

**Canada**



**United States**



**Joint Marine Pollution Contingency Plan  
Atlantic Regional Annex**

**CANUSLANT**

A Plan for Response to  
Harmful Substances Incidents  
Along the Atlantic Border Between  
Canada and the United States



Canadian Coast Guard  
Maritimes Region  
<http://www.ccg-gcc.gc.ca>



United States Coast Guard  
First District  
<http://www.uscg.mil/d1/response/jrt/>



**Joint Marine Pollution Contingency Plan  
Atlantic Regional Annex  
(CANUSLANT)**

**LETTER OF PROMULGATION**

On May 15, 2013, the Director General for Program Requirements of the Canadian Coast Guard and the Assistant Commandant for Response Policy of the United States Coast Guard signed the revised Canada-United States Joint Marine Pollution Contingency Plan (JCP), superseding the 2003 revised JCP and any other agreement pursuant to the 2003 plan. The JCP provides for co-operative measures for dealing with accidental and unauthorized releases of pollutants that cause or may cause damage to the environment along the shared maritime boundary and that may constitute a threat to the public health, property, or welfare.

In accordance with the JCP, the responsibility for development of five regional annexes for areas to which the JCP applies are assigned to the responsible Regional Directors, Canadian Coast Guard and District Commanders, United States Coast Guard. CANUSLANT is the annex that covers the Atlantic boundary between Canada and the United States, and is the joint responsibility of the Canadian Coast Guard Maritimes Region and the United States Coast Guard First District.

CANUSLANT is based upon the premise that the responsible party will take the lead role in response. The government will only direct response in accordance with applicable legislation if the responsible party's response is deemed inadequate to protect human health, safety, the environment, and/or property. The government's role will be in accordance with a tiered level response as additional resources and expertise is required. CANUSLANT does not supersede any statutory authorities held by either of the governments. CANUSLANT also recognizes the rights of U.S. Tribes and Canadian Aboriginal people and provides for their participation when their lands are threatened or impacted.

This annex will be reviewed on an annual basis by both parties and amended as required. This annex supersedes and replaces the 2010 edition. The Atlantic Regional Annex is hereby approved for implementation.

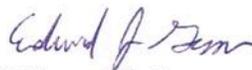
For the Canadian Coast Guard



Ms. Anne Miller  
Regional Director Coast Guard Programs Atlantic  
Canadian Coast Guard, Fleet

Date Signed: June 08/16.

For the United States Coast Guard



CAPT Edward J. Gaynor  
First Coast Guard District (drm)  
United States Coast Guard

By direction

Date Signed: 08 JUN 2016

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## **Section I. Purpose**

1. Joint Marine Pollution Contingency Plan Atlantic Geographic Annex (CANUSLANT) has been developed pursuant to the Canada-United States Joint Marine Pollution Contingency Plan (JCP), a cooperative “bridge” mechanism between the United States and Canada for preparedness and response in contiguous waters of interest to spills of harmful substances, as defined in Section 102.9 of the JCP. The JCP divides the common maritime boundary between the two countries into five regions. The responsible Regional Directors, Canadian Coast Guard and District Commanders, United States Coast Guard were tasked to develop a detailed multilateral annex for the JCP for each region.
  - Atlantic – 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.
  - Great Lakes – comprising the Great Lakes System as defined in the Great Lakes Water Quality Agreement.
  - Pacific – comprising those waters in the Juan de Fuca Region, including Boundary pass, Haro and Georgia Straits.
  - Beaufort Sea – comprising those waters off the Arctic Coast of Canada and the United States in the Beaufort Sea.
  - Dixon Entrance – comprising the waters of the Dixon Entrance off the Pacific Coasts of Canada and the United States.
2. This annex sets provisions for a coordinated and integrated response by the Canadian Coast Guard (CCG), Atlantic Region, and the United States Coast Guard (USCG), First District to harmful substance incidents which affect or threaten their respective areas of responsibility. It assists federal, state/provincial, local responders and Tribal/Aboriginal people to mitigate the effects of harmful substance incidents on human health and safety, environment, and property by providing for a coordinated and integrated response to harmful substance incidents on either side of the border.

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3. CANUSLANT may be invoked when a harmful substance incident presents an imminent and substantial danger to public health or welfare, and poses potential danger to the environment on either side of the maritime international boundary. This annex specifies the process that would be used to activate national response systems on either side of the border, and to facilitate an effective joint response with federal/state/provincial, local, and Tribal/Aboriginal people.
4. This plan identifies tiered response options for coordinating joint response efforts by the Canadian On-Scene Commander (OSC) and the United States On-Scene Coordinator (OSC), up to and including the creation of a Joint Command Post in support of a cross border response.
5. The Primary Objectives of CANUSLANT are to:
  - provide a joint cross-border mechanism between Canada and the U.S. to ensure an effective coordinated response to cross border spills;
  - establish a Canada-United States Joint Response Team (JRT) for the Atlantic Region under co-leadership of CCG and USCG;
  - when necessary set up a Canada-US Joint Command Post;
  - ensure timely and accurate notification of cross-border incidents to federal, state/provincial, Tribal/Aboriginal people and local authorities;
  - ensure timely and accurate flow of information between responders in both countries;
  - facilitate safe and timely cross-border movement and coordination of personnel, equipment and supplies;
  - ensure coordinated and timely flow of information to the public and media; and complement the Canada – United States Joint Inland Pollution Contingency Plan, July 2009, and its CANUSEAST operational supplement. See Section II.1.
  - CANUSLANT may also be used to obtain cross-border assistance (mutual aid) when only one country is affected within the contiguous waters, if the incident is of sufficient magnitude to require assistance from the other country as provided for in Section 801.2 of the JCP.

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**Revision Record**

| TRANSMITTAL NUMBER | DATE ISSUED | DATE ENTERED | ENTERED BY:<br>Signature |
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## **Revision Request**

Please copy this page and additional pages as required, complete all sections to indicate your suggested revision and forward to:

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Atlantic Regional Annex

|         |  |         |  |             |  |
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Please revise the CANUSLANT Annex as follows:

Reason for recommended revision:

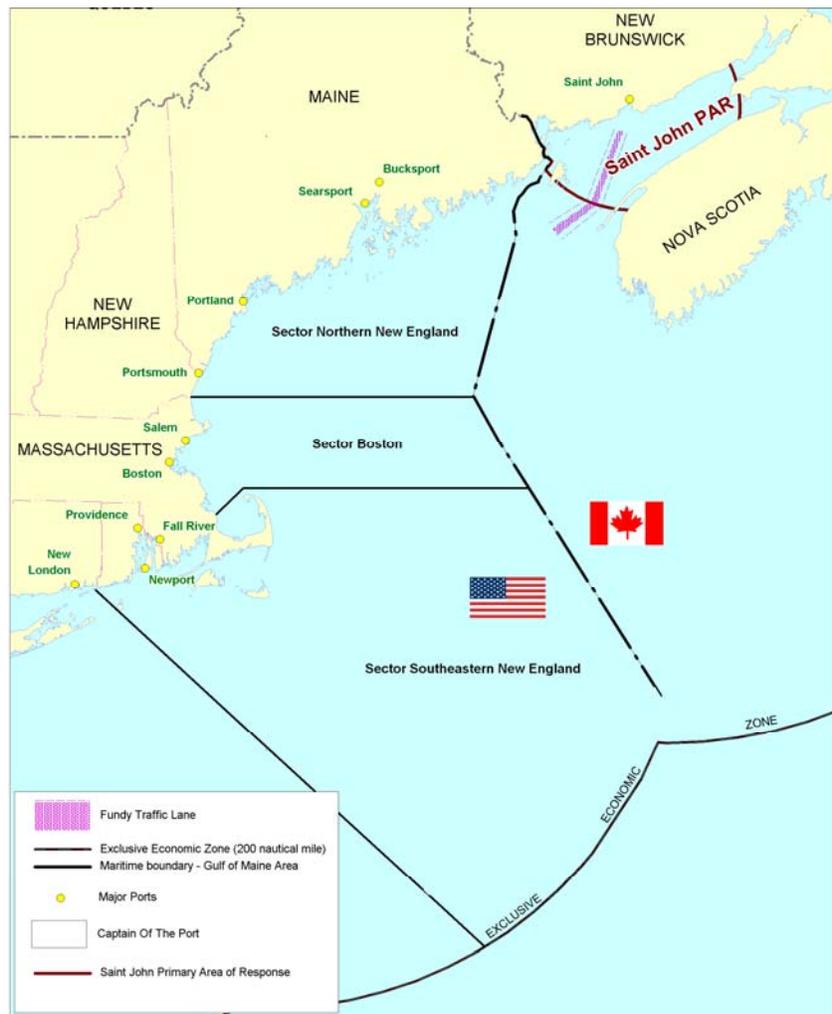
Canada JRT Co-Chair Signature:

U.S. JRT Co-Chair Signature:

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## Section II. Area of Coverage

1. This supplement applies to the contiguous waters in the Atlantic Region as defined in JCP Section 104.1. The Atlantic contiguous waters are defined in this section as those waters of and along the Bay of Fundy and the Gulf of Maine seaward to Latitude  $40^{\circ} 27' 05''$  N, Longitude  $65^{\circ} 41' 59''$  W (the outermost point of the Hague line defining the U.S./Canada Atlantic ocean boundary), thence north along a bearing of  $000^{\circ}$  T to the Canadian shoreline, as shown in **Figure 1**. The inland boundary of the CANUSLANT plan is the International Bridge ( $45^{\circ} 11' 31''$  N,  $67^{\circ} 17' 01''$  W), connecting Calais, Maine and St. Stephen, New Brunswick. The international inland boundary upstream of this point is covered by the Joint Inland Pollution Contingency Plan and the CANUSEAST supplement (for more information refer to [http://www.epa.gov/oem/content/canada\\_border.html](http://www.epa.gov/oem/content/canada_border.html)).



**Figure 1 – Chartlet of area covered by JCP/Atlantic Regional Annex**

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## Section III. Responsibility

### 1. Authority for Response:

#### 1.1. Canadian Coast Guard Authority:

1.1.1 **Canadian On-Scene Commander**: The Canadian On-Scene Commander (OSC) will be designated by the Assistant Commissioner. The authority for the OSC is given pursuant to section 174.1(1) under Part 8 of the Canada Shipping Act. The Act states: “The Minister of Fisheries and Oceans may designate any persons or classes of pollution response officers (PRO) in respect of discharges or threats of discharges and may limit in any manner that he or she considers appropriate the powers that the officers may exercise under this Part.” In this case PRO’s are limited to staff of Canadian Coast Guard Environmental Response, see JCP section 102.3.

1.1.2 **Designation of Federal Monitoring Officer**: Customarily, the Superintendent Environmental Response will be designated by the CCG to serve as the Canadian Federal Monitoring Officer (FMO) for major pollution incidents affecting the Canadian Atlantic Region. However, when CANUSLANT is activated the Canadian Coast Guard will assume the role of an On-Scene-Commander. Refer to, the CCG National Preparedness and Response Policy, Section 11.1.3

1.1.3 **Regional Director, Coast Guard Programs**: The Regional Director, Coast Guard Programs, Canadian Coast Guard Atlantic Region, will provide support and assistance to the OSC.

#### 1.2 United States Coast Guard Authority:

1.2.1 **Federal On-Scene Coordinator (FOSC) Authority**: The authority for the United States FOSC is listed under 40 CFR 300.120(a)(1) (The National Oil and Hazardous Substances Pollution Contingency Plan): "The USCG shall provide On-Scene Coordinators (OSC) for oil discharges, including discharges from facilities and vessels under the jurisdiction of another federal agency, within or threatening the coastal zone. The USCG shall also provide OSCs for the removal of releases of hazardous substances, pollutants, or contaminants into or threatening the coastal zone." See JCP section 102.26.

1.2.2 **Sector Northern New England / COTP Northern New England Zone**: Commander, Sector Northern New England in the capacity of Captain of the Port (COTP) Northern New England has been identified by the USCG as the pre-designated Federal On-Scene Coordinator for the COTP

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Northern New England zone as set forth in 33 CFR 3.05-15. The southern, seaward U.S./Canada boundary also intersects the COTP Boston and COTP Southeastern New England zones, also defined at 33 CFR 3.05. It is most likely that joint response operations would involve Sector Northern New England, and therefore CANUSLANT planning and exercises focus on this area.

- 1.2.3 **USCG First District:** The First Coast Guard District's Incident Management and Preparedness Advisor (IMPA) provides support and assistance to the FOOSC, while serving as a co-chair for the Joint Response Team (JRT), and as the co-chair for the U.S. Regional Response Team, Region I (Co-chaired with U.S. EPA Region I).
2. **Joint Response Authority:** The Canada-United States Joint Marine Pollution Contingency Plan (JCP), provides a cooperative “bridge” mechanism between the domestic harmful substance response authorities of the United States and Canadian Coast Guards to ensure these authorities are well coordinated in a cross border incident to maximize response effectiveness. The JCP requires joint preparedness and response efforts by the two Coast Guards within the Atlantic region, and is the basis for this Annex.
- 2.1 **Activation Authority:** Whenever a harmful substance incident occurs in the contiguous waters, consideration by the On-scene Commander/Coordinator, CCG Regional Director Coast Guard Programs or USCG District Commander will be given to activating the JCP and its Atlantic Regional Annex (CANUSLANT), and the Joint Response Team (JRT).
- 2.2 **Response Area:** The JCP applies to contiguous waters. The Atlantic contiguous waters are defined as 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 (this line provides an eastern boundary to the contiguous waters, running from southeastern most point of the U.S./Canada Hague Line boundary to the southwest tip of Nova Scotia just west of Cape Sable Island).
- 2.3 **Harmful Substance Incidents:** The JCP provides for coordinated response to “Harmful Substance Incidents,” a broadly defined term that encompasses much of the domestic pollution response authority held by the two Coast Guards, excluding radiological substances, as stated in Section 103 of the JCP. The sections that address this from JCP are as follows:
- “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:

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- 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.”

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

### 3. Responsibilities:

3.1 **The Canadian Coast Guard**: Responsibilities of the CCG for responding to a spill or release of oil or hazardous substance are set out in the Canada Shipping Act. The CCG is the lead agency for spills from ships in Canadian contiguous waters, mystery spills and for spills from any source originating in foreign waters where it crosses into Canadian contiguous waters. The CCG Marine Spill Contingency Plan, National Chapter sets out CCG duties and response procedures. In an incident the following contingency plans apply:

- [Canada – United States Joint Marine Pollution Contingency Plan](#)
- [CCG Marine Spill Contingency Plan – National Contingency Chapter](#)
- CCG Marine Spill Contingency Plan – Atlantic Regional Chapter
- CCG Marine Spill Contingency Plan – New Brunswick Area Chapter

3.2 **The United States Coast Guard**: Responsibilities of the USCG for responding to a spill or release of oil or hazardous substances are set out in the Clean Water Act as amended by the Oil Pollution Act of 1990 (OPA 90), the Comprehensive

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Environmental Response Compensation and Liability Act (CERCLA), as amended and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). Under OPA 90, the President is required to direct the response to spills that present a substantial threat to the public health or welfare of the United States. The responsibility for spills in the coastal zone has been delegated to the USCG. The NCP states that for discharges of oil or releases of hazardous substances the USCG Federal On-Scene Coordinator (FOSC) directs response efforts and coordinates all other efforts. The FOSC may designate capable persons from federal, state, tribal or local agencies to act as their on-scene representatives. The following contingency plans apply:

- [United States National Oil and Hazardous Substances Pollution Contingency Plan \(NCP\) \(Codified in regulation 40 CFR 300\)](#)
- [U.S. National Response Framework \(NRF\)](#)
- [Canada-United States Joint Marine Pollution Contingency Plan](#)
- [Canada-United States Joint Inland Pollution Contingency Plan](#)
- [Region I Regional Contingency Plan \(RCP\)](#)
- First Coast Guard District Contingency Response Plan (OPLAN 9710-0706)
- [Maine – New Hampshire Area Contingency Plan \(ACP\)](#)
- [Plymouth to Salisbury, MA Area Contingency Plan \(ACP\)](#)
- Rhode Island and Southeastern Massachusetts Area Contingency Plan

3.3 **Polluter / Responsible Party (RP):** It is always intended that the polluter or Responsible Party (RP) will take full responsibility, both operationally and financially, for the response to a spill. The national laws and regulations of each country require some industries that handle harmful substances to prepare response plans that will guide initial polluter/RP efforts. The cognizant Government agencies will oversee the response, and if the response is inadequate in protecting human health, property, and the environment, then appropriate government authorities will direct the response operations in accordance with applicable legislation of the Party / Parties exercising jurisdiction.

4. **Plan and Exercise Authority:** Authority for maintenance of the operational supplement, its revision, and planning of joint exercises will be in:

|  |   |
|--|---|
| Superintendent, Environmental Response<br>Canadian Coast Guard Atlantic Region<br>P.O. Box 1000<br>Canadian Coast Guard Base<br>Dartmouth, NS, B2Y 3Z8<br>(902) 426-3699 (fax 426-4828)<br><a href="http://www.ccg-gcc.gc.ca">http://www.ccg-gcc.gc.ca</a> | Commander (drmp)<br>First Coast Guard District<br>408 Atlantic Avenue<br>Boston, MA 02110-3350<br>(617) 223-4813 (fax 223-8471)<br><a href="http://www.uscg.mil/d1/response/jrt/">www.uscg.mil/d1/response/jrt/</a> |
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## Section IV. Plan Review and Update

1. **Plan Updates:** The CCG and the USCG members in consultation with the members of the Joint Response Team (JRT) will review this plan in association with the exercise program and actual incidents, and incorporate lessons learned into this Annex from time to time per guidance contained in JCP Section 302.5.
2. **Distribution:** The CCG and the USCG will jointly distribute agreed upon amendments to this plan to the JRT and OSCs.
3. **Revision Record:** Upon receiving a plan change, follow the transmittal instructions and enter the record of the change on the revision record, located on page iii.
4. **Revision Requests:** All requests or suggestions for revision to this annex should be forwarded to the the Regional Director Coast Guard Programs, Canadian Coast Guard Atlantic Region and the Commander, First U.S. Coast Guard District (DRMP) at the address listed for each in **Error! Reference source not found.** of this annex as appropriate. Revision request forms are located on page iv.

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## Section V. Pattern of Response

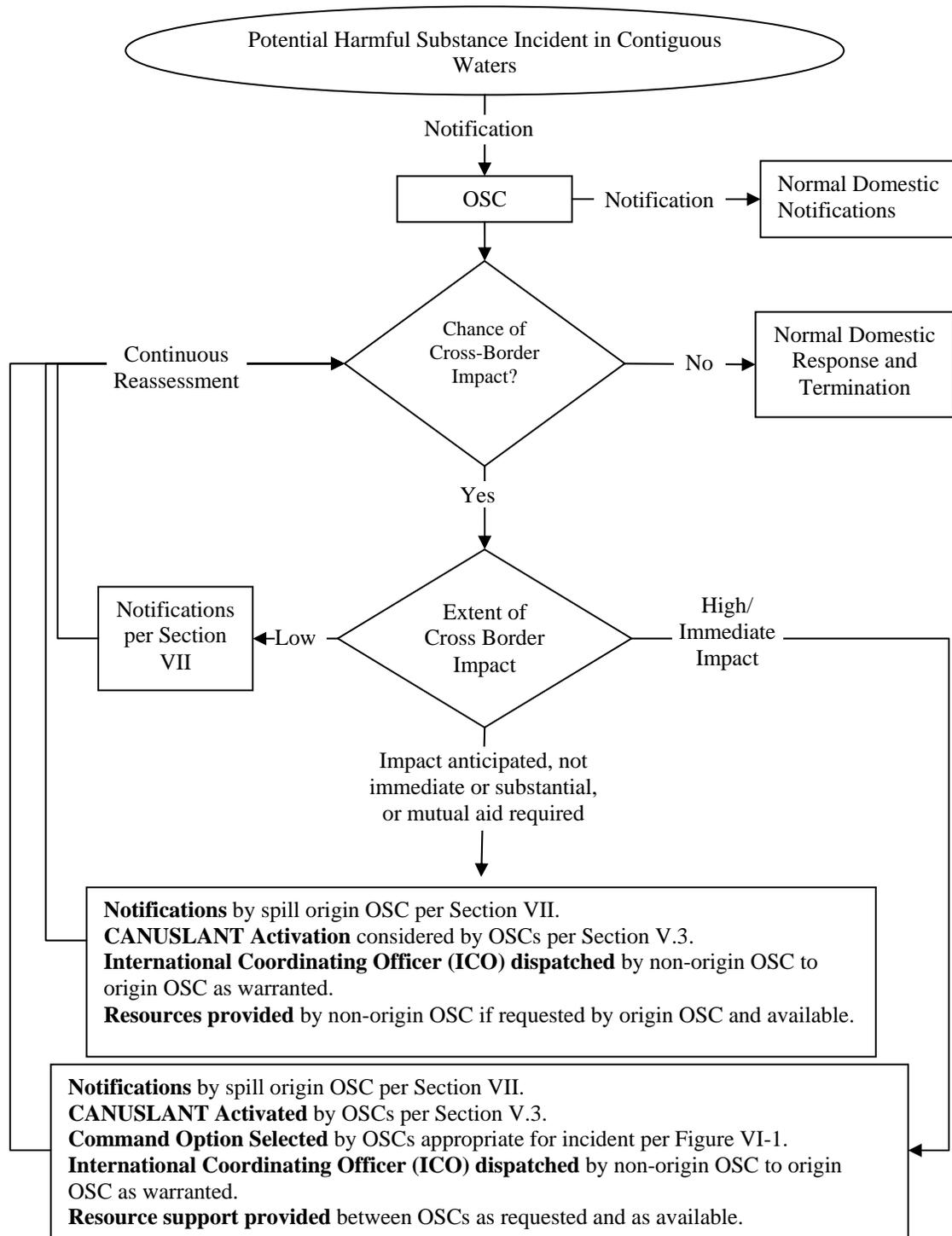
### 1. CANUSLANT Activation for cross border incidents:

- 1.1 **Activation Authority:** Whenever a harmful substance incident occurs in the contiguous waters, consideration by the On-scene Commander/Coordinator, CCG Regional Director Atlantic Region, Coast Guard Programs or USCG First District Commander will be given to activating the JCP and its Atlantic Regional Annex (CANUSLANT), and the Joint Response Team (JRT).
- 1.2 **CANUSLANT Justification:** The following circumstances justify the activation of CANUSLANT:
- When a high likelihood exists for cross-border impact from pollution.
  - When actions or inaction on one side of the border may result in impacts to the shores or waters of the other country.
  - When the magnitude of the incident is such that the timely availability of resources to the federal/state/provincial, Tribal/Aboriginal, or local level results in a request for assistance.
- 1.3 **Activation Method and Notifications:** Figure 2 depicts the process of effecting notification, activating the plan, dispensing resources based on the risk level (i.e. likelihood) for cross-border impact from pollution and appropriate actions based on the level of risk.

CANUSLANT can be verbally activated (and deactivated) by the On-Scene Commander/On-Scene Coordinator. When the decision is made to activate CANUSLANT, the JRT Co-chairs will notify JRT members, and unified command members. Whenever practical, every effort will be made to communicate and reach consensus with the relevant state/provincial governments and Tribal/First Nation authorities prior to invoking CANUSLANT.

It is suggested that a written confirmation of the decision to activate CANUSLANT including date, time, name and contact number of the requesting party, and a summary of the situation will be generated by the originating party and relayed to the other parties as soon as practicable. It is the joint responsibility of the JRT Co-chairs to ensure that the members of other appropriate agencies are informed that CANUSLANT has been activated.

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**Figure 2 - Notification, CANUSLANT Activation and Coordination of Response flowchart**

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### Section VI. Organizational Structure

#### 1. Command and Control Systems:

1.1 Canadian Incident Command System: The Incident Command System (ICS) will be used to manage response operations within Canadian territorial waters.

1.2 U.S. Incident Command System: The United States National Incident Management System-Incident Command System (NIMS-ICS) will be used to manage response activities within the United States.

#### 2. Command Posts:

2.1 Single Incident Command Post: A single incident command post is appropriate when an incident predominantly impacts one side of the border and the other country is called upon to render mutual aid or when cross-border impacts may occur but are distant in time and/or space. The other country may send an International Coordinating Officer (ICO) to represent them and to help coordinate mutual aid and facilitate communications between the two countries. The ICO may be a single individual or a team depending on the size and scope of the incident.

2.1.1. Single Joint Incident Command Post Organization: Forging a single joint Incident Command Post (ICP) is the best approach to an effective response when there is a significant need to coordinate unified objectives, such as during source control, salvage, or major on-water removal efforts. This also allows for the most efficient operation for the polluter/responsible party's management team, where the first responsibility for cleanup rests in each country. The joint Incident Command Post and justifications are shown in Figure 3.

2.2 Two Incident Command Post Organization: An alternative to a Joint Incident Command Post is a well synchronized two incident command post concept with one ICP operating out of each country. This concept requires continual synchronization between ICPs. Each country's ICP will develop an Incident Action Plan with their own objectives and priorities.

The two ICPs should work to coordinate at all levels. Coordinating the use of alternative countermeasures, public information releases, and the sharing of resources are particularly critical to a successful joint response.

2.2.1. Two Incident Command Posts with International Coordinating Officers (ICO) and support staffs. The two ICP concept requires ICOs to coordinate between ICPS. In this structure, ICOs (typically from each

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nation's Coast Guard, but not limited to) will serve as the primary channel between the ICPs and will work for their nation's IC.

2.2.2. Recommended International Coordinating Officer Support Staff If a two ICPs are established, ICOs with support staff should be dispatched to each nation's ICP, commensurate with the scale of the response.

Potential support staff includes:

- Safety Officer (SOFR)
- Public Information Officer (PIO)
- Operations Section (OSC)
- Planning Section (PSC)
- Logistics Section (LSC)
- Communications Unit (COM)
- Environmental Unit (ENV)

2.2.3. The Role of the International Coordinating Officer (ICO). The ICO will be physically located at the other country's ICP but will report to the Incident Commander (IC) of their country.

Duties of the ICO include, but are not limited to:

- Enhance cooperation and understanding between OSCs of both countries.
- Coordinate on tactical matters to achieve unity of effort.
- Request resources and scientific support to affect operational objectives.
- Ensure understanding of policy and guidance and coordination measures.

2.2.4. Time Zone in a two Incident Command Post structure. It is recommended to use one time zone for operations between ICPs. Time zone should be agreed upon by the Incident Commanders. For more information see Appendix Q.

3. **Decisionmaking:** Major response decisions in the border region will be coordinated and made by consensus between the ICs of each nation whenever possible. If not possible, each Command may make decisions within their own country, or refer issues for resolution as described in Section XI.

3.1 An incident that crosses international borders could quickly become complex and overwhelm local and regional assets. Therefore, if the response plan is initiated, an Area Command (AC) may be established, if determined necessary, by the governments of the United States and Canada.

3.2 The AC does not, in any way, replace the on-scene incident organization command function. The main purpose of the AC is to focus primarily on

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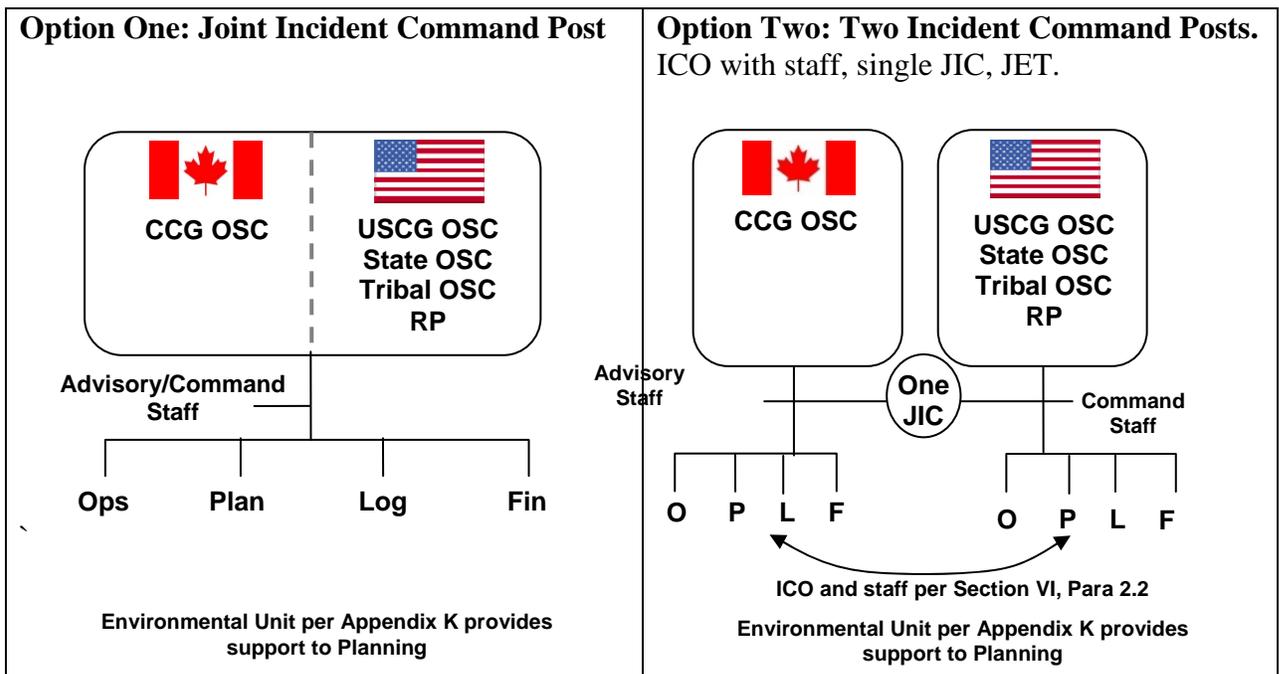
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strategic assistance and direction and resolving competition for scarce national resources. The AC will:

- Establish strategic objectives and priorities.
- Establish a battle rhythm for reporting the incident status to keep upper levels of governments informed.
- Enhance communications with the partnering nation.
- Assist with interagency and elected officials outreach.
- Assist with requests for assets on a national level.
- Assist with media relations.

3.3 The AC will be led by the Commander, First Coast Guard District for the United States and the Assistant Commissioner, Canadian Coast Guard, Atlantic Region for Canada or their designated representatives.

3.4 The AC will designate a Planning Section Chief who will be responsible for facilitating meetings and for collecting, evaluating, and sharing information. This position will normally be filled by one of the Co-Chairs of the JRT.



### Factors influencing One Joint Command Post vs. Two Command Posts.

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| <p><b>Reasons to utilize option 1:</b></p> <ul style="list-style-type: none"> <li>• There is a significant need to coordinate unified objectives;</li> <li>• There is a significant need for source control and on water removal;</li> <li>• There is a significant need to coordinate salvage and dispersant use;</li> <li>• There exist time constraints on priority setting/decision making/communications;</li> <li>• There is a significant need for Joint Information and Environmental Reps to be together</li> <li>• A facility exists and is capable to host a single ICP;</li> <li>• There is insufficient number of personnel to establish an effective 2 ICP response;</li> <li>• There is a significant need to consolidate expertise; and/or</li> <li>• The Responsible Party response is more cohesive in a single ICP construct.</li> <li>• Minimal/no impact to second country.</li> </ul> | <p><b>Reasons to utilize option 2:</b></p> <ul style="list-style-type: none"> <li>• The interpersonal relations and work/trust relations are strong;</li> <li>• There is a political need for an ICP in each country (local representation/voice) as well as a need to work within political framework;</li> <li>• There is a significant need to accommodate or provide access to State, Province, local and other stake holders;</li> <li>• The incident has evolved to a project stage, with limited cross-border effects of each country’s domestic actions (e.g., shoreline cleanup);</li> <li>• There are enough resources, personnel, and ICOs to mesh response systems in 2 ICPs;</li> <li>• Broadens the base of logistical support in a border area with limited infrastructure;</li> <li>• There is a significant need to expedite labor and/or mitigate need for work visas;</li> <li>• The incident only requires shoreline response;</li> <li>• Telecommunication services insufficient for effective single ICP; and/or</li> <li>• There is a need to limit the involvement associated with cross border actions (Customs, Immigration, and State Departments).</li> </ul> |
| <p><b>NOTE:</b> OSCs may adjust command organizations to meet the needs of the incident. For example, an incident may begin with a Joint Command to address unified objectives and tactics influencing both countries, but later evolve to two commands as issues become more domestic in nature.</p>   |   |

**Figure 3 – Incident Command Post Options**

4. **Canadian ICP Staffing:** Primary government representatives to the Incident Command System and their support staff and resources are as follows:

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### 4.1 **Canada, On-Scene Commanders**

On-Scene Commander  
Superintendent Environmental Response  
Canadian Coast Guard Atlantic  
PO Box 1000  
Dartmouth, NS B2Y 3Z8  
Phone (24 hours): (902) 426-6030  
Phone (0800 - 1600) (902) 426-3699  
Fax: (902) 426-9753  
Cell: 902-497-0065

#### 4.1.1 Alternate On-Scene Commanders

Senior Response Officer  
Canadian Coast Guard - Saint John  
PO Box 700, Station "A"  
Saint John, NB, E2L 4B3  
Phone: (506) 636-4714/6  
Fax: 636-4719  
Cell: 636-0287

#### 4.1.2 Regional Director Coast Guard Programs

Canadian Coast Guard Atlantic Region  
PO Box 1000  
Dartmouth, NS B2Y 3Z8  
Phone: 902 426-9022

### 4.2 **Canada, Critical Personnel:**

4.2.1 Manager, Preparedness and Response  
National Environmental Emergencies Centre (NEEC),  
Environment Canada  
105 McGill Street, 7<sup>th</sup> Floor,  
Montreal (Quebec) H2Y2E7  
Phone: (514) 283-0195, (866) 283-2333 (24 Hour)  
Fax: (514) 496-1157

Alternate:  
Regional Director  
Environment Canada  
Atlantic Environmental Protection Operations  
45 Alderney Drive  
Dartmouth, Nova Scotia, B2Y 2N6  
Canada  
Phone: (902) 426-3593  
(902) 426-4352

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### 4.2.2 Regional Director - Marine Safety

14<sup>th</sup> Floor, Queens Square  
45 Alderney Drive, Dartmouth, NS, B2Y 2N6  
Phone: (902) 426-2060  
Fax: (902) 426-9049

### 4.3 **Canada, Government Resources:**

1. Canada/United States Joint Response Team Member Agencies
2. Canadian Coast Guard
3. Department of Fisheries and Oceans
4. Transport Canada
5. Environment and Climate Change Canada
6. Canada Border Services Agency
7. Public Safety Canada
8. Department of National Defense (Maritime Command) Headquarters
9. New Brunswick Department of Environment and Local Government
10. New Brunswick Emergency Measures Organization
11. Nova Scotia Environment
12. Nova Scotia Emergency Measures Organization
13. Resources of other states/provinces may be available to the Province of New Brunswick under the IEMAMOU.

5. **United States ICP Staffing:** Primary government representatives to the Incident Command System and their support staff and resources are as follows.

### 5.1 **United States, On-Scene Coordinators:**

Federal On-Scene Coordinator:  
Commander, USCG Sector Northern New England  
259 High Street  
South Portland, ME 04106-0007  
Phone 207-767-0320 (24 hours: 207-767-0303)  
Fax: 207-767-0395

Staff to the Sector Commander/OSC:  
Response: (207) 767-0321  
Prevention: (207) 741-5464  
Planning and Force Readiness: (207) 780-3773

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5.1.1 Federal On-Scene Coordinator's Representative:  
Supervisor, USCG Marine Safety Detachment Belfast  
2 Franklin Street  
Belfast, ME 04915  
Phone: (207) 338-8395  
Fax: (207) 338-8906

5.1.2 State of Maine Oil Spill Coordinator:  
Director of Response Operations,  
Maine Department of Environmental Protection.  
Station #17, State House  
Augusta, ME 04333  
Phone: 800-482-0777 (24 hr Spill Line)  
207-287-7190  
Fax: 207-287-7826

5.1.3 Scientific Support Coordinator for the OSC (and Joint Environmental Team)  
NOAA Scientific Support Coordinator  
10 George St. Suite 220  
Lowell, MA 01852-2293  
Phone: 978-654-6385  
24 Hours: 206-526-4911  
Fax: 978-654-6386

### **5.2 United States, Government Resources (available through the U.S. FOSC):**

1. Canada/United States Joint Response Team Member Agencies
2. Region I Regional Response Team (RRT I)  
(New England states and tribes, and federal agencies. See 40 CFR 300.175 for member agency capabilities: DHS/USCG, EPA, USDA, DOE, DOI, DOL, DOT, FEMA, DOC/NOAA, DOD, DHHS, DOJ, DOS, USTreas, GSA, NRC)
3. National Contingency Plan Special Teams (See 40 CFR 300.145 regarding capabilities of USCG NSF, USCG IMAT, EPA ERT, NOAA and EPA SSCs, Navy SUPSALV, EPA RERTs, USCG DRGs, USCG NPFC)
4. USCG National Strike Force (Atlantic Strike Team, Coordination Center)
5. Sector Northern New England Command Center
6. USCG First Coast Guard District
7. USCG Air Station Cape Cod, Massachusetts

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## **Section I. Notification Procedures**

### **Emergency Notifications**

1. **Notifications to Canada.** In the event of a harmful substance incident in U.S. contiguous waters that requires notification to the Canadian authorities the following office shall be notified:

Department of Fisheries and Oceans - Coast Guard Casualty/Pollution: 1-709-896-2252 (24-hour number) or 1-800-565-1633

2. **Notifications to United States.** In the event of a harmful substance incident in Canadian contiguous waters that requires notification of the U.S. authorities the following notifications will be made:

Sector Northern New England: 207-780-0303 (24-hour number)

National Response Center: 800-424-8802 (24-hour U.S. number)  
202-267-2675 (from Canada)  
202-267-2165 (fax)

First District Command Center: 617-223-8555 (24-hour number)

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## Section VIII. Procedures for Customs and Immigration Clearances

This section provides procedures for ensuring that necessary equipment and personnel receive appropriate customs and immigration clearances, respectively, to support response when such resources are not available in a timely manner within one of the nations in a cross boundary response. The material in this section is also summarized in a checklist available within this section.

### 1. Canada procedures for incoming United States personnel and equipment:

1.1 **Canada Customs Regulations**: Canada Border Services Agency has established procedures for facilitating the movement of goods for emergency use across the Canadian Border from the U.S., and for the remission of customs duty and excise taxes in respect of such goods. The Temporary Importation (Tariff Item No. 9993.00.00) Regulations provide full relief from the payment of the customs duties and the Goods for Emergency *Use Remission Order* provides full relief from the Goods and Services Tax/Harmonized Sales Tax (GST/HST) that would otherwise be owed on these goods. The instructions are contained in Customs D Memorandum D8-1-1, January 22, 2010.

In the case of such an emergency there are two other key appendices contained in the Customs D Memorandum, Appendix G provides guidelines and information regarding the temporary importation of emergency equipment and Appendix B which provides a list of contact and relevant local telephone numbers, or the “Hotline” number in Ottawa.

#### **Contact Numbers:**

The contacts below are *only* for information regarding importations in response to an emergency.

For procedural enquiries and assistance:

Between 8:00-16:00 weekdays: (613) 952-4113 or (902) 426-4910

Between 16:00-8:00 weekdays and weekends: (613) 952-9900

Officials of federal, provincial or municipal governments declare emergencies. When time or circumstances do not permit an official notice of an emergency, Customs Officers will have to assess the situation as it develops by consulting with local response agencies. When time permits, a Temporary Admission Permit E29B will be issued covering all equipment and supplies. This permit will be issued covering emergency supplies and equipment without collection of security (duty or Goods and Services Tax [GST]). In the case of release of

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goods where Customs or RCMP officers are not in attendance, a record kept by a responsible individual (i.e. chief of police, a municipal mayor, provincial government representative or other individual charged with responsibility of directing the emergency countermeasures) will be accepted for the purpose of completing form E29B. When the situation is urgent, the paperwork will be reduced to a simple blotter record on the E29Bs describing the goods in general terms and a Form E29B may be completed after the fact. The E29B is cancelled whenever the responsible individual involved, provides evidence that the goods have been consumed or destroyed in resolving the emergency or have been exported from Canada. Proof of exportation is not required in respect of goods consumed or destroyed in response to an emergency. Such goods may be accounted for on form B3 after the emergency.

1.2 **Canada Customs Procedures:** The CCG OSC will notify Customs at the Canada Border Services Agency office at the Port of Entry by contacting the principal or alternate contact, or if after-hours; weekends; or holidays the number in Ottawa. These contact numbers are listed in the second paragraph of Section 1.1 above.

The driver of the vehicle/vessel/aircraft transporting goods to Canada should adhere to the following:

- Carry two copies of the equipment list including serial numbers and monetary value;
- Stop at United States Customs during crossing to get the equipment list stamped. A copy of any lists presented to Canada Customs, preferably with some type of Canada Customs stamp, should expedite the return of equipment to the United States;
- Present the list to Canada Customs for clearance approval. Should problems arise ask to speak to a Senior Officer (usually a Superintendent); and
- Report to Canada Customs when leaving Canada so that temporary admission permits can be canceled.

1.3 **Immigration and Refugee Protection Act and Regulations:**

Emergency response personnel may be granted entry under the Immigration and Refugee Protection Regulations pursuant to section 186(t) , which allows them to be granted admission as visitors. Under this provision they would not be required to obtain a work permit. It is advised that personnel carry proof of citizenship. Provisions under the Immigration and Refugee Protection Act, section 24(1) provide for case by case admission for people who are otherwise inadmissible, when an officer is of the opinion that admission is justified due to the circumstances.

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### 1.4 **Canada Border Services Agency Procedures into Canada:**

Canada Border Services Agency may grant temporary authority to work in Canada on an emergency basis. To facilitate the process of gaining temporary authority to work in Canada, United States citizens should notify the specific border crossing of their needs prior to arriving for entry into Canada. It is also advisable for United States citizens to arrange for an official of a Canadian agency involved in the emergency situation (e.g. Canadian Coast Guard) to contact Canada Border Services Agency and confirm the need for their entry into Canada.

## 2. **United States procedures for incoming Canadian Equipment and Personnel:**

2.1 **Customs and Excise Regulations:** During an emergency, United States Customs Services Regulations provide for the movement of work force and equipment from Canada into the United States. *Title 19, United States Code Section 1322, International traffic and rescue work, (b) states (in part):*

“The Secretary of the Treasury may provide by regulation or instruction for the admission, without entry and without the payment of duty or tax imposed upon or by reason of importation of pollution countermeasure, rescue, and relief equipment and supplies for emergent temporary use in connection with floods and other disasters.”

Pursuant to this section, U.S. Customs Regulations allow rescue and relief equipment into the country without payment of duty.

2.2 **Customs and Exercise Procedures:** When federal involvement becomes necessary in a cross border incident, the On-Scene Coordinator will notify the United States Customs and Border Protection Port Director that the JCP has been activated to deal with a harmful substance incident affecting or threatening the United States and that CANUSLANT has been activated. The telephone notification will be confirmed with a fax to U.S. Customs. Please refer to checklist under paragraph 3 for step by step procedures and telephone numbers.

The United States Customs and Border Protection Port Director may authorize or direct the following:

- U.S. Customs and Border Protection should be notified as soon as possible after the arrival in the U.S. of any carrier and/or equipment. This may be done by telephone and/or fax if necessary. In no way shall any carrier responding to an emergency be delayed by U.S. Customs and Border Protection to report its arrival.

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- Expedited entry/clearance for response equipment involved with emergency response with no duty or other fees to be collected (clearance is valid for 90 days).
- Where equipment enters the United States at other than a port of entry, e.g., air or water, it must be reported to United States Customs and Border Protection within 10 days, or as soon as is practicable.
- Material, equipment and supplies dispatched from Canada must remain under supervisory control of an appropriate Canadian authority.
- Equipment brought into the United States must be returned to Canada within 90 days unless an extension is granted or other arrangements are made at the time of entry or during the response. Consumables need not be brought back into Canada and may be disposed of in the United States.
- Equipment returning to Canada must be inspected and approved by U.S. Customs and Border Protection prior to the leaving the United States.

The U.S. Customs and Border Protection Port Director at Calais, Maine, is the key point of contact for the resolution of U.S. - Canadian Customs issues occurring at the border. In an actual emergency, the Port Director has authority to waive regulations and can expedite the movement of equipment and resolution of related issues.

- 2.3 **Employment and Immigration Regulations:** The Immigration and Nationality Act provides the U.S. Citizenship and Immigration Services (USCIS) the responsibility for regulating the movement of people across the international borders of the U.S. This includes the ability to expedite the movement of emergency workers from Canada into the U.S., upon request from the U.S., to assist in responding to emergencies.

Section 212(d)(3) of the Immigration and Nationality Act provides the District Director, U.S. Citizenship and Immigration Services, the discretion to allow Canadian workers with special skills who might not otherwise be allowed into the U.S. to temporarily enter the U.S. to assist in the response.

- 2.4 **Employment and Immigration Procedures:** The following procedures provide procedures for the movement of workers with special skills from Canada into the United States to assist with response.

- When United States federal involvement in a cross border incident becomes necessary, the On-Scene Coordinator will notify the U.S. Citizenship and Immigration Services of an international maritime pollution incident and the

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need for trained Canadian workers to support the emergency response.

- The official must specify that the Canada/United States Joint Contingency Plan and CANUSLANT have been activated. Initial telephone notification will be followed up with a fax to the USCIS and the FOSC.
- The USCG certifies to the USCIS that insufficient trained response workers are available to respond in a timely manner.
- Secure from United States Immigration a form I-94 for each foreign worker that is not a citizen of Canada or of the British Commonwealth. All personnel should have proper identification with them. In addition, non-Canadian citizens must have passport or visas with them.
- Response organizations must provide safe transport for an USCIS Inspector to inspect response operations.
- U.S. Coast Guard should provide 24-hour advanced notice if possible.
- Workers from Canada may work only 90 days in the United States unless other provisions are made.
- Upon departing the United States, the Canadian workers must check out through an USCIS office.

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The U.S. Customs and Border Protection Port Director at Calais, Maine, is the key point of contact for the resolution of U.S. - Canadian Immigration issues occurring at the border. In an actual emergency, the Port Director has authority to waive regulations and expedite the movement of people/resolution of related issues. A supervisor at the main Customs port of entry can be contacted 24 hours a day/7 days a week by calling (207) 904-3000 and entering 1# or 3#. **Checklist for Customs and Immigration**

### Procedures (Canada and U.S.)

#### United States into Canada

| Item # | Action Items <u>prior</u> to leaving for the Border.   | Yes | No | Notes   |
|--------|--|-----|----|---|
| 1      | Has the JCP-CANUSLANT Annex been activated?  |     |    | Activation Authority: On-Scene Commander/On-Scene Coordinator, Regional Director, or District Commander   |
| 2      | Has the OSC requested personnel or equipment assistance from the U.S. into Canada?   |     |    |   |
| 3      | Has the Canadian Coast Guard informed Canada Border Services Agency and Canadian Citizenship and Immigration at the port of entry that the JCP been activated and US equipment and/or personnel will be crossing the border? |     |    | Responsibility for Task 3: Canadian JRT Co-Chair (Superintendent Environmental Response). Telephone Notification to be confirmed with Fax to Customs/INS and FOOSC) |
| 4      | Has the USCG or U.S. contractors forwarded their personnel and equipment lists to the CCG?   |     |    |   |
| 5      | Are the lists of personnel and equipment complete?   |     |    | List should include equipment make, serial number, model number   |
| 6      | Have these lists been forwarded to Canada Border Services Agency and Canadian Citizenship and Immigration at the border crossing point?  |     |    | Between 8:00-16:00 weekdays –<br>Phone (613)952-4113,<br>Alternate contact- (902) 426-4910<br><br>Between 16:00-8:00 weekdays and weekends: (613) 952-9900          |
| Item # | Action Items while <u>en route</u> to the Border.  | Yes | No | Notes   |
| 1      | Prior to leaving the U.S., ensure a duplicate copy of the personnel and equipment list accompanies each vehicle or vessel.   |     |    |   |
| 2      | Ensure each vehicle or vessel has contact information for the CCG in case there are problems at the border.  |     |    |   |
| 3      | Upon arriving at the border, stop at the U.S. side of the border and have the lists stamped.   |     |    |   |

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|   |  |  |  |  |
|---|--|--|--|--|
| 4 | Present the lists to a Canada Border Services Agency agent at the border with the list. If there is a problem, ask for the Senior Officer or Superintendent. |  |  |  |
| 5 | Are there any problems? If so, contact the CCG personnel who requested the equipment or personnel.   |  |  |  |

| <b>Checklist for Customs and Immigration Procedures (Canada and U.S.)<br/>Canada into United States</b> |  |     |    |  |
|---|--|-----|----|--|
| Item #  | Action Items <u>prior</u> to leaving for the Border.   | Yes | No | Notes  |
| 1   | Has the JCP-CANUSLANT Annex been activated?  |     |    | Activation Authority: On-Scene Commander/On-Scene Coordinator, Regional Director, or District Commander  |
| 2   | Has the OSC requested personnel or equipment assistance from Canada into the U.S.?   |     |    |  |
| 3   | Has the United States Coast Guard informed U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement at the port of entry that the JCP been activated and Canadian equipment and/or personnel will be crossing the border? |     |    | Responsibility for Task 3: Sector Northern New England, FOSC. Telephone Notification to be confirmed with Fax to Customs/USCIS and D1 JRT Co-Chair)    |
| 4   | Has the CCG or Canadian contractors forwarded their personnel and equipment lists to the USCG?   |     |    |  |
| 5   | Are the lists of personnel and equipment complete?   |     |    | List should include equipment make, serial number, model number  |
| 6   | Have these lists been forwarded to U.S. Customs and Border Protection and U.S. Citizenship and Immigration Service at the border crossing point?   |     |    | Border Crossing Point: Likely Calais ME. Customs: (207) 454-3621, fax 454-7122<br>USCIS Calais: (207) 454-2546<br>USCIS Houlton Sector: (207) 532-6521 |
| 7   | Time permitting, complete an I-94 form for each individual entering the U.S.   |     |    | Information includes Name, Nationality, Date of Birth, Workers should have proper identification   |

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| Item # | Action Items while <u>en route</u> to the Border.  | Yes | No | Notes   |
|--------|--|-----|----|---|
| 1      | Prior to leaving the Canada, ensure a duplicate copy of the personnel and equipment list accompanies each vehicle or vessel.     |     |    |   |
| 2      | Ensure each vehicle or vessel has contact information for the USCG in case there are problems at the border.                     |     |    |   |
| 3      | Upon arriving at the border, stop at the Canadian side of the border and have the lists stamped by Canada Customs.               |     |    |   |
| 4      | Present the lists to Inspector at the border with the list. If there is a problem, ask for the Senior Officer or Superintendent. |     |    |   |
| 5      | Are there any problems? If so, contact the USCG personnel who requested the equipment or personnel.                              |     |    |   |
| 6      | Retain copies of the lists for re-entry into Canada.   |     |    | Workers from Canada may only work 90 days in the United States unless other provisions are made |

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### *Appendix A. Communications*

1. During the notification stage of an incident involving CANUSLANT activation, communications will generally be through the public telephone system. When and where possible public telephones will be used during an incident, the telephone numbers will be distributed to the command posts using contact information in this plan as a starting point.
2. Cell phones can be used when and where there is adequate coverage.
3. VHF radio will also be used extensively during an incident. Common radio frequencies may be utilized. The below frequency matrix provides two options for frequency allocation in a joint incident command post response, but this may be adjusted to meet incident requirements. As an incident progresses, a more detailed specific Communications Plan and equipment list will be developed by the Comms Unit and incorporated into the Incident Action Plan.
4. **Maritime Mobile Communications:**
  - 4.1 Maritime Mobile Communication References:
    - 4.1.1 Radio Aids To Marine Navigation, Canadian Coast Guard Marine Communications and Traffic Services Directorate.
    - 4.1.2 Radiotelephone Handbook, Coast Guard Tactics, Techniques, and Procedures 6-01.1
  - 4.2 Maritime Frequency Options: Two frequency allocation options are listed in Figure 5 to provide the Communications Unit a basis for establishing an incident specific communications plan.

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| Line  | Net Title                                    | Priority | Comms Plan A              | Comms Plan B                 |
|---|--|----------|---------------------------|------------------------------|
| 01  | VHF Distress/Calling*                        | 1        | 156.8 Mhz<br>(Channel 16) | 156.8 Mhz<br>(Channel 16)    |
| 02  | MF/HF Distress/Calling*                      | 2        | 2182 Khz                  | 2182 Khz                     |
| 03  | VHF Intership                                |          | 157.175<br>(Channel 83A)  | 157.050<br>(Channel 21A)     |
| 04  | VHF UCP to On Scene<br>Coordination Vessel** |          | 156.3 Mhz<br>(Channel 6)  | 157.075 Mhz<br>(Channel 81A) |
| 05  | MF Intership/ ICP/Vessels                    |          | 2716 Khz                  | 2237 Khz                     |
| 06  | HF Intership/ ICP/Vessels                    |          | 4125Khz                   | 6215Khz                      |
| 07  | Aircraft Distress                            |          | 121.5 Mhz                 | 121.5 Mhz                    |
| 08  | Air/Vessel Coordination                      |          | 157.075<br>(Channel 81A)  | 156.3 Mhz<br>(Channel 6)     |
| <p>Legend: ICP = Incident Command Post</p> <p>Notes: *Coast Guard Communications Stations can be contacted on these frequencies</p> <p>**The On Scene Coordination Vessel must simultaneously monitor Channels 16, 6, and 83A, (Comms plan A), or Channel 16, 81A and 21A (Comms plan B).</p> <p>***SOLAS / GMDSS compliant vessels will monitor channel 70 for digital selective calling (DSC)</p> |  |          |                           |                              |

**Figure 5 – Marine Frequency Communication Plans**

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### ***Appendix B. Response Resource Inventory***

#### **1. Canada Response Resources:**

- 1.1. Please refer to the *Canadian Coast Guard Marine Spills Contingency Plan, Regional Chapter* and the accompanying *Area Chapter* for response inventory located at each site.
- 1.2. Certified Canadian Response Organizations (ROs) in the Maritimes are:
  - 1.2.1. Atlantic Emergency Response Team (ALERT<sup>®</sup>) Inc  
11, Expansion Avenue, Saint John, NB E2R 1A6  
Phone: (506) 632-4499, Fax: (506) 632-4450
  - 1.2.2 Eastern Canada Response Corporation  
41 Mount Hope Ave. Woodside Industrial Park, Dartmouth, NS B2Y 4R4.  
Phone: (613) 930-9690 (24-hour), (902) 461-9170 (local), Fax: (902) 461-9590
  - 1.2.3 Point Tupper Marine Services (PTMSC)  
4090 Port Malcolm Road, Point Tupper NS B9A 1Z5  
Phone: (902) 625-1711, Fax: (902) 625-3098

#### **2. United States Response Resources:**

- 2.1. United States Coast Guard response resources are listed in the Maine and New Hampshire Area Contingency Plan, Section 9210. Online access is available at: <http://homeport.uscg.mil/northernnewengland>. The State of Maine's Marine Oil Spill Contingency Plan, Appendix 1 contains a list of response and support equipment. It can be found at <http://www.maine.gov/dep/spills/emergspillresp/marine.html>.

Additional U.S. resource information is available on the following two categories of organizations.

##### **2.1.1 Oil Spill Removal Organizations (OSROs)**

The U.S. Coast Guard classifies Oil Spill Removal Organizations based on removal systems and capacities available by Coast Guard Captain of the Port Zone. These OSROs and classifications are available in the Response Resource Inventory (RRI) published at <http://www.uscg.mil/hq/nsfweb/nsf/nsfcc/ops/ResponseSupport/RRIB/rri.asp>

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### 2.1.2 Basic Ordering Agreement (BOA) Contractors

The USCG has pre-established rates and services contracts with Basic Ordering Agreement (BOA) Contractors. These contractors are given preference in response for pre-establishing these agreements. A list of BOA contractors available to the USCG OSC is available at <http://www.uscg.mil/SILC/emergency.asp>

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### ***Appendix C. Resources at Risk***

This appendix describes geospatial information sharing requirements supporting the identification and prioritization of Resources at Risk in the International Response Zone. Geospatial information requirements are described here in accordance with the principles of the Incident Command System, and its concept of Resources at Risk, including: 1) Environmentally-Sensitive Areas and Wildlife, and 2) Archaeo-Cultural and Socio-Economic resources. Incident-specific priorities and response strategies are also considered.

#### **1. Environmentally-Sensitive Areas and Wildlife Resources**

Geospatial information describing environmentally-sensitive areas and wildlife in the International Response Zone includes:

- **Species of flora or fauna** where there are concentrations of individuals, early life-history stages are present, a substantial percentage of the population may be exposed, or they are legally protected or designated; or
- **Habitats** supporting specific life-history stages, migrations, propagation of species, or those that are legally protected or designated.

This data typically describes birds, fish, marine or terrestrial mammals, vegetation, habitats and shorelines.

#### **2. Archaeo-Cultural and Socio-Economic Resources**

Geospatial information describing Archaeo-Cultural and Socio-Economic resource sensitivities in the International Response Zone includes:

- Cultural assets, activities, or livelihoods that may be impacted by an environmental emergency or the resulting response, or
- Regulated socio-economic activities such as aquaculture, fisheries, oil and gas extraction, and tourism, or more generalized resources such as port areas and recreational areas, that may be impacted by an environmental emergency or the resulting response.

Archaeo-cultural data typically describe sites of cultural significance (e.g. archaeological, heritage, and indigenous), or locations and activities important to livelihoods (e.g.. subsistence fishing or harvesting). The International Response Zone contains a particularly rich abundance of historical, archaeological and indigenous resources. Both Canada and the U.S. have some information on sensitive cultural resources included with environmental sensitivity information, especially for registered historically significant resources. However, there is some information that is sensitive and may not be shared conventionally. The best sources for complete data on archaeological, historical and Indigenous resources are direct contacts with provincial, state and Indigenous representatives.

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Socio-economic data typically describe resource extraction activities (e.g. mining, oil and gas exploration or production, aquaculture, and fisheries, etc.), or activities with an environmental interaction. Major transportation hubs such as ferry or cruise ship terminals and important recreational destinations such as city or state parks or swimming beaches are also considered socio-economic resources.

### **3. Canada**

Geospatial information identifying Resources at Risk in preparedness to harmful substance incidents is collected from government agencies and authorities, indigenous communities, response organizations, industry and non-government organizations. The information is consolidated by Environment and Climate Change Canada's (ECCC) National Environmental Emergencies Centre (NEEC) for the purpose of informing response.

During a response to a harmful substance incident, the NEEC coordinates ECCC services and advice including the identification of Resources at Risk. Where a harmful substance incident requires multi-agency and stakeholder cooperation, the NEEC can convene an Environmental Emergencies Science Table (Science Table) to adapt the scale of response, access the right expertise and knowledge into a forum for rapidly moving information, and develop consolidated advice to respond to Resources at Risk concerns. Science Table is flexible and may include representation from government, indigenous communities, other local communities, response organizations, industry, non-government organizations and academic institutions where appropriate for the incident.

The NEEC uses web and desktop mapping applications to produce maps, reports and web map or feature services to share Resources at Risk as well as protection and cleanup priorities with response partners including the Lead Agency, resource agencies, response organizations, and the Incident Command System where appropriate.

### **4. United States**

Data on local environmental Resources at Risk from harmful substance incidents are collected and routinely updated in the U.S. by state and federal agencies such as the Maine Department of Inland Fisheries and Wildlife, Maine Department of Marine Resources, Maine Department of Agriculture, Conservation and Forestry, National Oceanographic and Atmospheric Administration (NOAA) Fisheries and the U.S. Fish & Wildlife Service. These data, along with preliminary protection strategies, are made available in a geospatial format to the response community for use in a harmful substance incident, through NOAA and/or the Maine Department of Environmental Protection. This information is also available through NOAA's web-based electronic

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Emergency Response Management Application (ERMA) and/or through paper or PDF copies of environmental sensitivity maps.

In the event of an incident, the environmental sensitivity data specific to the event will be analyzed, summarized and distributed by NOAA's National Ocean Service Office of Response and Restoration in partnership with other agencies within the Environmental Unit under the Planning Section of the Incident Command System-based Unified Command organization. Real time environmental information will be obtained through discussions with appropriate resources experts and managers from state, tribal and federal agencies, academia and non-profit institutions.

Passamaquoddy lands are located within the International Response Zone and headquartered in the U.S. at Pleasant Point and at Indian Township, Maine. Tribal participation is imperative for environmental issues concerning the region, and representation will be requested within the Environmental Unit. Contact the Passamaquoddy Tribe Environmental Office at (207) 853-2600 ext. 234 (Pleasant Point) and (207) 796-2301 (Indian Township).

Preliminary data from the State of Maine regarding historical and archaeological resources is maintained in GIS format by the Maine Department of Environmental Protection, Division of Response Services. This data is provided by the Maine Historic Preservation Commission. The Commission should be contacted directly for more specific information:

Dr. Arthur Spiess  
Senior Archaeologist  
Maine Historic Preservation Commission  
55 Capitol Street, 65 SHS  
Augusta, ME 04333-0065  
(207) 287-2132  
[arthur.spiess@maine.gov](mailto:arthur.spiess@maine.gov)

For marine archaeological artifacts in federal waters, including sunken vessels, the representative for the US Department of Commerce / NOAA, acting as the federal trustee, should be consulted.

There is also an abundance of tribal cultural resources in the area. Contact the Passamaquoddy Tribal Historic Preservation Office at:

Donald Soctomah, Director  
Passamaquoddy Tribal Historic Preservation Office, PO Box 159  
Princeton, ME 04668  
(207) 796-5533  
(207) 214-4051  
[soctomah@gmail.com](mailto:soctomah@gmail.com)

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### 5. Geospatial Information Sharing

Both Canada and United States are able to share geospatial information through a common GIS format from the Environmental Systems Research Institute (ESRI), which allows for the quick exchange of information across the border.

In Canada, the NEEC can produce maps and reports for distribution to key response partners using its web mapping applications. The NEEC can also produce secure web map or feature services that will allow viewing of appropriate data within the response structure. To access these services, a request must be made to the NEEC.

In the U.S., much of the sensitivity data is available from NOAA through ERMA's web mapping application for the Atlantic seaboard at <https://erma.noaa.gov/atlantic/erma.html>. This information would be augmented during a spill event, and shared within the response structure via a shared data repository.

For both countries, data sharing is restricted to appropriate users through password protection. Data may be subject to sharing limitations and agreements.

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### *Appendix D. Logistics – Command Posts*

1. **Canada:** Refer to the Canadian Coast Guard Marine Spills Contingency Plan – Regional and Area Chapters, and the Community Resource Guides for details of local contacts and procedures. SABS DFO’s St. Andrews Biological Station is equipped for up to 40 as a command option. It is recommended to use CCG Command Trailers to assist in LIC, Command and Finance / Logistics spaces. Other areas if seasons allow are the Community College Campus or Algonquin Hotel and Convention areas.. ALERT, Inc., the designated Response Organization for Saint John and surrounding areas has established a dedicated Incident Command post in Saint John for their use and support of the polluter. A Canadian Coast Guard OSC representative / liaison officer will be assigned to that location, as required, and will act as a conduit to the CCG OSC.
2. **United States:** The U.S. Coast Guard has planned and exercised a command post location at The Boat School, in Eastport, Maine and the Washington County Community College in Calais, Maine. A multi-purpose room at Coast Guard small boat Station Eastport building also provides a facility for a small command post. In addition to local shoreside facilities, the U.S. Department of Transportation’s Maritime Administration (MARAD) owns several ships that are berthed along the Atlantic Coast that could be made available for berthing hundreds of responders during a major oil spill or other contingency. This is a particularly capable resource for providing berthing and messing for a major, prolonged response in a remote area with limited facilities. Additional logistics information is contained in the Maine and New Hampshire ACP.

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### *Appendix E. Volunteers*

#### **1. Cross Border Volunteer Utilization.**

Volunteers will generally work within their own country during a harmful substances incident response, unless there are specific needs that only exist within the other country. No procedures are currently available for cross border volunteer utilization, and procedures must either be developed, or the volunteers may be hired such that they fall under the regimes for compensated workers.

#### **2. Canada Volunteer Utilization.**

2.1. The Canadian Coast Guard along with its response partners does not actively initiate a deployment of volunteers in the event of an emergency. The incident Commander of the event will immediately initiate the cataloguing of volunteers to respond to allow an efficient and safe deployment of personnel to sites determined.

2.2. These evaluated and trained staff as required will then be deployed as employees of the polluter or other agencies involved as required. The many roles that volunteers coming forward often assume are:

- Provide awareness of the incident and the effects on the marine environment to the communities through local meetings. This is accomplished with the assistance from various government agencies and industry.
- Prepare and maintain community resource guidebooks, provide a listing of community resources and site sensitivities, provide local knowledge to Environmental Unit, and provide assistance to incoming responders.
- Carry out shoreline surveillance during incidents, at the request of the Canadian Coast Guard Maritimes and/or Environment and Climate Change Canada.
- Provide assistance to an oiled wildlife response at the request of the Canadian Wildlife Service (CWS).

NOTE: Volunteers will be involved only in very low risk operational roles and will be utilized solely to the extent of safety limitations.

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### 2.3 **New Brunswick Emergency Measures Organization (NBEMO)**

**Volunteer Network:** In the event of an incident New Brunswick Emergency Measures Organization can access a pool of volunteers (i.e., volunteer firefighters, Red Cross, amateur radio operators, etc.). This resource may be accessed through the EMO Duty Officer at 1-800-561-4034. The Duty Officer would then contact the EMO Coordinators for the Bay of Fundy area, listed below:

[http://www2.gnb.ca/content/gnb/en/contacts/dept\\_renderer.144.2551.2711.13443.html](http://www2.gnb.ca/content/gnb/en/contacts/dept_renderer.144.2551.2711.13443.html)

|                                |                                  |  |   |
|--------------------------------|----------------------------------|--|---|
| Regional Emergency Coordinator | Brent Whalen                     | (506) 453-2133 (Work)                          | (506) 654-7061 (Cell)                           |
| Region F<br>Charlotte County   | EMO Coordinator<br>Darren McCabe | (506) 466-7370 (Work)<br>(506) 466-1545 (Home) | (506) 466-8356 (Cell)<br>(506) 558-2496 (Pager) |
| Regions E & G<br>Saint John    | EMO Coordinator<br>Brian Lamb    | (506) 832-6010 (Work)<br>(506) 832-5209 (Home) | (506) 650-5704 (Cell)<br>(506) 558-3366 (Pager) |

3. **United States Volunteer Utilization:** Volunteers shall be utilized as described in the National Contingency Plan (40 CFR 300.185(c)) and [Maine and New Hampshire Area Contingency Plan](#). Volunteer utilization should be well organized, worthwhile, and safe (shall comply with worker health and safety requirements under 40 CFR 300.150). Volunteers should be directed by the OSC or by other federal, state, or local officials as designated by the OSC knowledgeable in contingency operations and capable of providing leadership. Specific areas in which volunteers might be used include beach surveillance, logistical support, and bird and wildlife treatment, and will be limited to low-risk operations. If, in the judgment of the OSC, unsafe conditions exist, volunteer use will be restricted.

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### *Appendix F. Salvage and Lightering Resources Inventory*

Information on the use of foreign vessels (including salvage and lightering vessels) may be found in Section IX of this Annex.

#### 1. United States

- 1.1. **Salvage Resources List:** Resources in the Northern New England area are contained in Section 9712 of the Maine and New Hampshire Area Contingency Plan.
- 1.2. **Other Contractor Resources:** Additionally, the U.S. Coast Guard has authority to access civilian equipment, personnel and services of certain Oil Spill Removal Organizations and Basic Ordering Agreement contractors; refer to Appendix B of this Annex.

#### 2. Canada

- 2.1. Salvage: Contact Regional Director-Marine Safety, Dartmouth NS at 902-426-2060 or through the Duty Officer at 902-426-3214, available 24/7.

#### 2.2. List of Salvage Contacts:

##### **Mammoet Salvage B.V.**

**24 Hour Contact:** Tel: +31 10 2042 445 Fax: +31 10 2042 447

Karel Doormanweg 47, Port No. 580, 3115 JD Schiedam, The Netherlands

Tel: +31 10 2042 445 Fax: +31 10 2042 447

E-mail: [moc.teommam@egavlas](mailto:moc.teommam@egavlas)

Web site: [www.mammoet.com](http://www.mammoet.com)

##### **SMIT Salvage BV**

**24 Hour Contact:** Tel: +31 10 454 9911 Telex: 22247 STAK NL Fax:

+31 10 414 9184

20 Rosmolenweg, 3356 LK Papendrecht, The Netherlands

E-mail: [moc.tims@egavlas](mailto:moc.tims@egavlas)

Web site: [www.smit.com](http://www.smit.com)

##### **SVITZER Salvage B.V.**

**24 Hour Contact:** Tel: + 31 255 562666 Fax: + 31 255 518695

PO Box 510, 1970 AM IJmuiden, The Netherlands

E-mail: [moc.reztivs@egavlas](mailto:moc.reztivs@egavlas)

Web site: [www.svitzer.com](http://www.svitzer.com)

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### **Tschudi Offshore & Towage**

**24 Hour Contact:** Tel: +31 23 548 5200 Fax: +31 23 548 5252  
Herenweg 133, 2105 MG Heemstede, The Netherlands  
Tel: +31 23 548 5200 Fax: +31 23 548 5252 Telex: 41865 ITC NL  
E-mail: [moc.egawoterohsffoiduhcst@ofni](mailto:moc.egawoterohsffoiduhcst@ofni)  
Web site: [www.tschudioffshoretowage.com](http://www.tschudioffshoretowage.com)

### **Multraship Salvage BV**

**24 Hour Contact:** Tel: +31 (0) 115 645000  
Scheldekade 48, 4531 EH Terneuzen, The Netherlands  
Tel: +31 (0) 115 645000 Fax: +31 (0) 115 645001  
E-mail: [moc.pihsartlum@egavlas](mailto:moc.pihsartlum@egavlas)  
Web site: [www.multraship.com](http://www.multraship.com)

### **Resolve Marine Group Inc.**

**24 Hour Contact:** Tel. +1 954 764 8700  
1850 SE 17th Street, Suite #204, Fort Lauderdale, FL 33316, USA  
Tel: +1 954 764 8700 Fax: +1 954 764 8724  
E-mail: [moc.eniramevloser@llerrafj](mailto:moc.eniramevloser@llerrafj) or [moc.eniramevloser@rottedd](mailto:moc.eniramevloser@rottedd)  
Web site: [www.resolvemarine.com](http://www.resolvemarine.com)

### **Titan Salvage, A Crowley Company**

**24 Hour Contact:** Tel: +1 954 545 4143 Fax: +1 954 858 4552  
Titan Maritime LLC, 700 NW 33rd Street, Suite 290, Pompano Beach,  
Florida 33064, USA  
Tel: +1 954 545 4143 Fax: +1 954 858 4552  
E-mail: [moc.egavlasnatit@natit](mailto:moc.egavlasnatit@natit)  
Web site: [www.titansalvage.com](http://www.titansalvage.com)

### **Maritime Consortium of Thessaloniki Inc.**

**24 Hour Contact:** Tel: +30 2310 555 500, +30 6937 324 646 Fax: +30  
2310 555 506  
42, 26th Octovriou str, 546 27, Thessaloniki, Greece  
Tel: +30 2310 555 500 Fax: +30 2310 555 506  
E-mail: [rg.soruoz@tcm](mailto:rg.soruoz@tcm)  
Web site: [www.zouros.gr](http://www.zouros.gr)

### **The Nippon Salvage Co. Ltd.**

**24 Hour Contact:** Tel: +81 93 321 0937 Fax: +81 93 331 9466  
Omori-eki Higashiguchi Building, 5-1 Ohmorikita, 1-Chome, Ohta-ku,  
Tokyo 143-0016, Japan  
Tel: +81 3 5762 7172 Fax: +81 3 5762 7177  
E-mail: [pj.oc.egavlasnoppin@oykot](mailto:pj.oc.egavlasnoppin@oykot)  
Web site: [www.nipponsalvage.co.jp](http://www.nipponsalvage.co.jp)

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### **Scaldis Salvage & Marine Contractors N.V.**

**24 Hour Contact:** Tel: +32 3 541 69 55

North Trade Building, Noorderlaan 133 B/31, 2030 Antwerp, Belgium

Tel: +32 3 541 69 55; Fax: +32 3 541 81 93

E-mail: [moc.cms-sidlacs@liam](mailto:moc.cms-sidlacs@liam)

Web site: [www.scaldis-smc.com](http://www.scaldis-smc.com)

### **Swire Salvage Pte Ltd**

**24 Hour Contact:** Tel: +65 6309 3600

300 Beach Road, #12-01 The Concourse, Singapore 199555

Tel: +65 6309 3600 / +65 6309 3628 Fax: +65 6294 3211

E-mail: [gs.moc.eriws@malle.nek](mailto:gs.moc.eriws@malle.nek)

E-mail: [gs.moc.eriws@egavlas](mailto:gs.moc.eriws@egavlas)

Web site: [www.swire.com.sg](http://www.swire.com.sg)

### **T & T Salvage Asia Pte. Ltd.**

**24 Hour Contact:** Tel: +1 713 534 0700

No 1 Tuas Avenue 20, SINGAPORE 638832

Tel: +65 6591 5288 Fax: +65 6591 5289

E-mail: [moc.egavlastt@frewdvr](mailto:moc.egavlastt@frewdvr)

Web site: [www.ttsalvage.com](http://www.ttsalvage.com)

### **The ABR Company Limited**

The Barn, Ford Farm

Bradford Leigh

Bradford on Avon

Wiltshire BA15 2RP

UK

Tel: +44 (0)1225 868821

Fax: +44 (0)1225 868831

Email: [moc.vsodnagut@selas](mailto:moc.vsodnagut@selas)

Website: [www.tugandosv.com](http://www.tugandosv.com)

### **Secunda Canada-Dartmouth NS**

33 Alderney Drive, Suite 800

Dartmouth, Nova Scotia

B2Y 2N4 Canada

Tel: +1 (902) 482-4730

Fax: +1 (902) 404-838

### **Secunda Canada- St. John's, NL**

140 Water Street, Suite 1000

St. John's, Newfoundland and Labrador

A1C 6H6 Canada

Tel: +1 (709) 237 8722

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### **Maersk Supply Service Canada Ltd.**

100 New Gower Street  
Suite 803  
St. John's A1C 6K3  
Canada  
Phone: +709 753 4410  
Local Chartering & Operations:  
[msscommonor@maersk.com](mailto:msscommonor@maersk.com)

### **Atlantic Towing:**

#### **24/7 Dispatch:**

(506) 648-2790  
Office Locations:  
St. John's, NL  
TD Place, 140 Water St, Suite 905  
St. John's NL  
A1C 6H6  
Ph: (709) 726-8794  
Fax: (709) 726-8799  
Dartmouth, NS

Woodside Industries, 3 Atlantic Street  
Dartmouth, NS  
B3A 4S5  
Ph: (902) 494-5400  
Fax: (902) 420-1958  
Saint John, NB  
300 Union St, 2nd floor  
Saint John, NB  
E2L 4M3  
Reception: (506) 648-2750  
Fax: (506) 648-2752

#### **Operation Bases:**

Belledune/ Dalhousie, NB  
(506) 545-5025

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### *Appendix G. Decanting, Decontamination, and Disposal*

#### 1. Disposal of Decanted Water into the Marine Environment

- 1.1. **Canada Decanting Provisions:** In the course of an oil spill cleanup, section 181.(2) of the Canada Shipping Act 2001 provides wide relief for Response Organizations and persons who have been designated in writing by the Minister as approved responders are not personally liable, either civilly or criminally, in respect of any act or omission occurring or arising during the course of a response operation unless it is shown that the act or omission was committed with the intent to cause loss or damage, or recklessly and with the knowledge that loss or damage would probably result.
  - 1.1.1 This would include for example, those involved in a "decanting" operation. It is reasonable to expect decanted water to be discharged from the front of the skimmer operation.
  - 1.1.2 A person who is directed to take or to refrain from taking measures is not personally liable, either civilly or criminally, in respect of any act or omission in the course of complying with the direction or doing anything incidental to it, unless it is shown that the person's conduct was reasonable in the circumstances.
  - 1.1.3 Note in the CSA 181. (3) that regardless, the original pollution which triggered the response is NOT clear from the liability. Notice that if the Polluter was directed by CCG-ER or another Agency to make a discharge, then that discharge would be permitted and would not be liable. (This would be important to know for those directing them as well as the Polluter.)
  - 1.1.4 Section 36. (4) of the Fisheries Act does allow for discharges which are permitted by other Regulations.
- 1.2 **United States Decanting Provisions:** The United States FOSC is granted an exclusion from the National Pollutant Discharge Elimination System (NPDES) permit requirement for discharges under 40 CFR 122.3 which states, "The following discharges do not require NPDES permits: . . .(d) Any discharge in compliance with instructions of an On-Scene Coordinator pursuant to 40 CFR 300 (The National Oil and Hazardous Substances Pollution Contingency Plan) or 33 CFR 153.10(e) and (Pollution by Oil and Hazardous Substances)."

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### 2. Waste Transport and Disposal

2.1. **General:** The movement of oily waste/hazardous waste is allowed between Canada and the United States. The criteria to determine where the waste should go would generally be determined by the Responsible Party based on cost and through permitted disposal sub-contractors in the U.S. and/or Canada. The guidelines outlined below should be followed to ensure compliance with the countries' regulations.

#### 2.2. **References:**

- 2.2.1. United States-Canada Agreement on the Trans-Boundary Movement of Hazardous Waste (1986)
- 2.2.2. Canada's Export and Import of Hazardous Wastes and Hazardous Recyclable Material Regulations (EIHWHMR) (2012)
- 2.2.3. State of Maine, Department of Environmental Protection, Rules 405, 860
- 2.2.4. State of Maine, Department of Environmental Protection's Marine Oil Spill Contingency Plan (2000)
- 2.2.5. Marine Pollution Emergency Response Plan, Province of New Brunswick (1994)

#### 2.3 **Federal Agreements/Guidelines**

2.3.1 **Cross Border Hazardous Waste Movement:** The reference above sets forth the administrative conditions for the export, import, and transportation of hazardous waste between both countries, ensures that the waste is handled safely, and requires that the waste be shipped to facilities that are authorized by the importing jurisdiction.

The agreement stipulates that each transporter must notify the destination country prior to shipping the wastes into that country. The country's hazardous waste authority can then indicate whether it objects to the proposed shipment.

Also, shipments of hazardous waste must be accompanied by proper manifests in order to verify compliance with the Agreement and with other domestic regulations.

Responders, coordinators, and waste transporters should contact the appropriate hazardous waste authority prior to transporting

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hazardous materials across the border. Shipment notification and approval process, as required by the Agreement, can take some time and that approval is not guaranteed. According to the Agreement, the hazardous waste authority from each country has up to 30 days to review a hazardous waste shipment request, alter the conditions, if necessary, and then respond (<https://www.ec.gc.ca/lcpecepa/eng/regulations/detailreg.cfm?intReg=84>). During a time critical spill response, this review period is expected to be shortened; the OSC would likely facilitate an expeditious review.

### 2.3.2. **Transportation of Hazardous Materials through Canada:**

While in Canada, responders must comply with Canadian regulations pertaining to the transportation and import/export of hazardous wastes. These regulations apply from the time a hazardous waste is collected to the time it exits Canada. Transportation and import/export of hazardous wastes in Canada is governed by Canada's Export and Import of Hazardous Wastes and Hazardous Recyclable Material Regulations ([\(EIHWRMR\)](#)). Briefly, these regulations require Canadian exporters/importers/carriers of hazardous wastes to:

- Obtain environmental impairment insurance, third-party liability insurance, and other insurance types, as necessary.
- Carry a completed waste manifest for all waste shipments.
- Notify and gain approval from the Trans-Boundary Movement Branch of Environment and Climate Change Canada of the proposed export (or import) of hazardous waste prior to initiating the shipment.
- Comply with Canada's *Transportation of Dangerous Goods Act* (TDGA) and regulations, which require Canadian exporters/importers/carriers of hazardous wastes to:
  - comply with specific waste containment regulations
  - use the necessary placards and/or safety symbols
  - comply with other prescribed safety requirements

For additional information contact the Canadian Transport Emergency Centre (CANUTEC):

CANUTEC  
Transport Dangerous Goods Directorate  
Transport Canada  
Ottawa, Ontario, Canada K1A 0N5  
Phone (613) 992-4624 or (888) 226-8832  
Fax (613) 954-5101  
(email) [canutec@tc.gc.ca](mailto:canutec@tc.gc.ca)

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(Internet) <http://www.tc.gc.ca/canutec>

- 2.3.3 **Transportation of Hazardous Materials Into/From and Through the United States:** Transportation and import/export of hazardous wastes into/from the United States is governed by the following:
- Waste exportation and importation requirements under the U.S. Resource Conservation and Recovery Act (RCRA) (40 CFR Sections 262.50 and 262.60, respectively)
  - Importation/certification rules under the U.S. Toxic Substances Control Act (TSCA) (19 CFR Sections 12.118 through 12.127)

Once in the United States, the transportation and disposal of hazardous waste must be performed in accordance with applicable U.S. Department of Transportation (DOT) and U.S. EPA regulations. At a minimum, a Hazardous Waste Manifest must be obtained and any applicable transportation, documentation, marking, packaging, and highway requirements must be followed [Transportation rules: <http://hazmat.dot.gov/regs/rules.htm> EPA rules: <http://www.epa.gov/osw/> ].

### 2.4 **State/Province Rules/Guidelines**

- 2.4.1 **State of Maine:** The State of Maine’s Department of Environmental Protection (DEP) has a comprehensive “Marine Oil Spill Contingency Plan.” Highlights of the plan, including guidelines for handling oil/oily waste are outlined below:  
(<http://www.maine.gov/dep/spills/emergspillresp/marine.html>)

**Disposal Facilities:** A list of oil disposal facilities is contained in the Plan’s Equipment and Support Services Directory.

**Oily Debris:** Oily debris includes sorbents, seaweed, carcasses, and other materials contaminated with oil as a result of an oil spill. Maine Regulations (DEP Chapter 405.9) state that oily debris can be land-filled or incinerated and the resultant ash land-filled. Maine DEP has a contract with the Mid-Maine Waste Action Committee in Auburn for disposal of combustible oily debris.

**Waste Oil:** The definition of waste oil includes any oil spilled to land or water, but does not include oily debris generated from the cleanup of oil spills or water generated from oil/water separation processes at waste oil facilities. Waste oil is typically disposed of by burning in a waste oil burner. The requirements of Chapter 860 of DEP regulations must be met for storage and transportation of waste oil.

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**Temporary Storage:** In the event of a major spill, the volume of waste oil/oily debris will most likely be greater than the capacity of available disposal facilities. Therefore, temporary storage (less than 45 days) must be used as an interim measure. The DEP has *no permitting requirements* for the temporary storage of oily debris. Options include storing oily debris in covered dumpsters or covered "roll-off" containers, or in temporary engineered containment structures with oil-resistant liners. Information on liners is contained in the Maine Marine Oil Spill Contingency Plan's Equipment and Support Services Directory.

- 2.4.2 **Province of New Brunswick:** Section 42 of the Province of New Brunswick's Marine Pollution Emergency Response Plan, states that suitable land disposal sites or techniques during the response effort will be the responsibility of Environment and local government- New Brunswick. Other Provincial environmental legislation applicable to Waste Handling and Disposal are as follows: Clean Environment Act: Water Quality Regulation, Used Oil Regulation, Petroleum Storage and Handling Regulation.

**Disposal Facilities:** A list of Waste Petroleum Products Management Sites is contained in the Marine Pollution Emergency Response Plan, NB Department of Environment and Local Government.

**Oily Debris:** Oily debris includes off-spec petroleum impacted solid material other than tanks, sludge or soil and is transported to approved facilities in the province for cleaning and subsequent disposal at an approved landfill.

**Waste Oil:** The Used Oil Regulation went into effect on April 30, 2002. This regulation specifies the conditions under which the burning of waste oil, as a fuel, would be approved. The Transportation of Dangerous Goods Regulation, administered by the Province, must be met for the transportation of waste oil. Storage of waste oil in quantities greater than 2000L is regulated under the Petroleum Storage and Handling Regulation.

**Temporary Storage:** The Province of New Brunswick has no specific permitting requirements for the temporary storage (less than 45 day) of oily debris. However, any temporary storage should not result in a discharge of a contaminant, in contravention of the Clean Environment Act, Water Quality Regulation.

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## ***Appendix H. Joint Response Team Contact List***

In accordance with JCP, Section 304, the Joint Response Team is co-chaired by the Superintendent Environmental Response Canadian Coast Guard Atlantic and the Incident Management and Preparedness Advisor, U.S. Coast Guard First District. Members are drawn from other federal agencies, provincial/states, and First Nations/Tribes to give advice, facilitate coordinated planning, recommend plan changes, and to provide advisory support during response.

### **1. Canadian JRT Members:**

#### **Coast Guard**

Ryan Green  
Canadian Coast Guard JRT Co-Chair  
Senior Response Officer Saint John  
PO Box 700  
Saint John, NB E2L 4B3  
Phone: (506) 636-4716  
Fax: (506) 636-4719  
Email: [Ryan.Green@dfo-mpo.gc.ca](mailto:Ryan.Green@dfo-mpo.gc.ca)

#### **Environment and Climate Change Canada**

Jeffrey Corkum  
Regional Director  
Environment and Climate Change Canada  
Atlantic Environmental Protection Operations  
45 Alderney Drive  
Dartmouth NS B2Y 2N6  
Phone: (902) 426 3593  
Fax: (902) 426-4352  
Email: [jeffrey.corkum@ec.gc.ca](mailto:jeffrey.corkum@ec.gc.ca)

Alternate : Gerard Chisholm  
Policy and Planning Officer  
Environment and Climate Change Canada  
Atlantic Environmental Protection Operations  
45 Alderney Drive  
Dartmouth NS B2Y 2N6  
Phone: (902) 426 3593  
Fax: (902) 426-4352  
Email: [Gerard.Chisholm@ec.gc.ca](mailto:Gerard.Chisholm@ec.gc.ca)

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### **Transport Canada – Marine Safety**

Scott Kennedy  
Regional Director  
45 Alderney Drive, 14<sup>th</sup> Floor Queens Square  
Dartmouth NS B2Y 4K2  
Phone: (902) 426 2060  
Fax: (902) 426 6657  
Email: [scott.kennedy@tc.gc.ca](mailto:scott.kennedy@tc.gc.ca)

Alternate : Mihai Balaban  
45 Alderney Drive, 14<sup>th</sup> Floor Queens Square  
Dartmouth NS B2Y 4K2  
Phone: (902) 426 3477  
Fax: (902) 426 6657  
Email: [Mihai.Balaban@tc.gc.ca](mailto:Mihai.Balaban@tc.gc.ca)

### **Canada Border Services Agency – Atlantic Region**

Kevin Trudeau  
Regional Emergency Management Coordinator  
1969 Upper Water Street, 5<sup>th</sup> Floor  
Purdy's Wharf, Tower II  
Halifax NS B3J 3R7  
Phone: (902) 426 5725  
Cell: (902) 229 0725  
Email: [kevin.trudeau@cbsa-asfc.gc.ca](mailto:kevin.trudeau@cbsa-asfc.gc.ca)

Alternate : Jason Mullen  
Regional Emergency Management Coordinator  
1969 Upper Water Street, 5<sup>th</sup> Floor  
Purdy's Wharf, Tower II  
Halifax NS B3J 3R7  
Phone: (902) 426 8234  
Cell: (902) 229 0725  
Email: [Jason.Mullen@cbsa-asfc.gc.ca](mailto:Jason.Mullen@cbsa-asfc.gc.ca)

CBSA Border Operations Ottawa: 613-960-6001

### **Environment and Local Government- New Brunswick**

Michael Correy  
Emergency Management Supervisor  
Environment and Local Government  
PO Box 6000  
Fredericton NB E3B 5H1

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Phone: (506) 453 8371  
Fax: (506) 453 3688  
Email: [mike.correy@gnb.ca](mailto:mike.correy@gnb.ca)

Alternate : Jeff Williams  
Emergency Management Supervisor  
Environment and Local Government  
PO Box 6000  
Fredericton NB E3B 5H1  
Phone: (506) 444-5149  
Fax: (506) 453 2893  
Email: [jeff.williams@gnb.ca](mailto:jeff.williams@gnb.ca)

### **Citizenship and Immigration Canada**

Mary-Ellen Valkenier  
Eastern Region – Regional Director General  
Citizenship and Immigration Canada  
Montreal Region Headquarters  
1010, St-Antoine Street West, 2<sup>nd</sup> Floor  
Montreal PQ H3C 1B2  
Phone: (902) 536 3546  
Fax: (902) 426 6688  
Email: [mary-ellen.valkenier@cic.gc.ca](mailto:mary-ellen.valkenier@cic.gc.ca)

### **Nova Scotia Environment**

Andrew Murphy  
Director of Air Quality and Resource Management  
Nova Scotia Environment  
1903 Barrington Street, Suite 2085  
PO Box 442  
Halifax NS B3J 2P8  
Phone: (902) 424 2578  
Fax: (902) 424 6925  
Email: [andrew.murphy@gov.ns.ca](mailto:andrew.murphy@gov.ns.ca)

Alternate: Bill Whitman  
Manager NS Coastal Secretariat  
Marine and Coastal Services Division  
NS Department of Fisheries and Aquaculture  
Phone: (902) 532-8449  
Email: [bill.whitman@gov.ns.ca](mailto:bill.whitman@gov.ns.ca)

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## **Fisheries and Oceans Canada**

Rhea King  
Director Eco System Management  
Fisheries and Oceans Canada - Maritimes Region Bedford Institute of  
Oceanography  
1 Challenger Dr., PO Box 1006  
5th Floor, Polaris Bldg.  
Dartmouth, NS, B2Y 4A2  
Tel: (902) 426-2065  
Email: [Rhea.King@dfo-mpo.gc.ca](mailto:Rhea.King@dfo-mpo.gc.ca)

Alternate: Glen Herbert  
Regional Environmental Response Coordinator Ecosystem Management Branch  
Fisheries and Oceans Canada - Maritimes Region Bedford Institute of  
Oceanography  
1 Challenger Dr., PO Box 1006  
5th Floor, Polaris Bldg.  
Dartmouth, NS, B2Y 4A2  
Tel: (902) 802-7051  
Email: [glen.herbert@dfo-mpo.gc.ca](mailto:glen.herbert@dfo-mpo.gc.ca)

## **Public Safety Canada**

Claude Robichaud  
Regional Manager  
New Brunswick Regional Office  
485 Bishop Drive  
Fredericton NB E3C 2M6  
Phone: (506) 452 3351  
Cell: (506) 449 3666  
Fax: (506) 452 3906  
Email: [claire.robichaud@ps-sp.gc.ca](mailto:claire.robichaud@ps-sp.gc.ca)

Alternate: Paul Ouellette  
Senior Emergency Manager  
New Brunswick Regional Office  
485 Bishop Drive  
Fredericton NB E3C 2M6  
Phone: (506) 452 3021  
Cell: (506) 292 3347  
Fax: (506) 452 3906  
Email: [paul.ouellette@ps-sp.gc.ca](mailto:paul.ouellette@ps-sp.gc.ca)

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Alternate: Jo-Anne Scharf  
Regional Manager Nova Scotia  
Emergency Management and Programs Branch  
Phone: (902) 426 4398  
Cell: (902) 456 2211  
Email: [jo-anne.scharf@ps-sp.gc.ca](mailto:jo-anne.scharf@ps-sp.gc.ca)

### **New Brunswick Emergency Measures Organization**

Greg MacCallum  
Director  
Public Safety and Solicitor General  
PO Box 6000  
Fredericton NB E3B 5H1  
Phone: (506) 453 2133  
Fax: (506) 453 5513  
Email: [greg.maccallum@gnb.ca](mailto:greg.maccallum@gnb.ca) or [emo@gnb.ca](mailto:emo@gnb.ca)

### **Indigenous and Northern Affairs Canada (INAC)**

Larry Pardy  
Manager  
Lands, Environment and Natural Resources  
40 Havelock Street  
Amherst NS B4H 3Z3  
Phone: (902) 661 6368  
Fax: (902) 661 6237  
Email: [larry.pardy@aandc-aadnc.gc.ca](mailto:larry.pardy@aandc-aadnc.gc.ca)

### **Canadian Food Inspection Agency**

Lynda Richard  
Regional Director, New Brunswick  
500 Beaverbrook Court, Suite 430  
Fredericton NB E3B 5X4  
Phone: (506) 452 4963  
Email: [lynda.richard@inspection.gc.ca](mailto:lynda.richard@inspection.gc.ca)

Michael Bourque  
Nova Scotia Regional Director  
1992 Agency Drive  
Dartmouth NS B3B 1Y9  
Phone: (902) 426 5775/(902) 536 1091  
Fax: (902) 536 1038  
Email: [Michael.bourque@inspection.gc.ca](mailto:Michael.bourque@inspection.gc.ca)

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## **Department of National Defense**

Maritime Forces Atlantic  
Lt(N) Teri Murray  
Maritime Forces Atlantic Headquarters/Domestic Ops  
PO Box 99000 Stn Forces  
Halifax NS B3K 5X5  
Phone: (902) 427 3930  
Email: [teri.murray@forces.gc.ca](mailto:teri.murray@forces.gc.ca)

Maritime Forces Atlantic  
MAJ Simone Giguere  
JTFA HQ J7  
PO Box 99000 Stn Forces  
Halifax NS B3K 5X5  
Phone: (902) 427 5797  
Email: [Simon.Giguere@forces.gc.ca](mailto:Simon.Giguere@forces.gc.ca)

## **Canadian Nova Scotia Offshore Petroleum Board CNSOPB**

Dena Murphy, M.Sc., MMM, CRSP  
Director, Operations/Health, Safety & Environment  
Canada-Nova Scotia Offshore Petroleum Board  
1791 Barrington Street, 8th Floor TD Center  
Halifax, NS B3J 3K9

Direct (902) 496-0723  
Cell (902) 221-5698  
Reception (902) 422-5588  
Fax (902) 422-1799  
[dmurphy@cnsopb.ns.ca](mailto:dmurphy@cnsopb.ns.ca)

Alternate : Carl Makrides, P.Geo.  
Director, Resources  
Chief Conservation Officer  
Canada-Nova Scotia Offshore Petroleum Board  
8th Floor, TD Centre  
1791 Barrington Street  
Halifax, N.S.  
B3J 3K9

Direct: (902) 496-0747  
Cell: (902) 440-3864  
Reception: (902) 422-5588  
Fax: (902) 422-1799  
E-mail: [cmakrides@cnsopb.ns.ca](mailto:cmakrides@cnsopb.ns.ca)

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## 2. United States – JRT Membership

### Department of Homeland Security

#### U. S. Coast Guard

Joseph Boudrow  
U.S. Coast Guard JRT Co-Chair  
Incident Management and Preparedness Advisor (drmp)  
First Coast Guard District  
408 Atlantic Ave  
Boston, MA 02110-3350  
Phone: (617) 223-4813  
(617) 406-9042  
Fax: (617) 223-8471  
Email: [joseph.a.boudrow@uscg.mil](mailto:joseph.a.boudrow@uscg.mil)

Alternate: Cornell Rosiu  
Phone: (617) 223-8434  
Fax: (617) 223-8471  
Email: [cornell.j.rosiu@uscg.mil](mailto:cornell.j.rosiu@uscg.mil)

Wyman Briggs  
Coast Guard Sector Northern New England  
Federal On Scene Coordinator Representative  
259 High Street  
South Portland, ME 04106-2028  
Phone: (207) 767-0320

### Federal Emergency Management Agency

Matthew McCann  
Deputy Federal Preparedness Coordinator  
FEMA Region One  
U.S. Department of Homeland Security  
99 High Street, 5<sup>th</sup> Floor  
Boston, MA 02110  
Phone: (617) 956-7594  
Fax: (617) 894-7002  
Email: (matthew.mccann@fema.dhs.gov)

### Customs and Border Protection

Keith Fleming  
Area Port Director for Maine and Southern New Hampshire  
U.S Customs and Border Protections  
155 Gannett Drive  
South Portland, ME 04106

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Phone: (207) 771-3608  
Fax: (207)771-3605  
[keith.a.fleming@cbp.dhs.gov](mailto:keith.a.fleming@cbp.dhs.gov)

Bruce Foucart  
Special Agent in Charge, Boston  
Homeland Security Investigations  
Immigration and Customs Enforcement  
10 Causeway Street, Room 722  
Boston, MA 02222-1054  
Phone: (617) 565-7401  
Fax: (617) 565-7422  
Email: [bruce.foucart@ice.dhs.gov](mailto:bruce.foucart@ice.dhs.gov)

### **Citizenship and Immigration Services**

Denis Riordan, Director  
U.S. Citizenship and Immigration Services, District 1  
JFK Federal Building, Room E-170  
15 New Sudbury St.  
Boston, MA 02203  
Phone: (617) 565-4215  
Fax: (617) 565-4534  
Email: [denis.riordan@dhs.gov](mailto:denis.riordan@dhs.gov)

### **Environmental Protection Agency**

Carol Tucker  
Branch Chief  
Emergency Planning & Response Branch  
1 Congress Street, Suite 1100  
Boston, MA 02114-2023  
Phone: (617) 918-1251  
Fax: (617) 918-1269  
Email: [tucker.carol@epa.gov](mailto:tucker.carol@epa.gov)

### **National Oceanic and Atmospheric Administration**

Stephen Lehmann  
Scientific Support Coordinator and Trustee Representative  
NOAA/ORR/ERD  
Phone: (978) 654-6385  
Fax: (978) 654-6386  
Cell: (206) 526-4911  
Email: [steve.lehmann@noaa.gov](mailto:steve.lehmann@noaa.gov)

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## **Department of State**

Robert Mearkle  
Foreign Affairs Officer  
2201 C Street NW  
Room 2665  
Washington, DC 20520  
Phone: (202) 647-3879  
Fax: (202) 647-4353  
Email: MearkleR@state.gov

Alternate: Marc Zlomek , LCDR  
US Coast Guard  
2201 C Street NW  
Room 2665  
Washington, DC 20520  
Phone: (202) 647-3946  
Fax: (202) 647-4353  
Email: [zlomekma@state.gov](mailto:zlomekma@state.gov)

## **State of Maine**

### **Department of Environmental Protection**

Peter Blanchard, Director  
Division of Response Services  
17 State House Station  
Augusta, ME 04333-0017  
Phone: (207) 287-7190  
Fax: (207) 287-7826  
Email: [peter.j.blanchard@maine.gov](mailto:peter.j.blanchard@maine.gov)

## **State of New Hampshire**

### **Department of Environmental Services**

Carroll Brown  
29 Hazen Drive  
Concord, NH 03301  
Phone: (603) 271-3000  
(603) 724-0624  
Fax: (603) 271-0653  
Email: [Carroll.Brownjr@des.nh.gov](mailto:Carroll.Brownjr@des.nh.gov)

## **U.S. Department of the Interior (Designated Federal Trustee)**

Office of Environmental Policy and Compliance (OEPC)  
Andrew L. Raddant, Regional Environmental Officer (Trustee Contact)  
15 State Street, Suite 400  
Boston, MA 02109

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Office: (617) 223-8565  
Emergency: (617) 592-5444  
Email: andrew\_raddant@ios.doi.gov  
Fax: (617) 223-8569

Alternate:  
Office of Environmental Policy and Compliance (OEPC)  
Lindy Nelson, Regional Environmental Officer  
Custom House, Room 244  
200 Chestnut Street  
Philadelphia, PA 19106  
Office: (215) 597-5378  
Emergency: (215) 266-5155  
Email: Lindy\_Nelson@ios.doi.gov  
Fax: (215) 597-5012

DOI Bureau representatives with land and resource management responsibilities/expertise:

### **U.S. Fish and Wildlife Service**

Regional Office – FWS Region 5/Northeast Region  
Rick Vollick, Regional Emergency Management Coordinator  
300 Westgate Center Drive  
Hadley, MA 01035  
Office: (413) 253-8529  
Emergency: (413) 770-1235  
Email: Rick\_Vollick@fws.gov

### **National Park Service**

Kristoffer Hewitt  
Environmental Program Manager  
U.S. Custom House  
200 Chestnut Street  
Philadelphia, PA 19106  
Office: (215) 597-5368  
Emergency: (267) 324-4445  
Email: Kristoffer\_Hewitt@nps.gov  
Fax: (215) 597-0351

Dave L. Anderson  
National Park Service Spill Response  
1201 Oakridge Drive, Room 200-36  
Fort Collins, CO 80525

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---

Office: (970) 225-3539  
Emergency: (240) 205-3203  
Email: D\_L\_Anderson@nps.gov  
Fax: (615) 564-6701

### **Bureau of Indian Affairs**

Patrick Vacha  
Eastern Regional Office  
545 Marriott Drive, Suite 700  
Nashville, TN 37124  
Office: (615) 564-6810  
Emergency: (202) 577-5918  
Email: Patrick.Vacha@bia.gov  
Fax: (615) 564-6701

### **Bureau of Ocean Energy Management**

Wright Jay Frank  
Energy Program Specialist  
Office of Renewable Energy Management  
281 Elden Street, HM 1328  
Herndon, VA 20170  
Office: 703-787-1325  
Email: Wright.Frank@boem.gov

David M. Moore  
Chief - Oil Spill Response Division  
Bureau of Safety and Environmental Enforcement  
381 Elden Street - HE 3327  
Herndon, Virginia 20170  
Office: 703-787-1637  
Email: david.moore@bsee.gov

### **Federally Recognized Tribes**

#### **Passamaquoddy Tribe of Indians - Indian Township Reservation**

Joseph Socobasin  
Tribal Chief  
Passamaquoddy Tribe of Indians  
Indian Township Reservation  
PO Box 301  
Princeton, ME 04668  
Phone: (207) 796-2301  
Fax: (207) 796-5256  
josephsocobasin@passamaquoddy.com

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---

### **Passamaquoddy Tribe of Indians - Pleasant Point Reservation**

Reubin Cleaves  
Tribal Governor  
Passamaquoddy Tribe of Indians  
Pleasant Point Reservation  
PO Box 343  
Perry, ME 04667  
Phone: (207) 853-2600  
Fax: (207) 853-6039

Marvin Cling  
Environmental Department Director  
207-853-2600 x 234  
[marvin@wabanaki.com](mailto:marvin@wabanaki.com)

### 3. **United States – Supporting Agencies**

#### **Maine Emergency Management Agency**

Robert Gardner  
Mailing address: 72 State House Station  
Augusta, ME 04333-0072  
Physical location (for UPS/Fed Ex / DHL)  
45 Commerce Drive, Suite 2  
Augusta, ME 04330  
Phone: (207) 624-4440  
Email: [robert.s.gardner@maine.gov](mailto:robert.s.gardner@maine.gov)

#### **Maine Department of Inland Fisheries and Wildlife**

Donald Katnik  
650 State St.  
Bangor, ME 04401  
Phone: (207) 941-4455  
Fax: (207) 941-4450  
Mobile: (207)  
Oiled Wildlife Hotline: 1-877-OIL-BIRD  
Email: [donald.katnik@maine.gov](mailto:donald.katnik@maine.gov)

#### **Maine Department of Marine Resources**

Linda Mercer  
Bureau of Marine and Searun Science  
Maine Department of Marine Resources  
194 McKown Point Road  
West Boothbay Harbor, ME 04575  
Phone: (207) 633-9525

# Canada – United States Joint Marine Pollution Contingency Plan

## Atlantic Regional Annex

---

Fax: (207) 633-9579  
[linda.mercer@maine.gov](mailto:linda.mercer@maine.gov)

### **Department of the Interior**

#### **U.S. Fish and Wildlife Service**

Regional Office – FWS Region 5/Northeast Region  
Tim Fannin, Regional Emergency Management Coordinator  
300 Westgate Center Drive  
Hadley, MA 01035  
Office: (413) 253-8529  
Emergency: (413) 770-1235  
Email: Tim\_Fannin@fws.gov

#### **National Park Service**

Kristoffer Hewitt  
Environmental Program Manager  
U.S. Custom House  
200 Chestnut Street  
Philadelphia, PA 19106  
Office: (215) 597-5368  
Emergency: (267) 324-4445  
Email: Kristoffer\_Hewitt@nps.gov  
Fax: (215) 597-0351

Dave L. Anderson  
National Park Service Spill Response  
1201 Oakridge Drive, Room 200-36  
Fort Collins, CO 80525  
Office: (970) 225-3539  
Emergency: (240) 205-3203  
Email: D\_L\_Anderson@nps.gov  
Fax: (615) 564-6701

#### **Bureau of Safety and Environmental Enforcement**

Bryan Rogers  
GOMR Branch Supervisor - Acting  
Oil Spill Response Division  
1201 Elmwood Park Blvd  
New Orleans, LA 70123  
504-736-3242 - work  
504-458-5142 – mobile

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## Atlantic Regional Annex

---

### **Bureau of Indian Affairs**

Patrick Vacha  
Eastern Regional Office  
545 Marriott Drive, Suite 700  
Nashville, TN 37124  
Office: (615) 564-6810  
Emergency: (202) 577-5918  
Email: [Patrick.Vacha@bia.gov](mailto:Patrick.Vacha@bia.gov)  
Fax: (615) 564-6701

### **Department of Health and Human Services**

Betsy Rosenfeld  
Regional Health Administrator  
Region 1, New England  
US Dept of Health and Human Services  
JFK Federal Building, Suite 2100  
Boston, MA 02203  
Phone: (617) 565-1505  
Email: [betsy.rosenfeld@hhs.gov](mailto:betsy.rosenfeld@hhs.gov)

Gary Perlman, CAPT  
Environmental Health Specialist  
ATSDR, US EPA Region 1  
1 Congress St., Suite 1100 (HBT)  
Boston, MA 02114-2023  
Phone: (617) 918-1490  
Fax: (617) 918-1494  
Email: [perlman.gary@epa.gov](mailto:perlman.gary@epa.gov)

### **Department of Defense**

William McGowan  
Commander Navy Region Mid Atlantic  
9742 Maryland Ave.  
Building N46, Floor 3, Room 3208  
Norfolk, VA 23511  
Phone: (757) 444-6859  
Email: [william.r.mcgowan@navy.mil](mailto:william.r.mcgowan@navy.mil)

### **Department of Labor**

Robert Hooper  
Assistant Regional Admin for Tech Support  
U.S. DOL-OSHA  
JFK Federal Building, Room E340  
Boston, MA 02203  
Phone: (617) 565-9860

# Canada – United States Joint Marine Pollution Contingency Plan

## Atlantic Regional Annex

---

Fax: (617) 565-9827  
Email: [Hooper.robert@dol.gov](mailto:Hooper.robert@dol.gov)

### **Department of Justice**

Peter Flynn  
Environmental & Natural Resources Division  
Environmental Enforcement Section  
US Dept. of Justice, Room 11072  
PO Box 7611  
1425 NY Ave NW  
Benjamin Franklin Station  
Washington, DC 20044-7611  
Phone: (202) 514-4352  
Fax: (202) 616-2427  
Email: [Peter.Flynn@intmail.usdoj.gov](mailto:Peter.Flynn@intmail.usdoj.gov)

### **Department of Transportation**

Terry Sheehan  
Region 1 Regional Emergency Transportation Coordinator  
Phone: (617) 494-3047  
Fax: (617) 494-3260  
Email: [sheehant@volpe.dot.gov](mailto:sheehant@volpe.dot.gov)

### **General Services Administration**

Michael Stec  
Administrative Services  
General Services Administration  
Room 985, O'Neil Federal Building  
Boston, MA 02222  
Phone: (617) 565-7142  
Fax: (617) 565-7144  
Email: [michael.stec@gsa.gov](mailto:michael.stec@gsa.gov)

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### *Appendix I. Joint Information Center / Public Affairs*

1. **General:** The public's perception of the danger posed by a harmful substance incident and the effectiveness of the response effort is often based more on media coverage of the incident than on the response itself. It is imperative that agencies involved in the cleanup operation communicate effectively to the public the measures being taken in response to a spill to galvanize public confidence. Communications with the media should stress the response objectives. It is important that messages are consistent with the best data available. It is equally important that these messages accurately reflect the priorities and activities of all agencies participating in the cleanup.

It is important to note that the U.S. and Canada use different units of measurement. The JIC needs to ensure that information being released has the correct unit of measure. Appendix Q provides a table of common units of measure and conversions.

2. **United States:** U.S. Coast Guard First District Government and Public Affairs, with assistance from the Public Information Assist Team (PIAT) if necessary, will respond to provide public affairs support to the response management organization. A Joint Information Center manual, created by PIAT, sets a standard for public affairs and information management for the ICS/UC organization. The National Response Team's Joint Information Center Model can be found at: [www.nrt.org](http://www.nrt.org).
3. **Canada:** A Canadian model for management of public information activities is under development. Canadian agencies will manage public information activities similar to the principles set in the U.S. JIC model.

CCG OSC will task Communications Branch, Fisheries and Oceans Canada (Maritimes Region), to provide all necessary public information support. Communications Branch (CCG Communications Manager) will assume lead role for coordinating communications activities among participating response agencies, establishing a location from which to manage communications and public information activities, and providing direct support to the CCG OSC in accordance with CCG contingency plans.

Communications/public information support for CCG operations is available on a 24/7 basis, either through the local MCTS Centre or by contacting the CCG Communications Manager directly at (902) 426-3555 or (902) 483-0399.

### **2.4 English/French Translation Services**

- 2.4.1 **EMO Text Translation Services:** The N.B. Emergency Measures Organization (EMO) has access to Government of New Brunswick

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text translation services (in-house and private sector). These services are detailed in the *Provincial Emergency Public Information Plan*. To activate the Provincial EPI Plan, EMO contacts Communication New Brunswick (CNB), who helps determine the requirements and assigns/notifies appropriate staff. In this case, EMO/CNB has priority access for translation and support services. Estimated turn-around time for a document is about 1 – 1.5 hours per typical non-technical page. Communication is generally by telephone, fax and/or email. Translators can operate from routine office facilities, or provide mobile assistance.

2.4.2 **CNB Text Translation Services:** Communication New Brunswick has basic in-house text translation support for non-technical documents (i.e. brief alerts, advisories, general public instructions, etc.). Staff also can assist in handling French media inquiries.

2.4.3 **EMO Simultaneous Interpretation Services:** N.B. EMO has access to simultaneous interpretation services through its Provincial EPI Plan. Notification process is the same as with text translation services. In general, private sector contractors supply the equipment and technicians, while professional interpretation services are provided by provincial government employees and/or freelance and contracted services. Resources are generally available in major cities.

2.5 **Other Language Translation:** Other specific oral/written language requirements can be met through an inventory of provincial public servants with specific language skills. In addition, local multicultural organizations can provide assistance in this area.

NOTE: Public Works Canada also has the regional translation service for the federal government and it is based in Moncton, New Brunswick. In the present plan, the provincial Translation Bureau would keep this staff on stand-by to provide back-up and support for an operation expected to be of lengthy duration.

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### *Appendix J. Worker Health, Safety and Compensation*

#### 1. General

Worker safety and health and worker compensation in the event of an injury are important considerations when preparing plans for addressing a harmful substance incident. It should be noted that workers coming into the U.S. from Canada to perform work are required to meet the training standards that are set by the U.S. Government for the State of Maine. In addition there is a requirement that site specific health and safety plans be developed prior to initiation of work. There are no similar requirements for U.S. workers going into Canada to perform work. If a worker is injured, there are state, provincial, and federal programs that provide compensation to those workers. A more detailed summary of these issues as well as statutory citations can be found in the following sections.

#### 2. Training

**2.4 Canadian Federal and Provincial Training Requirements:** Training requirements for hazardous material responders in Canada have not been prescribed to the same level of detail as found in the United States. There is a general absence of specific training requirements at both federal and provincial levels as existing legislation provides descriptive guidance as opposed to specific direction. [The Canada Labor Code Part II](#), (CLC II), and the associated [Canada Occupational Safety and Health, \(COSH\) regulations](#), describe training requirements for federal government employees in broad terms, primarily in CLC II, Sections 124 to 126. These sections generally require the employer to provide employees appropriate training, tools and protective equipment, to allow them to conduct their work in a safe fashion. For employees working with hazardous or controlled substances, Part X of the COSH regulations require that employees be trained regarding the hazard information contained in the Material Safety Data Sheet (MSDS) for the substance. Employees must also be trained in the proper use of personal protective equipment as prescribed by the MSDS. There are no specific courses, formal qualifications, or minimum hours of training required by the CLC II or COSH regulations, however all training provided to the employee must be documented. United States hazardous materials responders who are trained to their jurisdictional provisions will meet Canadian federal and provincial requirements. United States hazardous materials responders working in Canada should be prepared to provide documentation of their training to appropriate Canadian officials.

**2.5 United States Federal and State Training Requirements:** The U.S. Federal requirements 29 CFR 1910.120(q) for “emergency response workers” and 29 CFR 1910.120(e) for “routine cleanup operations” applies to workers in the state of Maine. For oil spill response, the 2001 “Training Marine Oil Spill Response Workers under OSHA’s Hazardous Waste Operations and Emergency Response

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Standard” describes position-based training requirements (OHS 3172, online at <https://www.osha.gov/Publications/3172/3172.html>).

### 2.5.1 **Emergency Response Workers**

- First Responder Awareness Level (e.g. State Trooper who provides discovery and notification): Sufficient training or proven experience in competencies specified in the regulation. Annual refresher is required.
- Responder Operations Level (e.g. Responding Fire Company which provides basic control, containment, and/or confinement operations.): (Defensive tactics) A minimum of 8 hours classroom training; or proven experience in competencies specified in the regulation. Annual refresher is required.
- Hazardous Materials Technician (e.g. HAZMAT team member who responds for the purpose of stopping a release or for advanced control, containment and/or confinement operations.): (Offensive tactics) A minimum of 24 hours of classroom training and proven experience in competencies specified in the regulation. Annual refresher is required.
- Hazardous Materials Specialist (e.g. HAZMAT team member who provides support to HAZMAT Materials Technicians and whose duties require a more specific knowledge): A minimum of 24 hours of classroom training, and proven experience in competencies specified in the regulation. Annual refresher is required.

2.5.2 On-Scene Incident Commander (e.g. Fire Captain or State Patrol Officer who assumes control of the Incident): A minimum of 24 hours of classroom training, and proven experience in competencies specified in the regulation. Annual refresher is required.

### **Routine Hazardous Materials Spill Cleanup Workers**

- Routine Site Cleanup Workers: 40 hours of classroom training; and 24 hours of direct on-site field experience under a trained and experienced supervisor. Eight hour annual refresher (U.S. Occupational Safety and Health staff may provide exception for low risk oil cleanup activities - 4 hours classroom training.)
- Supervisors of Routine Site Cleanup Workers: 40 hours of classroom training; and - 24 hours of direct on-site field experience under a trained and experienced supervisor; - 8 hours of hazardous waste management - 8 hour annual refresher.
- Inspectors and Supervisors not working in the hot or decontaminated zone and specified limited task workers: 24 hours of classroom training; and 8 hours of actual field experience under a trained and experienced supervisor; and 8 hours of hazardous waste management - 8 hour annual refresher.

3. **Site Safety Plan Requirements:** A written site safety plan should be prepared for all cross border responses prior to post-emergency response action. If separate site safety

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plans have been prepared by Canadian and United States responders, the safety officers from Canada and the United States will meet to ensure the site safety plans complement each other and do not conflict. U.S. law requires site safety and health plans; federal requirements apply to response operations in the State of Maine. Site safety plans must be specific to the emergency or hazardous material site and must address any unique features of the site. The site safety plan should address personnel monitoring, environmental monitoring, hazard identification, pre-entry briefings, site security and decontamination procedures etc. For more detailed information refer to 29 CFR 1920.120(b) .

#### 4. Worker Compensation

4.1 **Canadian Government**: The Canadian federal government provides benefits to all employees of the federal government and most Crown agencies, except members of the regular forces of the Canadian Forces and the Royal Canadian Mounted Police, under the Government Employees Compensation Act, administered by Human Resources Development Canada. Instead of establishing its own system for compensation and treatment, the government uses the services already available through provincial Workers Compensation Boards. As long as employees are engaged in work for their department or agency at the time of the accident, they are covered by the Act, wherever they may be working, in Canada or abroad. For detailed information see, “Government Employees Compensation Act”.

4.2 **Province of New Brunswick**: In New Brunswick (NB), workers compensation is provided through the Workers Compensation Act (and associated Regulations) of New Brunswick. The Act applies to all workers and employers in NB, and also provides automatic extension of coverage if injured outside of NB. NB employees conducting spill response activities in the United States would be covered by the Act. The Act does not provide coverage for employees or agents of either Canadian or American Federal governments. Non-NB employers and workers, who temporarily operate in NB (on an intermittent basis of less than 10 days per year, or continuously up to 15 days per year), are not covered under the Act, if coverage exists from another jurisdiction. U.S. workers responding to spills in NB should check with their State authorities to determine their coverage. NB and foreign volunteers are generally not covered under the Act. However, volunteer firefighters working for a municipality, city, town, village, etc. are covered as are volunteers registered with, and working under the direction of, the NB Provincial Emergency Program. Covered volunteers are provided the same benefits and protection as workers regardless of venue, i.e. inside or outside of New Brunswick.

4.1 **United States Government**: The U.S. Government Workers Compensation program is found in the Federal Employee Compensation Act, which is overseen by the Office of Workers Compensation Program in the U.S.

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Department of Labor. In this program U.S. Government Civil Service workers are covered in both Canada and the U.S. if they are performing work pursuant to their government positions. The level and type of coverage is dependent upon the type of injury and its duration. (Because of the complexity of the law, detailed discussion of the specific provision is omitted.) For detailed information see the “Federal Workers Compensation Act” at 5 U.S.C. Part 8101.

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### *Appendix K. Environmental Unit / Special Technical Advisors*

1. **Environmental Unit**: The Environmental Unit (ENV) works within the Planning Section in support of the Unified Command at an Incident Command Post and is responsible for environmental matters associated with the response. These environmental matters include:
  - determining the extent, fate and effects of contamination
  - modeling,
  - developing plans for collecting, transporting and analyzing samples
  - environmental monitoring and surveillance,
  - permitting,
  - identifying sensitive areas and recommending response priorities
  - evaluating and recommending response technologies,
  - developing shoreline protection, cleanup and assessment plans
  - developing plans for protecting historical/cultural resources
  - developing wildlife protection strategies
  - developing waste disposal plans
  - consulting with natural resource trustees
  
2. **Environmental Unit in a Single ICP**: When CANUSLANT is activated, and only one ICP is established, the Environmental Unit will typically be comprised of co-located representatives from both nations, the Responsible Party and other subject matter experts. This single unit is formed to address the challenges of coordinating scientific, environmental and regulatory advice during an international spill. Whenever possible, plans and recommendations developed within the Environmental Unit should reflect input from all impacted stakeholders and be the result of a consensus-based decision-making process.
  
3. **Environmental Units within Dual ICPs**: As outlined in Section VI, there are times when a two ICP structure is merited. In these situations, representatives from the Environmental Units in each ICP will need to closely coordinate their efforts with their counterparts in the other ICP. This is particularly true for environmental matters impacting the International Response Zone (IRZ), which is defined as the area where protection and treatment decisions made in one country may impact the environmental resources of the other country. Coordination of environmental decision-making may regular conference calls, teleconferences, email exchanges, and/or periodic face-to-face meetings. Environmental activities that affect individual countries outside the defined IRZ, will not require substantial coordination between representatives of the two countries.
  
4. **Environmental Unit Leader** The Environmental Unit Leader (ENVL) should be from a public environmental or natural resource management agency to ensure compliance with applicable laws, regulations, and ordinances. The US NOAA

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Scientific Support Coordinator and the Environment and Climate Change Canada National Environmental Emergencies Centre (NEEC) Environmental Emergencies Officer will typically play a lead role in the Environmental Unit but will often not fill the role of the ENVL. As special technical advisors, the NOAA SSC and the Environmental Emergencies Officer may be called upon to directly brief or advise the Incident Command/Unified Command on environmental matters.

5. **Advisory Bodies** The Canadian Environmental Emergencies Officer from NEEC can convene an Environmental Emergencies Science Table (Science Table) at the request of the Lead Canadian Agency coordinating the emergency response. The Science Table is an advisory body that gathers and coordinates the best available scientific expertise and information to identify environmental protection priorities for a given pollution incident. The Science Table supplies advice relevant to environmental concerns, priorities and strategies, thus enabling and optimizing the environmental response. The response mode of the Science Table could involve both on and off-site response and information gathering on affected natural resources, human and physical use sensitivities. Similarly, in the US the NOAA Scientific Support Coordinator has access to numerous advisors and advisory bodies from within the NOAA Scientific Support Team, academia, and other government and non-government organizations.

These advisors and advisory bodies, while assigned to the Command Staff of the respective countries, are equally available to and most closely associated with the respective Environmental Unit(s). Plans, assessments, recommendations and advice should be coordinated with the EU(s) so that, as appropriate, they can be incorporated into the Incident Action Plan and made part of the Operational - Planning Cycle. In as much as it is practicable, cross-border deliberation of scientific and environmental policy issues will be coordinated from within the EU(s) in order to improve collaboration and consensus among agencies and with the Responsible Party. Where this direct collaboration is impossible or impractical, the Canadian Environmental Emergencies Officer (or Science Table Chair) and the NOAA SSC will act as the point of coordination and fully brief the EU(s), seeking and transmitting input. Incorporating environmental plans and recommendations into the Operational Planning Cycle ensures that they are properly vetted by the Planning Section Chief, Operations Section Chief and Safety Officer during the Tactics Meeting and reviewed by the full Command and General staff during the Planning Meeting before being incorporated into the Incident Action Plan.

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### *Appendix L. Alternative Response Technologies*

#### 1. Dispersants

##### 1.1 Joint Decisions

Use of dispersants or other chemicals in a cross border spill in situations where the countermeasure may affect the other country will be a joint decision, subject to the approval and decision requirements of each country. Under the Canadian Fisheries Act, there is no approval process for dispersants.

##### 1.2 Canada

1.2.1 **General:** In Atlantic Canada, approval for use of dispersants must be obtained from Environment and Climate Change Canada prior to application because their use is regulated by the [Fisheries Act](#). As there are other pieces of legislation relating to dispersant use, EC will consult with National Environment Emergency Center (NEEC) prior to giving final approval. Requests can be made 24 hours a day to EC through the 1-888-283-2333 spill reporting network. If permission is granted, only an EC approved dispersants can be used.

##### 1.3 United States

1.3.1 **General:** The use of dispersants is regulated by Subpart J of the National Contingency Plan (40 CFR 300.900). In absence of pre-authorization agreements, the decision to use dispersants and other chemicals is made by the On-Scene Coordinator with the concurrence of the RRT representatives from the EPA, Coast Guard, and states with jurisdiction over the waters threatened by the discharge, and in consultation with the Department of Commerce and Department of the Interior natural resource trustees. The OSC can draw on the RRT coordinator at D1 (drm) to assist in gaining approval. Dispersants or chemicals used must be on the National Contingency Plan Product Schedule described at 40 CFR 300.905. If use of chemicals will, in the judgment of the OSC, eliminate or substantially reduce a threat to human life, any product may be used without further consultation or concurrence.

1.3.2 **Plan / Preauthorization:** Refer to Section 4720, Alternative Countermeasures and Section 9580, Dispersant Preauthorization in the Maine and New Hampshire Area Plan, for the established preauthorization agreement that streamlines the approval process for dispersants and other chemical countermeasures, available at <http://homeport.uscg.mil/northernnewengland>.

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1.3.3 **Listed Products:** Dispersants listed on the current product schedule are available at <http://www.epa.gov/emergencies/content/ncp/>. Only the COREXIT formulations were considered by the Natural Resource Trustees in evaluating potential impacts to endangered species, so other formulations require case-by-case consultation.

## 2. In Situ Burning

### 2.1. Joint Decisions

Use of in situ burning in a cross border spill in situations where the countermeasure may affect the other country will be a joint decision, subject to the approval and decision requirements of each country. The Unified Commands and Unified Area Commands and other joint bodies established during an incident can assist in ensuring a consistent decision making process is applied to both sides of the border.

### 2.2. Canada

2.2.1. **General:** In Atlantic Canada, prior approval to carry out in-situ burning during oil spills must be obtained from the Environmental Emergencies Science TableNEET because both federal and provincial legislations may apply. Requests can be made 24 hours a day to EC through the 1-800-565-1633 spill reporting network. The party or organization requesting permission should develop a plan for the burn, and monitoring of the potential effects of a burn may also be required.

### 2.3. United States

2.3.1. **General:** The use of in situ burning in concert with burning agents to enhance the flammability of the product, is regulated in the same way as dispersants and other chemical countermeasures by Subpart J of the NCP (40 CFR 300.900). If the oil is ignitable and no burning agents are used, under the NCP it is not differentiated from other countermeasures, made by the unified command in consultation with the natural resource trustees. Other regulations do apply, notably the air emissions are regulated by State Implementation Plans under the Clean Air Act.

2.3.2. **Plan / Preauthorization:** Refer to Section 4600 of the ME/NH Area Contingency Plan at <http://homeport.uscg.mil/northernnewengland>, which incorporates the Region I ISB Memorandum of Understanding. Under the Region I memorandum, the in situ burning decision belongs to the Federal On-Scene Coordinator outside 6 miles (Maine has requested consultation on the decision to 12 miles), and the State and Federal On-Scene Coordinator outside 1 mile, subject to a series of protocols. Additionally, the State of Maine On-Scene Coordinator has a

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Memorandum of Agreement with the State Bureau of Air Quality Control allowing the State On-Scene Coordinator to authorize in situ burns for oil removal throughout the state.

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## *Appendix M. International Emergency Management Assistance Memorandum of Understanding*

1. The International Emergency Management Assistance Memorandum of Understanding (MAMOU) is an agreement on mutual aid among the New England States, the Atlantic Provinces and Québec. The document makes provision for such things as:

- recognition of professional, mechanical and other skills;
- liability and immunity;
- compensation and death benefits; and
- reimbursement

1.1 The following paragraphs are extracts from the MOU, the complete text of which can be found at <http://www.iemg-gigu-web.org/mou-e.asp>.

1.1.1 **Request for assistance:** The authorized representative of a party jurisdiction may request assistance of another party jurisdiction by contacting the authorized representative of that jurisdiction. These provisions only apply to requests for assistance made by and to authorized representatives. Requests may be verbal or in writing. If verbal, the request must be confirmed in writing within 15 days of the verbal request.

1.1.2 **Consultation among party jurisdiction officials:** There shall be frequent consultation among the party jurisdiction officials who have assigned emergency management responsibilities, such officials collectively known hereinafter as the International Emergency Management Group (IEMG).

1.1.3 **Licenses and Permits - Article V**  
Whenever a person holds a license, certificate or other permit issued by any jurisdiction party to the compact evidencing the meeting of qualifications for professional, mechanical or other skills, and when such assistance is requested by the receiving party jurisdiction, such person is deemed to be licensed, certified or permitted by the jurisdiction requesting assistance to render aid involving such skill to meet an emergency or disaster, subject to such limitations and conditions as the requesting jurisdiction prescribes by executive order or otherwise.

1.1.4 **Liability - Article VI**  
Any person or entities of a party jurisdiction rendering aid in another jurisdiction pursuant to this compact are considered agents of the requesting jurisdiction for tort liability and immunity

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purposes. Any person or entity rendering aid in another jurisdiction pursuant to this compact are not liable on account of any act or omission in good faith on the part of such forces while so engaged or on account of the maintenance or use of any equipment or supplies in connection therewith. Good faith in this article does not include willful misconduct, gross negligence or recklessness.

### 1.1.5 **Workers' Compensation and Death Benefits - Article VIII**

Each party jurisdiction shall provide, in accordance with its own laws, for the payment of workers' compensation and death benefits to injured members of the emergency forces of that jurisdiction and to representatives of deceased members of those forces if the members sustain injuries or are killed while rendering aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within their own jurisdiction.

### 1.1.6 **Reimbursement - Article IX**

Any party jurisdiction rendering aid in another jurisdiction pursuant to this compact shall, if requested, be reimbursed by the party jurisdiction receiving such aid for any loss or damage to or expense incurred in the operation of any equipment and the provision of any service in answering a request for aid and for the costs incurred in connection with those requests. An aiding party jurisdiction may assume in whole or in part any such loss, damage, expense or other cost or may loan such equipment or donate such services to the receiving party jurisdiction without charge or cost. Any two or more party jurisdictions may enter into supplementary agreements establishing a different allocation of costs among those jurisdictions. Expenses under article VIII are not reimbursable under this section.

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### *Appendix N. First Nations*

#### 1. **General**

The Atlantic Regional Annex (CANUSLANT) recognizes the rights of Canadian Aboriginal people and U.S. Tribes, and provides for their participation when their lands are threatened or impacted.

#### 2. **Canada**

In conducting response activities on reserve lands, culture significant lands, and First Nation treaty settlement lands, Canadian Coast Guard Atlantic will involve First Nations people as it will other agencies with relevant jurisdiction relating to a marine pollution incident. Canadian Coast Guard Atlantic recognizes the existence of both First Nations and Treaty rights as defined in [Section 35 of the Canadian Constitution Act, 1982](#). In addition, Canadian Coast Guard Atlantic supports the Government of [Canada's Inherent Right Policy \(1995\)](#) that established a new government-to-government relationship with First Nations governments within the Canadian constitutional framework.

##### 2.1. **Canadian Government Contacts:**

Fisheries and Oceans Canada

Ted Potter  
Director, Aboriginal Affairs  
Dartmouth, Nova Scotia  
(902) 456-4090  
[Ted.Potter@dfo-mpo.gc.ca](mailto:Ted.Potter@dfo-mpo.gc.ca)

Jeff Purdy  
Aboriginal Program Coordinator  
Southwest Nova Scotia Area  
Yarmouth, Nova Scotia  
(902) 740-1367  
[Jeff.Purdy@dfo-mpo.gc.ca](mailto:Jeff.Purdy@dfo-mpo.gc.ca)

Meghan Folkins  
Aboriginal Program Coordinator  
Southwest New Brunswick Area  
St. George, New Brunswick  
506-467-5468  
[Megan.Folkins@dfo-mpo-gc.ca](mailto:Megan.Folkins@dfo-mpo-gc.ca)

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Indigenous and Northern Affairs Canada  
Lands and Trust Services  
Atlantic Region  
PO Box 160  
Amherst, NS, B4H 3Z3  
Tel: (902) 661-6368  
Fax: (902) 661-6237

### 2.2. Canadian First Nations Contacts:

Maliseet Nation at Tobique  
13156 Route 105  
Tobique First Nation, NB E7H 5M7  
Tel: (506) 273-5400; 273-5490; 273-5499  
Fax: (506) 273-3035

Maliseet Nation at Woodstock  
Woodstock Indian Nation  
3 Wulastook Court  
Woodstock First Nation, NB E7M 4K6  
Tel: (506) 328-3303  
Fax: (506) 328-2420

Maliseet Nation at Saint Mary's  
Council of Saint Mary's Band  
35 Dedham Street  
Fredericton, NB E3A 2V2  
Tel: (506) 458-9511  
Fax: (506) 452-2763

Maliseet Nation at Kingsclear  
Council of Kingsclear Band  
77 French Village Road  
Kingsclear First Nation, NB E3E 1K3  
Tel: (506) 363-3028, 363-3029  
Fax: (506) 363-4324

Maliseet Nation at Oromocto  
Council of Oromocto Band  
PO Box 417  
Oromocto, NB E2V 2J2  
Tel: (506) 357-2083  
Fax: (506) 357-2628

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Acadia First Nation  
Council of Acadia Band  
RR # 4, Box 5914C  
Yarmouth, NS B5A 4A8  
Tel: (902) 742-0257  
Fax: (902) 742-8854

Annapolis Valley First Nation  
Council of Annapolis Valley Band  
PO Box 89  
Cambridge Station, NS B0P 1G0  
Tel: (902) 538-7149  
Fax: (902) 538-7734

Bear River First Nation  
Council of Bear River Band  
PO Box 210  
Bear River, NS B0S 1B0

Glooscap First Nation  
Council of Glooscap First Nation  
PO Box 449  
Hantsport, NS B0P 1P0  
Tel: 684-9788  
Fax: 684-9890

### 3. **United States**

The Department of Homeland Security, U.S. Coast Guard, will notify, coordinate and consult with, and involve Native American tribal governments in its decision making relating to a marine pollution incident affecting or potentially affecting Native American Tribes.

The United States' fiduciary trust responsibilities and Government-to-Government relationship with Native American tribal governments are found in the U.S. Constitution, statutes, treaties, judicial decisions, executive orders and policies. The Department of Homeland Security, U.S. Coast Guard, will undertake its response actions consistent with these policies, including but not limited to how these policies are expressed in the National Response Plan, National Contingency Plan, Clean Water Act, Comprehensive Environmental Response Compensation and Liability Act, National Historic Preservation Act, and Native American Graves Protection and Repatriation Act.

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### 3.1. United States Government Contacts:

U.S. Department of the Interior (Designated Federal Trustee)  
Office of Environmental Policy and Compliance (OEPC)  
Andrew L. Raddant, Regional Environmental Officer (Trustee Contact)  
15 State Street, Suite 400  
Boston, MA 02109  
Office: (617) 223-8565  
Emergency: (617) 592-5444  
Email: andrew\_raddant@ios.doi.gov  
Fax: (617) 223-8569

Alternate:  
Office of Environmental Policy and Compliance (OEPC)  
Lindy Nelson, Regional Environmental Officer  
Custom House, Room 244  
200 Chestnut Street  
Philadelphia, PA 19106  
Office: (215) 597-5378  
Emergency: (215) 266-5155  
Email: Lindy\_Nelson@ios.doi.gov  
Fax: (215) 597-5012

Bureau of Indian Affairs  
Patrick Vacha  
Eastern Regional Office  
545 Marriott Drive, Suite 700  
Nashville, TN 37124  
Office: (615) 564-6810  
Emergency: (202) 577-5918  
Email: Patrick.Vacha@bia.gov  
Fax: (615) 564-6701

### 3.2. U.S. Native American Tribal Government Contacts

Passamaquoddy Tribe, Pleasant Point  
PO Box 343  
Perry, ME 04667  
Tel: (207) 854-2600  
Fax: (207) 853-6039

Passamaquoddy Tribe, Indian Township  
PO Box 301  
Princeton, ME 04668  
Tel: (207) 796-2301

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Fax: (207) 796-5256

Penobscot Indian Nation  
6 River Road  
Indian Island  
Old Town, ME 04668  
Tel: (207) 827-7776  
Fax: (207) 827-1137

Houlton Band of Maliseet Indians  
88 Bell Road  
Littleton, ME  
Tel: (207) 532-4273

Aroostook Band of Micmacs  
7 Northern Road  
Presque Isle, ME 04769  
Tel: (207) 764-1972  
Fax (207) 764-7667

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### *Appendix O. Places of Refuge*

#### 1. **General:**

In November 2003, the International Maritime Organization (IMO) Assembly adopted two resolutions addressing the issue of places of refuge (POR) for ships in distress - an important step in assisting those involved in incidents that may lead to the need for a place of refuge to make the right decisions at the right time.

The purpose of the IMO Guidelines is to provide Member Governments, shipmasters, companies, and salvors with a framework enabling them to respond effectively and in such a way that, in any given situation, the efforts of the shipmaster and shipping company concerned and the efforts of the government authorities involved are complementary. In particular, an attempt has been made to arrive at a common framework for assessing the situation of ships in need of assistance.

Taking into account IMO Resolution A.949 (23), the U.S. and Canadian governments both created decision-making tools that allow Transport Canada (TC) officials and U.S. Coast Guard (USCG) Captains of the Port (COTPs) the ability to provide effective and efficient responses to requests from ships requesting a place of refuge. TC officials and USCG COTPs can reference three separate but complementary POR decision-making tools for coordinating joint responses to a vessel requesting a place of refuge. If providing a Place of Refuge is the best course of action both countries shall jointly explore the best options available. For options considering locations in Canadian territory the National Places of Refuge Contingency Plan and the Atlantic Annex (PORCP) will be used to assess potential places of refuge. For options considering locations within United States, the U.S. Coast Guard Places of Refuge Policy/ NRT Guidelines for Places of Refuge Decision Making guide will be used to assess potential places of refuge. Once potential places of refuge have been identified; the most suitable location, Canadian or U.S., will be chosen jointly by TC officials and the cognizant USCG COTP.

#### 2. **CANADA:**

National Places of Refuge Contingency Plan (PORCP): Transport Canada is the lead agency for decisions related to a ship in need of assistance and requesting a place of refuge. As such, Transport Canada is responsible for ensuring the IMO Guidelines are taken into account and implemented to the extent possible.

The purpose of the (PORCP) is to establish a national framework and approach which, with associated regional measures, will provide for an effective and efficient response to requests from ships in need of assistance seeking a place of refuge.

The PORCP will help to ensure that a consistent approach is taken across the country to putting in place an effective response plan that will meet both Canada's national and international responsibilities.

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The PORCP provides a decision-making risk assessment tool for Transport Canada Marine Safety and Security Regional Directors which will help to ensure that a thorough and balanced assessment of the risks are made and the best risk control strategy can be decided on and implemented in a timely and safe manner.

The PORCP takes into account International Maritime Organization (IMO) Resolution A.949(23) “Guidelines on Places of Refuge for Ships in Need of Assistance.” The National Places of Refuge Contingency Plan can be downloaded from the Transport Canada website at <http://www.tc.gc.ca/eng/marinesafety/tp-tp14707-menu-1683.htm>. The PORCP-Atlantic Region provides relevant regional information and can be found at <http://www.tc.gc.ca/eng/marinesafety/tp-tp14707-atlantic-menu-1099.htm>.

### 3. UNITED STATES:

The U.S. Coast Guard Places of Refuge Policy (COMDTINST 16451.9) provides policy guidance, a sample checklist, and a risk assessment job aid to field commanders, Area Committees, and Regional Response Teams (RRTs) to aid in preparing for and responding to a vessel requesting a place of refuge, or similar events in which a vessel, not in need of immediate Search and Rescue (SAR) assistance, may pose a variety of risks to a port or coastal area. The Instruction focuses primarily on the decision process of selecting the lowest risk Place of Refuge option for a stricken vessel. In any such situation, Operational Commanders will also be conducting other, simultaneous operations, including, but not limited to, developing transit plans, staging pollution, fire, and/or hazmat response equipment, and addressing any security concerns. The U.S. Coast Guard Places of Refuge Policy can be downloaded from the U.S. Coast Guard Directives website at [www.uscg.mil/directives/ci/16000-16999/CI\\_16451\\_9.PDF](http://www.uscg.mil/directives/ci/16000-16999/CI_16451_9.PDF)

The purpose of the NRT Guidelines for Places of Refuge Decision-Making (Guidelines2) is to provide:

- An incident-specific decision-making process (Appendix 1) to assist U.S. Coast Guard (USCG) Captains of the Port (COTPs) in deciding whether a vessel needs to be moved to a place of refuge and, if so, which place of refuge to use; and
- A framework for developing pre-incident identification of potential places of refuge for inclusion in appropriate Area Contingency Plans (ACPs)

The Guidelines address places of refuge decision-making in waters subject to U.S. jurisdiction. They are consistent with the December 2003 International Maritime Organization “Guidelines on Places of Refuge for Ships in Need of Assistance” and USCG Commandant Instruction 16451.9, “U.S. Coast Guard Places of Refuge Policy.”

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The Guidelines provide COTPs with a process that will help (1) expedite place of refuge decision-making, and (2) ensure stakeholders and other technical experts are consulted as appropriate. This in turn, helps ensure that COTPs have appropriate input, and the best available information, prior to making a place of refuge decision. The NRT Guidelines for Places of Refuge Decision Making can be downloaded from the National Response Team website at: <http://www.nrt.org>

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## *Appendix P. Wildlife Response Guidelines*

Natural Resource Agencies from Canada and the United States have developed a Wildlife Response Operational Appendix, referred to as the CANUSLANT Wildlife Response Guidelines. This appendix provides guidance to wildlife resource agency representatives in coordinating or conducting response activities for wildlife that are oiled or potentially-oiled when the CANUSLANT annex is activated.

The CANUSLANT Wildlife Response Guidelines were designed to facilitate the initiation and conduct of selected wildlife-related response activities to help ensure that those activities are conducted in a timely, efficient, and coordinated manner.

The CANUSLANT Wildlife Response Guidelines are fully incorporated into the Atlantic Regional Annex, available as a standalone Appendix in the JRT website at <http://www.uscg.mil/d1/response/jrt/plans.asp> due to the extensive documentation contained in the Guidelines.

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### *Appendix Q. Standard Units of Measure*

In any environmental response along the United States (U.S.) and Canadian (CA) border one important consideration is the difference in the two countries' standard units of measure. Misstating measurements can cause confusion in any response and stating the wrong measurements in the press will give the impression of errors being made. A standard unit of measure should be agreed upon at the start of the spill to alleviate any confusion.

The Joint Information Center should be vigilant in verifying and reporting units of measure.

#### Time Zones:

Since there are two times zones, (see Fig. 1) within the Coastal Maine and Canadian Maritime regions the U.S. and Canadian Incident Commanders should designate one time zone at the beginning of the response to use during an incident.

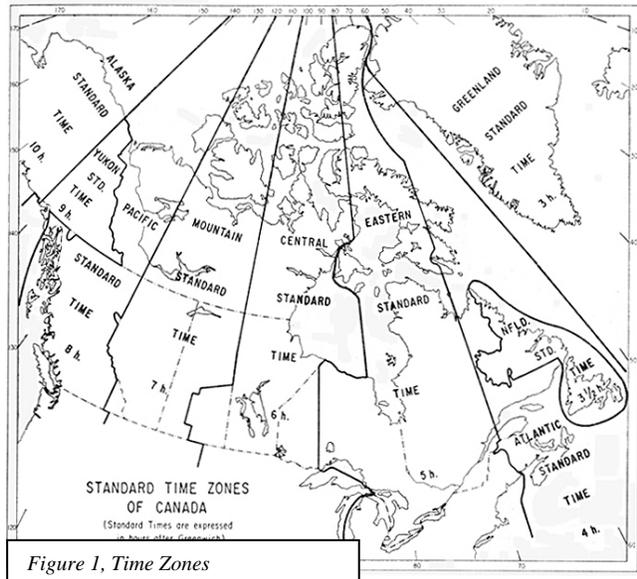


Figure 1, Time Zones

#### Distance:

The U.S. uses miles. Canada uses kilometers. For maritime incidents, the use of nautical miles is recommended. The Nautical Mile conversion and some basic conversions are contained at the end of this section.

| From          | To             | Multiply by |
|---------------|----------------|-------------|
| Miles         | Nautical Miles | 0.869       |
| Kilometers    | Nautical Miles | 0.539       |
| Nautical Mile | Mile           | 1.151       |
| Nautical Mile | Kilometer      | 1.853       |
| Miles         | Kilometer      | 1.609       |
| Kilometers    | Miles          | 0.621       |

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## Length

When documenting or reporting vessel dimensions it is important to specify scale (feet or meters). The below conversion will aid in this.

| From   | To     | Multiply By |
|--------|--------|-------------|
| Feet   | Meters | 0.3048      |
| Meters | Feet   | 3.28084     |

## Temperature:

The difference between Fahrenheit (F) and Centigrade (C) is a drastically different measurement. At 0°C it is still 32 F° and at 100°C it is 212 F°. The formula is as follows:

| From | To | Formula   |
|------|----|---|
| °C   | °F | $^{\circ}\text{C} \times 9/5 + 32 = ^{\circ}\text{F}$   |
| °F   | °C | $(^{\circ}\text{F} - 32) \times 5/9 = ^{\circ}\text{C}$ |

## Product Volume:

Between the U.S. and Canada there are several measures for reporting volumes: Gallons, Barrels, Imperial Gallons, and Metric Tons. Oil is shipped in bulk is commonly measured in Metric Tons. At API = 33° there are 7.312 Barrels in one Metric Ton. The tables below show the difference between measurements.

| Barrels | Metric Tons | Gallons (U.S.) | Gallons (Imperial) |
|---------|-------------|----------------|--------------------|
| 100     | 14          | 4,200          | 3,600              |
| 500     | 68          | 21,000         | 18,000             |
| 1,000   | 137         | 42,000         | 36,000             |
| 5,000   | 684         | 210,000        | 180,000            |
| 10,000  | 1,368       | 420,000        | 360,000            |
| 25,000  | 3,419       | 1,050,000      | 900,000            |
| 50,000  | 6,838       | 2,100,000      | 1,800,000          |
| 75,000  | 10,257      | 3,150,000      | 2,700,000          |
| 100,000 | 13,676      | 4,200,000      | 3,600,000          |
| 200,000 | 27,352      | 8,400,000      | 7,200,000          |
| 300,000 | 41,028      | 12,600,000     | 10,800,000         |
| 400,000 | 54,705      | 16,800,000     | 14,400,000         |
| 500,000 | 68,381      | 21,000,000     | 18,000,000         |
| 600,000 | 82,057      | 25,200,000     | 21,600,000         |
| 700,000 | 95,733      | 29,400,000     | 25,200,000         |

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| Metric Tons | Barrels | Gallons (U.S.) | Gallons (Imperial) |
|-------------|---------|----------------|--------------------|
| 1           | 7       | 307            | 263                |
| 10          | 73      | 3,071          | 2,632              |
| 50          | 366     | 15,355         | 13,162             |
| 100         | 731     | 30,710         | 26,323             |
| 500         | 3,656   | 153,552        | 131,616            |
| 1,000       | 7,312   | 307,104        | 263,232            |
| 5,000       | 36,560  | 1,535,520      | 1,316,160          |
| 10,000      | 73,120  | 3,071,040      | 2,632,320          |
| 15,000      | 109,680 | 4,606,560      | 3,948,480          |
| 20,000      | 146,240 | 6,142,080      | 5,264,640          |
| 50,000      | 365,600 | 15,355,200     | 13,161,600         |
| 100,000     | 731,200 | 30,710,400     | 26,323,200         |

*1. At API = 33° there are 7.312 Barrels in one Metric Ton. These calculations are valid at API calculated at 60°F or 15.5°C. Department of Energy uses fixed gravity for calculations API = 33°. In density terms it is around 0.858 kg/L. One Barrel contains 42 U.S. Gallons or 158.987295 Liters. Metric Ton is an equivalent to 1000 kg or 2205 pounds.*

*Data from: <http://aenergytrading.com/2013/06/28/conversion-metric-ton-mt-into-barrels-for-crude/>*

## MEASUREMENT CONVERSIONS

(Multiply Number of Units by Conversion Number to Obtain New Number of Units)

|                         |             |                         |
|-------------------------|-------------|-------------------------|
| millimeters (mm)        | x 0.03937   | = inches                |
| centimeters (cm)        | x 0.3937    | = inches                |
| meters                  | x 3.281     | = feet                  |
| meters per second       | x 3.281     | = feet per second       |
| square meters           | x 10.76     | = square feet           |
| square meters           | x 1.196     | = square yards          |
| square meters           | x 0.0002471 | = square acres          |
| cubic meters            | x 35.31     | = cubic feet            |
| cubic meters            | x 1.308     | = cubic yards           |
| cubic meters            | x 0.0008107 | = acre-feet             |
| cubic meters per second | x 35.31     | = cubic feet per second |
| cubic meters per second | x 15,850.00 | = gallons per minute    |

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|                     |           |                      |
|---------------------|-----------|----------------------|
| kilometers (km)     | x 1000    | = meters             |
| kilometers (km)     | x 0.6214  | = miles              |
| square kilometers   | x 0.3861  | = square miles       |
| cubic kilometers    | x 0.2399  | = cubic miles        |
| inches (in)         | x 25.4    | = millimeters        |
| square inch         | x 6.4516  | = square centimeters |
| feet                | x 0.3048  | = meters             |
| square feet         | x 0.09294 | = square meters      |
| cubic feet          | x 0.02832 | = cubic meters       |
| yard                | x 0.9144  | = meters             |
| miles (mi)          | x 5280    | = feet               |
| miles               | x 1609.3  | = meters             |
| miles               | x 1.609   | = kilometers         |
| square miles        | x 2.590   | = square kilometers  |
| cubic miles         | x 4.168   | = cubic kilometers   |
| acre-foot (acre-ft) | x 1233    | = cubic meters       |
| gallon              | x 0.1337  | = cubic feet         |
| gallon              | x 3.785   | = liters             |
| gallon              | x 8.336   | = pounds of water    |
| liter               | x 0.001   | = cubic meter        |
| liter               | x 0.03531 | = cubic fee          |

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### *Appendix R. Joint Fisheries Protocol*

1. **Purpose:** The purpose of the Protocol is to coordinate fisheries management practices in shared waters impacted or threatened by pollution emergencies. While the primary goals of both countries remain the same- to ensure human health and safety, market confidence, safety of fisheries and aquaculture operations, and the protection of marine fisheries and aquaculture resources - the decisions of the country relative to shared waters should, if practicable, be made jointly and with consideration of each other. The Protocol establishes the Joint Fisheries Task Force (JFTF) that will coordinate procedures for notifications and information sharing, closures, monitoring and sampling, and re-opening of fisheries and aquaculture. The Protocol is supported by a set of appendices containing relevant regulatory, organizational and technical information.
2. **Joint Fisheries Task Force:** The JFTF is a sub-group of the environmental unit under the Joint Response Team (Canada and US Coast Guard or Unified Command) structure.

**2.1 Purpose:** The mandate of the JFTF is to coordinate the planning, implementation, monitoring and reporting of measures and actions related to fisheries and aquaculture during an incident.

**2.2 Leadership:** The JFTF is co-led by Fisheries and Oceans Canada (DFO) for Canada and the Maine Department of Marine Resources for the United States when the area of interest is within the territorial water of the US (typically 3 miles seaward of land). When the area of interest extends beyond the Territorial Water of the US, the National Oceanic and Atmospheric Administration (NOAA) will be included in a leadership role. In the event that multiple U.S. states fisheries and aquaculture are impacted, each state will be represented, but DFO and NOAA will lead the JFTF within the Joint Response Team structure.

**2.3 Membership:** The JFTF is comprised of the following federal, provincial and state departments and agencies from Canada and the United States:

| <b>United States</b>                                   | <b>Canada</b>   |
|--|---|
| National Oceanic and Atmospheric Administration (NOAA) | Fisheries and Oceans Canada (DFO)<br>Maritimes Region |
| Food and Drug Administration                           | Environment and Climate Change<br>Canada (EC)         |
| United States Coast Guard                              | Canadian Food Inspection Agency                       |

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|   | (CFIA)  |
|---|---|
| Maine: <ul style="list-style-type: none"> <li>• Department of Marine Resources (DMR)</li> <li>• Maine Department of Agriculture, Conservation and Forestry</li> </ul> | Canadian Coast Guard – Environmental Response (CCG-ER)                    |
| New Hampshire Fish and Game   | Health Canada   |
| Massachusetts <ul style="list-style-type: none"> <li>• Division of Marine Fisheries</li> <li>• Department of Public Health</li> </ul>                                 | New Brunswick Department of Agriculture, Aquaculture and Fisheries (DAAF) |
| National Marine Fisheries Service   | Nova Scotia Department of Fisheries and Aquaculture (DFA)                 |

Additional departments and agencies with marine environmental protection and response mandates may be included in JFTF activities, as required.

**2.4 Decision Making and Reporting:** The JFTF functions in accordance with decision making and reporting procedures for the Joint Response Team to coordinate measures and actions related to fisheries and aquaculture during and in the aftermath of an incident. Regulatory decision making, implementation, monitoring and enforcement of fisheries measures, such as closures, occur independently by the relevant authorities.

**3. Scope:** The Protocol applies to all living resource harvesting and processing in marine waters covered by the CANUSLANT Annex.

### 3.1 Commercial, Recreational and Aboriginal/Tribal Fisheries

**3.1.1 Canada:** A range of commercial, recreational and Aboriginal fisheries occur in the Canadian portion of the CANUSLANT Annex area of responsibility. These include ground fish (demersal), invertebrate (including intertidal species) and pelagic fisheries. Marine fisheries are regulated and licensed by Fisheries and Oceans Canada. Aboriginal fisheries are divided into two categories: (a) Commercial Communal which is managed and licensed in same manner as non-Aboriginal fisheries; and (b) Food, Social and Ceremonial (FSC) which is right-based access for non-economic purposes.

**3.1.2 United States:** A range of commercial, recreational and Tribal fisheries occur in the US portion of the CANUSLANT Annex area of

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responsibility. These include ground fish (demersal), invertebrate (including inter-tidal) and pelagic fisheries. Marine fisheries in federal waters are regulated and licensed by the National Marine Fisheries Service (NMFS-NOAA). Marine fisheries in state waters (within 3 miles) are regulated and licensed by state fisheries authorities.

Maine's four federally recognized tribes are authorized to issue certain marine resources licenses in accordance with 12 MRS §6302-A. This includes certain commercial licenses and licenses for sustenance or ceremonial tribal use. Members of the Passamaquoddy Tribe of Indians, Penobscot Indian Nation, Aroostook Band of Micmacs, or Houlton Band of Maliseet Indians issued a tribal license are subject to all laws and rules applicable to holders of a state license or permit to conduct those activities, with certain exceptions identified in the law.

No federally recognized tribes exist in New Hampshire.

Massachusetts' two federally recognized tribes: Mashpee Wampanoag Tribe and Wampanoag Tribe of Gay Head (Aquinnah) are issued certain commercial licenses or licenses for subsistence or ceremonial use. They are subject to the laws and rule applicable to holders of state licenses or permits to conduct those activities but are also granted certain legal exceptions.

### 3.2 Aquaculture

- 3.2.1 **Canada:** Aquaculture operations, including finfish, shellfish, marine plants and hatcheries, are regulated and licensed by provincial fisheries authorities.
- 3.2.2 **United States:** Aquaculture operations, including finfish, shellfish and hatcheries, are regulated and licensed by state fisheries authorities.

### 3.3 Marine Plants

- 3.3.1 **Canada:** There is an active harvest of rockweed and other marine plant species in the Canadian portion of the CANUSLANT Annex area of responsibility.
- 3.3.2 **United States:** There is an active harvest of rockweed, as well as other marine plants in the US portion of the CANUSLANT Annex area of responsibility.

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### 3.4 Processing Facilities

- 3.4.1 **Canada:** Processing and holding facilities and other facilities with salt water intakes (e.g., lobster pounds) are regulated by provincial fisheries authorities, with responsibilities for food health and safety held by the Canadian Food Inspection Agency.
- 3.4.2 **United States:** Processing and holding facilities (e.g., lobster ponds) are regulated by state fisheries authorities, with responsibilities for food health and safety held by the Food and Drug Administration and the Maine Department of Agriculture, Conservation and Forestry.
4. **Joint Fisheries Task Force Functions:** The Protocol applies to all types and levels of incidents covered by the CANUSLANT Annex. A tiered approach is taken when determining the requirement for implementing the Protocol and JFTF.

### 4.1 Joint Incident Notifications and Coordination

- 4.1.1 Incidents that require CANUSLANT activation but are unlikely to impact on fisheries and aquaculture due to type, location and/or magnitude:
- JFTF co-leads notified by Joint Response Team
  - Co-leads convene meeting (virtual) as soon as practicable to assess situation and determine if further action is required, including:
    - o General notification to all JFTF members
    - o Specific notifications and advice to potentially affected JFTF members depending on type, location and/or magnitude of incident
  - Affected JFTF members implement and report actions/measures, as required
  - Co-leads report to Joint Response Team/Incident Command, as required
- 4.1.2 Incidents that require CANUSLANT activation and are likely to impact on fisheries and aquaculture operations:
- JFTF co-leads notified by Joint Response Team.
  - Co-leads convene meeting (virtual) as soon as practicable to assess situation and determine if further action is required, including:
    - o General notification and stand up of JFTF.

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- Specific notification and advice to potentially affected JFTF members depending on type, location and/or magnitude of incident.
- JFTF procedures are implemented, with affected members to implement and report actions/measures, as required.
- Co-leads report to Joint Response Team/Incident Command, as required.

### **4.2 Industry and Stakeholder Notifications and Information Sharing**

- 4.2.1 Established notification procedures for JFTF members are used to inform and share information with industry stakeholders.
- 4.2.2 Notifications and information sharing with non-fisheries related response agencies and stakeholders is managed through the Joint Response Team/Incident Command (i.e., Public Information Officer/Stakeholder Liaison).

### **4.3 Closures**

- 4.3.1 During the initial phase of an incident response, the United States/Canadian Coast Guard emergency/exclusion zone serves, in effect, as a preliminary and temporary fisheries and aquaculture restriction.
- 4.3.2 JFTF assesses further requirements for a formal fisheries and aquaculture closures and their coordination across respective national, state and provincial jurisdictions, including the following considerations:
  - Timing of establishment
  - Closure type/classification
  - Location and spatial extent
  - Species and/or fleet coverage
  - Duration (e.g., mandatory timelines)
- Monitoring and sampling requirements for re-opening, including differential requirements by species and location(i.e., relative population, accessibility)
- 4.3.3 Based on the assessment above, the JFTF provides advice and guidance for optimum coordination and consistency of respective closures.

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4.3.4 Affected JFTF members implement and report actions/measures, as required.

4.3.5 JFTF co-leads report to Joint Response Team/Incident Command, as required.

### **4.4 Monitoring and Sampling**

4.4.1 JFTF assesses the respective monitoring and sampling requirements for the planned and/or established closures, including the following considerations:

- Compatibility of and/or inconsistencies in:
  - Procedures
  - Methods
  - Required end-points
  - Timelines

4.4.2 Based on the assessment above, the JFTF provides advice and guidance for optimum coordination and consistency of respective monitoring and sampling procedures, methods, end-points and timelines.

4.4.3 Affected JFTF members implement and report actions/measures, as required.

4.4.4 JFTF co-leads report to Joint Response Team/Incident Command, as required.

### **4.5 Re-Opening**

4.5.1 JFTF assesses the respective timelines and locations for re-opening of planned and/or established closures, including the following considerations:

- Compatibility of and/or inconsistencies in type and timing of re-opening
- Potential market or related impacts on affected fisheries
- Notification and communication requirements

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- 4.5.2 Based on the assessment above, the JFTF provides advice and guidance for optimum coordination and consistency of re-opening of respective closures.
  - 4.5.3 Affected JFTF members implement and report actions/measures, as required.
  - 4.5.4 JFTF co-leads report to Joint Response Team/Incident Command, as required.
5. **Protocol Review and Maintenance:** The JFTF is responsible for review and updating of the Protocol, including procedures and supporting annexes. This document will be reviewed annually and updated as required. A full review and update will occur in conjunction with the renewal of the CANUSLANT Annex. The co-leads report to the Joint Response Team, as required.