



Fisheries and Oceans  
Canada

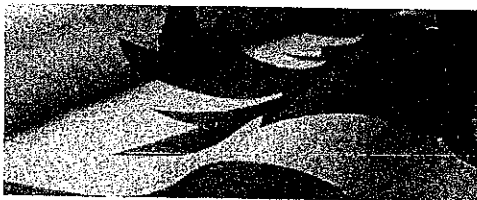
Pêches et Océans  
Canada

Canadian  
Coast Guard

Garde côtière  
canadienne



# Canada's Environmental Response Regime



Canada

# Overview - To Understand ...

- The Legal and Regulatory Framework
- The Roles & Responsibilities of Regime Partners/Components
- Partnerships



# Challenging Factors

- 242,000 km of Coastline
- 3 Different Oceans
- Great Lakes
- Approx. 1200 reported spills / year
  - At least 50% of which occur in Pacific Region



# Canada's First Major Oil Spill

The tanker  
"Arrow"

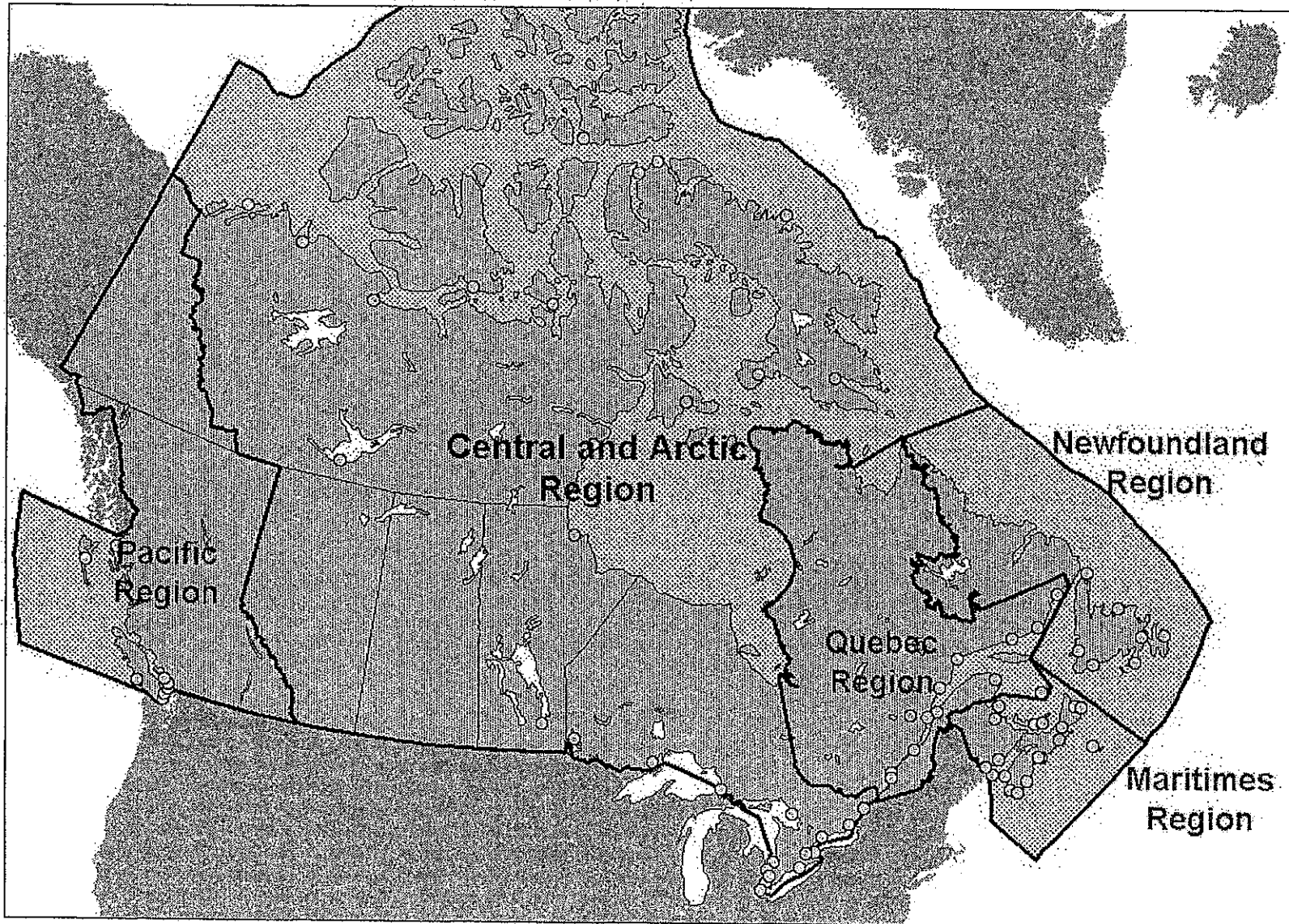
February, 1970

Released  
11,000 tonnes  
of Bunker C at  
Cerebus Rock,  
Chedabucto  
Bay, N.S.



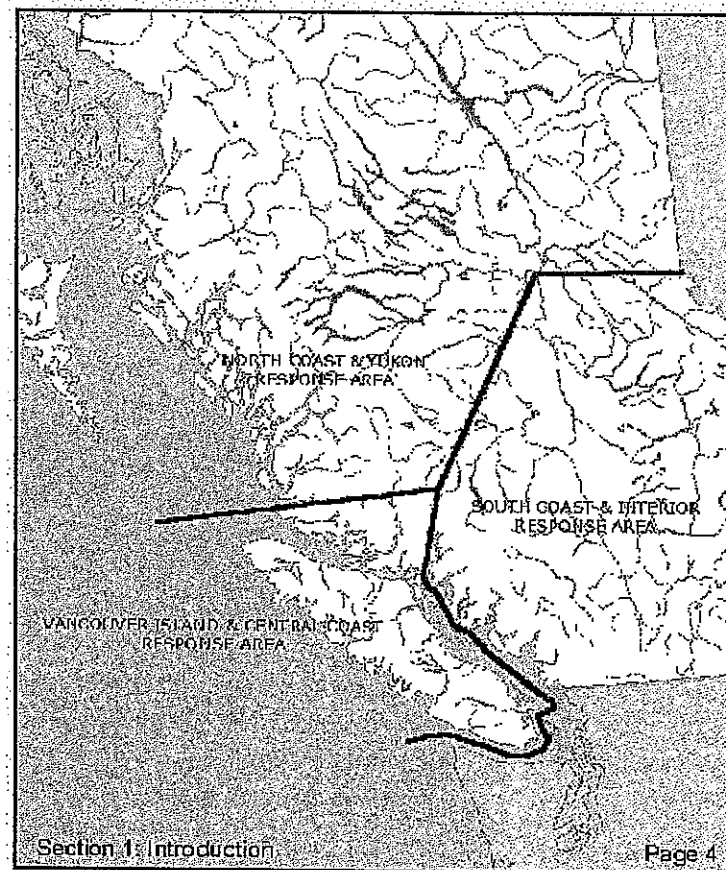
# CCG Regions

## Canadian Coast Guard Equipment Depot Sites



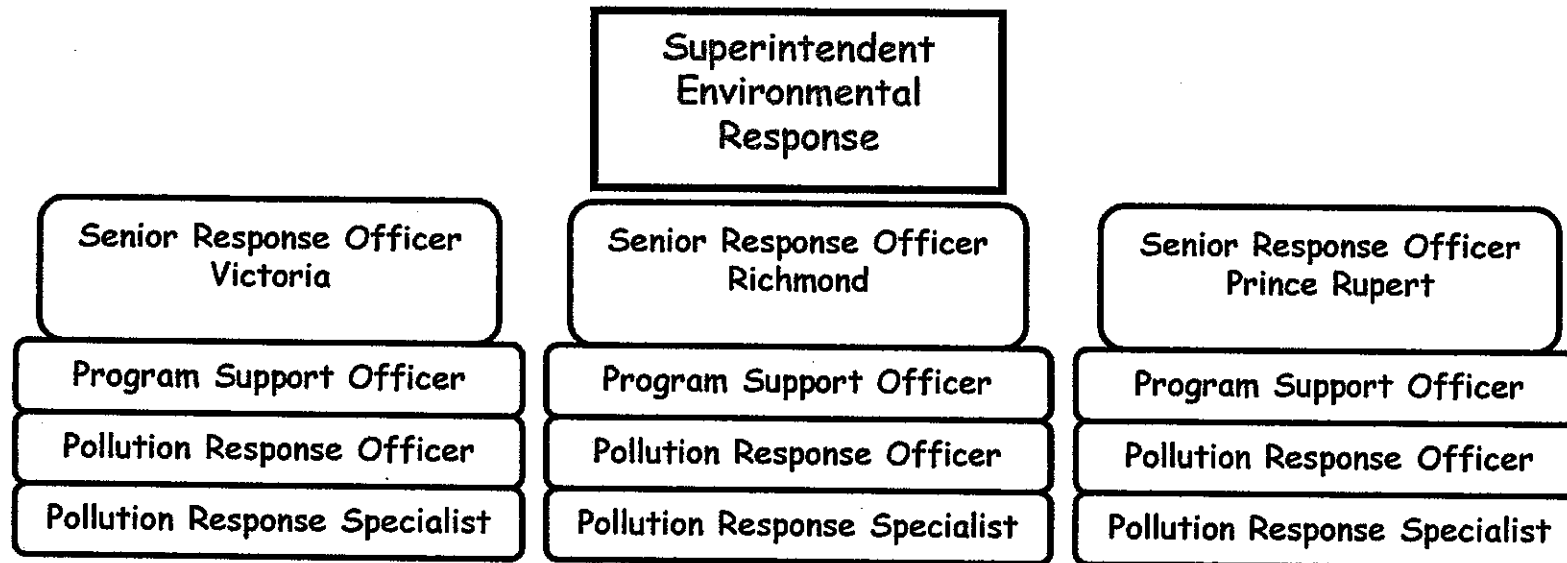
# CCG-ER Pacific Region

- Three sub-areas within the region containing:
  - 25,000km of marine shoreline
  - 40,000 islands
  - 407,789 hectares of major navigable lakes



# Organizational Structure

## CCG-ER Pacific Response Personnel



# Basic Principles of the Regime

- Effective & responsive legislation
- Polluter must pay
- Concept of Responsible Party
- Partnership with Industry
- Comprehensive Contingency Planning
- Mutual agreements with neighbours





# Legal Mandate

- Canada Shipping Act, 2001
- Arctic Waters Pollution Prevention Act
- Fisheries Act
- Marine Liability Act
- Canadian Environmental Protection Act
- Oceans Act
- Navigable Waters Protection Act
- Transportation of Dangerous Goods Act
- Canada Marine Act



# Responsible Party

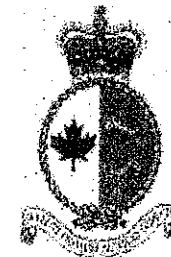
- Expectation that the Responsible Party will manage the response to the incident
- The Coast Guard will request the Responsible Party's intentions and advise them of the liability under the *Marine Liability Act* with respect to costs and expenses
- Coast Guard takes over when the responsible party is:
  - Unable
  - Unwilling
  - Unknown

..... to respond to a ship-source marine pollution incident.



# Lead/Resource Agency Concept

- Ship source spill = Coast Guard
- Oil Handling Facility when engaged in loading or unloading a vessel = Coast Guard
- Land source spill = Province (BCMoE)
- Mystery Spill = Coast Guard
- Fed. Facility Spill = Environment Canada
- Spill from Rig = Offshore Petroleum Board (energy mines and resources)



# Lead/Resource Agency Concept

- Ensure readiness and availability of resources.
- To assume the role of Federal Monitoring Officer or On Scene Commander.
- Minimize impact of spill on the marine environment and Canadian economy to the greatest extent possible. Areas of involvement include:
  - Investigation of oil spill incidents
  - Where the polluter is identified, CCG will:
    - Advise polluter of its responsibilities under the CSA
    - Assume role of OSC if polluter is unwilling or unable to fulfill its obligations



# Shipowners

- Requirement to have an arrangement with an Response Organization (RO)
- Not required to activate arrangement
- Financially responsible – polluter pays



# Shipowners

- **Note :**

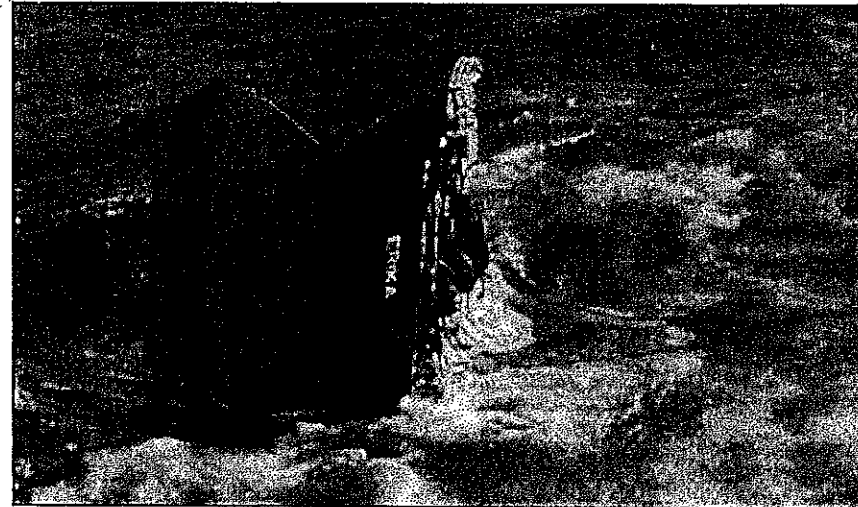
Where a vessel is at an Oil Handling Facility (OHF) and in the process of transferring product/cargo **and** a spill occurs, **then** it is considered a ship-source spill. There is **no longer** a reference to the flange/valve.

An Oil Handling Facility is still required to have an arrangement and Oil Pollution Emergency Plan but spills from Oil Handling Facilities must have a ship to fall under Coast Guard.



# RO's Roles and Responsibilities

- Four certified Response Organizations (RO) in Canada
- Regulated (certified) by Transport Canada
- View themselves as contractors to shipowner or possibly Coast Guard
- Empowered to charge and collect fees for capacity costs and for response



# Other Partners

- Transport Canada
  - Regime Regulator
- Environment Canada
  - Regional Emergency Environment Team (REET) chair
- International Maritime Organization
- ~~Ship source Oil Pollution Fund~~ /International Oil Pollution Compensation
- International Joint Agreements





- Environment Canada Chair ( normally )
- Focus is to provide sound scientific environmental advice to the Responsible Party and Coast Guard



# International Arrangements

- Signatory to the International Oil Pollution Preparedness, Response and Cooperation Convention (OPRC)
- OPRC is the framework for international assistance to signatory States
- Joint Plans with United States, France, Denmark and Russia

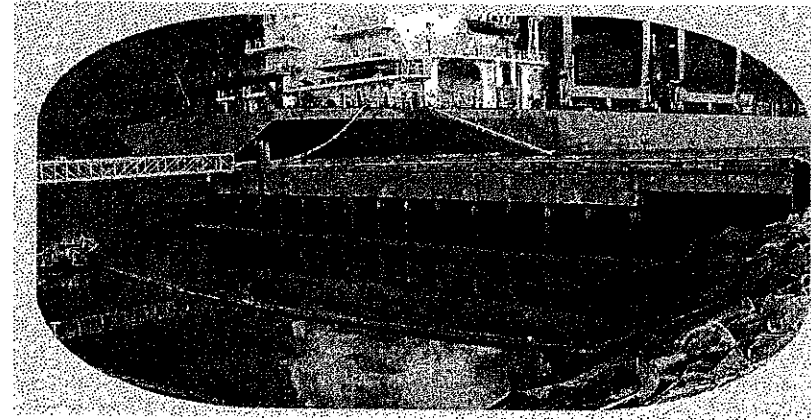
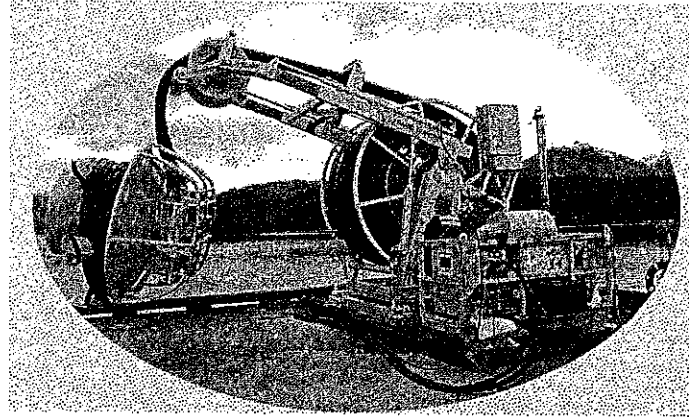


- Domestic and International funds
- Ship owner - Limit on liability
- IOPC – \$350M per incident
- SOPF - \$150M per incident
- “Reasonableness” Tests
- CCG lead for Government of Canada  
Claims preparation, negotiation and  
settlement



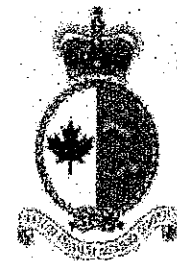
# CCG-ER Pacific Activities

- Training
- Exercise
- Response



# CCG-ER Pacific: Training

- Regional Training Officer
  - Coordinates with national counterparts to fulfill National Training Plan requirements
    - Basic Oil Spill Response Course
    - Marine Spill Response Operations Course
    - On-Scene Commander Course
    - Pollution Response Officer Course
    - Industry Training

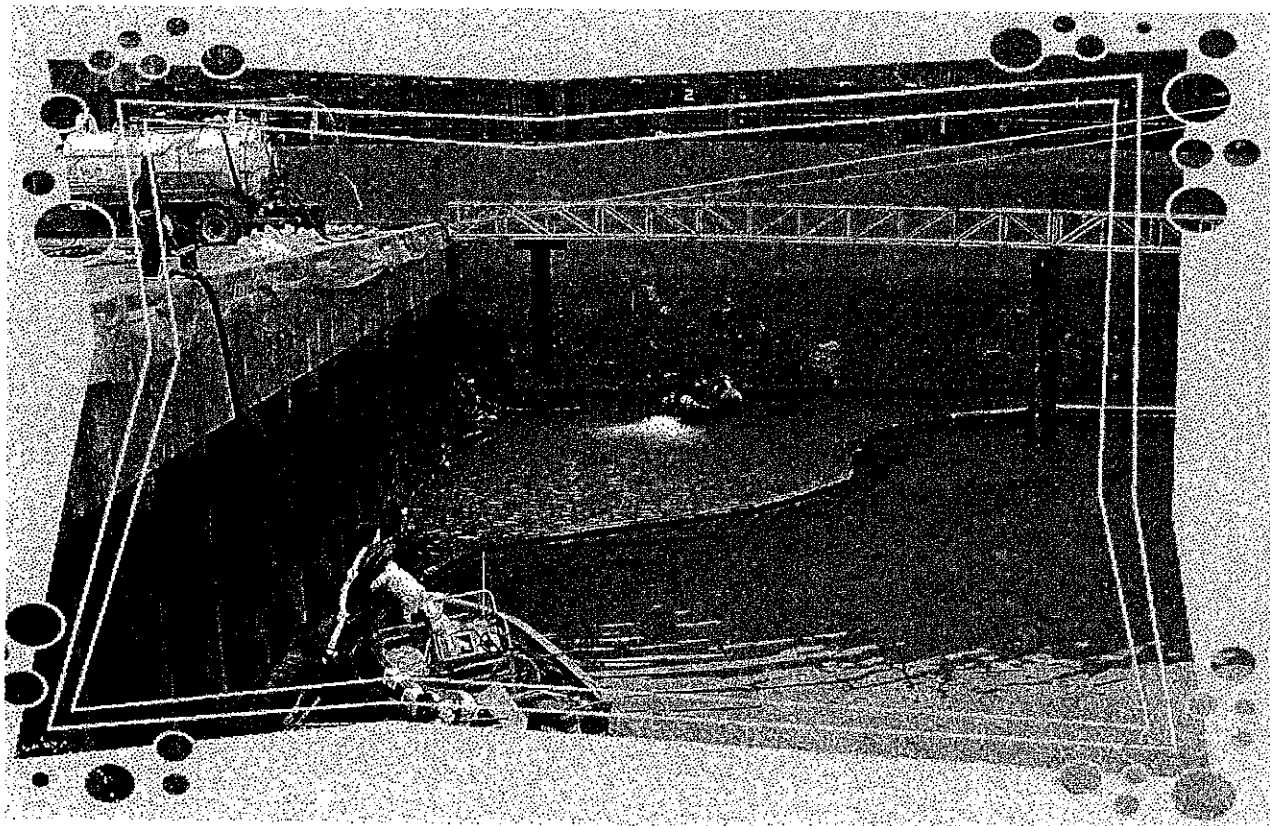


# CCG-ER Pacific: Exercises

- Exercises allow implementation of skills gained in training.
- Internal Coast Guard Exercises
- International Treaty Exercises
  - CANUSPAC & CANUSDIX
    - Coordinated with USCG and Response Organizations as well as other government agencies and stakeholder groups.



# CCG-ER Pacific Statistics



- CCG-ER Pacific Incident stats:
  - 2007: 877
  - 2006: 862
  - 2005: 972
  - 2004: 1546



# CCG-ER Recent Incidents

## – MV Andre

- ~10,000 litre  
Bunker C spill in  
Burrard Inlet
- Human error  
while re-fueling

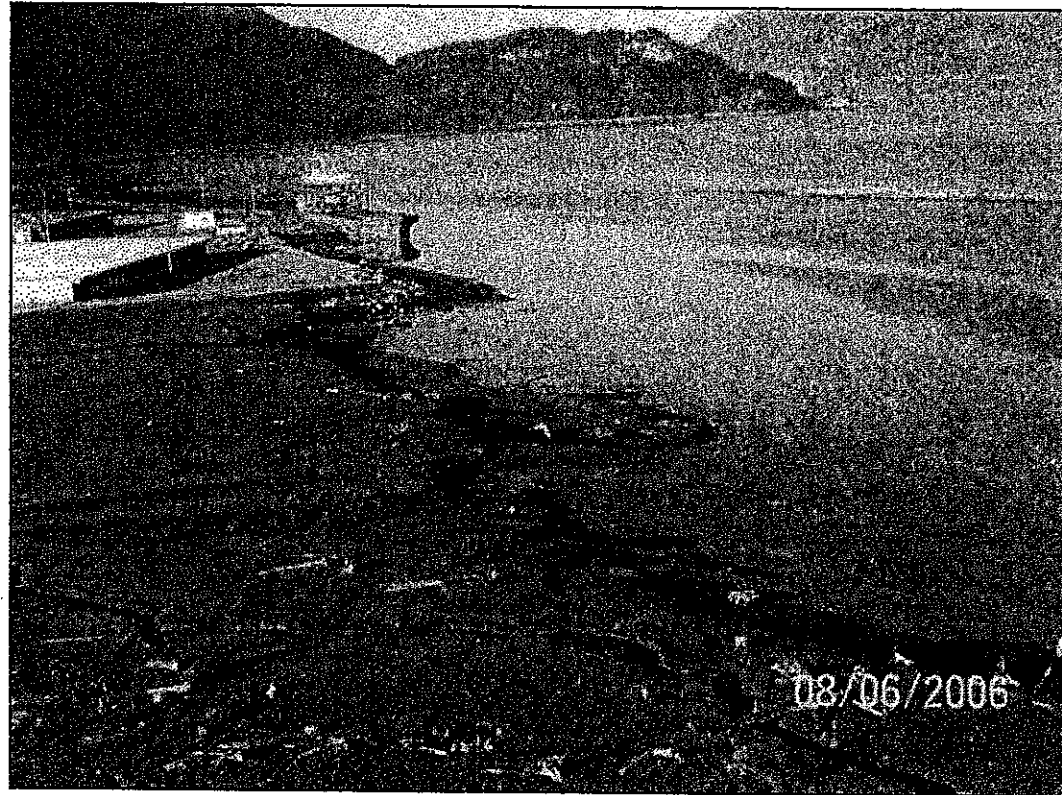




# CCG-ER PAC Recent Incidents

## – MV Westwood Anette

- ~29,000 litre  
Bunker C spill at  
Squamish
  - Damage caused by  
allision with  
terminal structure
- Sensitive marine  
marsh impacted



# CCG-ER PAC Recent Incidents

- Ted LeRoy Trucking Barge spill
  - Loss of stability due to free-surface effect.
  - Several vehicles and heavy equipment lost in >350m depth
  - Included fuel-tank truck carrying 10,000 litres of diesel
  - Occurred near a recognized ecological reserve

