

RULES AND PROCEDURES

January 24, 2023

For more information, please contact:

Martin Roy
Operations and Maintenance Director
Harbor Master and Port Security Officer
Phone: 418 297-6164
Bureau : 418 296-4296
Email: mroy@portbcomeau.ca

PREAMBLE

OUR MISSION AND VISION

The Corporation de gestion du port de Baie-Comeau (CGPBC) is a private, non-profit organization. Our mission is to manage Baie-Comeau's multi-user port facilities, develop their full potential and work closely with our partners to ensure the sustainable, safe and efficient development of the Port of Baie-Comeau, within the Quebec and Canada's ports network.

Our vision is to make the Port of Baie-Comeau a profitable and safe port, offering innovative and efficient services, in order to be a lever for sustainable regional development and contribute to the prosperity and influence of our community.

OUR VALUES

Sustainable development

In our decisions and actions, reconcile economic development with community development and environmental preservation.

Cooperation

Work with our stakeholders to support port and community development.

Agility

Adapt quickly to the changing needs of our environment through creativity and innovation.

Customer Orientation

Place the customer at the center of the organization to understand and satisfy their needs and expectations.

Table des matières

PREAMBLE	2
OUR MISSION AND VISION	2
OUR VALUES	2
GENERAL INFORMATION.....	6
Scope.....	6
Definitions.....	6
COMPLIANCE WITH CGPBC OWNERSHIP RULES	8
AUTHORITY OF THE HARBOUR MASTER	8
BANS	8
SIGNALLING	9
VEHICLE TRAFFIC	9
COMPLIANCE WITH THEREGULATIONS IN FORCE	9
Environment.....	9
Emissions	10
RULES AND PROCEDURES FOR SHIPS	10
ARRIVAL NOTICE	10
ROLE OF THE COMMUNICATIONS AND VESSEL TRAFFIC DEPARTMENT	10
Radio communication	11
Security Call - Communication	11
NAVIGATION SAFETY	11
Anchorage	11
Disagreement and disclaimer	12
SAFETY SPEED – GENERAL.....	12
ENVIRONMENTAL PROTECTION	13
Pumping and discharge into ballast water in the port of the.....	13
POLLUTION MARINE	13
Black and grey water	13
MARINE MAMMALS.....	13
MANOEUVRES IN THE HARBOUR OF THE PORT	14
DESCRIPTION OF HARBOUR FACILITIES.....	14
Prohibition of berthing.....	15

Mooring of ships.....	15
Pilotage	15
Moving using moorings	16
Clearance under keel and minimum draught	16
Unmanned vessels.....	16
VESSEL MAINTENANCE.....	16
Demobilization or testing of propulsion or shunting machinery.	16
Starting the main propeller.....	17
Paint	17
Hot work	17
PORT SECURITY (ISPS)	17
ISPS Certified Terminals	17
Port Security Officer (PSO)	17
Exercises and workouts.....	18
SPECIAL OPERATIONS	19
Dredging, construction, salvage or maintenance	19
PLEASURE CRAFT AND SMALL VESSELS	19
Restrictions	19
EMERGENCIES.....	19
DIRECTIVES – TERMINAL MULTIUSAGER.....	20
AUTHORIZATION.....	20
ACCESS TO THE CONTROLLED AREA.....	20
HEALTH AND SAFETY.....	20
ENVIRONMENT	21
GARBAGE MANAGEMENT	21
REFUELLING	21
DRINKING WATER.....	22
PROHIBITIONS - OPERATIONS.....	22
STORAGE OF GOODS	22
Dangerous goods.....	22
Removal or removal of merchandise	23
CONTINGENCY PLAN	23
SECURITY – IHSPS CERTIFICATION FOR MARINE FACILITY OPERATORS	23
AINSURANCE, INDEMNITY AND DISCLAIMER	24

GENERAL INFORMATION

Scope

1. These "Rules and Procedures" have been developed to ensure the efficient and safe use of CGPBC's port facilities. They may be modified periodically by the CGPBC.
2. These "Rules and Procedures" shall be followed by all users of CGPBC facilities, including any vessel entering, leaving, docking, sailing or maneuvering on approach to the CGPBC Terminal, as well as by any operator and marine operator using the facilities for its activities or any other person having access to the port facilities.
3. Except in an emergency, nothing in these "Rules and Procedures" supersedes the provisions of *the Canada Shipping Act, 2001*, the *Environmental Protection Act*, or the *Marine Transportation Security Act* or Regulations made under any of these Acts.
4. Nothing in these "Rules and Procedures" exempts the Master of a ship from engaging in any behavior, measure or maneuver deemed necessary to prevent safety, security and environmental risks.
5. These rules and procedures do not contain CGPBC pricing; please consult it on our website: <https://www.portbcomeau.ca/>.

Definitions

6. The following definitions apply to "Rules and Procedures":

"**Agent**" means the person or company authorized by the owner, manager or charterer to of the vessel's business.

"**Barge**" barge, packer, dredger, floating pile driver, pontoon, or non-self-propelled floating houseboat.

"**Port waters**" means *"all navigable waters and, where applicable, the foreshore, from Baie des Anglais northwest of the straight line drawn from the light at Pointe Saint-Pancrace, situated at a latitude of 49°15'14" N. and a longitude of 68°04'44" W., in an astronomical direction of 220°15'37" to Pointe Saint-Gilles, located at a latitude of 49°12'09" N. and a longitude of 68°08'43" W. [...] ».*¹

"**Harbor**" means all waters contained within the basin formed by the presence of the breakwater wharf owned by the CGPBC.

" Multi-user terminal" means all berths (1 to 4) located on the breakwater wharf belonging to CGPBC.

¹ Government of Canada, Department of Justice, Public Ports and Public Port Facilities Regulations, annex 1, section 1, part 2.

"Dangerous *goods*" means any good that is identified in the International Maritime Dangerous Goods (IMDG) Code or the Transportation of Dangerous Goods Regulations.

"*Harbor Master*" means the person or class of persons, duly appointed by the CGPBC to enforce the provisions of these Rules and Procedures.

"*Knots*" means nautical miles per hour (equivalent to 1.85 kilometers per hour).

"*Operations*" means all or part of the work relating to the loading, unloading, movement or handling of cargo, bunker coal, ship supplies, ship facilities and handling facilities, performed on the property of CGPBC:

- (a) on board a ship.
- (b) ashore.
- (c) on board floating cranes or other floating lifting equipment, or
- (d) on board barges, pontoons, rafts or enclosures alongside a ship, used for such loading or unloading.

« *P.E.L.* " means the deadweight of a ship.

"Small *vessels*" means all vessels to which the Small Vessel Regulations apply.

"*CGPBC*" means the Corporation de gestion du port de Baie-Comeau.

"*PBC*" means the Port of Baie-Comeau and refers to Baie des Anglais and other private terminals located therein.

"*Ship*" means any type of vessel, boat or craft designed, used exclusively or not for marine navigation, self-propelled or not; this definition includes seaplanes, rafts and booms of logs or lumber.

"*Draft*" means the depth of water below the waterline, measured vertically at the lowest point of the ship's hull.

COMPLIANCE WITH CGPBC OWNERSHIP RULES

Figure 1. Perimeter of the harbor of the port



AUTHORITY OF THE HARBOR MASTER

1. CGPBC has designated the Harbor Master as the person responsible for the management of CGPBC's marine facilities. The Harbor Master controls the traffic to or from the multi-user terminal and ensures compliance with these "Rules and Procedures".
2. Instructions to vessels may be issued directly by the Harbor Master or his designee, or through the Canadian Coast Guard, Marine Communications and Traffic Services (MCTS) at Les Escoumins on VHF channels 14 or 16, or through the ship's Marine Agent.
3. Instructions to operators or any other port user may be given expressly by the Harbor Master.

BANS

4. It is forbidden for any person to enter the CGPBC property except in the following cases:
 - a) The person enters to perform legitimate activities.
 - b) The person is authorized to enter by an official of the CGPBC.
5. Holding a z-pass does not authorize an individual to go on CGPBC property without a legitimate reason.

SIGNALLING

6. Any person on CGPBC property must comply with the instructions and regulations on signs and devices installed under the authority of CGPBC. The CGPBC disclaims all liability for violators who do not comply with the regulations at the port.
7. It is forbidden to remove, mark or damage any sign, surveillance camera or device on CGPBC property.
8. Following the agreement and upon approval of its contents by the CGPBC, tenants with a lease with the CGPBC may have signs, surveillance cameras and devices installed to ensure the safety of persons and their property subject to the lease.

VEHICLE TRAFFIC

9. It is forbidden to travel by vehicle on CGPBC property, unless authorized to do so by a CGPBC official.
10. Any person operating a vehicle on the Terminal is required to drive safely at a speed not exceeding 30 km/h.

COMPLIANCE WITH THE REGULATIONS IN FORCE

11. Any person who uses the Terminal is required to comply with all laws, rules, ordinances, orders and regulations in force on the territory of the city of Baie-Comeau and any other governmental authority having any jurisdiction over the premises, or the use made of it.

Environment

12. All users must act in accordance with environmental legislation and keep the port free from contamination or damage to the environment and take the necessary measures to avoid and prevent any release of hazardous substances into the environment. In the event of an oil or other hazardous materials spill, report the situation immediately to Environment and Climate Change Canada's emergency department (1-866-283-2333), Urgence-Environment du Québec (1-866-694-5454), the Garde Côtière Canadienne (NGCC) - marine pollution (1-800-363-4735) and to the environmental officer responsible for the site (418-640-2923). To make it simple, the user is responsible for any contamination and damage to the environment that results from its operations on the site.
13. In the event of a release of hazardous substances, in addition to the obligations provided for in the Environmental Legislation, the user is obliged, (i) to notify the CGPBC without delay, (ii) to give any notice required, if any, under the Environmental Legislation; (iii) to recover hazardous waste, decontaminate and remove all contaminated soil, water, materials, embankments and property; and (iv) to have a report prepared by an independent environmental consultant to the satisfaction of the CGPBC confirming the removal and decontamination and rehabilitation of the environment, in accordance with the Environmental Legislation in force. It is understood that the work involved shall be carried out without delay.
14. Any person who, in the port, drops, deposits, spills or discharges scrap, cargo, equipment, any polluting substance or anything that interferes with navigation must:

- a) Take immediately the measures that are technically and economically feasible to remove them.
 - b) Report the incident to the Harbor Master without delay and provide a description of what was dropped, deposited, unloaded, or spilled and indicate its approximate location.
15. If the person does not immediately remove the scrap, cargo, apparatus, substance or thing, the CGPBC may have them removed and, if the things removed interfere with navigation, their removal may be at the expense of the person.

Emissions

16. For ships in the PBC, the smoke map to be used to determine the density of black smoke is the Department of Transport map listed in Schedule 3 of the "*Vessel Pollution and Hazardous Chemicals Regulations*" or a comparable map on which tiny black dots or thin black lines are evenly distributed on a white background. <https://laws-lois.justice.gc.ca/fra/reglements/dors-2012-69/index.html>

RULES AND PROCEDURES FOR SHIPS

ARRIVAL NOTICE

17. Ship Masters must notify the Harbor Master and their officers of the expected time of arrival at the port limits, 72, 48, 24, 12, and 6 hours prior to arrival. Please consult the tide schedule on the website: <https://www.tides.gc.ca/fra/station?sid=2840>.
18. 24 hours before arrival, the Harbor Master will confirm to the vessel the availability of the berth assigned to it. Unless otherwise specified by the Harbor Master, when a berth is confirmed to a ship, no other ship is permitted to dock on it.
19. Prior to arrival, the vessel, through the shipping agent, must provide CGPBC with proof of its \$10,000,000 general liability and property damage insurance coverage for physical injury, death and property damage (P&I).

ROLE OF THE COMMUNICATIONS AND VESSEL TRAFFIC DEPARTMENT

20. The MCTS "Les Escoumins" has the equipment that allows operators to follow the movements of vessels and communicate with them in this sector. The MCTS "Les Escoumins" will provide instructions to vessels in the port bound going to the multi-user terminal.
21. Ships receiving instructions from the MCTS "Les Escoumins" concerning the movement and operation of ships, works or services in port waters must consider that these are measures also required by the Harbor Master and that they are related to the safety and security of persons and property or the protection of the environment.
22. Periodic notices requiring action by ships in port waters will be promulgated by the MCTS "Les Escoumins" by a *Navigator Advisory*, a *Shipping Notice* or a *Continuous Maritime Broadcasting (CMB) Notice*.

Radio communications

23. Radio communications in the port shall be limited to those relating to the handling of goods, the movement and the safety or security of ships, persons, and property.
24. All vessels in port waters must listen to VHF channels 14 and 16.
25. The VHF channels designated during port operations are:
 - Harbor Master : VHF 14
 - MCTS "Les Escoumins" : VHF 14 and 16
26. All vessels will be required to notify MCTS "Les Escoumins" and the Harbor Master of safety hazards and operational restrictions caused by their operations.

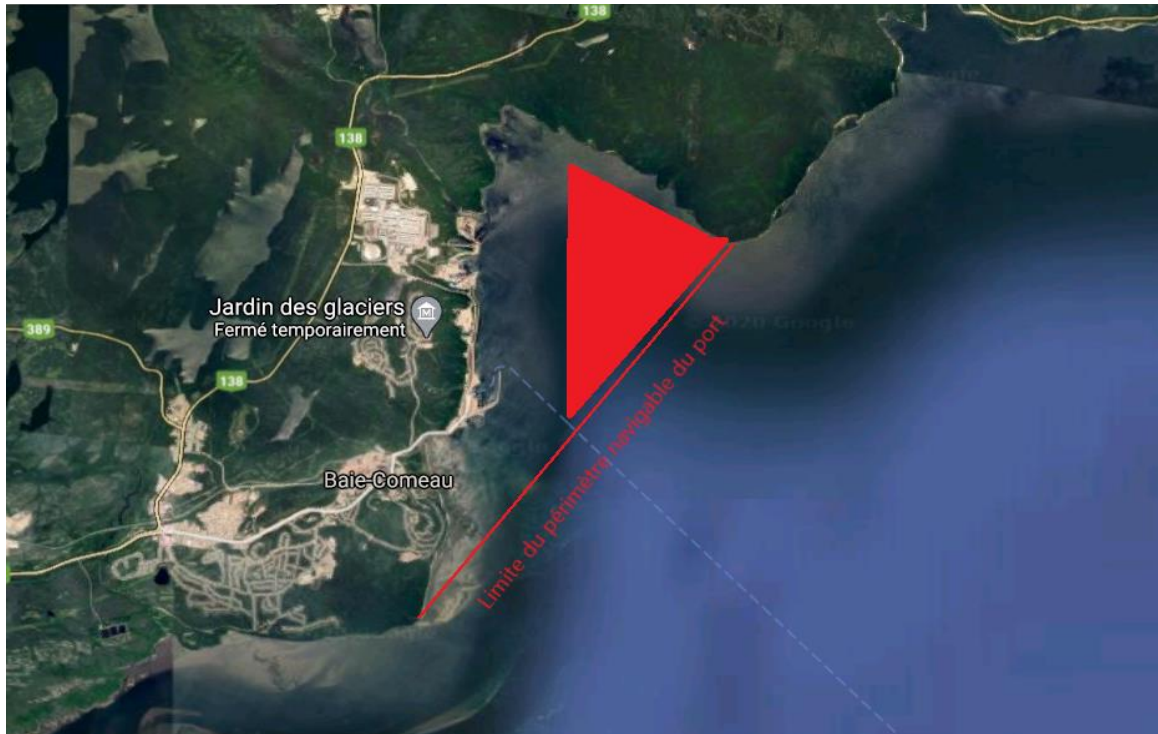
Security Call - Communication

27. All vessels must make a safety call through VHF channels 14 and 16 when preparing to enter the port waters.
28. All vessels going to the multi-user terminal must communicate with the Harbor Master via VHF channel 14 when:
 - a) Entering the limits of the Port of Baie-Comeau.
 - b) 15 minutes before leaving the anchorage or berth.
 - c) Leaving the anchorage or berth.
 - d) Approaching the port harbor.
 - e) As soon as the berthing maneuvers are completed; and
 - f) Leaving the limits of the Port of Baie-Comeau.

NAVIGATION SAFETY

Anchorage

29. Vessels entering the Port of Baie-Comeau while waiting for a berth at the multi-user terminal will be invited to head directly to the designated anchorage area.
30. The designated anchorage area is based on safety criteria for navigation and the ecosystem of Baie des Anglais.
31. The area designated for anchorage in the "Baie des Anglais" is defined by the red triangle. (Figure below):



Designated anchorage coordinates:

- **Safe position always if there is no northeast wind:** 49° 15' 24" N – 68° 7' 04" W.
- **If winds are northeasterly:** 49° 15' 41" N – 68° 6' 14" W.

WARNING

Warning to the current notification to use the anchorage zone above. An anchor with 11 chain links reported around 49 14.7N 068 06.0W. Anchoring is prohibited in the area until further notice. For more information visit the NAVANC link below:

<https://nis.ccg-gcc.gc.ca/public/rest/messages/fr/message/97327>

32. Where deemed necessary, the Harbor Master may require a ship to use the services of a pilot or tug to carry out its berthing maneuvers or to leave the CGPBC multi-user terminal.
33. Where the Harbor Master requires a vessel or operation to use the services of pilot or tug, these services will be at the expense and risk of the vessel owner.

Disagreement and disclaimer

34. CGPBC will not be liable for errors, faults or negligence on the part of a pilot or tug used in the berthing maneuvers, sailing or navigation of a vessel.

SAFETY SPEED – GENERAL

35. At all times and under the "*Collision Regulations*", vessels must operate at a safe speed. https://laws-lois.justice.gc.ca/fra/reglements/C.R.C.,_ch._1416/

36. In PBC waters, safe speed is defined as the minimum speed at which a vessel can safely maintain its course.
37. All ships bound for the multi-user terminal shall give precedence to the movements of domestic vessels whose terminals are within the port at the time of arrival and departure. They must await the authorization of the Harbor Master before committing themselves to the port berth assigned to them.
38. Masters must answer all questions and provide any information required by MCTS "Les Escoumins" and consider such inquiries as originating from the Harbor Master.

ENVIRONMENTAL PROTECTION

Pumping and discharge into ballast water in the PBC

39. All ballast vessels bound for the multi-user terminal must comply with *Canada's Ballast Water Control and Management Regulations*. <https://laws-lois.justice.gc.ca/fra/reglements/DORS-2011-237/>

MARINE POLLUTION

40. Any vessel bound for the CGPBC Terminal must comply with the requirements of *Canada's Vessel Pollution and Dangerous Chemicals Regulations*. <https://laws-lois.justice.gc.ca/fra/reglements/dors-2012-69/index.html>
41. Any pollutant spill in the PBC must be immediately reported to the Harbor Master at 1 418 297-6164 and to MCTS "Les Escoumins" on VHF band 16 (emergency).
42. **Spill in the harbor.** The person responsible for the spill shall carry out the containment, curtailment or clean-up operations without delay, as specified in paragraphs 12 to 15. If these operations are not carried out promptly, CGBPC will take all necessary measures to correct the situation at the expense of the polluter.

Black and grey water

43. It is forbidden to discharge sewage, sewage sludge or grey water, into the harbor of the port.

MARINE MAMMALS

44. The increase in commercial vessel traffic is the main reason for the increase in underwater noise which can interfere with the ability of marine animals to transmit and receive acoustic information. Most underwater noise from large ships is caused by propeller cavitation. Therefore, vessels entering the harbor should apply the following measures to reduce vessel noise:
 - Navigate below cavitation speed and avoid rapid acceleration.
 - Modify the propeller to minimize cavitation.
 - Isolate the ship's engine and use elastic supports for the on-board machinery.

45. In order to reduce the risk of whales colliding with ships, the master and his crew are invited to report on radio waves the observation of cetaceans in the PBC.
46. In the event of a collision or other incident involving a whale, the master must notify the Harbor Master without delay.
47. The CGPBC invites captains and other crew members to use the Whale Alert app. <https://www.whalealert.org/> With the Whale Alert app, sailors and the public have a user-friendly tool directly on their cell phone that displays whales' "safe zones." The app also allows the user to report any sightings of live, dead or distressed whales to the appropriate organization, making this app an important tool to reduce the threat of vessel strikes for all whale species.

MANOEUVRES IN THE HARBOR OF THE PORT

DESCRIPTION OF HARBOR FACILITIES

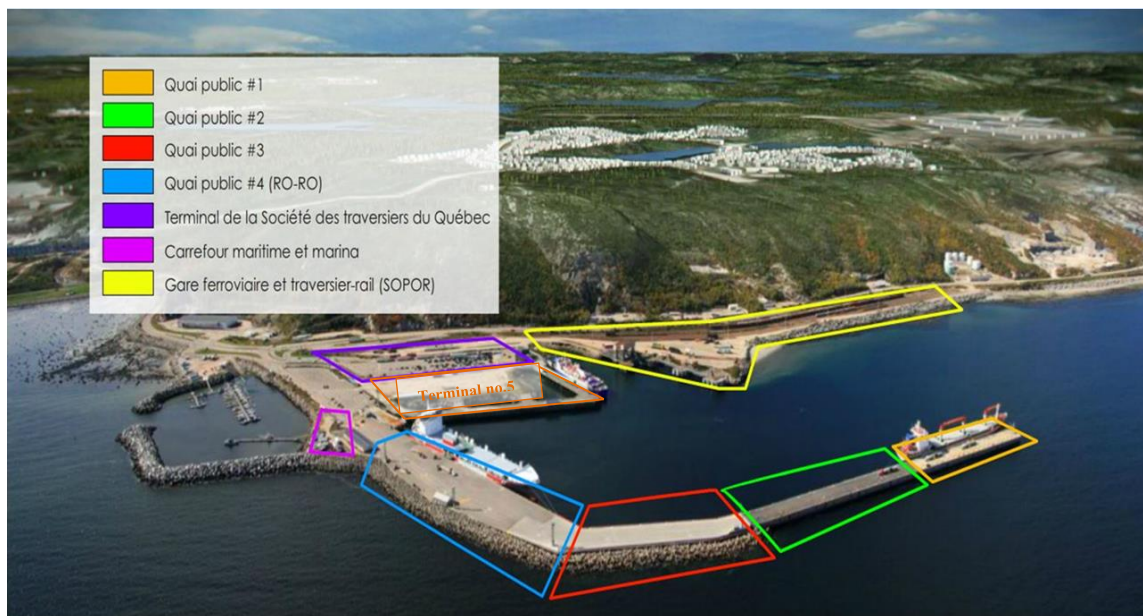


Figure 2. Harbor port Facilities

Table 1. Technical description of the multi-user terminal berths

Section	Dimension	Bearing capacity	Water depth
Storage area	Area of 11,000m ²	50 kPa +	
Berth #1	Length 155 m Width 18 m	30 kPa	9.00 m
Berth #2	Length 155 m Width 18 m	30 kPa	8.70 m
Berth #3	Length 125 m Width 23 m	50 kPa	9.00 m
Berth # 4 (with ro-ro)	Length 245 m Width +23m max 220 m	50 kPa	9. 00 m

Prohibition of berthing

48. No ship is allowed to dock at a wharf managed by the CGPBC unless it has received prior authorization from the Harbor Master.
49. Berthing at Terminal no. 5 is strictly prohibited.
50. It is strictly forbidden to carry out berthing maneuvers at the facilities of the Société des traversers du Québec and the Société du port ferroviaire de Baie-Comeau or to interfere with the movement of vessels operating at these terminals.

Mooring of ships

51. Any vessel docking at CGPBC port facilities must provide its General Liability and Property Damage (P&I) Certificate of Insurance.
52. Only one ship at a time may enter the harbor to moor at one of the berths. Any other vessel wishing to moor must wait for confirmation of the completion of the maneuvers by the Harbor Master, as well as his authorization to enter the harbor.

Pilot service

53. At the PBC, the pilot service is mandatory unless otherwise advised by the Harbor Master. Note that the tug/pilot service offered by Cargill is inseparable.

Provider:

Eric Jean
Vessel Agent / Operation
Cargill
Helping the world thrive

direct: 418-296-5356 | mobile: 418-445-5356 Location | 30 Route Maritime, Baie-Comeau, Quebec, G4Z 2L6 Email address | Baie-Comeau-Agency@cargill.com

The number of tugs required to safely perform all berthing maneuvers, departures or movements of vessels will be determined by the pilot. Safety is paramount and the Harbor Master will support the pilot's decision. The pilot may delay berthing or departure maneuvers due to safety concerns (e.g., weather, ice, vessel condition, availability of tug(s), etc.).

When the PBC requires a vessel or operation to use the services of tugs and/or pilots, these services will be at the expense and risk of the vessel owner.

54. Ships moored alongside a dock must maintain equal tension on all moorings. Weather may require the use of additional moorings. If pilot services have been used, the pilot's advice should be followed with respect to the mooring of vessels.

Moving using moorings

55. When authorized by the Harbor Master, ships docked at the multi-user terminal may be moved using their moorings. The Harbor Master shall grant such authorization depending on the types and condition of the bollards on the dock, the type and condition of the vessel, weather conditions, the presence of other vessels in the vicinity or any other condition relating to the vessel and the safety of the operation. The Harbor Master decision whether to authorize such maneuver is final.
56. No ship shall be moved between berths without the authorization of the Harbor Master.

Clearance under keel and minimum draught

57. A vessel operating in the harbor must not proceed with less than 60 cm of water under its keel. For safety reasons, the Harbor Master may increase this clearance for some or all types of vessels.
58. The CGPBC will advise on the dredged depths in the harbor as well as the maximum draught for the passage of vessels. For safety reasons, the clearance under the keel may be increased beyond 60 cm for the passage of ships.
59. Loaded vessels will be advised by their agents of the maximum draught to ensure the safety of the vessel, while allowing optimal loading.

Unmanned vessels

60. Barges or other unmanned vessels must have moorings with sufficient range to remain safely moored at all stages of the tide. Such vessels must always have a person or surveillance company available. The telephone numbers of persons on duty must be handed over to the office of the Harbor Master.

VESSEL MAINTENANCE

Demobilization or testing of propulsion or shunting machinery.

61. Ships intending to test equipment or machinery, upon demobilization of the main engine, propulsion systems or any other machinery affecting the maneuverability of ships, must make a prior request to the Harbor Master, via their agents.
62. CGPBC will only give authorization when the weather forecast, and berth availability are favorable. Specific conditions on maintenance machinery may be imposed, requiring that the equipment be operational after a specified period and that additional moorings be installed, or that a tug be laid off (at the customer's expense) during the maintenance period.
63. When authorization is granted by the CGPBC, the Captain must notify MCTS "Les Escoumins" via VHF channel 14, that maintenance is about to begin. Once the repairs are complete, the captain must notify MCTS "Les Escoumins" again.
64. Maintenance work must not affect the fire-fighting capabilities, pumps, or stability of the ship.

Starting the main propeller

65. When a ship is berthed, its propulsion equipment shall not be started. Testing is prohibited without the permission of the Harbor Master.
66. In all cases where authorization is given, additional moorings must be installed, and equipment or machinery must be maintained at minimum speed.
67. No ship may use its propeller to remove ice along a wharf while the ship is docking, unless otherwise advised by the Harbor Master. The vessel will be responsible for any damage to the dock, tusks or bollards.

Paint

68. No scraping of old paint on the outer walls of the vessel is allowed when the vessel is docked at the multi-user terminal.
69. Painting, for alterations or waterlines, can be authorized by the Harbor Master, who may require any environmental protection measure he deems necessary.

Hot work

70. Hot work on board is permitted without a permit, provided the work is not in the vicinity of flammable liquids, products, cargo or equipment, or equipment classified as a hazardous material.
71. Any hot spot work near flammable or hazardous liquids, products, cargo or equipment requires an application for a hot spot work permit authorized by the CGPBC. Written authorization will only be granted if the master is able to guarantee in writing that the hot work will comply with the conditions set out in the license.
72. In addition, the Harbor Master may require that the conditions issued in the permit be observed on site.

PORT SECURITY (ISPS)

ISPS Certified Terminals

73. The berths 1 to 4 of the multi-user terminal have been certified under the International Ship and Port Facility Security Code (ISPS) in accordance with the provisions of the Marine Transportation Security Regulations.

Port Security Officer (PSO)

74. The Port Security Officer is Mr. Martin Roy, and he can be reached at 418 297-6164 or at his office 418 296-4296.
75. Master and operators must comply with the provisions of *the Marine Transportation Security Regulations* and the security rules and procedures imposed by the CGPBC on its facilities.

The Port Security Officer is the Harbor Master and can be reached at any time through the ship's shipping agent or MCTS "Les Escoumins". Any incident with reference to the ISPS Code must be immediately reported to the Marine Facility Security Officer and the Port Security Officer. Any change in MARSEC level will be communicated via VHF channel 14-16.

Exercises and trainings

- 76.** CGPBC is aware of the various international requirements for exercises or training at specified intervals and will, whenever possible, allow such exercises.
- 77.** Examples of exercises or trainings include, but are not limited to:
 - Firefighting, including evacuation.
 - Launching of lifeboats.
 - Man overboard.
 - Intrusions (ISPS).
 - Bomb call.
 - Ring the ship's horn for exercise purposes; and
 - Any other exercise required by law.
- 78.** No exercise may take place without the permission of the Harbor Master. The master or operator may request permission via his agent or by contacting the Harbor Master at 418 297-6164 or by email at mroy@portbcomeau.ca.
- 79.** All exercises or trainings must:
 - a) Take place during daylight hours.
 - b) Be held when the weather is good; and
 - c) Be completed at least one (1) hour before sunset.
- 80.** When permission for exercise is granted by the Harbor Master, at least one (1) hour prior to the beginning of an exercise or training, the vessel shall contact:
 - a) The ship's agent; and
 - b) MCTS "Les Escoumins" via VHF 14
- 81.** One (1) minute prior to the start of the exercise or training, the captain must contact MCTS "Les Escoumins" via VHF channel 14, to notify of the start of the exercise or training. Once the exercise or training is completed, the captain must notify MCTS "Les Escoumins" to advise that the exercise or training is complete.
- 82.** If survival craft or lifeboats are launched by hook or escape device and rowed or powered, they may do so provided that:
 - a) The boats shall remain at least 50 meters from the vessel; and
 - b) If an abnormal situation or emergency occurs, the exercise is immediately terminated and MCTS "Les Escoumins" is immediately contacted and informed of the situation.

SPECIAL OPERATIONS

Dredging, construction, recovery, or maintenance

83. During dredging, underwater recovery and other maintenance work that is necessary to maintain water conditions in a safe state, all feasible measures will be taken to ensure that operations do not interfere with a vessel in its approach or departure from a berth or its departure from the harbor.
84. Ships encountering such operations must move to the slowest safe speed, giving the operation as much space as possible. "Notices to Shipping", in reference to ongoing operations, will be issued via MCTS "Les Escoumins" on VHF band 16.
85. If diving operations are ongoing, restrictions on navigation in certain areas may be in effect. "Notices to Navigate", in reference to current restrictions, will be issued via MCTS "Les Escoumins" by email, telephone or on VHF band 16.

PLEASURE CRAFT AND SMALL VESSELS

Restrictions

86. For safety reasons, it is strictly forbidden for any pleasure craft to navigate in the following places:
 - a) Inside the harbor.
 - b) Close to multi-user terminal.
 - c) Close to the STQ and SOPOR terminals.
 - d) In any place or wharf under construction, repair or demolition.

EMERGENCIES

87. In addition to the obligations contained in the Canada Marine Act, the *Canada Shipping Act, 2001*, the *Canadian Environmental Protection Act*, and its regulations, the master of a ship involved in or witnessing any of the incidents listed below will be required to report the incident as soon as possible.
 - Fire.
 - Explosion.
 - Injury or mortality.
 - Criminal activity.
 - Intrusion.
 - Collision with a wharf or ship.
 - Grounding.
 - Discharge of deleterious materials.
 - Oil spill.
 - Loss of equipment or cargo overboard.
 - Incident involving dangerous merchandises.

88. The rescue services must be assisted by the master and crew. The rescue services must be notified of any presence of dangerous goods and dangerous materials on board, and of any other relevant information.
89. If the safety of the ship is compromised, the master or his designated officer shall provide appropriate information on elements such as stability, access, international connections, etc.
90. In the event of a serious accident or incident, the master or SSO of the ship shall communicate the emergency to the following persons by one of the following means:
 - By calling MCTS "Les Escoumins" on channel 16.
 - By contacting the Maritime Ombudsman, ASIM.
 - By calling the ASP at the emergency number dialing 1 418 297 6164.
 - By calling 911 Fire, Police, Ambulance; (local landline).

GUIDELINES – MULTI-USER TERMINAL

91. This section addresses any user of multi-user terminal for the following purposes:
 - a) Loading or unloading of vessels
 - b) Storage
 - c) Transport
 - d) Vessel supply
 - e) Any other activity carried out on the installations.

AUTHORIZATION

92. Any operation on the multi-user terminal must have been the subject of a written request for authorization to the Harbor Master and the latter must have authorized it by specifying the conditions for carrying out the operations concerned.

ACCESS TO THE CONTROLLED AREA

93. Only persons holding a permanent or temporary z-pass issued by an approved user of the port or by the Harbor Master? may access the controlled area.
94. Only people directly related to operations or invited sporadically by an approved user can get a z-pass.
95. It is the responsibility of the operators to provide a list of persons authorized to obtain a regulated zone pass and a copy of their identity document and full contact details.

HEALTH AND SAFETY

96. Any employer who uses the multi-user terminal to conduct port operations must comply with the directives of the Workplace Safety Measures Regulations and the

Loading Tooling Regulations, as well as any other legislation, rules or orders that may apply to the employer.

97. The employer must communicate to the Harbor Master its Occupational health and safety prevention policy, as well as the name and contact information of the person responsible for enforcing the policy on site or its substitute.
98. In the presence of port operations on the multi-user terminal, anyone circulating within the perimeter of activities must wear basic personal safety equipment (PPE): boots, helmet, and goggles, as well as a bib.
99. Any serious health and safety incident must be reported immediately to the Harbor Master.
100. A copy of any serious incident report produced by the employer concerning a decision that took place at the multi-user terminal must be forwarded to the Harbor Master.

ENVIRONMENT

101. Any entity wishing to use the multi-user terminal to conduct operations shall provide the Harbor Master with an environmental management plan including measures to manage the risk of spills on land or at sea, as well as a spill management plan and an incident contingency plan. The plan will have to be approved by the Harbor Master, who may require modifications.

GARBAGE MANAGEMENT

102. The dumping of waste in the harbor strictly prohibited.
103. Local collection of waste from the ship can be done according to certain rules. First, they are unloaded using a hermetically sealed container and under the supervision of customs officers. When the ship is at berth 3 and 4, the container is unloaded directly on the dock following the procedures while when the ship is at berth 1 and 2 the container must be placed on a truck that will transport it outside the port.

REFUELLING

104. **Applicable fees.** Fuel supply is a service provided at CGPBC facilities. Applicable fees are set out in the current Pricing Policy.
105. For refueling operations, Master should refer to the Canadian Coast Guard guidelines on refueling operations. They are available on the Coast Guard website.
106. During night operations, additional lighting may be required by the Harbor Master? .
107. Vessel refueling must be monitored on an ongoing basis to ensure that no spills occur and that emergency procedures are immediately initiated in the event of a spill.
108. The organization must ensure that the refueling truck respects the minimum distance of 3 meters from the guardrail.

109. The fuel supplier shall purchase and maintain five million dollars of liability insurance protecting the insured and CGPBC against monetary consequences resulting from any reason during operations.

110. The CGPBC must be notified immediately in the event of a spill.

DRINKING WATER

111. The drinking water service is available, during the day, with the CGPBC in its main building. The equipment used is QST 2'1/2" hoses and a water meter. Here is additional information for drinking water service.

- During the winter, in the day shift, when the temperature is below -10 degrees Celsius the service will not take place.
- At all times the Harbor Master has decision-making power over the operation of this service.

PROHIBITIONS - OPERATIONS

112. At any time, for security reasons, the Harbor Master may order the cessation of operations at the multi-user terminal for such period as he deems appropriate according to the risks and circumstances of the operations.

113. When the Harbor Master orders the cessation of operations, he must communicate to the users the reasons for the order and the duration of the ban.

114. Unless otherwise specified by the Harbor Master, operations may resume when the duration of the ban has ended.

STORAGE OF GOODS

115. **Right of residence.** All goods, whether consisting of equipment, storage equipment, various materials or goods intended for trade, are subject to residence rights according to the policy in force, unless otherwise specified by the CGPBC.

116. All requests for storage of goods must be sent to the Harbor Master at least 72 hours in advance. The application must include the following information:

- a) Expected start date of the storage or operation period.
- b) Expected end date of the storage or operation period.
- c) Type of products or goods to be stored.
- d) For gear or any non-commercial merchandise: indicate the required area.
- e) For all goods intended for trade: indicate their weight in tons.
- f) Name of the person responsible for the file.

Dangerous goods

117. It is prohibited to refuel a ship if dangerous goods are being loaded or unloaded at the multi-user terminal.

118. Any owner of a cargo of dangerous goods wishing to use the multi-user terminal for unloading or loading must comply with the requirements of the Cargo, Fumigation and Loading Tooling Regulations.
119. 24 hours before the arrival of the vessel, the owner of the goods or his representative must send the Harbor Master a safety certificate issued by Ville de Baie-Comeau Fire Safety if the storage site is located within the limits of the City.
120. Unless otherwise specified by the Harbor Master, it is prohibited to store dangerous goods within the perimeter of the multi-user terminal for more than 7 consecutive days following or preceding an unloading or loading.
121. The storage of dangerous goods within the perimeter of the multi-user terminal must have prior authorization from the Harbor Master, upon receipt of the required documentation, even if the storage site is leased with an operator.

Transportation or removal of merchandise

122. At any time, Harbor Master may require the owner of goods to immediately remove or move their goods into or out of the multi-user terminal.
123. Article 119 does not apply to goods stored on the multi-user terminal under a lease signed between CGPBC and its lessee, except in the case of goods covered by the provisions of paragraph 117.
124. If an owner of goods fails to comply with a notice given under section 119, the Harbor Master may order the goods to be moved or removed at the owner's risks and expenses.
125. An additional fee of 25% of the total costs incurred by CGPBC will be imposed to the owner of the goods because of the transportation or removal of the goods by CGPBC.

CONTINGENCY PLAN

126. Any entity wishing to operate on the multi-user terminal must provide an up-to-date emergency plan adapted to the type of operation concerned.

SECURITY – IHSPS CERTIFICATION FOR MARINE FACILITY OPERATORS

127. Any entity wishing to conduct operations related to international vessels at the multi-user terminal must provide the Harbor Master with confirmation of certification from Transport Canada that must present the purpose of the certification, as well as its duration.
128. All users of the multi-user terminal must comply with the security guidelines and procedures required by the CGPBC and participate in the Port Security Committee if requested by the Harbor Master.

INSURANCE, INDEMNITY AND DISCLAIMER

- 129.** Any operator or cargo owner wishing to use the multi-user terminal to conduct operations must provide the Harbor Master with a liability insurance of at least 10 000 000\$, specifically covering the activity concerned, as well as the CGPBC as an additional insured.
- 130.** Before permitting the loading or unloading of a ship, the Harbor Master may require the operator or owner of the cargo to furnish for each entity retained proof of their general liability and property damage insurance coverage for bodily injury, death and property damage up to a minimum limit of 5 000 000\$ per event.
- 131.** Under no circumstances does CGPBC take up the cause of any user of its facilities, or its representatives, or any other agent whose services it retains, including any supplier or subcontractor, or exempt it from any liability with respect to any claim of any nature and more particularly, but without limitation, in the following cases:
- a) For any fine, penalty, indictment or damage whatsoever resulting from any violation of applicable laws, ordinances or regulations by the customer or user, its representative or any other agent.
 - b) For any damage or expense resulting from any failure of the customer or user, his representative or any other agent, to comply with the provisions of this notice.
- 132.** Under no circumstances, except in cases of gross negligence on its part, is CGPBC liable for any damage, loss or destruction to any property or person located on its facilities or for the death or injury suffered by any user of its facilities, or any agent or any other entity whose services the user retains, including any officer, employee, agent, supplier or subcontractor, or visitor to any of them. The user shall indemnify CGBPC for all costs, losses, claims and demands whatsoever in connection with such damages, losses, injuries or destruction. Without limiting the foregoing, in no event shall CGPBC be liable for damage to property stored on its facilities caused by water, snow, steam or rain or for any other reason.