



L'ASSOCIATION DES PILOTES MARITIMES DU CANADA
CANADIAN MARINE PILOTS' ASSOCIATION

March 24th, 2014

Capt. Gordon Houston
Chair, Tanker Safety Review Panel
Transport Canada
Place de Ville, 330 Sparks
Ottawa, Ontario
K1A 0N5

Dear Capt. Houston,

Re: Tanker Safety Expert Panel Phase 2 – HNS

Marine pilotage – regulated and delivered in accordance with the framework established by the *Pilotage Act* – is one of the most fundamental measures currently in place to prevent incidents involving HNS. As noted in the Panel's Phase 1 Report, in large part as a result of the strong ship-source pollution prevention measures in place, including pilotage, Canada has not suffered any significant spills for decades and the safety record of vessels conducted by licensed marine pilots consistently stands above 99.9%, with the very few incidents taking place generally being of a very minor nature.

Keeping in mind the results of the Canada-wide risk assessment on ship-source spills conducted during Phase 1 of the Panel's review and, in particular, the conclusion that the Gulf of St. Lawrence, the St. Lawrence River and the southern coast of British Columbia are the areas at the greatest risk from large spills – with near-coastal waters being especially vulnerable – the CMPA would like to reiterate, in the context of the Panel's current examination of the regime applicable to HNS, the recommendations contained in its May 2013 submission to the Panel (in annex).

Of the three areas mentioned above, two benefit from having in place a well-regulated, compulsory pilotage regime established in accordance with the *Pilotage Act* – the St. Lawrence River (westward of Les Escoumins) and the coastal waters of British Columbia. As you know, this is not the case in the third area (eastward of Les Escoumins) and the question as to whether it should, or not, be the case has not been considered.



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Considering the number of commercial vessels carrying HNS that operate in this area, and their growing size, we believe there is an increasingly urgent need to give effect to one of the Panel's Phase 1 recommendations (i.e., the Panel's fifth recommendation encouraging the use of regional risk assessments) and diligently proceed with an independent, holistic review to determine if and, as the case may be, the extent to which, compulsory pilotage delivered in accordance with the *Pilotage Act* may be warranted as a risk prevention measure in the waters eastwards of Les Escoumins.

Sincerely,

Capt. Simon Pelletier
President

Cc: Ms. Lauren Kinney, Assistant Deputy Minister, Safety and Security, Transport Canada
Mr. Tim Meisner, Director General, Marine Policy, Transport Canada
Mr. Fulvio Fracassi, Chief Executive Officer, Laurentian Pilotage Authority



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**SUBMISSION
to the
TANKER SAFETY EXPERT PANEL**

EXECUTIVE SUMMARY

As is the case with other commercial vessels, pilots board vessels carrying oil products transiting compulsory pilotage areas to ensure their safe conduct. The only exception to this practice should be in respect of vessels under the conduct of a pilotage certificate holder. By definition, the role of pilots is therefore to prevent accidents, not to respond to them.

Canada has an excellent pilotage system. It has served the country, and marine transportation in particular, very well and compares favourably with anywhere else in the world. The recommendations offered in this submission reflect this fact and, accordingly, focus on making sure the pilotage system is consistently and diligently enforced.

Recommendation 1 – Consistent enforcement of the *Pilotage Act*

- Wherever it is applicable, the *Pilotage Act* should be consistently enforced.

Recommendation 2 – Diligent review of the need for compulsory pilotage area designation

- In waters where tankers or other vessels carrying a significant amount of petroleum product are present and there has been no recent risk assessment as to the need for designation as a compulsory pilotage area, such an assessment should be undertaken.

Recommendation 3 – Availability of pilotage on a voluntary basis in non-compulsory pilotage areas

- In waters under the jurisdiction of a Pilotage Authority where tankers or other vessels carrying a significant amount of petroleum product are present but there is no designation as a compulsory pilotage area, the practice of having pilotage (e.g., pilot license holders) available on a voluntary basis should be in place.

Recommendation 4 – Examination of the advisability of double pilotage for oil tankers in compulsory pilotage waters where it is not currently required

- In compulsory pilotage areas where tankers or other vessels carrying a significant amount of petroleum product are present and double pilotage is not



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currently required, an assessment should be made as to whether or not double pilotage is warranted.

Recommendation 5 – Development of a national strategy for the deployment and maintenance of inshore weather buoys

- A national strategy should be developed for deploying and maintaining inshore weather buoys where currently not available and where there is significant traffic carrying oil products.