



Transport Canada / Transports Canada

Access to Information and Privacy Division
Place de Ville, Tower C
Ottawa, Ontario
K1A 0N5

Facsimile: (613) 991-6594

Your file / Votre référence

Our file / Notre référence

A-2007-00298 / ml

Mr. Will Horter
Dogwood Initiative
P.O. Box 8701
Victoria, British Columbia
V8W 3S3

OCT 03 2007

Dear Mr. Horter:

This letter is in response to your request under the *Access to Information Act* for documentation pertaining to The creation, removal, status or amendment of the moratorium on oil tanker traffic in British Columbia's Inside Passage.

I am pleased to provide the enclosed records that respond to this request. You will note that information is withheld from disclosure pursuant to 23 of the *Act*. A copy of the relevant section is attached.

Please be advised that you are entitled to complain to the Information Commissioner concerning the processing of your request within sixty days of the receipt of this notice. In the event you decide to avail yourself of this right, your notice of complaint should be addressed to Place de Ville, Tower B, 112 Kent Street, 22nd Floor, Ottawa, Ontario K1A 1H3.

Should you have any questions, you may contact Marie Lallier at (613) 991-6580. Please quote the file number listed above in all correspondence pertaining to this request.

Yours sincerely,

Linda Savore
Director

Enclosures

Canada

Policing services
for provinces or
municipalities

(2) The head of a government institution shall refuse to disclose any personal information requested under subsection 12(1) that was obtained or prepared by the Royal Canadian Mounted Police while performing policing services for a province or municipality pursuant to an arrangement made under section 20 of the *Royal Canadian Mounted Police Act*, where the Government of Canada has, on the request of the province or municipality, agreed not to disclose such information.

Definition of
"investigation"

(3) For the purposes of paragraph (1)(b), "investigation" means an investigation that

- (a) pertains to the administration or enforcement of an Act of Parliament;
- (b) is authorized by or pursuant to an Act of Parliament; or
- (c) is within a class of investigations specified in the regulations. 1980-81-82-83, c. 111, Sch. II "22"; 1984, c. 21, s. 90, c. 40, s. 79.

Security
clearances

23. The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) that was obtained or prepared by an investigative body specified in the regulations for the purpose of determining whether to grant security clearances

- (a) required by the Government of Canada or a government institution in respect of individuals employed by or performing services for the Government of Canada or a government institution, individuals employed by or performing services for a person or body performing services for the Government of Canada or a government institution, individuals seeking to be so employed or seeking to perform those services, or
- (b) required by the government of a province or a foreign state or an institution thereof,

if disclosure of the information could reasonably be expected to reveal the identity of the individual who furnished the investigative body with the information. 1980-81-82-83, c. 111, Sch. II "23".

Individuals
sentenced for an
offence

24. The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) that was

c) soit dont la divulgation risquerait vraisemblablement de nuire à la sécurité des établissements pénitentiaires.

(2) Le responsable d'une institution fédérale est tenu de refuser la communication des renseignements personnels demandés en vertu du paragraphe 12(1) qui ont été obtenus ou préparés par la Gendarmerie royale du Canada, dans l'exercice de fonctions de police provinciale ou municipale, qui lui sont conférées par une entente conclue sous le régime de l'article 20 de la *Loi sur la Gendarmerie royale du Canada*, si, à la demande de la province ou de la municipalité, le gouvernement du Canada a consenti à ne pas divulguer ces renseignements.

Fonctions de
police
provinciale ou
municipale

(3) Pour l'application de l'alinéa (1)b), «enquête» s'entend de celle qui :

- a) se rapporte à l'application d'une loi fédérale;
- b) est autorisée sous le régime d'une loi fédérale;
- c) fait partie d'une catégorie d'enquêtes précisée dans les règlements. 1980-81-82-83, ch. 111, ann. II «22»; 1984, ch. 21, art. 90.

Définition de
«enquête»

23. Le responsable d'une institution fédérale peut, dans les cas où leur communication risquerait vraisemblablement d'entraîner la divulgation de l'identité de l'informateur à l'origine des renseignements en question, refuser la communication des renseignements personnels demandés en vertu du paragraphe 12(1) et qui ont été recueillis ou préparés, par un organisme d'enquête déterminé par règlement, lors des enquêtes de sécurité :

Enquêtes de
sécurité

- a) qu'exige le gouvernement fédéral ou une institution fédérale à l'égard des individus qu'ils emploient ou qu'emploient des personnes ou organismes qui leur prêtent leurs services, des individus qui prêtent leurs services au gouvernement ou à l'institution ou à ces personnes ou organismes ou de ceux qui sont candidats à ces emplois ou désireux de prêter ces services;
- b) qu'exigent des administrations provinciales ou étrangères ou leurs organismes. 1980-81-82-83, ch. 111, ann. II «23».

24. Le responsable d'une institution fédérale peut refuser à un individu la communication des renseignements personnels demandés en vertu

Individus
condamnés pour
une infraction



To
A

FWODA - West Vancouver
 FWODA - Comox
 FWODA - Ucluelet
 FWODA - Prince Rupert
 FWODA - Richmond

M. GROSSHAC

From
De

FWODE - Vancouver

J.Y.
 ① PLS ARRANGE COPIES FOR ALL SURVEYORS FOR STANDBY PURPOSES.
 ② COPY FILE.

Security Classification - Classification de sécurité:
Our File - Notre référence: FWOD 8028-09
Your File - Votre référence:
Date: 1 April, 1996

Subject: Regional Operations Directives MCTS REG-96-04 & REG-96-05
 Objet

The attached two(2) Operations Directives are to be given immediate effect.

Operations Directive REG-96-04 amends and replaces Operations Directive REG-95-25 issued September 12th, 1995. This amended directive reflects the requirements of the Vancouver zone Sector 4 move to Comox MCTS. Particular note should be made of the need to inform Comox MCTS on the Handoff of obtaining the information regarding pollutant cargoes from vessels in transit.

Operations Directive REG-96-05 compliments and is in conjunction with Operations Directive REG-96-04. The information gathered as per Operations Directive REG-96-04 is primarily used by Ship Safety for statistical gathering purposes in support of Canada's position regarding bi-lateral and international pollution conventions and agreements. This new directive REG-96-05, reflects the need for Ship Safety to have advance notice of any proposed foreign flag tanker movement in the subject waters in order that compensatory measures can be taken and conditions of transit be established. Both these directives support agreed procedures and guidelines in the MCTS/Ship Safety Memorandum of Understanding.

[Signature]
 T. (Ted) M. Severud
 Regional Standards & Operations Officer
 MCTS Programs
 CCG Pacific

Attach: (1) Ops Directive MCTS REG-96-04
 (2) Ops Directive MCTS REG-96-05

cc: AWAC - Ottawa
 AWACD - Ottawa
 ZPT - Sydney - J. Laroche

FMSH - VANCOUVER
FMSI - VANCOUVER

tms/opsdir.mmo



Canadian
Coast Guard

Garde côtière
canadienne

MCTS OPERATIONS DIRECTIVE

MCTS REG-96-05	
No.	_____
April 01, 1996	
DATE	_____

SUBJECT

FOREIGN FLAG OIL/CHEMICAL TANKER MOVEMENT - POLLUTANT
CARGO IN BULK VIA JOHNSTONE STRAIT/DISCOVERY PASSAGE

Effective immediately, When MCTS is aware of the movement of a self-propelled foreign flag oil or chemical tanker which has indicated a routing via Johnstone Strait/Discovery Passage carrying a pollutant cargo in bulk, the information shall be forwarded to the RMIC as soon as known.

The R.M.I.C. will immediately action all reports of subject tanker movements with a message containing the following information to Capt. P. Nelson, FMSH, TC Ship Safety:

Office Hours 08:00 - 16:30	OFFICE (604) 666-9179
Monday - Friday	FAX (604) 666-5444

After Office Hours & Holidays	HOME (604) 984-6197
----------------------------------	---------------------

Note: If no response, follow the Ship Safety Emergency Alerting List in the CCG/Ship Safety MOU.

FOREIGN FLAG TANKER MOVEMENT - JOHNSTONE STRAIT/DISCOVERY PASSAGE
- POLLUTANT CARGO IN BULK

- 1) The name of the vessel;
- 2) The flag if foreign-going (including U.S.);
- 3) Position, Direction of Travel, Date/Time;
- 4) Type of vessel;
- 5) DWT - If an Oil or Chemical Tanker
- 6) Destination;
- 7) Last port.

Eg : Foreign Flag Tanker Movement -Johnstone Strait/Discovery
Passage

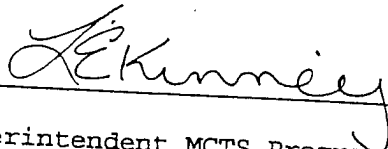
HONSHU SOYU MARU
Japan
Cape Caution 10 Jun 1000 Hrs
OBO
32,000 DWT
Vancouver BC
Yokohama

NOTE: This action shall be taken early enough to provide Ship Safety with lead time in order that PPO conditions of transit may be established as appropriate.

Tankers 40,000 DWT and above are not permitted to use the inside passage.

ADMINISTRATIVE NOTES:

This Directive is issued in conjunction with MCTS Operations Directive MCTS REG-96-04.
Centre procedures are to be amended accordingly.
These procedures are to be implemented on receipt and to be given effect until canceled.



Superintendent MCTS Programs
CCG Pacific



MCTS OPERATIONS DIRECTIVE

No. MCTS REG-96-04

DATE April 01, 1996

SUBJECT

POLLUTANT CARGO IN BULK MOVEMENT VIA JOHNSTONE STRAIT/ DISCOVERY PASSAGE - AMENDMENT

Effective immediately, MCTS will ascertain from all vessels which have indicated a routing via Johnstone Strait/Discovery Passage, if they are carrying a pollutant cargo in bulk.

1. For vessels whose first contact is other than the Advance Report (VHF), MCTS Centres will ask the following question:

"Are you carrying a pollutant cargo in bulk?"

- NOTES:
- i) A YES or NO answer is required.
 - ii) This question applies only to pollutants carried as cargo in bulk.
 - iii) Fuels in tanks of motor vehicles carried as cargo are not to be considered.

2. MCTS Centres shall then advise the R.M.I.C. of subject vessels which have indicated such routing, using the following format.
3. MCTS Centres shall advise Comox MCTS, Vancouver Traffic Sector IV that this question has been asked of all subject vessels. This will be done on the hard copy Handoff to Comox.
4. The R.M.I.C. will action all affirmative (YES) reports with a message containing the following information:

JOHNSTONE STRAIT/DISCOVERY PASSAGE POLLUTANT CARGO MOVEMENT

- 1) The name of the vessel;
- 2) The flag if foreign-going (including U.S.);
- 3) Position, Direction of Travel, Date/Time;
- 4) Type of vessel;
- 5) Destination;
- 6) Last port.

Eg : Johnstone Strait/Discovery Passage
Pollutant Cargo Movement

American Eagle

U.S.

Intl Boundary southbound 08 SEP 1200 Hrs

Tug & tow

Seattle WA

Alaska

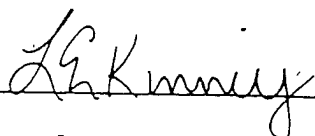
NOTES:

- i) Normally, the question will be asked upon the vessel entry into the CCG VTS system, when a Johnstone Strait/Discovery Passage routing is indicated.
 - ii) The question shall be asked early enough to provide Ship Safety with lead time should it be determined (at the discretion of the Watch Supervisor) that PPO conditions of transit may be appropriate.
 - iii) For U.S. coastal traffic "Alaska" is acceptable as the "(6) Last port".
 - iv) The R.M.I.C. will action all subject vessel Advance Reports to TMSH, Ship Safety.
4. The completed message will be sent to the TC Ship Safety Regional Office to the attention of Capt. P. Nelson/TMSH.

FAX: (604) 666-5444

ADMINISTRATIVE NOTES:

This Directive cancels MCTS Operations Directive MCTS REG-95-25. Centre procedures are to be amended accordingly. These procedures are to be implemented on receipt and to be given effect until canceled.



Superintendent MCTS Programs
CCG Pacific

1



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MARINE COMMUNICATIONS & TRAFFIC SERVICES TANKER EXCLUSION ZONE

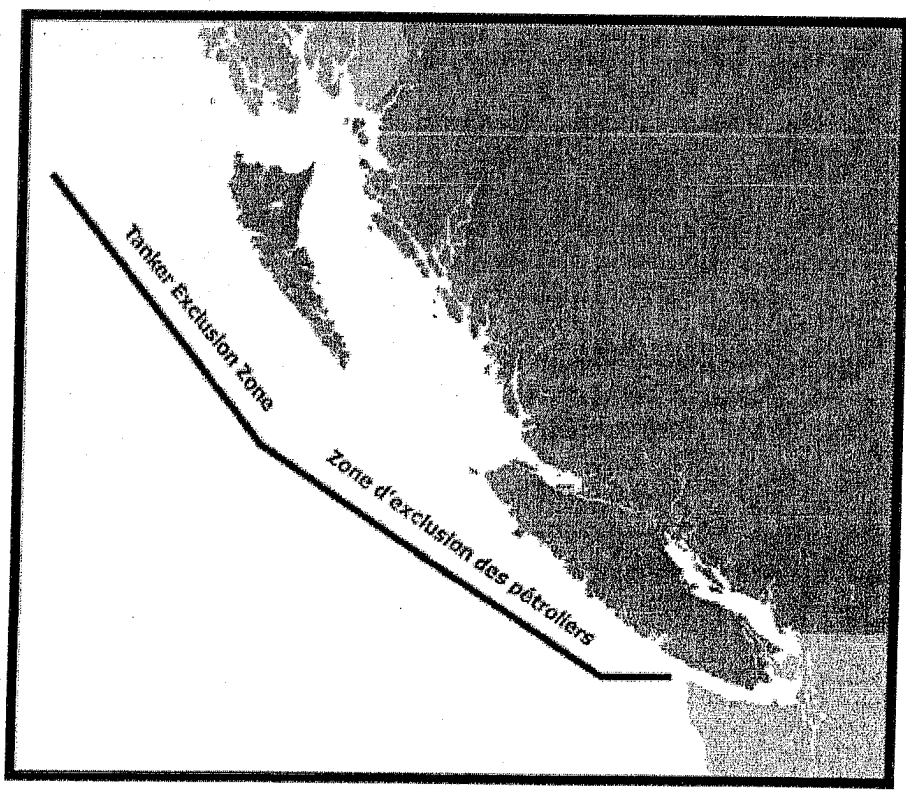
revised 98/05/01

INTRODUCTION

This document describes the Tanker Exclusion Zone off Canada's West Coast, its history and its rationale for development.

Following discussions in 1988 which involved U.S. Coast Guard, Canadian Coast Guard and representatives from the U.S. Tanker industry user group, it was agreed this Tanker Exclusion Zone would be voluntarily adopted.

This procedure presents the optimum compromise for marine safety, user economics, and environmental considerations of all the agencies involved.



BACKGROUND

In the 1970's the Trans Alaska Pipeline System (TAPS) was completed. The line runs from Prudhoe Bay to Valdez, Alaska. Since that time, tankers varying in size from 50,000 to 250,000 DWT have been transporting crude oil from Valdez to U.S. west coast ports. On average there is one loaded tanker entering the Juan de Fuca Strait every day and conversely, a tanker, in ballast, exits the straits for Alaska. Environmental concerns resulted in the establishment of a routing system for the TAPS tankers in 1977. These routes were designed to keep tankers in excess of 100 miles west of the Queen Charlotte Islands. The southern portion of the routes was approximately 85 miles from Cape Scott, 35 miles from Estevan Point and 25 miles from Amphitrite Point, Vancouver Island.

In March, 1982, the U.S. Coast Guard cancelled the TAPS routes. They were unpopular with the Tanker Industry and there was concern by the U.S. Government that the northern portion of the routes was not surveyed.

On June 15th 1985, revised TAPS routes similar to the 1977 routes were established; but again not favoured by the industry. The cost of conforming to the new routes was objected to by the American Institute of Merchant Shipping (AIMS). Now the Chamber of Shipping of America. They felt the routes were too confining and added considerably to the operating expenses of the tankers. Additionally, AIMS felt tankers should be able to plan their trips with consideration given to weather and other environmental factors.

During December 1985 members of the Canadian and U.S. Coast Guard met with members of AIMS in Seattle to discuss tanker routing. It was agreed that a temporary Tanker Exclusion Zone be established off the Canadian West Coast as an interim measure. This zone has since held tankers 77 miles to the west of Cape St. James, 60 miles from Triangle Island, 40 miles from Estevan Point. In the meantime, the Canadian Coast Guard conducted a Tanker Drift Study. The results were published in January, 1988.

On January 26th, 1988, members of the Canadian Coast Guard and U.S. Coast Guard met with representatives of the American Institute of Merchant Shipping in Seattle to discuss the Tanker Drift Study and the recommended Tanker Exclusion Zone. All three parties accepted the results of the Study. The Tanker Exclusion Zone defines an area off Canada's West Coast where a disabled tanker would likely drift ashore prior to the arrival of salvage tugs in unfavourable weather conditions.

TANKER DRIFT STUDY

The availability of tugs along the BC Coast was closely examined. It was found that on the average there are about 25 tugs between Alaska and Puget Sound at any one time, capable of

assisting a disabled tanker. However, most of these are committed and would have to dispose of their tows before proceeding once dispatched to an incident. There are two tugs on the coast ready for dispatch on relatively short notice and they operate out of Anacortes, Washington. These tugs are 7,000 and 9,000 HP each. The speed of the tugs, for the purposes of this study, was taken to be 12 knots for inside waters and 9 knots for outside waters in unfavourable weather conditions.

The approximate response time for a salvage tug from Anacortes to arrive at certain locations along the BC Coast are estimated to be as follows:

Vancouver Island

Buoy J via Strait of Juan de Fuca 08 hrs.
Estevan Point via Strait of Juan de Fuca 18 hrs.
Solander Island via Strait of Juan de Fuca 26 hrs.
Solander Island via inside waters 29 hrs.
Cape Scott via inside waters 24 hrs.

Queen Charlotte Islands

Cape St. James via inside 37 hrs.
Tasu Sound 43.5 hrs.
Rennel Sound 49 hrs.
Langara Point 54.5 hrs.

A computer program was developed to simulate the drift track of a disabled 100,000 DWT tanker. Storm scenarios and ocean currents (where known) were introduced. Four typical storms were modeled, along with ocean currents, for the zone off Vancouver Island. The results of previous studies were used to predict the response of the tanker to these winds and currents. The computer then calculated the track and time it would take for a vessel to ground on the BC shoreline. Simulations were run for 49 selected location off the BC Coast. Times listed above were used to predict the time for a salvage tug from Anacortes to arrive on the scene in each case.

THE TANKER EXCLUSION ZONE

A Tanker Exclusion Zone was developed and established along the BC Coast. The purpose of the zone is to keep laden tankers west of the zone boundary in an effort to protect the environment and shoreline in the event of a tanker becoming disabled while in transit.

The following factors were considered when defining the zone boundary:

1. The requirement to reduce as much as is reasonably practical the possibility of a disabled tanker grounding on the BC Coast.

2. Concern for the safety of fishing activity off the West Coast of Vancouver Island; in particular, reducing the risk of collision with tankers.
3. The expressed desire by AIMS to keep the boundary as close to the shoreline as reasonably possible for economic reasons.
4. The position at time of breakdown of the simulated tankers which were predicted to run aground before the arrival of a salvage tug.
5. The predicted time for the Anacortes tug to reach and effect salvage at selected locations along the BC coastline.

Based on the stated requirements and findings, the Exclusion Zone is defined as follows and is shown on the chartlet in Appendix II

A LINE FROM 54 00N 136 17W to

51 05N 132 30W to

48 32N 126 30W to

48 32N 125 09W

RECOMMENDATION

In order to reduce the likelihood of grounding on the BC Coast, in the event of propulsion or steering gear breakdown, loaded tankers operating from Valdez Alaska to U. S. West Coast ports should refrain from operating in the Tanker Exclusion Zone.

OPERATING PROCEDURES

Southbound tankers from Alaska for Juan de Fuca Straits should observe the following:

Report by message to CVTS OFFSHORE crossing 54 North latitude in accordance with normal IMO standard ship reporting system format.(see RAMN Part 3)

In the event that a tanker develops a defect or deficiency which in any way impairs the progress of the ship, a message, stating the problem and the master's intentions, shall be sent without delay to the Canadian or U.S. Coast Guard via either of the following means

- a. Via any Canadian Coast Radio Station free of charge or
- b. to the Regional Marine Information Centre (RMIC)
offshore@rmic.gc.ca

CONCLUSION

The Tanker Exclusion Zone has been established to enhance the

safety of the environment along Canada's West Coast and at the same time allow loaded tankers to operate at a reasonable distance from the shoreline.

Any suggestions, recommendations, or comments regulating the tanker Exclusion Zone should be addressed to:

Canadian Coast Guard, Pacific Region

Regional Superintendent
Marine Communications & Traffic Services
Institute of Ocean Sciences
P.O. Box 6000
Sidney, BC V8L 4B2

Commander (m)

Thirteenth Coast Guard District

Jackson Federal Building
915 Second Avenue
Seattle, WA 98174-1067
U.S.A.



Updated: 2006-05-09

Important Notices



Transport Canada Transports Canada

Tel: (604) 666-9179
Fax: (604) 666-9177

Marine - Vancouver
Suite 620 - 800 Burrard Street
Vancouver, BC
V6Z 2J8

Your File Votre référence

25 July 2000

Our file Notre référence
TMS 8000-20-02

Capt. Ron Cartwright
President, Chamber of Shipping of British Columbia
100 - 1111 West Hastings Street
Vancouver, B.C. V6E 2J3

Dear Ron,

Tug Escort in Haro Strait

Thank you for your letter of 20 July 2000, raising the issue of tug escort requirement in Haro Strait by USCG.

Tug escort requirement in U.S. Waters has been around in a number of years. In a letter of 11 April 2000, from USCG to several agents in Canada, and copied to you among others, USCG has given details of the U.S. Federal Laws which require tug escort for certain type and size of vessels which carry "Pollution Category I Cargoes". As the requirements are embedded in U.S. Law, USCG has no discretion to approve alternatives with equivalent levels of safety (please refer to Annex 1).

In October 1998, Transport Canada Marine Safety - Pacific Region had brought up this tug escort requirement issue to our Legal Services in Headquarters for advice. The legal advice given was "U.S. Waters, U.S. Laws" (please refer to Annex 2).

With regard to reciprocity, please note that the U.S. tug escort requirement is significantly different from those imposed by the BC Pilots for tankers transiting through Canadian Waters between Vancouver and Victoria. The BC Pilotage rules only apply to laden tankers over 40,000 DWT when carrying crude oil. As such, the reciprocity does not play in any parts of the U.S. tug escort requirement.

By copy of this letter to our Headquarters, we are identifying your concern for consideration and perhaps discussion with the USCG at a national level.

Yours truly,

Capt. John T.F. Yeung
Manager, Compliance and Enforcement
Marine Safety, Pacific Region

cc: Bill Nash - TM
Richard Day - AMSE
Rick Bryant, CCG, DFO

Canada



THE ORIGINAL

July 20th, 2000

JUL 20 2000 10:06 AM

THIS 8000-20-02

Capt. John Yeung
Transport Canada - Marine Safety
Suite 620 - 800 Burrard Street
Vancouver, BC V6E 4G9

Dear Sirs,

Re: Tug Escorts in Haro Strait

I refer to our conversation earlier to-day concerning the Raymond E Galvin 23700 GRT tanker carrying 4027 tonnes of Reformate Naptha.

This vessel was forced to take on 2 escort tugs for a cost of USD 16 000 plus incur additional pilotage because of slow running, this cost being around CAD 3 000.

To our mind, this requirement under these circumstances has nothing to do with risk management, rather than unimaginative enforcement of the letter of the law. Furthermore this scenario flies in the face of reciprocity and can only result in a very strong reaction from the Canadian side. Reciprocity, after all is said and done, must flow both ways and there are significant shortcomings in the current set up.

We would appreciate an opportunity to explore resolution of this issue. In the meantime we would also request that you approach US CG with the aim of securing a more practical approach to this issue.

Sincerely,
CHAMBER OF SHIPPING OF B.C.

Ron Cartwright
President

11.1

Error! Not a valid filename.

Commanding Officer
United States Coast Guard
Marine Safety Office Puget Sound

ANNEX 1
1519 Alaskan Way S., Bldg 1
Seattle, WA 98134-1192
Staff Symbol: wwm
Phone: (206) 217-6232
FAX: (206) 217-6345

16500
11 April 00

Dear Agent:

I ask your assistance in educating your customers about the United States tanker escort regulations that are applicable to Puget Sound and certain associated waters. This area includes all of the navigable waters of the United States within Haro Strait and Boundary Pass.

My office recently conducted a survey of tankers transiting through Haro Strait and Boundary Pass. As you know, the normal and prudent traffic patterns in this area dictate that vessels enter into U. S. navigable waters for at least a short time. It appears that the vast majority of tankers do not meet the criteria that trigger U. S. escort tug requirements; however, we have found several cases of non-compliance. I must stress that the requirements are embedded in U. S. Law, and as such, I have no discretion to approve alternatives with equivalent levels of safety.

The United States Tanker Escort Law for this region is set forth in 33 Code of Federal Regulations (CFR) Part 168. These regulations require the use of two tug escorts that meet the performance standards of section 168.50 of 33 CFR. They are applicable to single hull tankers of 5,000 gross tons or more when laden with any petroleum oil listed in 46 CFR Table 30.25-1 as a Pollution Category I Cargo. "Pollution Category I Cargoes" are a subset of those oils considered to be "oil" under Annex I of MARPOL 73/78 and do not include edible oils. Please consult these regulations for the exact listings. For purposes of the tanker escort laws, a single hull tanker means any self-propelled tank vessel that is not constructed with both double bottom and double sides in accordance with the provisions of 33 CFR 157.10d.

The actual performance and operational requirements of the escort are contained in 33 CFR 168.50. The U. S. regulations always require a minimum of two escorts. These escorts, acting singly or jointly in any combination, must be able to meet certain performance criteria. Therefore the selection of adequate escorts will depend on the particulars of any given tanker and transit.

It is important to note that the U.S. escort requirements are significantly different from those imposed by the BC Pilots for tankers transiting through Canadian waters between Vancouver and Victoria B.C. The BC Pilotage rules only apply to laden tankers over 40,000 DWT when carrying crude oil. Furthermore, employing either the tug SEASPAN DISCOVERY or two unspecified 1,800 horsepower tugs can satisfy the BC Pilotage rules. As discussed above, the United States escort requirements always require a minimum of TWO escorts. If indeed the SEASPAN DISCOVERY can meet the U. S. performance criteria without assistance, any other vessel (e.g. a spill response vessel) could potentially serve as the second required escort vessel.

Furthermore, two 1,800 horsepower tugs, may or may not satisfy the Performance Criteria contained in 33 CFR 168.50.

16500

11 April 00

I have enclosed all of the applicable United States regulations for your review so that you can assist your clients in arranging for the required tug escorts when transiting U. S. waters. Working together, I am confident that we can assure your customers compliance with U. S. laws thus avoiding the allowable penalties, which can be considerable. I realize that our regulations can be difficult to understand and a little overwhelming. Please do not hesitate to contact Lieutenant Bo Stocklin at 206-217-6237 if you have questions, or require further clarification about the regulations.

Sincerely,

M. R. MOORE
Captain, U. S. Coast Guard
Captain of the Port, Puget Sound

Encl: (1) 33 CFR 157.10d; Double Hulls on Tank Vessel
(2) 33 CFR Part 168; Escort Requirements for Certain Tankers
(3) 46 CFR Table 30.25-1; Commodities Regulated

Dist: Westward Shipping Ltd.
Empire Shipping Agency Ltd.
Interocean Steamship Corp.
Montship Inc.

Copy: Transport Canada-Marine Safety
Pacific Pilotage Authority-Vancouver
Canadian Coast Guard- Victoria MCTS
Canadian Coast Guard- Director, Marine Programs
Vessel Traffic Service Puget Sound
Commander, Thirteenth Coast Guard District (m)
Chamber of Shipping of British Columbia



Place de Ville, Tower C
Room 1748, 330 Sparks Street
Ottawa, Ontario
K1A 0N5

Security classification - Code de sécurité
File number - Numéro de dossier 2400-287
Date October 27, 1998
Telephone / FAX - Téléphone / Télécopieur (613) 993-6783 / (613) 990-5777

MEMORANDUM / NOTE DE SERVICE

TO / DEST: Bill Nash (TN)

FROM / ORIG: John Young (AJ)

SUBJECT / OBJET:

ANNEX 2

23

Comments/Remarques

Do not write in this space. Ne pas écrire dans cet espace.

John Young
Counsel
Legal Services, Transport Canada

c.c. Bud Streeter (AMS)

**Media Lines:
Tanker Traffic Offshore British Columbia**

Issue: Transport Canada has received media requests for clarification on a “moratorium on tanker traffic” off the west coast of British Columbia. Media are reporting that tanker traffic is violating this moratorium. In fact, there is not a moratorium on tanker traffic; rather, a voluntary tanker exclusion zone (TEZ) and an NRCan “moratorium on oil and gas activities”. There is confusion about what the TEZ is and what its enforcement includes

MAIN MESSAGES:

- Transport Canada is committed to ensuring a safe, efficient and environmentally responsible transportation system for Canada and Canadians.
- While there is a moratorium on offshore oil and gas *exploration* activities, there are no mandatory measures specifically restricting tanker traffic in West-Coast waters.
- Transport Canada has a number of risk mitigation measures in place to protect the marine environment from tanker traffic. These measures include strict regulations and standards, a voluntary tanker exclusion zone, and a compulsory ship routing system.
- Transport Canada would be involved in an environmental assessment process for any proposed marine terminal in Canadian waters. If risk is identified in the review process, appropriate action would be taken to minimize the risk (such as amendments to regulations or the adoption of safety measures).
- It is important that any restrictions on marine activities ensure the secure and safe transportation of goods but not unnecessarily impede economic activity.

TANKER EXCLUSION ZONE:

- A Tanker Exclusion Zone was established to enhance the safety of the environment along Canada's West Coast, while allowing loaded tankers to operate at a reasonable distance from the shoreline.
- The TEZ was voluntarily agreed to and established by the United States, Canada and representatives of the U.S. tanker industry user group in 1985. The exclusion zone was never intended or designed to prohibit all tanker traffic.
- The TEZ relates specifically to laden Trans Alaska Pipeline tankers transiting southbound between Alaska and west coast US ports.
- It was designed to keep laden Alaskan tankers at a sufficient distance from shore in case one became disabled. This would provide a salvage tug enough time to reach the disabled tanker and prevent it from grounding on the B.C. coast.
- The TEZ routing measure would not apply to tanker traffic originating from a port in British Columbia within the zone, including Prince Rupert or Kitimat.

- Although not specifically for tankers, there are 2 compulsory ship routing systems in place on the west coast of Canada. They apply to all types of power-driven vessels of more than 20 metres in length. The ships are required to use the route within a traffic separation scheme or routing system by which it can safely proceed to its destination. The 2 systems are located:
 - In the Strait of Juan de Fuca and its approaches
 - In the Strait of Georgia
- **Responsive (on enforcement):** Charges can be laid under the *Canada Shipping Act* if tankers are found polluting Canadian waters.

TERMPOL REVIEW PROCESS (KITIMAT)

- In order to examine all navigation safety issues associated with the location and operation of marine terminals for large oil tankers, Transport Canada has developed a Technical Review Process Of Marine Terminal Systems and Transshipment Sites, commonly referred to as the Termpol Review Process (TRP).
- Through the TRP, measures to help ensure and enhance the safety of tanker and marine terminal operations are considered, along with the potential effects of increased shipping activity on existing regional shipping networks.

If asked

- Enbridge Inc. has requested that Transport Canada initiate a TRP for the company's proposed oil handling facility on the north coast of British Columbia.
- That review will, where necessary, propose measures to minimize any adverse effects and determine the need to develop or revise specific regulations or implement special precautionary measures.

Drafted: September 5, 2006

Revised: June 7, 2007

Approved: June 11, 2007

Suggested spokesperson(s):

Rod Nelson, Pacific Region Communications

Kirsten Goodnough, HQ Communications, Marine Safety

Richard Day, Director, Operations & Environmental Programs, Marine Safety

**Media Lines:
Tanker Safety**

MAIN MESSAGES:

- Under the *Canada Shipping Act* and international regulations, tankers must meet stringent safety standards in terms of design, construction, crew qualification, operation and environmental protection. To be certified to carry oil and operate in Canadian waters, tankers must be specially designed and constructed.
- This includes requirements for tankers built after 1993 to be double-hulled and for single-hulled tankers built before 1993 to be phased out between 1995 and 2015 to prevent leakage or rupture in case of a collision or grounding. Tanker crews are required to take special training and tankers are required to carry navigational equipment in order to avoid any accidents.
- Transport Canada verifies the compliance of tankers with applicable requirements by means of inspections.
 - Canadian tankers must be inspected once a year as part of their certification process.
 - Foreign tankers are subject to Canada's Port State Control (PSC) Program, under which vessels are targeted for inspection at least once every six months by marine authorities in participating PSC nations. Vessels that do not meet the stringent safety standards are detained until their deficiencies have been rectified. Transport Canada's policy is to inspect all foreign tankers upon their first visit to Canada and at least once a year thereafter. This policy is over and above the responsibilities in the Port State Control program.
- In addition, all vessel operators must contact the Canadian Government with information on their ship, cargo and destination, 96 hours before entering Canadian waters. This provides time for the Government to review this information and to refuse entry to any vessel that could pose a risk to Canadian waters.
- Transport Canada has a "Ships of Particular Interest" program under which certain ships are targeted for inspection based upon past incidents and their quality as assessed by third parties (i.e., foreign governments, pilots, crews, etc.).
- Vessels are also monitored and guided by the Canadian Coast Guard Vessel Traffic Services Centre, and are required to maintain a safe speed and consider factors such as visibility, traffic density and weather conditions.

Drafted: June 7, 2007
Approved: June 11, 2007

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Dutrizac, William

From: Latour, John
Sent: Thursday, July 05, 2007 9:50 AM
To: Dutrizac, William
Cc: Latour, John
Subject: FW: ATIP Request - tankers

FYI

-----Original Message-----

From: Goodnough, Kirsten
Sent: Thursday, July 05, 2007 10:31 AM
To: Latour, John
Cc: Turner, Robert; Tucci, Isabella; Nelson, Rod
Subject: ATIP Request - tankers

Hi John,

Thanks for your call this morning. Concerning your ATIP, I believe the same request came across my desk last week. I submitted the attached media lines for release. I also mentioned in my communications assessment that the issue has raised considerable media attention on the West coast, particularly a confusion between TC's voluntary tanker exclusion zone and an NRCan moratorium on oil and gas. I indicated that on the moratorium issue, NRCan is the lead. Rob Turner has been quite involved in this issue and may be a good contact if you wish to discuss further from a program perspective.



Media Lines - tanker exclusion...
Media Lines - tanker safety - ...

I hope that helps!
Please don't hesitate to call me if you wish to discuss further.

Kirsten Goodnough

Senior Communications Advisor / Conseillère principale en communication
Transport Canada / Transports Canada

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