



Fisheries and Oceans
Canada

Pêches et Océans
Canada

Canadian
Coast Guard

Garde côtière
canadienne

Canadian Coast Guard Environmental Response

Marine Spills Contingency Plan National Chapter

April 2011

Canada

LETTER OF PROMULGATION

Pursuant to the *Emergency Management Act*, federal Ministers have a statutory responsibility to ensure each department, agency or Crown Corporation within their area of responsibility has an emergency plan to deal with civil emergencies related to their area of accountability. Federal government policy for emergency preparedness is to assign lead agency responsibility to the predominant department.

Through legislation such as the *Canada Shipping Act, 2001*, the *Arctic Waters Pollution Prevention Act*, the *Oceans Act*, the *Marine Liability Act* and subject to various inter-agency agreements, the Canadian Coast Guard, a special operating agency of the Department of Fisheries and Oceans, has lead agency responsibility for ensuring a response to ship-source spills, mystery source spills, pollution incidents that occur at oil handling facilities as a result of loading or unloading oil to or from ships, and spills from any source originating in foreign waters that impact Canadian waters.

The Environmental Response *Marine Spills Contingency Plan* defines the scope and framework within which the Canadian Coast Guard will operate to ensure a response to marine pollution incidents. In accordance with Canada's Marine Oil Spill Preparedness and Response Regime, the polluter is expected to respond to incidents while the Canadian Coast Guard will monitor and, whenever necessary, augment or assume management of the response when it is in the interest of the public. The Canadian Coast Guard may also provide assistance to other federal, provincial, territorial or local agencies.

The Environmental Response *Marine Spills Contingency Plan – National Chapter (2011)* supersedes the previous *Marine Spills Contingency Plan – National Chapter (1998)*. The custodian for the overall coordination of the Plan is the Commissioner of the Canadian Coast Guard.

Originally signed by:

Marc Grégoire
Commissioner
Canadian Coast Guard

& ID

RECORD OF AMENDMENTS

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TERMINOLOGY

Appropriate Response - A series of actions aimed at mitigating the impacts of a marine pollution incident on environment, economy and public safety in a manner fitting the unique characteristics and requirements of the incident. Responses are based on available information and established response techniques, and may be amended during the incident as a result of additional or updated information. An appropriate response is dependent upon the incident specifics and may include everything from the assessment and verbal acknowledgement of a spill report to the deployment of resources.

Aboriginal Groups – Defined under the *Constitution Act of Canada, 1982*, as the Indian, Inuit and Métis people of Canada.

Area Plan – Provides detailed information to be used by first responders and is a sub-component of the Regional Chapter. Area plans cover specific geographical areas within a Coast Guard Region.

Canadian Coast Guard National Marine Spills Contingency Plan – A consolidation of the National and Regional Chapters which detail the Canadian Coast Guard's role when monitoring or managing a response to a pollution incident.

Canadian Coast Guard National Preparedness and Response Policy – The document that outlines and influences the actions of the Canadian Coast Guard in its contribution to the *Canadian Marine Oil Spill Preparedness and Response Regime*.

Canadian Waters – Waters over which Canada claims jurisdiction including inland waters, internal waters, the territorial sea and the exclusive economic zone, pursuant to the *Canada Shipping Act, 2001*, the *Interpretation Act*, the *Oceans Act* and the *Arctic Waters Pollution Prevention Act*. These waters may also be identified as marine waters.

Environmentally Sensitive Areas – Areas identified and prioritized by the Regional Environmental Emergencies Team that require the implementation of specific protection or remedial measures during a pollution incident.

Federal Facility – Federal lands, works or undertakings that include military bases, national parks, laboratories, research facilities, airports, reserves, ports, lightstations, marine vessels and all other holdings managed by the federal government.

Federal Monitoring Officer – The Canadian Coast Guard representative who has overall responsibility for monitoring a polluter-managed response to a marine pollution incident from a ship or Oil Handling Facility.¹

Hazardous Substances – Includes any unknown or incompletely identified material or mixture, any pollutant other than oil, or any material regulated as a "Dangerous Chemical", "Noxious Liquid Substance", "Dangerous Bulk Material", or "Dangerous Good" under the *Canada Shipping Act, 2001*, or *Transportation of Dangerous Goods Act* or other goods of a dangerous nature. For the purposes of this document Liquefied

¹ Only when a vessel is attached and a transfer of oil is underway.

Natural Gas (LNG) and Liquefied Petroleum Gas (LPG) products are categorized separately.

Land Based Spill – A pollution incident originating from a land based source that enters the marine environment (see *Canadian Waters* definition above).

Lead Agency - The lead agency is the organization designated by statute, inter-agency agreement, treaty or Cabinet decision to ensure appropriate management of the emergency response functions.

Liquefied Natural Gas/Liquefied Petroleum Gas - Any of a group of flammable gaseous products carried in a liquefied form at cryogenic temperatures (approx minus 160 degrees Celsius).

Marine Pollution Incident - When a pollutant enters, or has the potential to enter, Canadian waters.

Minister - The Minister of Fisheries and Oceans.

Ministerial Order - A Ministerial Order may be issued to the Canadian Coast Guard by the Minister of Transport, pursuant to the *Arctic Waters Pollution Prevention Act*, to respond to incidents involving a pollutant where the source is neither a vessel nor an Oil Handling Facility. It gives the Canadian Coast Guard visible written authority on site and, at the same time, advises the Minister of the incident and of those actions which are taken on their behalf by the Canadian Coast Guard. Presently, Ministerial Orders are signed for and issued on behalf of the Governor-in-Council by the Minister of Transport.

Mystery Source Pollution Incident - A spill of a pollutant from an unknown source in Canadian waters.

Marine Spills Contingency Plan – National Chapter - The document which outlines the Canadian Coast Guard's roles, responsibilities and procedures for preparedness and response to a marine pollution incident.

National Coordination Centre - The centre at Canadian Coast Guard Headquarters responsible for providing an information focal point for Canadian Coast Guard Senior Management in the event of an event affecting Canadian Coast Guard resources and / or personnel.

National Response Team – The human resource component of a coordinated national response system that allows the cascading of resources from all Canadian Coast Guard regions to the impacted region in order to augment the response..

Oil - Petroleum in any form including crude oil, fuel oil, sludge, oil refuse and refined products. (*Canada Shipping Act, 2001, Part 8*).

Oil Handling Facility - A facility, including an oil terminal, that is used in the loading or unloading of oil to or from vessels. (*Canada Shipping Act, 2001*).

On-scene Commander – The individual designated as responsible for the management of a response to a marine pollution incident.

Pollutant - Any substance that, if added to any waters, would degrade the quality of those waters to an extent that is detrimental to their use by humans or by any animal, fish or plant that is useful to humans. (*Canada Shipping Act, 2001, Part 8*).

Polluter – The owner of a vessel or oil handling facility that is the source of a discharge of a pollutant into Canadian Waters. The term “polluter” is largely interchangeable with the term “Responsible Party” and may be used by other agencies.

Polluter Pay Principle - The polluter pay principle requires that the polluter be responsible for the costs associated with prevention and response activities. In accordance with the *Marine Liability Act, Part 6*, the owner of a ship is strictly liable for oil pollution damage from a ship including reasonable costs for clean-up, preventative measures, monitoring costs, and for the costs of reinstatement measures.

Regional Chapter - The plan established in each Canadian Coast Guard region that details roles and procedures that the Region implements to ensure an appropriate response to a marine pollution incident.

Regional Environmental Emergency Team – (REET) The advisory body consisting of scientific and technical specialists from federal, provincial, and local governments assisted by representatives from industry and the public. REET is normally chaired by an official of Environment Canada and is responsible for providing consolidated environmental advice, information and assistance to the lead agency.

Regional Support Team – The body of Canadian Coast Guard / Fisheries and Oceans Regional Directors convened by the Regional Director, Maritime Services or the Assistant Commissioner to manage resource, personnel and program issues resulting from a marine pollution incident. The Regional Support Team ensures conflicting program issues do not interfere with incident priorities.

Resource Agency - Any agency that owns, controls and/or has access to resources required by a lead agency for the conduct of a response. A resource agency may be any federal, provincial, or local government department, agency or board, any commercial or private organization, any individual in Canada or any government, commercial or private organization or individual in another country.

Resources - Equipment, personnel and other assets, either contracted or owned, utilized to conduct monitoring and/or response operations.

Response Organization - Any person in Canada in respect of which a certificate of designation is issued by Transport Canada for the purposes of responding to a marine pollution incident.

Ship - Any description of vessel, boat or craft designed, used or capable of being used solely or partly for marine navigation, without regard to method or lack of propulsion. (*Marine Liability Act, Part 6*).

Shipboard Oil Pollution Emergency Plan / Oil Pollution Emergency Plan – The plan which a vessel is required to have in accordance with *Part 9* and an oil handling facility is required to have in accordance with *Part 8* of the *Canada Shipping Act* (2001).

Ship-source pollution incident – Refers to a discharge or threat of a discharge of a pollutant from a ship.

Significant Environmental Response Event – An environmental response event that meets the criteria in Appendix A of the National Policy and Procedure for Incident Notification.

1 PLAN OVERVIEW

1.1 Introduction

The Canadian Coast Guard is the operational arm of the Government of Canada responsible for ensuring an appropriate response to ship-source and mystery-source pollution incidents in Canadian waters. This constitutes a major component of the overall marine pollution response capacity in Canada. The Environmental Response Program of the Canadian Coast Guard is responsible for preparedness and response in this regard.

In addition, an industry funded pollution response capacity exists whereby potential polluters pay for the cost of preparedness for the environmental risk posed by their operations. This preparedness is established and maintained by certified Response Organizations who can be contracted by polluters to provide oil spill response services in the event of a marine pollution incident. This industry funded capacity is known as the *Canadian Marine Oil Spill Preparedness and Response Regime* and forms the other component of Canada's overall marine pollution response capacity.

The Government of Canada is accountable to the Canadian public to ensure that the public interest is being protected in the event of a marine pollution incident. The Canadian Coast Guard will monitor the polluter's response, which may utilize the polluter's resources, a Response Organization, and/or some other service provider to conduct a response. In the event that the polluter is unable or unwilling to respond or is unknown, the Canadian Coast Guard will manage the response. In any case, the Canadian Coast Guard will ensure an appropriate response. Furthermore, the Canadian Coast Guard can provide assistance and resources to another lead agency for the conduct of a response.

Canada has adopted the "polluter pay principle" in legislation and requires polluters to pay for the cost of cleanup and pollution damage. The Canadian Coast Guard's costs for responding or monitoring the response to a marine pollution incident may also be recovered from the polluter.

1.2 Purpose

The Marine Spills Contingency Plan – National Chapter provides the details regarding the scope within which the Canadian Coast Guard will operate to ensure an appropriate response to a marine pollution incident. It outlines the operational precepts under which the Canadian Coast Guard monitors or provides a coordinated and integrated response to a marine pollution incident at the national, regional and local levels.

This Plan outlines the framework the Canadian Coast Guard will implement during the response to a marine pollution incident as lead agency while managing a response or monitoring a polluter led response. It also establishes procedures when acting as a resource agency for pollution incidents.

1.3 Mission Statement

The following represents the overarching objective of the Environmental Response Program when responding to a marine pollution incident:

Minimize the environmental, economic and public safety impacts of marine pollution incidents occurring in Canadian waters.

1.4 Application

The Marine Spills Contingency Plan - National Chapter applies to marine pollution incidents occurring in Canadian waters for which the Canadian Coast Guard is lead agency. It also guides the manner in which the Canadian Coast Guard will provide support, upon request, to another lead agency.

1.5 Guiding Principles

The following guiding principles shall be used during the response to a marine pollution incident:

1. The protection of the health and safety of response personnel and the public is paramount;
2. The protection of people, the environment and property are the primary objectives for each response effort;
3. The response must be timely, appropriate and reasonable;
4. Liability for costs and expenses for response to marine pollution incidents is based on the “polluter pay” principle;
5. The Canadian Coast Guard is the lead federal agency responsible for ensuring an appropriate response to a marine pollution incident. Other departments or agencies are responsible to enact their responsibilities under their respective legislative and regulatory mandates;
6. Each marine pollution incident is different, presents its own unique challenges and may involve different response strategies;
7. Timely and accurate information must be disseminated to key stakeholders, which include: the Minister, Parliament, Canadian Coast Guard Senior Management, appropriate government agencies, media and the public.

1.6 Levels of Service

The Canadian Coast Guard is committed to providing its clients in the marine environment with the best services possible within its available resources. The Environmental Response program delivers its mandate in accordance with established Levels of Service. The Environmental Response Levels of Service and Service Standards provide Canadians with a clear understanding of the services to be expected and to ensure that these services are delivered in a nationally consistent, predictable and measurable manner. The Environmental Response Levels of Service are:

1. To provide a preparedness capacity for response to ship-source marine pollution incidents; and
2. To respond to reported cases of marine pollution.

1.7 Legislative Mandate

The following Acts of Parliament provides the federal legislative mandate for this Plan:

- *Canada Shipping Act, 2001*, c.26 - Part 8 Pollution Prevention and Response – Department of Fisheries and Oceans
- *Oceans Act*, 1996, c.31 – Part III – Powers, Duties and Functions of the Minister, S. 41.(1) Coast Guard Services – (d) marine pollution response
- *Arctic Waters Pollution Prevention Act*, R.S., 1985, c. A-12, S.14
- *Marine Liability Act*, 2001, c.6 – Division 1 – Civil Liability For Pollution – Owners of Ships, S. 51.(1) – Liability for pollution and related costs
- *Emergencies Management Act*, R.S., 2007, c.15, S. 6 – Ministers' responsibilities

Canada is also signatory to a number of international agreements, conventions and Memoranda of Understanding that apply to the conduct of this Plan. Please refer to Appendix A for a complete list of these agreements.

1.7.1 CCG Lead Agency Summary Table

The following table summarizes the circumstances in which the Canadian Coast Guard will be the lead agency:

| Pollutant Source | CCG Role | Comment |
|--|--|--|
| Vessel in Canadian waters | On-Scene Commander | When the polluter is unknown, unwilling or unable to respond. |
| | Federal Monitoring Officer | When the polluter has been identified, is able and willing to respond. |
| Unknown source in Canadian waters (mystery spill) | On-Scene Commander | |
| Oil Handling Facility | On-Scene Commander or Federal Monitoring Officer | Only when a vessel is attached and transfer of oil is underway. |
| Any source originating in foreign waters that enters Canadian waters | On-Scene Commander | For operations within Canadian waters. |
| | Resource Agency | Upon request, for operations within foreign waters. |
| Any source originating in Canadian waters that enters foreign waters | On-Scene Commander | For operations within Canadian waters. |
| | Resource Agency | Upon request, for operations within foreign waters. |

1.8 Health & Safety

Safety is the first and foremost consideration in any response to a marine pollution incident in Canada. Environmental Response personnel involved in the response to a

marine pollution incident shall do so in accordance with provisions stipulated in the *Canada Labour Code*, specifically those specified in the *Canada Occupational Health and Safety Regulations* and the *Marine Occupational Health and Safety Regulations*, and the *Fleet Safety and Security Management System*.

The Department of Fisheries and Oceans Occupational Health, Safety and Loss Control Manual provides an overview of the requirements for Health and Safety under the *Canada Labour Code*. All personnel who have supervisory responsibilities are responsible and personally liable for protecting the health and safety of their employees while in the workplace.

1.9 Geographic Scope – Environmental Response Regions

There are five Environmental Response regions to facilitate the administration of program delivery. They are:

- **Pacific:** includes all Canadian waters on the west coast of Canada out to the EEZ and the internal waters of British Columbia and Yukon Territory
- **Central & Arctic:** includes all Canadian waters from the Alaska-Yukon boundary east to the Nunavut-Greenland boundary out to the EEZ, Hudson and James Bays, the Great Lakes, the St. Lawrence River to the east wall of the Beauharnois lock, and the internal waters of Northwest Territories, Nunavut, Alberta, Saskatchewan, Manitoba, and Ontario.
- **Quebec:** includes all Canadian waters within the limits of the provincial boundaries of the Province of Quebec.
- **Maritimes:** includes all Canadian waters from the maritime border between Quebec and Newfoundland & Labrador east and south to the EEZ and the internal waters of New Brunswick, Prince Edward Island and Nova Scotia to the United States Border.
- **Newfoundland & Labrador:** includes all Canadian waters from the maritime boundary of Quebec and Maritimes east to the EEZ and the internal waters of Newfoundland and Labrador.

Figure 1 depicts the five Environmental Response Regions and their respective geographic areas of responsibility.

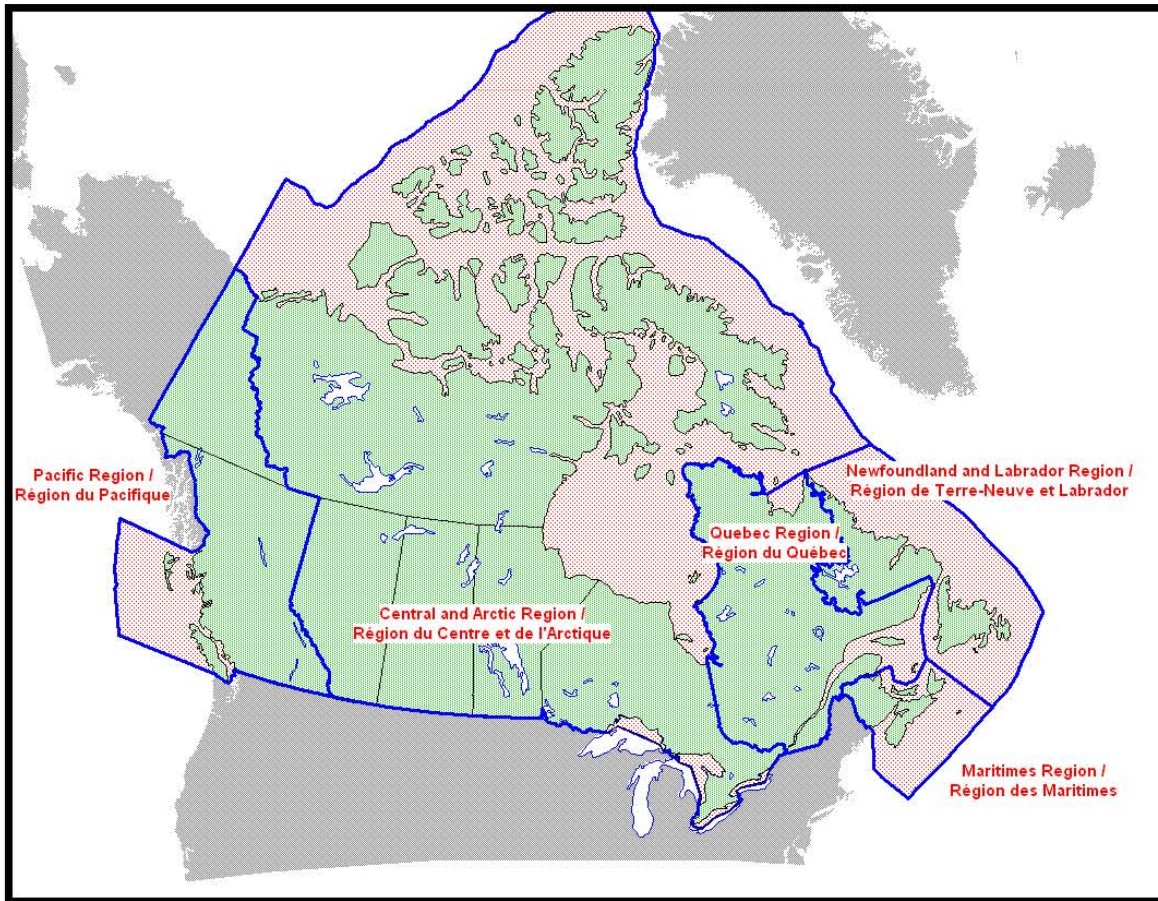


Figure 1: Environmental Response Regions

1.10 Regional Chapters

The Regional Chapters of the Marine Spills Contingency Plan detail the procedures, resources and strategies used to prepare for and conduct a response to a marine pollution incident within a Region's geographic area. Each Regional Assistant Commissioner is responsible for the development and maintenance of the Regional Chapter within their area of responsibility.

Regional Chapters will incorporate the same elements as the National Chapter but will interpret each element within the context of its application in the region, including any regional deviations from the National Chapter. Environmental Response Headquarters will provide guidance on the content for Regional Chapters and Area Plans to ensure consistency amongst all Regions as well as ensure that the Regional Chapters comply with the policies, principles and guidelines provided in the National Chapter.

The Regional Chapters will contain the following information:

- Regional marine activity risk indicators;

- The overall strategies and resources required to implement the requirements of the Marine Spills Contingency Plan - National Chapter;
- Details on the positioning of CCG resources within the region;
- Description of the Regional strategy to meet the exercise requirements identified in the National Exercise Plan;
- Description of the Regional strategy to meet the training requirements identified in the National Training Plan;
- Provision for “lessons learned” reporting of all incidents of significance; and,
- Area Plans.

2 ROLES AND RESPONSIBILITIES

2.1 Background

This section describes the organization, roles and responsibilities of the Environmental Response Program in Headquarters and its relationship with the Regional Environmental Response Branches. It also makes reference to the primary working relationships between Environmental Response and the internal and external support agencies that assist the Canadian Coast Guard in the delivery of its mandate.

2.2 Canadian Coast Guard-Environmental Response Headquarters

Environmental Response Headquarters is responsible for developing the necessary policies, directives, guidelines and systems to support the application of this Plan and will ensure their national implementation. Headquarters will liaise with the Canadian Coast Guard Regions on a regular basis to discuss matters relating to the Environmental Response program. Furthermore, Environmental Response Headquarters coordinates the implementation of the National Response Team and the provision of assistance to other countries under the International Convention on Oil Pollution Preparedness, Response and Cooperation.

2.3 Canadian Coast Guard-Environmental Response Regions

The regional branches of Environmental Response are responsible for the operational delivery of the program by monitoring or managing the response to reported marine pollution incidents. They are also responsible for ensuring that regional plans, personnel, equipment and procedures are in place and ready for a response.

Regional personnel will liaise with Headquarters on the development of national policies, directives, guidelines and systems to support the application of this Plan.

2.4 Internal Support Agencies

There are various legislation, agreements and customs that establish operational liaisons between Environmental Response and its internal support agencies. For the purposes of this plan, internal support agencies are defined as programs and services within the Government of Canada that actively support Environmental Response preparedness and response activities. Please refer to Appendix B for a list of internal support agencies.

2.5 External Support Agencies

There are various legislation, agreements and customs that establish operational liaisons between the Canadian Coast Guard and various external agencies in response to marine pollution incidents. For the purposes of this Plan, external support agencies are defined as those government departments or agencies, excluding the Government of Canada, that actively support Environmental Response preparedness and response activities. Please refer to Appendix B for a list of external support agencies.

2.6 External Resources

External resources can be engaged by Environmental Response for preparedness activities or for support in conducting marine pollution response or monitoring operations. Services that the Canadian Coast Guard could obtain include:

- initial response to a marine pollution incident;
- sustained response to a marine pollution incident
- facilities for the handling, transportation, and storage of the pollutant;
- providing resources where appropriate (e.g. personnel, equipment, vessels of opportunity);

External resources generally fall under the following two categories:

1. Contractors

Private companies offering various support services may be contracted by Canadian Coast Guard personnel to either respond or augment the response to a marine pollution incident. All standard contracting rules shall apply in a non-emergency situation when contracting a private company. In an emergency situation, the Canadian Coast Guard may use its emergency contracting authority to enter into a contract with a private company.

2. Response Organizations

Response Organizations may be contracted by Canadian Coast Guard personnel to either respond or augment the response to a marine pollution incident in Canadian waters. All standard contracting rules shall apply when contracting a Response Organization.

The following Response Organizations are currently certified by Transport Canada:

Point Tupper Marine Services Ltd.
Point Tupper Terminal
4090 Port Malcolm Rd.
Point Tupper, N.S.

B9A 1Z5

Atlantic Emergency Response Team Inc.

250 Bayside Dr.
Saint John, N.B.
E2J 5C1

Eastern Canada Response Corporation

1201-275 Slater St.
Ottawa, Ont.
K1P 5H9

Western Canada Marine Response Corporation – Burrard Clean Operations

201 Kensington Ave.
Burnaby, B.C.
V5B 4B2

3 PREPAREDNESS

3.1 Levels of Service

In accordance with established Levels of Service, Environmental Response is required to have a preparedness capacity for response to ship-source marine pollution incidents.

The Environmental Response Program will:

- Develop and maintain marine pollution response plans including plans with countries sharing contiguous waters with Canada;
- Provide competent and qualified personnel for appointment by the Minister of Fisheries and Oceans to the role of Pollution Response Officer; and,
- Provide qualified environmental response personnel and pollution countermeasures equipment.

In accordance with the established Levels of Service, the following Service Standards have been developed:

- The National Marine Spills Contingency Plan is updated every 5 years;
- Regional chapters of the Plan are maintained in all five Regions;
- A 24/7 Canadian Coast Guard Environmental Response Duty Officer is available in each region.

3.2 Contingency Planning

Environmental Response Headquarters is the custodian of the Marine Spills Contingency Plan – National Chapter and is responsible for:

- Publishing the Marine Spills Contingency Plan – National Chapter and ensuring its availability to partners, stakeholders and the general public;
- Ensuring that the plan is reviewed on a cyclical basis and updated, as necessary;
- Ensuring that Regional Chapters and Area plans follow the guidelines specified in the National Plan, and;
- Providing guidance to the Regions on the development of Regional Chapters and Area plans.

Canadian Coast Guard Regions are responsible for developing and managing their Regional Chapter and Area plans in accordance with the guidelines of the National Chapter. They also are responsible for developing and maintaining productive working relationships with all internal and external support agencies, clients and stakeholders.

3.2.1 Marine Risk Indicators

Marine Risk Indicators are items that, when present, have the potential to increase the likelihood of an incident occurring or that are sensitive to the impacts of an incident. Each Canadian Coast Guard Region is responsible for developing a process to identify Marine Risk Indicators for their geographic area of responsibility. Marine Risk Indicators may include pollution sources, vessel traffic, hazards to marine navigation, prevailing weather conditions, environmental sensitivities, cultural use areas and socio-economic activities.

3.3 Training

The goal of training is to provide the necessary skills and knowledge for responders to conduct their duties and functions effectively during the response to a marine pollution incident.

3.3.1 National Training Program

The Canadian Coast Guard National Training Program is comprised of a series of courses designed to provide the necessary skills and knowledge to respond safely and effectively to a marine pollution incident. The curriculum for the program is held by Environmental Response Headquarters with curriculum development support provided by the Marine Education Unit of the Canadian Coast Guard College. Canadian Coast Guard Regions are responsible for delivering the National Training Program in accordance with the National Training Plan and participating in curriculum development and revision.

The courses offered by Environmental Response are as follows:

- Basics of Oil Spill Response Course (BOSRC)
- Marine Spill Response Operations Course (MSROC)
- Response Management System Course (RMSC)
- On-Scene Commander Course (OSCC)
- Pollution Response Officer Course (PROC)

3.3.2 National Training Plan

The goal of the National Training Plan is to outline how Environmental Response will develop and maintain a skilled workforce to monitor and respond to marine pollution incidents. This Plan is based on competency profiles specific to each position within the Environmental Response and Response Management System organizational structure. Identified competencies are achieved using formal and informal training opportunities from both internal and external sources.

Canadian Coast Guard Fleet and other departmental staff that can support the execution of an Environmental Response led operation will be identified within the National Training Plan.

3.4 Exercise

Exercises are realistic simulations of various types of marine pollution incidents and can range from a simple alerting exercise to a full-scale deployment of personnel and equipment. Environmental Response will conduct exercises in accordance with its National Exercise Program.

3.4.1 National Exercise Program

The goal of the National Exercise Program is to reinforce the necessary skills and knowledge required by responders in response to a marine pollution incident. The Program provides the framework through which exercise programs can be organized, coordinated and guided. It is a set of guiding principles and planning tools that have been developed to help achieve maximum benefit from marine spill response exercises.

3.4.2 National Exercise Plan

The National Exercise Plan is maintained by Environmental Response Headquarters with input from the Regions and provides a schedule of exercises that focus on the fundamental elements of response. The plan is designed to evaluate training as well as the effectiveness of procedures, equipment and resources identified in contingency plans. The National Exercise Plan is implemented by each region, as required.

The Environmental Response Regions are responsible for designing and conducting drills and exercises to practice, validate and reinforce plans, systems and strategies. When appropriate, this will be done in coordination with internal and external support agencies and clients. A Post-Exercise Review and Evaluation report is required for all exercises in accordance with guidelines outlined in Chapter 11 of the National Exercise Program.

3.5 Canadian Coast Guard Resources

3.5.1 Pollution Response Equipment

The Canadian Coast Guard has an established equipment capacity and supporting infrastructure to facilitate monitoring or response operations in each Region. The Canadian Coast Guard has more than 80 response equipment depot sites across the country, including 22 sites in the Arctic, which include containment, recovery and storage equipment. In addition, Canadian Coast Guard vessels that sail in the Arctic are equipped with pollution response equipment. The following graphic depicts the general

location of the Canadian Coast Guard response equipment and regional and district offices that house Environmental Response personnel.

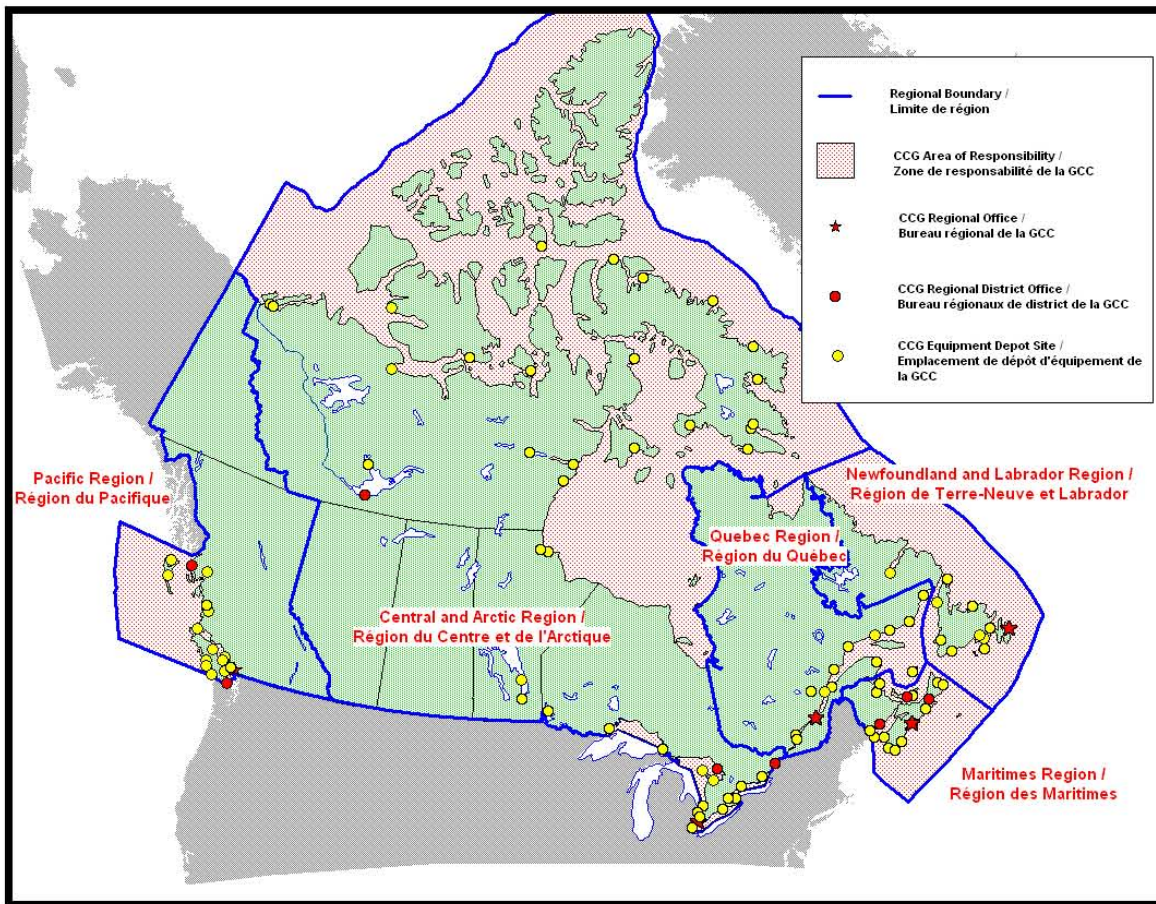


Figure 2: Canadian Coast Guard Offices and Equipment Depots

3.5.2 Life Cycle Management

Although resources from various areas are available to the Canadian Coast Guard, the Canadian Coast Guard is only responsible for maintaining the preparedness of its own resources. To ensure a nationally consistent and effective state of preparedness, Environmental Response uses a Life Cycle Management Process, the Integrated Response Capacity Management System, to track assets and to develop an equipment reinvestment strategy. This system:

- Maintains a real time record of the location and quantity of resources;
- Maintains a proper state of readiness through a pro-active approach using work orders and preventative maintenance;
- Assists in keeping response managers informed about Environmental Response's state of preparedness; and,

- Assists in the tracking of National Response Team personnel or equipment assigned to national or international incidents

3.5.3 Vessels

The Canadian Coast Guard Fleet is responsible for providing support and logistical services to the Environmental Response program during the response to marine pollution incidents. It is recognized that normal Fleet operations will be disrupted upon a request for response services from a Canadian Coast Guard On-Scene Commander or Federal Monitoring Officer and that the resumption of Fleet operations may take place once response services are no longer required. These services may include transportation of equipment and personnel, deployment of on-water recovery or containment equipment, lodging and logistical support. Each Region shall depict Fleet resources available in their respective region and the response services they are capable of providing.

3.5.4 Helicopters

Canadian Coast Guard helicopters may be used to provide a variety of response services, including aerial surveillance operations, transportation of personnel and equipment and in training and exercise activities. Each Region shall maintain a list of Canadian Coast Guard helicopters available to provide response services.

4 RESPONSE

4.1 Levels of Service

The established Levels of Service outlines the response services the Environmental Response program provides the Canadian public in the event of a marine pollution incident. In each reported case of marine pollution, the Environmental Response program will:

- Ensure an appropriate response to all reported cases of marine pollution occurring in Canadian waters;
- Assume the role of Federal Monitoring Officer when the polluter is known, willing and able to respond;
- Assume the role of On-Scene Commander when the polluter is unknown, unwilling or unable to respond.

The Environmental Response program will carry out these response services in accordance with the following established Service Standards:

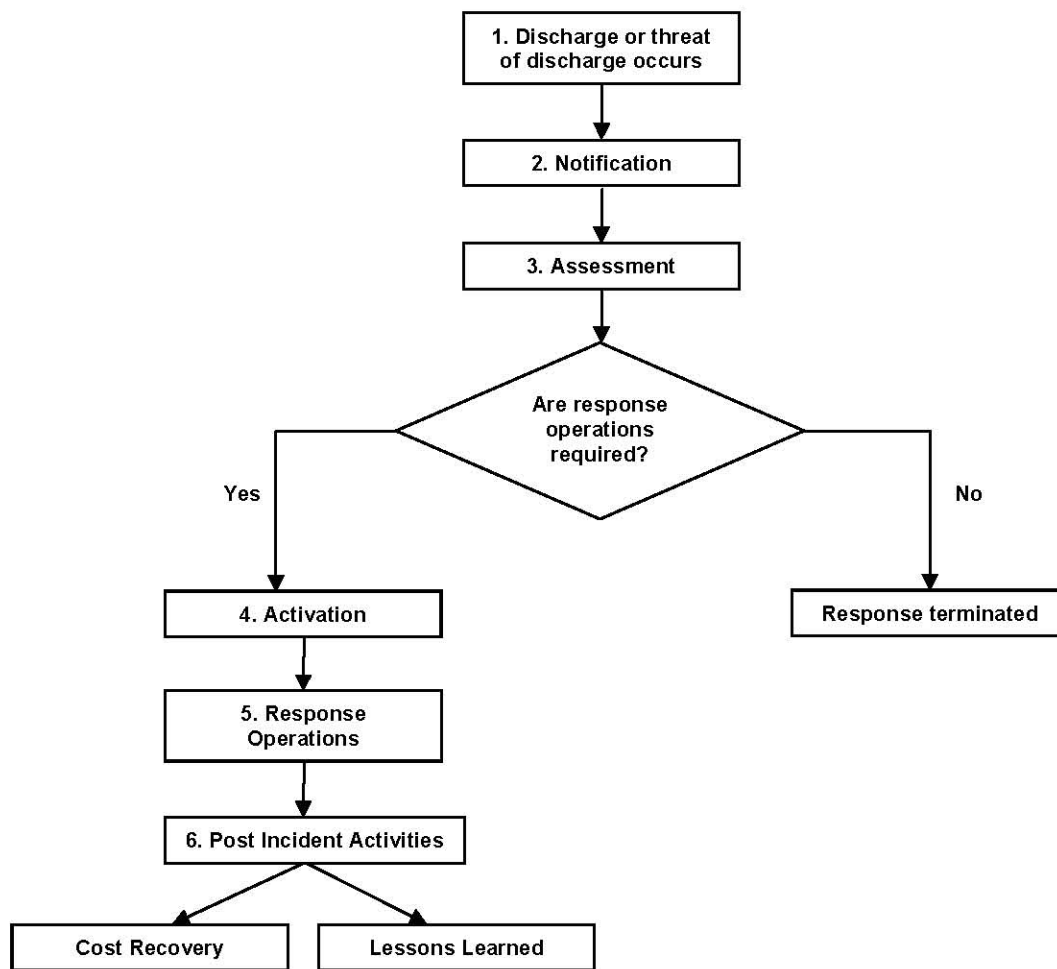
- Upon notification, conduct an assessment of all reported cases of marine pollution.
- If required, mobilise Canadian Coast Guard resources within 6 hours of completion of the assessment.

This section details the pattern of response that is generally followed, the processes used and the role the Canadian Coast Guard will play in exercising its mandate and authority as described in Section 1. All operations shall be carried out in accordance with the Guiding Principles set out in Section 1.

4.2 Pattern of Response

When a marine pollution incident occurs, Environmental Response personnel are prepared to act. Each Region maintains an Environmental Response Duty Officer, who is on call 24 hours a day, 7 days a week, and is responsible for receiving and assessing pollution reports. The following model shows the general sequence of events in response to a reported incident and, irrespective of the size or complexity of a marine pollution incident, is meant to illustrate the main action points from a Canadian Coast Guard perspective. This model is not meant to limit or otherwise undermine other basic models or assumptions on the part of any other organization. It is recognized that not all steps in this process take the same amount of time or effort.

Regional Response Plans will outline more detailed aspects of these procedures to account for regional variances.



1. Discharge or Threat of Discharge Occurs

Discharge or threat of discharge occurs when a vessel is involved in an occurrence such as a grounding, collision, sinking, intentional release, drifting, abandonment, etc. A discharge, or threat of discharge, can also occur at an Oil Handling Facility when a transfer of oil to or from a vessel is underway.

2. Notification

Marine pollution incident reports will be made by various sources and may contain various levels of detail and accuracy. The Environmental Response Duty Officer will receive reports through:

- Marine Communication and Traffic Services Centres;
- Regional Operations Centres;
- Regional Marine Information Centres;

- General public; or,
- Direct observation.

Additional information regarding the Duty Officer function is provided in Section 4.4.

3. Assessment

The Environmental Response Duty Officer will conduct an assessment of the marine pollution incident. The purpose of the assessment is to:

- Verify reported incident details;
- Obtain further incident data including the identification of environmental sensitivities and other resources at risk;
- Determine if response operations are necessary. If not, the response is terminated. If yes, then:
 - Determine the polluter's intentions;
 - Determine the Canadian Coast Guard response posture;
 - Make a recommendation regarding the mobilization of Canadian Coast Guard resources; and,
- Create an incident report in accordance with Directive #6010-2001-03, *The Reporting of Marine Pollution Incidents*

4. Activation

If required, an operational response is activated under the authority of the Superintendent of Environmental Response, and will include the following activities:

- Assignment of the On-Scene Commander, Federal Monitoring Officer or Resource Agency role;
- Conduct of initial response operations based on Regional and Area Response Plans;
- Activation of the Response Management System; and,
- Creation of a situation report in accordance with Directive #6010-2001-03, *The Reporting of Marine Pollution Incidents*

5. Response Operations

Management of the response shall be carried out under the role of the On-Scene Commander or Federal Monitoring Officer using the Response Management System until it has been determined that response or monitoring operations are no longer required. Subsequent situation reports shall be created in accordance with Directive #6010-2001-03, *The Reporting of Marine Pollution Incidents*.

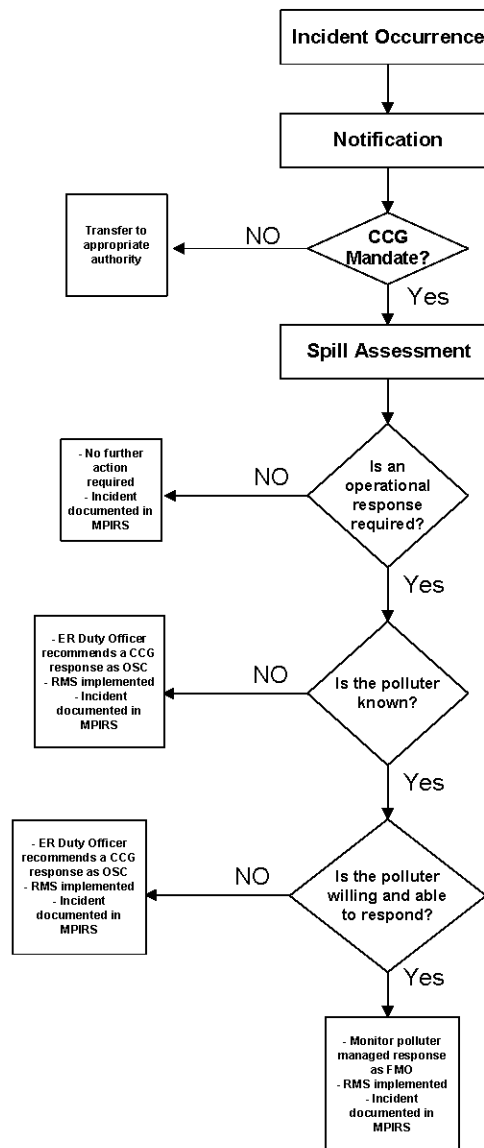
6. Post Incident Activities (Cost Recovery and / or Lessons Learned)

Post incident activities may include cost recovery actions and lessons learned.

4.3 Duty Officer Function

The Environmental Response Duty Officer plays a key role in the response to a marine pollution incident. The Duty Officer is a member of the regional Environmental Response staff that will be available to receive incident reports 24 hours a day, 7 days a week. Each Region is required to have a Duty Officer. Their primary function is to complete the initial incident verification and assessment and take appropriate action as necessary.

Although the fundamental elements of incident verification and assessment are common throughout all Canadian Coast Guard Regions, some variations as to notification, call-outs, and other related procedures may vary from Region to Region. As such, each Region shall demonstrate the established procedures of the Environmental Response Duty Officer in their Regional Chapter. Nonetheless, the following flowchart depicts the basic steps that each Environmental Response Duty Officer must take when assessing a report of a marine pollution incident:



4.4 On-Scene Commander

Following the generic response model in Section 4.1, the Canadian Coast Guard will, by default, assume the role of On-Scene Commander upon notification of a marine pollution incident. The Canadian Coast Guard will manage the response as On-Scene Commander until such time as the polluter has been identified and is able and willing to respond to the satisfaction of the Canadian Coast Guard. At this point, the Canadian Coast Guard will assume the role of Federal Monitoring Officer and monitor the polluter's response actions.

The role of the On-Scene Commander shall be carried out in accordance with Directive #3040-2002-01, *On-Scene Commander Directive*.

4.5 Federal Monitoring Officer

The policy of the Government of Canada is to place the expectation for pollution response activities on the polluter. The Canadian Coast Guard will always respond first as On-Scene Commander until such time as the polluter has been identified and is willing and able to respond. In this case, the Canadian Coast Guard will advise the polluter of their responsibilities and, once satisfied with the polluter's response plan, monitor the polluter's response and provide advice and guidance as required in the capacity as Federal Monitoring Officer. If the polluter accepts responsibility for managing the incident, the polluter will identify its On-Scene Commander to the Canadian Coast Guard. The polluter cannot assign or identify the Canadian Coast Guard as its On-scene Commander. The Federal Monitoring Officer will provide advice or guidance to the On-scene Commander when necessary.

The Federal Monitoring Officer will be fully cognizant of all aspects of the polluter's response but will not approve the polluter's response plan. The Federal Monitoring Officer should share information and knowledge with the polluter, identify any issues and make recommendations. The Federal Monitoring Officer shall not make decisions on behalf of the polluter, or be perceived as making such decisions.

The role of the Federal Monitoring Officer shall be carried out in accordance with Directive #3030-2002-01, *Federal Monitoring Officer*.

4.6 Response Management System

The Environmental Response Branch uses the Response Management System to manage its response operations in the capacity of On-Scene Commander, Federal Monitoring Officer and Resource Agency. The Response Management System is based on a "management by objectives" approach and outlines the roles and responsibilities of individual functions, identifies reporting structure, establishes a common set of terminology and uses standardized documentation. Although the Response Management System adopts certain concepts of the Incident Command System, it does not subscribe to the use of Unified Command. The central document in the Response Management System is the Incident Action Plan, which details the existing conditions and outlines objectives and strategies for monitoring or response operations.

The "Response Management System User's Guide, V.3.0, DFO/6249, May 2006", provides details on the use of the Response Management System: specifically the conduct of the Response Management System Process and the development of Incident Action Plans.

4.7 National Response Team Concept

4.7.1 Background

The Environmental Response Branch has adopted a “National Response Team” concept to assist in the response to marine pollution incidents. This concept is based on the premise that all Environmental Response personnel and material resources constitute one national team for marine pollution incident response and can be deployed to any region in Canada, or internationally, to augment a response.

4.7.2 Activation of the National Response Team

The following criteria indicate when activation of the National Response Team may occur:

Criteria 1: insufficient resources exist in the affected Region to effectively sustain or support monitoring or response operations to a marine pollution incident.

Criteria 2: a request has been received by another lead agency for assistance to the response of a domestic natural or manmade disaster and insufficient resources exist within the affected Region to sustain or support the operation.

Criteria 3: a contracting state to the *International Convention on Oil Pollution Preparedness, Response and Cooperation, Convention* (1990) or some other nation requests Government of Canada assistance to a marine pollution incident (see Section 5.4 International Cooperation in Pollution Response for further information regarding procedures);

4.7.3 Operational Protocols for Response Assistance

The following protocols shall be used when responding to a request for assistance from a Region:

1. Assessment

The Superintendent of Environmental Response of the affected Region shall determine the human and material resources required to augment the response.

2. Notification

The affected Region shall notify Environmental Response Headquarters of the request for assistance, by contacting the National Coordination Centre at:

(613) 990-0123

If immediate assistance is required, the Superintendent of Environmental Response shall contact the closest Region. If that Region is unable to meet the request, the next closest Region shall be contacted.

Once Environmental Response Headquarters is informed, the National Response Team Coordinator, which will be appointed by the Manager, Environmental Response, shall assume the management of the coordination of National Response Team resources from that point forward.

3. Activation of National Response Team Resources

The National Response Team Coordinator shall be the main contact point for all aspects of the National Response Team. The National Response Team Coordinator shall locate the human and material resources required nationally and advise the identified Region(s) to meet this requirement.

If a Region is unable to fulfill the request, another Region(s) will be identified to assist.

4. Reporting Requirements

Upon arrival in the affected Region, National Response Team personnel and resources shall be managed by the affected Region and will follow regional protocols for reporting.

5. Release of Personnel and Resources

The On-Scene Commander / Federal Monitoring Officer shall determine when National Response Team personnel and resources are no longer required and inform them as such.

6. Post Response Evaluation

Post Response Evaluation shall be conducted in accordance with procedures outlined in section 6.2 "Post-Incident Review and Evaluation".

7. Cost Recovery

Cost recovery shall be conducted in accordance with established cost recovery procedures and protocols.

4.7.4 Requesting Assistance from Other Countries

In the event that resources above and beyond what can be provided nationally are required to respond to a marine pollution incident in Canada, a request for assistance to contracting states to the *International Convention on Oil Pollution Preparedness, Response and Cooperation (1990)* can be made by the Canadian Coast Guard. In such cases, the On-Scene Commander or Federal Monitoring Officer should determine what resources are required and make the request to the National Response Team Coordinator. The National Response Team Coordinator will forward the request to the

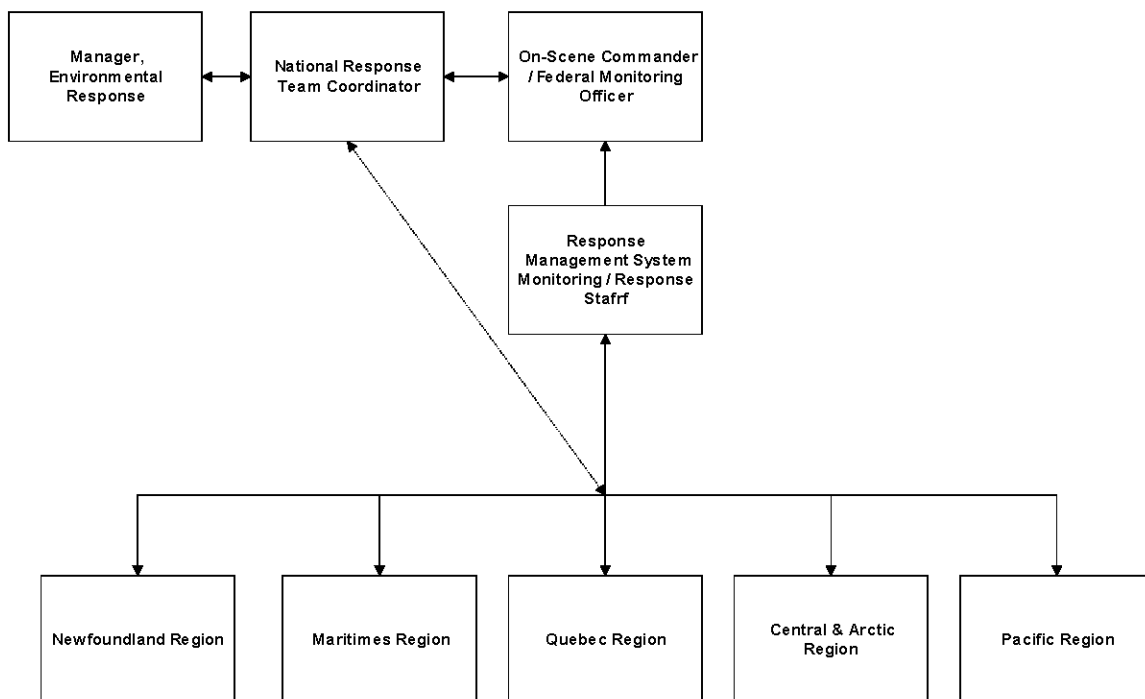
Director, Environmental Response, who will make the request to the International Maritime Organization – Marine Environmental Protection Division.

4.7.5 National Response Team Structure

To provide an operational response, the National Response Team is designed to ensure that the Canadian Coast Guard On-scene Commander or Federal Monitoring Officer has the necessary support and resources to conduct an appropriate response to a marine pollution incident.

The National Response Team organizational structure is comprised of:

- the On Scene Commander or Federal Monitoring Officer;
- the Response Management System Monitoring / Response Staff;
- the National Response Team coordinator;
- the Manager of Environmental Response; and,
- the five Canadian Coast Guard Regions.



4.8 Marine Pollution Reporting

Each marine pollution incident reported to the Environmental Response branch shall be entered into the Marine Pollution Incident Reporting System (MPIRS). The input of these reports shall be conducted in accordance with Directive # D-6010-2001-03, *The Reporting of Marine Pollution Incidents*.

Marine pollution incidents that are more significant in nature shall be reported in accordance with Directive #D-6020-2010-01, *Notification of Significant Environmental Response Events*.

5 REQUESTS FOR CCG ASSISTANCE

5.1 CCG as Lead Agency

There may be instances where the Federal Monitoring Officer may use Canadian Coast Guard services or resources in a polluter led response. The Federal Monitoring Officer may consider it necessary to augment a portion of the polluter's response efforts if it is determined that the polluter's resources are insufficient to meet certain objectives in the polluter's response plan. In these circumstances, the Federal Monitoring Officer will consult with the polluter's On-Scene Commander regarding the circumstances surrounding this assessment and provide them with details as to how the Canadian Coast Guard could augment the polluter's response.

In other cases, the Federal Monitoring Officer may receive a request for services or resources by the polluter's On-Scene Commander. When such a request is made, the Federal Monitoring Officer will make a determination as to whether or not it is in the best interest of the public to use Canadian Coast Guard resources to fulfill the polluter's request. The polluter's On-Scene Commander will provide this request in writing. The written request shall include:

- the name of the person making the request and under what authority the request is being made;
- the name of the organization the person represents;
- the telephone/facsimile number and address of the person making the request;
- the extent of assistance being requested;
- the name of the polluter's On-Scene Commander and the person to be used as operational contact; and,
- financial arrangements.

The polluter shall not rely on Canadian Coast Guard resources to fulfill its response nor shall Canadian Coast Guard equipment be identified in the polluter's response plan as part of their capacity to respond. The Federal Monitoring Officer should not consider Canadian Coast Guard resources when assessing the polluter's ability to respond.

5.2 CCG as Resource Agency

In the event of an incident which does not fall under the mandate of the Canadian Coast Guard, Environmental Response will provide assistance to a Lead Agency upon written request, or verbal request - followed by written confirmation - by the lead agency. Environmental Response resources will be provided in the form of personnel, equipment, or a combination thereof. This request may be made to:

- the Assistant Commissioner of the Region, in the case of a request for Regional services and resources, or

- to the Director General, Maritime Services, in the case of a general request.

The request may be from:

- the Minister or Deputy Minister of a federal department, or a regional representative authorized to act on a federal department's behalf;
- the Premier of a province, the leader of a territorial government, or a provincial/territorial official designated by the provincial or territorial government;
- a senior representative of the public or private agency or board leading the response; or
- the Lead Agency's On-Scene Commander.

The written request shall include:

- the name of the person making the request and under what authority the request is being made;
- the name of the organization the person represents;
- the telephone/facsimile number and address of the person making the request;
- the nature of the marine emergency and extent of assistance being requested;
- the name of the On-Scene Commander and the person to be used as operational contact; and
- financial arrangements.

When a Regional request is received, the Superintendent of Environmental Response will evaluate the request and make a recommendation to the Regional Director, Maritime Services, based on the following:

- the potential risk to Canadian Coast Guard personnel and equipment;
- the propriety and justification of the request;
- the capability to respond; and
- the impact the request will have on normal operations.

For other general requests, the Director General, Maritime Services, in consultation with the Assistant Commissioners, will make similar recommendations to the Canadian Coast Guard Commissioner.

Environmental Response staff competent in the operation of the requested equipment shall be tasked to accompany the equipment in order to provide field service maintenance equipment operation and trouble-shooting guidance and/or training.

Assistance to the lead agency will be on a cost recovery basis unless otherwise directed. Costs incurred while acting as a resource agency must be recovered from the lead

agency pursuant to either a memorandum of understanding or contractual arrangement depending on which is established at the time of the request for assistance.

5.3 Conduct of Operations

In circumstances where the Canadian Coast Guard augments components of a polluter's response operation, or assigns resources directly to the Lead Agency, the personnel, vessel commander, officers and aircraft pilots will take direction from the Lead Agency, while maintaining responsibility for the operation and safety of their units.

If the Canadian Coast Guard provides support to operations tasked by the Lead Agency, Canadian Coast Guard support and resources will be managed by the Superintendent of Environmental Response from the Region involved (or their delegate). Canadian Coast Guard resources will be managed using the Response Management System.

5.4 International Cooperation in Pollution Response

5.4.1 Providing Assistance to Other Countries

The Canadian Coast Guard is recognized at the International Maritime Organization as the National Competent Authority for response. In accordance with the *International Convention on Oil Pollution Preparedness, Response and Cooperation* (1990), the Canadian Coast Guard, in conjunction with the appropriate federal departments and agencies, will:

"...subject to their capabilities and the availability of relevant resources, they will co-operate and provide advisory services, technical support and equipment for the purpose of responding to an oil pollution incident, when the severity of such incident so justifies, upon the request of any Party affected or likely to be affected." Article 7(1)

The following protocols, similar to those in section 4.7 **National Response Team Concept**, shall be used in the event of an international request for assistance:

1. Assessment

Nations requesting assistance shall provide specific information regarding the type and amount of resources required.

2. Notification

Requests for assistance from contracting states to the *International Convention on Oil Pollution Preparedness, Response and Cooperation* (1990), will be transmitted to the Canadian Coast Guard through the International Maritime Organization - Marine Environmental Protection Division, who will in turn pass the request to the Director,

Environmental Response. The Director, Environmental Response, shall notify the Manager of Environmental Response.

Other international requests for assistance may be directed to the Department of Foreign Affairs and International Trade, who will pass the request to the Commissioner, Canadian Coast Guard. The Commissioner, Canadian Coast Guard, shall pass the request to the Director, Environmental Response, who will then action the request.

3. Activation of National Response Team Resources

The Manager, Environmental Response, will consult with the Regional Superintendents of Environmental Response to determine if the request for assistance can be met and in what capacity. If it is agreed that assistance can be provided, the National Response Team Coordinator will manage the National Response Team operations from that point forward.

Environmental Response Headquarters will work closely with the Federal Committee for Environmental Emergencies at the Department of Foreign Affairs and International Trade to coordinate a federal response to an international environmental emergency and provide a federal interdepartmental body to request assistance in support of the lead agency in an environmental emergency.

4. Reporting Requirements

Environmental Response Headquarters will develop protocols in accordance with the specific request for resources and/or issues related to the host country's request and, in conjunction with other appropriate government departments, will determine the protocols required for that particular country.

5. Release and Repatriation of Resources

The requesting nation shall specify the amount of time Canadian Coast Guard resources will be required. If the requesting nation determines at a later time that Canadian Coast Guard resources are required for longer than originally anticipated, this request shall be made to the Director, Environmental Response, who will consider the request.

Once Canadian Coast Guard resources are no longer required, the National Response Team Coordinator will work, in conjunction with the Department of Foreign Affairs and International Trade, to repatriate resources as expeditiously as possible.

6. Cost Recovery

Environmental Response Headquarters is responsible for the accounting for the costs of such assistance for the purposes of cost recovery, based on the provisions set out in the Annex to the *International Convention, Oil Pollution Preparedness, Response and Cooperation, Convention* (1990).

6 POST RESPONSE ACTIVITIES

Once response operations have concluded, the Canadian Coast Guard may undertake Cost Recovery and Post-Incident Review and Evaluation activities in accordance with established protocols and procedures.

6.1 Cost Recovery and Claims

Pursuant to the *Marine Liability Act*, costs incurred by the Minister to monitor or respond to marine pollution incidents are recoverable either from the polluter or from national and international compensation regimes. This ability to recover costs from the polluter forms the basis of the “polluter pay” principle.

Regions are responsible for ensuring that costs are itemized and recorded using the appropriate Response Management System forms and that these items are submitted to the Cost Recovery Officer, HQ, in a timely fashion.

The detailed cost recovery process can be found in Directive #D-4010-2001-01, *Cost Recovery of Ship Source and Marine Pollution Response* and the *CCG Ship-source and Marine Pollution Response Costing Principles and Documentation Standards*.

6.2 Post-Incident Review and Evaluation

The objective of a post-incident review is to evaluate the response to a marine pollution incident with the goal of improving all elements involved in the response. The process for conducting a post-incident review is similar to the principles used in exercise evaluation.

The requirement for the conduct of a post-incident review, or Lessons Learned, shall be determined by the Regional Superintendent Environmental Response. The On-Scene Commander or Federal Monitoring Officer, as the case may be, is responsible for the preparation of the report, which will be submitted to the Manager, Environmental Response and Regional Director, Maritime Services.

6.2.1 Conduct of a Post-Incident Review

The Post-Incident Review should be conducted in accordance with the principles contained in the *National Exercise Program – Evaluation Guidelines* (chapter 11). These principles include:

- Briefing the response / monitoring team;
- Evaluating the incident;
- Preparing a summary of key observations;

- Conducting an incident debriefing session, and;
- Preparing an official Post Incident evaluation report.

The following elements should be covered when conducting a post-incident review:

- Notification,
- Assessment,
- Mobilization,
- Initial response,
- Response Management System activation and transition to project phase, including the review of the:
 - organizational structure,
 - process and meetings.
- Incident Action Plan development, including:
 - Issues,
 - Strategies,
 - Deployment of resources,
 - Operations,
 - Logistics
- Health and Safety,
- Media, and
- Demobilization

“Lessons Learned” should be documented in the post incident evaluation report, which should also outline how the “Lessons Learned” can be incorporated into their relevant areas.

7 PLAN MAINTENANCE

7.1 Custodian

The National Marine Spills Contingency Plan – National Chapter is the responsibility of:

**Commissioner
Canadian Coast Guard
200 Kent St.
Ottawa, Ont.
K1A 0E6**

7.2 Review Requirements

This Plan shall be reviewed in accordance with the Environmental Response Levels of Service (no less than every 5 years from the date of promulgation). This review will be completed by Canadian Coast Guard Environmental Response Headquarters in conjunction with each Canadian Coast Guard Region. All revisions to the plan shall be documented on the Record of Amendments, found on page ii.

7.3 Revision Request

All inquiries regarding this document, including suggestions for revision and requests for interpretation, shall be addressed to:

**Manager
Environmental Response
Canadian Coast Guard
200 Kent St.
Ottawa, Ont.
K1A 0E6**

These requests shall include:

- Originator (including return address and telephone number)
- Date
- Subject (i.e. request for revision or interpretation)
- Suggested change (including section and page number references)
- Reason for revision

All formally received requests will be acknowledged in writing and assessed for against the National Chapter. Subsequent revisions will be distributed accordingly upon approval.

8 PROGRAM CONTACTS

8.1 Marine Pollution Incident Reporting

The following are regional contact numbers for reporting a marine pollution incident in their respective Region.

Newfoundland Region (Newfoundland and Labrador)

Toll-free: 1-800-563-9089 (24 hours)

Maritimes Region

Toll-free: 1-800-565-1633 (24 hours)

Quebec Region

Toll-free: 1-800-363-4735 (24 hours)

Central and Arctic Region

Toll-free: 1-800-265-0237 (24 hours)

Pacific Region

Toll-free: 1-800-889-8852 (24 hours)

In all regions, marine pollution incidents may also be reported by contacting a MCTS centre on VHF channel 16. For areas not covered by VHF channel 16, for example in the high arctic, incidents may be reported through MF (medium frequency) and HF (high frequency) communications.

8.2 Environmental Response Program

Headquarters

Manager
Environmental Response
Canadian Coast Guard
200 Kent St.
Ottawa, ON
K1A 0E6

Newfoundland Region (Newfoundland and Labrador)

Superintendent
Environmental Response
Canadian Coast Guard
PO Box 5667
St. John's, NL

Maritimes Region

Superintendent
Environmental Response
Canadian Coast Guard
27 Parker Street
PO Box 1000
Dartmouth, NS
B2Y 3Z8

Quebec Region

Superintendent
Environmental Response
Canadian Coast Guard
101 Champlain Boulevard
Quebec, QC
G1K 7Y7

Central and Arctic Region

Superintendent
Environmental Response
Canadian Coast Guard
520 Exmouth Street
Sarnia, ON
N7T 8B1

Pacific Region

Superintendent
Environmental Response
Canadian Coast Guard
4620 Inglis Drive
Richmond, BC
V7B 1L9

9 REFERENCES

- Directive #D-6010-2001-03, *The Reporting of Marine Pollution Incidents*
- Directive #D-3040-2002-01, *On-Scene Commander*
- Directive #D-3030-2002-01, *Federal Monitoring Officer*
- Directive #D-6020-2010-01, *Notification of Significant Environmental Response Events*
- Directive #D-4010-2001-01, *Cost Recovery of Ship Source and Marine Pollution Response*
- *Response Management System User's Guide*, V.3.0, DFO/6249, May 2006
- National Exercise Program – Evaluation Guidelines
- *CCG Ship-source and Marine Pollution Response Costing Principles and Documentation Standards*
- Environmental Response Levels of Service.
http://www.ccg-gcc.gc.ca/eng/CCG/WM_Los_Page5#10

APPENDICES

A. Existing Agreements and Memoranda of Understanding

B. Internal and External Support Agencies

Appendix A: Existing Agreements and Memoranda of Understanding

International Agreements

- International Boundary Waters Treaty, 1909
- Great Lakes Water Quality Agreement, 1978 (as amended by Protocol signed November 18, 1987)
 - Annex 9 identifies the Canadian and United States Coast Guards as responsible for the development of a Joint Marine Pollution Contingency Plan
- Canada-United States Joint Marine Pollution Contingency Plan;
- Canada-Denmark Agreement for Cooperation Relating to the Marine Environment
 - Annex B: Joint Contingency Plan concerning pollution incidents resulting from shipping activities;
- Canada-France Administrative Arrangement Establishing the Canada-France (Saint-Pierre et Miquelon) Joint Marine Contingency Plan;
- Arctic Environment Protection Strategy
 - Signed declaration in June 1991 with the seven other circumpolar countries concerning the protection of the Arctic environment and international cooperation in emergency prevention, preparedness and response.
- Declaration on the Establishment of the Arctic Council
 - Signed on September 19, 1996 by Canada and the seven other circumpolar countries. This declaration establishes the Arctic Council as a high-level forum to oversee and coordinate the programs under the AEPS, including Emergency Prevention, Preparedness and Response.
- International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990
 - Contracting States to the *International Convention, Oil Pollution Preparedness, Response and Cooperation, Convention* (1990) are required to establish measures for dealing with pollution incidents, either nationally or in co-operation with other countries.
- Civil Liability Convention
 - The Civil Liability Convention of 1969 covers those who suffer oil pollution damage resulting from maritime casualties involving oil-carrying ships. The Convention places the liability for such damage on the owner of the ship from which the polluting oil escaped or was discharged. The 1992 protocol widened the scope of the Convention to cover pollution damage caused in the exclusive economic zone (EEZ) or equivalent area of a State Party.

- **Fund Convention**
 - The purposes of the Fund Conventions are to provide compensation for pollution damage from tankers to the extent that the protection afforded by the 1969 Civil Liability Convention and its protocol is inadequate. It also gives relief to shipowners in respect of the additional financial burden imposed on them by the 1969 Civil Liability Convention, such relief being subject to conditions designed to ensure compliance with safety at sea and other conventions.
- **Bunkers Convention**
 - The Bunkers Convention was adopted to ensure that adequate, prompt, and effective compensation is available to persons who suffer damage caused by spills of oil when carried as fuel in ships' bunkers.
- **Supplementary Fund**
 - The aim of the established Fund is to supplement the compensation available under the 1992 Civil Liability and Fund Conventions with an additional, third tier of compensation. The Protocol is optional and participation is open to all States Parties to the 1992 Fund Convention.

Memoranda of Understanding and Letters of Agreement

- **Department of Fisheries & Oceans – Department of Transport**
 - Memorandum of Understanding Respecting Marine Transportation Safety & Environmental Protection, 1996. This MOU provides an administrative framework that ensures a coherent and consistent approach to all aspects of marine transportation safety and environmental protection. It also clarifies each department's roles and responsibilities with respect to marine pollution and the environment.
 - Memorandum of Understanding respecting the transfer of Marine Safety Policy Responsibilities. The provisions of the 1996 MOU that are not affected by this MOU remain valid. This MOU provides a framework for cooperation subsequent to the transfer of responsibilities, personnel and resources from the Department of Fisheries and Oceans to Transport Canada and clarifies each department's responsibilities resulting from the transfer.
- **Department of Fisheries & Oceans – Department of the Environment**
 - This is a Letter of Agreement transferring lead agency responsibility for mystery spills in waters of Canadian interest to the Canadian Coast Guard (1996).

Appendix B: Internal and External Support Agencies

Internal Support Agencies

Canadian Coast Guard College – Continuing Marine Education Department

The Canadian Coast Guard College supports program preparedness by acting as the coordinator for curriculum development. These courses are offered to Environmental Response personnel as well as other government and industry representatives.

Canadian Coast Guard Maritime Services - Marine Communications and Traffic Services

Marine Communications and Traffic Services provides notification to the Environmental Response Duty Officer of a marine pollution incident (some regions – see “Canadian Coast Guard Fleet - Regional Operations Centre” below), establish and direct vessels in emergency zones in accordance to directions provided by Pollution Response Officers, disseminate marine information, issue Notice to Shipping and provide vessel information, as necessary.

Canadian Coast Guard Fleet

Fleet will provide support or lead agency services upon request of the Environmental Response Duty Officer, On-Scene Commander or Federal Monitoring Officer. These services can include: initial spill assessments; verifications and initial response operations; take on-water samples on behalf of the Pollution Response Officer; conduct On-Scene Commander or Federal Monitoring Officer functions when requested by Environmental Response; and provide site safety.

Canadian Coast Guard Fleet - Regional Operations Centre

The Regional Operations Centre will provide notification to the Environmental Response Duty Officer of a marine pollution incident (some regions – see “Canadian Coast Guard Maritime Services – Marine Communications and Traffic Services” above) and will provide the coordination and allocation of Canadian Coast Guard resources, as requested by the On-Scene Commander / Federal Monitoring Officer.

Canadian Coast Guard Integrated Technical Services

Integrated Technical Services will provide technical support services with respect to the procurement of capital assets, including but not limited to pollution countermeasures equipment and vessels.

Canadian Coast Guard Facilities / Fisheries and Oceans Facilities

Provision of small vessels, base facilities, storage, helicopter pads, boat launch and docking facilities and staging areas.

Fisheries and Oceans - Corporate Services – Real Property, Safety & Security

Provision of advice regarding site and employee safety and the application of departmental security measures, general health and safety advice, and a Health and Safety Officer as required under the Response Management System organizational structure.

Fisheries and Oceans – Information Management and Technical Services - IT Security

Information Technology (IT) Security will provide informatics systems such as computer systems, servers, software and email applications, handheld communication devices such as Blackberries, and the appropriate IT security infrastructure meeting all Fisheries and Oceans IT requirements as required under the Response Management System organizational structure.

Fisheries and Oceans - Communications

Communications will process inquiries from media organizations through the application of the Fisheries and Oceans Crisis Communications Plan. Communications branch also coordinates all aspects of information being released to ensure the public is getting the most relevant, accurate information as soon as practicable. This sector would fulfill the Communications Officer function in the Response Management System organizational structure.

Fisheries and Oceans - Finance

Provide support and resources to the Finance section of the Response Management System. In conjunction with Canadian Coast Guard personnel, Fisheries and Oceans Finance will provide the Fisheries and Oceans financial systems relevant to Canadian Coast Guard operations and providing costing, contractual and accounting services.

Fisheries and Oceans – Human Resources

Provides support and administrative services to Environmental Response regarding the hiring of indeterminate, temporary and / or casual workers.

Fisheries & Oceans Canada/Department of Justice - Legal Services

Provision of legal services to the Canadian Coast Guard is the responsibility of the Federal Department of Justice, within Fisheries and Oceans Legal Services in Ottawa. The assistance and advice provided will be in support of the On-Scene Commander and Federal Monitoring Officer. Legal Counsel will be part of the Advisory Staff of the Response Management System organizational structure.

Other Fisheries and Oceans Resources (Habitat, Science, etc.)

As a participant of the Regional Environmental Emergency Team (REET), Fisheries and Oceans will provide scientific and technical advice respecting the location of critical fisheries resources and their habitat, the timing and location of fishing activities, oceanographic information, support in spill tracking and trajectory modeling, general advice in support of clean-up operations and strategies, the impact of pollutants on sensitive resources, monitoring the potential impact of response strategies, and priorities for environmental protection related to the fisheries.

Transport Canada – Marine Safety

Transport Canada, Marine Safety, is responsible for on-board investigation of ship-source pollution occurrences and will provide technical expertise with respect to the ship and the ship's on-board activities, which can assist in mitigating ship-source spills. In addition, Transport Canada is responsible for the Environmental Prevention and Response National Preparedness Plan and the *Canadian Marine Oil Spill Preparedness and Response Regime* for safety oversight, pollution prevention, monitoring of compliance with regulations and enforcement action. These responsibilities include:

- management of the National Aerial Surveillance Program;
- review vessel and oil handling facility pollution prevention and response plans;
- Regime Governance (Regime oversight, National/Regional Advisory Councils, User Committees in accordance with OIC P.C.2003-2090 and P.C. 2004-0322); and
- certification of Response Organizations and monitoring of their activities and exercises.

Environment Canada

Environment Canada is the federal authority for environmental and scientific advice during a marine pollution incident. Environment Canada normally chairs the Regional Environmental Emergency Team (REET) which is responsible for providing consolidated environmental advice during the course of response operations, including weather forecasts and information on the physical operating environment, spill movement and trajectory forecasts, appropriate response strategies, the location of sensitive areas, approving the use of spill treating agents and cleanup techniques.

Department of National Defence – Canada Command

National Defence may provide persons, facilities, logistics, naval and airborne support and other resources during a marine pollution incident. The availability of these resources is dependent upon National Defence established priorities and operational requirements.

Aboriginal Affairs and Northern Development

Aboriginal Affairs and Northern Development can provide advice to the Canadian Coast Guard regarding pollution incidents in the Arctic and on or near Aboriginal lands regarding land claims agreements, cultural and other issues. They may participate in the Regional Environmental Emergency Team, provide expertise in specific areas and / or act as a community liaison to Aboriginal groups.

Public Safety Canada

Public Safety Canada is responsible for the Federal Emergency Response Plan and can provide support in a large-scale incident that requires additional coordination of federal resources beyond the Canadian Coast Guard's capability.

National Energy Board

The National Energy Board (NEB or Board) is the lead agency for spills that occur at offshore and nearshore oil and gas exploration and production facilities on frontier lands. It is an independent federal agency that reports to the Minister of Natural Resources and regulates international and interprovincial aspects of the oil, gas and electric utility industries. They may be included in the Regional Environmental Emergency Team for expertise in this field.

Department of Foreign Affairs and International Trade

Environmental Response Headquarters will work with this department to provide assistance to contracting states to the *International Convention, Oil Pollution Preparedness, Response and Cooperation, Convention* (1990) and to request assistance from other countries in accordance with the procedures stipulated in section 5.4 *International Cooperation in Pollution Response* of the National Contingency Chapter.

External Support Agencies

Provincial and Territorial Governments

Provincial and territorial governments, through their various agencies and departments, have legislative mandates and expertise that can contribute to the overall response and should be included in Regional Plans as required.

Municipal Governments, Agencies, or Boards

The first responders to a spill in any community are typically the local fire department or public works. Municipal Governments can provide valuable local knowledge on what sensitivities are important to local community they represent and what resources are available to assist in a response. Environmental Response will work closely with these groups to ensure an appropriate response.

Aboriginal Groups

Aboriginal Groups may provide people, knowledge and equipment, and can identify resources at risk during the response to marine pollution incidents on or from their lands. They should be included in area plan development as required.

Canada-Newfoundland Offshore Petroleum Board

The Board has the lead agency responsibility for pollution response with respect to incidents related to offshore Newfoundland petroleum exploration or production installations. In the event of such an incident, the Canadian Coast Guard has a memorandum of understanding to provide assistance to the Board as a resource agency.

Canada-Nova Scotia Offshore Petroleum Board

The Board has the lead agency responsibility for pollution response with respect to incidents related to offshore Nova Scotia petroleum exploration or production installations. In the event of such an incident, the Canadian Coast Guard has a memorandum of understanding to provide assistance as a resource agency.

ANNEXES

Annex 1 – 5: Regional Chapters