



Fisheries and Oceans  
Canada

Canadian Coast Guard

Environmental Response

---

Directive #: **D-3040-2002-02**

**On-Scene Commander**

---

May 2003

## **Table of Contents**

### **1 INTRODUCTION**

- 1.1 Purpose**
- 1.2 Policy**
- 1.3 Application**
- 1.4 References**

### **2 ROLES AND RESPONSIBILITIES**

- 2.1 CCG Duty Officer**
- 2.2 On-Scene Commander**
- 2.3 Manager, Environmental Response**
- 2.4 Regional Superintendent, Environmental Response**

### **3 GENERAL**

- 3.1 Selection of an appropriate OSC**
- 3.2 Guidelines to assist in the selection of an appropriate OSC**

### **4 TRAINING REQUIREMENTS**

### **5 SHIPOWNER'S LIABILITY**

### **6 ENQUIRIES**

---

# **1 INTRODUCTION**

The policy of the Government of Canada is to place the expectation, to the extent practical, for pollution preparedness and response activities on the polluter. The *Canada Shipping Act* requires designated Oil Handling Facilities (OHFs), oil tankers of one hundred and fifty or more tons gross tonnage and ships of four hundred or more tons gross tonnage, that carry oil as cargo or as fuel, to have an arrangement for spill response with a certified response organization. This also includes two or more ships, each of whose gross tonnage is less than mentioned above, that carry oil as cargo, that are towed or pushed together and whose aggregate tonnage is one hundred and fifty or more tons gross tonnage. For the purposes of this directive, the definition of ship is the same as that used in the *Canada Shipping Act*.

The *Canada Shipping Act* places the onus of response on the polluter to ensure that an adequate response is effected. In the event that the polluter is, unknown, unwilling or unable to fulfill its obligations, the Canadian Coast Guard (CCG) will assume the role of On-Scene Commander (OSC) and manage the response.

The CCG OSC will be responsible for ensuring that the following priorities for any response to a pollution incident are addressed:

- 1) threats to the health and safety of personnel and the public are removed or minimized
- 2) discharged pollutants are contained and controlled
- 3) threats arising from further discharges of pollutants are removed or minimized

## **1.1 Purpose**

This directive is intended to provide a clear and consistent understanding of the roles and responsibilities associated with managing a marine pollution incident when acting as the OSC and will ensure that the roles and responsibilities of the OSC are fulfilled consistently throughout Canada.

## **1.2 Policy**

In accordance with the National Contingency Chapter of the Marine Spills Contingency Plan the CCG will ensure that damage to Canada's marine and freshwater environment, the Canadian economy and public safety, is minimized in the event of a marine pollution incident by ensuring an appropriate response.

## **1.3 Application**

This directive shall apply to employees of DFO-CCG who are appointed as the OSC in marine pollution incidents.

## **1.4 References**

This directive is issued in accordance with the following documents:

- a) National Contingency Chapter of the Marine Spills Contingency Plan
- b) The CCG Arctic Response Strategy
- c) *Canada Shipping Act*
- d) *Marine Liabilities Act*
- e) *Arctic Waters Pollution Prevention Act*
- f) CCG Response Management System Directive - D-3020-2002-01
- g) Federal Monitoring Officer Directive - D-3030-2002-01
- h) Cost Recovery of Ship-source and Marine Pollution Response Directive - D-4010-2001-01
- i) Reporting of Marine Pollution Incidents Directive - D-6010-2001-01
- j) Response Management System User's Guide, DFO/6249
- k) Emergency Preparedness Canada *Government Emergency Book*

## **2 ROLES AND RESPONSIBILITIES**

When a pollution incident occurs where the polluter is, unknown, unwilling or unable to fulfill its obligations, the CCG will assume the role of OSC and ensure an appropriate response. In accordance with the Response Order, a suitably qualified OSC will be identified. Normally, this individual will be the Regional Superintendent, Environmental Response or a member of the CCG Regional Environmental Response (ER) Branch. In all cases, the OSC must use the CCG Response Management System (RMS) when managing the response to the incident.

### **2.1 The CCG ER Duty Officer is responsible for:**

- ensuring initial assessment and notification of the situation
- ensuring the Manager, Environmental Response and Regional officials are notified of the incident
- conducting on-site assessments for the purpose of gathering and documenting all available information about the incident
- identifying, prioritizing and assessing the impact of the pollution incident and potential for further release of pollutants
- ensuring that environmental sensitivities are identified, assessed and prioritized

### **2.2 The OSC is responsible for:**

#### **1) Initiating a response:**

- conduct of initial response operations
- ensuring that all response actions taken are reasonable
- activating the response in accordance with the relevant Regional and Area Plans
- establishing and managing the OSC Response Management Team (RMT)
- implementing the CCG RMS
- establishing a Response Management Centre (RMC) and assigning personnel to response management team positions as appropriate in order to maintain the over all command and control of the response effort
- providing situation reports to the Manager, Environmental Response and Regional officials using the CCG Marine Pollution Incident Reporting System
- contacting pre-identified personnel and authorities

- establishing communications systems
  - developing incident action plans for response operations based upon characteristics of the pollution incident and taking into account planning priorities and strategies
  - ensuring the Response Staff is adequately staffed by qualified individuals
  - requesting an Order in Council
  - acting as the federal spokesperson for the response to pollution incident
  - ensuring the safety of all personnel
  - confirming that on-site personnel have taken appropriate action
  - reviewing and approving all major response related expenditures and resource allocations
  - reviewing press releases and information updates as required
  - ensuring all regulatory requirements and laws are satisfied
  - ensuring that Environment Canada has activated the REET and that their advice is considered during the response to the incident
- 2) Termination of the response:
- making a determination to cease response activities based upon the threat of pollutants to the environment, the public interest and advice from the REET
  - formal notification of the termination of response operations to all relevant parties, contractors and departments
  - ensuring the preparation of all documentation supporting the costs and expenses incurred to initiate cost recovery is performed in accordance with the Cost Recovery of Ship-source and Marine Pollution Response Directive #D-4010-2001-01
  - convening a debrief session of the RMT
- 3) Submission of the Post-Incident Report:
- preparation and submission of a Post-Incident Report to the Manager, Environmental Response and Regional Director, Marine Programs, as necessary; and,
  - for international incidents, submission of a Post-Incident Report under the guidelines of the relevant Joint Marine Pollution Contingency Plan
- 4) For international Incidents:
- ensuring the activation of a response under the relevant Joint Marine Pollution Contingency Plan
  - providing available response resources to countries which are signatory to the International Convention on Oil Pollution Preparedness, Response and Co-operation (OPRC), 1990, upon request and to the extent possible.

### **2.3 The Manager, Environmental Response is responsible for:**

- a) ensuring the implementation of this directive
- b) providing regular review of this directive
- c) submitting the Post-Incident Report to the Director, Safety and Environmental Response Systems

## **2.4 The Regional Superintendent , Environmental Response is responsible for:**

- a) ensuring compliance with this Directive
- b) ensuring that an initial response is initiated
- c) ascertaining the polluter's intentions, management and response capabilities with respect to measures taken to repair, remedy, minimize or prevent pollution damage
- d) assuming the role of OSC or providing advice / guidance to the OSC when required
- e) ensuring that personnel appointed to fulfill the OSC role have been adequately trained
- f) ensuring the CCG RMS has been activated

## **3 GENERAL**

For each incident, the CCG's response should begin at the local level and escalate, when deemed necessary by the OSC to ensure an appropriate response to the pollution incident. This may require assistance and the mobilization of resources from other CCG Regions, federal and provincial government departments and agencies, private sector, as well as from other countries.

In accordance with the *Arctic Waters Pollution Prevention Act* (AWPPA), an Order in Council is required for incidents in waters north of 60° north latitude as defined in the AWPPA. Requests for Order in Councils shall be made to the Manager, Environmental Response.

### **3.1 Selection of an appropriate OSC**

The Regional Superintendents of Environmental Response, are pre-designated as the OSC pursuant to the National Contingency Chapters. They have the responsibility to identify officers suitable to act as the OSC pursuant to the Regional Chapters.

### **3.2 Guidelines to assist in the selection of an appropriate OSC**

In order to facilitate the selection of an appropriate OSC, the following is a list of the skills; knowledge and experience that an OSC should possess:

- knowledge of the strategies and techniques employed in a pollution incident response
- knowledge of shipboard practices and procedures
- knowledge of the procedures to follow if resource capability or capacity is inadequate or insufficient
- an in-depth understanding of the RMS organizational structure used to manage the response, and the roles and responsibilities of each team member within the structure
- an understanding of characteristics and behavior of various pollutants
- an in-depth understanding of the applicable contingency and response plans
- an in-depth understanding of the applicable policies, procedures, directives, MOU, etc.
- an in-depth understanding of the applicable federal, provincial and municipal laws and regulations
- an understanding of the applicable international agreements and conventions
- an understanding of the roles, responsibilities and authorities of other parties that could be involved during the response

- an understanding of the Department of Fisheries and Oceans and how it conducts itself in cooperative dealings with other government departments, the provinces and territories
- knowledge of the health and safety requirements
- the ability to identify the public's interests and priorities
- negotiation, facilitation and mediation skill
- knowledge of the polluter's liability
- competency in emergency management and communication skills
- have successfully completed the minimum training requirements as defined in Section 4.

#### **4 TRAINING REQUIREMENTS**

Training will be conducted in accordance with the ER National Training Strategy. Criteria regarding the OSC training requirements will be enhanced to incorporate guidelines contained in this directive.

#### **5 SHIPOWNER'S LIABILITY**

The polluter is liable for reasonable costs and expenses incurred by the CCG, on behalf of the Minister, in respect of measures taken to prevent, repair, remedy or minimize oil pollution damage from the ship, as per section 51 (1) of the *Marine Liability Act*, Division 1, Civil Liability for Pollution.

#### **6 ENQUIRIES**

Enquiries regarding this directive should be directed to:

Manager, Environmental Response  
Safety & Environmental Response Systems,  
200 Kent Street  
Ottawa, Ontario, K1A 0E6

Telephone: (613) 990-7011  
Fax: (613) 996-8902

## 7 APPROVAL

This Directive titled **On-Scene Commander** was prepared for the Environmental Response Program and promulgated by:

\_\_\_\_\_  
John Redican  
Manager  
Environmental Response

\_\_\_\_\_  
Date

It has been reviewed and agreed upon by:

\_\_\_\_\_  
Wayne Halley  
  
Superintendent  
Environmental Response, Newfoundland Region

\_\_\_\_\_  
Date

\_\_\_\_\_  
Joe LeClair  
  
Superintendent  
Environmental Response, Maritimes Region

\_\_\_\_\_  
Date

\_\_\_\_\_  
Martin Blouin  
  
Superintendent  
Environmental Response, Québec Region

\_\_\_\_\_  
Date

\_\_\_\_\_  
Larry Trigatti  
  
Superintendent  
Environmental Response, Central & Arctic Region

\_\_\_\_\_  
Date

\_\_\_\_\_  
Don Rodden  
  
Superintendent  
Environmental Response, Pacific Region

\_\_\_\_\_  
Date