



CANADIAN COAST GUARD - UNITED STATES COAST GUARD
JOINT MARINE POLLUTION CONTINGENCY PLAN

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100 INTRODUCTION

101 Background

- 101.1 The need for the establishment of an international marine pollution contingency plan for the Canada-United States contiguous waters was recognized with the introduction of an international contingency plan, the Canada-United States Joint Marine Pollution Contingency Plan, for the Great Lakes, which was promulgated in 1974, under the Agreement Relating to the Establishment of Joint Pollution Contingency Plans for Spills of Oil and Other Noxious Substances, done at Ottawa June 19, 1974, and as contemplated in the Canada-United States Great Lakes Water Quality Agreement of 1972, as amended. In September of 1983, four additional geographically oriented annexes covering the Atlantic Coast, Pacific Coast, Dixon Entrance and the Beaufort Sea, were added to the plan. The plan was subsequently revised in 1984 and was replaced by a 2003 version. The responsible Canadian Coast Guard (CCG) Regional Directors and the United States Coast Guard (USCG) District Commanders were tasked to develop detailed Regional Annexes to the Joint Marine Pollution Contingency Plan for their respective transboundary regions.
- 101.2 Provisions of the International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990, to which both Canada and the United States are parties, and changes to each country's spill preparedness and response regimes, have necessitated further revisions to the Canada-United States Joint Marine Pollution Contingency Plan.
- 101.3 This 2013 revised Canadian Coast Guard-United States Coast Guard Joint Marine Pollution Contingency Plan (hereafter referred to as JCP) replaces the previous versions of the Canada-United States Joint Marine Pollution Contingency Plan. This 2013 revised JCP is intended to provide non-binding guidance to the Canadian and United States Coast Guards, and other appropriate authorities, in coordinating preparedness and response operations.
- 101.4 The Participants in this JCP are the Canadian Coast Guard and the United States Coast Guard.

102 Definitions/Acronyms

The definitions and acronyms that appear in this section are intended to apply wherever they appear in the JCP. These definitions apply for the purpose of this Plan and not necessarily for any other purposes or instrument.

For the purpose of this JCP, the terms “hazardous” and “harmful” and the terms “polluter” and “responsible party” are used interchangeably.

- 102.1 Adjacent waters: Those waters described in Section 104 over which either Participant exercises jurisdiction.
- 102.2 CCG: Canadian Coast Guard
- 102.3 Canadian Coast Guard On-Scene Commander (CCG On-Scene Commander): The Canadian Coast Guard representative responsible for the management of CCG led response operations.
- 102.4 Containment: Any measure, including mechanical or chemical, which is taken to control or to restrict the spread of harmful substances.
- 102.5 Countermeasures: Any measure that is taken to reduce the impact and effect of harmful substances.
- 102.6 Discharge: Any emission intentional or unintentional that results, directly or indirectly, in the entry into water of harmful substances, and includes, but is not limited to, spilling, leaking, pumping, pouring, emitting, emptying, throwing or dumping.
- 102.7 Executive Secretariat: Supports the National JCP Committee and is charged with ensuring that the decisions and priorities of the National JCP Committee are acted on and completed in a timely manner. Members should include representatives of

CCG and USCG Headquarters and be co-chaired by the Manager, Program Policies and Standards, CCG and the Technical Advisor to the Chief, Office of Marine Environmental Response Policy, USCG.

102.8 Federal Monitoring Officer: The Canadian Coast Guard representative responsible for monitoring a polluter-managed response to a marine pollution incident.

102.9 Harmful Substance: Subject to Canadian or United States national laws or regulations, means any substance which, if introduced into marine or fresh waters is liable to create hazards to human health, to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the waters, and includes but is not limited to:

- substances subject to control by the *International Convention for the Prevention of Pollution from Ships, 1973 as amended by the Protocol of 1978*;
- substances on the list of substances to which the *International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 2010* would apply;
- substances subject to the *Federal Water Pollution Control Act of 1972, as amended*;
- substances subject to the *Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended*;
- substances subject to the *Oil Pollution Act (OPA) of 1990, as amended*;
- “pollutants” within the meaning of the *Canada Shipping Act, 2001; and*
- both oil and hazardous substances as described by the National Oil and Hazardous Substances Pollution Contingency Plan of the United States (NCP).

102.10 Harmful Substance Incident: A discharge, or threat of discharge of a Harmful Substance.

102.11 JCP: This Canadian Coast Guard-United States Coast Guard Joint Contingency Plan.

102.12 Joint Response Team (JRT): Advisory team composed of representatives of specified agencies in Canada and the United States.

102.13 Mutual Aid for Non-adjacent Waters: The request for aid by one participant to the other for assistance in responding to an incident or an event that does not pose a threat to the waters of the requested country.

102.14 National Oil and Hazardous Substances Pollution Contingency Plan: Found in Title 40, Section 300 of the United States Code of Federal Regulations, a plan to provide the organizational structure and procedures for preparing for and responding to discharges of oil and releases of hazardous substances, pollutants and contaminants in the United States.

102.15 National level exercise: Engages the senior leadership of each nation in exercising its strategic oversight and support role for a Spill of National Significance. Exercises may take the form of a senior level seminar, tabletop, or leverage one or more multi- regional/annexes exercises being planned for that same time period.

102.16 National Joint Contingency Plan Committee (National JCP Committee): A committee whose functions are described in sections in this document, and whose members should include representatives of CCG and USCG Headquarters, CCG Regions and USCG Districts and be co-chaired by CCG Director General, National Strategies and USCG Director of Incident Management and Preparedness Policy.

- 102.17 National Response System(s): Planning, preparedness, and response arrangements established by the Participants for dealing with discharges of Harmful Substances.
- 102.18 Participants: The Canadian Coast Guard and the United States Coast Guard.
- 102.19 Polluter: The owner of a “vessel” or “oil handling facility”, within the meaning of the Canada Shipping Act, 2001, that is the source of an incident. (See 102.20 Responsible Party for US equivalent.)
- 102.20 Polluter Pays Principle: The polluter pays principle as set forth in Principle 16 of the Rio Declaration on Environment and Development, which is reflected in the national laws of each Participant that require that the polluter or responsible party is, generally, responsible for the costs associated with pollution.
- 102.21 Regional Annexes: Area-specific plans that supplement the JCP and provide the basic information necessary to execute an efficient and effective response operation in the adjacent waters
- 102.22 Responsible Party: The owner, operator or demise charterer of a vessel, the owner or operator of an onshore facility, the lessee or permittee of the area in which a facility is located in the case of an offshore facility, the licensee of a deepwater port or the owner or operator of a pipeline within the meaning of the U.S. NCP. (See 102.19 Polluter for Canadian equivalent.)
- 102.23 Response Resources: Equipment, personnel, and other assets deemed necessary by the CCG On-scene Commander or USCG On-scene Coordinator to conduct response operations or monitoring activities.
- 102.24 Table Top Exercise: An exercise designed to test the theoretical ability of a group to respond to an emergency situation. A table top exercise (TTX) can include workshops, seminars, and facilitated discussions which solicit and include community support.
- 102.25 USCG: United States Coast Guard.
- 102.26 United States Coast Guard Federal On-scene Coordinator (USCG FOSC): The United States Coast Guard official designated in accordance with the United States National Contingency Plan to coordinate and direct the United States response.

103 Purpose

103.1 The purpose of the JCP is as follows:

- a. to promote a coordinated system and operational guidelines for national preparedness, planning and response to events in the adjacent waters which exceed the capabilities of action under any Regional Annex.
- b. to promote a coordinated system for regional preparedness, planning, and response to events in the adjacent waters, by providing guidance that supplements the existing national response system of each Participant, facilitating cooperative bilateral response planning at the local and national levels. The Regional Annexes provide guidance with respect to the process that should be used, on either side of the border, to facilitate an effective joint response.
- c. to promote a coordinated system for the provision of mutual aid for Harmful Substance Incidents in non-adjacent waters.

103.2 The JCP facilitates for both participants coordination of response activities conducted by or on behalf of those responsible for a discharge of a harmful substance.

103.3 The JCP provides guidance for consultation between the Participants on response actions that may be taken during a Harmful Substance Incident commensurate with section 304.

103.4 The JCP is intended as a means for the Participants to meet their commitments under the International Convention for Oil Pollution Prevention, Response, and Cooperation, 1990 (OPRC 1990) which has been ratified by the governments of both Participants, and is intended to be consistent with the provisions of that Convention. Depending on the circumstances, a given action such as notifying the other Participant of a pollution incident may be required under applicable international law even where such action is only recommended, or not mentioned, in this JCP.

103.5 The Participants concur that the JCP is to be implemented consistently with the Great Lakes Water Quality Agreement, 2012.

103.6 The JCP is intended to complement the Canada-United States Joint Inland Pollution Contingency Plan, 2009.

103.7 The JCP is not intended to apply to radiological incidents. Such incidents are covered by the Canada/United States Joint Radiological Emergency Response Plan.

104 Geographic Scope

104.1 The Participants intend to apply the JCP in adjacent waters as follows:

- a. Atlantic—in areas comprising those waters of and along the Bay of Fundy and the Gulf of Maine seaward to latitude 40° 27' 05" N, longitude 65° 41' 59" W, thence north along a bearing of 000° T to the Canadian shoreline;
- b. Great Lakes—in areas comprising the Waters of the Great Lakes as defined in the Great Lakes Water Quality Agreement, as amended;
- c. Pacific— in areas comprising the international boundary waters in the Salish Sea, including the Strait of Juan de Fuca and seaward approaches, Haro Strait, Boundary Pass and Strait of Georgia;
- d. Beaufort Sea – in areas comprising those waters off the Arctic Coast of Canada and the United States in the Beaufort Sea;
- e. Dixon Entrance—in areas comprising the waters of the Dixon Entrance off the Pacific Coasts of Canada and the United States.

104.2 The Participants intend to apply the principles of the JCP in non-adjacent waters within each Participant waters to the outermost extent of their respective Exclusive Economic Zone not specified in 104.1.

200 PRINCIPLES AND ROLES

201 Principles for Response to Discharges of Harmful Substances

201.1 Response to Harmful Substance Incidents in Canada and the United States is predicated on the use of private sector resources funded by the polluter/responsible party. Response Operations are monitored or directed if necessary as determined in Canadian waters by the CCG On-scene Commander and in US waters, by the USCG FOSC. The Canadian On-Scene Commander or the USCG FOSC may augment the response by using public sector or additional private sector resources.

202 Roles

202.1 The Director General, National Strategies, CCG, and the Director, Incident Management and Preparedness Policy, USCG are intended to have overall responsibility for the maintenance of the JCP and executive oversight of the activities of the National JCP Committee as described in 202.2.

202.2 The Director, Preparedness and Response, CCG and the Chief, Office of Marine Environmental Response Policy, USCG are the co-chairs of the National JCP Committee and are intended to be responsible for providing oversight and support to the Regional JRTs' preparedness and response activities pursuant to the Regional Annexes of the JCP and to support national-level response to pollution events which exceed the capabilities of action under any Regional Annex in

accordance with each Participant's national response system. (Refer to Appendix 1). The National JCP Committee is intended to meet annually or more frequently, as circumstances warrant, to address national issues related to the JCP.

- a. An Executive Secretariat co-chaired by the Manager, Program Policies and Standards, CCG and the Technical Advisor to the Chief, Office of Marine Environmental Response, USCG should endeavor to support the National JCP Committee. The Executive Secretariat is intended to execute administrative management of Committee activities and ensure that the decisions and priorities of the National JCP Committee are attended to and addressed in a timely manner. The Executive Secretariat should endeavor to meet semi-annually or more frequently, as circumstances indicate, to document emerging regional issues and concerns and coordinate the development and implementation with the regions of the five year national-level exercise plan.

202.3 The Regional Directors of Programs, CCG and the District Commanders, USCG who have responsibility for regional areas to which the JCP applies, are intended to exercise overall responsibility for the development of Regional Annexes. They are intended to be responsible for ensuring the elements of the Regional Annexes are incorporated into their regional, district, and area plans and for coordinating issues among other federal, state, provincial and local agencies. The respective Coast Guard Regions and Districts with responsibility under this JCP are designated in Appendix 2.

202.4 The Regional Superintendents, Environmental Response, CCG and the District Incident Management and Preparedness Advisors, USCG, designated in Appendix 3, are intended to be responsible for coordinating and overseeing issues of operational readiness for their geographic areas of responsibility among other federal, state, provincial and local agencies.

202.5 The CCG On-scene Commander and the USCG FOSC, in accordance with their respective national laws, response systems and this JCP, are intended to ensure that a timely and appropriate response is initiated to a Harmful Substance Incident.

203 Organizational Concepts

203.1 The JCP and its Regional Annexes augment the national response systems of Canada and the United States by providing a "bridge" between the two systems for those Harmful Substance Incidents occurring in the adjacent waters by promoting coordinated planning at the local level. The Incident Command System or the Response Management System for managing response activities should be utilized as referred to in the Regional Annexes to this plan.

203.2 Responses to Harmful Substance Incidents should be carried out under the provisions and procedures of each Participant's national response system. The national response systems should be supplemented by procedures referenced in this plan and its Regional Annexes.

203.3 The JCP is consistent with the principle under each Participant's respective national laws that the "polluter pays", as defined in Section 102.

203.4 Under their respective applicable national laws and agency policies, the roles of the USCG FOSC and CCG On-scene Commander are:

- USCG FOSC: to monitor response operations and take or direct appropriate actions of response organizations, including, when appropriate, response efforts of the responsible party.
- CCG On-scene Commander: to manage the response to a marine pollution incident.
- If, in the Participants' determination the polluter's or responsible party's efforts are deemed not adequate, or in the event of a discharge or spill event of unknown origin (mystery spill) or for which the polluter/responsible party is unable to take appropriate response actions, the Participants should execute necessary response actions.

300 PLANNING AND PREPAREDNESS

301 Regional Annexes

- 301.1 Participants should endeavor to develop and maintain Regional Annexes in accordance with Appendix 4 and the principles of this plan.
- 301.2 The Regional Annexes are intended to provide the basic information necessary to execute an efficient and effective response operation in the adjacent waters. The Regional Annexes should be appended to, or incorporated in, the relevant District plans, Regional plans and area plans where appropriate.
- 301.3 The CCG Regional Directors and the USCG District Commanders for geographical areas to which this plan applies are intended to have overall responsibility for the development of Regional Annexes. Each should endeavor to ensure that the elements of the Regional Annexes are incorporated into his/her own regional and district plans and area plans and should endeavor to coordinate issues among federal, state, provincial or local agencies as appropriate. Coast Guard Regions and Districts with responsibility under this plan are designated in Appendix 2.
- 301.4 The individuals designated in Appendix 3 of this JCP are to be responsible for the development of the Regional Annexes.

302 Exercise Program

- 302.1 The National JCP Committee is intended to be responsible for determining the five-year national-level exercise cycle which the Districts and Regions, under the direction of the Executive Secretariat, should endeavor to execute.
- 302.2 The Regional Annexes are intended to provide for a joint exercise program based on the current risk analysis and resource availability.
- 302.3 National and Regional exercise plans should be developed and documented cooperatively. Exercise may include a notification exercise, tabletop exercise, equipment deployment exercise, national level exercise or other relevant activities. Joint exercises may be conducted in conjunction with each Participant's national exercise program. Exercise goals may also be met through actual joint pollution responses.
- 302.4 The Participants intend that, as a minimum, exercise plans should include a tabletop exercise as defined in Section 102.22, which can include a workshop, seminar or facilitated discussion for each Regional Annex, and one national level JCP exercise as defined in Section 102 at least once every five years. The Participants should endeavor to alternate hosting the exercises.
- 302.5 The CCG On-scene Commander, the USCG FOSC and the responsible exercise coordinators should endeavor to document lessons learned. Lessons learned should be shared with all affected agencies, the authority responsible for the Regional Annexes and the Executive Secretariat. The Executive Secretariat should endeavor to review lessons learned annually and disseminate to the regions as appropriate. Lessons learned should be taken into account in the development of subsequent exercise plans and in future modifications of the JCP and the Regional Annexes as may be warranted from time to time.

303 Training

- 303.1 Each Participant should endeavor to, consistent with its national laws and policies, promote training for response personnel and senior management to ensure that such personnel are trained for the operational responsibilities of their positions. Participants are encouraged to conduct joint training, when possible.
- 303.2 Each Participant should promote occupational health and safety of response personnel consistent with its national laws and policies through training to ensure competence appropriate to the responsibilities of their positions.

304 Joint Response Teams

- 304.1 The JRT should consist of representatives of specified agencies in Canada and the United States. There should be a JRT for each geographic area specified in Section 104.1 of this JCP. Each Regional JRT should be co-chaired by CCG Regional Superintendant of Environmental Response and the District Incident Management Preparedness Advisor as directed by the District Commander.
- 304.2 During an incident, the JRT should be convened at the request of the CCG On-Scene Commander or the USCG FOSC.
- 304.3 For issues not related to a specific incident, the JRT should be convened by the Co-chairs. Each Regional JRT should meet at least annually, or more frequently as circumstances indicate, to address issues pertaining to the applicable Regional Annex.
- 304.4 The Co-chairpersons of the JRT should jointly select the members of the JRT from their respective regional response teams or Regional Environmental Response Branches, bearing in mind the desirability of equal representation from each team.
- 304.5 The general functions of the JRT are intended to include:
- a. giving advice and counsel to facilitate coordinated planning, preparedness and response to a Harmful Substance Incident;
 - b. preparing JRT debriefing reports and recommendations concerning amendments to the JCP or its Regional Annexes; and
 - c. providing advisory support to the CCG On-Scene Commander and the USCG FOSC.
- 304.6 The Co-chairpersons for each JRT should maintain a current list of JRT members to be appended to the appropriate Regional Annex.

400 OPERATIONAL CONCEPTS

401 Notification

- 401.1 Under the JCP, each Participant should endeavor to promptly report to the other any Harmful Substance Incidents-the source of which being a ship, an offshore unit, a sea port or an oil handling facility, within the meaning of the OPRC 1990 – that occur in the waters specified in section 104.1 of this plan, that are under its jurisdiction. The notification procedures to be used should be developed by the appropriate Region and District and detailed in the relevant Regional Annex.
- 401.2 The CCG On-scene Commander or the USCG FOSC, as the case may be, responding to, or monitoring a response to a Harmful Substance Incident that occurred in the waters that are under the jurisdiction of his or her country, should endeavor to inform, to the extent possible, the other Participant about the response to the incident, if the Harmful Substance Incident affected, is affecting or is likely to affect the waters of that other Participant.

402 Response

- 402.1 The Regional Annexes for each area covered by this JCP describe the resources that may be deployed in response to a Harmful Substance Incident in the adjacent waters.
- 402.2 Each Participant should endeavor to take appropriate response actions in accordance with its national laws, the procedures established in its national response system, the provisions of section 500 of this JCP and the relevant Regional Annex.
- 402.3 In the event of a Harmful/Hazardous Substance Incident, the CCG On-scene Commander and the USCG FOSC should coordinate their activities, to the extent practicable, to prevent or minimize the spread of the harmful substance to the waters of the other Participant.

403 Coordinated Response

- 403.1 In the event of a Harmful Substance Incident, a coordinated response may be activated or deactivated verbally between the CCG On-scene Commander and USCG FOSC.
- 403.2 Where a coordinated response is activated or deactivated, it should be followed by written confirmation by the CCG On-scene Commander or USCG FOSC, as appropriate. (For a sample form see Appendix 6).
- 403.3 Where a coordinated response is activated or deactivated, each Participant should endeavor, to the greatest extent possible, to facilitate the transboundary movement of response resources, as set out in the relevant Regional Annex.
- 403.4 For all matters related to reimbursement and recovery of costs incurred by either Participant, the provisions of Section 800 are intended to be followed from the date and time the coordinated response is activated to the date and time it is deactivated.

404 Liaison Officers

- 404.1 Response operations benefit from the close co-operation of the CCG On-scene Commander and USCG FOSC to manage and direct response operations by both Participants’ private and public sectors.
- 404.2 The CCG On-scene Commander or USCG FOSC may request that the other Participant designates a liaison officer to facilitate the flow of information and to support direct communications between the CCG On-scene Commander and USCG FOSC. The requested designation should occur as soon as practicable. The liaison officer should report directly to the CCG On-scene Commander or the USCG FOSC as appropriate.

405 Issue Resolution

- 405.1 Issues arising from differences in interpretation or application should be resolved by the CCG and the USCG through discussion and consensus. The Participants concur that issues in dispute, excluding cost recovery, should not be referred to courts of law or arbitrators.
- 405.2 Any issue in dispute should be referred for resolution, as expeditiously as possible, to the CCG On-scene Commander and/or the USCG FOSC.
- 405.3 Should the issue in dispute not be resolved at the local level, it should be referred, as expeditiously as possible, to the co-chairs of the applicable Regional JRT. If the JRT is unable to resolve the issue, it should be referred to the co-chairs of the National JCP Committee for resolution. The CCG On-scene Commander or the USCG FOSC making such a referral should concurrently notify his/her counterpart that the referral is being made.

500 RESPONSE PHASES

- 500.1 Actions taken to respond to a Harmful Substance Incident generally consist of five phases. Elements of a phase or an entire phase may take place concurrently with one or more of the other phases.

Phase I	Discovery and Notification
Phase II	Preliminary Assessment and Initiation of Action
Phase III	Containment and Countermeasures
Phase IV	Clean-up, Disposal and Decontamination
Phase V	Demobilization

501 Phase I - Discovery and Notification

- 501.1 A Harmful Substance Incident may be discovered through routine surveillance activities, observations by government agencies, by the Polluter, or by any person.
- 501.2 The Participant that becomes aware of a harmful substance incident in the adjacent waters should notify the other Participant without delay and in accordance with the appropriate Regional Annexes and Section 401 of this plan.
- 501.3 The Participant that becomes aware of a harmful substance incident in the non-adjacent waters covered by this plan should notify the other Participant without delay and in accordance with the appropriate Regional Annexes and Section 401 of this plan if considering requesting assistance from the other Participant.

502 Phase II - Preliminary Assessment and Initiation of Action

- 502.1 A CCG On-scene Commander or USCG FOSC receiving notification of a Harmful Substance Incident in the adjacent waters should endeavor to immediately assess the incident and manage the response operations in accordance with the appropriate national response systems.

503 Phase III - Containment and Countermeasures

- 503.1 Containment and countermeasures should be carried out using mechanical means unless the use of other means have been previously authorized by both CCG On-scene Commander and USCG FOSC and/or any other appropriate agency or organization, in accordance with the national laws of each Participant. Conditions for use and type of non-mechanical measures should be specified in each Regional Annex as appropriate.
- 503.2 Non-mechanical measures not specified in a Regional Annex may be used by written understanding between the CCG On-scene Commander and USCG FOSC or with concurrence of the appropriate authority of the other Participant, as specified in that Participant's national response system.

504 Phase IV - Clean-up, Disposal and Decontamination

- 504.1 Clean-up where deemed necessary and disposal should be carried out/completed as expeditiously as possible.
- 504.2 Disposal of harmful substances and contaminated materials recovered in clean-up operations should be in accordance with the applicable laws of federal, state, provincial, territorial and municipal governments. The CCG On-scene Commander and USCG FOSC should be responsible for ensuring appropriate disposal measures are taken.
- 504.3 Decontamination of response resources during the coordinated response operations should be conducted in accordance with the applicable laws and policies of each Participant. The CCG On-scene Commander and USCG FOSC should be responsible for ensuring appropriate decontamination measures are taken.

505 Phase V - Demobilization

- 505.1 The CCG On-scene Commander and USCG FOSC, in consultation with relevant government authorities should endeavor to develop a coordinated demobilization plan consistent with the applicable laws of each Participant.

600 TRANSBOUNDARY MOVEMENT OF RESPONSE RESOURCES

- 600.1 For Harmful Substance Incidents occurring in adjacent waters, clearance procedures for the transboundary movement of response resources are detailed in the Regional Annexes.

- 600.2 For Harmful Substance Incidents occurring in non-adjacent waters, clearance procedures for the transboundary movement of response resources are maintained by the National JCP Committee and in accordance with international law.
- 600.3 If a Harmful Substance Incident occurs in the adjacent waters and warrants joint response operations or assistance, each Participant should endeavor to promptly initiate the clearance procedures referred to in the Regional Annexes.
- 600.4 Should an issue related to transboundary movement of response resources occur during the course of a coordinated response, the Participant whose country has jurisdiction over the waters where the issue arose should endeavor to take the necessary steps to facilitate its resolution.

700 PUBLIC INFORMATION

Subject to its national laws, each Participant should endeavor to share information with the other and coordinate press releases, information sheets, and other material to be made available to the public or to the media. Procedures for coordinating the information should be specified in each of the Regional Annexes to this plan.

800 FUNDING

801 Funding For Responses to Harmful Substance Incidents

Both Canada and the United States are parties to OPRC 1990, and each Participant intends that issues related to the reimbursement of costs of assistance are to be resolved according to OPRC 1990 with additional guidance provided as follows:

- 801.1 Each Participant should endeavor to fund its own operations for responding to Harmful Substance Incidents in the adjacent waters that fall under its jurisdiction.
- 801.2 The costs for any assistance provided in the adjacent waters that fall under a requesting Participant's jurisdiction should be borne by the requesting Participant. The providing Participant should provide the appropriate documentation regarding those costs. However, the Participants may apply a different arrangement in specific cases. Such arrangements should be described in writing between the Participants.
- 801.3 Each Participant is intended to be responsible for preparing the documentation to be used in its territory for the purpose of recovering costs associated with a response to Harmful Substance Incidents.

802 Funding For Non-Incident Related Activities

Each Participant should endeavor to fund its own costs associated with preparedness, planning, training and exercising not related to a specific Harmful Substance Incident response. However, the Participants may apply a different arrangement in specific cases. Such arrangements should be described in writing between the Participants.

900 POST INCIDENT REPORTS

- 900.1 Within 180 days after the completion of joint response operations occurring in the adjacent waters, the CCG On-scene Commander and USCG FOSC should endeavor to prepare a joint Post Incident Report.
- 900.2 The Participant who initiated the coordinated response should endeavor to take the lead in preparing the first draft of the joint Post Incident Report. However, the Participants may apply a different arrangement in specific cases. Such arrangements should be described in writing between the Participants.
- 900.3 A copy of the joint Post Incident Report should be submitted to the JRT Co-chairpersons, and a copy with the JRT Co-chairpersons' comments, as applicable, should be submitted to the Director General, National Strategies, CCG and to the Director, Incident Management and Preparedness Policy, USCG for review.

900.4 The final report should be used by the Regions and the Joint Response Team to inform future response activities and to be taken into consideration when reviewing and updating plans and operational procedures.

1000 ADMINISTRATION AND NON-BINDING INTENT

- 1000.1 The custodians for this JCP, its appendices, and annexes are: for CCG, the Director General, National Strategies; and for the USCG, the Director, Incident Management and Preparedness Policy.
- 1000.2 The Participants intend to review the JCP annually and update the JCP every five years or as deemed necessary by the Participants.
- 1000.3 The Participants note that nothing in this JCP, including its appendices and Regional Annexes, is intended to give rise to any rights or obligations under international law.

1100 MODIFICATIONS

- 1100.1 Modifications to this JCP and its appendices may be made by mutual written understanding between the Director General, National Strategies, CCG and the Director, Incident Management and Preparedness Policy, USCG.
- 1100.2 Modifications to the Regional Annexes to the JCP may be made by mutual written understanding between the appropriate Assistant Commissioner, CCG and District Commander, USCG. The Executive Secretariat should be notified when modifications are made to a Regional Annex.

1200 DISTRIBUTION

Copies of this JCP should be distributed to the following offices:

- a. CCG
 - Director, Preparedness and Response
 - Director General, National Strategies
 - Director, Preparedness and Response
 - Manager, Program Policies and Standards
 - Regional Directors, Coast Guard Programs
 - Regional Superintendent, Environmental Response, Atlantic Region
 - Regional Superintendent, Environmental Response, Central and Arctic Region
 - Regional Superintendent, Environmental Response, Western Region
- b. USCG
 - Director, Incident Management and Preparedness Policy
 - Chief, Office of Marine Environmental Response Policy
 - Chief, Response Division, Pacific Area
 - Chief, Response Division, Atlantic Area
 - Chief, Response Division, First Coast Guard District
 - Chief, Response Division, Ninth Coast Guard District
 - Chief, Response Division, Thirteenth Coast Guard District
 - Chief, Response Division, Seventeenth Coast Guard District

APPENDIX 1

AUTHORITIES

Authorities (Canada)

The following Acts of Parliament are relevant to the subject matter of this Joint Contingency Plan:

- *Canada Shipping Act, 2001,*
- *Oceans Act,*
- *Arctic Waters Pollution Prevention Act,*
- *Marine Liability Act,*
- *Emergencies Management Act,*
- *International Boundary Waters Treaty Act,*
- *Great Lakes Water Quality Agreement, 2012, as amended and*
- *International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990.*

Authorities (United States)

Instruments, statutes and regulations that are relevant to the subject matter of this Joint Contingency Plan include:

- *Federal Water Pollution Control Act (FWPCA), 33 U.S.C. §§ 1251 et seq. as amended by the Oil Pollution Act of 1990,*
- *National Oil and Hazardous Substances Pollution Contingency Plan, 40 C.F.R. Part 300.*
- *Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. Chapter 103.*
- *International Boundary Waters Treaty Act,*
- *Great Lakes Water Quality Agreement of 1972, as amended, and*
- *International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990 (OPRC 1990)*

APPENDIX 2

NATIONAL CONTACTS

CANADIAN COAST GUARD

The national 24 hour operational contact points for Canada are:

Government Operations Centre
Public Safety Canada
Telephone: 1-613-991-7000
Fax: 1-613-996-0995
Email: GOC-COG@opscen.gc.ca

Other Contact Points:

Director
Preparedness and Response
Canadian Coast Guard
200 Kent Street, 5th Floor
Ottawa, Ontario
Canada
K1A 0E6

Telephone: 613-998-5495
Fax: 613-996-8902

Manager
Program Policies and Standards
Canadian Coast Guard
200 Kent Street, 5th Floor
Ottawa, Ontario
Canada
K1A 0E6

Telephone: 613-991-0042
Fax: 613-996-8902

UNITED STATES COAST GUARD

The national 24 hour operational contact points for the United States are:

United States Coast Guard 24-hour National Response Center
Telephone: 1-800-424-8802 or 202-267-2675
On line reporting tool: <http://www.nrc.uscg.mil/>

Other Contact Points:

Chief
Office of Marine Environmental Response Policy
Commandant (G-MER)
United States Coast Guard
2100 Second Street, S.W.
Washington, D.C.
U.S.A.
20593-0001

Telephone: 202-372-2231
Fax: 202-372-2905

Chief, International Spill Coordination Division
Office of Marine Environmental Response Policy
Commandant (G-MER-2)
United States Coast Guard
2100 Second Street, S.W.
Washington, D.C.
U.S.A.
20593-0001

Telephone: 202-372-2252
Fax: 202-372-2905

APPENDIX 3

GEOGRAPHIC AREAS OF RESPONSIBILITY

Geographic Area*	Canadian Coast Guard Region	United States Coast Guard Region	Regional Annex
Atlantic	Atlantic	First	CANUSLANT
Great Lakes	Central and Arctic	Ninth	CANUSLAK
Pacific	Western	Thirteenth	CANUSPAC
Dixon Entrance	Western	Seventeenth	CANUSDIX
Beaufort Sea	Central and Arctic	Seventeenth	CANUSNORTH

* Refer to Section 104 for a detailed description of the geographic areas.

APPENDIX 4

REGIONAL CONTACTS

CANADIAN COAST GUARD

**Regional Superintendent
Environmental Response
Atlantic Region**
P.O. Box 1000
Dartmouth, Nova Scotia
B2Y 3Z8

Telephone: 902-426-3699
Fax: 902-425-4828

**Regional Superintendent,
Environmental Response
Central and Arctic Region**
201 N Front Street, suite 703
Sarnia, Ontario
N7T 8B1

Telephone: 519-383-1954
Fax: 519-383-1991

**Regional Superintendent,
Environmental Response
Western Region**
4260 Inglis Drive - Box # 3
Richmond, British Columbia
V7B 1L7

Telephone: 604-270-3273
Fax: 604-270-7349

UNITED STATES COAST GUARD

**Chief, Incident Management Branch
First Coast Guard District**
408 Atlantic Avenue, Room 738
Boston, MA 02210

Telephone (24 hour): 617-223-8555
Telephone: 617-223-4813
Fax: 617-223-8117

**Chief, Response Division
Ninth Coast Guard District**
1240 E. Ninth Street
Cleveland, OH 44199-2060

Telephone: 216-902-6045
Fax: 216-902-6059

**Incident Management and
Preparedness Advisor,
Thirteenth Coast Guard District**
915 Second Avenue
Seattle, WA 98174

Telephone: 206-220-4662
Fax: 206-220-7342

**Chief, Planning and Force Readiness
Division
Seventeenth Coast Guard District**
P.O. Box 25517
Juneau, AK 99802-5517

Telephone: 907-463-2226
Fax: 907-462-2216

APPENDIX 5

GUIDELINES FOR THE DEVELOPMENT OF A REGIONAL ANNEX

This appendix identifies specific elements that may be incorporated into district and regional plans and area plans for those specific geographic areas identified within Section 104 of the JCP.

Specific information needed for an element may be incorporated directly within other appropriate plans provided the appropriate reference is cited within the Regional Annexes.

- I. Purpose:** brief description of implementing the JCP for a specified Region and District.
- II. Area of Coverage:** define geographic scope and limits.
- III. Responsibility:** define the roles of individuals, by title, in maintaining and carrying out functions set forth in the JCP and Appendices.
- IV. Plan Review and Updates:** scope and frequency of plan review.
- V. Pattern of Response:** brief description of the provisions of the JCP regarding response strategies as applied in the Region and District.
- VI. Organizational Structure:** the means by which the Region and District should organize a response in the area of coverage.
- VII. Notification, Activation and Deactivation Procedures:** the specific procedures that should be used to ensure cross-boundary notification of incidents and activation and deactivation procedures of the plan.
- VIII. Procedures for Customs and Immigration Clearances:** those procedures that have been developed in concert with local customs/immigration officials to expedite movement of personnel and equipment across borders in the event of an incident, including titles and phone numbers, where possible.
- IX. Procedures for Obtaining an Exemption or Clearance under Coasting Trade Laws (Canada) and Other Applicable Laws:** those procedures that have been developed in concert with the relevant authorities to expedite the assistance by foreign ships to be engaged in activities related to a harmful substance incident in waters under the jurisdiction of a Participant's country.
- X. Exercises:** the scope and frequency of the exercise plan in accordance with the JCP.
- XI. Training:** the principles the participants should follow to ensure personnel are trained for operational responsibilities.
- XII. DETAILED SECTIONS TO THE REGIONAL ANNEXES**
 - A. Communications Plan:** the means of communication between personnel of either Participant, including communications equipment inventory, frequency assignments, command posts and field communications.
 - B. Response Inventory:** resources available for responding to an incident in the areas of coverage.
 - C. Sensitive Environments Plan:** Environmental areas of concern to the Participants within a Region or District covered by the Annex should be described with potential priorities for protection and response action.
 - D. Logistics Plan:** the identification of locations of remote command posts and the procedures for transferring command to those remote locations. Also, the means by which either country should accommodate additional personnel from the other Participant.
 - E. Integration of Volunteers:** the assignment of volunteers, additional training requirements, if any, and persons responsible for integrating volunteers.

- F. Salvage Inventory:** the identification of any salvage capability and lightering resources that may be brought to bear at an incident, including estimated time of arrival within the area of coverage. This should include commercial salvage capability that may be located outside an area, but could be used in an incident.
- G. Disposal and Decontamination:** a list of the acceptable and unacceptable methods for disposal and decontamination.
- H. Joint Response Team Contact List:** a list of the current members including their mailing addresses and telephone numbers.
- I. Public Information Coordination:** information regarding procedures for clearing public information prior to release.

APPENDIX 6

**SAMPLE FORM FOR CONFIRMATION OF VERBAL ACTIVATION OR
DEACTIVATION**

DATE: _____	
FROM:	<div>_____</div> <div>(Name, Rank/Title)</div> <div>_____</div> <div>(Address)</div> <div>_____</div> <div>_____</div> <div>(Telephone) (Fax Number)</div>
TO:	<div>_____</div> <div>(Name, Rank/Title)</div> <div>_____</div> <div>(Address)</div> <div>_____</div> <div>_____</div> <div>(Telephone) (Fax Number)</div>
SUBJECT: ACTIVATION OR DEACTIVATION OF A COORDINATED RESPONSE	
<div>(TEXT TO BE INCLUDED)</div>	
SIGNATURE:	_____