



Transport
Canada

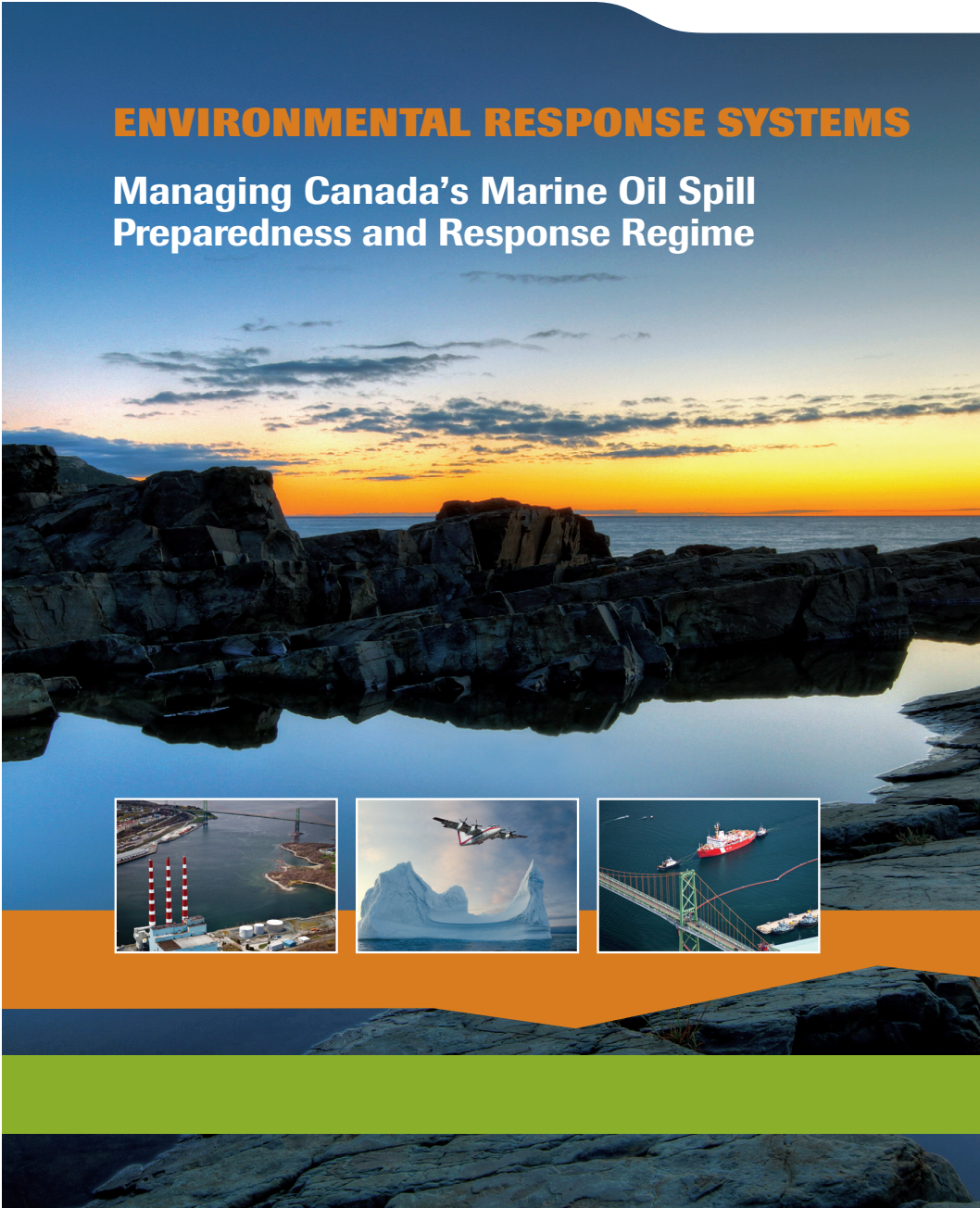
Transports
Canada



TP 14471
(11/2011)

ENVIRONMENTAL RESPONSE SYSTEMS

Managing Canada's Marine Oil Spill Preparedness and Response Regime



© Her Majesty the Queen in Right of Canada, represented by the Minister of Transport, 2011.

Transport Canada grants permission to copy and/or reproduce the contents of this publication for personal and public non-commercial use. Users must reproduce the materials accurately, identify Transport Canada as the source and not present theirs as an official version, or as having been produced with the help or the endorsement of Transport Canada.

To request permission to reproduce materials from this publication for commercial purposes, please contact:

Publishing and Depository Services
Public Works and Government Services Canada
Ottawa, ON K1A 0S5
droitdauteur.copyright@tpsgc-pwgsc.gc.ca

TP: 14471 (11/2011)
TC-1004393
Catalogue No.: T29-94/2011
ISBN: 978-1-100-53322-3

For additional copies of this publication, please visit: <http://transact-en.tc.gc.ca> or contact
Transport Canada's Publications Order Desk at 1-888-830-4911
International at 613-991-4071.

For an accessible version of this publication, please contact:
Transport Canada's Publications Order Desk at 1-888-830-4911
International at 613-991-4071.

An electronic version of this publication is available at
<http://www.tc.gc.ca/eng/marinesafety/tp-tp14471-menu-1024.htm>.

Bordered by three oceans, Canada has the longest coastline and the largest freshwater reserves in the world.

The marine environment has strong and deep ties to our heritage. It has sustained families and communities for generations, is important to our economy and plays a vital role in the recreational and fishing industries. Protecting our marine environment from oil spills from ships and oil handling facilities is a priority of Transport Canada (TC) and other government departments.

Risk of Marine Pollution

Maritime shipping is a growing and important part of Canada's economy. While we welcome growth in the industry, an increase in vessel traffic brings a greater risk for pollution that could damage our marine environment. That is why TC is taking steps to minimize the risks of oil pollution. These steps include up-to-date pollution regulations, all of which help ensure we are ready and able to respond to marine oil spills.

“ The best way to protect the environment from oil spills is to prevent them....

TC is responsible for preventing pollution from ships. Our National Aerial Surveillance Program (NASP) is one way that helps to achieve this. In fact, the NASP is our best tool for detecting illegal discharges at sea. Aerial surveillance is widely adopted internationally because the presence of surveillance aircraft discourages intentional pollution and is an effective way to detect oil spills.

Managed from within TC headquarters, the NASP uses four fixed wing aircraft strategically located across Canada. TC forwards evidence gathered by NASP aircraft to regional enforcement personnel so they can investigate ship-source pollution. The NASP serves both TC and Environment Canada (EC) as they enforce laws that apply to illegal discharges from ships. TC regularly evaluates its surveillance program to improve aircraft effectiveness and to increase operational capability.



....and we must be prepared. ”

TC sets the guidelines and regulations related to preparing for and responding to marine spills into Canada’s marine environment.

TC’s Environmental Response Systems (ERS) program is responsible for Canada’s Marine Oil Spill Preparedness and Response Regime. We work closely with other federal agencies and departments to put effective preparedness and response mechanisms in place.

Our National Preparedness Plan links all elements of Canada’s Marine Oil Spill Preparedness and Response Regime.

Our Goals are to:

- ensure national preparedness;
- manage Canada’s marine oil spill response regime;
- manage the National Aerial Surveillance Program; and
- minimize the impact of marine pollution.

Our Mission:

To develop and administer policies, regulations and programs to protect the marine environment and to mitigate the environmental impact of marine pollution incidents in Canadian waters as well as to ensure the protection and safety of the public.

Preparedness Capacity

Canada applies the principle of cascading resources. This means that in the event of an oil spill of national interest, Canada can supplement the resources of a specific area with those from other regions or from our international partners as needed. We also rely on strong and productive collaboration between government and industry.



TC's ERS ensures that Canada is ready to respond to marine oil spills of up to 10,000 tonnes per geographical area of response within prescribed time standards and operating environments. This preparedness capacity is increased by countries that have signed international joint plans such as the United States and Denmark or member states of the International Convention on Oil Pollution Preparedness, Response and Cooperation.

Certified industry response organizations who maintain a response capability for their member stakeholders provide a large part of Canada's preparedness capacity. The *Canada Shipping Act, 2001* gives TC the authority to certify these response organizations, and gives its ERS's Regional Pollution Prevention Officers the authority to conduct inspections and enforce its regulations.

The *Canada Shipping Act, 2001*, its regulations and standards demand that potential polluters maintain a minimum level of preparedness at all times. For example, all oil handling facilities must have onsite plans, equipment, personnel, training and exercise programs that enable them to deploy an immediate response in the event of an oil spill. ERS's Regional Pollution Prevention Officers enforce the regulations by frequently inspecting these facilities and their response equipment.

TC also conducts mandatory oil spill response exercises with oil handling facilities, response organizations, other government departments and our international partners to evaluate the effectiveness of procedures, equipment and resources identified in plans.

TC's ERS reviews post-mortem reports of exercises and incidents to ensure that we consider and implement all recommendations and/or lessons learned that will improve Canada's preparedness regime.

TC is also an active member of the Arctic Council's Emergency, Prevention, Preparedness and Response Working Group, which consists of eight Arctic countries and special interest groups that work together to prevent, prepare for and respond to environmental emergencies in the Arctic. Its goal is to protect the Arctic environment from activities that may result in an accidental release of pollutants.



Canada's Preparedness Leads to a Strong Response

While TC's ERS is responsible for Canada's Marine Oil Spill Preparedness and Response Regime, the Canadian Coast Guard (CCG) is the lead agency for the Government of Canada response. So when a marine incident occurs, the CCG will use its expertise to ensure an appropriate response.

When identified polluters are willing and able to respond, the CCG will advise them of their responsibilities. Once satisfied with polluters' intentions and plans, the CCG will monitor their responses and provide any required advice and guidance. But when the polluter is unknown, unwilling or unable to respond, the CCG will assume overall management to ensure an appropriate response to the incident.

Spirit of Cooperation

Canada's Marine Oil Spill Preparedness and Response Regime is built upon successful collaboration between government and industry. TC's ERS works with industry to ensure regulatory compliance and response preparedness in the event of an oil spill.

TC's ERS works with our stakeholders through six Regional Advisory Councils (RACs). Each RAC is composed of seven members who reflect a balanced cross-representation of individuals, groups and companies whose interests could be affected by a spill. The role of each RAC is to address areas of mutual concern and to provide advice with regard to Canada's oil spill regime directly to the Minister of Transport.

The Canadian Coast Guard is responsible for leading an appropriate response to all ship-source spills in waters under Canadian jurisdiction and mystery spills south of 60° north latitude.

The Canadian Coast Guard and the other response organizations have significant response-ready resources strategically placed throughout the country. A cooperative approach by all parties concerned is essential to an effective response.



Compensating for Response Costs

Canada's Marine Oil Spill Preparedness and Response Regime applies the polluter-pay principle, which makes the polluter liable for all response costs associated with an oil pollution incident. There are various national and international funds to pay for clean-up costs as well.

Regulatory Framework

The following legislation and international agreements allow TC to fulfill its role in the prevention and preparedness of marine oil pollution incidents:

- **International Convention for the Prevention of Pollution from Ships (MARPOL)** seeks to eliminate intentional pollution of the marine environment resulting from ship operations and to minimize accidental discharges of pollutants. Transport Canada administers and enforces the convention through the *Canada Shipping Act, 2001* and its regulations.
- **International Convention on Oil Pollution Preparedness, Response and Cooperation (OPRC)** is a framework that allows Canada to provide assistance to major incidents in other member states when requested and to seek the assistance of our international colleagues if required.
- ***Canada Shipping Act, 2001* and the *Arctic Waters Pollution Prevention Act*** are the main acts TC uses to regulate marine environmental prevention, preparedness and response within Canada.



**“ Strong legislation and cooperation...
...help protect our marine environment. ”**

TC works to prevent pollution from ships and oil handling facilities and to protect our marine environment.

To learn more about Canada's Marine Oil Spill Preparedness and Response Regime, please contact:

**Manager, Environmental Response Systems
Operations and Environmental Programs**

Marine Safety
Transport Canada
330 Sparks Street, 10th Floor
Ottawa, ON
K1A 0N8

e-mail: marinesafety-securitemaritime@tc.gc.ca
<http://www.tc.gc.ca/eng/marinesafety/menu.htm>

