

**Salish Sea Shared Waters Forum - Oil Spill Prevention, Preparedness, and Response Jurisdictions for Federal,
Provincial and State Authorities
Canadian Electronic Regulatory Links**

Inland Zone: Rail

Last Updated: November 1, 2019

Agency/Jurisdiction	Category	Jurisdiction Activity	Specific Authority	Website or Electronic link
Canada Environment and Climate Change Canada	Prevention			
	Preparedness			
	Response	Pollution Control	Law: Canadian Environmental Protection Act Canadian Environmental Protection Act Regulations	
Canada Fisheries and Oceans Canada	Prevention			Canadian Fisheries Act
	Preparedness			
	Response	Pollution Control		
Canada Canadian Coast Guard	Prevention			Canadian Coast Guard Services
	Preparedness			
	Response	Pollution Control		
Canada Transport Canada – Rail and Transportation of Dangerous Goods	Prevention	Inspections and Reporting	Law: Railway Safety Act Rule: Canadian Rail Operating Rules (CROR) Rule: Amendment April 2015 – emergency Directive Pursuant to Section 33 Regulation: Transportation Safety Board Regulations	Transport Canada

			<p>Law: Transportation of Dangerous Goods Act Rule: Transportation of Dangerous Goods Regulations Rule: Protective Directive No. 39</p>	Overview of Protective Directive No. 36
		Prevention Plans	<p>Law: Railway Safety Act Rule: Rules Respecting Key Trains and Key Routes Regulation: Railway Safety Management System Regulations, 2015</p>	
		Construction and Manning	<p>Law: Railway Safety Act Rule: Rules Respecting Key Trains and Key Routes</p>	
			<p>Law: Transportation of Dangerous Goods Act Rule: Transportation of Dangerous Goods Regulations</p>	
		Personnel Licensing	<p>Law: Railway Safety Act Regulation: Railway Operating Certificate Regulations</p>	Applying for a Railway Operating Certificate

			<p>Law: Transportation of Dangerous Goods Act Rule: Transportation of Dangerous Goods Regulations</p>	<p>Registering with CANUTEC</p>	
			<p>Canadian Transportation Agency (CTA)</p>	<p>Rail Certificate of Fitness (licenses) Guide to Certificate of Fitness</p>	
Preparedness / Response	Contingency Planning and Drills		<p>Law: Transportation of Dangerous Goods Act Rule: Transportation of Dangerous Goods Regulations</p> <p>Emergency Response Assistance Plan</p>	<p>Emergency Response Assistance Plans Part 7.2 – Requirement to Have an Approved ERAP Competency Guidelines for Responders</p> <p>You’re Not Alone – Emergency Response Planning For Rail Incidents Involving Flammable Liquids</p> <p>First Responders Aide-Memoire</p>	
		Regulatory Standards Pre-positioned equipment, inspections		n/a	
		Financial Responsibility		<p>Law: Railway Safety Act</p> <p>Regulation: Railway Safety Administrative Monetary Penalties Regulation</p>	<p>Railway Administrative Monetary Penalties</p>
				<p>Law: Transportation of Dangerous Goods Act Rule: Transportation of Dangerous Goods Regulations</p> <p>Emergency Response Assistance Plan</p>	<p>Emergency Response Assistance Plans Part 7.9 - 7.11 – Compensation</p>

			<u>Canadian Transportation Agency (CTA)</u> CTA Regulation: Railway Third Party Liability Insurance Coverage Regulation	
		Certification of response organizations		Transport Canada approve the response plan not the organization.
	Response	Ensuring appropriate response and monitoring of response activity	Law: Transportation of Dangerous Goods Act Rule: Transportation of Dangerous Goods Regulations CANUTEC –Canadian Transport Emergency Center	Roles and Responsibilities of Remedial Measures Specialists and TDG Inspectors Handout CANUTEC Website

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Canada Environment and Climate Change Canada	Prevention			
	Preparedness			
	Response	Pollution Control	Law: Canadian Environmental Protection Act Canadian Environmental Protection Act Regulations	
Canada Fisheries and Oceans Canada	Prevention			Canadian Fisheries Act
	Preparedness			
	Response	Pollution Control		
Canada Canadian Coast Guard	Prevention			Canadian Coast Guard Services
	Preparedness			
	Response	Pollution Control		
Canada Transport Canada - Rail	Prevention	Inspections and Reporting	Law: Railway Safety Act Rule: Canadian Rail Operating Rules (CROR) Rule: Amendment April 2015 – emergency Directive Pursuant to Section 33	Overview of Protective Direction No. 36 Transport Canada Transportation Safety Board Regulations
	Preparedness / Response	Contingency Planning and Drills Regulatory Standards Pre-positioned equipment, inspections Financial Responsibility	Law: Transportation of Dangerous Goods Act Rule: Transportation of Dangerous Goods Regulations Rule: Protective Directive No. 39	Emergency Response Assistance Plans
	Response	Ensuring appropriate response and monitoring of response activity	Law: Transportation of Dangerous Goods Act Rule: Transportation of Dangerous Goods Regulations	

Inland Zone: Rail

Agency/Jurisdiction	Category	Jurisdiction Activity	Specific Authority	Website or Electronic link
British Columbia Ministry of Environment and Climate Change Strategy	Prevention	Prevention Plans		N/A
	Preparedness	Contingency Planning and Drills	Laws: Spill Contingency Planning Regulation Rule: Contents of a Plan	Guidance Document Spills Management Regulations Spills and Environmental Emergencies
	Response	Pollution Control	Laws: Environmental Management Act, Division 2.1 Rule: Spill Response Actions -- Section 91.2 (2)	
		Notifications	Law: Spill Reporting Regulation	BC Spill Reporting website Factsheet
	Recovery	Environmental Recovery	Law: Spill Preparedness, Response and Recovery Regulation	Guidance Document Factsheet
		Cost Recovery (Government Response)	Law: Spill Preparedness, Response and Recovery Regulation , Section 5	Factsheet
British Columbia Ministry Transportation and Infrastructure	Prevention	Safety Management Systems	Laws: BC Railway Safety Act	BC Railway Safety Act website
	Preparedness			
	Response			

Inland Zone: Pipeline - Interprovincial

Agency/Jurisdiction	Category	Jurisdiction Activity	Specific Authority	Website or Electronic link
Canada Canada Energy Regulator	Prevention	Inspections Prevention Plans Construction and Manning	Law: Canadian Energy Regulator Act Rule:	Canadian Energy Regulator Act website
	Preparedness	Contingency Planning Financial Responsibility	Law: Onshore Pipeline Regulations Rule:	Onshore Pipelines Regulations website
	Response	Pollution Control Enforcement		
Canada Natural Resource Canada – Marine	Prevention/ Response	Safety, Notification, Response Actions	Law: Canada Oil and Gas Operations Act Rule: Regulation of Operations	Canada Oil and Gas Operations Act website
Canada Transportation Safety Board of Canada	Response	Notifications/Reporting	Law: The Transportation Safety Board Regulations Rule: Part 1 Section 4	Transportation Accident Investigation and Safety Board Act
Canada Transport Canada - Marine	Prevention	Oil Pollution Prevention Plan	Law: Canada Shipping Act, 2001, Part 8-9 Rule: Vessel Pollution & Dangerous Chemical regulations Division 1 Subdivision 5; Environmental Response Regulations and Standards	Canadian Shipping Act , scroll to applicable part Canadian Shipping Act Table of Contents Vessel Pollution and Dangerous Chemical Regulations
	Preparedness	Regulation and Standards apply. Time standards for contain and control, preparedness levels commensurate with Tiered response levels of equipment for immediate use, inspections Oil Pollution Emergency Plan	Law: Canada Shipping Act, 2001 Part 8 Rule: Environmental Response Regulations and Standards	Environmental and Response Regulations and Standards
	Response			

Inland Zone: Pipeline - Provincial

Agency/Jurisdiction	Category	Jurisdiction Activity	Specific Authority	Website or Electronic link
British Columbia Ministry of Environment and Climate Change Strategy	Prevention	Prevention Plans		N/A
	Preparedness	Contingency Planning and Drills	Laws: Spill Contingency Planning Regulation Rule: Contents of a Plan	Guidance Document Spills Management Regulations Spills and Environmental Emergencies
	Response	Pollution Control Enforcement	Law: Environmental Management Act, Division 2.1 Rule: Spill Response Actions -- Section 91.2 (2)	
		Notification		
	Recovery	Environmental Recovery	Law: Spill Preparedness, Response and Recovery Regulation	Guidance Document Factsheet
		Cost Recovery (Government Response)	Law: Spill Preparedness, Response and Recovery Regulation , Section 5	Factsheet
British Columbia Oil and Gas Commission (provincial pipelines only)	Prevention	Inspections Prevention Plans Construction and Manning Advanced Notice of oil transfers/Biannual reports	Laws: Oil and Gas Activities Act	
	Preparedness	Contingency Planning and Drills	Rule: Emergency Management Regulation	
	Response			

Shoreline Zone: Oil-Handling Facilities

Agency/Jurisdiction	Category	Jurisdiction Activity	Specific Authority	Website or Electronic link
Canada Environment and Climate Change Canada	Prevention			
	Preparedness			
	Response	Pollution Control	Law: Canadian Environmental Protection Act Regulations	Spills Management Regulations Spills and Environmental Emergencies
Canada Fitness and Ocean Canada	Prevention			
	Preparedness			
	Response	Pollution Control		
Canada Canadian Coast Guard	Prevention			Canadian Coast Guard Services
	Preparedness			
	Response	Pollution Control		

Shoreline Zone: Oil-Handling Facilities

Agency/Jurisdiction	Category	Jurisdiction Activity	Specific Authority	Website or Electronic link
Canada National Energy Board	Prevention	Inspections Prevention Plans Construction and Manning		
	Preparedness	Financial Responsibility		
	Response Prevention	Inspections Prevention Plans Construction and Manning Oil Transfer procedural Inspections	Law: Canada Shipping Act, 2001 Part 8 -9 Rule: Vessel Pollution and Dangerous Chemical Regulations Division 1 subdivision 5; Prevention of discharges at an OHF during the loading or unloading of hydrocarbons to or from prescribed vessels OHF section	Canadian Shipping Act , scroll to applicable part Canadian Shipping Act Table of Contents Vessel Pollution and Dangerous Chemical Regulations Environmental and Response Regulations and Standards
	Preparedness	Oil Pollution Emergency Plans , exercise program requirements, Regulatory oversight, inspections Regulation and Standard equipment for immediate use, Response time standard requirements, Plan submission timeframes, Prescribed OHFs required to have an arrangement with a TC certified response organization	Law: Canada Shipping Act, 2001 Part 8	
	Response	Monitoring the implementation of required plans Compliance inspection and Investigation Arrangement with a TC Certified response organization. Response organization responds on behalf of the polluter when activated by the polluter	Law: Canada Shipping Act, 2001 Part 8 -9 Rule: Vessel Pollution and Dangerous Chemical Regulations	

Shoreline Zone: Oil-Handling Facilities

Agency/Jurisdiction	Category	Jurisdiction Activity	Specific Authority	Website or Electronic link
British Columbia Ministry of Environment and Climate Change Strategy	Prevention			Spills Management Regulations
	Preparedness	Contingency Planning and Drills		Spills and Environmental Emergencies
	Response	Pollution Control		

Marine Zone: Vessel

Agency/Jurisdiction	Category	Jurisdiction Activity	Specific Authority	Website or Electronic link
Canada Environment and Climate Change Canada	Prevention			
	Preparedness			
	Response	Pollution Control Provide science advice and weather modelling/forecast	Canadian Environmental Protection Act Regulations	
Canada Fitness and Ocean Canada	Prevention			
	Preparedness			
	Response	Pollution Control Provide science advice		
Canada Canadian Coast Guard	Prevention	Vessel Traffic Services	Law: Canada Shipping Act, 2001 Part 5 s. 126 Rules: Vessel Traffic Services Zones Regulations (SOR/89-98)	Marine Communications and Traffic Services (MCTS) Canadian Coast Guard Services
	Preparedness	Contingency Planning and Drills		
	Response	Marine Search and Rescue Pollution Control	Law: Canada Shipping Act, 2001 Part 5 s. 130 ; Oceans Act s. 41	Search and Rescue
Canada Pacific Pilotage Authority	Prevention	Pilotage Requirements	Law: Pilotage Act Regulations: Pacific Pilotage Regulations	Pacific Pilotage Authority
	Preparedness	Escort Tugs		
	Response			

Marine Zone: Vessel

Agency/Jurisdiction	Category	Jurisdiction Activity	Specific Authority	Website or Electronic link
Canada Transport Canada - Marine	Prevention	Inspections Certification Construction and Manning Oil Transfer Supervision and Inspections Education/information on fueling pleasure craft Personnel Licensing	Law: Canada Shipping Act, 2001 Part 8-9 Rule: Vessel Pollution and Dangerous Chemical Regulations: Environmental Response Regulations and Standards Vessel section	Canadian Shipping Act , scroll to applicable part Canadian Shipping Act Table of Contents Vessel Pollution and Dangerous Chemical Regulations Environmental and Response Regulations and Standards Transport Canada
	Preparedness	Ship Oil Pollution Emergency Plan Arrangement with a TC Certified response organization requirements. Financial Responsibility Escort Tugs	Law: Canada Shipping Act, 2001 Part 8-9 Rule: Vessel Pollution and Dangerous Chemical Regulations: Environmental Response Regulations and Standards Vessel section	
	Response	Inspection of ship / investigation Response organization responds on behalf of the polluter/Prescribed vessel when activated by the polluter	Law: Canada Shipping Act, 2001 Part 8-9 Rule: Vessel Pollution and Dangerous Chemical Regulations: Environmental Response Regulations and Standards Vessel section	
Canada Fisheries and Oceans Canada	Prevention			Canadian Fisheries Act

Marine Zone: Vessel

Agency/Jurisdiction	Category	Jurisdiction Activity	Specific Authority	Website or Electronic link
British Columbia Ministry of Environment and Climate Change Strategy	Prevention			
	Preparedness			
	Response	Pollution Control		