



Reference: 200950

March 28, 2014

Captain Gordon Houston
Chair, Tanker Safety Expert Panel
Tanker Safety Panel Secretariat
330 Sparks Street, Place de Ville Tower C (AAM)
Ottawa ON K1A 0N5
Email: tsep-cesnc@tc.gc.ca

Dear Captain Houston:

Thank you for the opportunity to provide comments on Phase II of the Tanker Safety Expert Panel's review, in particular regarding *national requirements for a hazardous and noxious substances system, including liquefied natural gas*. The Government of British Columbia continues to be pleased with the attention your panel is providing to the call for world leading marine spill preparedness and response.

We are supportive of many of the recommendations in your December 2013 report: *A review of Canada's Ship-source Oil Spill Preparedness and Response Regime – Setting the Course for the Future*. However, there are a number of areas where we would have liked to see it go further. Our comments on that report were provided in a February 2014 letter to Transport Canada, and are attached to this submission.

The reason we are attaching our comments on your earlier work is because it is our view that a single comprehensive preparedness and response regime should be established that takes both oil and all other hazardous and noxious substances into account. Therefore, our previous comments regarding phase I of your work are relevant to phase II.

In our July 2013 phase I submission to you (also attached) we suggested that the Panel consider the following topics in its recommendation:

- Polluter pays;
- Vessel traffic management;
- Geographic response planning;
- Response planning standards and associated contingency plans;

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- Equipment caches and inventories;
- Emergency towing
- Personnel
- Incident command system
- Federal leadership
- Recovery and restoration process
- Liability coverage
- Continuous improvement of response protocol

These topics, along with their descriptions in the attached, are just as important in relation to the use and transportation of hazardous and noxious substances in the marine environment, and we hope that your second report also takes our concerns into consideration.

Our February 2014 comments to Transport Canada regarding your phase I report indicated some areas where we would have liked to have seen further recommendations from the Panel. We felt that the prevention and recovery emergency response pillars were not adequately addressed. Further, we expressed concern about the content on liability coverage, in relation to ensuring there is the ability to fund full environmental recovery following a spill. Last, we raised the importance of federal resources in terms of Canadian Coast Guard capability and capacity and federal scientific expertise being fully available to deliver on their critical functions.

Please find our July 2013 submission to your Panel attached, as well as our February 2014 comments to Transport Canada regarding your Panel's phase I recommendations. We continue to welcome opportunities to work with the federal government and this panel to promote world leading marine spill preparedness and response.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Shoemaker', followed by a horizontal line extending to the right.

W.H. (Wes) SHOEMAKER
Deputy Minister
Ministry of Environment

Enclosures (3)