

APPENDIX I – LIST OF RECOMMENDATIONS

Number	Recommendation
1	Transport Canada should require Response Organizations to have in place the arrangements for cascading resources and mutual assistance agreements necessary to address a worst-case discharge in their Areas of Response.
2	The Government of Canada should implement a risk-based Area Response Planning model to prepare for ship-source oil spills.
3	Transport Canada should regularly review and update the national Risk Assessment for Marine Spills in Canadian Waters and make these results public.
4	Transport Canada should designate new Areas of Response, based on the national Risk Assessment for Marine Spills in Canadian Waters.
5	Using a consistent methodology, Transport Canada should perform regional risk assessments for each Area of Response and make the results public.
6	Transport Canada, in collaboration with the Canadian Coast Guard, Environment Canada and Response Organizations, should develop a standardized process for risk-based Area Response Planning.
7	The Canadian Coast Guard should lead the Area Response Planning process for each Area of Response, in collaboration with Transport Canada, Environment Canada and the Response Organizations operating within it.
8	The Canadian Coast Guard should invite other stakeholders who are involved in oil spill preparedness and response to participate during the planning process. The Area Response Plans should be made publicly available.
9	The Canadian Coast Guard should ensure the Area Response Plans identify the resident capacity (e.g., equipment, personnel, management systems) required to address all Probable Spill Scenarios in the Area of Response. The plans should also include all of the Response Organizations' arrangements for cascading resources and mutual assistance agreements required to address a worst-case discharge.
10	Transport Canada should require Response Organizations to develop detailed Geographic Response Plans to minimize potential spill impacts to key environmental and socio-economic sensitivities. These Geographic Response Plans should include specific time standards and identify the response resources that would be maintained locally.
11	Transport Canada should certify Response Organizations based on their Area Response Plans and Geographic Response Plans, which may include the use of alternative response techniques.
12	Transport Canada should be granted additional enforcement and oversight tools to ensure that Response Organizations meet the requirements outlined in their Area Response Plans.
13	The Government of Canada, in consultation with the provinces and territories, should develop a strategy for the timely disposal of oily waste, and incorporate the results of this strategy into the Area Response Planning model.



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14	Environment Canada and Fisheries and Oceans Canada should develop and implement a strategy to provide aid to wildlife and incorporate the results of this strategy into the Area Response Planning model.
15	The Area Response Planning model should include requirements for a multi-jurisdictional exercise program for each Area of Response. Regular exercises should be conducted in each Area of Response to test specific components of the Area Response Plans.
16	Transport Canada should collaborate with Response Organizations and other industry partners to determine the new costs associated with implementing the Area Response Planning model. All parties should then work together to develop a fee structure that will fund this new model.
17	The Government should ensure that Transport Canada has the appropriate resources and competencies to deliver risk assessments and risk advice in support of oil spill planning and preparedness.
18	The Government should proceed with its recently announced plans to increase the effectiveness of the legislative and regulatory framework governing oil handling facilities, including a more stringent inspection and enforcement program.
19	The Government should properly resource the Canadian Coast Guard to lead planning in the Area Response Planning process.
20	The Government should remove the legislative impediments for the use of alternative response techniques.
21	The Canadian Coast Guard should be the final authority to approve the use of spill treating agents and other alternative response techniques, and should be supported by a standardized process taking into account the net environmental benefit concept, as an element of the Area Response Planning process.
22	The Government should proceed with its proposed amendments to S. 181 (2) of the <i>Canada Shipping Act, 2001</i> , through the <i>Safeguarding Canada's Seas and Skies Act</i> , which would extend liability protection to responders and their agents and mandataries, in the context of ship-source spills and spills at oil handling facilities when loading or unloading a ship.
23	The current limit of liability per incident within the Ship-source Oil Pollution Fund should be abolished. The Fund should process and pay for all admissible claims, subject to the Consolidated Revenue Fund's consent to loans in favour of the Ship-source Oil Pollution Fund for amounts sufficient to allow all admissible claims to be paid to claimants. The loans would be reimbursed with interest to the Consolidated Revenue Fund from future revenues of levies on oil transported by ship to, from and within Canada.
24	The funding activities of the Ship-source Oil Pollution Fund should be broadened to allow the Fund to establish an emergency account to support oil spill operations undertaken by the Canadian Coast Guard when it assumes the role of On-scene Commander.

Number	Recommendation
25	<p>The Government should create a senior-level Interdepartmental Committee to provide enhanced stewardship of the Regime. The Committee should be composed of the lead departments (i.e. Transport Canada, the Canadian Coast Guard and Environment Canada). Its Terms of Reference should include:</p> <ul style="list-style-type: none"> • Ensuring individual departmental mandates are properly coordinated; • Ensuring that joint planning and prioritization efforts are occurring, including the development and maintenance of a comprehensive national contingency plan; • Ensuring efficient allocation of resources within each department, including: training, oversight and enforcement of regulation, capital investments, and research and development; • Ensuring regular coordinated interdepartmental exercises; • Ensuring succession planning and bringing attention to the need for appropriate distribution of skill sets related to oil spill preparedness and response within relevant organizations; and • Providing routine reporting and advice to their three Ministers on the functioning and continuous improvement of the Regime, including cyclical reviews of the Regime.
26	<p>The Incident Command System model should be incorporated into a joint National Contingency Plan, which clearly defines the roles and responsibilities of all federal participants in the response to a ship-source spill.</p>
27	<p>Transport Canada, in its certification of Response Organizations, should ensure that Response Organizations use, train their personnel in, and exercise with an incident management system that is compatible with an Incident Command System.</p>
28	<p>Building on the regional exercise programs, the Canadian Coast Guard should develop annual exercise objectives to systematically test various components of the National Contingency Plan and all management functions under the Incident Command System model. These objectives should expand outside current Canadian-U.S. exercises, with special focus on the Canadian Coast Guard's role as On-scene Commander.</p>
29	<p>The Government should ensure that Transport Canada and Environment Canada have the appropriate resources to adopt and integrate the Incident Command System at the regional and headquarters levels of their organizations.</p>
30	<p>The Government of Canada should clarify its policy on the authority of the Canadian Coast Guard to intervene or support the response to land-originating oil spills that result in marine pollution.</p>
31	<p>Environment Canada should strengthen its commitment to providing leadership in scientific and environmental advice related to spill preparedness activities, through active and sustained participation in Area Response Planning at the regional level, and with Fisheries and Oceans Canada as a source of scientific advice.</p>
32	<p>The Canadian Coast Guard, in its role as either On-scene Commander or Federal Monitoring Officer, should have the authority to request and obtain a scientific and environmental advisor from Environment Canada, to be on-site during a response to provide local environmental and ecological advice, with scientific support from Fisheries and Oceans Canada.</p>



Number	Recommendation
33	Environment Canada's role in the Regime should be formalized by including, in Part 8 of the <i>Canada Shipping Act, 2001</i> , its responsibility to provide scientific and environmental advice in the planning for and response to ship-source oil spills.
34	With a view to fostering public confidence in the Regime, Transport Canada and the Canadian Coast Guard should conduct regular outreach to the public to communicate the level of risk that Canada faces. Transport Canada should also explain how the various components of the system function, including prevention, preparedness, response, and liability and compensation.
35	The Government should make information on spills and their causes available to the public in a timely manner.
36	We recommend that the Government develop and publish a <i>National Framework for Ship-source Oil Spills</i> .
37	The Government should disband the Regional Advisory Councils.
38	On a routine basis, the senior-level Interdepartmental Committee should appoint experts to conduct in-depth reviews of specific aspects of the Regime and report back to their respective Ministers.
39	The Canadian Coast Guard should work in close collaboration with Transport Canada to improve the information collected on ship-source spills and vessel movements in Canadian waters, and to put in place appropriate quality assurance measures to ensure the accuracy of the recorded data.
40	The Canadian Coast Guard, jointly with Transport Canada, should analyze spill data on a regular basis to identify lessons learned and to improve the Regime.
41	Environment Canada, in collaboration with Fisheries and Oceans Canada, should collect and collate environmental sensitivity information for each Area of Response and make this information publicly available.
42	The Canadian Coast Guard should create and sustain a spill response resource inventory to include resources held by Response Organizations, oil handling facilities and offshore oil and gas platforms across Canada. The new system should include up-to-date response equipment data and be kept current to account for equipment movement or relocation.
43	The Government should ensure that post-incident environmental monitoring is conducted to evaluate any potential long-term impacts of oil spills, and to ensure that oil spill preparedness and response continues to learn from past experiences to reduce the environmental and socio-economic consequences of spills.
44	The Government should conduct a risk assessment of wrecks in Canadian waters to identify potential pollution sources and to inform future policy decisions.
45	The Government of Canada should collaborate with industry to establish and together fund a Canadian research and development program for oil spill preparedness and response. Research priorities should be identified through collaboration between industry, government and academia.