



Ref. T5/5.01

LC.2/Circ.425
17 September 2002

**CONVENTION ON THE PREVENTION OF MARINE POLLUTION BY DUMPING OF
WASTES AND OTHER MATTER (LONDON CONVENTION 1972)**

Notification under Article V(2) regarding a case of emergency

The Canadian Authorities informed IMO on 10 September 2002 of their intention to issue a permit for the emergency disposal in the Pacific Ocean of up to 2,800 tonnes of aquaculture fish waste resulting from a phytoplankton bloom of *Chattonella marina*, and offered to consult on this matter with IMO as required under Article V(2) of the London Convention 1972 and the Canadian Environmental Protection Act of 1999.

The Canadian Authorities provided background information on this case, which is reproduced in the annex hereto, together with the final text of the permit. This permit was issued on 6 September 2002.

Originally, the disposal was intended in Canada's internal waters. However, the disposal site has been relocated to London Convention waters to accommodate the requests made by some of the aboriginal communities in Canada.

In discussion with the Canadian Government it was agreed to inform Contracting Parties of this case, rather than seeking their advice. This decision was based on the following:

- .1 no other State's interests would be affected; and
- .2 consideration of the nature of the waste concerned and the fact that the "specific guidelines for assessment of fish waste, or material resulting from industrial fish processing operations" developed under the London Convention 1972 were applied to this case.

Disposal at sea is now under way on the basis of the annexed permit.

If necessary, further enquiries can be directed to:

Ms. Linda Porebski
Head, Disposal at Sea and Marine Programs
Marine Environment Division
Environment Canada
351 St. Joseph Boulevard, 12th floor
Hull, Quebec,
Canada K1A 0H3
Tel: +1-819-953-4341
Fax: +1-819-953-0193
E-mail: Linda.Porebski@ec.gc.ca

ANNEX

EMERGENCY PERMIT

**DEPARTMENT OF THE ENVIRONMENT
CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999**

Notice is hereby given that, pursuant to the provisions of Part 7, Division 3, Section 128 of the *Canadian Environmental Protection Act (1999)*, Permit 4543-2-03307 is approved.

1 Permittee:	Grieg Seafood BC Ltd., Campbell River, British Columbia
2 Type of Permit:	To load and dispose of uncontaminated organic mater of natural origin
3 Term of Permit:	Permit is valid from 07 September 2002 to 30 September 2002
4 Loading Site:	Esperanza Inlet, British Columbia various sites at approximately 49° 53.5'N; 126° 47.0'W
5 Disposal Site:	Pacific Ocean at approximately 49° 40.00'N; 127° 28.0'W at a depth of not less than 600 metres
6 Route to Disposal Site(s):	Direct
7 Method of Disposal:	The material to be disposed of shall be discharged from the vessel while underway. Disposal will take place in a manner that will allow the greatest degree of dispersion.
8 Rate of Disposal:	As required by normal operations
9 Total Quantity to be Disposed of:	Not to exceed 2,800 tonnes
10 Material to be Disposed of:	Fish waste resulting from an algal bloom
11 Requirements and Restrictions:	<p>Prior to disposal, the Permittee must obtain all other necessary permits and approvals from other regulatory agencies in respect of the project described herein.</p> <p>The Permittee must ensure that arrangements are in place to allow an enforcement officer designated pursuant to subsection 217(1) of the <i>Canadian Environmental Protection Act (CEPA), 1999</i> to be on site during the disposal operation.</p> <p>The Permittee must ensure that a contingency plan for the transport and disposal is in place to minimize</p>

	<p>impacts to the marine environment, navigation and unacceptable risks to human health pursuant to CEPA.</p> <p>The Permittee shall ensure that only fish waste resulting from a bloom of <i>Chattonella marina</i> which occurred in Esperanza Inlet during September 2002 is to be loaded for the purpose of disposal at sea. No fish that were receiving treatment for furunculosis, or other diseases, can be disposed of in the marine environment and must be segregated for land disposal.</p> <p>The Permittee shall notify, in writing, the Regional Director, Environmental Protection Department, of the date(s) on which the disposal occurred, the exact latitude and longitude of the disposal site, and a description of how the position was determined and its estimated accuracy,</p> <p>The Permittee must ensure that all contractors involved in the disposal activity under this Permit are made aware of its restrictions or conditions and of the possible consequences of any violation of these conditions. A copy of the Permit and the Letter of Transmittal must be on site during the disposal activities.</p> <p>Contact must be made with the Canadian Coast Guard - Regional Marine Information Centre regarding the issuance of a "Notice to Shipping". Regional Marine Information Centre (RMIC), 2380 - 555 West Hastings, Vancouver, BC. V6B 5G3 Tel. (604) 666-6012 Fax. (604) 666-8453 or e-mail RMIC-Pacific@PAC.DFO-MPO.GC.CA</p>
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A. Mentzelopoulos, A/Regional Director
Environmental Protection
Pacific and Yukon Region

Environment	Environnement
Canada	Canada
Pacific & Yukon	Region du
Region	Pacifique et du Yukon

Memorandum **Note de Service**

To : Linda Porebski, A/Head
Disposal at Sea and Marine Programs Section
Marine Environment Division

Our file : 4543-2-03307

From : Dixie Sullivan
Ocean Disposal Control Program

Date : 6 September 2002

Subject : Emergency Permit – Grief Seafood BC Ltd.

For your information, please find attached the emergency Ocean Disposal Permit for Grieg Seafood BC. Ltd. to dispose of 2800 tonnes of fish waste resulting from an phytoplankton bloom of *Chattonella marina*, a toxic marine algae species.

An emergency permit to dispose of the fish morts has been requested to:

- a) event unacceptable risk to the marine environment in that event that the pens failed and the material was deposited in the shallow waters under the fish farm;
- b) prevent the release of any live Atlantic salmon to Pacific waters;
- c) prevent risk to human health and safety in the event the entire cage facility and farm barges were lost due to the excessive weight of the dead fish.

Because of the remote location of the facilities, air-lifting, transfer of waste by barge or trucking, or barging waste to the lower mainland were considered unfeasible. Normal mortalities are dealt with by recycling at on-land compost facilities. However, the large volume sustained in this die-off would overwhelm composting facilities and transport time to the recycling plants in the lower mainland would render the product unusable.

Environment Canada has consulted extensively habitat, science and sustainable aquaculture branches of Fisheries and Oceans Canada and the Regional Ocean Disposal Advisory Committee and it has been determined that the most environmentally responsible solution to the situation is ocean disposal. All parties agree that ocean disposal at an offshore site will limit impacts to the marine environment and avoid unacceptable risk to human health. Publishing the permit through normal channels, which would take a minimum of 6 weeks, is not feasible as the risk of the pens collapsing under the weight of the dead fish increases daily so that action must be taken immediately.

It has been determined that there is no other feasible solution to this marine emergency.

Best regards,

Dixie Sullivan