



Prairie Region  
EPCOR Tower, 300, 10423 - 101  
Street, Edmonton, AB T5H 0E7

Région des Prairies  
Tour EPCOR, 300, 10423 rue 101,  
Edmonton, AB T5H 0E7

Security  
Classification :

Telephone: (780) 495 7126  
Facsimile: (780) 495-8491  
Internet: jim.shaw@justice.gc.ca  
Our File: 2-128959  
Notre dossier:

April 11, 2013

**VIA ELECTRONIC FILING  
TO FOLLOW BY FACSIMILE**

Secretary to the Joint Review Panel  
Enbridge Northern Gateway Project  
444 Seventh Avenue SW  
Calgary, Alberta T2P 0X8

**Attention: Ms. Sheri Young**

Dear Madam:

**Re: Hearing Order OH-4-2011  
Enbridge Northern Gateway Project  
Response to Joint Review Panel Ruling No. 154 on Motion filed by the Coastal First  
Nations on 21 March 2013**

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We write to provide the comments of the federal Government Participants (GPs) in response to JRP Ruling no. 154. On March 18, 2013, the Government of Canada made an announcement respecting the creation of a World-Class Tanker Safety System. The announcement was made by the Honourable Denis Lebel, Minister of Transport, Infrastructure and Communities and the Honourable Joe Oliver, Minister of Natural Resources, and consisted of the following:


- News Release Communiqué No. H031/13, *Harper government announces first steps towards World-Class Tanker Safety System*;
- Backgrounder Information, *Canada's tanker safety situation: Current situation*;
- Backgrounder Information, *Creation of the Tanker Safety Expert Panel*;
- Backgrounder Information, *World-Class Tanker Safety System: Amendments to the Canada Shipping Act, 2001 (Safeguarding Canada's Seas and Skies Act)*;
- Backgrounder Information, *World-class tanker safety system: Safe tankers through rigorous inspection and prevention*;
- Backgrounder Information, *World-Class Tanker Safety System: liability and compensation*.

The federal GPs filed the above noted documents with the JRP on March 18, 2013, for transparency and informational purposes only. The GPs did not seek to have the documents filed as evidence. On March 19, 2013, the Panel removed the documents from the public registry because they were not tendered as evidence.

The GPs continue to take no position respecting whether the documents should be filed as evidence. However, as government participants with expert and specialist knowledge, the GPs want to be of as much assistance to the Panel as possible. Therefore, if the JRP is of the view that information respecting the proposed World-Class Tanker Safety System is relevant and might be of assistance to the Panel, then the GPs are prepared to file the above noted documents as evidence. Federal Witness Panel 2 will be prepared to answer questions relating to the proposed System, whether the documents are filed as evidence or presented as an aid to cross examination.

Thank you for the opportunity to comment. If you have any questions or concerns relating to this matter, kindly contact the undersigned at 780-495-7126.

Yours truly,



James N. Shaw  
Senior General Counsel  
Prairie Region  
Department of Justice Canada

JS/dc

*cc: Parties to OH-4-2011*