

Lessons Learned from Canada with a Comparative Analysis on Selected EU Jurisdictions (Project WRENE)

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Transport Canada: Abandoned Vessels and Wrecks

Swedish Agency for Marine and Water Management (SwAM): Wreck Management in Germany, Finland, and Denmark (Addition: Spain)

2015 - 2016

2016

Project PROTRAAV (To Research and Assess International Policies, measures and Strategies Relating to Abandoned Vessels)

Canadian Perspective

Selected EU Jurisdiction Perspective

Legislative definition;
Environmental impacts;
Surveys and Inventories;
National Liability Regimes;
Roles and Responsibilities;
End-of-life Management;
Funding for Removal

Project WRENE (To Research on Wreck Responsibilities in Northern Europe)

Lessons Learned From Canadian Management of “Abandoned Vessels and Wrecks”

Disclaimer: The views and opinions expressed in this report are those of the concerned researchers of Project PROTRAAV and do not reflect the position of any department or agency of the Canadian government.

Federal Obligations

- Title**
- **Abandoned vessel and wreck:** S. 153 of CSA 2001: “wreck” includes jetsam, flotsam, lagan and derelict ...
- Custom**
- Lingual blend: “abandoned vessel” – “derelict” – “wrecks” – “wrecked vessel” – “abandoned wreck” : **“vessels of concern”**;
 - Salvage Claims are rarely made;
- Salvage**
- Federal Management**
- Receiver of Wreck (Custodian of wreck, s. 155 of CSA 2001);
 - Canadian Coast Guard (repair, remedy or destroy, or cleanup. s. 180 of CSA 2001);
 - Navigation Protection Officer (removal of obstruction, NPA 1985);

Transport Canada

Fisheries and Oceans Canada (DFO)

Receiver of Wreck

Navigation Protection Program officer

Canadian Coast Guard

Canadian Hydrographic Services (CHS)

Small Craft Harbour

Custodian of Wreck

Remove, repair, remedy, destroy, or clean up

Clean up of wrecks, no power of removal

Responsible for charting wrecks that may cause a danger to commercial activities, primarily navigation

Conducts a regular hydrographic surveying program

Works closely with Underwater Archaeology Society of British Columbia (UASBC) to identify wrecks

On the west coast of Canada, CHS crews work on four survey vessels, collecting multibeam echosounder (MBES) data in areas where coverage is sparse or outdated.

Clean up and remove local wreck that are either local hazard to navigation or an eyesore



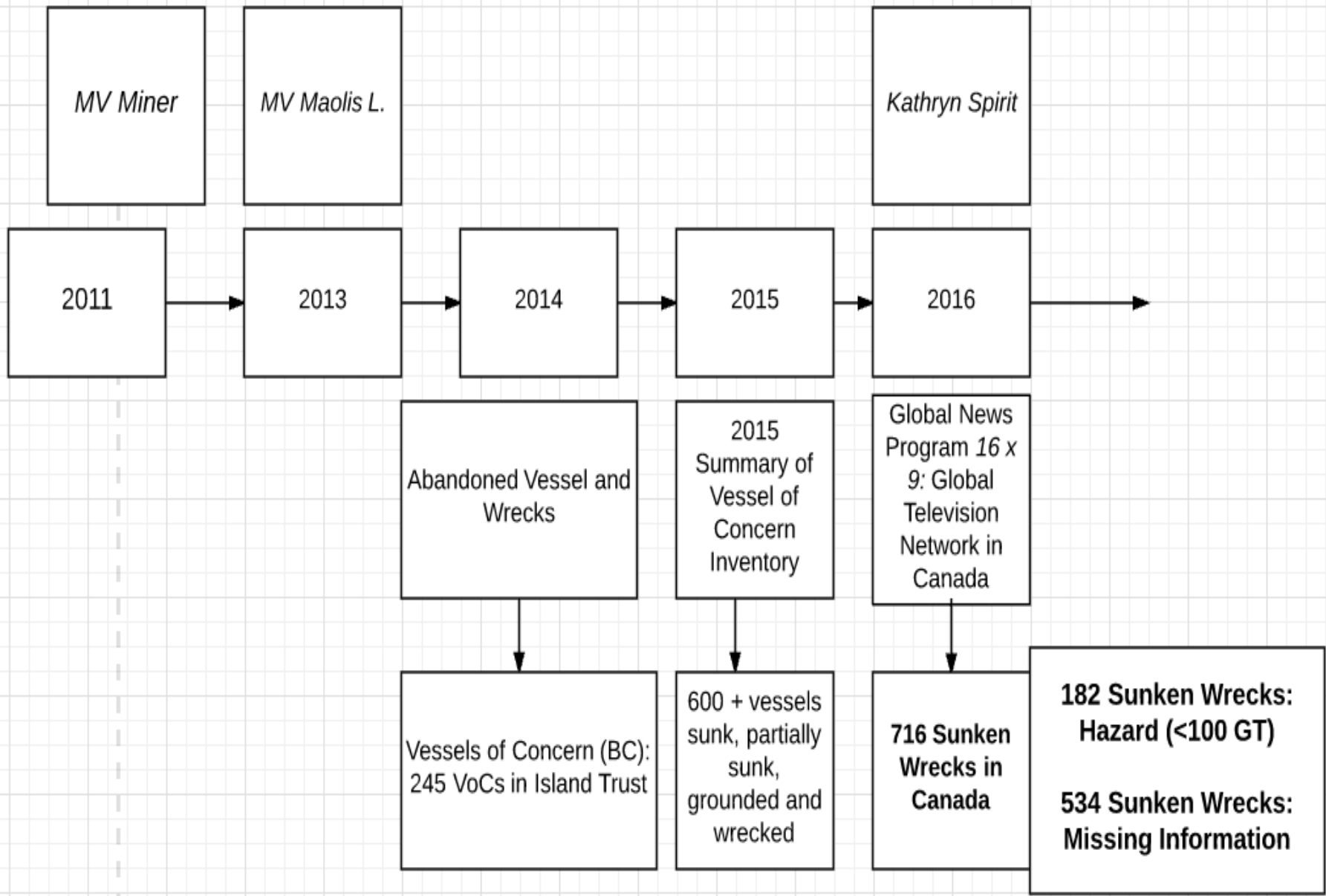
MV Miner: 2011



MV Manolis L.
Concern: 2013

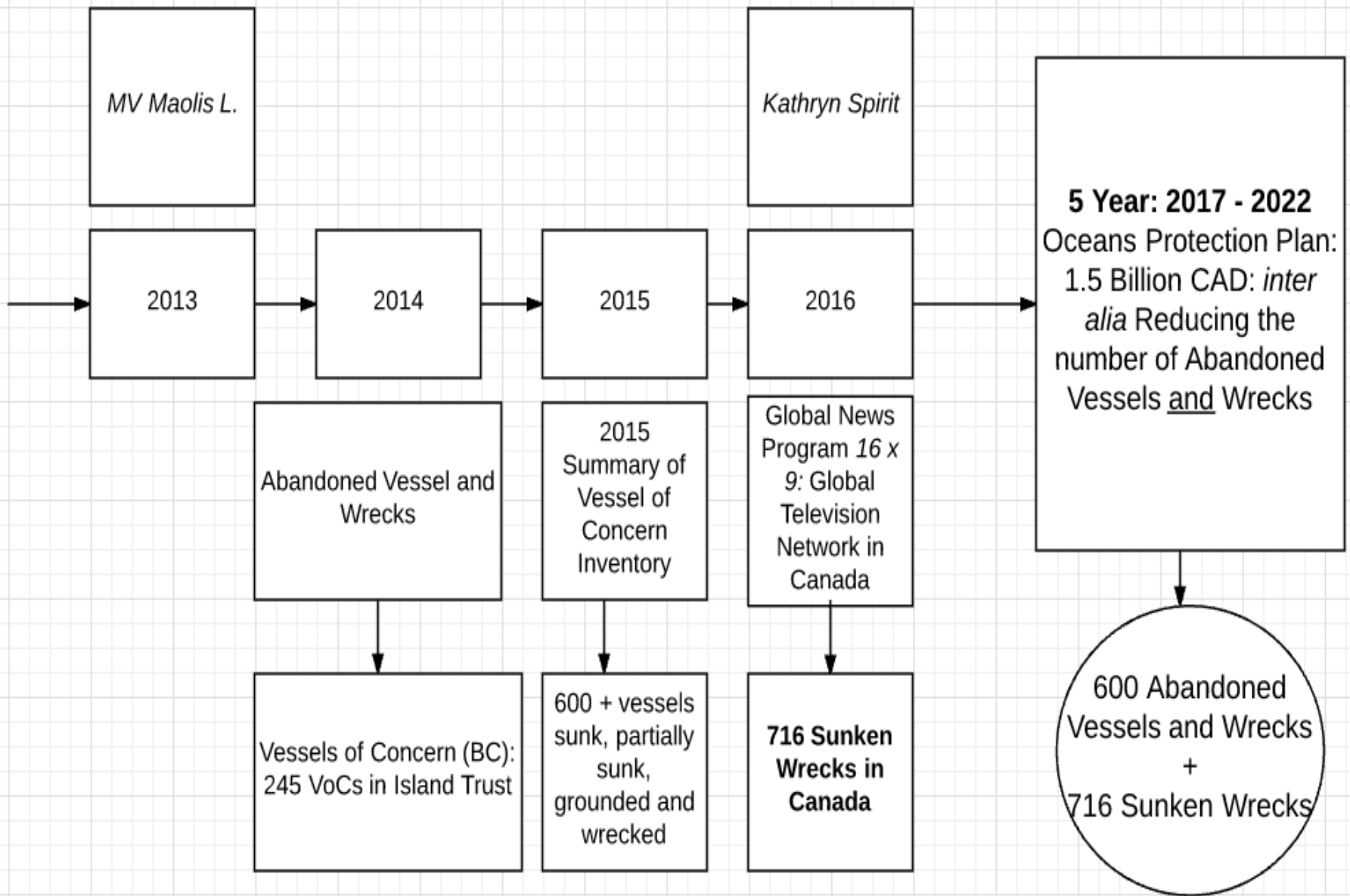


Kathryn Spirit
Concern: 2016



Further Information from 16x9

- Questions were asked: After *MV Manolis L.* Concern;
- Fisheries and Oceans: Canada does not keep track of sunken ships: The GoC does not have any inventory on sunken and hazardous wrecks;
- Slow spills (chronic spills) from corroded sunken ships (including historical wrecks) are of major concern.



Oceans Protection Plan (2016)

“\$1.5 billion, 5 year national Oceans Protection Plan (OPP) will:

- Improve marine safety and responsible shipping
- Protect Canada’s marine environment
- Strengthen partnerships with Indigenous communities
- Invest in science for evidence-based decision-making”*

Abandoned vessels and wrecks: pg. 9 of the OPP

* Transport Canada

\$1.5 Billion National Oceans Protection Plan



Reduce abandonment of ships, and clean up existing ship wrecks

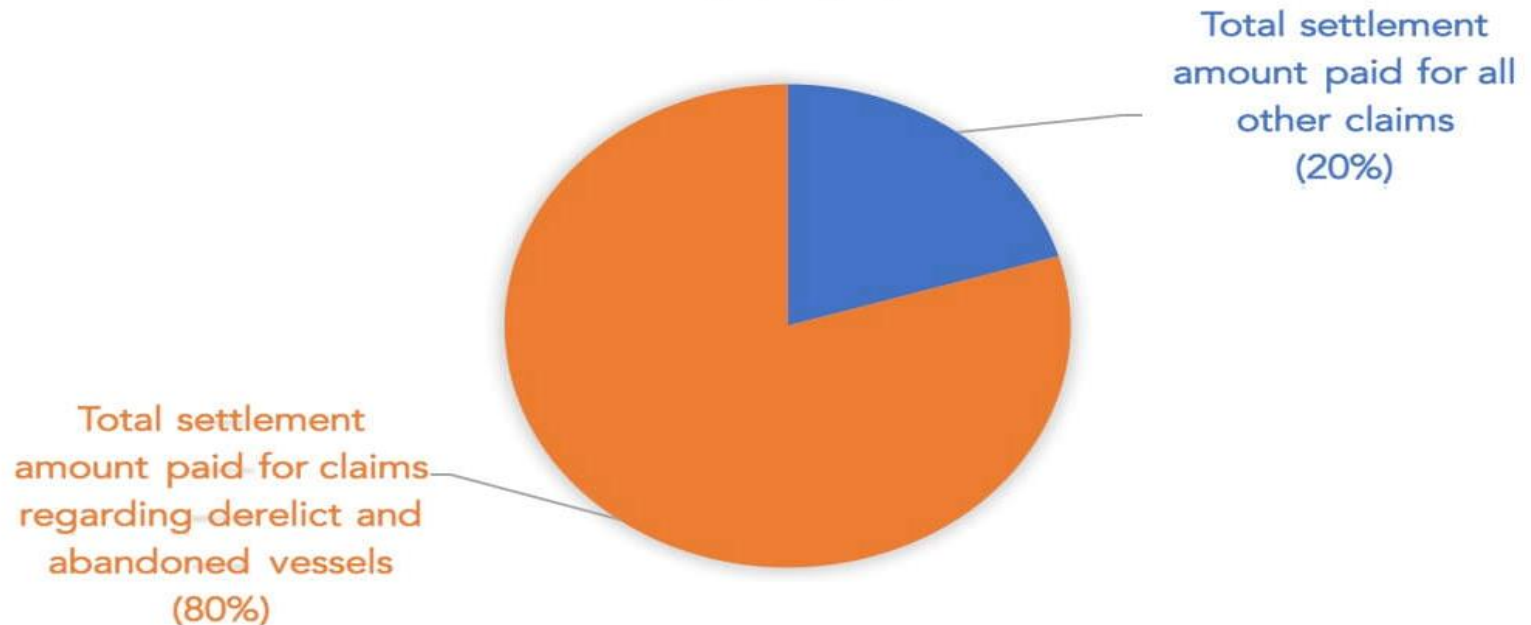
The Oceans Protection Plan includes a comprehensive strategy based on the best international models to reduce abandoned, derelict and wrecked vessels and to minimize the associated risks of environmental harm.

While most vessel owners properly dispose of their property, the Government of Canada recognizes the risks that abandoned, derelict and wrecked vessels pose to safe navigation, the marine environment, public health and local economies. This is why it has developed a comprehensive plan that focuses on prevention and removal, including a robust, polluter-pay approach for future vessel clean-up. This new plan will prohibit owners from abandoning their vessels.

Payment for Clean up of Sunken Wrecks

- The onus lies on the owner;
- In the absence of the owner: industry funds including Ship-source Oil Pollution Fund (SOPF, maximum liability 165,837,463 CAD);

**TOTAL SETTLEMENT AMOUNT PAID BY THE SOPF
2006-2015**



(Ship Source Oil Pollution Fund, 2017)

Noteworthy Developments

- Identification (Inventory)
 - 2014 VoC Inventory;
 - Summary of 2015 VoC Inventory;
- Removal (Abandoned Boats Program)
 - Assessment to fund removal and disposal operations (boats and wrecks);
 - Education, awareness and research to disseminate knowledge to the public;
 - Possibility to extend funding for removal of sunken wrecks (discussions continues)

Ongoing Developments

- Wreck Removal Convention of 2007: Article 10 (shipowner liability) and Article 12 (compulsory insurance: extending it to the Territorial Sea);
- Developing a priority-based checklist and consulting with salvors and recycling facilities;
- Introduced Bill C – 64 (2017): *An Act respecting Wrecks, Abandoned, Dilapidated or Hazardous Vessels and Salvage Operations*;
- Marking, locating and identifying dangerous and hazardous Wrecks: Clean up by 2022 (OPP)! (excl. removal)

Lessons Learned: Stakeholder Engagement

Name: *MG Zalinsky*



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“Representatives of at least five federal departments are involved in the operation, along with two provincial ministries, two first nations, and several contractors, including Mammoet, the Dutch-owned company that is removing the oil with subcontractor Global Diving and Salvage of Seattle” - VS

Lessons Learned: Single Contact Point



Canadian Coast Guard

Bill C – 231 re-introduced as Bill C – 638 requesting powers of Receiver of Wreck to be transferred to the CCG, which will bestow removal powers as well

Lessons Learned: Vessels <300GT

“Canada has a large fleet of vessels under 300 GT (almost 50,000 vessels) that spend most of their time within Canada’s internal waters and territorial sea and are likely to account for more shipwrecks than the larger vessels.”



“Some of these vessels are so small that there is little likelihood that they would be determined to pose a hazard ... However, the costs to remediate hazards that could be caused by some of the larger vessels under 300 GT should they become a wreck could be significant”.

Ref: Official homepage of Transport Canada

Lessons Learned: Venturing the Alternative

Marine Recycling Corporation (Port Colborne, Ontario)

Environmental Salvage

1. Prepare Vessels for Towing including removal of hydrocarbons and other hazmat in accordance with TC's Towing Guidelines
2. Prepares vessels by ensuring watertight condition, upright condition, emergency boarding equipment

Wreck Removal

1. MRC does lift wrecks and lift smaller vessels from the water. 2. Using mobile cranes up to 800 tons lift capacity, MRC can lift vessels or weight/lifts of more than 100 tons.

Contractual basis

1. Generally, contracts are for the removal and complete recycling of vessels.
2. Government agencies generally require fixed price contracts
3. Inspections are most often required in order to submit proposals or bids.

