

Dumping at Sea

Mr. Munro (Esquimalt-Saanich): I thank hon. members for their support. I shall go on urging this. However, this notion about Port Angeles was given a new and dangerous twist at this meeting, one that I had not known about before and which I want all hon. members of the House to know about. One of the representatives in the American House of Representatives, a member from the state of Washington who is responding in our exchange of views on this question, told me that the offloading facilities that are being proposed for the state of Washington in Port Angeles are to be built only in the event that the facilities at the Cherry Point refinery are increased. Meanwhile, all the oil that the present refinery capacity at Cherry Point can deal with that cannot come overland through the Trans-Mountain pipeline will be brought there by sea; so that we will have ships of Panamanian registry, Liberian registry, a lot of them crocks, coming down the Strait of Juan de Fuca and going up Rosario Strait to feed the refinery at Cherry Point. This is going to continue even when the new United States ships are built.

If the decision is taken—and it is a big “if”—to increase the refining capacity of Cherry Point, new facilities at Port Angeles will be constructed so ships can offload and the oil pipelined from there to the refineries at Cherry Point. I do not think that is satisfactory. I do not know whether the minister has been hoodwinked. Perhaps she has; perhaps all the facts have not been brought out during the course of these negotiations. In any event, I hope she will inquire more deeply into this matter and get it squared away. I hope I am wrong, but this was the clear, straightforward impression that I got from the representative of the House of Representatives last weekend.

The minister also indicated that she was happy about improvement of the guidance facilities being developed by the Minister of Transport (Mr. Marchand), and I think that is good. There is a lot more to be done in this area. We should have a starboard-in-starboard-out system in the straits so we can avoid head-on collisions between ordinary merchantmen. We should keep the tankers out and ordinary merchantmen should be made subject to a guidance system. One does not exist at the moment but one is, happily, in process of being developed. I hope the minister will urge the Minister of Transport to further this particular enterprise.

At page 5099 of *Hansard* I had something to say about definitions and the competence Canada would have under this law to control, regulate and prevent dumping. I have to use those words because some dumping is permitted under licence. I notice that, basically, page 3 of the bill concerns the territorial seas of Canada, the territorial seas 12 miles off the base line and the internal waters of Canada other than inland waters with the inland waters being defined as waters that are not internal waters. It is very confusing wording, but we must accept it.

● (1610)

One other term cropped up recently which has me puzzled. I am very pleased to see the minister appear for the continuation of this debate. I received a reply, I believe from the Solicitor General (Mr. Allmand), when we were talking about the strange saga of the ship *Answer* as it zigzagged its way through the ice from Montreal reaching for the high seas to avoid capture. This took place in

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February. Part of the time the RCMP got close, then backed off, and in fact the RCMP went on board and were taken off because there was some question whether the ship was in Canadian waters. I do not believe, and I am sure from the look on the minister's face that she could not believe, it was outside Canadian waters. The term used in that particular instance was “historic waters”. This is a good term, but I do not think it has much meaning in law. I think Canadian territorial seas or Canadian territorial waters, and the writ of Canadian law, runs out the St. Lawrence to the straight line, or 12 miles beyond the straight line, joining the southeastern tip of Newfoundland and the tip of Nova Scotia, with the exclusion of one little, strange anomaly off the coast of Newfoundland which centres at Saint Pierre and Miquelon. Those are Canadian territorial waters. This, again, is water within which this dumping legislation will apply.

But I ask myself why there is no specific provision in this bill to extend the jurisdiction into that area which Canada may very well be assigned, or claim—I am not sure which—as a result of the Law of the Sea Conference. In the 188 miles beyond the 12 miles, I hope Canada will have jurisdiction over matters of pollution. I hope that somewhere in this bill there is provision for the extension of these regulations into that area. I suspect there is; perhaps it is cloaked in some sort of vague terminology. I think this provision is probably in the bill, and if it is not I am sure the minister will want to make certain it is put in, because I am as satisfied as I can be that the Minister of the Environment is as keen as I am about this particular law and in ensuring that the regulations under which it will operate will have as broad an application as possible within national and international law in respect of the waters off Canada's shores.

The penalties are mentioned on page 10 of the bill. I think they are good; they are stiff penalties and I like them. They deserve consideration. Perhaps we ought to increase them to make it quite clear that Canada is serious when it imposes regulations governing the dumping of wastes in the territorial seas or any other part of Canada's waters over which Canada has jurisdiction. A fine of \$100,000 is the penalty for an offence involving a substance specified in schedule I. A fine of \$75,000 is the penalty where the offence involves a substance specified in schedule II. Then there is a fine of \$50,000 where the offence involves any substance not specified in schedules I or II.

When speaking of dumping there is another aspect we should look into: this was discussed at Quebec. I refer to sluicing out the tanks of tankers once they have off loaded their cargo. The amount of oil which clings to the sides of the tanks inside a tanker varies, naturally, according to the viscosity of the product being carried. If it should be heavy oil, of course more will be left on the sides of the tanks and on the bottom. If it should be a volatile product, such as one of the refined products, it will probably disappear or there will be very little left.

The tankers involved in international trade which bring oil to our ports must be cleaned. If accounts are to be believed, as much as 2,000 tons of unrefined product can be left behind by a 200,000-ton tanker. This is a great deal of