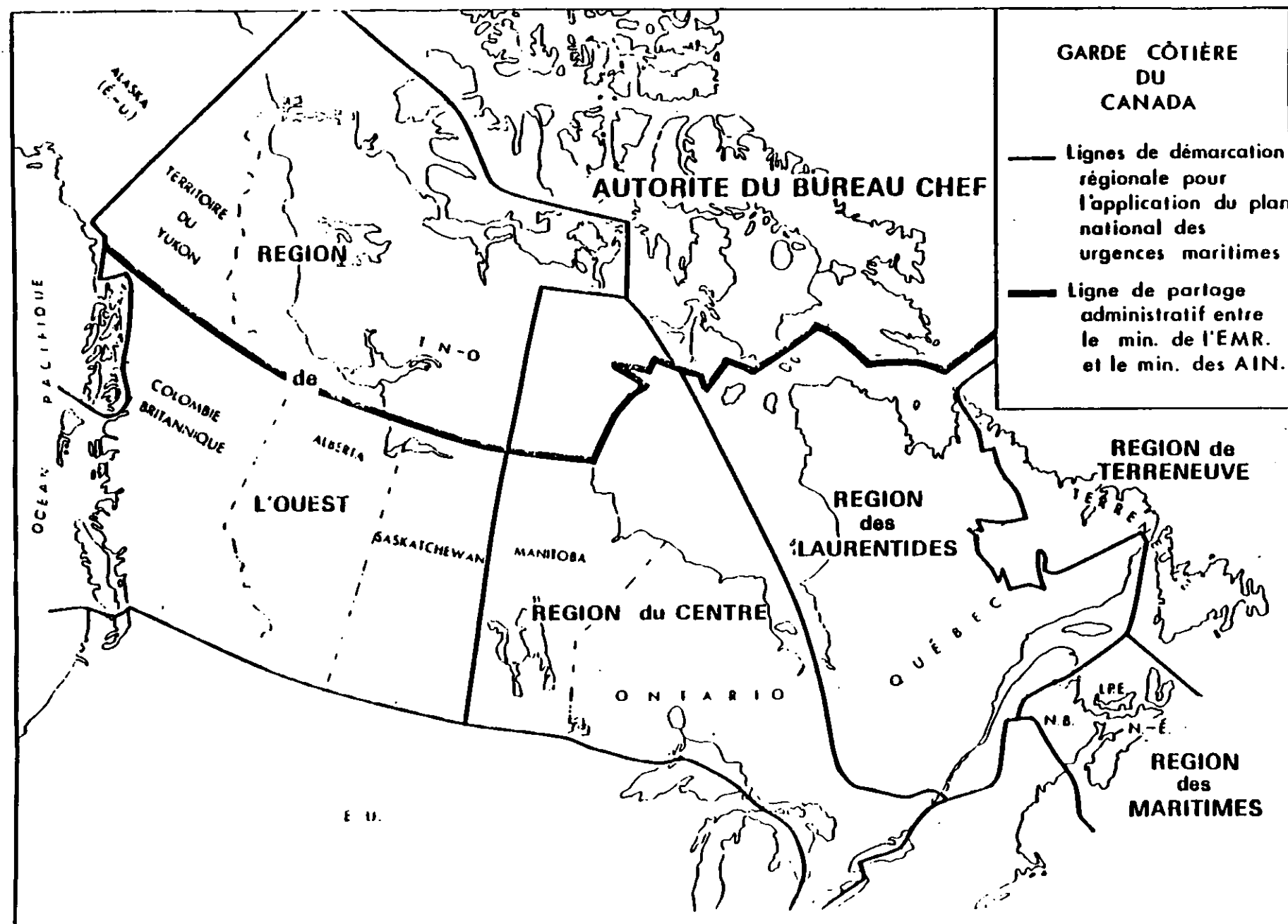
## CANADIAN COAST GUARD

— Regional Boundaries  
for purpose of the  
National Marine  
Emergency Plan.

— Line of Administra-  
tive Convenience  
between EMP and  
IAND.







**PRIMARY DUTIES  
APPOINTED ON-SCENE COMMANDERS**

- 8.
1. Acts as On-Scene Commander, or provides specialist assistance thereto, in the event of a potential or actual incident that requires a Coast Guard response.
2. Develops plans and procedures for local response to marine emergencies.
3. Ensures the operational reliability of contingency equipment and the maintenance of operational skills of personnel identified for use in the event of an incident.
4. Liaises with local representatives of federal, provincial and municipal agencies, the petroleum industry co-operatives, and other industries, as required.

## **FONCTIONS ESSENTIELLES COMMANDANTS SUR PLACE NOMMES**

**B.**

1. Faire fonction de commandant sur place ou fournir à ce dernier une aide spécialisée si un incident nécessitant l'intervention de la Garde côtière se produit ou risque de se produire.
2. Elaborer les plans et les méthodes voulues en vue d'une intervention locale dans les situations d'urgence maritime.
3. S'assurer de la fiabilité opérationnelle du matériel d'urgence et du niveau de compétence du personnel auquel on aura recours advenant un incident.
4. Etablir la liaison avec les représentants locaux des organismes fédéraux, provinciaux et municipaux, les coopératives de l'industrie pétrolière et les autres industries, au besoin.

## **ANNEX II REGIONAL COVERAGE**

A)

1. **Western Region** — All shoreline within and on the boundaries of the Provinces of Saskatchewan, Alberta and B.C., to include the Mackenzie River System and Arctic Shipping Safety Control Zones 7, 11 and 12.
2. **Central Region** — All shoreline within and on the boundaries of the Provinces of Manitoba and Ontario and the St. Lawrence River west of the Beauharnois Locks exclusive of the Ottawa River and inclusive of the west side of Hudson and James Bays.
3. **Laurentian Region** — All shoreline within and on the boundaries of the Province of Quebec exclusive of the Magdalen Islands and the St. Lawrence System west of the Beauharnois Locks and inclusive of Hudson Strait and the east side of Hudson and James Bays.
4. **Maritimes Region** — All shoreline within and on the boundaries of the Provinces of P.E.I., Nova Scotia and New Brunswick as well as the Magdalen Islands and Sable Island.
5. **Newfoundland Region** — All shoreline within and on the boundaries of the Province of Newfoundland, including Labrador.

## ANNEXE II REGIONS

### A)

1. **Région de l'Ouest:** Les côtes se trouvant à l'intérieur des frontières de la Saskatchewan, de l'Alberta et de la Colombie-Britannique, et sur ces frontières, y compris le Mackenzie et ses affluents de même que les zones de contrôle 7, 11 et 12 de la navigation dans les eaux arctiques.
2. **Région centrale:** Les côtes se trouvant à l'intérieur des frontières du Manitoba et de l'Ontario et du fleuve Saint-Laurent à l'ouest des écluses de Beauharnois et sur ces frontières, à l'exclusion de la rivière des Outaouais, mais y compris le côté ouest de la Baie d'Hudson et de la Baie James.
3. **Région des Laurentides:** Les côtes se trouvant à l'intérieur des frontières de la province de Québec et sur ces frontières, à l'exclusion des îles-de-la-Madeleine et le Saint-Laurent et ses affluents à l'ouest des écluses de Beauharnois, mais y compris le Détroit d'Hudson et le côté est de la Baie d'Hudson et de la Baie James.
4. **Région des Maritimes:** Les côtes se trouvant à l'intérieur des frontières de l'Île-du-Prince-Édouard, de la Nouvelle-Écosse et du Nouveau-Brunswick, et sur ces frontières, de même que les îles-de-la-Madeleine et l'île aux sables.
5. **Région de Terre-Neuve:** Les côtes se trouvant à l'intérieur des frontières de Terre-Neuve, et sur ces frontières, y compris le Labrador.

**ANNEX II**  
**COAST GUARD REGIONAL OFFICES AND BASES**

**B)**

**Western Region**

**Headquarters  
Bases**

- Vancouver
- Vancouver
- Victoria
- Prince Rupert
- Hay River

**Central Region**

**Headquarters  
Bases**

- Toronto
- Prescott
- Parry Sound
- Thunder Bay
- Selkirk
- Amherstburg
- Kenora

**Sub Bases**

**Laurentian Region**

**Headquarters  
Bases**

- Quebec City
- Quebec City
- Montreal
- Sorel

**Sub Base**

**Maritimes Region**

**Headquarters  
Bases**

- Dartmouth
- Dartmouth
- Charlottetown
- Saint John

**Newfoundland Region**

**Headquarters  
Base  
Sub Base**

- St. John's
- St. John's
- Goose Bay

**ANNEXE II**  
**BUREAUX REGIONAUX ET BASES DE LA GARDE COTIERE**

**B)**

**Région de l'Ouest**

Administration centrale  
Bases

- Vancouver
- Vancouver
- Victoria
- Prince Rupert
- Hay River

**Région centrale**

Administration centrale  
Bases

Bases auxiliaires

- Toronto
- Prescott
- Parry Sound
- Thunder Bay
- Selkirk
- Amherstburg
- Kenora

**Région des Laurentides**

Administration centrale  
Bases

Base auxiliaire

- Québec
- Québec
- Montréal
- Sorel

**Région des Maritimes**

Administration centrale  
Bases

- Dartmouth
- Dartmouth
- Charlottetown
- Saint-Jean

**Région de Terre-Neuve**

Administration centrale  
Base  
Base auxiliaire

- Saint-Jean
- Saint-Jean
- Goose Bay

# **ANNEX III CANADIAN COAST GUARD EMERGENCY STRUCTURE**

## **Ottawa — H.Q. and Arctic**

Tower "A", 7th floor Place de Ville		(613) 992-9743
		<b>HOME</b>
Chief, Emergencies	M.S. Greenham	(613) 824-3810
Marine Emergency Operations Officer	D.E.A. Barratt	(613) 692-4550
Marine Emergency Technical Officer	N.S. Robertson	(613) 828-2063
Marine Emergency Scientific Liaison Officer	S.D. Gill	(613) 832-1661
Marine Emergency Planning Officer	R.D. Gray	(613) 729-6777
Marine Emergency Assistant Planning Officer	N. Conroy	(613) 737-5015
Marine Emergency Administrative Officer	K.C. Smith	(613) 722-3271
Emergency Reports	*Canadian Coast Guard Operations Centre	(613) 996-9705 996-9706 992-3775

## **Western Region**

Headquarters — Vancouver Room 1207, 12th floor Kapilano 100 100 Park Royal		(604) 666-6011
Regional Director	H.O. Buchanan	(604) 666-6111
Regional Manager Emergency Operations	J.C. Young	(604) 987-8870 (home)
Emergency Reports	*Canadian Coast Guard Traffic Centre	(604) 666-6321

## **Central Region**

Headquarters — Toronto Toronto Star Building 1 Yonge Street		(416) 369-2283
Regional Director Coast Guard	G. Leask	(416) 369-3635
Regional Manager Emergency Operations	C. Beckett	(416) 878-5150 (home)

\*Operational twenty-four hours a day, seven days a week.



# **APPENDICE III** **ORGANISATION D'URGENCE DE LA GARDE CÔTIÈRE CANADIENNE**

## **Ottawa — Administration centrale et Arctique**

Tour 'A', 7 <sup>e</sup> étage Place de Ville		(613) 992-9743
		<b>RESIDENCE</b>
Chef — Urgences	M.S. Greenham	(613) 824-3810
Agent des Opérations — Urgences	D.E.A. Barratt	(613) 692-4550
Agent Technique — Urgences	N.S. Robertson	(613) 828-2063
Agent de liaison scientifique — Urgences	S.D. Gill	(613) 832-1661
Agent de planification — Urgences	R.D. Gray	(613) 729-6777
Agent de Planification Adjoint — Urgences	N. Conroy	(613) 737-5015
Agent d'administration — Urgences	K.C. Smith	(613) 722-3271
Rapports d'urgence	*Centre d'opérations Garde côtière canadienne	(613) 996-9705 996-9706 992-3775

## **Région de l'Ouest**

Administration centrale — Vancouver Pièce 1207 — 12 <sup>e</sup> étage Kapilano 100 100 Park Royal		(604) 666-6011
Directeur régional	H.O. Buchanan	(604) 666-6111
Gestionnaire régional Opérations d'urgences	J.C. Young	(604) 987-8871 (residence)
Rapports d'urgences	*Centre de renseignements Garde côtière canadienne	(604) 666-6011

## **Région Centrale**

Administration centrale — Toronto Immeuble Toronto Star 1, rue Yonge		(416) 369-2283
Directeur régional Garde côtière	G. Leask	(416) 369-3635
Gestionnaire régional — Opérations d'urgences	C. Beckett	(416) 878-5150 (residence)

\*En service vingt-quatre heures par jour, sept jours par semaine.

Emergency Reports	*Canadian Coast Guard Information Centre	(416) 369-3058
<b>Laurentian Region</b>		
Headquarters — Quebec City 2 Place Québec Room 212		(418) 694-4556
Regional Director Coast Guard	J. Godin	(418) 694-4158
Regional Manager Emergency Operations	A. Leduc	(418) 628-7924 (home)
Emergency Reports	*Canadian Coast Guard Traffic Centre	
	— Quebec	(418) 694-4427
	— Montreal	(514) 521-5361
	— CCG Information Centre — Montreal	(514) 694-1584
<b>Maritime Region</b>		
Headquarters — Dartmouth Twin Towers Royal Bank Bldg., 46 Portland St.		(902) 426-3699
A/Regional Director Coast Guard	K. Curren	(902) 426-3907
Regional Manager Emergency Operations	T. Hayes	(902) 454-7541 (home)
Emergency Reports	*Canadian Coast Guard Information Centre	(902) 426-6030 or ZE4-9000
<b>Newfoundland Region</b>		
Headquarters — St. John's Southside Rd.		(709) 722-2839
Regional Director Coast Guard	W. George	(709) 722-2830
Regional Manager Emergency Operations	W. Ryan	(709) 726-1543 (home)
Emergency Reports	*Canadian Coast Guard Operations Room	(709) 737-5171

Rapports d'urgences	*Centre de renseignements Garde côtière canadienne	(416) 369-3058
<b>Région des Laurentides</b>		
Administration centrale — Québec 2, Place Québec Pièce 212		(418) 694-4556
Directeur régional Garde côtière.	J. Godin	(418) 694-4158
Gestionnaire régional — Opérations d'urgences	A. Leduc	(418) 628-7924 (résidence)
Rapports d'urgences	*Centres de trafic Garde côtière canadienne	
	— Québec	(418) 694-4427
	— Montréal	(514) 521-5361
	— Centre de renseignements GCC — Montréal	(514) 694-1584
<b>Région des Maritimes</b>		
Administration centrale — Dartmouth Twin Towers Royal Bank Bldg., 46, Portland St.		(902) 426-3699
Directeur régional Garde côtière	K. Curren	(902) 426-3907
Gestionnaire régional — Opérations d'urgences	T. Hayes	(902) 454-7541 (résidence)
Rapports d'urgences	*Centre d'information Garde côtière canadienne	(902) 426-6030 ou ZE4-9000
<b>Région de Terre-Neuve</b>		
Administration centrale — Saint Jean Southside Road		(709) 722-2839
Directeur régional Garde côtière	W. George	(709) 722-2830
Gestionnaire régional — Opérations d'urgences	W. Ryan	(709) 726-4543
Rapports d'urgences	*Salle des opérations Garde côtière canadienne	(709) 737-5171

## ANNEX IV

### A. CANADIAN COAST GUARD EMERGENCY

#### Situation Report

1. Addressees
2. Info
3. Urgent — Pass By Hand
4. Operation (Name of casualty, location, or other identifier)
5. Sitrep No. (If this is first Sitrep, use Sitrep No. 1. Warning).
6. Date/Time group (Zulu time)
7. Incident (Description of incident in warning sitrep only unless further information on incident is being included).
8. Situation (include action taken)
9. \*Intentions (include requirements)

O.S.C.

\*Intentions and requirements may be forwarded in separate signals should time constraints or other factors dictate.

## ANNEXE IV

### A. URGENCES — GARDE COTIERE CANADIENNE

#### Rapport de situation

1. Destinataires
2. Renseignements
3. Urgent — De main à main
4. Opération (nom du responsable du sinistre, de l'endroit, ou autre renseignement pouvant faciliter l'identification).
5. Rapport n° (s'il s'agit du premier rapport, utiliser le rapport n° 1, avertissement).
6. Groupe Date/Heure (Heure du fuseau)
7. Incident (Description de l'incident dans le rapport d'avertissement seulement, sauf si on fournit d'autres renseignements sur l'incident).
8. Situation (Indiquer les mesures prises).
9. \*Intentions (indiquer les exigences)

C.S.P.

\*Les intentions et les exigences pourront être communiquées à l'aide de signaux distincts au cas où temps ou d'autres facteurs l'obligeraient.

**B. TRANSMITTAL OF SITREPS TO CCG HEADQUARTERS**

- i) Reports by telex should be sent to the Canadian Coast Guard Operations Centre.

TELEX - 053-3128

DOT-CCG-OTT

ADIS - CYHQYV

- ii) Telecopier - (613) 996-9705/6 (XEROX).

An alternative system which may be used is the Transport Canada Communications Centre.

TELEX - 053-3130

DOT-OTT

- iii) Messages by phone, should be given to the CCGE office, Ottawa, number (613) 992-9743, between 1300z - 2100z. At all other times, messages should be phoned to Coast Guard Emergency Officers in accordance with Annex III.

- iv) If Transport Canada communications services are not operational, the D.N.D. Duty Operations Officer may be reached by calling Area Code (613) 992-7811.

- v) Semi-Automatic Ground Environment (SAGE) users may reach the Duty Operations Officer by calling any of the following numbers: (269-8011) or (752-2760).

General Purpose Canadian Switched Network (GPCSN) the Duty Operations Officer can be reached by calling 827-8011, 827-1759 or 827-1760.

**B. TRANSMISSION DES RAPPORTS AU QUARTERS GENERAUX DE LA GCC**

- i) Les rapports par télex doivent être envoyés aux Opérations de la Garde côtière canadienne.

TELEX — 053-3128

DOT-CCG-OTT

ADIS — CYHQYU

FACSIMILE — (613) 996-9705/6 (XEROX)

- ii) Un système alternatif qui peut être utilisé est le centre des communications de Transports Canada.

TELEX — 053-3130

DOT-OTT

- iii) Les messages téléphoniques doivent être faits au bureau du Chef — Urgences, de la Garde côtière à Ottawa, au numéro (613) 992-9743, entre 1300z et 2100z. En tout autre temps, les messages doivent être transmis par téléphone aux Agents de mesures d'urgences de la Garde côtière conformément à l'appendice III.

- iv) Si les services de communications de Transports Canada ne fonctionnent pas, on pourra joindre l'officier chargé des opérations du M.D.N. au code régional (613) 992-7811 ou 992-4535.

- v) Les usagers du SAGE (Infrastructures semi-automatiques au sol) peuvent joindre l'officier chargé des opérations au numéro 269-8011 ou 752-2760. Les usagers du GPCSN (Réseau canadien de communications par commutation — Domaine général) peuvent joindre l'officier chargé des opérations au numéro 827-8011, 827-1759 ou 827-1760.

APPENDIX B

## Executive summary

The Public Review Panel on Tanker Safety and Marine Spills Response Capability was appointed on June 9, 1989 by the Right Honourable Brian Mulroney, Prime Minister of Canada, in response to growing public concern for the marine environment resulting from the bulk movement of oil and chemicals through Canadian waters and fishing zones. The three-member panel was given the mandate to review and evaluate:

- the measures currently in place to ensure the safe movement of oil and chemicals by tanker and tank barge through Canadian waters;
- Canada's ability to respond to marine spills of these products;
- the Canadian and international legislation and conventions which regulate the movement of oil and chemicals, including the provisions for compensation for damages resulting from spills.

In fulfilling its mandate, the Panel held 31 days of public hearings across the country. The following are its major findings and recommendations.

## Major findings

- The capability to respond effectively to a spill of any significant magnitude does not presently exist anywhere in Canada.
- Each year, based on current levels of tanker traffic, Canada can expect over 100 small oil spills, about 10 moderate spills and at least one major spill. A catastrophic spill (over 10 000 tonnes), for which we are wholly unprepared, can be expected once every 15 years.
- The risk of spills is highest in eastern Canada, particularly in Newfoundland. Placentia Bay is considered by many to be the most likely place in Canada for a major spill.
- A much greater volume of oil enters the marine environment as a result of routine tanker operations — loading and offloading, tank washings, waste water discharges — than of accidents. Almost *all* of these operational spills can be avoided.
- The overwhelming majority of tanker accidents are caused by human error. Despite this, competitive pressures have reduced manning of vessels to dangerously low levels and made quick port turnarounds a growing priority.
- Only 8 per cent of the oil tankers operating worldwide have double hulls or bottoms, despite overwhelming evidence that this type of construction offers a substantially higher margin of operational safety. Of Canada's 31 tankers, only one is double-hulled and ice-reinforced.
- Canada's tanker fleet is old and in need of replacement. The estimated life span of a tanker is 20 years, but Canadian tankers are on average older than that.
- Overall, foreign tankers pose a greater threat to our shores than domestic tankers: almost one quarter of the foreign tankers inspected by the Canadian Coast Guard in the Atlantic region over an 18-month period ending December 31, 1989 were found to be defective.





- Over 340 chemical spills occur in Canadian waters every year. The environmental and health hazards they pose are largely unknown and (in the very rare circumstances where clean-up is possible) they often cost 10 times as much, and take 5 times as long, to clean up as oil spills.
- There is also a glaring need to standardize and upgrade dockside chemical loading and offloading requirements, as well as the design, construction and inspection of chemical tankers and barges.
- A major research and development effort is urgently needed to develop more effective spill clean-up equipment and technology because what is now available is essentially primitive and largely ineffectual.
- The Coast Guard is seriously under-resourced and cannot provide the level of monitoring, inspection and surveillance required to adequately protect our waters. Despite the fact that it commits most of its inspection resources to compulsory inspection (up to 90 per cent in some regions), and that Canada is a signatory to an international agreement requiring inspection of 25 per cent of all foreign tankers entering its ports, only 8 per cent of foreign tankers are inspected.
- The Coast Guard's investigative and prosecution efforts are seriously inadequate and do little to deter polluters. Indeed, the chances of polluters being caught are small; of being caught and prosecuted even smaller. If polluters are prosecuted, the chances of being found guilty are minuscule and, if found guilty, fines are paltry. In the few instances where prosecutions are attempted and prove successful, fines are unacceptably meagre: between 1979 and 1988, the average fine under the *Canada Shipping Act* was \$4,700.
- Industry relies inordinately upon the Coast Guard for spill response. To date, the amount it has invested in spill-related R&D and in response equipment has not been commensurate with the risks inherent in the loading, discharging and transportation of its products.
- While contingency plans to deal with just about every possible marine spill scenario exist in all regions, they are for the most part poorly designed, uncoordinated and untested. Too often, they are based on the mistaken belief that if things go badly the response will escalate and additional resources will simply be called in. The necessary linkages, roles and responsibilities are largely assumed and the needed equipment non-existent.
- Numerous spill reporting systems exist between and within regions, leading to uncertainty and poor coordination. It is essential that these systems be integrated and that a public education program be undertaken to encourage Canadians to get involved.
- The current international and domestic statutory frameworks relevant to prevention, preparedness, liability and compensation need to be overhauled. No less than eight separate statutes govern spill response in Canada and each has widely different limitation of liability, duty to remedy and penalty provisions (maximum fines range from \$500 under the *Canada Ports Corporation Act* to \$1 million under the *Canadian Environmental Protection Act*). To enforce compliance, these statutes must be streamlined, strengthened and more vigorously enforced.



## Major recommendations

In response to the situation outlined above, the Panel makes 107 recommendations, of which 51 focus on specific local or regional concerns raised during the public hearings. The Panel estimates that the cost of implementing these recommendations will be approximately \$1.5 billion over a 10-year period, of which \$800 million to \$1 billion is to be raised through a \$2 per tonne levy on all oil and oil products transported in Canadian waters. Single-hulled vessels would pay the proposed levy in full and those that are double-bottomed would pay 50 per cent of it. For double-hulled vessels, the levy would be set at zero. The Panel also proposes a similar, but as yet undetermined, levy on the bulk shipment of chemicals.

In addition to providing an incentive to companies to charter only safer double-hulled vessels, and to transportation companies to purchase them, a portion of the funds raised through the levy would be used to support the replacement, or retrofitting, of the entire Canadian tanker and tank barge fleet with double-hulled vessels, by financing one fifth of the cost of double-hulled construction.

Another portion of the funds would go towards enhancing Canada's spill response capability by upgrading government-coordinated and -funded research and development into spill response technologies and supporting the establishment of major industry-operated spill response cooperatives in all high-risk areas of Canada.

In addition to the positive incentives implicit in the new levy, the Panel recommends that the entire *Canadian-flag* fleet of tankers and tank barges be double-hulled within *seven years* and that Canada require that *all* tankers and tank barges entering its waters be double-hulled in *ten years'* time.

## Prevention

Other recommendations related to prevention include:

- The Canadian Coast Guard must be provided with the additional resources it requires to significantly expand its capacity to inspect foreign tankers, and ensure on-board compliance with statutory manning requirements and shift schedules.
- In cooperation with petroleum industry associations and terminal companies, the Coast Guard must develop more stringent operating and chartering guidelines for tankers.
- The Coast Guard must work closely with the chemical and shipping industries to develop: training and certification programs for tanker and terminal personnel that emphasize safety and pollution prevention; and design, construction and inspection standards for chemical barges and tankers.
- To deter polluters, the Coast Guard must deploy three dedicated aircraft (east coast, west coast, Great Lakes-St. Lawrence) equipped with the latest spill-detection and evidence-gathering technology.
- To improve its investigative and prosecution capability, the Coast Guard must deploy additional personnel, appropriate technology and equipment, and designate larger numbers of more rigorously trained Pollution Prevention Officers.
- The Coast Guard must also issue stricter regulations governing loading, unloading and transfer operations at terminals to reduce the risk of operational spills.



- To minimize illegal dumping, reception facilities for oily water and other waste must be required at all terminals and their use must be mandatory.
- A range of navigational aids, such as hydrographic charts, Vessel Traffic Services, buoys, markers and radar coverage, must be made available or upgraded in a number of regions.

## Response

Recommendations pertaining specifically to spill response include:

- The Coast Guard must remain the lead agency responsible for marine spill response and this role must be clearly defined and reinforced. Under the Coast Guard's close supervision, industry must have immediately at hand the equipment and skilled personnel necessary to address the risks associated with its facilities and operations.
- Contingency plans at the facility, port, regional and national levels must be mandatory and individually reviewed and approved by the Coast Guard. These plans must clearly specify lines of authority and accountability, as well as anticipate the need to involve volunteers, native groups, municipalities and provincial officials in the response effort. The Coast Guard should be given the responsibility of preparing detailed contingency plans involving support from the international community for spills of a catastrophic size.
- Within one year, a comprehensive national marine spill response plan must be developed by the Coast Guard in consultation with interested parties. The plan must be submitted for government review and approval and an annual report on progress toward its implementation submitted to Parliament by the Minister of the Environment to ensure sustained commitment.
- Within each region of Canada the integrated industry-government spill response capacity must be sufficient to address marine spills of up to 10 000 tonnes, regardless of type or responsibility.
- As an immediate priority, a national chemical spill response team with representation from government and industry must be formed and it should have policy development capacity.



### **Legislative framework**

The Panel proposes a number of ways to overhaul and streamline the existing regulations and regimes governing marine spills. In order to ensure compliance with them, the Panel recommends significantly higher fines for polluters, more generous compensation for victims of spills and more vigorous enforcement and prosecutions. The objective of these recommendations is to oblige companies to act in environmentally sensitive ways by making the cost of polluting prohibitive and the likelihood of getting caught significantly higher.

### **Conclusion**

The Panel believes that when its recommendations are accepted and implemented Canada will be able to solve its ship-source oil and chemical pollution problem in a relatively short time and at a comparatively insignificant cost to industry, government and the public. With leadership and commitment from both the government and industry, the frequency of marine spills can be greatly reduced and Canada's capacity to respond effectively to them considerably enhanced.



- To compensate for industry's limited response capacity in the Arctic, an area of particular sensitivity, the Canadian Coast Guard be assigned special responsibility for ensuring Arctic response capacity for marine spills of all sizes.
- The Coast Guard at all times have overall responsibility for oil spill response at all levels. It must be ready to assume response management from the outset, at the local and regional levels, and to always be in command at the national level.
- The Canadian Coast Guard be given the responsibility and authority to review and approve all facility-level contingency plans.

#### **Recommendation 4-3**

In order to increase regional clean-up capacity to the minimum acceptable level, \$150 million to \$200 million be invested over the next five years. The terms of the Ship-source Oil Pollution Fund be revised to allow capital acquisitions of preparedness equipment by both industry cooperatives and the Canadian Coast Guard.

#### **Recommendation 4-4**

The federal government formalize in legislation the responsibility of the Canadian Coast Guard, as the lead agency, to establish and manage Canada's marine oil and chemical spill response capacity. This formalization must reflect the joint responsibilities of industry and government for preparedness measures in language that unequivocally translates the sense of urgency and immediacy required for marine spill response. The authority of the Coast Guard to establish, as well as to command the deployment of, industry and government resources must also be made clear.

#### **Recommendation 4-5**

Only experienced personnel who have been trained by the Canadian Coast Guard be designated as On-scene Commanders. A team of OSCs, reflecting an appropriate range of experience and technical exposure, in addition to the ability to exercise command in emergency situations, be established and maintained nationally.

#### **Recommendation 4-6**

The term *On-scene Commander* and the acronym *OSC* be applied only to the Canadian Coast Guard appointee.

#### **Recommendation 4-7**

Regional Environmental Emergency Teams be established, or expanded, for all regions to ensure broad representation appropriate to the range of potential marine spills. REET chairmen be formally designated from Environment Canada and held accountable for the provision of consolidated environmental advice to the On-scene Commander. In addition, a team of REET chairmen, reflecting the appropriate range of experience, must be established in advance and maintained.

**Recommendation 4-8**

The Government of Canada assess the capability of the Canadian Armed Forces to assist in oil and chemical spill prevention and response operations. In conjunction with the lead agency, departmental assets, including personnel, be designated, trained and specifically detailed in appropriate national contingency plans.

**Recommendation 4-9**

To take advantage of local knowledge, and to supplement the clean-up workforce, response operations should use local volunteers whenever possible. Persons who volunteer be paid for their services and be covered by workers' compensation for the duration of their involvement in clean-up operations.

**Recommendation 4-10**

A national marine emergencies response centre be established within the Canadian Coast Guard as the heart of national response operations. This unit be accountable for the effectiveness of future spill response operations.

**Recommendation 4-11**

The recommended Coast Guard national marine emergencies response centre must be assigned the leadership role in contingency planning in both the private and public sector. The centre must integrate all plans on a regional and national basis and ensure that plans meet standard criteria set by the Coast Guard.

**Recommendation 4-12**

So that the level of Canadian marine spill R&D may be adequate to address the significant lack of knowledge and technology, funding be increased immediately to \$10 million and raised annually to reach \$20 million by 1995, to be shared equally between government and industry.

**Recommendation 4-13**

A "Marine Spills Technology Committee" be established as soon as possible. It must work under the direction of Environment Canada and be structured to ensure coordination between industry, universities and government.

**Recommendation 4-14**

To prepare for marine chemical spills, remediation technologies be developed for spills of all chemicals moved in Canadian waters.

**Recommendation 4-15**

To enhance Canada's ability to clean up oil spills on shore:

- Current shoreline clean-up research be expanded and accelerated.
- Research be done into improved containment and recovery techniques and other promising methods of dealing with oil at sea. It include evaluation of the newer European technology under Canadian conditions.
- Countermeasures for oil spills among broken ice be pursued.
- Research into more effective dispersants be accelerated and pre-authorization of the use of dispersants be considered for protection of environmentally sensitive areas, where their advantages outweigh their disadvantages.

**Recommendation 4-16**

To ensure effective tracking of spills, Environment Canada be given the resources to:

- establish a remote sensing system capable of locating spills in all Canadian waters and mapping their dispersion;
- accelerate research into remote sensing and the development of more modern systems that overcome the deficiencies of existing technology.

**Recommendation 4-17**

To facilitate the disposal of oiled debris resulting from spill clean-up operations:

- the Canadian Coast Guard, as lead agency, ensure that all levels of government involved agree on, and pre-authorize, temporary storage as well as treatment sites for marine spill waste materials along all marine transportation routes;
- landfilling of oiled debris must not be practised where alternatives are possible;
- research into better methods of treating oil spill debris must be undertaken as a high priority.

**Recommendation 4-18**

Whenever possible, the On-scene Commander assist R&D efforts by permitting the testing of new response equipment at spill sites.

**Recommendation 4-19**

Under the auspices of the Coast Guard, a comprehensive plan for implementing a national marine spill response framework be developed for detailed review and approval. This plan be specific as to response capacities addressed and be developed within one year. An independent assessment of the plan be conducted by Environment Canada and progress reports submitted annually to Parliament by the Minister of the Environment.



### **Recommendation 6-25**

- A review of the contingency plans of all agencies and industries be undertaken, in order to verify their compatibility, and field simulations be held annually to ensure their effectiveness.
- A major public awareness initiative be launched to inform all parties who may be involved in a spill of their responsibilities in these contingency plans.
- To protect water intakes, priority be given in all contingency plans to notifying managers of water treatment facilities of any incident or potential incident that may affect their operations. To facilitate this, the locations of drinking water intakes, and contact numbers for their operators, be clearly identified on maps and charts provided to vessels transiting the Great Lakes-St. Lawrence River system and to onshore response personnel.

### **Recommendation 6-26**

- An assessment of the radar coverage throughout the Great Lakes be undertaken, in order to evaluate its adequacy.
- In order to address the high-risk traffic on the St. Clair River-Detroit River system, special attention be paid to that area, in particular to the adequacy and reliability of markers opposite Dow Chemical's Sarnia plant and off the Stokes Point Wharf.

### **Recommendation 6-27**

In order to reduce the risks associated with the movement of oil and chemicals through icy waters:

- within seven years, only double-hulled, ice-reinforced tankers and barges be permitted to transport oil and chemicals through the Great Lakes system in winter months;
- operational guidelines concerning ice navigation conditions be developed;
- a review of tank barge operations in ice conditions on the Great Lakes be conducted in cooperation with the U.S., with a view to establishing rigorous operational guidelines that emphasize safety and environmental protection.

### **Recommendation 6-28**

To avoid groundings in established channels, the Coast Guard decide on a minimum keel clearance for vessels transiting the Great Lakes waterways.

### **Recommendation 6-29**

In order to reduce the risk of accidents resulting from, or being exacerbated by, misinterpretation of information, the Canadian government work with the Ontario and American governments to:



## BACKGROUND

### EXISTING MARINE SPILLS RESPONSE CAPABILITY

#### Recommendation

The response model, proposed by the public review panel, is a multi-level capability. Small operational spills would be handled by the private sector. For example, oil terminal operators would ensure their facilities have an adequate capability to respond to spills based on a risk assessment for each facility. Coast Guard would monitor progress of the clean-up response. Should the extent of the spill be beyond the facility's ability, Coast Guard resources would be provided and, if need be, the Coast Guard would assume direct management of the response to the incident.

The panel's proposal would require a minimum stand-alone capability in each region to respond to spills of 10,000 tonnes. A national response capability, to be able to handle spills of 25,000 tonnes, is recommended. In the event of a spill of this magnitude, government sources would be augmented by industry resources and international assistance.

#### Government Response

The Coast Guard recognizes the need for improvements in the national response capability. It believes that all organizations and individual Canadians who wish to have a role in spill response can incorporate their respective capabilities into relevant contingency plans to ensure the best use of available resources. This will be referred to as the "Response Community." Both government and industry can benefit from mutual cooperation both in the development of a response capability and in response to spills when they occur.

#### Background

An extensive spill response community, involving federal and provincial agencies, industry and the public, is required to provide an effective, efficient spill response. Given the many parties involved during an incident, decisive leadership and direction is required.

At present, spill response in Canada is based upon the "lead" and "resource" agency concept. The Coast Guard is designated as the lead agency for all ship-source spills and, within the Great Lakes, for spills of unknown origin. This authority is derived from the Canada Shipping Act, the Arctic Waters Pollution Prevention Act and the Great Lakes Water Quality Agreement. A resource agency is "any agency that owns, controls and/or has access to expertise, authority, responsibility, staff and resources required by the On-Scene-Commander for the conduct of an operation." Thus, Environment Canada, Fisheries and Oceans and various other federal, provincial and municipal agencies often act as resource agencies to the Coast Guard when it is responding to a ship-source spill.

Canada's oil spill response capability and its state of operational readiness has evolved as a result of such major pollution incidents as the grounding of the tanker "Arrow" in 1970 and the breakup of the tanker "Kurdistan" in 1979.

After the "Arrow" incident, major amendments were made to the Canada Shipping Act to enable Crown intervention in the event of ship-source spills. As a result, the Coast Guard stockpiled equipment in key locations and began to respond to incidents. It also carried out exercises and further developed its response organization during the intervening years as well as entering into joint marine pollution contingency plans with the U.S. and, more recently, with Denmark and the U.S.S.R.

The Coast Guard's marine pollution responsibilities relate to both the prevention of, preparedness for, and response to, pollution incidents. Most of its resources are dedicated to prevention, as safety at sea remains its number-one priority.

The Coast Guard is dedicated to the safe construction and operation of ships and to the prevention of pollution by ships of the marine environment. To this end, it is responsible for administering and enforcing standards related to the design of ships, their machinery and equipment, the handling and stowage of cargoes, the qualification and certification of ships' personnel, the safe crewing of ships, occupational safety and health of ships' personnel, the transportation of dangerous goods, the inspection and certification of Canadian ships against regulatory requirements and of foreign-flag ships to ensure compliance with standards established under international convention.

In the event a spill does occur, however, the Coast Guard is also mandated to mitigate the effects of ship-source pollution, marine spills of unknown origin and other spills in the marine environment, and to minimize damage to property associated with all non-search and rescue marine emergencies. It provides services that include response capability for ship-source spills of oil and hazardous materials, clean-up operations, spill monitoring, evaluation of containment and recovery equipment, emergency exercises and training, and contingency planning.

The Coast Guard maintains the most comprehensive inventory of marine pollution countermeasures equipment in Canada. This equipment is stored for immediate use at 52 depots strategically located across Canada.

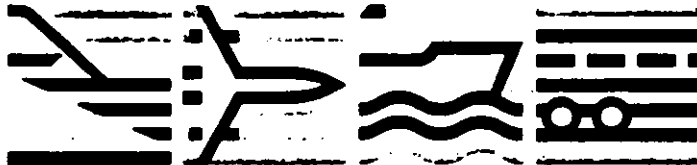
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Transport  
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# Information



No. 240/90 For release

November 2, 1990

## GOVERNMENT RESPONDS TO REPORT ON TANKER SAFETY AND MARINE SPILLS RESPONSE CAPABILITY

OTTAWA -- Transport Minister Doug Lewis today announced the government's preliminary response to the Public Review Panel report on Tanker Safety and Marine Spills Response Capability. The report was presented to the government on October 24.

Mr. Lewis expressed his appreciation for the efforts of panel chairman David Brander-Smith, Q.C., of Vancouver, and members Denise Therrien and Stan Tobin in assessing Canada's ability to prevent and respond to marine spills of oil and other hazardous substances.

"The public review, commissioned by the Prime Minister in June 1989, has generated wide public participation and discussion on one of the most critical environmental challenges facing us today," Mr. Lewis said.

"The report is a hard-hitting assessment of Canada's current capabilities and it sets out a comprehensive set of recommendations for addressing the shortcomings. The Government of Canada is committed to responding aggressively and with concrete measures to the problems raised by the panel."

...2

Canada

Mr. Lewis endorsed the panel's conclusion that prevention of, and response to, marine oil and chemical spills are important priorities for Canadians and announced the following initial steps as part of an aggressive plan to improve the protection of Canada's marine environment:

1. The panel's conclusion that there is strong evidence that double bottoms or hulls do limit pollution from groundings and collisions is acknowledged. Consultations will be held with tank-ship owners and operators to prepare a plan for phasing in this important pollution prevention feature.

2. Work has begun on a comprehensive review of national requirements for vessel traffic services for high-risk and environmentally-sensitive areas. Vessel traffic services are important prevention systems and are the subject of numerous panel recommendations.

3. The federal government believes that Canadians have a right to adequate compensation when they are directly affected by marine pollution accidents and that the compensation regime in the Arctic must be improved. The appropriate level of compensation, as well as use of the Ship Source Oil Pollution Fund and levy to finance improvements to Canada's prevention and response capability, as recommended by the panel, will be examined.

4. The government accepts the panel's conclusion that the Canadian Coast Guard's role and responsibilities as lead agency in responding to spills must be clearly defined and strengthened through formal designation. In addition, the requirements for personnel, training and equipment to ensure strong, immediate response to pollution incidents by the Coast Guard are being carefully examined.

...3

5. The government agrees with the panel's view that integrated contingency planning is key to immediate and effective spill response. Earlier this year, the Coast Guard initiated a review of the national marine emergency plan to better integrate plans of both the public and private sectors. The government will carry out a complete assessment of Canada's state of contingency planning for marine spills, as recommended by the panel.

6. The Coast Guard is developing standards for barges carrying oil and noxious substances and will be consulting with industry operators.

Further improvements will be announced by the federal government later this year. The view expressed by Canadians during Green Plan consultations that environmental emergencies are an important priority supports the need for additional resources to make needed improvements in this area.

"These initial steps underline the government's commitment to ensuring the continued protection of our marine environment," said Mr. Lewis.

The review panel's 263-page report, which has 107 recommendations, will be analysed carefully during the development of a detailed response to the panel's recommendations. The review, which will include consultations with affected groups, is under way.

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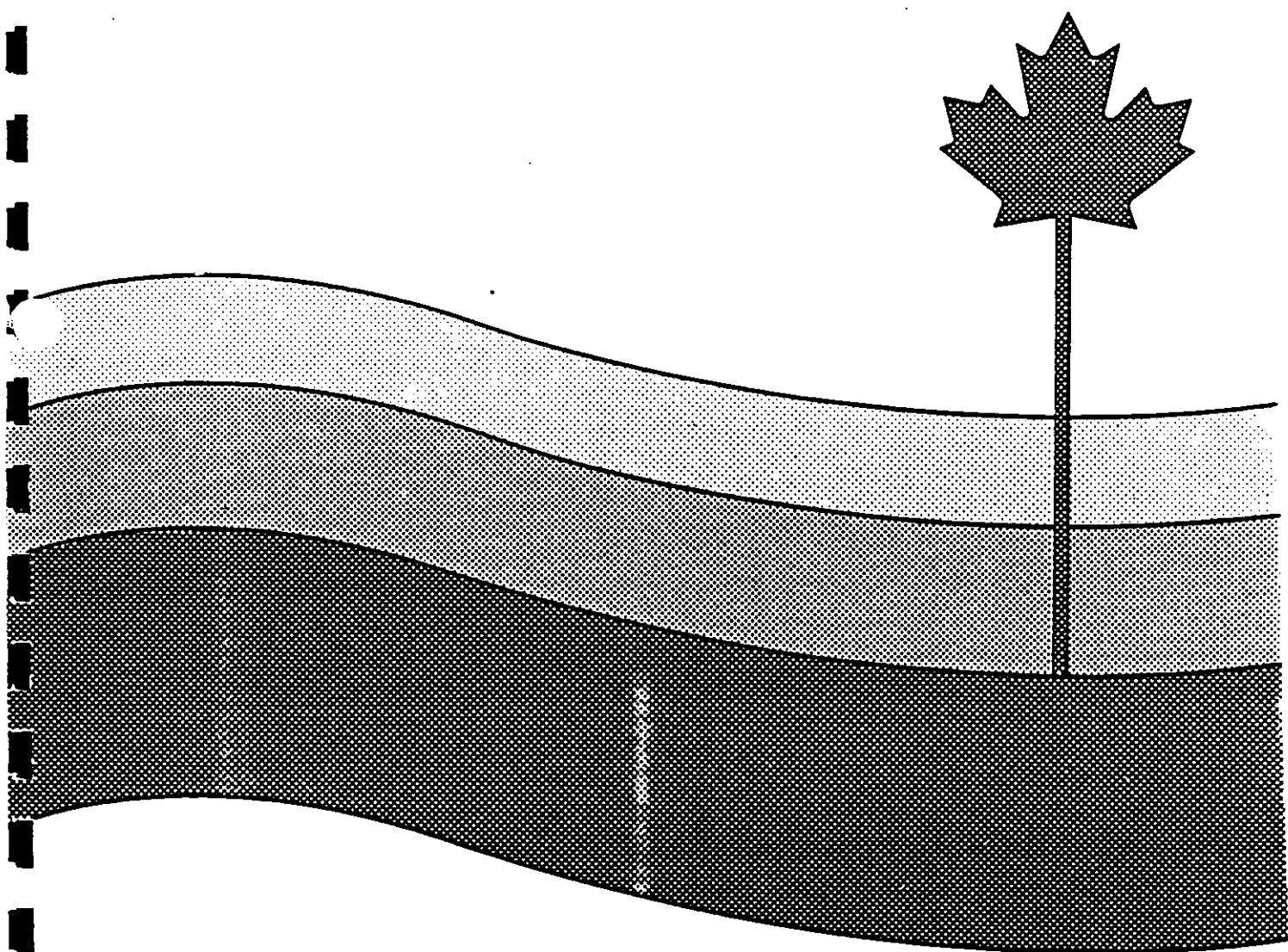
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# COGLA Emergency Response Plan

## Northern Region

### January 1989



COGLA EMERGENCY RESPONSE PLAN

NORTHERN REGION

JANUARY 1989

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COGLA REGIONAL EMERGENCY RESPONSE PLAN - NORTHERN REGION

The Oil and Gas Production and Conservation Act authorizes the Chief Conservation Officer (Administrator, COGLA) to order the cessation of any operation that is in contravention of a safety regulation or to take such action as may be necessary to repair or remedy any condition resulting from a spill, to reduce or mitigate any danger to life, health, property or environment resulting from a spill, and where necessary, to assume management and control of operations giving rise to waste or where a spill or debris has occurred.

This document is a COGLA directive for the coordination of government resources in responding to emergencies within the above mandate, and the provision of support to other agencies with responsibilities for furnishing emergency assistance to the petroleum industry operating in the Northern Region of the Frontier Lands.

## 1.0 GENERAL PRINCIPLES

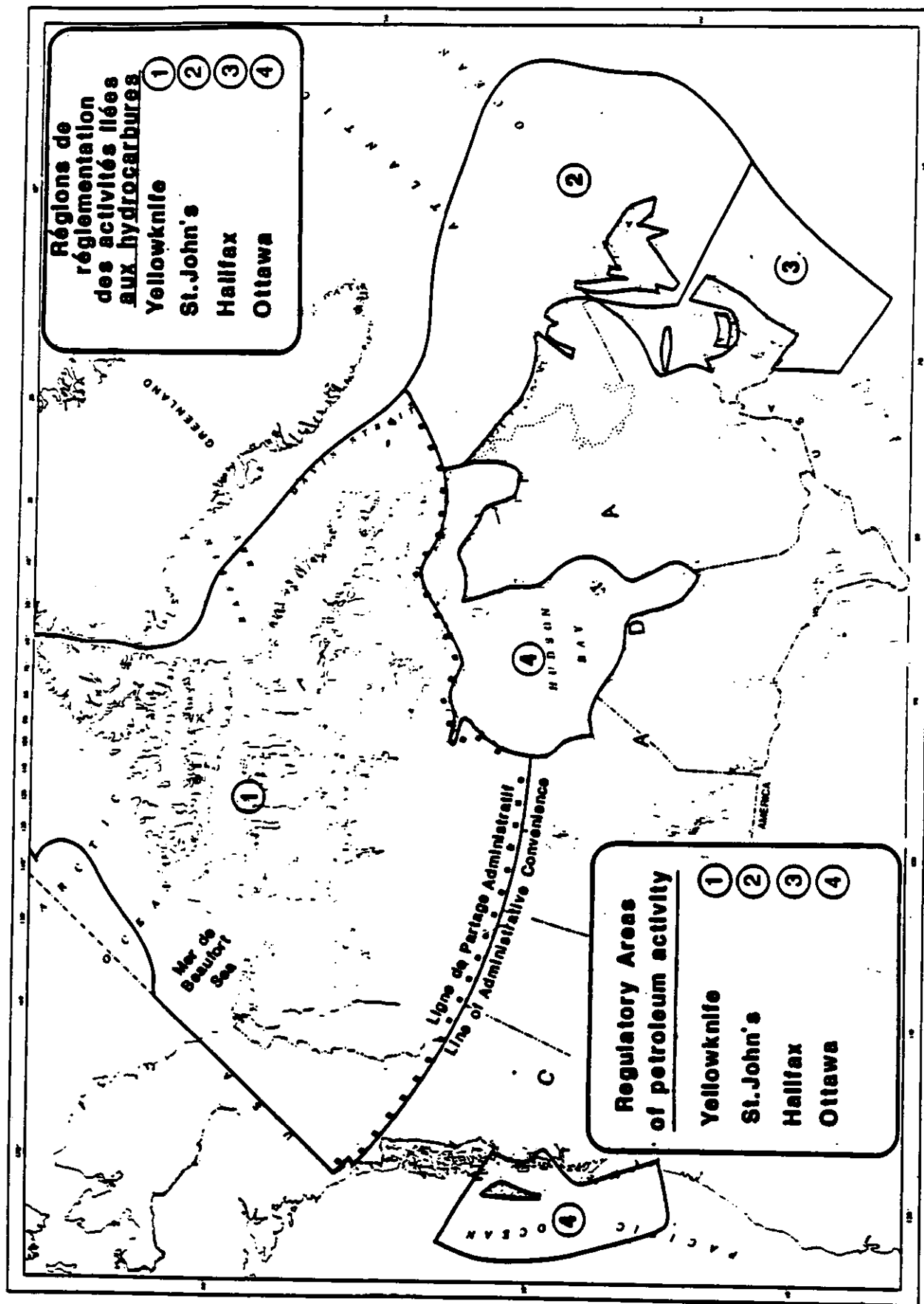
### 1.1 Rationale for Plan

Regulations promulgated under the Oil and Gas Production and Conservation Act (OGPCA) provide comprehensive minimum operating standards for equipment and personnel engaged in petroleum exploration and production on Frontier Lands (Fig. 1). In addition, the regulations concerning drilling, production, and diving operations require operators to submit contingency plans for potential emergencies that could arise during their program. These plans, which provide the basis for the petroleum operators' response to an emergency situation are reviewed by COGLA and other government agencies. Together, these plans and other safety-related measures adopted by the petroleum industry enable operators to anticipate, contain, and resolve most emergencies likely to occur. Beyond this, a requirement for extraordinary facilities can usually be satisfied through the provision of resources within the petroleum industry.

COGLA's responsibility in an emergency situation is to closely monitor the incident for regulatory compliance, to provide whatever assistance is practicable, and where necessary, to intervene in the management of an operation.

This document sets out the manner in which the activities of COGLA staff will be coordinated to monitor emergency situations and to provide support to other agencies which have responsibilities for furnishing assistance to the petroleum industry during such emergencies. This plan also provides for the coordination of government resources in responding to those emergencies requiring COGLA intervention as authorized under the OGPCA.

**Terres domaniales. Ligne de partage administratif entre EMR et AIN**



**Figure 1 Frontier Lands. EMR/DIAND Line of Administrative Convenience**

A notable exception to this situation would be an incident involving search and rescue, in which procedures for coordinating the search are directly assumed by the Rescue Coordination Centre (RCC) and the on-scene search commander. Similarly, situations involving shipping-related incidents, governed by the Canada Shipping Act, are the direct responsibility of the Canadian Coast Guard (CCG). In such cases COGLA would provide whatever assistance is required by the operator, RCC, or CCG.

### 1.2 Types of Emergencies

The Canada Oil and Gas Drilling Regulations, Canada Oil and Gas Diving Regulations, and the Canada Oil and Gas Production and Conservation Regulations list types of emergency situations for which operators are required to submit contingency plans to COGLA. These are consolidated below as an indication of the type of incident, or combination thereof, that may occur:

- o major fire;
- o death or injury of personnel;
- o loss, disablement or damage to a drilling unit;
- o loss of support craft (including aircraft);
- o diving-related emergency;
- o loss of well control;
- o heavy weather or ice encroachment;
- o spills of oil or other pollutants.

The above regulations apply to fixed platforms, mobile drilling units, and land- and ice-based operations for all areas of the Frontier Lands. Because many types of emergencies or combinations thereof can occur, not all of which are under the exclusive jurisdiction of COGLA, no standard response format in terms of required protocol, dedicated resources or expertise can be prescribed. Instead, Section 2.0 of this plan provides

COGLA's organizational framework for establishing public sector crisis management to initiate, supplement, and where necessary, direct remedial measures.

### 1.3 Emergency Priorities

All countermeasures operations, whether undertaken by the operator or government agencies, allocate resources in accordance with the following priorities:

1. Human safety;
2. Maintenance and preservation of property, i.e. facilities such as drilling units, vessels, accommodation and equipment required by the operator to prevent further deterioration of the situation;
3. Well control operations;
4. Environmental protection and restoration.

### 1.4 Lead Agency Responsibility

Federal Government policy for crisis management is to allocate the responsibility for different types of emergencies to particular departments according to statute, inter-agency agreement, or precedent. That department is designated as the Lead Agency and is responsible for such measures as contingency planning, cost recovery, training and liaison with other departments whose expertise or equipment may be required during the management of an emergency. These latter departments whether at the federal, territorial, provincial or municipal level are referred to as Resource Agencies, and their support may be enlisted according to contingency planning arrangements.

As a resource agency, COGLA would provide support through its expertise in marine emergencies, offshore structures, diving, oil spill countermeasures, oceanography, meteorology, and biology.

While it is expected that the petroleum operator is adequately prepared to handle most emergencies, it is also recognized that for a major incident the capability of any one company may not be adequate to meet the priorities listed in Section 2.3. Accordingly, the Federal Government, under the provisions of the Canada Petroleum Resources Act (CPRA) and the Oil and Gas Production and Conservation Act (OGPCA), has the right to direct that corrective measures be taken, or to implement countermeasures operations for conservation or environmental reasons, as deemed appropriate by the Chief Conservation Officer. Such intervention would involve COGLA as Lead Agency, while emergencies concerning Search and Rescue (SAR) or a combination of marine and drilling/production operations would involve COGLA in the capacity of Resource Agency.

COGLA therefore has Lead Agency responsibility for government response to all petroleum exploration and production-related emergency situations north of 60° except:

- o SAR operations coordinated by the Department of National Defence;
- o RCMP investigations;
- o Pollution incidents involving ships (handled by CCG);
- o Onshore oil spills that do not threaten the safety or integrity of the drilling or production operation (handled by DIAND).

In order to establish a management structure with the flexibility and staffing to respond to all types of incidents, including those that warrant direct COGLA intervention, three orders of involvement (or response) are described in the following section.

## 2.0 COGLA EMERGENCY RESPONSE PROCEDURES

### 2.1 COGLA Emergency Response Levels

In the event of an emergency, the three levels of response in progressing order of government involvement are as follows:

1st ORDER RESPONSE:

- o Monitoring industry operations (as Lead Agency)

and/or

- o COGLA as Resource Agency in support of operations under the lead agency authority of another department (e.g. SAR, RCMP).

2nd ORDER RESPONSE:

- o COGLA assistance/intervention in environmental protection or restoration operations

3rd ORDER RESPONSE:

- o COGLA intervention in the management of other well site related operations (which may include environmental protection operations)

Each of these emergency response levels is described in detail on the following pages.

2.2 First Order Response - Monitoring

In the event of an emergency, operators are required to notify COGLA by the most rapid and practical means as stipulated by Section 171 of the Canada Oil and Gas Drilling Regulations and Section 87(1) of the Oil and Gas Production and Conservation Regulations.

The Administrator of COGLA has predesignated regional Emergency Response Officers (ERO) who are responsible for assessing a situation, including its potential for deterioration, and for determining what the nature of

COGLA's response should be according to the circumstances. In the Northern Region, the predesignated ERO is the Regional Engineer, Yellowknife.

In most cases the ERO will assess the situation and decide whether to invoke a First Order Response.

The purpose of a First Order Response is:

- o to provide a federal government management team of specialists to closely monitor the operator's response to the emergency situation;
- o to alert COGLA headquarters and other agencies;
- o to establish the appropriate organization should there be a subsequent requirement to escalate federal government involvement.

The ERO may draw upon appropriate expertise within regional and headquarters offices and the private sector to form the COGLA response team. The ERO will convene a Regional Emergency Advisory Response Team (REART) as the principle contact for communications within the federal and territorial agencies, and may call upon other advisory teams as required.

REART will normally consist of senior representation from the Canadian Coast Guard, Royal Canadian Mounted Police, Department of Indian Affairs and Northern Development, Department of the Environment, Department of Fisheries and Oceans, the Government of the Northwest Territories and the Department of National Defence. Representation from other departments may be called upon as required.

The ERO shall make the appropriate arrangements for public relations commensurate with the severity of the incident through the Manager, COGLA Communications, Ottawa.



Timely environmental advice to meet the immediate operational requirements of COGLA will be provided by a COGLA Environmental Emergency Advisory Team (CEEAT) consisting of specialists from the regional and headquarters offices of federal and territorial agencies. CEEAT may draw upon northern expertise as represented by the Arctic Regional Environmental Emergency Team (AREET) with representatives from DOE, DFO, DIAND, and GNWT.

2.2.1 First Order Response - Staff Responsibilities

ERO

- i receives incident report from operator, assesses situation, invokes first order response, notifies other agencies;
- ii offers COGLA support to other lead agencies in the event of SAR or shipping related operations;
- iii assigns a site inspection team. COGLA - CCG accident investigations involving drilling and marine matters will be coordinated as per COGLA - CCG MOU;
- iv maintains close contact with operator's representative;
- v consults REART;
- vi arranges for Headquarters Chief, Emergency Response Officer to receive detailed situation reports;
- vii forwards to Headquarters Chief, Emergency Response Officer any requirements for logistical, financial or administrative support;
- viii ensures comprehensive communications log is initiated;
- ix assembles 1st Order Response Team with staffing and delegation of duties commensurate with nature of incident.

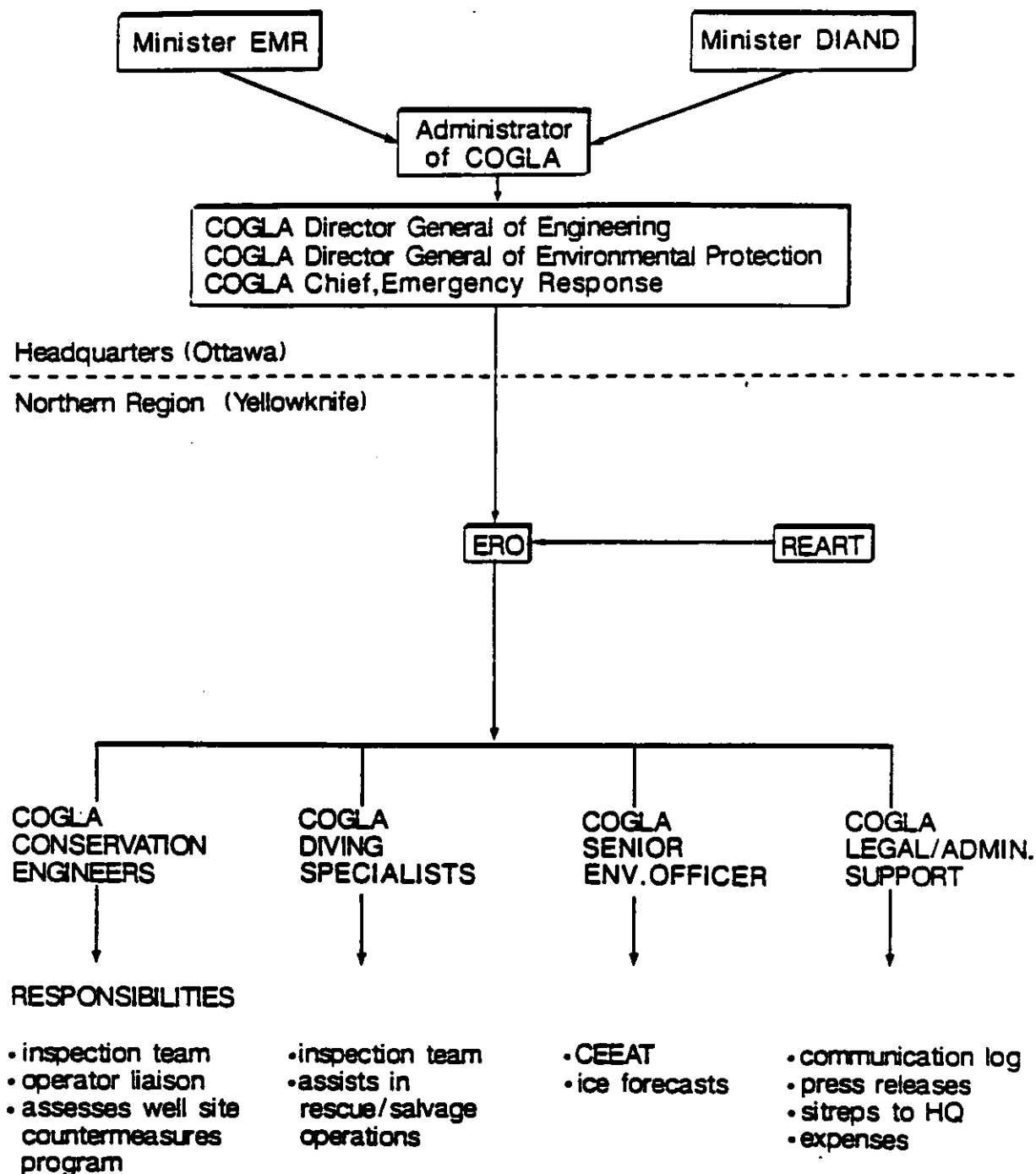


Figure 2. COGLA 1st ORDER RESPONSE TEAM ORGANIZATION

COGLA ENGINEERING AND DIVING SPECIALISTS

- i obtain detailed information on the extent of damage to equipment, failure of particular systems, status of the well, diving unit and casualties;
- ii brief ERO and response team members of engineering aspects of the problem;
- iii ensure on-site inspection is conducted;
- iv maintain close contact with operator's engineering and logistical staff;
- v assess potential for emergency to deteriorate and the adequacy of the operator's countermeasures; and recommend alternate procedures or contingency options;
- vi furnish advice and other assistance to the operator.

COGLA SENIOR ENVIRONMENTAL OFFICER

- i compiles meteorological, sea state and ice forecasts for ERO;
- ii convenes CEEAT and obtains their input on environmental concerns; assesses this advice and informs ERO as needed;
- iii maintains liaison with operator's environmental coordinator;
- iv advises ERO on adequacy of operator's environmental program and recommends action as required;
- v recommends a 2nd Order Response to ERO if required.

COGLA ADMINISTRATIVE AND LEGAL OFFICERS

Regional staff should be able to manage the increased communications and clerical workload in the event of a 1st Order Response. Where necessary, secondment of personnel including legal counsel, from headquarters can be arranged by the ERO.

COGLA HEADQUARTERS CHIEF, EMERGENCY RESPONSE

Maintains constant liaison with ERO and/or COGLA emergency response team in order to:

- o prepare situation reports or ministerial briefing notes;
- o expedite headquarters administrative or financial support;
- o serve as point of contact for other government agencies within headquarters area;
- o maintain headquarters log of communications and decisions.

2.3 Second Order Response - Environmental Protection

Under a 2nd Order Response the Administrator authorizes COGLA's direct involvement in the management of an operator's environmental protection operations in accordance with the provisions of Section 25(5) of the OGPCA. Other operations, such as well control, removal of debris and damage control are monitored by COGLA, but remain the responsibility of the operator. Depending upon the nature of the incident, COGLA's involvement may range from coordinating government assistance to full management control of environmental protection and restoration operations.

A 2nd Order Response will be implemented when:

- o an operator requests government assistance;
- o the scope of the required response exceeds the operator's resources;

- o the operator's response is deemed to be inadequate;
- o federal government assistance or representation is required at the international level.

The organizational structure of COGLA's 2nd Order Response will be an extension of the response team assembled for a 1st Order Response. Staffing and assignment of responsibilities will be at the ERO's discretion.

In responding to a pollution incident, operators are expected to make full use of the services provided by their cooperatives and the private sector before government assistance is requested. Because federal government departments are restricted in the expenditure of public funds in accordance with their legislation, services provided on a cost-recovery basis (this does not include SAR) will be coordinated by COGLA through a 2nd Order Response.

Logistical support for cleanup operations may be accessed through the CCG-COGLA Memorandum of Understanding concerning the provision of marine services to the offshore and/or the GNWT in accordance with the Government of the Northwest Territories Services and Support Plan for Major Pollution Incidents in the Arctic Seas.

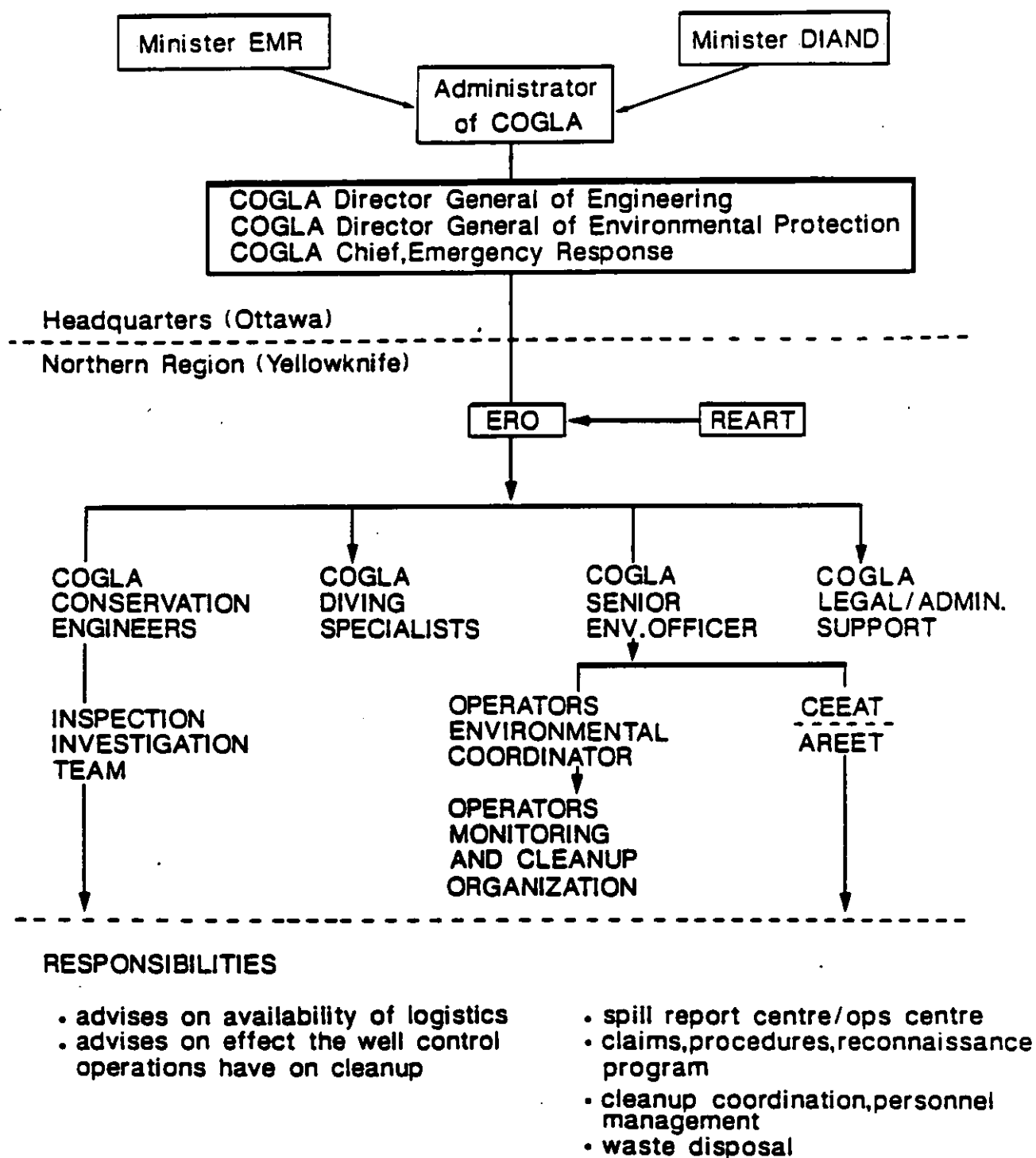


Figure 3. 2nd ORDER RESPONSE TEAM ORGANIZATION

2.3.1 Second Order Response-Staff Responsibilities

ERO

- i in consultation with COGLA Senior Environmental Officer and COGLA Conservation Engineers, assesses the requirement for government assistance/intervention in the environmental protection/restoration operations;
- ii consults Administrator;
- iii augments 1st Order Response Team with staffing appointments made from other COGLA regions, agencies, and the industry;
- iv chairs REART;
- v ensures government action, press releases, etc. are coordinated with those of the operator;
- vi ensures comprehensive records of all communications and decisions are maintained;
- vii makes arrangements for secondment of public relations personnel through Manager, COGLA Communications, Ottawa.

COGLA SENIOR ENVIRONMENTAL OFFICER

Under the general direction of the ERO, and in consultation with relevant government agencies, implements COGLA's coordinated pollution countermeasures operations by:



- i closely monitoring progress of operators environmental protection program;
- ii in consultation with CEEAT, reviewing the environmental concerns of AREET and developing an operational plan compatible with the well control program and industry's cleanup activities;
- iii assessing the requirement for external logistical support under the provisions of the May '88 GNWT Services and Support Plan for Major Pollution Incidents in the Arctic Seas and/or the CCG-COGLA Memorandum of Understanding;
- iv delegating authority to staff for manpower acquisition, land use permits, reconnaissance, drift modelling and weather forecasting, shoreline and waterborne cleanup and waste disposal;
- v ensuring that obligations under the Joint Canada - United States Marine Pollution Contingency Plan and any other agreements (Marine Environment Co-operative Agreement (MECA)) are met;
- vi ensuring AREET is fully briefed on pollution incident developments;
- vii ensuring that procedures are implemented to receive, document, and investigate damage claims;
- viii furnishing the ERO with briefing material on the progress of COGLA's operations;
- ix ensuring that a cost accounting system is instituted for expenditures by COGLA and resource agencies.

COGLA HEADQUARTERS CHIEF EMERGENCY RESPONSE

In addition to responsibilities listed in Section 2.2.1 and under the general direction of the Administrator and Directors General:

- o consults with the COGLA Executive Officer and ensures that appropriate measures are initiated to financially support field operations.

(There are several administrative procedures to satisfy this requirement. In addition to the mechanism for retroactive Treasury Board approval for contractual expenditures, Treasury Board submissions may be tendered to meet unexpected shortfalls resulting from field expenditures exceeding departmental budgets.)

2.4 Third Order Response - Well Control and/or Other Operations

A 3rd Order Response requires more extensive government intervention in the management of petroleum company emergency operations, beyond measures taken for purposes of environmental protection.

Section 25(5) of the OGPCA authorizes the Chief Conservation Officer (Administrator of COGLA) to assume the management and control of petroleum company operations where it becomes apparent that appropriate action is not being taken to reduce or mitigate any danger to life, health, property, or the environment, resulting from a spill.

While a 3rd Order Response may involve intervention in well control operations, it may also include elements of a 2nd Order Response in a comprehensive program to control the source of pollution and conduct cleanup operations. Although anticipated to involve operations to regain well control, a 3rd Order Response could simply involve COGLA coordinating services to complete an exploration project in circumstances where an operator is no longer able to meet contractual obligations.

2.4.1 Third Order Response - Staff Responsibilities

Because a 3rd Order Response involves extensive intervention into the management of company operations, the decision to invoke this procedure will be made by the Administrator in consultation with the ERO, DG's Engineering and Environment, and appropriate legal counsel. Because the circumstances warranting such action would be exceptional, no attempt has been made to anticipate staffing positions or responsibilities according to a scenario. It is expected, however, that a 3rd Order Response would be implemented through COGLA engineering specialists.

APPENDIX 1

EMERGENCY CONTACT LIST

CONTACT LIST

A. COGLA NORTHERN REGIONAL OFFICE

	<u>Office</u>	<u>Home</u>
M.D. Thomas - Regional Engineer, Yellowknife (ERO)	(403)-920-8175	(403)-873-4250
Kem Singh - District Engineer	(403)-920-8175	(403)-920-2579
G. McCormick - Northern Environment Officer	(403)-920-8175	(403)-873-8765

B. COGLA HEADQUARTERS

	<u>Office</u>	<u>Home</u>
Maurice Taschereau - Administrator	(613)-993-2122	(613)-746-2776
Glenn Yungblut - DG, Engineering	(613)-993-1320	(613)-722-9286
Vera Lafferty - DG, Environmental Protection	(613)-993-2508	(613)-745-1688
Shawn Gill - Chief, Emergency Response	(613)-991-1916	(613)-832-1661
Fred Lepine - Director, Exploration Engineering	(613)-991-2017	(613)-224-8302
Don MacMillan - Comptroller	(613)-991-2082	(613)-733-8744
Tamara Parschin-Rybkin - Legal Counsel	(613)-991-2064	(613)-746-3265
John Stewart - Executive Officer	(613)-991-2062	(613)-236-9350
Denis Zborowski - Manager, COGLA Communications	(613)-991-5940	(613)-830-9275

APPENDIX 2

18-POINT SITUATION REPORT (SITREP) CHECK LIST

18 POINT SITUATION REPORT (SITREP) CHECKLIST

Sitrep# \_\_\_\_\_

Date/Time \_\_\_\_\_

1. Report received from:
2. Time of report:
3. Date and time of incident:
4. Drilling unit or support craft involved and owner:
5. Well name:
6. Operator:
7. Nature of incident - Action being taken by Operator:
8. Approximate location of incident (latitude, longitude):
9. Injuries - Severity:
10. Weather/Ice Condition/Sea state:
11. Damage to Rig/Vessel/Diving unit:
12. Is situation under control?:
13. Evacuation required?:
14. Present status of well:
15. Status of unit involved in incident (i.e. on location or off):
16. Action being/to be taken by COGLA:
17. Notification of:
  - CGG
  - Other federal agencies
  - Territorial authorities
  - COGLA senior management
18. Approximate time next sitrep will be sent.

APPENDIX 3

REPORTING OF EMERGENCIES AND SPILLS



### REPORTING OF EMERGENCIES AND SPILLS

- o For onshore and offshore activities regulated by COGLA, the operator MUST report all emergencies and spills to COGLA, in compliance with the Canada Oil and Gas Drilling Regulations, Section 171(1);
- o For some 13 years DIAND has been operating a report network that the public uses to report spills to the Government. All companies holding permits issued by DIAND (land use permits, water licenses) MUST report spills or potential spills to the spill number (403) 920-8130 or fax number 920-8127. This applies essentially to all onshore operators;
- o For the offshore, all operators report small oil spills to the spill line. These need not be reported directly to COGLA by operators as COGLA receives copies of these reports from the spill line. These spills are minor "housekeeping" losses;
- o For major spills and emergencies related to oil and gas, the operator reports directly to COGLA. In the case of a spill, they also report it to the spill line;
- o This system is satisfactory to COGLA and DIAND.

### Spill agreement with other agencies

- o COGLA is party to the Working Agreement on Government Response to Spills in the NWT. This is an agreement among COGLA, DIAND, EPS, CCG, and GNWT concerning the division of responsibilities in responding to pollution incidents.

APPENDIX 4

OUTLINE OF COGLA'S MANDATE AND AREA  
OF JURISDICTION

### Outline of COGLA's Mandate and Area of Jurisdiction

The Canada Oil and Gas Lands Administration (COGLA) was established in July 1981 by a Memorandum of Understanding (MOU) between the Ministers of Energy, Mines and Resources (EMR) and the Department of Indian Affairs and Northern Development (DIAND) for the management of petroleum exploration and production in those areas defined by the Canada Petroleum Resources Act (CPRA) as Frontier Lands.

COGLA serves as the federal government's principal point of contact for the petroleum industry for operations regulated by the OGPCA of 1969 and the CPRA.

While COGLA has a responsibility to ensure that operations are carried out in compliance with these Acts, the overall safety of the industry's operations is a function of the composite of many disciplines, the regulation of which involves other federal agencies, such as the Canadian Coast Guard (CCG) which administers the Canada Shipping Act and portions of the Arctic Waters Pollution Prevention Act (AWPPA).

COGLA's policy, with respect to operational safety and environmental protection has two basic components:

- 1 to ensure the appropriate engineering, design, logistical and managerial facilities are in place and maintained throughout a particular operation;

4. Section 58 of the OGPCA empowers a conservation engineer to order the modification or cessation of an operation, that on probable grounds, is in contravention of any safety regulation.
5. Section 12 of the CPRA provides for the Governor-in-Council to order the cessation of work on Frontier Lands in the event of a serious environmental or social problem including weather conditions that threaten the safety of an operation.
6. Section 105 of the CPRA enables the Minister to cancel the interest or share of an interest owner for failure to comply with directives respecting requirements of the CPRA, OGPCA or regulations prescribed under the Acts.

APPENDIX 5

LIST OF ACRONYMS

### LIST OF ACRONYMS

AREET - Arctic Regional Environmental Emergency Team

AWAC - Arctic Waters Advisory Team

AWPPA - Arctic Waters Pollution Prevention Act

CEEAT - COGLA Environmental Emergency Advisory Team

CCG - Canadian Coast Guard

CCO - Chief Conservation Officer

COGLA - Canada Oil and Gas Lands Administration

CPRA - Canada Petroleum Resources Act

DFO - Department of Fisheries and Oceans

DIAND - Department of Indian Affairs and Northern Development

DND - Department of National Defence

EMR - Energy Mines and Resources

EP - Environmental Protection (Environment Canada)

ERO - Emergency Response Officer

GNWT - Government of the Northwest Territories

MECA - Marine Environmental Cooperative Agreement

MOU - Memorandum of Understanding

NAP - Northern Affairs Program (DIAND)

OGPCA - Oil and Gas Production and Conservation Act

RCC - Rescue Coordination Centre

RCMP - Royal Canadian Mounted Police

REART - Regional Emergency Advisory Response Team

SAR - Search and Rescue

SITREP - Situation Report

DRAFT

2/90

**CANADIAN COAST GUARD  
ARCTIC MARINE ENVIRONMENTAL EMERGENCY PLAN  
LETTER OF PROMULGATION**

This plan sets out the Canadian Coast Guard response mechanism for marine incidents in those Arctic waters where CCG Northern has operational responsibility under the National Marine Emergency Plan.

Although oil and other noxious material spills, or imminent threats of spills, constitute the major portion of the marine emergencies with which Transport Canada's Canadian Coast Guard is assigned to deal, this plan establishes the policy for responding to all peacetime marine environmental emergencies where the Coast Guard either is assigned as, or supports, the agency leading the response.

The saving of life is the paramount consideration; therefore, this plan is subordinate to the requirements of the federal marine search and rescue structure.

This plan has been reviewed by, and received the concurrence of, the Departments of Indian Affairs and Northern Development, Fisheries and the Environment, and National Defence, the Royal Canadian Mounted Police and the Government of the Northwest Territories.

The custodian of this document is the Director General, Coast Guard Northern (AMN) 344 Slater St., 9th Floor, OTTAWA, Ontario, K1A 0N7. Comments, recommendations and communications relating to the Arctic Marine Environmental Emergency Plan should be addressed to that office.

Commissioner,  
Canadian Coast Guard

**AMENDMENTS TO THE PLAN**

1. A master copy of this plan is retained by the Director General, Coast Guard Northern (AMN) in both official languages. At the top of each page is the date of issue (month/year). When a page is amended, recipients should enter the new issue date on the amendment sheet. Should a recipient wish to check their copy, AMN will forward a copy of the Master Amendment Sheet which gives the latest issue dates. The recipient may then request any missing amendments.
2. Annually, AMN shall forward a copy of the latest amendment sheet to recipients for updating their copies of the plan.
3. For purposes of uniformity, only the Director General, Coast Guard Northern is authorized to issue amendments.



**AMENDMENT SHEET**

2/90

Page	Latest Issue Date		Page	Latest Issue Date

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- I Operational Areas Covered by Arctic Marine Environmental  
Emergency Plan
- II Sitrep Contents and Transmittal to Coast Guard  
Headquarters

# SPILLS OF OIL AND NOXIOUS MATERIAL INTO ARCTIC WATERS

**Responsibilities** - Pollution presents one of the gravest threats to the public interest in the environmentally sensitive Arctic waters. By statute and agreement, the lead agencies within the federal Government are the Canadian Coast Guard (CCG) and the Government of the Northwest Territories (G/NWT), the Department of Indian Affairs and Northern Development, Energy Mines and Resources, and the Department of the Environment. COGLA, the Canadian Oil and Gas Lands Administration, is the agency that represents DIAND and EMR as lead agency in their respective geographic areas of responsibility for gas and oil activity. Responsibilities are allocated as shown below.

Spill Source	Lead Agency	CCG Responsibility
(a) Marine traffic, including (i) shipping and its equipment (hoses, etc.) (ii) drill ships when not actually engaged in seabed activity.	CCG	Lead Agency
(b) Seabed activities	<sup>1</sup> DIAND/COGLA	<sup>2</sup> Resource Agency
(c) Shore facilities, including shore-supplied equipment (hoses, etc.)	GNWT/DIAND	Resource Agency
(d) Unknown (mystery spills)	DOE	Resource Agency

1 also responsible for operations on rig and seabed

2 also responsible for waterborne clean-up by international agreement

Notification of Marine Spills in the areas covered by this plan should be made to Coast Guard Northern via the Coast Guard Operations Centre (613) 990-5600 - Telex 053-3128 - Fax (613) 995-4700.

## **I PLAN TERMINOLOGY**

- 1 . **Appointed On-Scene Commander (A/OSC)** is a federal officer appointed by the Coast Guard, charged with responding to minor emergencies and providing support to major operations. (Commandant sur place nommé, CSP/N)
2. **Beneficial parties of a casualty** are all parties that benefit from a casualty's normal activities. They include its owner, and parties having possession and use of the casualty, as well as the owners of its cargo and contents. By legislation these beneficial parties have financial responsibility for any damage that a casualty causes. (Parties bénéficiaires d'un sinistre maritime)
3. **Call lists** are lists of appropriate resource agency personnel in Ottawa, the Arctic and the regions who can assist in a response to an emergency. (Listes d'appel)
4. **Canadian Arctic Marine Environment** is the physical condition of all Arctic waters of Canadian interest and their littoral areas. (Milieu marin Arctique canadien)
- 5 . **Canadian Coast Guard Emergency Net** is those CCG headquarters and Regional personnel who are dedicated to the Emergencies function. (Organisation d'urgence de la Garde côtière canadienne)
6. **Casualty** is a vessel or facility, including all substances it contains, which, through accident, malfunction or some other reason, is a hazard or threatens to become a hazard to the public interest. (Navire ou installation sinistré)
7. **Designated On-Scene Commander (OSC)** is the officer designated by the lead agency to command its response to a particular emergency. Once designated, they become the OSC for that operation. (Commandant sur place désigné, CSP/D)
8. **Arctic Command Team (ACT)** are senior personnel in direct support of the OSC, located in the Command Centre. (Équipe de commandement dans l'Arctique, ECA)
- 9 . **Resource Coordination Group (RCG)** are additional support and back up for the OSC, located in Southern Canada. (Groupe de la coordination des ressources, GCR)

10. **Lead Agency** is the agency designated by statute, inter-agency agreement, cabinet decision and/or custom and precedent to lead the response to an emergency on behalf of that government. The Lead Agency is required to undertake the necessary preparatory measures such as contingency planning, training, and appropriate liaison with resource agencies, involved commercial organizations, the public and other interested parties. A Lead Agency, however, is not expected to provide all the resources and expertise required for an emergency response, but only those that are not available elsewhere in the total lead-resource agency inventory. When an emergency occurs that is within a Lead Agency's mandate, that agency is responsible for organizing, commanding and funding the response.  
(Organisme directeur)
11. **Marine Environmental Emergency** is the situation that exists when a vessel or facility becomes a casualty and presents a threat to the Canadian marine environment.  
(Situation d'urgence maritime)
12. **Marine traffic** consists of all vessels operating in waters of Canadian interest. (Trafic maritime)
13. **Monitoring response** occurs when the beneficial parties of a vessel casualty are conducting their response and the Coast Guard monitors it. Other lead agencies shall monitor other types of casualties. (Contrôle)
14. **Operational response** occurs when, in the view of the monitoring agency, the casualty and its beneficial parties will not, or cannot, conduct a sufficiently effective operation to adequately protect the public interest. The lead agency then takes over the operation. (Intervention)
15. **Protection of the public interest** is the prevention or minimization of the casualty's impact on the health, social, economic, environmental and other interests of the public. (Protection de l'intérêt public)
16. **Resource Agency** is any agency that owns, controls and/or has access to expertise, authority, responsibility, personnel and resources required by the OSC to conduct an operation. A resource agency may be any federal, provincial, or local government department, any commercial or private organization, any individual in Canada, or any government, commercial, or private organization or individual in another country.  
(Organisme ressource)

- 17 . **Search and Rescue (SAR)** is operations aimed at saving the lives on board a marine casualty, including its crew, supernumeraries and passengers. (**Recherche et sauvetage, R&S**)
18. **Vessel (ship)** is any structure designed or intended to operate in the waterborne mode, and to be mobile when not anchored or moored, including oil platforms and other special equipment when designated as ships. (**Navire**)
19. **Waters of Canadian interest in the Arctic** refers to:
  - a) all waters over which Canada claims jurisdiction;
  - b) all waters where Canada licenses or otherwise exercises control over activities such as offshore mineral exploration and fishing - these waters include all those covered by the Arctic Waters Pollution Prevention Act and the Oil and Gas Production and Conservation Act;
  - c) all waters where, by international agreement, Canada has some jurisdiction or responsibility;
  - d) all waters where the Federal Government instructs agencies to exercise control and/or conduct operations. (**Eaux Arctiques d'intérêt public canadien**)

## II CANADIAN COAST GUARD RESPONSIBILITY

1. At times, marine activity in the Canadian Arctic generates emergencies that are beyond the casualty's resources to contain and ameliorate. The Federal Government must then initiate an operational response to protect lives, property, economic activity, the environment and other aspects of the public interest.
2. The Canadian Coast Guard, through legislation, regulation, inter-agency agreement, custom and precedent, has lead agency responsibility in the Canadian Arctic for all emergencies resulting from vessels, including their equipment, cargo, fuel and stores.
3. The Coast Guard operates Canada's largest civilian fleet of ships and aircraft, and has the most comprehensive inventory of special marine pollution countermeasures equipment.

In the operational area covered by this plan, the Coast Guard is the major marine element of the Federal Government's presence and capability. It has, therefore, an inherent responsibility to act as a major resource agency when requested to do so by the lead agency.

### III PURPOSE OF THE PLAN

The Arctic Marine Environmental Emergency Plan aims to:

1. set out the mechanism under which the Canadian Coast Guard responds to a marine environmental emergency in the Arctic, either as the lead or the resource agency;
2. establish the procedures to rapidly activate a command structure and to marshal and deploy the appropriate resources to any marine incident, other than SAR, where the Coast Guard has the lead role;
3. establish the points in the Canadian Coast Guard structure where:
  - a) the decision as to the nature of the response required for a particular emergency is made;
  - b) command of that response is exercised;
  - c) the necessary administrative, financial and legal actions are carried out;
  - d) other lead agencies and industry may seek Coast Guard assistance.
4. establish procedures by which the Canadian Coast Guard and Transport Canada can be alerted to an emergency and informed of operational progress and activities.



#### IV PRINCIPLES OF THE PLAN

1. Federal Government policy is to allocate lead agency responsibility for different types of emergencies to particular departments.
2. Safety of life is always the primary consideration. The requirements of the SAR command and control structure, therefore, supersede this plan.
3. The Canadian Coast Guard has the lead role in responding to those marine environmental emergencies where:
  - a) by legislation, regulation and precedent, it has been authorized in particular emergencies resulting from marine traffic;
  - b) assignment of authority has not been established but the Federal Government instructs the Coast Guard to lead the response because of its authorities, marine expertise and resources.
4. The reaction principle is the appropriate response. No standard response, in terms of dedicated resources and expertise, is established. The On-Scene Commander (OSC) shall develop a response appropriate to the particular characteristics and requirements of each emergency.
5. A successful emergency operation can be conducted only under a unified command structure with a single source of responsibility, direction, and financial accountability. Establishment of a unified command structure (Fig. 1) is the basic, paramount element of this plan.
6. When the Coast Guard acts as a resource agency, it shall do so only at the request of the lead agency, and normally on a cost recovery basis, unless otherwise directed by Transport Canada.

Fig. 1

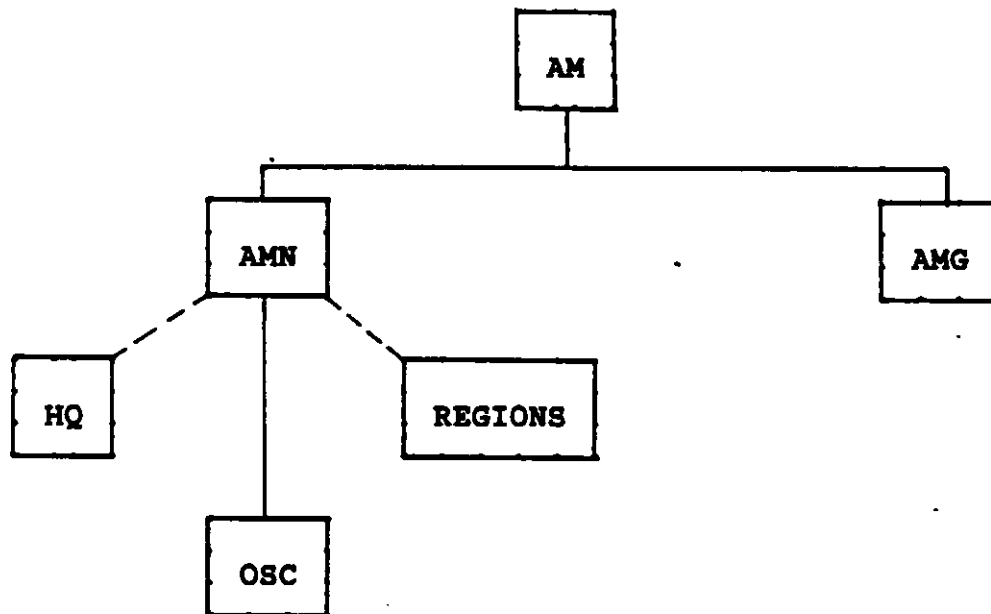
**CANADIAN COAST GUARD  
ARCTIC MARINE EMERGENCY NET**

H.Q.                                      AM - Commissioner, Canadian Coast Guard

AMG - Chief, Emergencies

Region                                      AMN - Regional Director General  
Coast Guard Northern

Related Offices, H.Q.                      Directorates as appropriate



Line \_\_\_\_\_

Support/Assistance -----

**V CANADIAN COAST GUARD ARCTIC MARINE ENVIRONMENTAL  
EMERGENCY PLAN**

**1. Responsibilities and Roles**

- a) Coast Guard Northern (AMN) - shall be the lead office for responding to marine environmental emergencies in these areas.

AMN is responsible for:

- i) preparedness activities;
  - ii) commanding the Coast Guard response when it is the lead agency;
  - iii) organizing Coast Guard assistance when it is a resource agency.
- b) Related Coast Guard offices (HQ & Region)
    - These offices shall primarily assist with operational, logistic, and communications support as required. They also may be required to staff positions on the Arctic Command Team and/or the Resource Coordination Group.

**2. Operational Command Net**

- a) The operational command net is designed to provide the OSC with the necessary personnel to conduct a response to a particular emergency operation.
- b) Concept - the OSC requests, from all available resource agencies, specialist officers to staff the command team as appropriate to the requirements of that particular operation. For major operations, staffing should include:
  - i) personnel with the expertise and authority to organize and carry out, or oversee, the different phases of an operation - the composition of the team, therefore, may change as the operation progresses;

- ii) personnel able to provide the OSC with the support required in terms of personnel, equipment, logistics, advice, administration and public relations.
- C) Operational call lists - Through liaison, AMN ensures that resource agencies with capabilities required for operations agree to supply staff to the command team, if requested to do so. Names and/or contacts shall be placed on the call lists maintained by AMN. These lists specifically shall include the names of officials with the authority to commit their agencies' resources. When an incident occurs, the OSC shall use the call list as a basis for staffing the required positions after assessing the requirements for the team.

## **VI COAST GUARD RESPONSE AS A LEAD AGENCY**

1. **Monitoring Response** - Where the casualty and its beneficial parties are conducting the response in an appropriate manner, AMN shall designate a government official to monitor the operation.
2. **Escalation to Operational Response** - When, in the opinion of the monitoring officer, public interest is not being adequately protected, he shall advise AMN that an operational response is required. Should AMN concur, he/she shall obtain AM's approval for this action. AMN shall then obtain the necessary authority and inform the casualty that the Coast Guard is assuming operational control. This instruction shall be given either directly in writing or verbally followed by written confirmation.
3. **Operational Response: Minor Emergencies** - Where the response requirements are within the capability of the monitoring officer, he/she shall commence operations as AMN's designated OSC.
4. **Operational Response: Major Emergencies** - Should the response requirements be beyond the monitoring officer's capabilities, AMN will advise AM on:
  - a) who in the emergency structure should be designated the OSC;
  - b) the resources and personnel likely required, their availability and source;
  - c) whether contracts should be let and/or exercised;
  - d) whether international contingency plans should be invoked;
  - e) legal steps required.

It is recognized that a southern-based ACT will require time to reach the scene. The monitoring officer, therefore, shall continue to operate as OSC until the ACT arrives. The ACT leader shall then assume the role as OSC.

- f) Environment Canada has statutory responsibility to advise on environmental matters. In matters under its jurisdiction, and in such related areas as the use of dispersants, Environment Canada is responsible for advising the OSC. The department's advice must be given appropriate weight, and a senior DOE advisor shall be appointed to the ACT executive.
5. **Guidelines for Establishing an Arctic Command Team - An ACT for a large response basically should consist of the:**
- a) OSC, commands the team and reports to AM, either directly or through AMN;
  - b ) deputy OSC;
  - c) operations (O) section, shall be responsible for ensuring that the operation is conducted as the OSC requires - this section should consist of officers with the specialist capabilities required to conduct the different phases of the operation;
  - d) support (S) section, shall be responsible for ensuring that the operation is supplied with the required resources, including material, logistics, accommodations, communications, personnel and expertise;
  - e) administration (A) section, shall be responsible for operational administration, contract administration and finance;
- Note:** The (O), (S) and (A) sections should each have a section chief.
- f) advisors with the expertise (environmental, technical, legal, etc.) required for an operation - they are represented on the command team executive by the chairperson of the Arctic Region Environmental Emergency Team (DOE Yellowknife) and others as appropriate.

**Note:** The OSC should ensure that those officers who will most benefit from direct advice are able to receive it. Advisors, therefore, should be seconded to those officers. Advisors may also be given operational responsibilities, as appropriate. Other advisors should be attached to the RCG as required.

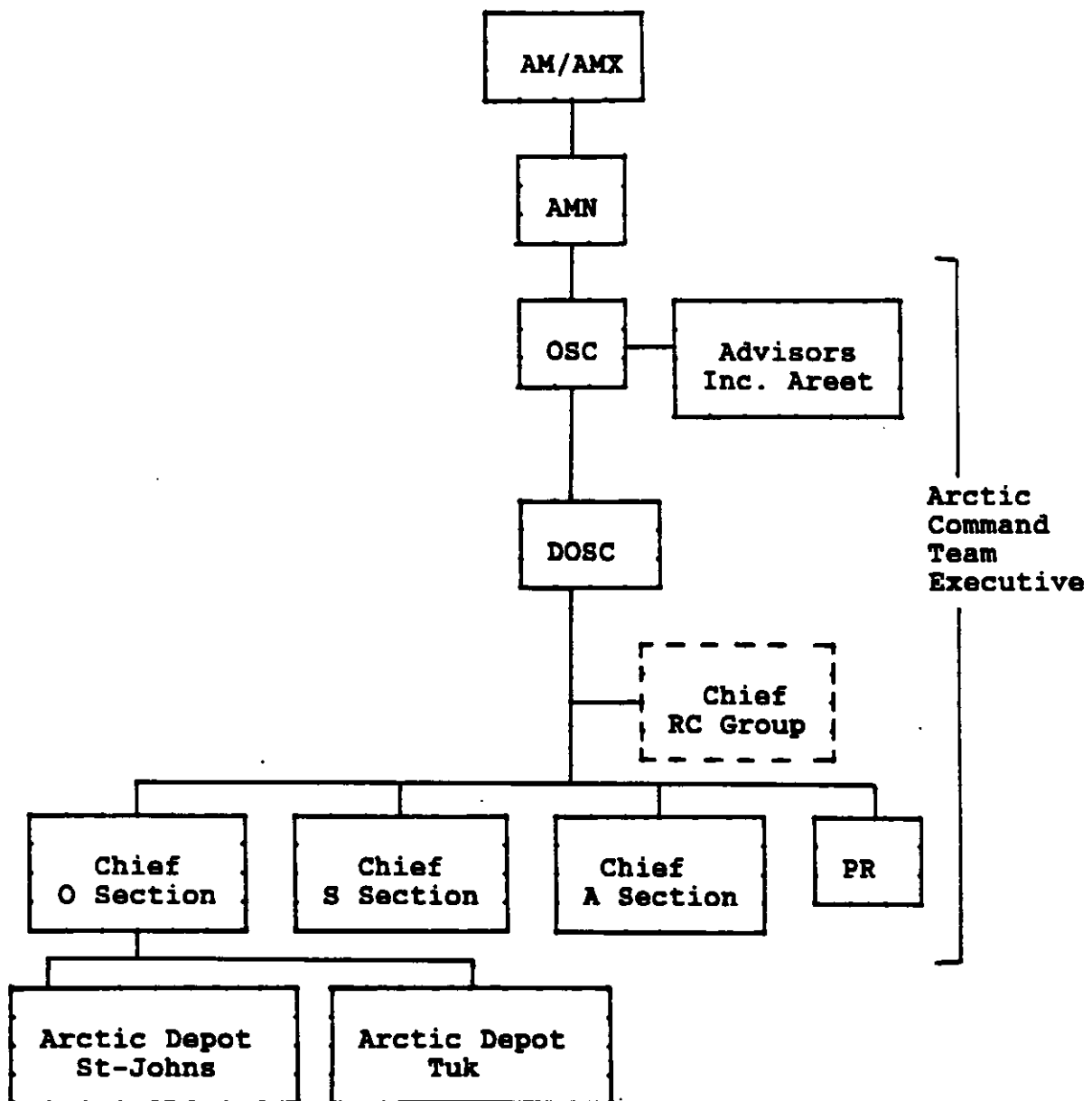
- g) **public affairs officer of Transport Canada**, assigned to provide the media and public with pertinent information, and to advise the OSC of public reaction to the course of events;
  - an officer should be attached to every command team;
- h) **executive** - comprises the OSC, deputy OSC, the chiefs of (O), (S), (A) sections, appropriate advisors and public affairs officer
  - shall provide the over-all coordination of the operation;
- i) **task groups**, formed from team and outside personnel, with each group under an officer-in-charge, to carry out particular phases of an operation;
- j) **Resources Coordination Group ( RCG )** - because much of the organizing of resources, personnel, expertise, and authority will have to be done in southern Canada, the D.G. Northern shall lead an RCG consisting of various HQ and regional personnel from Coast Guard and resource agencies as required.

**Note:** Regional personnel on the RCG may or may not be required to come to HQ to assist.

6. **Command Centre** - A command centre shall be established as both the official focus of operations and source of public information. Its location will be governed by such factors as access to the area of operations and requirements for space, communications and logistics. Recognizing accommodation limits in the Arctic, the ACT may choose to designate a ship as its command centre.

Fig. 2

COMMAND STRUCTURE





## VII COAST GUARD RESPONSE AS A RESOURCE AGENCY

1. Where the Coast Guard is approached to provide resources to another agency leading the emergency response, the D.G. Northern shall evaluate the request and recommend to the AM on:
  - a) the propriety and justification of the request;
  - b) the Coast Guard's ability to respond;
  - c) the impact that a positive response will have on the Coast Guard's normal operations.
2. If the Coast Guard supplies ships or aircraft to the lead agency, then:
  - a) the masters and pilots shall be responsible for the safety of their units. If special countermeasures equipment is supplied, then the Coast Guard shall accompany and operate it.
  - b) AMN shall ensure that Coast Guard costs are itemized and chronologically recorded, including the repair or replacement of damaged equipment and material.
  - c) AMN shall recover costs from the lead agency, as appropriate.
3. AMN shall:
  - a) ensure that Coast Guard resources are properly and effectively used;
  - b) staff positions on the lead agency's command team if requested to do so.

#### VIII INVOCATION AND REVOCATION OF PLAN

This Plan will be invoked by the designation of the OSC, at which time members of the ACT and RCG will assume their related roles.

This Plan will be revoked when AMN and the OSC concur that the ACT and RCG may be stood down.

## **IX REPORTING/PUBLIC RELATIONS**

### **1. The objectives of the reporting system (Fig. 3) are to:**

- a) inform the Commissioner, the Minister, Parliament, the public, provincial and local governments of the situation;
- b) inform agencies that might be required to assist in the operation;
- c) minimize the reporting workload of the OSC.

### **2. Operational Reporting**

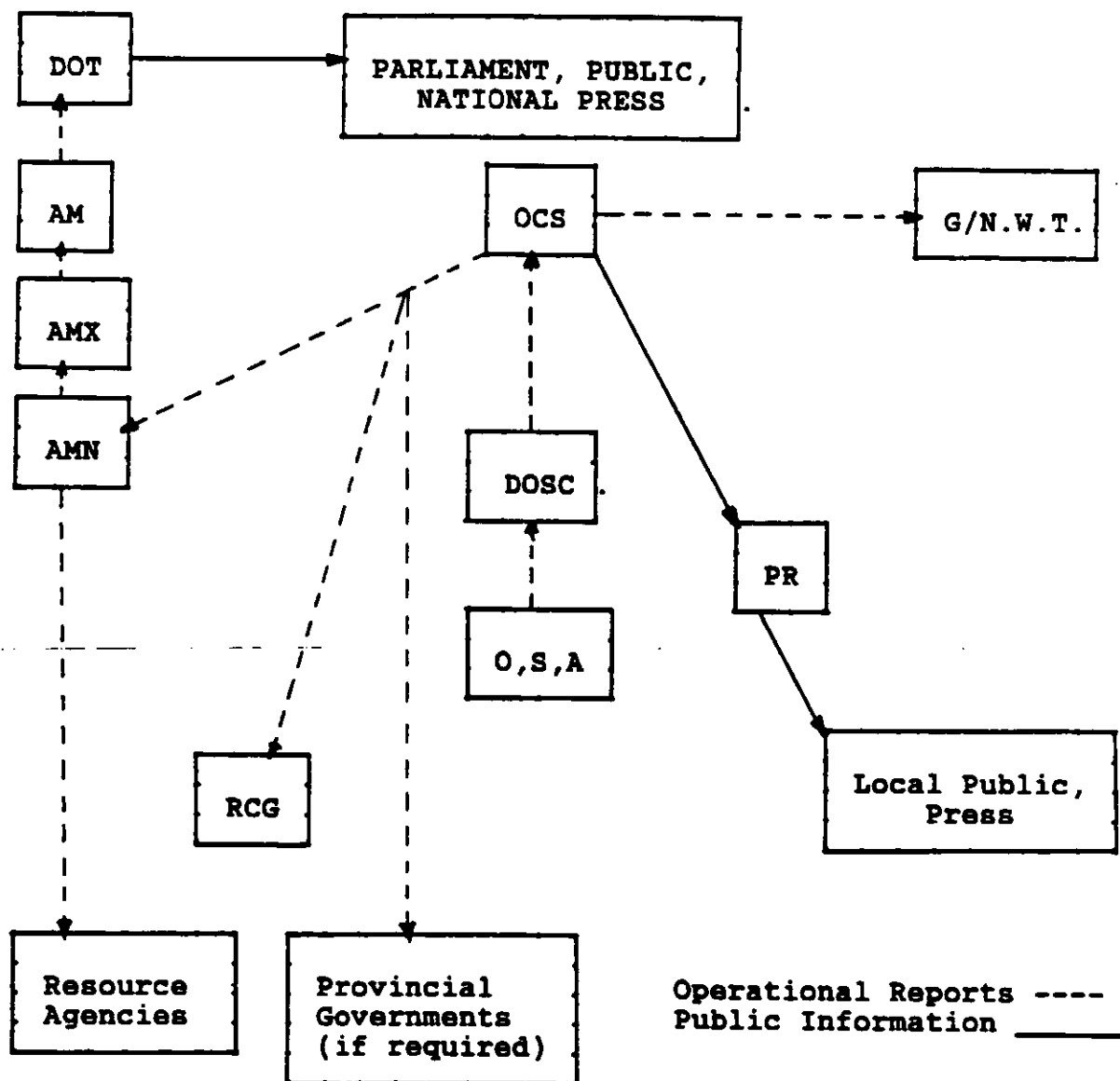
- a) **Requirement** - The basic requirement is to keep Coast Guard officials fully informed of developments. Other agencies involved in the operation must also be briefed.
- b) **Reporting Format** - A basic situation report (sitrep) format shall be used (Annex II) .
- c) **Reporting Times** - Sitreps are to be submitted once every 24 hours, by 1400 hours UTC or more frequently if required.
- d) **Reporting Modes** - Any rapid transmittal system may be used. For record purposes, telephoned reports should be confirmed in writing.

### **3. The OSC, along with the public affairs officer, shall make arrangements to satisfy local requirements for operational information (Fig. 3).**

### **4. AMN shall assume responsibility, through AM, for informing the Minister, Parliament and the national press.**

Fig. 3

ROUTING OF REPORTS, PARLIAMENTARY AND PUBLIC INFORMATION



## **X FINANCIAL SUPPORT**

The Canadian Coast Guard shall operate according to the funding principles of the National Marine Environmental Emergency Plan.

- 1) Where the Canadian Coast Guard is the lead agency, it shall assume financial control and responsibility on behalf of the Federal Government. AMN shall:
  - a) keep an accurate record of all Coast Guard costs;
  - b) ensure that resource agencies record their costs;
  - c) consolidate all costs for cost recovery.
- 2) Where the Coast Guard is a resource agency, AMN shall consolidate Coast Guard costs and recover them from the lead agency.

## **XI OPERATION LOGS**

The OSC shall ensure that both the ACT and its RCG maintain operational logs. Where an administration section is attached to an ACT, the ACT log shall be part of the A section's responsibility. The log should include at least:

- 1) chronological list of events;
- 2) minutes of meetings and decisions;
- 3) times, dates and location of group activity;
- 4) composition of task groups;
- 5) reasons for commencement, cessation and/or conclusion of task group activities;
- 6) equipment down time, holidays, and all eventualities that would affect the cost recovery.

## **XII LIAISON**

### **Operational Liaison with the Polluter (Casualty) and Beneficial Parties**

In working with the polluter, the OSC should be guided by these factors.

- a) The polluter is financially responsible for both the impact of a spill and the clean-up and should be made fully aware of this, in writing.
- b) The polluter may be willing and able to conduct an effective clean-up. In this case, the lead agency would have only to monitor the operation. This should be ascertained immediately.
- c) The polluter may be a member of an industry clean-up cooperative with access to its resources.
- d) The polluter may have special knowledge of the casualty.
- e) The OSC may have to issue instructions to the casualty. The OSC must ensure that such instructions are received by a representative having sufficient authority to carry them out. This should be done in writing and include the rationale for the instruction.

### **Operational Liaison with Industries and Organizations Involved with the Production, Storage, Transportation, and/or Use of Oil and Other Toxic Substances**

These organizations, and the co-ops that they have established, are sources of:

- a) expertise concerning the spilled material;
- b) facilities for handling, transporting and storing the material;
- c) pollution clean-up equipment.

AMN, therefore, will place the names of designated industry officials on its call list and be familiar with industry plans, working arrangements, etc. Where appropriate, the OSC may invite these officials to staff advisory positions on the ACT and/or the RCG.

#### **INTERNATIONAL AND LIAISON PLANS**

Canada-Denmark Contingency Plan, 1989 - Should this be invoked, it will supersede this plan. The A.C.T. will become the Canadian contingent to the joint response.

Federal Government Beaufort Sea Contingency Plan and Annex IV of Joint Canada-U.S. Plans - These plans cover operations in waters in the western areas of this plan.

Canada/USSR M.O.U. - addresses mutual assistance in the event of an incident.



## ANNEX II

## SITREP CONTENTS AND TRANSMITTAL TO COAST GUARD HEADQUARTERS

## 1. Canadian Coast Guard Emergency Situation Report (SITREP)

- a) The warning SITREP should include the nature and source of the pollutant, its owner and carrier, their proposed response, and other relevant data. These data may not be readily available initially, but should be forwarded as the situation clarifies.
- b) Once the command team is established, the names and positions of its officers should be included in the next SITREP.

The report should contain:

- a) addresses;
- b) info;
- c) urgent - pass by hand;
- d) operation (name of casualty, location or other identifier);
- e) SITREP No. (If this is first SITREP, use SITREP No. 1 warning.);
- f) date/time group (UTC);
- g) incident (description of incident in warning SITREP only unless further information on incident is being included);
- h) situation (include action taken);
- i) intentions (include requirements);\*

OSC.

\* Intentions and requirements may be forwarded in separate messages should time constraints or other factors dictate.

**2. Transmittal of SITREPS to Coast Guard Headquarters**

- a) Reports should be sent to the Canadian Coast Guard Operations Centre: (24 Hours) by:

Telephone : (613) 990-5600

Telex : 053-3128  
COASTGUARD OTT

ADIS/AFTN : CYHQCTGX

Facsimile/RAPIDCOM : (613) 995-4700

- b) An alternative system is the Transport Canada Communications Centre by:

Telephone : (613) 957-6261

Telex : 053-3130  
MOT-OTT

COMCEN Desk : (613) 957-6260

ADIS Control Centre: (613) 996-5558

Facsimile/RAPIDCOM : 205 and 610 (613) 996-9439

ADIS/AFTN : CYHQYYXX

Ops Centre : CYAAYFYX

- c) Phone messages should be given to the Coast Guard Operations Centre.

If CCG or Transport Canada Communications services are not operational, the DND duty operations officer may be reached at (613) 996-7811. DND shall, in turn, relay signals to Coast Guard Headquarters.

PART II

NAP NWT REGION  
PLAN FOR RESPONSE TO MAJOR SPILL INCIDENTS  
OF NATIONAL SIGNIFICANCE  
IN THE CANADIAN ARCTIC

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## INTRODUCTION

In the Northwest Territories (N.W.T) over one hundred spills, involving some two million litres of hazardous materials, are reported annually. These spills are reported to the NWT 24-Hour Spill Line. This service, run by INAC-NAP on behalf of all agencies with spill response jurisdiction in the NWT, ascertains, from information reported, the agency which, by virtue of legislation and/or ownership of the spill site, is responsible for overseeing the clean-up activities and monitoring the effects of the spill. A working agreement regarding the operation of the Spill Line and the delineation of areas of responsibilities has been agreed to by the Canadian Coast Guard, COGLA, Environmental Protection (Environment Canada), the Government of the NWT, the Inuvialuit Lands Administration, and INAC-NAP. The current working agreement is attached in Part I - Appendix 7.

Most of these spills pose only a minor threat to the environment, are routinely cleaned up by the responsible personnel onsite, and require only monitoring on the part of regulatory agencies. Occasionally, spills of major significance occur requiring additional help and resources, and it becomes necessary to invoke plans involving major commitments on the part of the party responsible for the spill. To date, these plans have proved to be adequate and the responses to the spills acceptable. The regulatory agencies have not yet had to become involved beyond the monitoring stages for the spills covered in Part I, i.e. minor and major spills.

However, it is necessary to plan for spills of a size and significance beyond those previously mentioned. It is conceivable that there could be a spill of a quantity or inherent environmental impact that exceeds the term "major" and is here designated as a "major spill of national significance". This designation implies a catastrophic impact that is likely to be beyond the response capability of the party causing the spill.

Thus, there will be occasions when the government has to act in order to ensure adequate environmental emergency response. These also include spills of unknown origin, spills resulting from actions of the government, illegal or unauthorized discharges, or those occasions when the party or parties (herein known as the Operator) responsible for the spill are not responding to a spill in a manner that is acceptable to the responsible (lead) regulatory agency.

The plan that follows will address these types of extremely serious spills for which INAC has responsibility and is based on a three tiered response approach.

JURISDICTION

The areas covered by this plan are those crown lands over which INAC-NAP has jurisdiction, and all waters as defined in the Northern Inland Waters Act, the Arctic Waters Pollution Prevention Act, and the waters of Hudson Bay, Ungava Bay and James Bay. (For further explanations of the lands which fall under INAC-NAP jurisdiction, please see the Working Agreement on the Response of Government and Regulatory Agencies to Spills in the Northwest Territories, attached in Part I, Appendix 7.

It should be noted that, in the event of a spill crossing international boundaries, other plans and international agreements may come into play. These include the "Canada-United States Joint Marine Pollution Contingency Plan" and the "Agreement Between the Government of Canada and the Government of the Kingdom of Denmark for Co-operation Relating to the Marine Environment". These plans and agreements may, for a specific incident, need to be coordinated with the implementation of the INAC plan.

In the event of spills crossing NWT/Provincial and N.W.T./Yukon boundaries it will be necessary to consult and liaise with other pertinent plans (if they exist) and agencies responsible for spill response and clean-up.

ORGANIZATION OF THE DEPARTMENTAL EMERGENCY RESPONSE PLAN  
(Figure 1)

Team Leaders

On-Scene Commander (OSC): This position will be filled by the Director-General, NWT Region, INAC-NAP, who is responsible for the overall direction of all spill activities, and may delegate these responsibilities to the DOSC.

Deputy On-Scene Commander (DOSC): The Director, Renewable Resources and Environment, NWT Region, INAC-NAP, acts as second to the OSC, providing advice, acting as his delegate and, in Level 2 and 3 responses, acting as liaison, as required, between the operator, the Arctic Environmental Emergency Response Team and the Department. It also should be noted that, in the event the spill incident affects international boundaries, the DOSC may act as a liaison between the Department and the appropriate agency.

Spill Monitoring Team (SMT): This team, responsible for the monitoring of the spill for the Department, will be led by the INAC-NAP District Manager in whose district the spill occurs. The Team will provide the DOSC with information regarding the spill and the actions being undertaken by the operator. In Level 2 response, this team may also become responsible for the surveillance aspects of the spill response, if requested by the Operator. In Level 3 the SMT will become responsible for all aspects of surveillance.

The SMT will consist of representatives of government departments with vested interests and/or public interest groups which have been invited to join by the SMT Leader. The final composition of the team will be approved by the OSC or DOSC. The team may include representatives of the Department of Fisheries and Oceans, the Department of the Environment, the Government of the Northwest Territories Department of Renewable Resources and representatives of local groups (e.g. Inuvialuit Regional Council, local game councils etc.)

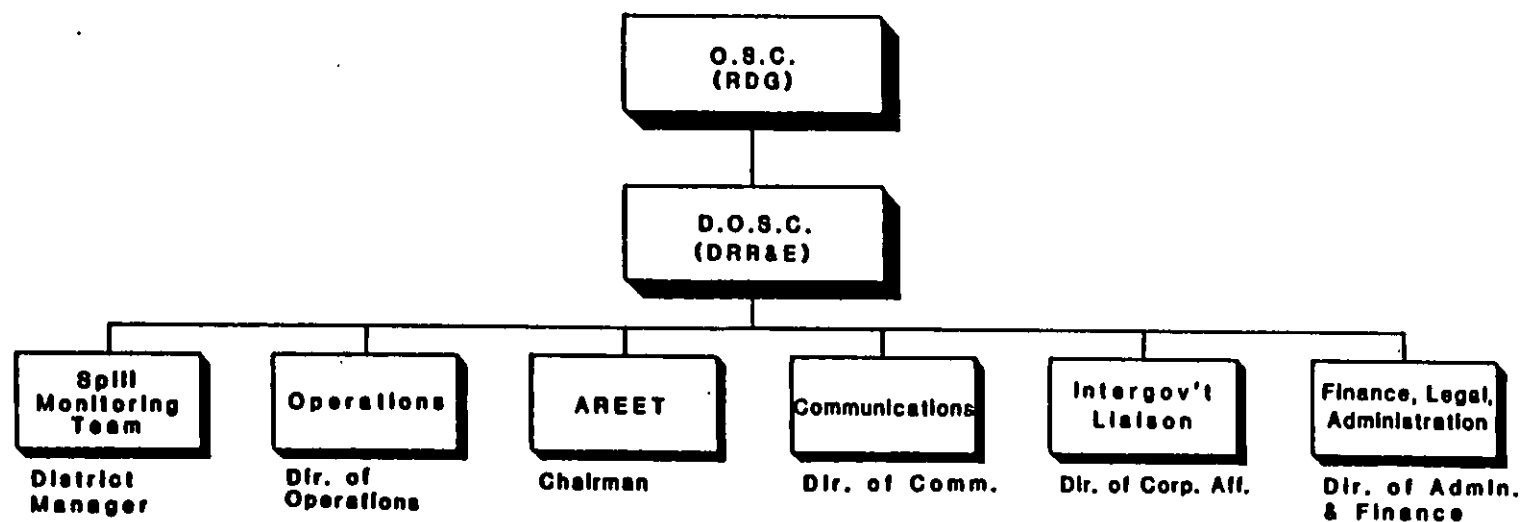
Operations Team (OT): The Director, Operations, NWT Region, INAC-NAP will act as the Team Leader. This Team will be responsible for the actual control and clean-up activities on the Department's behalf. The OT leader will make arrangements with the Canadian Coast Guard (CCG) for offshore spills, and will liaise with the government of the NWT (GNWT) and/or other government agencies for onshore spills. The OT leader will also need to make arrangements with the operator and industry for a control/clean-up response capability, assist with logistical requirements and, should additional resources be required, ensure that these needs are filled. In most cases, the OT leader will act primarily as a liaison to the agency(s) performing the actual clean-up and will provide little actual input into technical matters. The OT provides on-site direction and supervision of seconded industry personnel and industry resources. The OT leader will also coordinate the efforts of any government personnel employed.

"Revised July 31, 1990"



Fig 1

# ORGANIZATIONAL STRUCTURE OF THE DEPARTMENTAL EMERGENCY RESPONSE TEAM



REVISED JULY 1990

Arctic Environmental Emergency Response Team (AREET): The chairman of this interdepartmental and intergovernmental team will provide advice and recommend possible courses of action and disposal sites/options to the DOSC. AREET is an environmental advisory committee composed of representatives of government agencies with expertise in various aspects of the environment including an interest in the Government Strategy for Major Pollution Incidents in the Arctic Seas Region. This committee is chaired by a representative of the Department of the Environment - Environmental Protection.

Communications Team (CT): All information to and from the public will be channelled through the CT. This team, lead by the Director, Regional Communication Services, NWT Region, INAC-NAP, will prepare media releases and will answer public enquiries.

The CT will make arrangements for public announcements and warnings through the Canadian Broadcasting Corporation and other news media. The CT is also responsible for maintaining communication links with the other Team Leaders and government agencies and, through these links, provide and implement an overall communications strategy.

Intergovernmental Liaison Team (ILT): This Team, under the leadership of the Director of Corporate Affairs, NWT Region, INAC-NAP, will act as a focal point for negotiating necessary arrangements between federal and territorial agencies, such as cost-sharing agreements, and temporary reallocation of personnel and resources. (See Appendix A - among the other agencies are GNWT, EC, DFO & CCG)

Finance, Legal and Administrative Team (FLAT): The Director, Finance and Administration, NWT Region, INAC-NAP, will lead a team to provide financial and administrative support to the OSC. This will include facilitating financial expenditures and payments, maintaining records of expenses, obtaining additional funding and providing personnel support.

It will also be a responsibility of this Team to provide legal advice to the OSC and other Team Leaders, when requested, and to examine the possibility of legal action to recover costs and/or prosecution.

### Levels of Response

The level of response to a major spill event (chosen by INAC) will be dependent on the amount of action or intervention required of the Department. Each level of response is further detailed in the next section.

When the Department is designated as the lead agency as specified in "The Working Agreement on The Response of Government and Regulatory Agencies to Spills in the Northwest Territories" (Part I, Appendix 7), the levels of response are dictated by the circumstances of each emergency incident. The criteria governing the level of response are listed below.

Level One: (Monitoring and Advice) will be initiated where the operator is managing an effective operational response. The Department will monitor the efforts of the operator and assess the effectiveness of the control and clean-up activities. The Department, at this level, does not take any active part in the operational response itself.

This is the same level of response expected for minor and/or major spills below the level of "major/national significance" and does not necessarily require the forming of the SMT.

As with all levels of response, the Departmental On-Scene Commander (OSC) will notify the Arctic Region Environmental Emergency Team (AREET) and request technical environmental advice as required.

Level Two: (Assistance) will be initiated if the Spill Monitoring Team (SMT) leader concludes that the spill is beyond the capacity of the operator to control or clean-up and/or the operator requests such assistance.

If this level is reached, the OSC will supply the requested/required support to the Operator and will also alert all Departmental team leaders to prepare for the possibility of a Level 3 response.

The team leaders will prepare for the possibility of having to take over direct management of the spill control and/or clean-up effort (Level 3 response). This will include identifying the required resources, assigning responsibilities to individuals, and arranging for possible additional aid from government or commercial sources, as appropriate.

Level Three: (Spill Management) this ultimate stage of Departmental response is activated if the operator is unable to fulfill the requirements of satisfactory control and clean-up or if the spill is of unknown origin and the responsibility for control and clean-up cannot be assigned. At this level of response, the Department takes over the operational responsibilities of spill control and clean-up.

All teams alerted in Level Two, and not already in action, become fully operational and assume their designated responsibilities.

A more detailed outline, including flowcharts, of all three levels of emergency response, with specific responsibilities identified, is provided in the following section. It should be noted that movement between the three response levels is likely, depending upon the receipt of information and as activity and conditions change.

## IMPLEMENTATION PROCEDURES

### LEVEL 1 - Monitoring and Advice

(Figure #2)

A written notification based on information received from the 24 Hour Spill Line will be forwarded immediately from the Water Resources Division to the OSC and the DOSC informing them of the situation and recommending possible courses of action. These courses of action will have been developed with input from the INAC-District Manager in whose district the spill has occurred. The District Manager (or his designate) will have been contacted by the 24 Hour Spill Line prior to the written notification being made and will have had an opportunity to do a preliminary investigation and to formulate the "plan of attack". The OSC will then contact the District Manager to discuss the incident (See Fig. 2).

As leader of the Spill Monitoring Team (SMT), the District Manager will assemble and direct the team. The SMT will go to the site of the emergency in order to monitor the operator's containment and clean-up operations and keep the DOSC apprised of the situation. INAC will pass on information to other agencies via the 24-hr Spill Line. This information provides the framework necessary to ready the federal Government for an escalated response, if this is necessary.

Regular reports will be provided to the headquarters of INAC by the OSC, based on the information received from the operator and the SMT.

The Government will monitor the response and provide advice to the operator. AREET, for example, would offer information regarding ice movement, protection priorities, dispersant use and disposal sites. The government will not be directly involved with the clean-up operations in this Level.

The OSC will apprise the team leaders of the circumstances surrounding the spill.

### LEVEL 2 - Assistance

(Figure 3)

When an operator is unable to deal with the situation completely and/or requests a greater government involvement, a Level 2 response will be implemented by the OSC. This Level may also be invoked should an incident cross, or threaten to cross, international and/or territorial and provincial boundaries.

Upon notification by the OSC, the various division heads will prepare for a possible Level 3 response by assembling resources and delegating responsibilities to subordinates. When these plans are being compiled, it should be noted that logistics and manpower availability should be considered as major limiting factors in the planning process. Some teams will be immediately activated, depending on the nature of the assistance requested or required. Possible scenarios include: the OT leader arranging for transportation of spill equipment on Government aircraft (Hercules cargo aircraft, helicopters, etc.) and/or the FLAT leader arranging loan guarantees for the operator in order to purchase emergency supplies. Each Team Leader will be responsible for developing their own action plan to supplement this general response plan.

Fig 2 LEVEL 1 RESPONSE

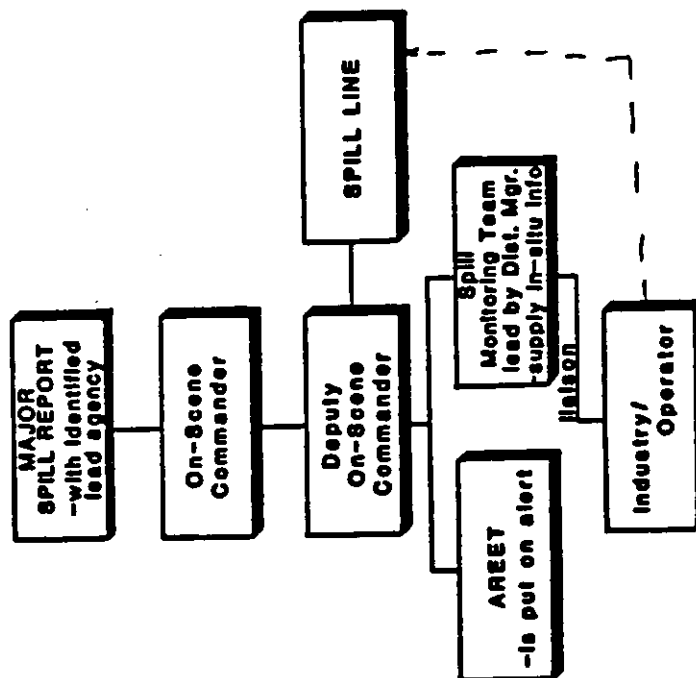
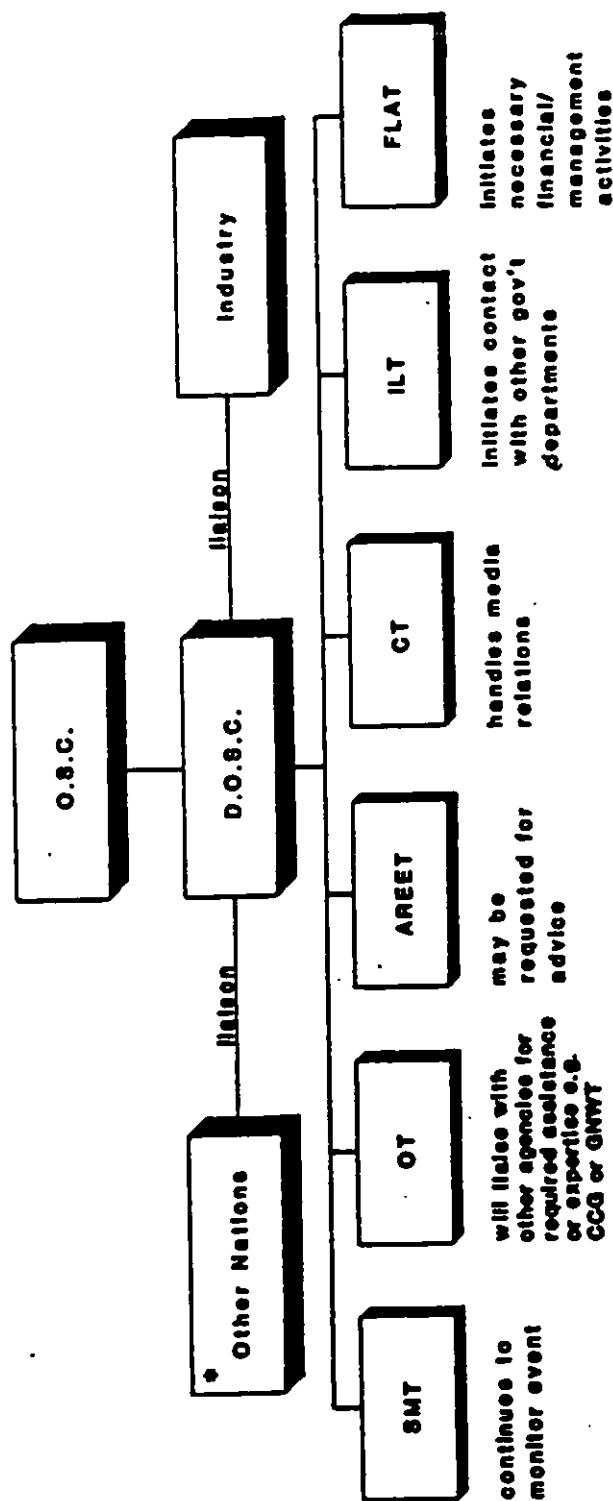


Fig 3 LEVEL 2 RESPONSE

\* may not be required



The OT leader will contact other departments for clean-up expertise. As an example, for offshore spills the OT will contact the Regional Marine Emergency Officer (RMEO) in the CCG and inform him of the situation. The OT will also assist the RMEO of the CCG by arranging for supplies, equipment, technical expertise or anything else he may need in the way of assistance from, or coordination of, other federal or territorial agencies.

The CT will be responsible for the preparation, approval and distribution of briefs and press releases, responses to media inquiries and the monitoring of media coverage of the situation. The CT will also become involved in the following activities:

- Organizing and supervising media trips to the site of the emergency;
- Providing audio-visual coverage via INAC photographers and audio staff;
- Maintaining a historical record of response activity.

The FLAT leader will allocate funds to cover required purchases through other governmental departments or commercial enterprises as requested by the OT leader while maintaining a complete accounting of all transactions.

AREET will assist the OT with advice on matters relating to environmental protection and restoration. The OT will consult AREET on technical matters such as spill trajectory predictions, values at risk, countermeasures and regulatory matters outside the Department's jurisdiction.

Spill monitoring will be provided by the SMT.

**NOTE:** At this time a location for a possible field operations headquarters should be selected. This location should have adequate facilities, transportation, communication and accommodation (if possible) to handle incoming personnel and equipment in the event a Level 3 response becomes necessary. Advice as to the selection of this site should be provided to the OSC and/or DOSC by the OT leader in consultation with the SMT leader. Liaison with the GNWT is also advisable on this issue. (See Appendix A)

### LEVEL 3 - Spill Management

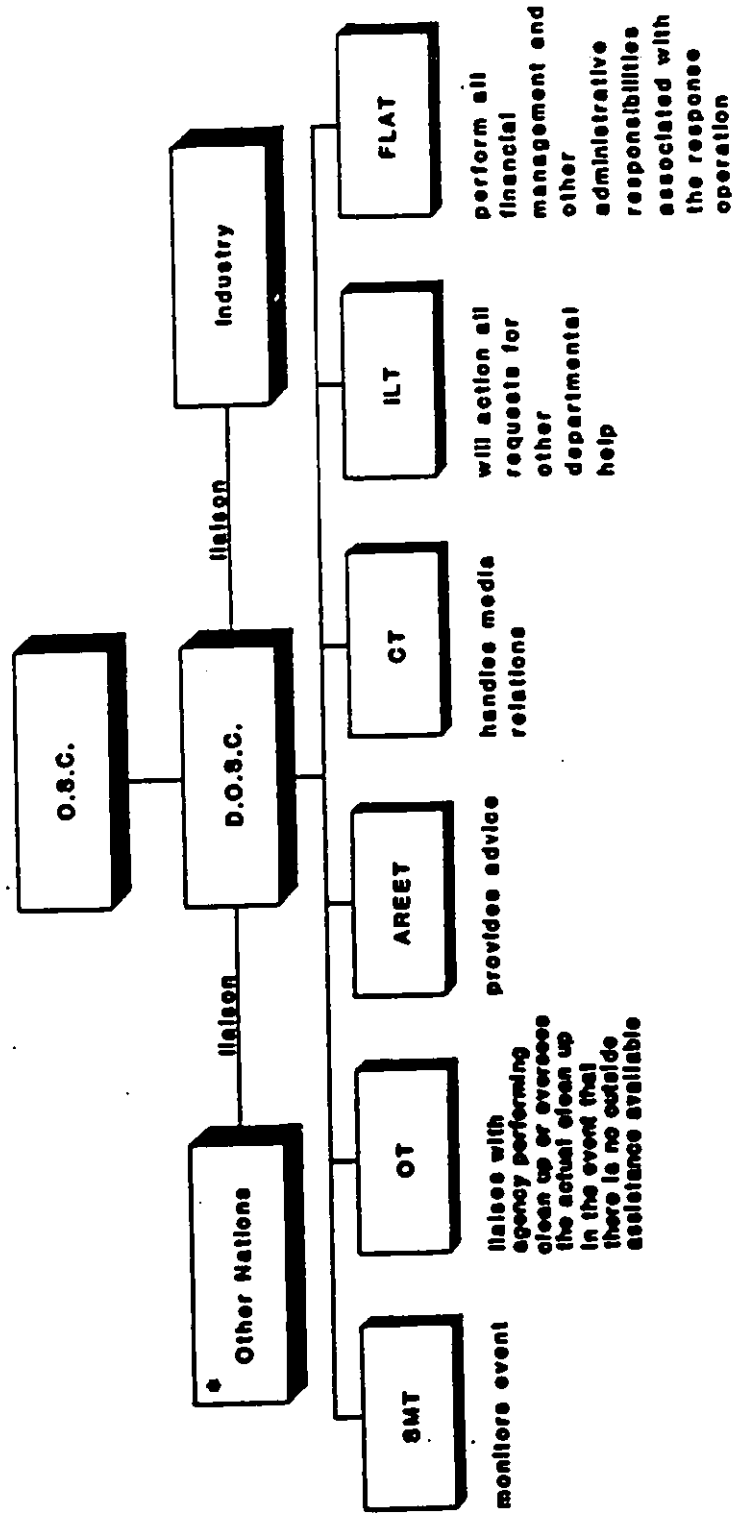
A Level 3 response is required when the operator is not able to deal with a spill satisfactorily and spill management must be undertaken by the Department. The teams that were alerted in Level 2 will be activated. The OT leader will request the agency contacted for clean-up assistance to implement its countermeasures plan and will coordinate all other efforts with the agency representative (Figure 4). In the event that this agency is unable to respond to the emergency, the responsibility to assemble and direct a response team remains with the OT. The FLAT leader will contract or hire the staff required for all aspects of the clean-up operations, based on recommendations made by the OT.

A possible structure for the OT is one similar to that used in the forestry fire control operation. There are two major components, a line organization responsible for the actual control/clean-up operations and a service organization responsible for the support of the operation.



Fig 4 LEVEL 3 RESPONSE

\* may not be required



Note: Volunteers may wish to help and should be encouraged to do so. However, it is strongly recommended that a parallel organization be set up with paid team members to provide direction and guidance. The reason for this lies in the very nature of volunteers. As they are not being paid, a large amount of control over them is lost and they cannot be pushed as hard as paid labourers nor can they be made to "toe the line" in the event of a disagreement over control processes.

One other aspect about the use of volunteers should be considered and that is the responsibility for the accommodation, feeding and general liability of these people. It would be prudent of the OT to seek approval from the OSC to use volunteers, prior to accepting their help and thus being responsible for their well-being. It may also be wise to seek legal counsel, from the FLAT, regarding obtaining waivers for liability and compensation in the event of injury or fatality.

**APPENDIX A**

**- Other Government Agencies**

OTHER GOVERNMENT AGENCIES

Government Agencies on which INAC may call for additional aid include:

a) The Government of the Northwest Territories (GNWT)

The GNWT operational presence in every community in the Northwest Territories and existing system of decentralized administration through regional offices make it the logical agency for provision of logistic and immediate support services. The OSC would approach the GNWT Regional Director and his Regional Superintendent of Government Services.

The logistical support available from the Territorial Government may include:

- a) transportation
- b) accommodation
- c) human resources
- d) communications services
- e) administrative support for the headquarters
- f) support and services, and
- g) local knowledge.

The Government of the Northwest Territories SERVICES AND SUPPORT PLAN FOR MAJOR POLLUTION INCIDENTS IN THE ARCTIC SEAS, dated May 1988, provides further details on the support available.

The GNWT can also provide the authority to contract commercial communications resources if required. Technical advice on communication systems and services will be provided by Communications Canada.

The GNWT may invoke extraordinary powers under their Civil Emergency Act, to alleviate the impact of the event on the civilian population.

b) Government of the Yukon Territory (YTG)

Technical and logistical support will be co-ordinated by Yukon Transportation and Community Services.

c) Environment Canada (EC)

EC will provide information on weather and ice, pollutant tracking, environmental sensitivities, prevention, response and clean-up strategies, ecological pathways and effects of spilled materials in the marine environment and follow-up impact assessment, and approvals for dispersant use and emergency ocean dumping (Ocean Dumping Control Act Section 8).

d) Department of Fisheries and Oceans (DFO)

DFO will invoke their Arctic Marine Emergency Response Plan and provide expert advice on arctic marine ecosystems, oceanography, environmental sensitivities and clean-up strategies. They will also invoke, when appropriate, their Scientific Response Plan to conduct research on the effects of the spill.

**e) Emergency Preparedness Canada (EPC)**

EPC will monitor and facilitate interdepartmental and intergovernmental co-ordination as requested.

**f) Canadian Broadcasting Corporation (CBC)**

The CBC will provide emergency broadcasting services throughout the Arctic as requested. These services will be performed as an addition to the Corporation's normal broadcasting.

**g) Canadian Coast Guard (CCG)**

The CCG will provide logistical and personnel aid and may be requested to do actual clean-up and control activities should a Level 3 response be decided upon.

**h) Other Resource Departments/Agencies**

Federal departments and agencies are required, in accordance with the Emergency Planning Policy, to provide assistance to any Minister who has been assigned responsibility for an emergency. The mechanism for requesting such assistance is described in each specific plan to meet the requirements of all phases of the operation. Although specific prediction of resource requirements is not possible, there are some general categories of assistance which may be anticipated. These include:

- (i) Energy, Mines and Resources - Polar Continental Shelf Project
  - accomodation and data.
- (ii) Department of National Defence
  - individuals to assist operations staff;
  - air support for liason, reconnaissance, command and logistic support within the operations area;
  - air transport of resources to the operations area;
  - communications support in the operations area; and
  - field logistic resources.

Assistance from specific provinces may also be requested and may be co-ordinated by Emergency Preparedness Canada.

**APPENDIX B**

**- List of contacts**

**CONTACT LIST FOR TEAM MEMBERS**

**ON-SCENE COMMANDER**

Director-General, N.W.T. Region	W. Stephen	403-920-8111 (w)
		403-920-4269 (h)

**DEPUTY ON-SCENE COMMANDER**

Director, Renewable Resources and Environment	A. Robertson	403-920-8498 (w)
		403-873-6775 (h)

**SPILL MONITORING TEAM LEADERS**

District Manager	Inuvik	R. Cockney	403-979-3361 (w)
			403-979-4372 (h)
	Baffin	A. Theriault	819-979-4405 (w)
			819-979-6366 (h)
	Arctic Islands	H. Madill	403-920-8257 (w)
			403-920-4477 (h)
	Keewatin	S. Mitchell	819-645-2831 (w)
			819-645-2040 (h)

**OPERATIONS TEAM LEADER**

Director, Operations	F. Adlem	403-920-8487 (w)
		403-873-6775 (h)

**ARCTIC ENVIRONMENTAL EMERGENCY RESPONSE TEAM LEADER**

Hazardous Materials Specialist Environmental Protection	D. Tilden	403-873-3456 (w)
		403-873-2509 (h)

**COMMUNICATIONS TEAM LEADER**

A/Manager, Communications	S. Saville	403-920-8187 (w)
		403-873-3205 (h)

**INTERGOVERNMENTAL LIAISON TEAM LEADER**

Director, Corporate Affairs	J. Wilson	403-920-8585 (w)
		403-920-4662 (h)

**FINANCE, LEGAL AND ADMINISTRATIVE TEAM LEADER**

Director, Finance and Administration	G. Patenaude (A)	403-920-8117 (w)
		403-873-3797 (h)

"Revised July 31, 1990"

OTHER CONTACT NUMBERS (in order listed in Appendix A)

GOVERNMENT OF N.W.T.

Director, Pollution Control	M. Smith	403-873-7654 (w)
		403-873-5590 (h)

GOVERNMENT OF YUKON

Yukon Disaster Services (24 hours)		403-667-7244
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ENVIRONMENT CANADA

District Manager	L. Johnston	403-873-3456 (w)
		403-873-4876 (h)

DEPARTMENT OF FISHERIES AND OCEANS

District Manager	D. Moshenko	403-920-6633 (w)
		403-873-5258 (h)

EMERGENCY PREPAREDNESS CANADA

Regional Director (24 Hours)	J. Hoffman	403-495-3005
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CANADIAN BROADCASTING CORPORATION

Manager-Yellowknife	Vacant	403-920-5411 (w)
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CANADIAN COAST GUARD

Duty Officer Western Arctic (24 Hours)		604-666-6011
--	--	--------------

Duty Officer Eastern Arctic (24 Hours)		613-990-3400
--	--	--------------

EMR - POLAR CONTINENTAL SHELF PROJECT

Tuk Base Manager or Expeditor (24 Hours)		403-979-2333
--	--	--------------

DEPARTMENT OF NATIONAL DEFENCE

Duty Officer Yellowknife(24 Hours)		403-873-4011
------------------------------------	--	--------------

24 HOUR SPILL LINE

On-call Monitor		403-920-8130
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APPENDIX N

(N)

DRAFT January 5, 1987

**Government of the Northwest Territories  
Services and Support Plan  
for Major Pollution Incidents  
in the Arctic Seas**

## 1. Foreward

The Government of Canada Strategy for Major Pollution Incidents in the Arctic Seas is a strategy for co-ordinating and managing environmental pollution in the Arctic offshore. The responsibility for responding to a pollution incident rests with the polluter, this includes paying for costs incurred during the response and subsequent clean-up. The government will monitor the clean-up in the first instance, assist the polluter in cleaning up in the second instance, and finally, assume total control of the clean up and response, if necessary.

The government will conduct its response through a multi-departmental task force consisting of representatives of COGLA, Department of Fisheries and Oceans, Department of the Environment, Canadian Coast Guard, Emergency Preparedness Canada and the Territorial Governments of the Northwest Territories and Yukon.

## 2. Aim

The aim of this plan is to facilitate and co-ordinate the Government of the Northwest Territories' preparation and response in providing direct logistical support to industry and federal, territorial and municipal departments and agencies, in responding to an environmental emergency caused by a pollution incident in the Arctic Seas, in accordance with the Government of Canada Strategy for Major Pollution Incidents in the Arctic Seas (December 04, 1985).

## 3. Authority

This plan is approved by the Executive Member under the authority of the Civil Emergency Measures Act - 1983.

## 4. Limitations

The Government of the Northwest Territories has neither the resources, nor the expertise, to lead a response to a pollution incident in the Arctic Seas. As federal authorities are responsible for licencing and monitoring activities which could lead to such an emergency, various federal agencies are responsible for directing the emergency response under specific circumstances.

The GNWT role is limited to provision of logistical support to prime responders. Its operational presence in every community in the Northwest Territories and its system of decentralized administration through five regional offices places the GNWT in the best position to provide logistic and immediate support services.

5. Lead Department

The Department of Government Services is the designated lead department for the Government of the Northwest Territories in implementing this plan. Regional Superintendents of Government Services will co-ordinate departmental efforts with regard to actions taken under this plan, in conjunction with the Regional Director and departmental headquarters staff having program responsibilities for the specific action required.

6. Expenditures and Recovery

Departments who expend funds through their normal budgeting channels prior to the opening of the Emergency Services Suspense Account will be eligible for recovery of those sums from the Suspense Account.

7. Headquarters Response

If necessary any headquarters response other than normal Departmental functions will be accessed through the Territorial Emergency Control Committee via the Manager for Emergency Services. This includes any assistance required by federal government departments in the Northwest Territories or other jurisdictions.

8. Services and Support

Assistance provided by the Government of the Northwest Territories shall include but not be restricted to:

Transportation - Annex "A"  
Accommodation - Annex "B"  
Communication - Annex "C"  
Response Personnel - Annex "D"  
Administration Services - Annex "E"  
Intergovernment Requests - Annex "F"

ANNEX "A"

Transportation

1. The Regional Superintendent of Government Services shall be responsible, upon request, for arranging the provision of transportation modes for the movement of essential materials, equipment and personnel when responding to a pollution incident.
2. The Traffic Manager shall offer assistance, as requested by the Regional Superintendent in providing what transportation is required.

**ANNEX "B"**

**Accommodation**

1. The Regional Superintendent of Government Services shall be responsible for co-ordinating the use of GNWT, Municipal or private facilities for accommodation and meals for response personnel, for the provision of office space for use as Emergency Operation Centres and On-site Operations Centres, and the provision of warehouse space as required.
2. The Traffic Manager shall be responsible for acquiring the use of mobile accommodation facilities owned or controlled by private interests operating within the transportation industry, upon the request of the Regional Superintendent.
3. The Procurement Manager shall be responsible for acquiring the use of accommodation facilities and related materials and equipment, as required, from suppliers, upon the request of the Regional Superintendent.

**ANNEX "C"**

**Communications**

1. The Manager of Emergency Services will be responsible for providing emergency VHF radio communications systems.
2. The Superintendent of Government Services will arrange for requesting and the installation of telecommunications systems including telephones, telecopiers, telex and computer hardware if required.
3. The Superintendent of Government Services will also be responsible for co-ordinating the use of existing radio systems e.g. Hunters' and Trappers' net in accordance with regional and community Emergency Response Plans.
4. The Procurement Manager shall be responsible for assisting in providing the contract authority and acquiring any commercial communications resources required in the response to a pollution incident as may be required and requested by the Regional Superintendent.
5. The Manager of Telecommunications shall be responsible for providing advice and assistance in the installation of telecommunications systems, as may be required and requested by the Regional Superintendent.
6. The Department of Government Services may request the assistance and advice of the Department of Communications on technical matters pertaining to communications systems and services.

ANNEX "D"

Manpower

1. The Regional Superintendent of Government Services shall arrange for the co-ordination of manpower requests and subsequent mobilization of personnel to the incident site or other designated areas.

**ANNEX "E"**

**Administrative Services**

1. The Regional Executive will be responsible for co-ordinating and acting on requests from the responding services for administrative support such as secretarial assistance including office space and associated equipment.
2. The Chief of Office Services and Administration is responsible for providing administrative assistance and related services at the headquarters level as required.



ANNEX "F"

Intergovernment Requests

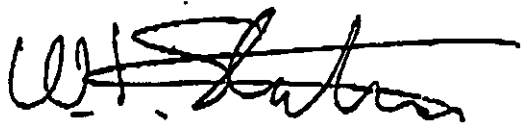
1. The Manager of Emergency Services will be responsible for co-ordination, through Emergency Preparedness Canada, of the assistance of federal government departments and utilizing any of their available resources (accommodations, related materials and equipment, etc.).
2. The Manager of Emergency Services will also respond to requests by co-ordinating requirements for specialized assistance which is available either within the Territorial or Federal Governments.

Indian and Northern  
Affairs CanadaAffaires indiennes  
et du Nord CanadaEmergency Preparedness  
CanadaProtection civile  
CanadaFEDERALCRISIS MANAGEMENT PROCEDURES - NWTFOREWORD

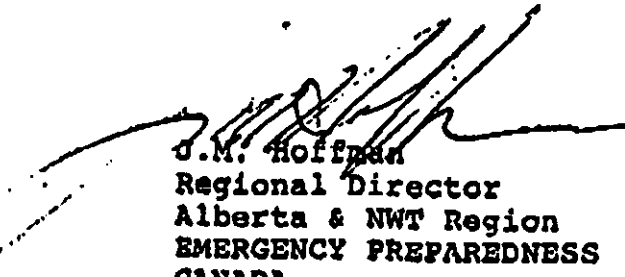
The Federal Crisis Management Procedures for NWT have been developed to fulfill a number of coordinating responsibilities assigned to Emergency Preparedness Canada and Indian Affairs and Northern Development (Northern Affairs Program).

The procedures are based on existing federal departmental responsibilities in emergencies as approved by the Interdepartmental Committee on Emergency Preparedness (ICEP), Cabinet approved procedures for Coordination of Crisis Management Operations (January '81), the Emergency Preparedness Act, and GNWT emergency arrangements.

This document identifies the procedures for interdepartmental and intergovernmental coordination of federal emergency activities in NWT and supersedes the document issued October, 1984 entitled Crisis Management Procedures - NWT.



Dr. W. Stephen  
A/Director General, NWT Region  
Northern Affairs Program  
INDIAN AFFAIRS AND  
NORTHERN DEVELOPMENT



J.M. Hoffman  
Regional Director  
Alberta & NWT Region  
EMERGENCY PREPAREDNESS  
CANADA

January, 1989

FEDERAL  
CRISIS MANAGEMENT PROCEDURES  
NORTHWEST TERRITORIES

BACKGROUND

1. The Emergency Preparedness Act requires that all departments, boards, commissions and agencies of the federal government be prepared to provide prompt response to the needs of Canadians in a peacetime emergency when:
  - a. requested by territorial authorities;
  - b. required under statutory federal jurisdictions; or
  - c. required by the magnitude of the event, to ensure peace, order and good government.
2. In order to meet the requirements of the Government, a coordinated approach to delivery of federal emergency services is required in the NWT.
3. There are federally administered areas in the NWT, in which, Government and the NWT resources may be required to mitigate the effects of an emergency. Therefore, there are circumstances in which federal departments require territorial support to protect the health, safety and welfare of persons and limit damage to property. Inter-governmental procedures are required therefore to coordinate the territorial delivery of services to federal departments.

PURPOSE

4. The purpose of this document is to define the arrangements for coordination of federal peacetime emergency preparedness and response in the NWT.

DEFINITIONS

5. In these procedures:
  - a. 'department' - means regional departmental offices and district offices; and includes federal boards, commissions, agencies represented in the NWT.

- b. 'countermeasures' - means action taken to prevent or limit or compensate for the effects of an emergency situation and, are normally related to ongoing departmental responsibilities.
- c. 'Director' - Means the Director General NWT Region Northern Affairs Program INAC.
- d. 'lead agency' - is the primary federal agency having the authority to act and coordinate federal activities due to legislated obligations or by appointment/delegation by the Privy Council Office (PCO).

#### APPLICATION

- 6. These procedures apply to federal emergency planning or operations:
  - a. in support of the GNWT;
  - b. in support of statutory responsibilities of federal departments; or
  - c. requiring GNWT assistance.
- 7. The procedures for coordination of federal emergency countermeasure action will be initiated by the Director, in consultation with EPC:
  - a. When federal assistance is requested by the GNWT;
  - b. at the request of federal departments fulfilling statutory responsibilities; or
  - c. in response to information indicating development of a potential emergency.
- 8. These procedures do not apply to:
  - a. non-emergency environmental protection activities;
  - b. the process of DND provision of services to GNWT, however, DND is expected to participate in the coordinated federal response system; and
  - c. RCMP internal security operations except where these arrangements may support the RCMP.

9. Departments are required to provide information and warning, within their capability, regarding real or apprehended emergencies to the Director.
10. Departmental responses to requests for services in an emergency are dictated by departmental directives/authorities.

### CONCEPTS

11. System: The basic system of federal response to emergencies consists of:
  - a. a mechanism to alert/warn all concerned and exchange information;
  - b. a constant interface with GNWT provided by EPC through GNWT EMO;
  - c. a coordinated response mechanism; and
  - d. a consultative planning arrangement.
12. Alerting: The mechanism for alerting and warning is dependent upon:
  - a. all departments and agencies passing information to the Director or EPC, and known lead departments regarding potential or actual emergencies whether or not an immediate federal or inter-governmental involvement is apparent;
  - b. a standing arrangement between EPC, the Director, and GNWT to exchange information on actual or potential emergencies.
  - c. Cabinet approved crisis management procedures; and
  - d. the Emergency Call card produced by EPC listing emergency regional contacts.

This mechanism, together with territorial arrangements, results in an alerting flow as portrayed in Annex A.

13. Coordinated Response Mechanism: The regional response mechanism can take a number of forms:
- a. Immediate response by federal operational units based on existing emergency procedures concurrent with (in the event of multiple agency or intergovernmental implications) initiation of the alerting mechanism through the Director or EPC.
  - b. If the emergency is under federal jurisdiction and if the response required comes within the approved emergency policies and procedures of a pre-designated lead regional authority, they decide on the scope of the response and proceed to manage its execution, including coordination with other departments as necessary. In this case, they consult with Emergency Preparedness Canada (EPC) and keep the Director routinely informed of developments. The EPC Regional Director will continue to interface with the territorial government and in particular with emergency measures officials, and will provide the lead department with whatever assistance is required. Also, EPC will ensure that the Minister Responsible for Emergency Preparedness and the Prime Minister are adequately informed of the developing situation, and will advise the Minister Responsible for Emergency Preparedness regarding the possible need for Cabinet decision-making should the emergency escalate. EPC will also assist the lead department in resolving any problems of interdepartmental coordination which may arise.
  - c. If there is no pre-designated lead regional authority, the Director in consultation with EPC will, if necessary, arrange for the matter to be considered by the Minister Responsible for Emergency Preparedness, who will recommend to the Prime Minister or Cabinet the approach to be adopted for the federal response and its management. In general, this will lead to the designation of a lead Minister and department, who will immediately take over the management and coordination of the response, assisted as required by EPC. The Director and EPC may jointly determine who should initiate and coordinate regional response.

- d. When an emergency under territorial jurisdiction is mainly of local concern and the assistance requested is relatively uncomplicated, the Director or Emergency Preparedness Canada, while having no executive authority, is the regional coordinator of federal support and the point of contact between the territory and the federal government. EPC will monitor the situation with regard to action which may be required if the emergency escalates, and will keep the Minister Responsible for Emergency Preparedness informed. To preclude any duplication of effort in such a case, EPC will also keep informed any Minister and department which might otherwise have lead responsibility.
- e. When an emergency under territorial jurisdiction is of national concern because of its magnitude or severity, but the need for federal assistance is minimal, Emergency Preparedness Canada would provide a focus for expression of visible evidence of a readiness for a larger scale federal involvement if the emergency escalates. Assistance, if required from federal resources would be provided as in 'd' above, but under the general direction of Emergency Preparedness Canada.

The vast majority of events fall under a. and d.

14. Federal-Territorial Planning: Ongoing liaison and consultation on intergovernmental planning is the responsibility of EPC, together with designated emergency preparedness officials of GNWT in accordance with the Memorandum of Understanding on Emergency Planning signed by both governments. Where an issue or planning requires the input or guidance of other federal agencies, they will be requested to participate in joint discussions.
15. Federal Planning Coordination: Overall Federal planning will be coordinated through the NWT Coordinating Committee-Standing Group on Emergency Operations. Where special issues or concerns are identified by any federal departmental representative, they may request a special or joint (federal-territorial) meeting be held. Departments with legislated responsibilities may have their own coordination process or may employ the Standing Group.

16. Federal Assistance to GNWT: The policy of the Government of the NWT is to request federal assistance in an emergency through the Director or EPC. Intergovernmental and interdepartmental arrangements will be coordinated by the Director in consultation with EPC. Delivery of assistance will normally be directly between departments of each government. Federal response will be coordinated in accordance with para 13.
17. GNWT Assistance to Federal Departments: Requests for assistance or planning for emergencies will be directed to the GNWT through the Director or EPC. Special arrangements have been made for the following departments to pass emergency requests to GNWT:
- a. Superintendents of National Parks or their representatives;
  - b. selected members of the regional office of EPS; and
  - c. Band Council Hay River Reserve or Regional Director IIA.
18. Provision of Services: Departments will be advised by the Director of the type of assistance required and the location/agency which requires the support. Departments will determine the services available and deliver that service within their own policy/procedure, keeping the Director advised of the conduct of departmental activities.
19. Response Organization:
- a. When limited federal activity is anticipated or occurs, the Director will coordinate actions with other departments and GNWT from normal office locations.
  - b. When increased federal activity is anticipated or occurs the Director will call all essential departments together to establish working arrangements.
  - c. When a high level of federal activity is predicted or prevails, the Director or his representative, will co-locate with GNWT together with other necessary federal departmental officers.



Appendix 9  
to Annex "D"ARCTIC SEAS STRATEGY FOR MAJOR OIL SPILLSGENERAL

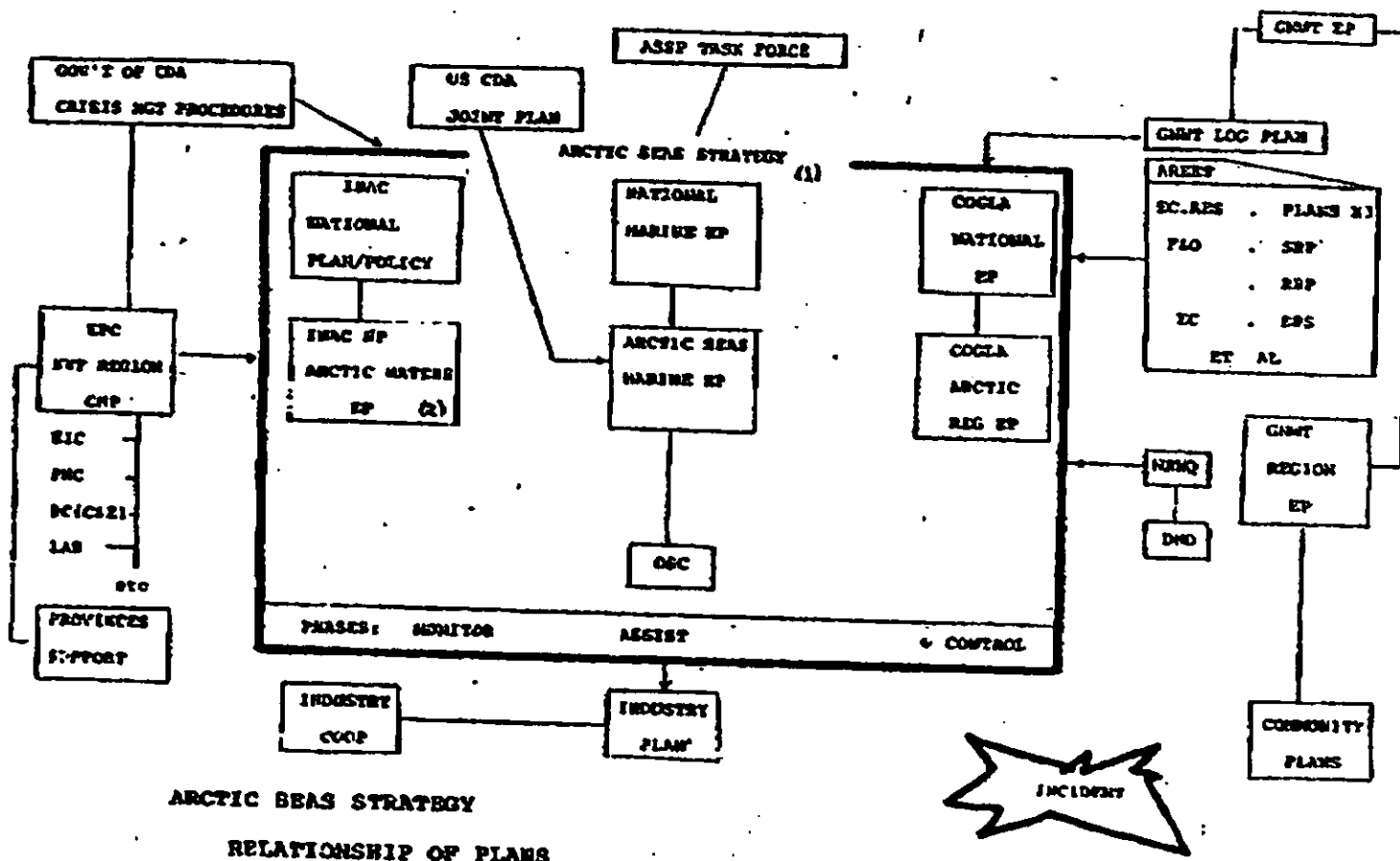
The Strategy was issued by INAC (Northern Affairs) in 1987 to ensure a coordinated federal, intergovernmental and industry response to major spills. The Strategy is overseen by a Task Force under the direction of a Coordinator named by INAC. Members of the Task Force include INAC, EPC, EC, FOC, COGLA, CCG, GNWT and the Yukon.

STRATEGY

The Strategy is based on the operational plans of CCG, COGLA and INAC. One of these agencies will be designated as the lead agency depending on the source of pollution.

The relationship of various plans and agencies in the Strategy is outlined in Figure 1.

General support from federal agencies would follow the Federal Crisis Management Procedures. --NWT)



NOTES: 1. In a response, only one of the three primary agencies would assume the lead role. The other two, would become support departments as required.

2. Spill report/alert process in place.

**CHP - crisis management procedures**

OSC - on scene commander

**SRP - scientific response plan**

**EP** - emergency plan/procedure

**RBC - region**

RAP - region response plan

DRAFT

DATE: July 22, 1982

A MEMORANDUM OF UNDERSTANDING BETWEEN  
THE CANADIAN COAST GUARD  
AND THE  
CANADA OIL AND GAS LANDS ADMINISTRATION  
  
REGARDING THE PROVISION OF MARINE SERVICES  
TO THE OFFSHORE AREAS OF PETROLEUM DEVELOPMENT

The purpose of this Memorandum of Understanding is to set out the terms and conditions for cooperation between the Canadian Coast Guard and the Canada Oil and Gas Lands Administration with respect to the provision of marine services to the offshore areas of petroleum development.

For the Canadian  
Coast Guard

For the Canada Oil and  
Gas Lands Administration

---

A.L. Collier  
Commissioner, Canadian  
Coast Guard.

---

M. Taschereau  
Administrator

## OBJECT

1. The object of this memorandum of understanding, hereinafter referred to as "Understanding", is to set out:

- (a) the terms and conditions whereby the Canadian Coast Guard (CCG), at the request of the Canada Oil and Gas Lands Administration (COGLA), will assess or inspect installations, structures, vessels and support craft used in offshore energy exploration and development;
- (b) the manner in which CCG and COGLA will fulfill their respective responsibilities in relation to accident investigation involving any installation, structure, vessel or support craft used in energy exploration and development;
- (c) the response of CCG and COGLA to incidents involving any installation, structure, vessel or support craft used in energy exploration and development that have caused pollution or that pose a threat of pollution;
- (d) the manner in which CCG and COGLA will cooperate in research and development in relation to offshore resource development; and
- (e) the organization whereby CCG and COGLA will implement this Understanding and review and update the schedule attached hereto.

2. This Understanding is subject to the condition that CCG will receive the resources, to be determined by the Management Committee referred to in paragraph 3, it requires to fulfill its additional responsibilities under this Understanding.

## MANAGEMENT COMMITTEE AND CONTROL PROCEDURES

3. CCG and COGLA agree to establish the following Committees:

- (a) a Management Committee composed of not more than two senior representatives of each agency; and
- (b) a Technical Committee composed of technical, administrative and advisory officials of both agencies.

4. The purpose of the Management Committee is to
  - (a) ensure that the overall purpose of this Understanding is met;
  - (b) review operational implementation in relation to effectiveness and expenditure; and
  - (c) identify and resolve issues arising out of the implementation of this Understanding.
5. The purpose of the Technical Committee is to
  - (a) provide overall technical guidance in the implementation of this Understanding;
  - (b) provide contact with other agencies on technical matters arising out of the implementation of this Understanding; and
  - (c) determine the scope, manner and frequency of any assessment or inspection contemplated by this Understanding.
6. For the guidance of the Technical Committee in fulfilling its purpose under paragraph 5(c) any assessment or inspection by the Ship Safety Branch of CCG contemplated by this agreement may include the matters set out in the Schedule and it shall be the additional function of that Committee to review and keep up to date the said Schedule.
7. Each Committee may determine its own rules or procedure and what constitutes a quorum.
8. The Technical Committee, which shall be chaired by a representative of COGLA, may form such subcommittees and working groups as it deems necessary to study particular problems or to work on specific projects.

#### ASSESSMENT AND INSPECTION

9. At the request of COGLA, and subject to the conditions set out below, CCG will assess or inspect any installation, structure, vessel or support craft used in energy exploration and development not otherwise subject to survey or inspection by CCG under the Canada Shipping Act or under the Arctic Waters Pollution Prevention Act.

10. In carrying out such assessments or inspections, CCG will, unless otherwise determined by the Technical Committee, assess or inspect the installation, structure, vessel or support craft in the same manner and to the same extent as if such installation, structure, vessel or support craft were subject to survey or inspection by CCG under the Canada Shipping Act or under the Arctic Water Pollution Prevention Act.

11. It will be the responsibility of COGLA to make arrangements with operators to enable CCG inspectors to carry out such assessments or inspections contemplated by paragraph 9 in the form and in the manner determined by the Technical Committee.

12. On completion of each assessment or inspection under this Understanding, the CCG inspector will make a report to be forwarded to COGLA.

13. CCG will use its best efforts in responding to any request for assessment or inspection taking into account its other responsibilities to survey and inspect ships under the Canada Shipping Act or under the Arctic Waters Pollution Prevention Act.

#### ACCIDENT INVESTIGATION

14. Recognizing that the Minister of Energy, Mines and Resources, the Minister of Indian Affairs and Northern Development and the Minister of Transport have respectively responsibility for accident investigation under legislation they administer it is agreed, for the purpose of avoiding unnecessary duplication, that CCG and COGLA, in advising Ministers in relation to any particular incident will apply the following guidelines:

- (a) for an incident appertaining solely to drilling activities, accident investigation should be conducted by persons appointed by the Minister of Energy, Mines and Resources or the Minister of Indian Affairs and Northern Development, as appropriate;
- (b) for an incident appertaining solely to navigability, seaworthiness and marine safety, accident investigation should be conducted by persons appointed by the Minister of Transport; and
- (c) for an incident that appertains to both drilling activities and to navigability, seaworthiness and marine safety, or that is of an undetermined nature that could appertain to either or both a) and b) above, accident investigation may be conducted by a joint investigation team formed by persons appointed jointly by the appropriate Ministers.

15. If during investigation of an incident, initiated pursuant to either subparagraph 14(a) or (b), it appears that subparagraph 14(c) is applicable, it is agreed that the appropriate Ministers will be advised for the purpose of obtaining appointment of a joint investigation team as contemplated by that subparagraph.

#### OIL POLLUTION COUNTERMEASURES

16. Bearing in mind that the primary responsibility for pollution countermeasures in any incident rests with the operator of the installation, structure, vessel or support craft involved in the incident, and bearing in mind, further, that the Ministers have authority in accordance with legislation administered by them to intervene under certain circumstances in incidents that cause or threaten to cause pollution, the following guidelines are established with a view to ensuring swift response in any given incident and to avoid unnecessary duplication or confusion:

- (a) COGLA has responsibility for administration of the pollution contingency countermeasures to be adopted on an installation or structure when on site and not being transported or not being used in navigation;
- (b) CCG has responsibility for administration of pollution contingency countermeasures to be adopted on vessels and on installations or structures being transported or being used in navigation;
- (c) in the event of a spill, COGLA will exercise the functions of lead agency for oil spills originating from installations or structures when on site and not being transported or not being used in navigation and for oil spills associated with drilling operations;
- (d) CCG has responsibility as lead agency for oil spills originating from vessels; and from installations or structures being transported or being used in navigation;
- (e) the lead agency has responsibility for undertaking preparatory measures including contingency planning, training, and liaison with provincial governments, resource agencies, private industry and other interested parties;



- (f) the lead agency has responsibility for providing resources and expertise in an emergency response, over and above those in a contingency inventory provided jointly by interested parties;
- (g) the lead agency has responsibility for organizing and implementing response measures, and assuring the provision of funds for an emergency response;
- (h) either party as lead agency may call upon the other to act as a resource agency during an emergency response;
- (i) the resource agency will provide available resources, equipment and expertise as appropriate to the nature of the emergency response;
- (j) when those primarily responsible for pollution counter-measures are unable or fail to implement effectively clean-up of the waters or the shoreline, COGLA may specifically request CCG to undertake clean-up, in which case COGLA shall, unless otherwise agreed, reimburse CCG for the associated clean-up costs;
- (k) in the event of an incident, each party agrees to immediately inform the other thereof and provide as complete information as possible.

#### MARINE RESEARCH AND DEVELOPMENT

17. CCG and COGLA agree to cooperate and assist each other in research and development (R&D) in respect of offshore exploration, production and related shipping activities.

18. Such cooperation and assistance will take full account of any requirements for confidentiality of results, especially where non-governmental parties are involved in any project on the understanding, however, that restrictions on the dissemination of information will be kept to a minimum whenever possible.

#### COSTS

19. COGLA will reimburse CCG all incremental expenses associated with carrying out its obligations under this Understanding.

20. For the purposes of paragraph 19, incremental expenses means any expense incurred by CCG in carrying out its obligations under this Understanding which would not have been incurred in the absence of this Understanding.

## SCHEDULE

1. Any assessment or inspection contemplated by this Understanding may include

- (a) the hull or structure, the machinery, electrical equipment, appliances, appurtenances, equipment, manning, practices and procedures;
- (b) seaworthiness and navigability, including the design, strength, stability, watertight integrity, damage control and reserve buoyancy, safety and environmental protection;

but shall exclude parts of such structure or equipment and procedures related exclusively or substantially to exploration and drilling, covered by regulations administered on behalf of the COGLA by a government department or agency other than the CCG.

2. Initial assessment of an installation, structure, vessel or support craft by CCG, the specific requirements to be determined by the Technical Committee for each case, may include the following:

- Submission to the CCG for their consideration, plans and data that include:

- structural strength analysis, stability test and limiting criteria data, machinery and electrical equipment data, ballast systems and emergency procedures data, limiting meteorological data, operational suitability and emergency procedures:

- Fire and safety systems and emergency procedures including fire safety zones, firefighting equipment and life-saving appliances:

- Navigational equipment, appliances and procedures:

- Communication equipment and procedures:

- Manning complements, including number and grades of certificated personnel for safety watchkeeping and emergency procedures:

- Language requirements for operating and instructional manuals, operating equipment and emergency signs, and for operating personnel; and

- Satisfactory proof of the technical competency and physical ability of operating personnel.

3. Subsequent assessment of an installation, structure vessel or support craft by the CCG, as necessary may include the following:

- Ongoing, periodic and special surveys, inspections and testing of hulls, structures, appurtenances, machinery and equipment, navigational equipment, emergency equipment, appliances and procedures including safety, firefighting, lifesaving and pollution prevention; spares, stores, supplies and like items.

- Inspection of logbooks, manuals documents and similar records of ongoing activities, machinery and equipment certificates, test and inspection and like certificates, personnel certificates of qualification, competency or service, proof of medical fitness and all such material.

- Inspection of personnel with respect to the required complement and individual ability for purposes of operational and navigational safety and emergency duties.

- Inspection of signs, instructions, pamphlets and like material for giving directions, information instructions and such related to operational activities, emergency activities and safety.

**DRAFT**

**FOR DISCUSSION PURPOSES ONLY**

**OPERATIONAL PLAN FOR THE  
ARCTIC REGIONAL ENVIRONMENTAL EMERGENCY TEAM (AREET)**

**ENVIRONMENTAL PROTECTION  
CONSERVATION AND PROTECTION  
ENVIRONMENT CANADA**

**Western & Northern Region  
NWT District Office  
Yellowknife, NWT**

**- and -**

**Pacific & Yukon Region  
Yukon District Office  
Whitehorse, Yukon**

**NOVEMBER 1987**

**REVISED NOVEMBER 1990**

**OPERATIONAL PLAN FOR THE  
ARCTIC REGIONAL  
ENVIRONMENTAL EMERGENCY  
TEAM (AREET)**

Environmental Protection  
Conservation and Protection  
Environment Canada

Yellowknife, NWT and Whitehorse, Yukon

November 1987 - Revised November 1990

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## 1.0 INTRODUCTION

This plan provides information on the structure and operation of the Arctic Regional Environmental Emergency Team (AREET) for major spills of oil and other hazardous materials in the Arctic marine waters of northern Canada (see Appendix I). The plan contains operational principles and procedures to be followed in the event that the AREET is called upon in an emergency; identifies agency contacts, capabilities, and responsibilities; and refers to supporting documents used by various agencies for planning and response operations.

### 1.1 Background/Enabling Authority

A November 1973 Cabinet Record of Decision assigned Environment Canada (DOE) the responsibility to develop a program to deal with environmental emergencies, in co-operation with other government departments and agencies having relevant statutory authority. The Cabinet agreed that Environment Canada should undertake to:

- Provide technical advice on environmental matters to other departments and agencies with statutory responsibilities, to provinces, and to industry, both for contingency planning and for on-scene operations
- Establish and chair a committee (or team) entitled National Environmental Emergency Team (NEET) with responsibilities in the environmental emergency field, and establish and maintain similar committees on a regional basis

The expertise required to meet these responsibilities is housed in numerous federal/territorial departments and other agencies or organizations.

### 1.2 Regional Environmental Emergency Teams (REETs)

Regional Environmental Emergency Teams exist for all five administrative regions of Environment Canada:

- Pacific and Yukon (British Columbia and Yukon)
- Western and Northern (Alberta, Saskatchewan, Manitoba and Northwest Territories)
- Ontario
- Quebec
- Atlantic (Nova Scotia, New Brunswick, Prince Edward Island and Newfoundland-Labrador).

Regional Environmental Emergency Co-ordinators (REECs) who manage the teams are stationed in the Regional Offices of Environmental Protection located in Vancouver, Edmonton, Toronto, Montreal, and Dartmouth respectively.

The existing REETs consist of representatives from a number of federal, provincial, and municipal agencies that have mandates in environmental emergency response. These usually include Department of Environment (Environmental Protection, Atmospheric Environment Service, Canadian Wildlife Service), Department of Fisheries and Oceans, Department of Energy, Mines and Resources, Department of Transport, Provincial/Territorial Environment Departments, and other appropriate agencies or organizations.

Representatives of the member agencies are requested by the Regional Environmental Emergencies Co-ordinator (REEC) to assist in responding to a specific environmental emergency. The REET is the forum for resolving questions and preparing advice for the Lead Agency. The Lead Agency is the government department responsible for investigating a spill and ensuring that the spiller cleans it up properly. The Team is responsible for collecting information from a variety of sources and for presenting it to the Lead Agency on a regular basis.

Specifically the REET:

- identifies priority areas for protection or cleanup
- recommends methods of containment, control, cleanup and disposal
- advises on the use of dispersants
- provides up-to-date weather forecasts
- provides current, wind, and tide information for spill tracking
- provides any other environmental information required by the Lead Agency

The Pacific and Atlantic Regions of Environment Canada have long-established REETs, which have been called upon during major spill events. This is due in part to the substantial federal jurisdiction in offshore waters and the large volume of hazardous material shipping which occurs in these regions. The REETs of Ontario and Quebec are less active, but have been called into service to respond to major spills occurring in the Great Lakes and St. Lawrence Seaway (both areas of federal jurisdiction). Within the prairie provinces, there are fewer spills, which come under direct federal jurisdiction; hence the REET in the Western and Northern Region of Environment Canada has been relatively inactive. Spills that occur on the land or internal freshwaters of the provinces are generally managed by the provincial environmental authorities, unless federal facilities or transboundary issues are involved.

### 1.3 Rationale for Development of an Arctic REET

While few major spills have occurred in the Arctic. The potential for serious environmental and socioeconomic impacts from spills associated with industrial development and shipping activities remains a significant concern. Environmental emergencies that have occurred in Arctic have demonstrated that the focus of attention and information flow lies in the north, rather than the south. Regional offices of Environment Canada, located in Edmonton or Vancouver, are not appropriate locales for co-ordination of environmental advice for Arctic spills.

Logistics dictate that the most effective response to an environmental emergency event will be marshalled by those persons closest to the scene of the spill and most familiar with the environment affected.

Examples of past emergencies include the sinkings of the "Edgar Jordain" and the "Arctic Ublureak"; the destruction of the Minuk I-53 artificial island; and the oil spills from "Le Chene No. 1", "Canmar Barge 811", and the "Sir John A. MacDonald". The co-ordination and provision of environmental advice to Lead Agencies for past spills have largely been a function of the northern District Offices of Environment Canada in Yellowknife and Whitehorse.

As a result of discussions in 1987 between the NWT and Yukon District Offices of Environmental Protection (in consultation with the REECs in Edmonton and Vancouver), it was decided that an Arctic Regional Environmental Emergency Team (AREET) should be established for dealing with major spills in the Arctic. Given that major spills in the North have only occurred in Arctic marine waters, the focus of AREET is presently restricted to major spills occurring in Arctic marine waters.

#### 1.4 Existing Government Spill Response Policy

In order to better understand the nature of government response to spills in the north, it is worthwhile to review some of the fundamental principles, practices, and agreements which underlie or govern the process.

##### 1.4.1 The "Polluter Pays" Principle

An environmental emergency may be defined as a sudden, unexpected or apprehended introduction into the environment of a pollutant in sufficient quantity to pose a threat to man or other forms of life. The polluter has the responsibility for initiating effective action to counteract an environmental emergency. The polluter also has financial responsibility for damage and cleanup costs incurred as a result of the spill. This responsibility is subject to any liability arrangements or limitations provided by statute or court decisions, or by international conventions in force and ratified by Canada at the time of the incident.

All levels of government in Canada subscribe to the principle that the polluter has the primary responsibility for cleaning up spills and paying for same. The "polluter" is also referred to as the "operator", the "spiller", the "responsible party", the "permittee", the "owner/operator", or the "licensee" in various government documents. These terms all refer to the same entity (i.e. any organization or body which maintains ownership, custody and/or control of a hazardous or potentially hazardous material which enters or threatens the environment). Potential polluters of Arctic marine waters include:

#### **1.4.3 Contingency Plans and Planning**

The federal and territorial governments generally require all potential polluters to prepare and submit contingency plans (also known as emergency response plans) for spills of hazardous materials under their ownership, custody, and/or control. Government agencies with emergency response mandates also have an obligation to prepare and implement contingency plans for spills or emergency events falling under their areas of jurisdiction. Contingency plans are implemented in accordance with predetermined criteria. Should the magnitude of an emergency event extend beyond the capabilities of a polluter, one or more federal government contingency plans may be brought into force.

Contingency/emergency response plans normally fall into one of two categories. Plans may have either a "Spill Cleanup" orientation or a "Lead/Resource Agency" orientation. All contingency plans should focus on "what to do" and "how to do it".

##### **Spill Cleanup Plans generally:**

- are prepared by potential polluters who have ownership, custody, and/or control of significant volumes of hazardous materials
- are required by regulatory authorities as an operational condition
- designate an On-Scene-Commander (OSC) who is in charge of cleanup operations at the scene of an incident and who is the prime contact for Government Lead Agencies
- are primarily concerned with the physical "hands-on" task of containment, cleanup, and recovery of spills and include "action plans" to that effect

##### **Lead/Resource Agency Plans generally:**

- are prepared by government departments that have legally mandated responsibilities for certain types of emergency events (eg: Lead Agency role, advisory function on certain matters, or some form of support service role)
- are oriented towards the provision of specialist expertise and technical advisory services to an On-Scene-Commander or Government Lead Agency
- may contain procedures regarding legal investigations, enforcement, and compliance in relation to spill events under departmental legislation
- designate an Emergency Response Co-ordinator who acts as the point of contact and who provides information/advisory services to a potential polluter or a Lead Agency

- may contain action plans governing departmental response activities in the event that the agency is a designated Lead Agency

#### 1.4.4 Designation of Lead Agencies in Responding To A Spill

Depending on the source of a spill of oil or other hazardous material, a specific government agency or other organization will be expected to assume the role of Lead Agency to ensure that appropriate cleanup measures are taken and that the environment is adequately protected. For every spill which occurs, there is always:

- a designated Lead Agency
- a designated Emergency Response Co-ordinator (Spill Response Co-ordinator) or point of contact for the Lead Agency
- a Spiller or Responsible Party (may be unknown for mystery spills)
- a designated On-Scene-Commander or point of contact for the Spiller (except for mystery spills)
- a number of Resource (or Support) Agencies who may be called upon to render assistance to the designated Lead Agency

In the Arctic marine waters of northern Canada (Appendix 1), Lead Agencies have been designated as follows:

<u>Spill Incident</u>	<u>Lead Agency</u>	<u>Mandate</u>
Spills from ships and barges	CCG	Arctic Waters Pollution Prevention Act, Canada Shipping Act
Spills from oil and gas exploration and production facilities	COGLA	Oil and Gas Production and Conservation Act
Spills from facilities/ operations permitted under DIAND legislation; winter ice road spills; and mystery spills	DIAND	Arctic Waters Pollution Prevention Act, Northern Inland Waters Act, Public Lands Grants Act, Territorial Lands Act

<u>Spill Incident</u>	<u>Lead Agency</u>	<u>Mandate</u>
Spills from federal facilities not permitted (i.e. licensed) under federal or territorial legislation, spills in National Parks	EP	Fisheries Act, CEPA, Cabinet Record of Decision
Spills within communities and on Commissioner's lands	GNWT/YTG	Environmental Protection Act, Transportation of Dangerous Goods Act
Spills which occur on or originate from Inuvialuit lands	ILA	Inuvialuit Final Land Claim Agreement

Once a Lead Agency designation has been determined or assigned for a particular spill event, all other agencies with spill response mandates automatically assume the role of resource (support) agencies. In a resource agency capacity, government departments will endeavour to provide all reasonable assistance to the Lead Agency, when requested to do so. The provision of mutual aid within government agencies is a condition included within the government spill response agreements (Appendix III).

In most cases, the OSC is designated by the spiller and the Lead Agency provides advice. In exceptional circumstances, it is possible that the designated Lead Agency could also become the On-Scene-Commander. For example, the Canadian Coast Guard acts as Lead Agency for ship-related spills. If a major marine casualty occurred and the ship owners were unable or unwilling to mount an effective response, the CCG may choose to assume command of the response operation. Similarly, in the event of a major mystery spill where no responsible party can be identified, DIAND could assume the role of On-Scene-Commander for cleanup operations.

**Note:** Where spills from land-based facilities or operations enter or threaten to enter Arctic marine waters, the lead government response remains with the agency originally designated as the Lead Agency. Conversely, if a marine spill washes ashore, the Lead remains with the originally designated Lead Agency (i.e. Lead Agency designations don't change).

WORKING AGREEMENT ON THE RESPONSE OF GOVERNMENT AND REGULATORY AGENCIES  
TO SPILLS IN THE NORTHWEST TERRITORIES

JULY 1989

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WORKING AGREEMENT ON THE RESPONSE OF GOVERNMENT AND REGULATORY AGENCIES  
TO SPILLS IN THE NORTHWEST TERRITORIES

---

1. INTRODUCTION

Spills of hazardous materials in the Northwest Territories (N.W.T.) present a potential threat to the public interest and the northern environment. To minimize environmental damage from spill incidents, the Northern Affairs Program of Indian & Northern Affairs Canada developed this Working Agreement with the Canadian Coast Guard, Canada Oil and Gas Lands Administration, Environmental Protection of Environment Canada, Government of the Northwest Territories and the Inuvialuit Lands Administration, in order to promote a well-coordinated state of preparedness and response to spill incidents.

This Working Agreement enables each agency to fulfill its own responsibilities and ensures timely coordination and integration of the actions taken by each agency.

The general framework and procedures outlined in this agreement emphasize the role of the appropriate regulatory agency to monitor and investigate spills. The principle employed is that the party which caused the spill bears the primary responsibility for cleaning up the spill, restoring the area impacted, and otherwise undertaking an effective operational response.

2. PURPOSE AND GOALS

The purpose of this agreement is to formalize procedures whereby spill response in the N.W.T. can be coordinated.

Successful coordination can be achieved by establishing and maintaining:

- a. an efficient and effective spill notification system;
- b. an effective and clearly understood division of responsibilities relating to spills;
- c. an information dissemination system; and
- d. spill response procedures for each agency responsible for responding to spills.

LETTER OF AGREEMENT

CONCERNING RESPONSE TO SPILLS  
IN THE NORTHWEST TERRITORIES

BETWEEN:

THE DIRECTOR GENERAL  
NORTHWEST TERRITORIES REGION  
NORTHERN AFFAIRS PROGRAM  
INDIAN AND NORTHERN AFFAIRS CANADA  
YELLOWKNIFE, N.W.T.

THE DISTRICT MANAGER  
NORTHWEST TERRITORIES  
ENVIRONMENTAL PROTECTION  
ENVIRONMENT CANADA  
YELLOWKNIFE, N.W.T.

THE MANAGER  
NORTHERN REGION  
ENGINEERING BRANCH  
CANADA OIL AND GAS LANDS ADMINISTRATION  
YELLOWKNIFE, N.W.T.

THE DEPUTY MINISTER  
DEPARTMENT OF RENEWABLE RESOURCES  
GOVERNMENT OF THE NORTHWEST TERRITORIES  
YELLOWKNIFE, N.W.T.

THE CHIEF  
CANADIAN COAST GUARD EMERGENCIES  
TRANSPORT CANADA  
OTTAWA, ONTARIO

INUVIALUIT LANDS ADMINISTRATOR  
INUVIALUIT LANDS ADMINISTRATION  
TUKTOYAKTUK, N.W.T.

WE AGREE AS FOLLOWS:

- A) The 24-Hour Spill Report Line, (403) 920-8130, shall be used to notify all regulatory agencies of spills in the N.W.T. Government, private enterprise, and the public shall be encouraged to use this number. If the person reporting a spill has access to a facsimile machine, then the verbal report can be confirmed by sending a facsimile to (920-8127).

Rationale: To ensure a single point of contact to notify government and regulatory agencies of spills in the N.W.T.

- B) Spill Report Forms shall be used in conjunction with the 24-Hour Spill Report Line and shall have the telephone number boldly printed on the cover. GNWT shall print these forms and supply them for distribution throughout the N.W.T.

Rationale: To provide a means of documenting spills and to promote awareness of the 24-Hour Spill Report Line in the N.W.T.

- C) The Northern Affairs Program in Yellowknife shall maintain and monitor the 24-Hour Spill Report Line. When a spill is reported, the Northern Affairs Program shall request the specific information required by regulating agencies to evaluate the spill and shall record this information on a Spill Report Form.

Rationale: To provide a consistent and reliable reporting service and to ensure continuous documentation of spill incidents.

- D) Immediately upon receipt of a spill report, the Northern Affairs Program shall notify the agency responsible for leading the investigation of the spill and ensuring a proper response (ie. Lead Agency). Table 1 shows the types of spill incidents for which various agencies have been assigned the lead role. These are based on statutory responsibilities and interdepartmental agreements.

Rationale: To allocate the responsibility for spill response to particular agencies as dictated by government policy and agreement, and to ensure that each spill is investigated by the appropriate regulatory agency.

- E) Each agency shall designate a staff member as a Spill Response Representative to receive the reports of spills. The names, position titles, and contact numbers of these individuals are provided in Table 2.

Rationale: To facilitate a prompt response to spills by regulatory agencies party to this agreement.

- F) After identifying the Lead Agency, the Northern Affairs Program shall circulate the spill report to the signatory agencies as outlined below:

- 1) The reports of spills shall be relayed by the fastest means available (usually by telephone) to the Spill Response Representative of the Lead Agency.

The Spill Response Representative of the Lead Agency shall then assess the significance of the spill, using Table 3 as a guide, and direct further circulation of the spill report as follows:

If the spill is assessed by the Lead Agency to be a major spill, the Spill Response Representative of each agency party to this agreement shall be notified on the present or next working day by facsimile. If the spill is determined to affect other agencies party to this agreement, then the lead agency may request that the Spill Response Representative of these agencies be notified, by telephone, by the Northern Affairs Program.

If the spill is assessed by the Lead Agency to be minor, further notification to other signatories shall be on an "as required" basis and in an expedient manner that will meet the requirements of the individual signatories.

- 2) During regular working hours, the reports of major spills received shall immediately be distributed by facsimile to all agencies party to this agreement.

The Lead Agency for each spill shall be identified on the notification of the spill.

Rationale: To notify immediately the Lead Agency and to alert other agencies as appropriate.

G) The Lead Agency shall be responsible for performing the following tasks in response to a spill:

- 1) Investigate the spill, consult with other agencies, and undertake to collect evidence to support any required enforcement action;
- 2) Request any necessary assistance and advice from other signatory agencies in the form of expertise, manpower, and other support while undertaking the investigation;
- 3) Coordinate communication between signatory agencies and the party responsible for the spill; and
- 4) Provide situation update reports to the 24-Hour Spill Report Line for circulation to signatory agencies. In the case of a major spill, a series of regularly updated reports shall be prepared and sent to the 24-Hour Spill Report Line for circulation. A final report shall be submitted to the 24-Hour Spill Report Line upon completion of each investigation.

Rationale: To enhance the cooperation and communication between regulatory agencies and the effectiveness of agency response.

- 5) Inform representatives of parties which may be directly affected by the spill.

Rationale: To allow any parties which may be affected by a spill event to have enough time to take mitigative measures and to enhance communication and cooperation between the public and the Lead Agency.

H) Other agencies party to this agreement shall, upon request to their Designated Response Representative, make support available to the Lead Agency.

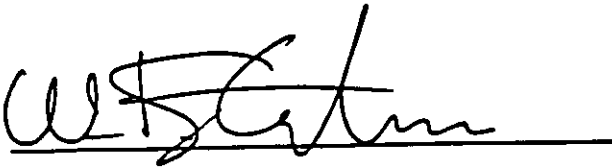
Rationale: To facilitate the regulatory agency's response to spills, enhance cooperation, and ensure effective use of existing resources.

- I) A file shall be prepared and maintained by Northern Affairs Program to retain all reports and other documentation circulated during the investigation of each spill.

Rationale: To provide a data base of information on all spills reported in the N.W.T.

- J) This agreement shall be reviewed annually and may be amended at any time by written agreement of all parties.

Rationale: To provide a mechanism for amending this agreement.



W. J. Stephen  
Northern Affairs Program  
Indian and Northern Affairs Canada

THIS DATE, 1989

July 25

R.S. Howarth  
Environmental Protection  
Environment Canada



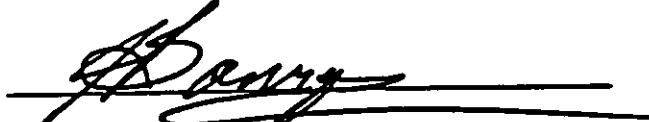
Maurice D. Thomas  
Canada Oil and Gas Lands Administration



July 31/89

89-07-25

J. W. Bourque  
Department of Renewable Resources  
Government of the Northwest Territories

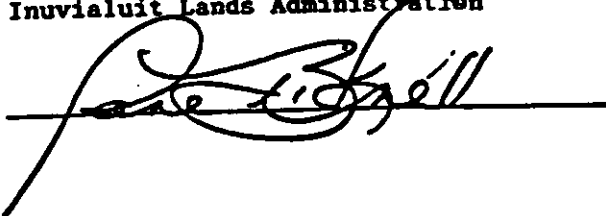


Michael S. Greenham  
Canadian Coast Guard Emergencies  
Transport Canada



8-1-89

Jane Bicknell  
Inuvialuit Lands Administration



06 Sept. 1989

Sept. 21/89



TABLE 1A

DESIGNATION OF LEAD AGENCY FOR SPILLS IN THE NWT

<u>SPILL INCIDENT</u>	<u>LEAD AGENCY</u>
1. Spills on Territorial Land <sup>1,6</sup>	INAC
Except:	
a) Spills at Federal Facilities <sup>2</sup> not permitted under Federal or Territorial legislation.	EP
b) Spills at oil and gas exploration and production facilities which affect the integrity or safety of the operation.	COGLA
c) Spills in National Parks	EP
2. Spills on Commissioner's Land <sup>3,6</sup> (ie. Territorial Highways <sup>4</sup> , communities)	GNWT
Except:	
a) Spills at Federal Facilities <sup>2</sup> not permitted under Federal or Territorial legislation.	EP
b) Spills at oil and gas exploration and production facilities which affect the integrity or safety of the operation.	COGLA
c) Spills at facilities permitted under Federal legislation.	INAC

Table 1 - cont'd

d)	Those sections of Territorial Highways on ice surfaces.	INAC
3.	Spills on Water <sup>5</sup>	INAC
	Except:	
a)	Spills at Federal Facilities <sup>2</sup> not permitted under Federal or Territorial legislation.	EP
b)	Spills at offshore oil and gas exploration and production facilities.  Spills at onshore oil and gas exploration and production facilities which affect the safety or integrity of the operation.	COGLA
c)	Spills from ships and barges.	CCG
4.	Spills on Land set aside under the Inuvialuit Land Claim	ILA

FOOTNOTES:

- 1) Territorial Land means lands in the Northwest Territories that are vested in the Crown or for which the Government of Canada has power to dispose.
- 2) Federal Facilities means any facility such as DEW Line Stations, North Warning System Stations, High Arctic Weather Stations, Research Centres and Research Ships, operated directly or indirectly by the following agents of the Crown:  
  
Department of Communications  
Department of Fisheries and Oceans  
Department of Indian Affairs and Northern Development  
Environment Canada  
Energy, Mines and Resources  
Health and Welfare Canada  
Department of National Defence  
Transport Canada  
Department of Public Works  
Department of Justice (RCMP)  
Canada Post  
Crown Corporations, such as: Canadian National (Railway), CBC,  
Freshwater Fish Marketing Corp.
- 3) Commissioner's Land means lands in the Northwest Territories transferred by Order in Council to the Government of the Northwest Territories.
- 4) Territorial Highways are as described in the GNWT Public Highways Act Schedules A, B and C (attached as Table 1B).
- 5) Water means inland and arctic waters as defined in the Northern Inland Waters Act and Arctic Waters Pollution Prevention Act. Where a spill on land enters water, the lead agency is the agency responsible for the spill on land.
- 6) See Table 1C for Jurisdiction Designation of Airports in N.W.T.

TP 5341

**CANADA - UNITED STATES  
JOINT MARINE POLLUTION CONTINGENCY PLAN**

**PLAN D'URGENCE BILATÉRAL ÉTATS-UNIS - CANADA  
EN CAS DE POLLUTION DES EAUX**

Revised June 1984

Reviser Juin 1984

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### Letter of Promulgation

The revised Canada - United States Joint Marine Pollution Contingency Plan supercedes and replaces the Joint Canada - United States Marine Pollution Contingency Plan for Spills of Oil and Other Noxious Substances which was promulgated in 1974. The plan provides a joint response mechanism for any oil or noxious substance pollution incident which threatens the waters or coastal areas of both Parties. Implementation and maintenance of the plan is the joint responsibility of the U.S. Coast Guard and Canadian Coast Guard, with assistance from other national agencies. The plan is approved for implementation and operations.

For the United States Coast Guard

For the Canadian Coast Guard



Admiral JAMES S. GRACEY  
Commandant, U.S. Coast Guard



A.L. COLLIER  
Commissioner, Canadian Coast Guard

15 September 1983

15 September 1983

## **ABSTRACT OF THE PLAN**

### **1. The Plan**

The Joint Canada-United States Marine Pollution Contingency Plan for spills of oil and other noxious substances, including its annexes, provides a framework for U.S.-Canada Cooperation in response to pollution incidents that may pose a significant threat to the waters or coastal areas of both parties or, although only affecting the waters of one Party, are of such a magnitude as to justify a call on the other Party for assistance.

### **2. The Purpose**

The purpose of the Plan is to provide for coordinated and integrated responses to pollution incidents through federal, state, provincial, regional and sub-regional (local) plans of both Parties.

### **3. The Objectives**

The objectives of this Plan are:

- (a) to develop the appropriate measures of preparedness and systems for the discovery and reporting of a pollution incident within the areas covered by the various Annexes to the Plan;
- (b) to institute prompt measures to restrict the further spread of oil or other noxious substances; and
- (c) to provide adequate resources to respond to a pollution incident.

### **4. Procedures**

The Plan provides for On-Scene Commanders/Coordinators and Deputy On-Scene Commanders/Coordinators who will coordinate the response activities to control a spill and for Joint Response Teams to provide advice and assistance to the On-Scene Commanders/Coordinators. It establishes alerting and notification procedures, command structure, post clean-up requirements and arrangements for assuming the responsibility for the cost of operations.

### **5. Responsibility**

The implementation and maintenance of the Plan is the joint responsibility of the United States Coast Guard (Department of Transportation) and the Canadian Coast Guard (Department of Transport). The two aforementioned organizations are the lead agencies and shall be assisted by other national agencies as appropriate and when required. The two lead agencies are jointly empowered to amend the plan as prescribed in Section 703.

## **100 INTRODUCTION**

### **101 Background**

101.1 The need for a joint U.S.-Canada pollution contingency plan for the Great Lakes was pointed out by the International Joint Commission (IJC) in their "Special Report on Potential Oil Pollution, Eutrophication, and Pollution from Watercraft", dated April, 1970. This report recommended that "the two Governments under the general aegis of the International Joint Commission arrange for the development of a coordinated international contingency plan so that both countries may quickly and effectively respond to major accidental spills of oil or other hazardous materials in the boundary waters of the Great Lakes system."

101.2 At the June 23rd, 1970 meeting of ministers in Ottawa, a U.S.-Canada Joint Working Group on Great Lakes Pollution was created to coordinate various U.S.-Canada pollution control programs. The original Plan and Annex One were developed by a contingency planning sub-group with representatives from Canada and the United States.

101.3 The development of this Plan was consistent with the intent of the IJC report of Great Lakes pollution dated December, 1970, which recommends, among other things, that "the Governments of Canada and the United States enter into agreement to develop coordinated international contingency plans so that both countries may quickly and effectively respond to major accidental spills of oils, hazardous or radioactive materials in the boundary waters of the Great Lakes System." This Plan was incorporated into the Canada-U.S. agreement on Great Lakes Water Quality which was signed by the Prime Minister and the President on 15 April, 1972.

101.4 Following the introduction of an international contingency plan for the Great Lakes, it was agreed that there was a need to establish joint contingency plans for other waters of mutual interest where the use of combined resources would improve the posture and capability of each nation. This has resulted in the adoption of four additional geographically oriented annexes covering the Atlantic Coast, Pacific Coast, Beaufort Sea, and the Dixon Entrance.

### **102 Purpose and Objectives**

102.1 This Plan provides for coordinated and integrated responses to pollution incidents in the waters designated in the annexes and their appendices to the plan by responsible federal, state and local agencies in the U.S., and federal, provincial and local agencies in Canada. It is intended to augment the national, state, provincial, regional and subregional (local) plans of the two Parties and therefore addresses itself primarily to international matters not covered by these plans.

102.2 The objectives of this Plan are:

- (a) to develop appropriate preparedness measures and effective systems for discovering and reporting the existence of a pollution incident within the areas covered by various Annexes to the Plan;
- (b) to institute prompt measures to restrict the further spread of oil or to minimize the hazard posed by a noxious substance; and
- (c) to provide adequate resources to respond to a pollution incident.

### **103 Scope**

103.1 This Plan applies to the areas specified in its Annexes.

103.2 This Plan and its Annexes are applicable whenever a pollution incident may affect both Parties or, although only directly affecting one Party, is of such a magnitude as to justify a call on the other Party for assistance. It is intended to organize the activities of all the responsible authorities in each country, and to provide a command structure and an established method of operation for the forces engaged in dealing with any one incident.



## 104 Abbreviations

### 104.1 Terms common to Canada-U.S. Contingency Plans

CANUSDIX	- Joint Canada-United States Pollution Contingency Plan - Dixon Entrance
CANUSLAK	- Joint Canada-United States Pollution Contingency Plan - Great Lakes
CANUSLANT	- Joint Canada-United States Pollution Contingency Plan - Atlantic Coast
CANUSNORTH	- Joint Canada-United States Pollution Contingency Plan - Beaufort Sea
CANUSPAC	- Joint Canada-United States Pollution Contingency Plan - Pacific Coast
DOSC	- Deputy On-Scene Commander/Coordinator
JRC	- Joint Response Centre
JRT	- Joint Response Team
OSC	- On-Scene Commander/Coordinator
SITREP	- Pollution Incident Situation Report

### 104.2 Canadian Federal Agencies

CCG	- Canadian Coast Guard (TC)
COGLA	- Canada Oil and Gas Lands Administration (EMR)
Customs	- Revenue Canada
DFO	- Department of Fisheries and Oceans
DINA	- Department of Indian and Northern Affairs
DND	- Department of National Defense
DOE	- Department of the Environment
EA	- Department of External Affairs
EMR	- Department of Energy, Mines and Resources
EPS	- Environmental Protection Service (DOE)
H&W	- Health and Welfare Canada
Immigration	- Employment and Immigration Canada
SLSA	- St Lawrence Seaway Authority
TC	- Transport Canada

#### 104.3 U.S. Federal Agencies

Corps (COFE)	- U.S. Army Corps of Engineers
Customs	- U.S. Customs Service
DHHS	- Department of Health and Human Services
DOC	- Department of Commerce
DOD	- Department of Defense
DOE	- Department of Energy
DOI	- Department of Interior
DOJ	- Department of Justice
DOL	- Department of Labor
DOS	- Department of State
DOT	- Department of Transportation
EPA	- Environmental Protection Agency
FEMA	- Federal Emergency Management Agency
FWS	- Fish and Wildlife Service
INS	- Immigration/Naturalization Service
MARAD	- Maritime Administration
MMS	- Minerals Management Service
NMFS	- National Marine Fisheries Service
NOAA	- National Oceanic and Atmospheric Administration
OSHA	- Occupational Safety and Health Administration
SLSDC	- St Lawrence Seaway Development Corporation
Treasury	- Department of Treasury
USAF	- U.S. Air Force
USCG	- U.S. Coast Guard
USDA	- U.S. Department of Agriculture
USN	- U.S. Navy

#### 104.4 U.S. Operational Title Abbreviations

NRC	- National Response Center
NRT	- National Response Team
NSF	- National Strike Force
PIAT	- Public Information Assistance Team
RRC	- Regional Response Center
RRT	- Regional Response Team
SSC	- Scientific Support Coordinator

**104.5** State, Provincial and Local Agency titles and abbreviations are contained in the operational appendices to the respective Annexes to this Plan.

#### **105 Definitions**

**105.1** Pollution Incident: A spill, or the imminent threat of a spill, of oil or any other noxious substance from any source into the waters covered by this Plan of such a magnitude or significance as to require an immediate response to contain, clean-up, and/or dispose of the substance in order to remove the threat to or to minimize the adverse effect on the public health or welfare.

**105.2** Oil: Oil of any kind or in any form, including, but not limited to, petroleum, fuel oil, sludge, and oil mixed with wastes other than dredged spoil.

**105.3** Public Health, Safety or Welfare: All factors affecting human health, safety and welfare, including, but not limited to, human health, the natural environment, fish, shellfish, wildlife, and public and private property, shorelines and beaches.

**105.4** Noxious Substance: Any substance which could result in deleterious effects such as harm to living resources, hazards to human health or safety, hindrances to marine activities including fishing, impairment of the quality of water or littoral regions and reduction of amenities.

**105.5** Parties: The Parties referred to in the text of this Plan are the Governments of the United States and Canada.

**105.6** TOXINTOCSIN: The message warning of a pollution incident within the scope of this Plan.

## **200 JOINT POLICY AND RESPONSIBILITY**

### **201 Joint Policy**

201.1 The appropriate U.S. and Canadian agencies will cooperate as fully as possible to respond expeditiously to a pollution incident that affects or threatens to affect both Parties. Actions taken pursuant to the Plan shall be consistent with the statutory authorities, operational requirements and other obligations of each of these Agencies.

201.2 It is recognized that good across - the - border communications between all levels of government are vital to the successful implementation of this Plan. Any pollution incident that presents a potential threat to the other Party shall be reported promptly to the appropriate agency of that Party in accordance with the provisions of this Plan.

201.3 In a response situation which falls within the scope of this Plan, the designated agencies shall make available any resources they may have which could be used for joint response operations, subject to the exigencies in their national area. In addition, each Party shall have available a mechanism whereby the necessary resources from the public and private sectors may be brought to bear to achieve a successful outcome to a joint response operation.

201.4 The existing decision making process of each country will be followed to determine whether dispersants or other chemicals will be used to respond to a pollution incident. These substances could be used to:

- (a) prevent or reduce the hazard to human life;
- (b) prevent or reduce the hazard to an endangered species;
- (c) prevent or reduce the hazard to a major segment of population(s) of vulnerable waterfowl or aquatic life; or
- (d) combat a spill when these methods appear to be the most effective means by which to reduce the total impact of the spill.

### **202 Special Arrangements for Funding and Entry**

202.1 The following funding arrangements shall apply except in the Great Lakes or unless otherwise agreed. When a pollution incident occurs in the internal waters of a party, or its territorial sea and contiguous zone waters up to twelve miles seaward of the baseline from which its territorial sea is measured, that Party shall bear the costs of:

- (a) response operations by its own government forces;
- (b) such private resources as are properly arranged for by the OSC and are approved by such Party; and
- (c) response operations, the loan of resources, or other assistance provided by the other Party in the first Party's internal waters and in the first Party's territorial sea and contiguous zone waters up to twelve miles seaward of the baseline from which its territorial sea is measured.

202.2 In the Great Lakes, the Provisions of the Great Lakes Water Quality Agreement apply, and, unless otherwise agreed, the costs of operations of both parties under the Plan shall be borne by the party in whose waters the pollution incident occurred.

202.3 In the case of a pollution incident arising from seabed activities, the cost of response operations shall be borne by the Party having jurisdiction over the seabed activities involved.

202.4 In all other cases subject to this Plan, each Party will bear the costs of its own response operations.

202.5 The recovery of costs expended for response activities shall be considered on a case by case basis. This Plan is not related to, and shall not prejudice the resolution of any dispute which may arise respecting liability and compensation for damages resulting from any pollution incident, wherever it may occur.

202.6 When this Plan and its Annexes are invoked, special customs and immigration clearances will be granted by each Party for response resources, including personnel and equipment. Procedures for accomplishing this will be developed by cognizant regional and local officials, and will be outlined in the operational appendices to each annex.

### **203 Mechanism for Invoking the Plan**

203.1 The Plan may be invoked by the responsible Canadian or U.S. JRT Co-chairman in the event of a pollution incident which originates within the area of responsibility of his OSC and which is accompanied by a substantial threat of the spread of a pollutant into the area of responsibility of the other Party's OSC, or where such spreading has already occurred. The plan may also be invoked by the responsible Canadian or U.S. JRT co-chairman in the event of a pollution incident originating within the area of responsibility of the other Party's OSC when in his opinion there is a substantial threat of a spread of the pollutant into his own area of responsibility.

203.2 The Plan may be invoked in pollution incidents where no spread of pollutants into the area of responsibility of the other Party's OSC has occurred or is threatened, but where the magnitude of the incident, or other factors, makes a joint response desirable. In such cases the agreement of the JRT co-chairmen of both Parties is required.

#### **204 U.S. and Canadian Federal Agencies' Responsibilities**

204.1 The responsibilities of specified agencies of the two Parties are set out in the *U.S. National Oil and Hazardous Substances Contingency Plan* and its supplementary guidance, the Canadian Coast Guard's *National Marine Emergency Plan*, and *Arctic Marine Emergency Plan* and the Canadian Government *Arctic Seas Contingency Plan*. Other federal, state, provincial and local agencies may be requested to assist as needed.

## **300 PLANNING AND RESPONSE ELEMENTS**

### **301 Joint Response Centres**

**301.1** Joint Response Centres are designated sites where facilities are available to provide the necessary requirements to fulfill the provisions of the Plan. The locations of the designated Joint Response Centres are contained in each annex. During an incident, the Joint Response Centre (JRC) will be established in the designated facilities of the Party providing the OSC and will ordinarily be shifted to the facilities of the other Party if the OSC is shifted to that Party. Alternate sites closer to the scene of the incident may be specified, in lieu of the predesignated sites, at the discretion of the appropriate chairman of the JRT.

### **302 Joint Response Teams**

**302.1** The Joint Response Teams (JRT) shall consist of representatives of specified agencies of the U.S. and Canada. They function as advisory teams and will be activated by agreement in the event of a pollution incident occurring within the areas encompassed by this Plan and its Annexes.

**302.2** The United States Coast Guard member of a JRT will be designated by the appropriate Coast Guard District Commander as U.S. Co-Chairman and will chair the JRT when the JRC is established in the U.S.A. The Canadian Coast Guard member of a JRT will be designated by the appropriate Coast Guard Regional Director General as Canadian Co-Chairman and will chair the JRT when the JRC is established in Canada.

**302.3** U.S. members of the JRT shall consist of predesignated representatives of National Response Team agencies, state environmental response agencies and other members as designated by the U.S. Co-chairman. Canadian members of the JRT shall consist of predesignated representatives of appropriate resource agencies as stipulated by appropriate national and regional oil spill contingency plans.

**302.4** The two JRT Co-Chairmen for each annex of the Plan will compile a directory to be updated on 1 March and 1 September of each year, which will include data on names, positions, home and business telephone numbers, office addresses and when applicable, telex and TWX numbers of all JRT members, OSC's and DOSC's. The directory shall constitute an operational appendix to the applicable annex and shall be distributed in timely fashion to all concerned.

**302.5** The general functions of a JRT include planning, preparedness and monitoring response operations and are outlined below.

- (a) Provide advice and assistance to the OSC during pollution incidents. (The JRT does not have operational control over the OSC.)
- (b) Develop procedures to promote a coordinated response by all agencies to pollution incidents. These should include, among others; legal, financial, customs, immigration and other administrative procedures.
- (c) Review post-incident reports from the OSC on the handling of pollution incidents for the purpose of analyzing response actions and recommending needed improvements in the contingency plans.
- (d) Forward to respective federal, state and provincial authorities relevant reports and recommendations including OSC post-incident reports, JRT debriefing reports and recommendations concerning amendments to the Plan or the Annexes.

**302.6** Some measure of response functions will be performed each time the Plan is invoked. The degree of response will be subject to the demands of each particular situation. The specific advisory and support functions of the JRT will include:

- (a) Monitoring incoming reports, evaluating the possible impact of reported pollution incidents and being at all times fully aware of the actions and plans of the OSC.
- (b) Coordinating the actions of the various agencies in supplying the necessary resources and assistance to the OSC.
- (c) Recruiting other agencies, industrial or scientific groups to play their appropriate parts in support actions by acting through the JRT or OSC;
- (d) Determining when a shift of OSC from one party to the other as indicated by the circumstances of the spill;
- (e) Coordinating all reporting on the status of the pollution incident to the respective national authorities;
- (f) Ensuring that the OSC has adequate public information support.

**302.7** The national co-chairmen of the several JRTs shall make provision for periodic meetings of each JRT to discuss mutual problems; and, as appropriate, to conduct exercises relating to the Plan.

### **303 On-Scene Commander/Coordinator (OSC)**

**303.1** The coordination and direction of the joint pollution control efforts at the scene of a pollution incident shall be achieved through an official appointed as the OSC. The OSC is an agent designated in each of the Annexes to the Plan by the appropriate Canadian Coast Guard Regional Director General or U.S. Coast Guard District Commander for areas in which a pollution incident may occur. His responsibility will continue until a shift in OSCs between the Parties is agreed upon by the JRT in accordance with section 302.6(d) above, or until a shift in OSCs within the jurisdiction of one Party is directed by the chairman of the JRT or other national authority.

**303.2** In the event of a pollution incident, the first official from an agency with responsibility under this plan arriving at the site shall assume coordination of activities under the Plan until the designated OSC becomes available to take charge of the operation.

**303.3** The OSC shall determine the pertinent facts about a particular pollution incident, including the nature, amount, and the location of material spilled, probable direction and time of travel of the material, resources available and needed, and the areas which may be affected. He shall establish the priorities for protection.

**303.4** The OSC shall initiate and direct, as required, Phase II, Phase III and Phase IV operations as hereinafter described.

**303.5** The OSC shall obtain proper authorization, in accordance with appropriate national, provincial, state and local laws, to call upon and direct the deployment of available resources to initiate and continue containment, countermeasures, clean-up, and disposal functions.

**303.6** In carrying out this Plan the OSC is to maintain an up-to-date and accurate information flow to the JRT to ensure the maximum effectiveness of the joint effort in protecting the natural resources and environment from pollution damage. The necessary direct liaison between personnel at all levels in the agencies of both countries is essential to both satisfactory planning and operations.

**303.7** Upon request from the Co-chairmen of the JRT, an OSC, assisted by the DOSC, shall submit to that Team such reports and recommendations on any one incident, as the JRT may deem to be necessary.

### **304 Deputy On-Scene Commander/Coordinator (DOSC)**

**304.1** The DOSC shall be designated by the Party which is not providing the OSC. He shall act as the OSC's direct liaison with the agencies of the Party which he, the DOSC, represents. He shall assist the OSC and shall control his own Party's response resources to comply with the planned tactics of the OSC.

## **400 RESPONSE OPERATIONS**

**400.1** The actions which are taken to respond to a pollution incident separate into four relatively distinct phases. However, elements of a phase or an entire phase may take place concurrently with one or more other phases.

- Phase I - Discovery and Alarm
- Phase II - Evaluation and Plan Invocation
- Phase III - Containment and Countermeasures
- Phase IV - Clean-up and Disposal

### **401 Phase I - Discovery and Alarm**

**401.1** The discovery of a pollution incident may be made through the normal planned surveillance activities, through the observations of agencies of the various levels of government, by those who caused the incident, or by the alertness and concern of the general public.

**401.2** The severity of the incident which in itself is conditioned by the nature and the quantity of the pollutant and the locality, will determine the level of response required and whether or not there is a need to invoke the Plan.

**401.3** The first agency, having a responsibility under the Plan, to be made aware of a pollution incident shall notify the appropriate designated OSC immediately. If the pollution incident threatens to affect the area of responsibility of the other Party's OSC, an immediate warning is to be given in accordance with the procedures established in section 500.

### **402 Phase II - Evaluation and Plan Invocation**

**402.1** If it is the evaluation of the OSC receiving the first warning that the pollution incident will possibly affect the other Party, he shall:

- (a) notify the appropriate OSC of the other Party
- (b) make a recommendation to his own nation's JRT co-chairman on whether to invoke the Plan;
- (c) formulate plans to deal with the incident and
- (d) initiate Phase III and IV actions as appropriate.

The chairman may invoke the Plan as provided in section 203. The specific methods for warning the other Party and invoking the Plan are contained in section 500.

### **403 Phase III - Containment and Countermeasures**

**403.1** Containment is any measure, whether physical or chemical, which is taken to control or to restrict the spread of a pollutant.

**403.2** Countermeasures embrace those activities, other than containment, which are implemented to reduce the impact and the effect of a pollutant on the public health and welfare.

### **404 Phase IV - Clean-up and Disposal**

**404.1** This phase of the operation is directed towards reducing the impact of an incident as much as possible. It will include the removal of the pollutant from the water and shoreline using available technology.

**404.2** Pollutants which are recovered as a result of clean-up actions shall be disposed of in accordance with national procedures so as to preclude the possibility of further or continuing environmental damage.



## 500 REPORTS AND COMMUNICATIONS

### 501 Rapid Alerting System

501.1 Any potential pollution threat to the other Party shall be reported to that Party without delay. The reporting points are

Annex	U. S.	Canada
CANUSLAK	Ninth Coast Guard District Operations Center, Cleveland, Ohio	Coast Guard Traffic Center Toronto, Ontario
CANUSLANT	First Coast Guard District Operations Center, Boston, Mass	Coast Guard Traffic Center Halifax, Nova Scotia
CANUSPAC	Thirteenth Coast Guard District Operations Center, Seattle, WA.	Coast Guard Traffic Center Vancouver, British Columbia
CANUSNORTH	Seventeenth Coast Guard District Operations Center, Juneau, Alaska	Coast Guard Traffic Center Vancouver, British Columbia
CANUSDIX	Seventeenth Coast Guard District Operations Center, Juneau, Alaska	Coast Guard Traffic Center Vancouver, British Columbia

501.1.1 The Canadian Coast Guard Traffic Center will notify all Canadian JRT members upon receipt of warning, invocation, situation report, and revocation messages from the U.S. The U.S. Coast Guard District Operations Center will notify all U.S. JRT members upon receipt of warning, invocation, situation report, and revocation messages from Canada.

501.2 Warning message: While it may take some assessment to decide whether or not to invoke the Plan, a warning that the Plan may be invoked should be given. This warning will not activate the Plan. It will, however, permit immediate preparation for the possibility of its invocation. The warning message shall be in the following format:

DTG

FM (sender)

TO (action addressee)

INFO (information addressees)

BT

UNCLAS

CANUSLAK TOXINTOCSIN (or CANUSLANT TOXINTOCSIN, etc as appropriate)

1. GEOGRAPHICAL POSITION

2. ANY OTHER DETAILS

3. ACKNOWLEDGE

BT

Such a message will normally be originated by the appropriate JRT co-chairman and must always be acknowledged by the action addressee.

### 501.3 Invocation

This Plan shall be activated only by formal invocation. This will normally be done by message from the appropriate JRT co-chairman. Telephonic invocation shall be followed by an invocation message. This message should contain at least the following information:

DTG  
FM (sender)  
TO (action addressee)  
INFO (information addressees)  
BT  
UNCLAS  
TOXIN  
CANUSLAK (or CANUSLANT, etc) CONTINGENCY PLAN INVOKED AT (time GMT)  
OSC (name)  
JRT Co-chairman (name)  
HQ ESTABLISHED AT (location and telephone no.)  
ACKNOWLEDGE  
BT

If a warning message (see para 501.2) was not issued, the information that would have been contained in that message should be added to the invocation message.

In the acknowledgement message to the above, the receiving party shall report the name of the JRT co-chairman, the name of the DOSC and the DOSC's ETA at the locality of the Headquarters established by the original message of invocation.

### 502 Situation Report Requirements (TOXIN SITREP)

502.1 Up to date information on a spill which has justified joint response activity is essential to the effective management and outcome of an incident. This information should be submitted by the designated OSC to the JRT in the format shown below. TOXIN SITREPS should be made as frequently as necessary to ensure that those who need to know have a full and timely appreciation of the incident and of actions taken and progress made during the response.

#### 502.2 Standard Message Format

DTG  
FM (sender)  
TO (action addressee)  
INFO (information addressees)  
BT  
UNCLAS  
TOXIN SITREP (report number)  
POLLUTION INCIDENT (identify the case)  
1. SITUATION:  
2. ACTION TAKEN:  
3. FUTURE PLANS/FURTHER ASSISTANCE REQUIRED:  
4. CASE STATUS: (pends/closed)  
BT

502.2.1 SITUATION: The situation section should provide the full details on the pollution incident including what happened, type and quantity of material, agencies involved, areas covered and threatened, success of control efforts, prognosis and any other pertinent data.

**502.2.2 ACTION TAKEN:** The action section should include a summary of all action taken so far by the responsible Party, local forces, government agencies and others.

**502.2.3 FUTURE PLANS:** The plans section should include all future action planned.

**502.2.4 FURTHER ASSISTANCE REQUIRED:** Any additional assistance required from the JRT by the OSC pertaining to the response shall be included in this section.

**502.2.5 CASE STATUS:** The status section should indicate "case closed", "case pends", or "participation terminated", as appropriate.

### **503 Revocation**

**503.1** A recommendation to revoke the joint response to a particular incident shall be made by agreement of the OSC and DOSC. The JRT Chairman from the Party which originally invoked the joint response shall revoke it by message after consultation with the Chairman from the other Party. This message must clearly establish the date and time, in GMT, of the cessation of the joint response. The requirement to consult in no way diminishes the invoking Chairman's prerogative to decide upon revocation.

#### **503.2 Standard Message Format for Revocation**

DTG

FM (sender)

TO (action addressee)

INFO (information addressees)

BT

UNCLAS

TOXIN

CANUSLAK (or CANUSLANT, etc) CONTINGENCY PLAN REVOKED AT (date, time - in GMT at which joint operation will cease)

BT

### **504 Post-Incident Reports**

**504.1** The JRT may request the OSC and DOSC involved to submit reports and to prepare operational debriefings for the JRT, on the incident, the action taken and any observation or recommendations which need to be made.

## **600 PUBLIC INFORMATION**

### **601 Introduction**

601.1 When a pollution incident occurs, the public must be provided with timely and accurate information on the nature of the incident and the steps which are being taken to cope with the problem. This policy is followed to obtain understanding from the public, to ensure cooperation from all interested parties and to reduce the possibility of the spread of concern or alarm through misinformation.

### **602 On-Scene News Office**

602.1 When the Plan is invoked, the chairmen of each party will make the appropriate arrangement to assign from the resources of each Party, a professional public information officer who will establish and direct a News Office as close to the scene of the incident as possible. Each of these co-directors of the On-Scene News Office shall maintain liaison with the interested parties in his own country, including the news media, government press offices and concerned industries. The co-directors of the News Office shall work under the OSC and DOSC and shall be responsible for preparing and clearing joint news releases, maintaining an account of events and advising the OSC and DOSC on public reactions. All releases containing policy considerations must additionally be cleared through the chairman of the JRT, and other representatives of the Parties as the chairman deems necessary. The OSC and DOSC shall keep the JRT apprised of news office activities and public reactions. The Party providing the OSC shall supply adequate space, equipment, and manpower for the On-Scene News Office.

### **603 Interim Public Information Arrangements**

603.1 In the period following an incident and until the Plan is invoked the information activities shall be directed by the public information personnel of the agency which provides the designated OSC. These activities shall be conducted in accordance with the information policies of that agency.

## **700 ADMINISTRATION**

### **701 Custodians**

**701.1** The custodians for this Plan and Annexes and any amendments thereto are: for the United States - the Commandant, United States Coast Guard; and, for Canada - the Commissioner, Canadian Coast Guard.

### **702 Operational Appendices**

**702.1** Regions and Districts will maintain operational appendices to this Plan covering such topics as communications, reporting systems, designated and/or potential JRT members, and useful points of contact.

### **703 Amendments**

**703.1** Amendments to the Plan and Annexes may be made by mutual agreement of the custodians and shall be approved and disseminated pursuant to the following agreed procedures:

**703.1.1** Amendments to the plan and annex provisions which concern national policy interests, or are otherwise of significant importance to both the U.S. and Canadian governments, may be executed only by government to government agreement by procedures appropriate to the circumstances and need for a particular amendment. Sections 202 and 703 of the plan, and sections G 100, A 100, P 100, N 100, and D 100 of the annexes may be amended only by this procedure.

**703.1.2** The remaining sections of the plan and annexes, not listed in section 703.1.1 above, are of concern to the Custodians for purposes of nationwide consistency and may be executed only upon agreement of the Custodians by exchange of letters.

**703.1.3** The operational appendices to the annexes are of regional interest and may be amended by the respective JRTs upon their agreement to do so. The respective JRT Co-chairmen will notify their appropriate national authorities of all such amendments by letter.

**CANADA - UNITED STATES**  
**JOINT MARINE POLLUTION CONTINGENCY PLAN**

**ANNEX ONE**  
**GREAT LAKES**  
**SHORT TITLE**  
**CANUSLAK CONTINGENCY PLAN**

## ANNEX ONE

All numbered sections in this Annex are further identified by the letter G for "Great Lakes"

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APPENDIX ONE	CHART DESIGNATING U.S./CANADA AREAS OF RESPONSIBILITY	

## **G 100 RESPONSIBILITY AREAS**

**G 100.1** This Annex applies to the internal waters of each Party on the Great Lakes as per Appendix I.

**G 100.2** The International Boundary marks the area of waters of the Great Lakes for which each Party's OSC is responsible for the purpose of the Plan and this Annex.

**G 100.3** The responsibility for protection of the internal Canadian waters of the Great Lakes is shared between the governments of Canada and Ontario. The federal responsibilities for marine contingencies are outlined in the "Canadian Coast Guard, Central Region Marine Contingency Plan". The responsibility of the Province is outlined in the Province of Ontario Contingency Plan for Spills of Hazardous Materials and Other Noxious Substances. The Ontario Ministry of the Environment is identified as the lead Provincial Ministry and will ensure the involvements of other Provincial Organizations as required



**G 200 DESIGNATED JOINT RESPONSE CENTRES**

**G 201** The designated location for the Joint Response Centres for the Great Lakes (CANUSLAK JRCs) are

**G 201.1 United States:** Ninth Coast Guard District Office  
Cleveland, Ohio

**G 201.2 Canada:** Canadian Coast Guard  
Central Region Office  
Toronto, Ontario

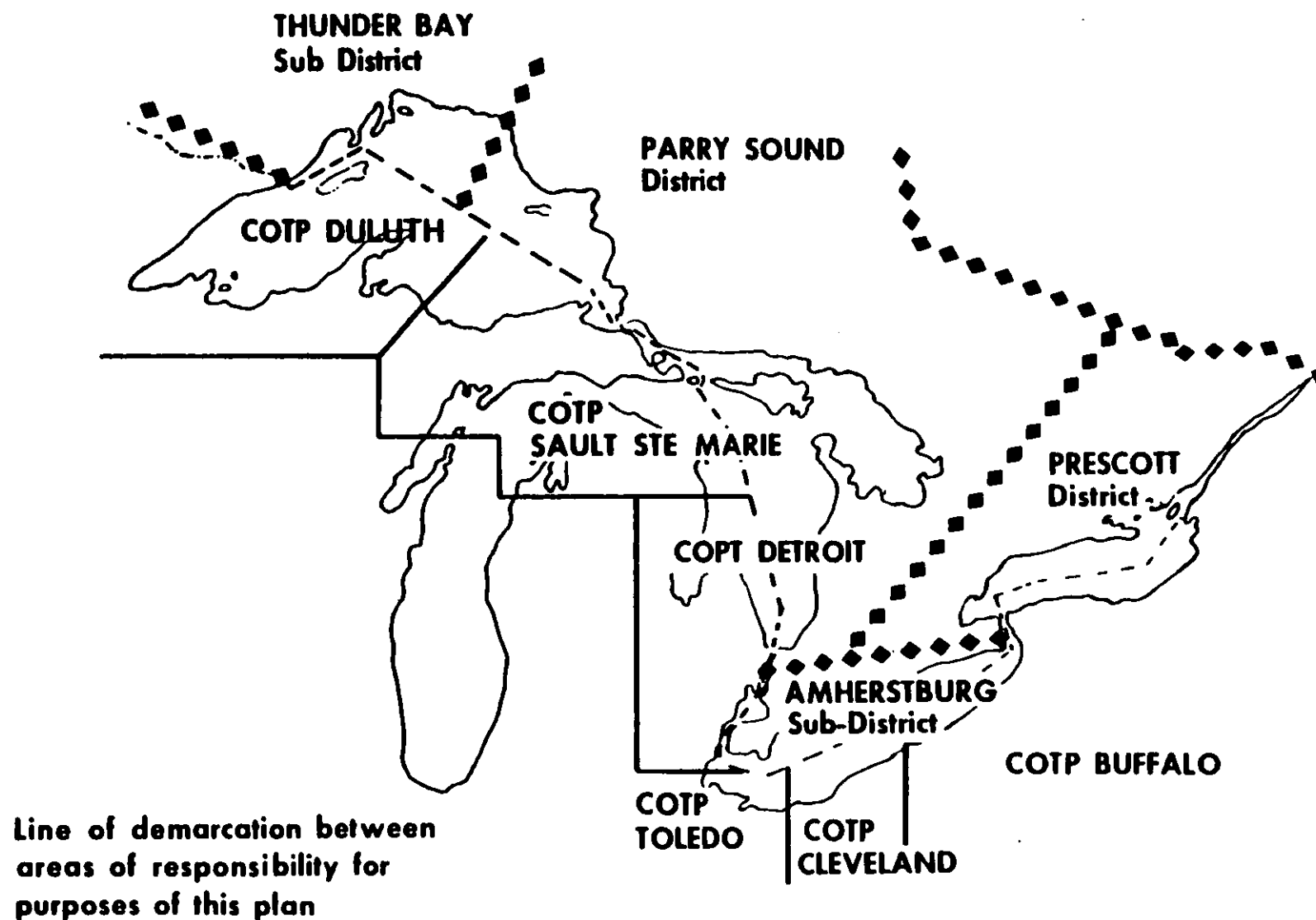
## **G 300 ON-SCENE COMMANDERS/COORDINATORS**

### **G 303.1 U.S. On-Scene Coordinators**

On-Scene Coordinators are the Coast Guard Captains of the Port.

### **G 303.2 Canadian On-Scene Commanders**

On-Scene Commanders are designated by the Regional Director General.



**CANADA - UNITED STATES**  
**JOINT MARINE POLLUTION CONTINGENCY PLAN**

**ANNEX TWO**  
**ATLANTIC COAST**  
**SHORT TITLE**  
**CANUSLANT CONTINGENCY PLAN**

## ANNEX TWO

All numbered sections in this Annex are further identified by the letter A for Atlantic:

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APPENDIX ONE            CHART DESIGNATED U.S./CANADA AREAS OF RESPONSIBILITY	

## A 100 RESPONSIBILITY AREAS

A 100.1 This Annex applies to the internal waters of each Party, and to the waters of the Gulf of Maine, seaward to 42 degrees, 45 minutes North latitude as per Appendix I.

A 100.2 For the purposes of this Plan and this Annex, each Party shall be responsible for its internal waters and for its territorial sea and contiguous zone waters up to twelve miles from the baseline from which its territorial sea is measured. The waters beyond twelve miles subject to this Plan and Annex are divided into two parts by the meridian of 67 degrees, 28 minutes West commencing at latitude 44 degrees, 15 minutes 57 seconds North and terminating at latitude 42 degrees, 45 minutes North. The waters beyond twelve miles and east of this meridian shall be within Canada's area of responsibility; and the waters beyond twelve miles and west of this meridian shall be within the United States' area of responsibility. This delineation is portrayed in Appendix One to this Annex. It is agreed that the division into two parts of the waters beyond twelve miles identified in section A100.1 for this specific purpose is not related to and shall not prejudice the delimitation of offshore jurisdiction between Canada and the United States for other purposes.

## **A 200 DESIGNATED JOINT RESPONSE CENTRES**

**A 201** The designated locations for the Joint Response Centres for the Atlantic Coast (CANUSLANT JRCs) are:

**A 201.1 United States:** First Coast Guard District Office  
Boston, Massachusetts

**A 201.2 Canada:** Coast Guard Traffic Centre  
Dartmouth, Nova Scotia

## **A 300 ON-SCENE COMMANDERS/COORDINATORS**

### **A 300.1 U.S. On-Scene Coordinators**

Commanding Officer

Coast Guard Marine Safety Office

Portland, Maine

Commanding Officer

Coast Guard Marine Safety Office

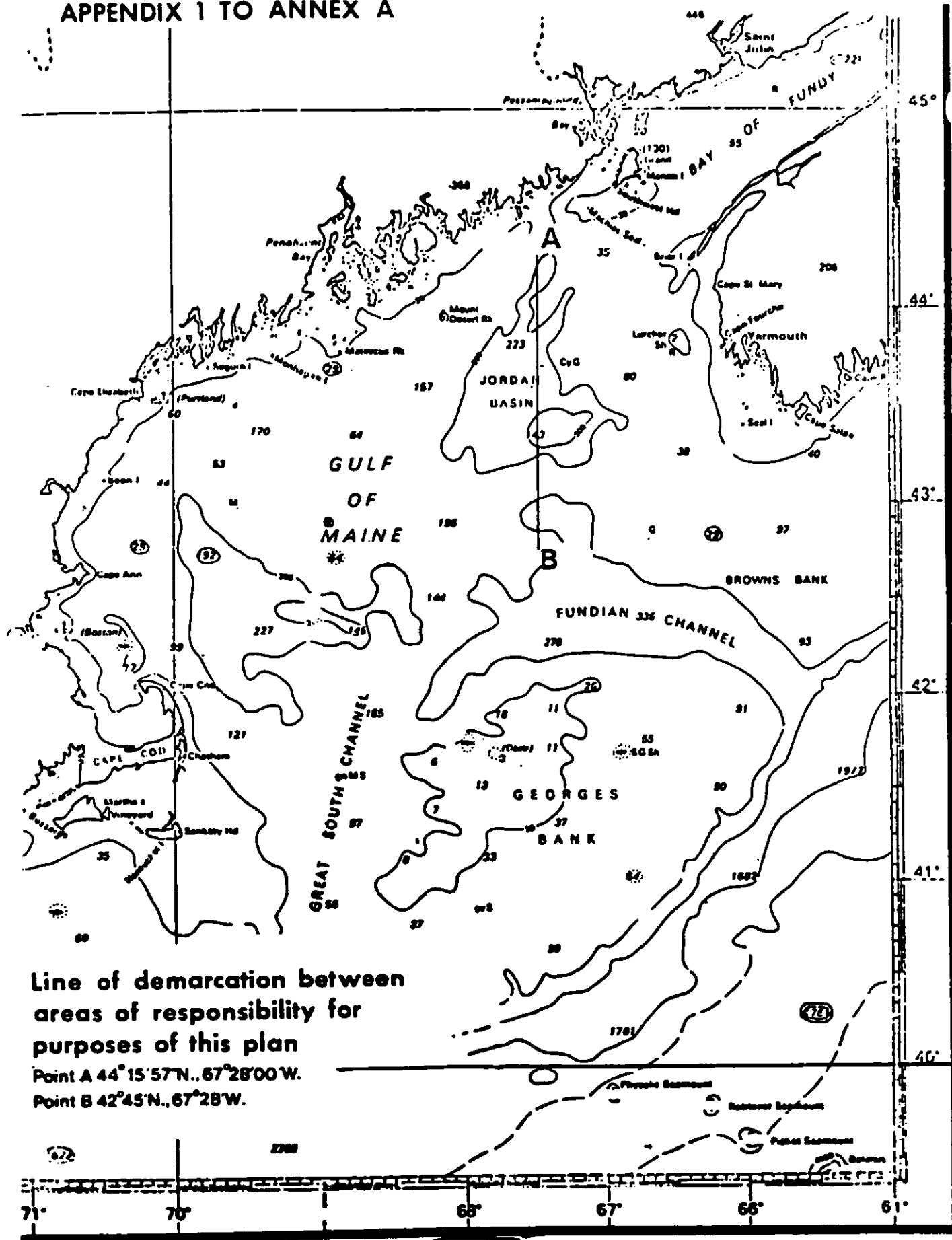
Boston, Massachusetts

### **A 300.2 Canadian On-Scene Commanders**

On-Scene Commanders are designated by the Regional Director General. The CCG District areas of responsibility are portrayed in the Operational Annex.



# APPENDIX 1 TO ANNEX A



**CANADA - UNITED STATES**  
**JOINT MARINE POLLUTION CONTINGENCY PLAN**

**ANNEX THREE**  
**PACIFIC COAST**  
**SHORT TITLE**  
**CANUSPAC CONTINGENCY PLAN**

## **ANNEX THREE**

All numbered paragraphs in this Annex are further identified by the letter P for Pacific

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<b>APPENDIX ONE</b>	
<b>CHART DESIGNATING U.S./CANADA AREAS OF RESPONSIBILITY</b>	

## **P 100 RESPONSIBILITY AREAS**

**P 100.1** This Annex applies to the internal waters of each Party and to the waters off the Pacific Coasts of Canada and the contiguous United States extending seaward as per Appendix I.

**P 100.2** The line drawn on the chart in Appendix One to this Annex indicates the area of waters of the Pacific Coast for which each Party is responsible for the purpose of the Plan and this Annex. It is agreed that the adoption of this line for this specific purpose is not related to and shall not prejudice the delimitation of offshore jurisdiction between Canada and the United States for other purposes.

**P 200 DESIGNATED JOINT RESPONSE CENTRES**

**P 201** The designated locations for the Joint Response Centres for the Pacific Coast (CANUSPAC JRCs) are:

**P 201.1 United States:** Thirteenth Coast Guard District Office  
Seattle, Washington

**P 201.2 Canada:** Canadian Coast Guard  
Vessel Traffic Management Centre  
West Vancouver, British Columbia

**P 300 ON-SCENE COMMANDER/COORDINATORS**

**P 300.1 U.S. On-Scene Coordinator**

U.S. Coast Guard

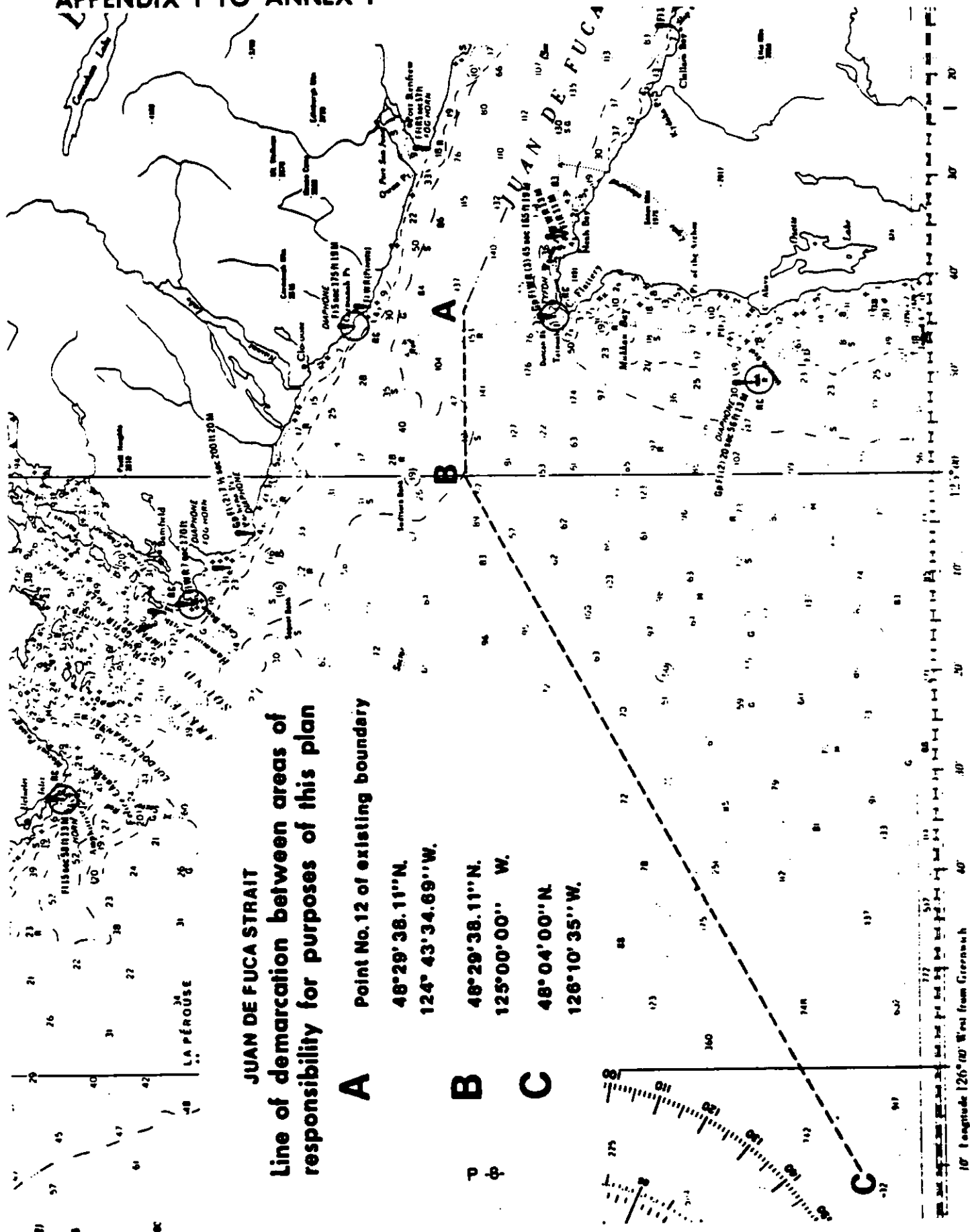
Captain of the Port

Seattle, Washington

**P 300.2 Canadian On-Scene Commander**

On-Scene Commanders are designated by the Regional Director General.

# APPENDIX 1 TO ANNEX P



**CANADA - UNITED STATES**  
**JOINT MARINE POLLUTION CONTINGENCY PLAN**

**ANNEX FOUR**  
**BEAUFORT SEA**

**SHORT TITLE**  
**CANUSNORTH CONTINGENCY PLAN**



## **ANNEX FOUR**

All numbered paragraphs in this Annex are further identified by the letter N for "North"

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<b>APPENDIX ONE</b>	<b>U.S. - CANADA, BEAUFORT SEA</b>	

## **N 100 RESPONSIBILITY AREA**

**N 100.1** This Annex applies to the internal waters of each Party and to the waters off the Arctic Coast of Canada and the United States extending seaward in the Beaufort Sea area to the extent of jurisdiction for the purposes of fishery management and conservation and exploitation of the natural resources of the continental shelf.

**N 100.2.1** For purposes of this Plan and this Annex, each Party shall be responsible for response operations in accordance with the Plan taken as a result of activities in the areas under its jurisdiction.

**N 100.2.2** In the event there are differences over determining the responsibility of either Party for funding of response operations as provided in section 202 of the Plan, the matter shall be referred by the Parties, if circumstances warrant, to an arbitrator as may be mutually agreed.

**N 100.2.3** Notwithstanding Section 100.2.2, the Party which first becomes aware of an incident in areas it regards as coming under its jurisdiction will appoint the OSC and commence action in accordance with this Plan.

**N 200 DESIGNATED JOINT RESPONSE CENTRES**

**N 201** The designated location for the Joint Response Centres for the Beaufort Sea (CANUSNORTH JRCs) are:

**N 201.1 United States:**      Seventeenth Coast Guard District Office  
Juneau, Alaska

**N 201.2 Canada:**            Office of the Government of the Northwest Territories  
Inuvik

## **N 300 ON-SCENE COMMANDERS/COORDINATORS**

### **N 300.1 U.S. On-Scene-Coordinator**

Commanding Officer

Coast Guard Marine Safety Office

Anchorage, Alaska

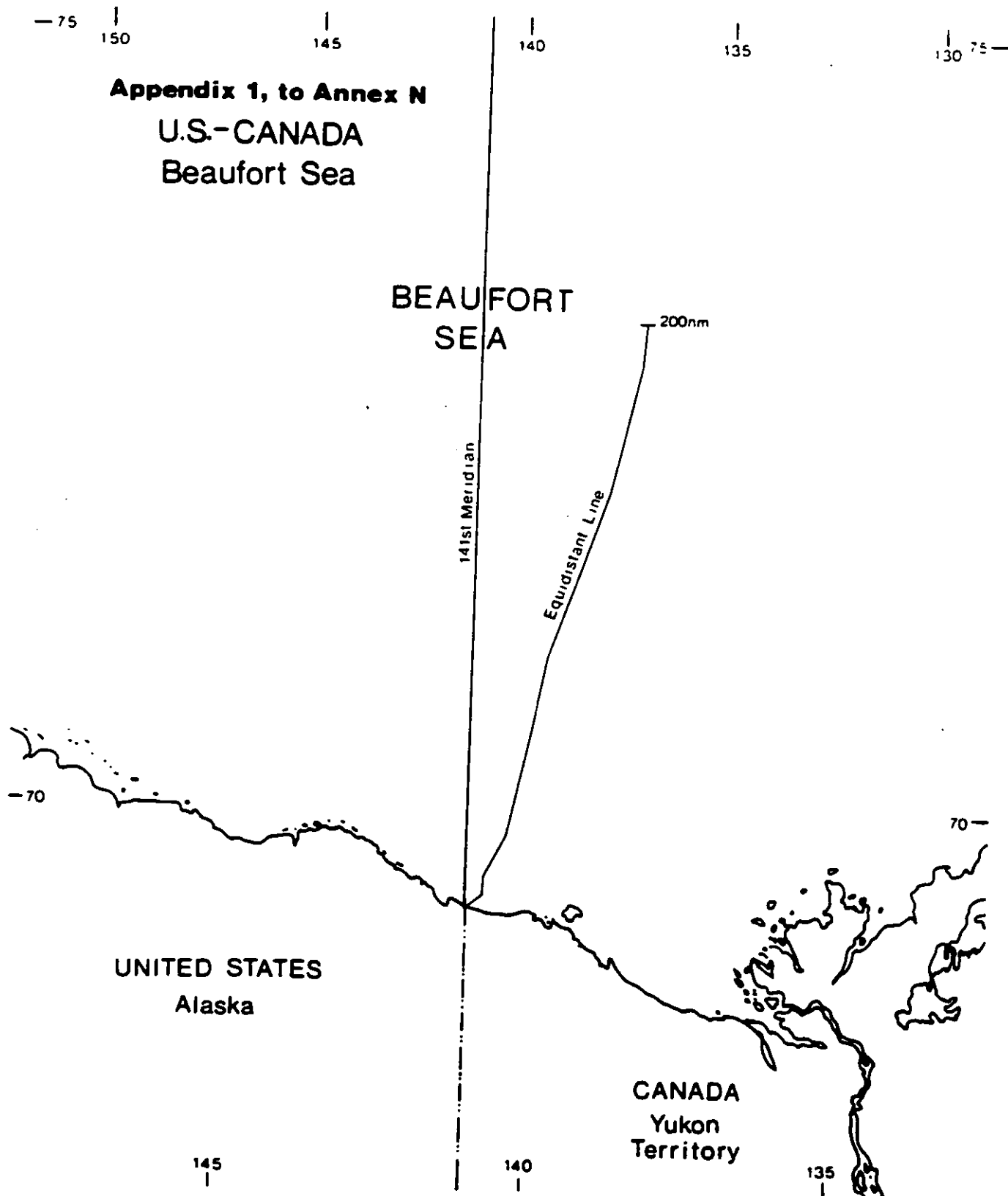
### **N 300.2 Canadian On-Scene-Commander**

Regional Manager, Emergency Operations

Canadian Coast Guard

West Vancouver, British Columbia

**Appendix 1, to Annex N**  
**U.S.-CANADA**  
**Beaufort Sea**



**CANADA - UNITED STATES**  
**JOINT MARINE POLLUTION CONTINGENCY PLAN**

**ANNEX FIVE**  
**DIXON ENTRANCE**  
**SHORT TITLE**  
**CANUSDIX CONTINGENCY PLAN**

## **ANNEX FIVE**

All numbered paragraphs in this Annex are further identified by the letter D for "Dixon Entrance".

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## D 100 RESPONSIBILITY AREAS

D 100.1 This Annex applies to the waters of Dixon Entrance off the Pacific Coasts of Canada and the United States extending seaward

D 100.2.1 For purposes of this Plan and this Annex, each Party shall be responsible for response operations in accordance with the Plan taken as result of activities in the areas under its jurisdiction.

D 100.2.2 In the event there are differences over determining the responsibility of either Party for funding of response operations as provided in section 202 of the Plan, the matter shall be referred by the Parties, if circumstances warrant to an arbitrator as may be mutually agreed.

D 100.2.3 Notwithstanding Section D100.2.2, the Party which first becomes aware of an incident in areas it regards as coming under its jurisdiction will appoint the OSC and commence action in accordance with the Plan.



## **D 200 DESIGNATED JOINT RESPONSE CENTRES**

**D 201** The designated locations for the Joint Response Centers for response operations under this annex are:

**D 201.1 United States:**      Seventeenth Coast Guard District Office  
Juneau, Alaska .

**D 201.2 Canada:**            Canadian Coast Guard  
Traffic Control Centre  
West Vancouver, British Columbia

## **D 300 ON-SCENE COMMANDERS/COORDINATORS**

### **D 300.1 U.S. On-Scene Coordinator**

Commanding Officer

USCG Marine Safety Office

Juneau, Alaska

### **D 300.2 Canadian On-Scene Commander**

On-Scene Commanders are designated by the Regional Director General.