

1.1 VESSEL ACCEPTANCE STANDARD

Revision 4.3

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TABLE OF CONTENTS

1.0 INTRODUCTION.....	3
1.1 Scope	3
1.2 Changes and Waivers	3
1.3 Response Time	4
1.4 Minimum Requirements	4
1.5 Definitions.....	4
2.0 AUTHORITY.....	9
2.1 Right to Reject Vessel	9
2.2 Reason to Reject Proposed Vessel.....	9
2.3 Technical Hold	10
3.0 VESSEL ACCEPTANCE	10
3.1 General.....	10
3.2 Vessel Proposal.....	10
3.3 Preliminary Acceptance.....	10
3.4 Conditional Acceptance.....	11
3.5 Multiple Call Acceptance	12
3.6 Vessel Physical Inspection	12
3.7 Withholding Petroleum Product Transfer Privilege to a Vessel at the Berth.....	12
4.0 ROLES AND RESPONSIBILITY	13
5.0 CONTINUOUS IMPROVEMENT	14
6.0 RECORD KEEPING.....	15
7.0 REFERENCES.....	16
7.2 Documents	16
ANNEX A.....	19
ANNEX B Master’s Declaration	22

1.0 INTRODUCTION

1.1 Scope

- 1.1.1 Trans Mountain operates the Westridge Marine Terminal (“WMT,” “Westridge,” or the “Terminal”) in compliance with all Applicable Laws, Project Conditions, Company Policies, and recognized standard industry practices.
- 1.1.2 Trans Mountain is committed to conducting all Terminal activities and operations (including, without limitation, the transfer of Petroleum products), in a safe and efficient manner.
- 1.1.3 This Vessel Acceptance Standard (the “Standard”) sets out the criteria and requirements that must be met by any Vessel planning to conduct the transfer of Petroleum products at Westridge Terminal.
- 1.1.4 This Vessel Acceptance Standard is intended to prevent cargo oil transfer privileges being granted to a vessel that may, in the reasonable belief of Trans Mountain, endanger the Terminal, Terminal operations, the environment, or the health or safety of individuals, or has the potential to adversely affect the operational efficiency or capability of the Terminal.
- 1.1.5 Trans Mountain confirms that this Vessel Acceptance Standard is not intended to:
- interfere with the safe operation of a Vessel;
 - interfere with, replace, or assume the obligations, responsibilities and liabilities of a shipper, or the owner, operator, manager, or crew of a Vessel;
 - interfere with, replace, or substitute any function or responsibility of a Governmental Authority, or of an Acceptable Vessel Classification Society.
- 1.1.6 This Standard applies to all Vessels intending to call on Westridge Marine Terminal to transfer Petroleum products, including (without limitation) tankers, ocean-going barges, and articulated tug-barges (“**ATBs**”).
- 1.1.7 Any Vessel that fails to comply with the requirements of this Vessel Acceptance Standard shall not be permitted to engage (or to continue to engage) in the transfer of Petroleum products at Westridge Terminal except as provided herein.

1.2 Changes and Waivers

- 1.2.1 This Standard may be amended or updated from time-to-time, in the sole and absolute discretion of Trans Mountain. Notwithstanding the foregoing, whenever possible, Trans Mountain shall notify shippers and exercise commercially reasonable efforts to consult with shippers up to 60 days, but always at least 30 days, prior to bringing into effect any changes to this Vessel Acceptance Standard, , but reserves the right to make immediate, urgent changes where required in the interests of public safety or the protection of the environment, or where such immediate change is required by a Governmental Authority.
- 1.2.2 Any written request for waivers or exceptions to the requirements of this Vessel Acceptance Standard for a specific Vessel or voyage shall be assessed by Trans Mountain based on risk and on a case-by-case basis. The request may be granted or denied at the sole and absolute discretion of Trans Mountain, which discretion to be exercised reasonably.

1.3 Response Time

1.3.1 Trans Mountain shall respond promptly, but always within 24 hours of receipt, with a written response to all correspondence related to vessel acceptances, including Shipper enquiries, Vessel Proposals, or any other enquiries or information received from Shippers or vessels. Typically, any such correspondence, if received prior to 1100 Pacific Time, shall be responded to by 1800 Pacific Time the same day.

1.3.2 Upon receipt of a complete Vessel Proposal, Trans Mountain's response would consist of either a preliminary acceptance or a reason for rejection, or a request for additional information, all within the stipulated timeframe for response.

1.4 Minimum Requirements

1.4.1 To be considered for acceptance at the Terminal, a Vessel must meet the following requirements:

1.4.1.1 Tanker Vessels should be less than fifteen (15) years old but tankers up to, and including, twenty (20) years of age may be acceptable provided they have been assessed under CAP at Rating Level 2 or better for both CAP Hull and CAP MC.

1.4.1.2 Tugs and barges should be less than thirty (30) years old. This age limit may be waived on a case-by-case basis, depending upon specific trade route of the Vessel in question and upon review of its Class records.

1.4.1.3 The Flag State of a Vessel must not be included on the most recent Paris MOU "Blacklist" for flag state performance. Special dispensation shall be required for a Vessel on the "Greylist".

1.4.1.4 The Vessel must be entered with an Acceptable Classification Society;

1.4.1.5 The Vessel must be entered with an International Group P&I Club and maintain coverage for an oil pollution incident involving any discharge or threat of discharge of oil, oily mixture or oil residue from the Vessel that meets or exceeds "Blue Card" requirements under the *1992 Civil Liability Convention* and the *Bunkers Convention*.

1.4.1.6 The Vessel must be crewed and operated under a certified safety management system.

1.4.1.7 All Vessel trading certificates, Class surveys, and records must be up to date.

1.4.1.8 The Vessel must not be an "Ore-Bulk-Oil" or "combination" carrier.

1.4.1.9 The Vessel must have been recorded in the SIRE or OVID database (as applicable) within the preceding seven (7) months, which may be extended to twelve (12) months for tugs that are designated to attending barges.

1.4.1.10 The Vessel is not currently subject to a Technical Hold with Trans Mountain.

1.5 Definitions

1.5.1 "**Acceptable Classification Society**" (or "**Class**") means a non-governmental organization that is a member of the International Association of Classification Societies and recognized by the Flag State of a Vessel, which certifies that a Vessel

complies with certain standards and specifications, and which ensures ongoing compliance with such standards and specifications.

- 1.5.2 **“Accepted Vessel”** means a Vessel that Trans Mountain has permitted to engage or continue to engage in the transfer of Petroleum at Westridge Terminal in accordance with this Vessel Acceptance Standard.
- 1.5.3 **“Applicable Laws”** means (i) any domestic or foreign statute, treaty, code, ordinance, rule, regulation, restriction, or bylaw; (ii) any judgment, order, writ, injunction, decision, ruling, decree, or award; (iii) any regulatory policy, practice, request, guideline, or directive; or (iv) any applicable regulatory approval, permit, license, directive, or authorization; of any Governmental Authority, or any rule or requirement of any applicable Acceptable Vessel Classification Society.
- 1.5.4 **“Bunkers Convention”** means the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001, concluded at London on March 23, 2001.
- 1.5.5 **“Civil Liability Convention”** means the *International Convention on Civil Liability for Oil Pollution Damage, 1992*, concluded at London on November 27, 1992.
- 1.5.6 **“Company Policies”** means those policies and procedures adopted by Trans Mountain, including Trans Mountain’s Environment, Health and Safety Policy, those that assist Trans Mountain meet Project Conditions, and applicable to Shippers at Westridge Terminal, namely, this Vessel Acceptance Standard, the Trans Mountain ULC Petroleum Tariff Rules and Regulations Governing the Transportation of Petroleum, the Westridge Marine Terminal Oil Pollution Prevention Plan, the Westridge Marine Terminal Regulations and Operations Guide, the Westridge Marine Terminal Emergency Response Plan, and Trans Mountain’s Marine Mammal Protection Program (these documents are available at www.Transmountain.com).
- 1.5.7 **“Conditionally Accepted Vessel”** means a Vessel that Trans Mountain has been reviewed under this Standard and found to be acceptable for purposes of scheduling to a berth at the Terminal.
- 1.5.8 **“Condition Assessment Program” (or “CAP”)** means the specialized survey program, supplementary to Class, which is used to assess a Vessel's actual condition, based on strength evaluation, and fatigue strength analysis as well as a detailed inspection of its hull (**“CAP Hull”**) and machinery and cargo systems (**“CAP MC”**).
- 1.5.9 **“Condition of Class”** means Class requirements to carry out specific measures within a specific time limit in order for a Vessel to retain classification with an Acceptable Classification Society.
- 1.5.10 **“Deficiency”** means the failure or inability of a Vessel or its owner, operator, or manager to meet specified requirements of Applicable Laws, Company Policies, or Standard Industry Practice for Vessels.
- 1.5.11 **“Early Departure Procedure” (or “EDP”)** means the practice whereby a vessel departs the terminal prior to the bill of lading having been issued, the Master having provided authority to the port agent to sign bills of lading after the vessel’s departure.

- 1.5.12 **“Equasis”** means an online database that collates existing safety-related information on ships from both public and private sources and makes it available on the internet (www.equasis.org).
- 1.5.13 **“Fouling”** means the settlement, growth and accumulation of marine micro and/or macro-organisms on the underwater portions of a vessel.
- 1.5.14 **“Fleet”** means a group of vessels under management of a technical management company or affiliated group of technical management companies.
- 1.5.15 **“Flag State”** means the country in which a Vessel is registered and to whose laws the Vessel is subject.
- 1.5.16 **“Governmental Authority”** means the Government of Canada or any other nation or any of its political subdivisions, whether provincial, state, or local, and any agency, authority, instrumentality, regulatory body, court, central bank, or other entity exercising executive, legislative, judicial, taxing, regulatory, or administrative powers or functions of or pertaining to government, including any supra-national bodies, including: any maritime and other applicable authorities of the country of the Vessel’s Flag State or registry, including Transport Canada; (ii) the Coast Guard of Canada; (iii) the International Maritime Organization; and (iv) any other maritime, port, terminal or other applicable authority having jurisdiction over terminal services to be provided by Trans Mountain.
- 1.5.17 **“International Group P&I Club”** means a protection and indemnity club that provides mutual maritime insurance to its members, and which belongs to the International Group of P&I Clubs (www.igpandi.org).
- 1.5.18 **“Letter of Protest” (or “LOP”)** means a written communication intended to convey and record dissatisfaction concerning some matter and holding the recipient responsible for any legal or financial consequences arising out of the subject matter being complained about.
- 1.5.19 **“Lifting Vessel”** has the meaning assigned by the definition of “Lifting Vessel” in the Trans Mountain ULC Petroleum Tariff Rules and Regulations Governing the Transportation of Petroleum.
- 1.5.20 **“Master’s Declaration”** means a confirmation and commitment provided to Trans Mountain by the Vessel to fulfill, provide certain information, and undertake responsibilities and operating practices based on information found in Annex B of this document.
- 1.5.21 **“Nomination”** has the meaning assigned by the definition of “Nomination” in the Trans Mountain ULC Petroleum Tariff Rules and Regulations Governing the Transportation of Petroleum.
- 1.5.22 **“OceanSmart”** means the cloud-based information and workflow management application used by Trans Mountain to perform various Westridge Terminal operations.
- 1.5.23 **“Oil Company International Marine Forum” (or “OCIMF”)** means the voluntary association of oil companies with an interest in the safe shipment and terminalling of crude oil, oil products, petrochemicals, and gas.

- 1.5.24 **“Offshore Vessel Inspection Database” (or “OVID”)** means the database of offshore inspections maintained by OCIMF.
- 1.5.25 **“Paris MOU”** means the Memorandum of Understanding on Port State Control in Implementing Agreements on Maritime Safety and Protection of the Marine Environment, 26 January 1982, 21 ILM 1.
- 1.5.26 **“Petroleum”** has the meaning assigned by the definition of “Petroleum” in the Trans Mountain ULC Petroleum Tariff Rules and Regulations Governing the Transportation of Petroleum.
- 1.5.27 **“Port State Control” (or “PSC”)** means a party authorized to perform vessel inspections pursuant to the Paris MOU.
- 1.5.28 **“Project Conditions”** means those requirements prescribed by the Canada Energy Regulator that Trans Mountain must complete and maintain to construct and operate the Trans Mountain Expansion Project, including those set out in Certificate of Public Convenience and Necessity OC-065 dated June 21, 2019, and issued by the National Energy Board.
- 1.5.29 **“Serious Incident”** means any Vessel-related incident or event that causes material damage to a person, property, or the environment, including (without limitation) any incident or event that would constitute a “marine occurrence” as defined in [section 3\(1\)](#) of the *Transportation Safety Board Regulations*, SOR/2014-37, as amended, including damage that affects its seaworthiness such as foundering, grounding, collision, total failure of propulsion, steering or navigation equipment, or incidents causing oil spill or loss of containment, or serious injury or fatality.
- 1.5.30 **“Significant Deficiency”** means the failure of a Vessel or its owner, operator, or manager to meet specified requirements of Applicable Laws, Company Policies, or Standard Industry Practice for Vessels relating to a defect in a Vessel’s structure, propulsion, deck, bridge or cargo equipment, or its operations, that, individually or collectively, pose a serious threat to safety of personnel or the Vessel or the Terminal, or a risk to the environment.
- 1.5.31 **“Significant Near-Miss”** means any Vessel-related incident or event that could have resulted in a Serious Incident but did not due to particular circumstances.
- 1.5.32 **“Ship Inspection Report Program” or “SIRE”** means a tanker risk assessment tool and database maintained by the OCIMF
- 1.5.33 **“Standard Industry Practice for Vessels”** means the exercise of that degree of skill, diligence and prudence which would reasonably and ordinarily be expected from a skilled and experienced Master or operator engaged in the operation of a vessel, which includes the application of good seamanship and adherence to recommendations of the OCIMF such as those contained in the *International Safety Guide for Oil Tankers and Terminals* (ISGOTT).
- 1.5.34 **“Technical Hold”** means a temporary rejection of a Vessel and/or a Fleet by Trans Mountain.

- 1.5.35 **“Vessel”** has the meaning assigned by the definition of “Vessel” in the Trans Mountain ULC Petroleum Tariff Rules and Regulations Governing the Transportation of Petroleum.
- 1.5.36 **“Vessel Notice of Readiness”** means a formal notice issued by the Vessel’s Master to Trans Mountain after berthing at the Terminal, indicating that the Vessel is ready in all respects to commence the transfer of Petroleum Products.
- 1.5.37 **“Vessel Proposal”** means the nomination of a Vessel to call on Westridge Terminal by a shipper using OceanSmart.

2.0 AUTHORITY

2.1 Right to Reject Vessel

2.1.1 Trans Mountain reserves the right to reject any Vessel proposed by a shipper that does not meet all of the criteria and requirements of this Vessel Acceptance Standard.

2.2 Reason to Reject Proposed Vessel

2.2.1 A decision by Trans Mountain to reject a Vessel shall be based upon Trans Mountain's assessment of the Vessel, having regard to Applicable Laws, Company Policies, and Standard Industry Practice for Vessels. Reasons for Trans Mountain rejecting a Vessel may include the following:

2.2.1.1 The Vessel does not comply with Applicable Laws, including (without limitation) health, safety and/or environmental laws and regulations.

2.2.1.2 The Vessel does not comply with Standard Industry Practice for Vessels.

2.2.1.3 The Vessel does not satisfy all applicable safety, vapour recovery, dimension or other standards and criteria imposed by the Vancouver Fraser Port Authority (including, without limitation, the Port of Vancouver Harbour Master), or the Pacific Pilotage Authority.

2.2.1.4 The Vessel does not comply with Company Policies.

2.2.1.5 The Vessel is subject to legal restrictions including, but not limited to, international or national sanctions.

2.2.1.6 Where Trans Mountain has identified a failure on the part of the Vessel to meet the requirements (or other concerns regarding) a Vessel's Flag State, Acceptable Classification Society, International Group P&I Club, or its owners, operators, or managers.

2.2.1.7 Where a Vessel has an existing Significant Deficiency, or where corrective actions to remedy a Significant Deficiency in accordance with Standard Industry Practice for Vessels have not been taken.

2.2.1.8 Where a Vessel has been involved in a Serious Incident within the past 12 (12) months.

2.2.1.9 Where a Vessel has been involved in a Serious Incident and corrective actions have not been taken in accordance with Standard Industry Practice for Vessels.

2.2.1.10 Where a Significant Deficiency exists or a Significant Near Miss or a Serious Incident has occurred involving one or more other vessels owned, operated, or managed by the same entity (or related entities) that owns, operates, or manages the Vessel, and where corrective actions have not been taken in response in accordance with Standard Industry Practice for Vessel.

2.2.1.11 Extensive fouling or degradation of the vessel's hull and/or superstructure.

2.2.2 Upon deciding to reject a proposed Vessel, Trans Mountain shall promptly inform the affected shipper in writing, together with the reason(s) for the rejection.

2.2.3 A rejected Vessel may re-apply for acceptance after rectifying those issues that led to the Vessel being initially rejected.

2.3 Technical Hold

2.3.1 Following a Significant Deficiency, a Serious Incident, or a Significant Near-Miss, or if its performance at the Terminal has been subject to unusual delay for reasons not caused by or attributed to Trans Mountain (accumulated to over four (4) hours during a single berth call) or equipment failure, Trans Mountain may place a technical hold (a “**Technical Hold**”) on a Vessel until such time as the matter has been resolved to the satisfaction of Trans Mountain acting reasonably.

2.3.2 Trans Mountain maintains a confidential list of vessels on Technical Hold in OceanSmart. A Shipper preparing a Vessel Proposal shall be issued with an alert in OceanSmart if the subject vessel is on Technical Hold. The Shipper may advise the Vessel representative to directly contact Trans Mountain on such matters.

2.3.3 Trans Mountain encourages shippers and Vessel representatives to provide Trans Mountain with a report as to the cause of any Significant Deficiency, Significant NearMiss or Serious Incident that might have occurred during a Vessel’s call at the Terminal, together with a comprehensive root cause analysis and plans for corrective actions and to avoid recurrence.

2.3.4 Trans Mountain may, in its sole and absolute discretion, extend the Technical Hold to all Vessels in the same Fleet if it determines there is a lack of effective and systematic implementation of appropriate corrective actions in response to a Significant Deficiency or Serious Incident involving a Vessel in the fleet.

2.3.5 Placing and removing a Technical Hold on Vessels must be approved by the Director, Burnaby and Westridge Terminals after taking into consideration the status of effective and systematic implementation of appropriate corrective actions in response based on a comprehensive root cause analysis by the Vessel representative.

3.0 VESSEL ACCEPTANCE

3.1 General

3.1.1 The requirements of this Vessel Acceptance Standard shall apply every time a Vessel requests to call on the Terminal, regardless of whether or not the Vessel has previously qualified as an Accepted Vessel and called on the Terminal. However, a single Vessel acceptance may permit a Vessel to berth multiple times during a single voyage to allow cargo to be transferred in separate lifts.

3.2 Vessel Proposal

3.2.1 Shippers must submit a *Vessel Proposal* for each nominated Vessel in OceanSmart which includes the information contained within Annex A.

3.3 Preliminary Acceptance

3.3.1 Upon receipt of a Vessel Proposal, and prior to issuing a preliminary acceptance, Trans Mountain shall conduct a review of the Vessel based on information available to Trans

Mountain to confirm that the Vessel meets requirements under this Standard, as follows:

3.3.1.1 The Minimum Requirements (Section 1.4);

3.3.1.2 All Applicable Laws, including health, safety and/or environmental laws, regulations, or industry standards, including those applicable to vessel crew qualifications and applicable OCIMF recommendations; and

3.3.1.3 Confirmation that the Vessel has no outstanding deficiencies from PSC or SIRE inspections that might affect marine safety, or which could endanger Vessel or Trans Mountain personnel, the public, or have an adverse impact on the environment.

3.3.2 During the review, Trans Mountain shall consider and assess the information submitted in respect of the Vessel in the Vessel Proposal and also consider other information in Trans Mountain's records or obtained from other sources, including, but not limited to:

3.3.2.1 Databases such as SIRE, OVID or Equasis;

3.3.2.2 Port State Control inspection databases, and any reports/information submitted by or on behalf of the Vessel to Port State Control; and

3.3.2.3 Records of any previous Serious Incidents, in which the Vessel or its owner, operator, or manager have been involved.

3.3.3 During the Vessel screening, Trans Mountain shall also review and confirm:

3.3.3.1 That the Vessel is configured and equipped appropriately for safe cargo operations at the Terminal;

3.3.3.2 The validity of onboard trading certificates, including insurance; and

3.3.3.3 That there are no Deficiencies that might materially affect Terminal safety or have an adverse impact on the environment;

3.3.4 Trans Mountain may request additional Vessel-related information as part of the review, including (without limitation) any outstanding items in SIRE or information found in other relevant databases.

3.3.5 The results of the review shall be communicated to the Shipper within the response time frame mentioned in Section 1.3.

3.4 Conditional Acceptance

3.4.1 Despite a Vessel having received preliminary acceptance, Trans Mountain shall not assign it a berth at the Terminal until Trans Mountain has received a *Master's Declaration* (Annex B).

3.4.1.1 Subject to all items in the *Master's Declaration* being with all items answered in the affirmative, Trans Mountain shall conditionally accept the Vessel and include it to the Terminal berthing schedule and inform the Shipper and the Vessel.

3.4.1.2 To avoid potential for delays or disruption, it is recommended that Shippers

submit the *Master's Declaration* when submitting a Vessel Proposal, even if multiple Vessels are being proposed.

3.5 Multiple Call Acceptance

3.5.1 Trans Mountain may consider a Vessel Proposal for the acceptance of a single Vessel on multiple calls in respect of the same Nomination at the Terminal if deemed necessary for the shipper to comply with the Trans Mountain ULC Petroleum Tariff Rules and Regulations Governing the Transportation of Petroleum. In such cases, the second and subsequent Vessel acceptances within the same Nomination will be considered conditional and subject to the Vessel's performance during the first Vessel call at the Terminal. Trans Mountain reserves the right to rescind acceptance for the second and subsequent calls if a Physical Inspection of the Vessel determines that it does not meet the requirements of this Vessel Acceptance Standard. In any event, however, the following shall be submitted by or on behalf of the Vessel prior to each subsequent call:

3.5.1.1 Confirmation that there has been no material change to the condition of the Vessel or the qualifications and experience of its operating personnel since its previous call.

3.5.1.2 A completed Master's Declaration.

3.6 Vessel Physical Inspection

3.6.1 A Marine Interface Supervisor appointed by Trans Mountain shall conduct a physical inspection and review of the Vessel once it has berthed at Westridge Terminal to verify the information that was reviewed by Trans Mountain during the Vessel Proposal and the Vessel screening (the "**Physical Inspection**"). The Physical Inspection shall typically include (without limitation) general rounds of the Vessel, confirmation that all items and conditions in Trans Mountain's *Ship/Shore Safety Checklist* are met, and a review of the *Master's Declaration*. In the case of barges, the Physical Inspection shall include any attending tug as well.

3.6.2 Typically, Trans Mountain expects that a Physical Inspection shall require approximately two (2) hours, commencing from the time that its Marine Interface Supervisor is provided with safe access to the Vessel. The Marine Interface Supervisor shall request and confirm that any identified Deficiencies are corrected prior to Trans Mountain accepting the Vessel Notice of Readiness. Trans Mountain shall issue a LOP with copy to the Shipper in cases where a Physical Inspection has continued beyond three (3) hours.

3.6.3 If a Significant Deficiency is identified the Vessel shall be deemed to be rejected and may be required to vacate the berth until any corrective action is completed.

3.7 Withholding Petroleum Product Transfer Privilege to a Vessel at the Berth

3.7.1 Typically, Trans Mountain will commence the transfer of Petroleum Products soon after it has accepted the Vessel Notice of Readiness.

3.7.2 If however, Trans Mountain determines that commencing or continuing with the transfer of Petroleum Products to or from a particular Vessel is likely to compromise the safety

of Westridge Terminal or has potential to cause adverse impact on the environment, or is likely to adversely affect the operational efficiency or capability of the Terminal, in either case due to a Deficiency or other Vessel-related issue, Trans Mountain may, cease transfer operations immediately, and, at its sole discretion, withdraw or restrict the Vessel's transfer privileges.

3.7.3 Upon ceasing transfer operations, Trans Mountain shall inform the Vessel Master, the Vessel port agent, and the affected shipper in writing of the reason for its decision.

3.7.4 Depending on the nature of the Deficiency or other Vessel-related issue that results in the cessation of transfer operations, Trans Mountain may permit the Vessel to remain at berth, or to re-berth, and to conduct/resume the transfer of Petroleum Products after any outstanding Deficiency or Vessel-related issue has been satisfactorily addressed. In those circumstances, the following process shall be followed:

3.7.4.1 The Vessel owner, operator, or manager shall provide Trans Mountain with a written corrective action plan followed by a completion report once the Deficiency or issue giving rise to the cessation of transfer operations has been rectified. In most cases, Trans Mountain will also require a Class report as well as any documentation issued by Governmental Authority, as applicable.

3.7.4.2 Prior to resuming the transfer of Petroleum product Trans Mountain shall reassess the Vessel, which may include, but not limited to, a further review of Vessel trading and survey certificates and other documentation, a Physical Inspection, and a review of Vessel operating practices.

4.0 ROLES AND RESPONSIBILITY

4.1 Trans Mountain personnel who have responsibilities within the context of this document include the following:

4.1.1 Director, Burnaby and Westridge Terminals

4.1.1.1 Ensure all applicable Trans Mountain Company Policies are followed.

4.1.1.2 Delegate the routine application of this Vessel Acceptance Standard to the Manager Marine Logistics.

4.1.1.3 Review and approve all cases of Vessel rejection or Technical Hold status.

4.1.1.4 Review all requests for waiver from any requirements under this Standard and either accept or deny the request.

4.1.2 Manager, Marine Logistics

4.1.2.1 Appoint the Marine Interface Supervisor.

4.1.2.2 Apply the requirements of this Vessel Acceptance Standard for all Vessel calls at the Terminal; undertake occasional compliance checks on Vessels and otherwise apply all Company Policies as required.

4.1.2.3 Review and recommend Vessel rejection or Technical Hold, or changes in such status.

4.1.2.4 Review cases of Vessel delay at the Terminal and determine how similar delays could be avoided or mitigated in future.

4.1.2.5 Regularly consult with shippers on marine issues and concerns, including with respect to the application of this Vessel Acceptance Standard.

4.1.2.6 Review the implementation of this Standard to confirm compliance with operating procedures and meeting of applicable goals and objectives.

4.1.3 Marine Interface Supervisor

4.1.3.1 Undertake role of the onboard Terminal representative

4.1.3.2 Conduct a Physical Inspection in accordance with this Standard and recommend whether a Vessel would be acceptable or denied berthing and petroleum transfer privileges at Westridge Terminal.

4.1.3.3 Maintain necessary records to substantiate whether a Vessel meets all applicable criteria, or not.

4.1.3.4 Conduct required onboard checks and inspections and assist as needed.

4.1.3.5 Review, and if deemed necessary, investigate concerns about the Vessel or Vessel operations at the berth.

4.1.3.6 Suspend or cease the transfer of Petroleum Products immediately where it is determined that commencing or continuing with the transfer could endanger personnel, the public, or the environment.

4.1.4 Westridge Operations Team

4.1.4.1 Support the Vessel-Terminal interface in accordance with Trans Mountain operating procedures and relevant global oil tanker and Terminal safe operating practices.

4.1.4.2 Undertake Vessel mooring/unmooring, connection/disconnection of marine loading arms or transfer hoses, regulate the flow of petroleum products, immediately cease the transfer and initiate emergency response if necessary.

4.1.4.3 Report any concerns about the Vessel to the Marine Interface Supervisor.

4.1.4.4 A member of this team will be designated as the onshore Terminal representative. For reasons of practicality, the role of Terminal representative will be transferred between different members of the Westridge Operations Team depending on shift patterns and compliance with hours of work agreements and regulations.

4.1.5 Shipper Services

4.1.5.1 Be the key point of contact on commercial matters and liaise with pipeline shippers as necessary.

5.0 CONTINUOUS IMPROVEMENT

5.1 From time to time, Trans Mountain may request to review a shipper's Vessel selection and proposal process to further support and refine the objectives of this Standard.

6.0 RECORD KEEPING

6.1 Records pertaining to all tasks undertaken and information gathered to comply with this procedure will be maintained in OceanSmart.

7.0 REFERENCES

7.1 Trans Mountain encourages Shippers, Vessel owners, operators, and managers to familiarize themselves with these documents, which are listed here for ease of reference.

7.2 Documents

No.	Document Name	Remarks
1	Port of Vancouver: Port Information Guide https://www.portvancouver.com/sites/default/files/2024-08/2024-01-15-PORT-INFORMATION-GUIDE.pdf	Provides instructions on navigating the Port of Vancouver.
2	Trans Mountain Vessel Acceptance Standard and associated procedures and documents	Describes the VAS and how it is implemented
3	Pacific Pilotage Authority industry publications and notices https://www.ppa.gc.ca/Publications%20%26%20Industry%20Notices	Provides instructions on the use of pilots and escort tugs pertaining to the west coast of Canada.
4	<i>Transportation Safety Board Regulations, SOR/2014-37</i> https://laws-lois.justice.gc.ca/eng/Regulations/SOR-2014-37/page-1.html#h-810239	Provides guidance on the reporting of marine occurrences
5	BC Chamber of Shipping: Advisory to Ship Masters and Agents: Anchorage Guidelines	Provides instructions on anchoring in the Port of Vancouver. Agent to provide copy to Master prior to vessel's arrival.
6	International Safety Guide for Oil Tankers and Terminals (ISGOTT) https://www.ocimf.org/publications/books/international-safety-guide-for-tankers-and-terminals-1	Provides general safety guidelines for oil tankers and terminals
7	Oil Company International Marine Forum Ship Inspection Report Programme (SIRE) https://www.ocimf.org/programmes/sire	Provides information on required vessel inspections
8	International Convention for the Safety of Life at Sea (SOLAS 74) https://www.imo.org/en/About/Conventions/Pages/International-Convention-for-the-Safety-of-Life-at-Sea-(SOLAS),-1974.aspx	An international treaty that concerns the safety of merchant ships.

9	Canadian Coast Guard (CCG) Notice to Mariners notmar.gc.ca/	Informs mariners of important navigational safety matters affecting Canadian waters.
	Annual Notices to Mariners notmar.gc.ca/publications/annual-annuel/annual-notices-to-mariners-eng.pdf	

No.	Document Name	Remarks
10	Canadian Hydrographic Service (CHS) Chart No.3495 Vancouver Harbour Eastern Portion (or equivalent)	Vessel to carry Chart No.3495 for accessing WMT. Vessel to carry other charts as required. All navigation charts must be corrected and up to date with recent Notices to Mariners.
11	WCMRC Membership Agreement cosbc.ca/index.php/our-services/oil-spillresponse/registration-process	Must be completed prior to entering Canadian waters. Valid for one year.
12	Guidelines for the Reduction of Underwater Noise from Commercial Shipping to Address Adverse Impacts on Marine Life intertanko.com/upload/98595/Guidelines%20For%20The%20Reduction%20Of%20Underwater%20Noise.pdf	Provides information on impact of underwater noise radiations from vessels and means to minimize it.
13	ECHO Program Noise Infographic, April 2016 https://www.portvancouver.com/wp-content/uploads/2016/04/ECHO-Program-UnderwaterNoise-Infographic-April-2016.pdf	Provides information on impact of underwater noise from vessels.
14	Mariner's Guide to Whales, Dolphins and Porpoises of Western Canada https://wildwhales.org/learn/mariners-guide/	Useful reference guide on marine mammals on the BC coast.
15	Minimum standards for in-water cleaning of biofouling on vessels in Australian waters	Table 1 (Level of fouling scale to quantify hull fouling on vessel hulls) of this document provides guidance on rating the degree of fouling on a vessel.

16	MEPC ANNEX 26 RESOLUTION MEPC.207(62) Adopted on 15 July 2011 https://wwwcdn.imo.org/localresources/en/OurWork/Environment/Documents/RESOLUTION%20MEPC.207[62].pdf	2011 Guidelines for the control and management of ship's biofouling to minimize the transfer of invasive aquatic species (including any future updates to the same issued by the IMO/MEPC).
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ANNEX A

Vessel Proposal and Information Checklist

The following information shall be provided by the Shipper via OceanSmart at the time of Vessel Proposal:

A. General Information:

- i. Vessel name and IMO #
- ii. Load Window or Dock Window Start date:
- iii. Vessel contact information:
- iv. Ship manager's contact information:

B. Confirmation by the Shipper of having conducted due diligence prior to proposing the Vessel to confirm to the best of the Shipper's knowledge of the following,

- i. The Vessel is not a sanctioned Vessel, is deemed seaworthy, in Class, is adequately insured against marine liability risks, and is operated under a certified safety and/or quality management system as per Applicable Laws, including all relevant Port of Vancouver regulations contained in the current Vancouver Fraser Port Authority Port Information Guide.
- ii. The Vessel, on the date of its proposal, is not subject to a health safety order, or potential thereof.
- iii. That the Vessel has been recorded in the SIRE or OVID database (as applicable) not more than seven (7) months previously and in the Shipper's, opinion is fit to undertake the intended voyage.
- iv. The Vessel meets all requirements of Trans Mountain Corporation's Vessel Acceptance Standard, including age of the Vessel/s.
- v. The Vessel's officers involved in cargo operations are verbally proficient in English. vi. The Vessel is capable of maintaining less than 6% oxygen content in cargo tanks.
- vii. Confirm that the Vessel is able to support helicopter winching on and off the vessel of a marine pilot as required.
- viii. The Vessel has provided the necessary supporting documentation and Trans Mountain is hereby authorized to seek any additional information directly from the Vessel or its owner, operator, or manager.
- ix. Shipper is aware and accepts that Trans Mountain is required to share cargo oil related information, including grade, quantity and quality details with the vessel and its appointed port agent for purposes of conducting a safe product transfer, stowage, confirmation of custody transfer, manifest and customs' clearance of the vessel and to comply with typical and customary reporting and documentation necessary at the Port of Vancouver.

C. Supporting documentation

- i. Status of any open PSC deficiencies and/or Conditions of Class with planned corrective actions
- ii. Vessel/Class Status Report (date stamp not exceeding 30 days)
- iii. Certificate of Inspection and Certificate of Documentation (applicable to US flag vessels only)

- iv. Last hull inspection or cleaning and propellor cleaning report not older than 30 months, or last class bottom and hull survey report.
 - v. A copy of the official mooring plan of the Vessel (only if the vessel has not been at Westridge Marine Terminal in the past)
 - vi. Cargo Tank Gas Tightness Certificate (or similar)
 - vii. Manifold drain line diagram (only if the vessel has not been at Westridge Marine Terminal in the past)
 - viii. Photographs of the Vessel's stern showing the 200T escort tug towing chock and strongpoint (only if the vessel has not been at Westridge Marine Terminal in the past)
 - ix. Condition Assessment Program (CAP) certificate for hull (CAP Hull) and machinery and cargo systems (CAP MC). Applies to tankers over 15 years old.
 - x. Certificate of inspection confirming that the vessel has been inspected and found free of FSMC (Flighted Spongy Moth Complex, previously known as AGM- Asian Gypsy Moth) prior to departing for Canada. Applies to vessels arriving from FSMC (Flighted Spongy Moth Complex) risk area (e.g., Far-east Russia, Japan, or Korea)
 - xi. Copy of the vessel's General Arrangement Plan (only if the vessel has not been at Westridge Marine Terminal in the past)
- D. Commitment by the shipper to undertake the following actions if the Vessel receives preliminary acceptance from Trans Mountain, and subsequently declared as the Lifting Vessel by the Shipper.
- i. Request the Vessel to immediately submit a completed Master's Declaration (*Annex B*) with all items confirmed in the affirmative. Trans Mountain will not schedule a berth for the Vessel until this has been received by Trans Mountain.
 - ii. Obtain a special waiver letter from the Vancouver Fraser Port Authority (i.e., the Port of Vancouver) and Pacific Pilotage Authority if vessel LOA exceeds 250m.
 - iii. To instruct the Vessel to provide the Terminal with appropriate notices of arrival and otherwise conduct Vessel activities in accordance with information provided in the Westridge Marine Terminal Information Package (consisting of links to the Vessel Acceptance Standard, the Westridge Marine Terminal Regulations and Operations Guide and the Westridge Marine Terminal Emergency Response Plan) and otherwise follow local guidance to facilitate a safe, efficient, and otherwise smooth turnaround of the Vessel.
 - iv. Request the Vessel to immediately inform the Terminal if at any time the Vessel's actual operating conditions deviate from earlier provided information, or whenever there is a potential for change in normal Vessel operating conditions.
 - v. Nominate, or cause to be nominated, a port agent, and instruct the appointed agent to cooperate and follow guidance from the Terminal. Preferred Port Agents shall have access to OceanSmart, which the agent is required to use when providing regular notices and updates on the vessel's status to Trans Mountain. A list of preferred port agents is provided in OceanSmart.
 - vi. Ensure that an arrangement for oil spill response is in place with WCMRC.
 - vii. Ensure that escort tug services for loaded tankers between "Buoy QA" and "Buoy J" are requisitioned from the contracted service provider, which is exclusively provided by KOTUG Canada, and have the vessel confirm that to Trans Mountain.

- viii. Instruct the Vessel to avail of Early Departure Procedures (EDP), whenever possible to do so.
- ix. Instruct the Vessel to procure and use pilot and tug services as required by the Port of Vancouver, the Pacific Pilotage Authority and Trans Mountain, and any other service necessary for the Vessel call.
- x. Inform the Vessel of its obligation to promptly pay any costs, taxes, duties, charges, levies, including any assessments imposed by the Vancouver Fraser Port Authority (i.e., the Port of Vancouver).

ANNEX B Master's Declaration

The Master or a person designated by the Master, including the ship manager shall confirm the Vessel's ability and agreement to comply with all items in this Declaration.

1.0 CONFIRM VESSEL AND MASTER'S RESPONSIBILITIES

- 1.1 The Master will always remain responsible for the Vessel's safe operation and the safety of the crew.
- 1.2 The Vessel is operated in accordance with a safety and/or quality management system certified in accordance with requirements of the International Safety Management Code (ISM) or the American Waterways Operators (AWO) "Responsible Carrier Program" (RCP) or similar.
- 1.3 The Vessel carries ALL required and customary certificates of compliance and those shall remain valid during the vessel's call at the Terminal.
- 1.4 A Ship Security Plan appropriate to the Vessel's Flag has been implemented.
- 1.5 A Drug and Alcohol Policy that meets The Oil Companies International Marine Forum (OCIMF) recommendations has been implemented onboard.
- 1.6 All persons onboard are healthy, and the Vessel is not currently subject to quarantine restrictions and such/similar restrictions are not anticipated to be in place for the Vessel upon its arrival at the Terminal.
- 1.7 In case of any incident or risk of any incident within Canada's Exclusive Economic Zone (EEZ), including, but not limited to, loss of power or steering, collision, grounding, oil spill, fire onboard, serious injury, or a marine occurrence as defined in [section 3\(1\) of the Transportation Safety Regulations](#), the Vessel will immediately inform Marine Communications and Traffic Services ("MCTS"), the Canadian Coast Guard ("CCG"), and Western Canada Marine Response Corporation ("WCMRC").
- 1.8 The Master agrees to provide all necessary and requested support to help mitigate any emergency situation at the berth involving the Vessel, including (without limitation) an oil spill or threat of oil spill or a marine occurrence.
- 1.9 The Vessel has in place appropriate marine emergencies response arrangements that satisfy all Applicable Laws of Canada and the USA and shall notify all Governmental Authorities appropriately in case of a marine emergency.
- 1.10 The Master agrees to be guided by and follow Terminal instructions, unless deemed to be unsafe by the Master, and shall provide timely notices and updates to the Terminal (Details in Section 3 of this Annex).
- 1.11 Vessel shall navigate within the designated marine traffic corridors and comply with relevant rules of Transport Canada, the Pacific Pilotage Authority, and the Vancouver Fraser Port Authority, as amended from time to time, always consistent with safe navigation at the discretion of the Master.

- 1.12 The Vessel shall procure and use pilot and tug services, which will include a suitable tug to assist in securing and releasing mooring lines, as required by the Vancouver Fraser Port Authority (i.e., the Port of Vancouver), the Pacific Pilotage Authority and Trans Mountain Westridge Marine Terminal, and any other services necessary for the Vessel call. A vessel less than 10,000 GT may be able to obtain a pilot waiver from the Pacific Pilotage Authority.
- 1.13 The Vessel shall promptly pay any costs, taxes, duties, charges, levies, related to this port call, including any assessments imposed by the Vancouver Fraser Port Authority (i.e., the Port of Vancouver).
- 1.14 Master shall ensure that there are a sufficient number of English speaking watchkeepers available to effectively communicate with others regarding navigation, loading/discharging and bunker operations.
- 1.15 Officer and crew fatigue management shall be planned with due consideration of the expected length of time under pilotage and port stay activities.
- 1.16 In the event of a collision, allision or grounding, the Master shall promptly obtain computerized, shore-based damage stability and residual structural strength information and confirms that he/she has the authority to do so directly without awaiting additional approval from the Vessel owner, operator, or manager.
- 1.17 In the event of a marine occurrence that may require salvage, the Master confirms that he or she is authorized to promptly enter into a Lloyd's Open Form Agreement with SCOPIC clause with a salvor of his/her choice without having to seek additional approval from the Vessel owner, operator, or manager.
- 1.18 To facilitate a safe and efficient turnaround at the Terminal, Trans Mountain shall share with the vessel various information, including information related to Trans Mountain and Shippers on the Trans Mountain pipeline system, as well as cargo oil related information, such as product type, quantity and quality details, destination, etc. which may be commercially sensitive to Trans Mountain or Shippers. Master shall apply due discretion and consideration in distribution of such information and, unless otherwise requested by the Shipper, only use it for purposes of conducting a safe product transfer, stowage, confirmation of custody transfer, preparation of cargo manifests and customs' clearance of the vessel and to comply with typical and customary reporting and documentation necessary at the Port of Vancouver.

2.0 CONFIRM VESSEL CONDITION

- 2.1 There are no recent (within 30 days) outstanding or unaddressed observations on record in the SIRE database.
- 2.2 There have been no recent (within 30 days) incidents involving vessel grounding, collision, oil pollution, fatality onboard or detention by Port State Control.
- 2.3 All Vessel equipment (bridge, propulsion, mooring or cargo) is in good working order with no deficiencies.
- 2.4 The Vessel has no structural integrity defects and all cargo and ballast tank spaces, as well as any ballast lines passing through oil tanks (including fuel oil tanks) have been checked and confirmed free of defects.
- 2.5 The Vessel's topsides and superstructure are in good cosmetic condition with clearly painted name, port of registry, draft marks, tug push marks, etc.
- 2.6 The Vessel monitors and controls fouling of its submerged surfaces. Vessels that arrive with their visible submerged surfaces fouled in excess of 10% shall be issued with LOP by the Terminal. Extensively fouled vessels would be rejected for future calls.
- 2.7 All cargo tanks are in suitable condition for carriage of the nominated cargo. The Terminal does not issue cargo tank preparation instructions and does not require cargo tanks to be purged.
- 2.8 Arrangements have been made to limit water collecting on deck and sufficient crew shall be allocated to facilitate the timely monitoring and proper disposal of the water.
- 2.9 Clear deck space is available for placement of shore gangway forward or aft of the manifold, dependent on direction the Vessel is berthed alongside.
- 2.10 The Vessel's Inert Gas system (IGS) has been checked and confirmed functioning satisfactorily, and cargo tanks shall be maintained with oxygen content at or below 6%.
- 2.11 Portable gas meters, including H₂S monitoring units, shall be used by the crew appropriately while the vessel is alongside. These are in good working order and have been duly calibrated.
- 2.12 The Vessel's Vapour Collection System shall be checked prior to the vessel's arrival and the piping system will be drained and dry and prepared for connection the Terminal's 300 mm (12 inch) vapour return line. Class approved VOC (Volatile Organic Compound) Management Plan is implemented and available for review by the Marine Interface Supervisor.
- 2.13 All cargo tank automatic level gauges in CCR, high-level and overfill alarms, etc. have been verified as fully functional and accurate. Certified and calibrated Manual UTI or MMC tank gauging equipment appropriate for closed loading are also available if necessary.

- 2.14 All cargo tank and system openings and fittings are oil or gas tight and pressure relief devices are appropriately set.
- 2.15 The closing time of remotely operated cargo tank valves and other inline loading valves have been adjusted in accordance with recommendations in The International Safety Guide for Oil Tankers and Terminals (ISGOTT)

3.0 LOCAL OPERATING GUIDANCE

These are binding requests. Additional port call specific guidance shall be provided.

The Master is encouraged to consult with the Vessel's Port Agent with regard to compliance with any of the items included in this section of the Master's Declaration. Additional guidance (after berthing) may be obtained from the assigned Marine Interface Supervisor.

- 3.1 Become familiar with Terminal Regulations as provided in the *Westridge Marine Terminal Regulations and Operations Guide* (WMTROG), which includes the *Westridge Marine Terminal Oil Pollution Prevention Plan*.
- 3.2 Become familiar with Trans Mountain's *Marine Mammal Protection Program (MMPP)* and abide by requirements and guidance provided in the document.
- 3.3 Review VFPA EcoAction Program requirements at <https://www.portvancouver.com/environmentalprotection-at-the-port-of-vancouver/climate-action-at-the-port-of-vancouver/ecoaction-program/> for vessel eligibility and information.
- 3.4 Secure all bilge overboard discharge valves and place under charge of the Chief Engineer while vessel is within Canada's Exclusive Economic Zone (EEZ).
- 3.5 Prior to arrival the vessel must enter into an agreement appointing WCMRC as the designated Spill Response Agency in Canadian waters.
- 3.6 Use fuel in main engines and auxiliary engines appropriate for operating in the North American Emission Control Area for Marine Vessels and ensure fuel changeover is carried out in accordance with ship-specific procedures.
- 3.7 If a Vessel is fitted with Exhaust Gas Cleaning Systems ("EGCS"), check to confirm if there are any restrictions to its use within the Port of Vancouver depending on the type of equipment, e.g., openloop, closed-loop, or hybrid.
- 3.8 Test controls prior to entering or getting underway in Canada's territorial sea (12 nm limit) and record in the ship's logbook. Tests must include, but not limited to, operating the main engines in both ahead and astern directions, completing steering system checks in accordance with SOLAS and checking of all navigation equipment. Report any deficiency immediately to Canadian Coast Guard and the Terminal.
- 3.9 Provide 96-, 72-, 48-, 24- and 12-hours eta (estimated time of arrival) notices or upon passing/reaching the following locations:

3.9.1 Offshore waiting area based within five (5) nautical miles of

Lat: 48 Deg 07' 00" N Long: 126 Deg 07' 00" W

3.9.2 Westridge Marine Terminal or at an anchorage.

Terminal recommends that arriving vessels remain at the waiting area till called to berth.

Alternatively, in consultation with its port agent, Master may seek an anchorage if one is available.

Note: Vancouver Fraser Port Authority has implemented "Near-time arrival procedure" (<https://www.portvancouver.com/port-operations/procedures/near-time-arrival-procedure-vessels-calling-port-vancouver>) for vessels calling at the Port of Vancouver and have designated similar waiting area, a location where vessels may be considered as "arrived" for the purpose of tendering the NOR in line with MO FAL.5/Circ.52 (Guidelines for Harmonized Communication and Electronic Exchange of Operational Data for Port Calls)

- 3.10 Receive advice from the Terminal, including the Terminal Marine Interface Supervisor appointed to your Vessel by the Terminal and take due consideration of such advice in the conduct of Vessel's operations, unless unable to do so due to safety reasons.
- 3.11 Respect the rights of the residents in surrounding neighborhoods to the Terminal and minimize noise, odour, or other concerns from vessel operations. Master confirms that Vessel's main engine and auxiliary engines are fitted with exhaust silencers, engine room and pumphouse ventilation fans are only used if needed and those are well maintained and in good condition.
- 3.12 Whether at anchor or at berth, please keep the use of deck lights to a level consistent with safety and operational requirements only and avoid unnecessary glare from deck lights.
- 3.13 Exercise and practice good seamanship throughout the vessel's transit with due regard to fishing and recreational vessels. Pay extra caution near Swiftsure Bank, where many commercial and recreational fishing vessels may be encountered.
- 3.14 Be aware of and comply with the prevailing local practices and navigation initiatives designed to reduce the impact of marine shipping on marine mammals, including those communicated by the Enhancing Cetacean Habitat and Observation ("ECHO") Program or any other practices required or requested by Government authorities.
- 3.15 Please obtain a copy of *Mariner's Guide to Whales, Dolphins, and Porpoises of Western Canada* and report to the appropriate authority any instance of the vessel striking a marine mammal or becoming aware of a marine mammal in distress. The publication can be downloaded from [Here](#).
- 3.16 Arrange for tug escort services from KOTUG Canada for the tanker laden passage, suitable for foreseeable meteorological and ocean conditions, between the Port of Vancouver boundary ("Buoy QA") and "Buoy J" and provide confirmation to the Terminal. Be aware that if a suitable escort tug is not available then the tanker **must** delay its departure passage till such time as one becomes available. Additional guidance shall be provided by the Marine Interface Supervisor during the vessel's stay at the Terminal.

- 3.17 For any vessel planning a Trans-Pacific voyage, upon departure from the Juan de Fuca Straits, after passing “Buoy J” steer a course no more northerly than due west (270°) until the vessel is outside the Canadian EEZ (200 NM from the coast of Canada), weather and safe navigation permitting.
- 3.18 Update the Shipboard Oil Pollution Emergency Plan (SOPEP) and the Shipboard Marine Pollution Emergency Plan (SMPEP) local contacts list with appropriate contact details for the Canadian Coast Guard and Western Canada Marine Response Corporation (WCMRC) and post a copy in the Cargo Control Room for information of the officer on duty.
- 3.19 If arriving from FSMC (Flighted Spongy Moth Complex previously known as AGM- Asian Gypsy Moth) risk area (e.g., Far-east Russia, Japan, or Korea) during the FSMC risk period thoroughly check the vessel for FSMC masses and immediately inform the Canadian Coast Guard and Terminal if any found. Expect considerable delay in berthing in case of FSMC infestation onboard the Vessel.