



House of Commons  
CANADA

## Standing Committee on Natural Resources

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RNNR • NUMBER 014 • 3rd SESSION • 40th PARLIAMENT

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EVIDENCE

**Thursday, May 6, 2010**

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**Chair**

**Mr. Leon Benoit**



## Standing Committee on Natural Resources

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• (0905)

[English]

**The Chair (Mr. Leon Benoit (Vegreville—Wainwright, CPC)):** Order.

Go ahead, Mr. Cullen. You would like to move your motion.

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Thank you, Chair, and thanks to the committee for their consideration.

The essential nature of this motion is pretty clear. It spells it out that as the disaster is unfolding in the Gulf of Mexico—and it is a disaster by everybody's admission and observance—the U.S. Congress has been holding sessions, not with all of these same partners but with many, to discuss what exactly happened and what the situation will be going forward. In the Canadian context, I think it's important as well that we get these folks in front of us quickly.

I suspect that British Petroleum won't have the results of their investigation yet, because the oil is still leaking. They're going to be trying the cap today. But certainly given the number of leases being proposed or up for submission before the National Energy Board, including a number of wells even deeper than the one in the Gulf of Mexico, as well as the nature of the regulations the government and the NEB are considering right now, the thrust of the motion is to have these companies appear before committee. I think it is also important to have the Nunavut and Inuvialuit Game Council before of us, because a lot of the conversation has focused around the Beaufort Sea and the proposed drilling season that's going on there pretty much as we speak.

**The Chair:** Thank you, Mr. Cullen.

To speak to the motion, I have Mr. Tonks, then Mr. Allen, and Madame Brunelle.

Mr. Tonks, go ahead.

**Mr. Alan Tonks (York South—Weston, Lib.):** Thank you very much, Mr. Chairman.

I congratulate Mr. Cullen for bringing this type of motion forward. Every so often something occurs that really transcends everything—politics, partisanship, or whatever—and this tragedy is on that scale. This calls for wisdom and the capacity of the whole system to reflect on the events and analyze them in parallel with what actually is occurring and to try to juxtapose those with what the effect would be if those same events happened in another instance.

I have to tell you that I was a little taken aback by the cut and thrust of the discussion in the House, if it was a discussion in question period. I haven't talked with people about this, but it wasn't

in the nature of what I think people are looking to us for, as decision-makers. I think people are saying that to be forewarned is to be forearmed. It happened there, and it would be totally in keeping with why we're here and why people look to us, if we tried to appraise the situation and reflect on it and, in a very upfront and professional way, take appropriate action.

I think this is the appropriate action, certainly in relation to the other implications of a spill for ice and oil that I've heard of, and the kinds of things that might occur, and even the implications of the design. I was watching a program on YouTube, where an engineer was saying that even the engineering of the base of the drilling unit wasn't compatible with any emergency interface that they could come up with. They were scrambling in trying to look at the engineering; and now, in retrospect, if they were going to do it again, they wouldn't design the base of that rig, down in the depths of the ocean, the way they did.

So we have a chance to look at this issue, and I take Mr. Cullen's sincerity at face value in putting this motion forward. I know that has been challenged in the past, but on this one, I think he is very—

**An hon. member:** What do you mean, Alan? What are you getting at?

**Some hon. members:** Oh, oh!

**Mr. Alan Tonks:** But in keeping with the spirit of what has happened and the manner in which the motion has been put forward, I would support it if we can improve it, but I hope that we do avail ourselves of the opportunity to act in the public interest totally.

Thanks.

**The Chair:** Thank you, Mr. Tonks.

Mr. Allen, followed by Madame Brunelle.

**Mr. Mike Allen (Tobique—Mactaquac, CPC):** Thank you, Chair.

Along with Alan, I'm hoping this is not going to become a partisan issue, because I don't think it should be. Anything I've heard in the last couple of days from the Prime Minister and the ministers in the House has been very explicit in noting that we want to make sure that no harm comes to anybody, especially in the environment. We tend to forget about the 17 or so people who lost their lives in that situation, which is a bad thing. So from my perspective, I'm not at all uncomfortable with the motion.

I guess there are a couple of questions I would like clarified—three questions, actually. The north is very much in line with what we had talked about before when looking at new things to talk about. I think we on our side are very interested in looking at the north, and I think there are a lot of things that we could possibly blend into this look at the north, including mining, geomapping, oil discoveries and oil drilling. I think they're all important aspects that we should probably look at. This could be a nice subset to that study.

So my first question with respect to Mr. Cullen's idea and the rest of the committee's ideas is whether this is something we should do as part of something bigger. That's the first question.

The second question is, how many meetings was Mr. Cullen thinking about devoting to this? If we all agree that we want to do something bigger, we can do something bigger.

Then the other question is about a practical start date, because when you're looking at BP, I suspect a lot of resources that would know anything about what we would want to do are probably a little tied up right now for the next week or two. What would be a practical start date for something like this?

I think those are all things we should take into consideration.

Fundamentally, I am certainly not averse to going down this path, but those are the three questions I would have, Chair, to see what the committee's will is and what Mr. Cullen had in mind for those areas.

• (0910)

**The Chair:** Mr. Cullen, maybe I'll just go around and have Madame Brunelle and Mr. Regan first, and if you would like to give your response to those questions after that, please do.

Madame Brunelle.

[*Translation*]

**Ms. Paule Brunelle (Trois-Rivières, BQ):** When Mr. Cullen talked to me about his motion, I told him I would have liked to have thought of it myself. To me, this is absolutely not a partisan issue. When faced with such a natural catastrophe, we, as politicians, have to take our responsibilities and work in the public interest. This is why we are here. I think it is urgent to debate this issue.

Mr. Allen is wondering whether we should conduct a bigger study. The question is interesting. I would be inclined to say yes because there are Canadian interests at stake, like Old Harry, the Newfoundland coast and the Hibernia project. Shouldn't we try to learn more about these projects and determine if present federal legislation can ensure the safety of both the people and the environment?

As to how to organize this agenda, I am open to discussion. People all over the place are asking us to do something. I really think it is important to act.

**The Chair:** Thank you, Madame Brunelle.

[*English*]

Mr. Regan.

**Hon. Geoff Regan (Halifax West, Lib.):** Mr. Chairman, after that virulent attack by my colleague Mr. Tonks, I feel compelled to come to the defence of my colleague Mr. Cullen.

I'm sure if we have this kind of a hearing, what the media would take from that probably would be the most active interaction between a member of the committee and the witnesses from BP, or what have you, no doubt, but that doesn't mean it's not worthwhile to have a discussion and that we wouldn't all learn from this.

I want to say that Nathan less frequently makes a circus of the committee than some of his colleagues do. I think it's unfair what Alan said about him.

**Some hon. members:** Oh, oh!

**The Chair:** Order.

**Hon. Geoff Regan:** I'm just having a little fun, Mr. Chairman.

I think it's important to keep this in mind when we're looking at this. What we're talking about is what happens with a producing well. There are issues that relate to exploration, but this is a case where there's a producing oil well offshore that has had an explosion where it has created an unnatural disaster that has a real impact on the natural environment, which we're all concerned about and should be worried about. We have producing oil wells in Canada. I would think Canadians would like to know about how they're designed and how they work on our offshore—off Newfoundland, for example.

In my province it's gas wells, so it isn't quite the same problem, because natural gas will not have the same effect. It isn't good if it all escapes into the atmosphere, but it's not the same.

So to have maybe representatives of a company or two that have offshore oil platforms producing oil off Newfoundland might be a good idea as part of this, to understand how they work here in Canada. Hopefully, it will give reassurance to Canadians that what happened in the gulf won't happen here, and also, in terms of whatever happens in the future, wherever drilling happens, and wherever production of oil happens, that safeguards are built into the system so this can't happen in the future.

What did I have in relation to British Petroleum? I can't recall. I'm sure they are very busy these days, Mr. Chairman, but it would be interesting if they could make it at some point.

• (0915)

**The Chair:** Okay, there are several questions. I think there's agreement between two parties that if the committee agrees to look at this issue, it should be broadened out somewhat.

Mr. Cullen, would you like to comment on that and give your thoughts on that? Then we'll put it back to the committee.

**Mr. Nathan Cullen:** I'll try to quickly go through them one by one.

I think there are two tracks to this. One is what we've heard from our constituents and the public at large about what happened in the Gulf of Mexico. This initiated from a modern-day well.

To be clear, Geoff, I talked to my staff. It was getting ready to produce. It was only seven months old. From what we understand, it was in its first phase and had not yet become a full-production well. It's a small point, but it may be important.

In terms of the length of time, the number of meetings, and the breadth of it, those are Mike's questions. How much do we open this up? How much do we concentrate on this? My concern would be that it could initiate a very long conversation about the Arctic writ general and about every drilling project on land or in the water. It may be useful for the committee to do that at some point, but it wasn't necessarily the intention of this.

This is pretty specific. For offshore oil and gas developments, what rules are in place? How does it work? What is the Canadian context in reflecting on what happened in the gulf?

Of course, we're not going to hear from the chief engineer of British Petroleum, who is hopefully deeply engaged in trying to fix the meltdown in the gulf. I also know that British Petroleum is an enormous company, and they haven't stopped producing in other wells. I would suspect they have other people available who can speak to how the wells work here in the Canadian context.

That's what I want to know. I don't necessarily want to know what happened in the gulf and what the mistake was, because I don't think we're going to find out, Chair. They'll announce it publicly and in the Congress before they do it here.

My suggestion to the committee is that I want to be very open to other witnesses and other ideas, but I would recommend the following. We could take a look at the specific question in front of us with respect to deep ocean drilling in the Canadian environment and in the Canadian context. What are the rules? What are the plans? What's happening right now? What risks are there? What safeguards are in place in terms of preventing blowouts?

I think the responses would be very important for us as well, particularly when talking about the Beaufort. It's one of the things people in the north most often say to us. What would be the responsibility of Canada right now if there were a blowout?

There are other areas. Of course, there's the east coast. There's a proposal to lift the moratorium on the west coast. The Gulf of St. Lawrence has been in the news as well. It's been proposed as a potential drilling site. Those are all of interest.

It becomes a larger conversation. The idea of what's happening in deep-water wells would become lost in that, because it's very big. It's the national energy direction. I don't want to say the "P" word, but that's what's going on in the national context.

For our sake and for the best interests of the public, we could have a couple of meetings to answer your question, Mike, and to focus on the question before us. If people want to have more witnesses, of course, we'd be open to that. But to get at what happened, what it means for us, and whether it could happen here, I think expediency is important.

The second phase would be to go in depth. David and I, as well as others, have talked about a larger conversation on resource development, the rules that are in place, and all the rest of it.

I want to make sure I didn't miss anything.

I think the start date should be sooner rather than later, to be frank with you. I think if the committee were to have a one-month navel-

gazing process to think about this and think about that, it wouldn't necessarily serve the public. They're concerned about this right now.

We can call witnesses who know something about this in very short order. They're out there. The Canadian Association of Petroleum Producers, the NEB, British Petroleum, and the Nunavut and Inuvialuit groups are all present. We know where they are. We know where they live. We can call them in short order.

That's my suggestion to the committee. Let's get at this issue first. We can then have a much deeper conversation on energy exploration and development of the offshore for both the shore and deep water. It would be an interesting conversation as well, but I think it would miss the public section of it right now.

• (0920)

**The Chair:** Point of order, Mr. Harris?

**Mr. Richard Harris (Cariboo—Prince George, CPC):** Point of order, Mr. Chairman.

Nathan may not appreciate this, but ever since I've been on the committee, there's been a shortage of green tea. I've had to think somebody has been taking tea. We've now seen the phantom tea-snatcher walk in and take a bunch back to his office next door.

With the agreement of the committee, could I ask the clerk to send him a letter to tell him to buy his own bloody tea?

**An hon. member:** Hear, hear!

**Mr. Richard Harris:** I like green tea, and he takes it every time we're here.

**The Chair:** I'm not sure it's a point of order, Mr. Harris, but your comment has been noted.

Thank you, Mr. Harris.

**An hon. member:** I beg to disagree. He's not a phantom; he's very obvious.

**The Chair:** We have another motion on the floor.

**Mr. Richard Harris:** I think it's appropriate to say he's thieving his ass off.

**The Chair:** Mr. Harris.

Okay, back to the issue. If you'd like to deal with that, we could deal with it later.

What I've heard is that Mr. Cullen has put out his suggestion for a couple of meetings on this. We've heard from the Bloc; we've heard from the Conservatives, who wish to expand the issue; and we've also heard from the Liberals on their proposal for this. So we have to work toward some kind of direction and agreement.

I have two more people on the list—well, maybe we don't... I have Mrs. Gallant and Mr. Harris still to speak to the issues, and Mr. Allen.

Go ahead, Mrs. Gallant.

**Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC):** I mentioned to Nathan that I'm really pleased we're doing this study. In fact, it might even be negligent if we didn't look at it in the face of what's happening down there.

But what I would like to know is whether or not another standing committee is going to be considering the same subject material for study, be it the environment committee or whoever. We wouldn't want to duplicate the testimony from one committee to the next. If we're going to do it, let's make sure that the committees complement each another, rather than just gleaning the same information from the witnesses.

Thank you.

**The Chair:** Okay.

Actually, Mr. Harris, did you want to speak to this motion too, or did you just want to...?

By the way, do you drink green tea? Oh, okay.

Mr. Allen, go ahead.

**Mr. Mike Allen:** If Mr. Harris drinks green tea, it says a lot, right?

Considering what Nathan said, one thing I'd be prepared to propose—though I'd still like us to have the broader discussion—is that we allocate two meetings to this and have our proposed list of witnesses to the clerk by next Tuesday. Is that possible? Then we'll get started as soon as we can after that.

**The Chair:** By next Tuesday—that would be pretty tight. Okay.

**Hon. Geoff Regan:** No, he meant having the witness list by then.

**The Chair:** The list of witnesses, yes, I know.

**Hon. Geoff Regan:** I think the idea Mike perhaps had in mind was that we do this after the break.

**The Chair:** Okay. So we could invite witnesses and hopefully get some of them by the first meeting after the break, if the committee decides to go there.

**Hon. Geoff Regan:** In theory, one way to do it is to try to figure out as best we can what would be a good day for some of the really good witnesses to come.

**The Chair:** Sure.

Mr. Anderson, do you have something to add?

**Mr. David Anderson (Cypress Hills—Grasslands, CPC):** I'm just thinking that if we're going to do this, then hopefully we'll do what we've done in the past, which is to prioritize the list that people are sending in. We'll do the list and we'll try to take off the top—

**The Chair:** We haven't quite got there, because I haven't determined yet whether there is agreement on this.

Is there agreement that we start then with a couple of meetings and try to aim to have witnesses here after the break?

Mr. Cullen.

**Mr. Nathan Cullen:** Very quickly, to respond to Cheryl's comment, no, I don't think other committees are looking at this. It feels like this issue sits here best: it's natural resources. This is where it ought to be.

**An hon. member:** Yes.

**Mr. Nathan Cullen:** I can't say for certain that other committees won't try to engage on the issue. The Indian affairs or environment committees might, but that's not the plan right now—not from our

side, certainly. Mind you, we have no control over critics in those respective areas at all.

Regarding the other question around expediency, I haven't heard anyone raise any opposition to the witnesses we've suggested so far, because those are the witnesses who most touch the issue: the NEB; British Petroleum; CAPP—Canadian Association of Petroleum Producers—which represents all industry; and a couple of Inuit groups who are most connected to the Beaufort. It seems to me they are almost enough for a first meeting right there, unless folks have other suggestions.

Again, I want to stay open to everybody and ask, is there anybody else who should be at that first meeting?

Couldn't the committee simply say to the clerk, if it's possible, let's have those folks here a week from today? We know that we've put meetings together in that kind of timeframe, but it's not necessarily ideal.

My worry, Chair, is that if we say okay, have them in by next Tuesday, and we start to call around, and then we have the constituency week and witnesses come on the following Tuesday or Thursday, by then it would be three weeks after the motion was first delivered on something that has very much engaged the public right now. I think if we're to take seriously our responsibilities to try to get information to the public about the Canadian context—and I think these people would do a good job, at least at starting that—why not try to get that first meeting by Thursday? Then we could have a second, more in-depth one, or from a different perspective—the Newfoundland perspective, or something else, but I don't know, as we haven't explored that question yet—as our meeting following the break week.

So we would have something in hand for the public when we go back to our constituencies and could say we heard from British Petroleum, we heard from CAPP, we heard from the Inuit, and this is what they're saying about what's happening right now.

I'll finish with this: the leases are in play right now; they're not waiting three weeks. The National Energy Board is seized with this question about relief wells right now; it's in front of them. The industry is asking that it be pulled away, but the NEB hasn't agreed. So this train is moving, whether we get on it or not, and it feels to me that it's important that we're on it.

So I think with the list that's there—and it's not a bad list to start with—why don't we try to see if it's possible for the clerk to draw witnesses together for a meeting a week today? I think they'll be keen, by the way.

• (0925)

**The Chair:** Thank you, Mr. Cullen.

I see Madame Brunelle, then Ms. Gallant and Mr. Regan. I'll hear from these speakers and then see if we are reaching a consensus on how to proceed.

Madame Brunelle.

[*Translation*]

**Ms. Paule Brunelle:** I think we can act quickly if the discussion is limited to the issue mentioned. When studying offshore exploration in the Canadian context, we should not get lost in everything related to the global environment, or it will be more difficult. As to our procedures and to safety concerns in the event of a similar catastrophe in Canada, if we want to act quickly, we can, as a first step, get some National Energy Board officials, who should be relatively easy to call. If we get our proposed list of witnesses to the clerk by the end of this week or early next week, we could have some witnesses appear before the committee on Thursday. We can start with the officials if we cannot get in touch with outside people.

**The Chair:** Thank you, Madame Brunelle.

[*English*]

Madame Brunelle, from the list Mr. Cullen put in his motion I would think there would only be one group that could give us information on the rules for drilling offshore in Canada, and I would guess that would be the National Energy Board. Anyway, that's up to the committee to determine how we choose the list of witnesses.

Next is Mr. Regan, then Ms. Gallant.

**Hon. Geoff Regan:** Thank you, Mr. Chairman.

It strikes me that it would be useful, maybe at the beginning, or at least early on, to have someone—maybe David would know who this would be, or the department would help us with that—to explain what the current regime is and how it operates in this regard. Is that the NEB? To what degree is it the department? To what degree is it...? I know of two offshore petroleum boards. There is the Canada-Newfoundland and Labrador Offshore Petroleum Board and the Canada-Nova Scotia Offshore Petroleum Board.

I'm not sure who that should be, but I think it would be useful to have someone come to say here's the current regime, here's how it operates.

**The Chair:** Okay, thank you.

Mr. Anderson.

● (0930)

**Mr. David Anderson:** That's why I would suggest we try to get a complete witness list first, and then we'd glean from that so we have a boiled-down presentation here. Geoff is right. We have different entities that are regulating different parts of the country. If we're going to do this we need to make sure we have a complete list, to say these are the people we think we need to bring in order to get a balance.

I'm going to suggest that if we're going to broaden beyond this we wait until after the break and then try to do it decently. I understand why Nathan wants to strike while the media iron's hot, but if we're going to do this, we might as well do a good job on it. I would think that means bringing in the regulatory—

**The Chair:** The normal procedure that we use on this committee, which does work—

**Mr. David Anderson:** We haven't even agreed on the motion yet, and we're already trying to force a meeting by next week.

**The Chair:** Yes, that's why I'm trying to get the will of the committee first. The normal procedure at this committee, which seems to have worked very well, is that each party submits a prioritized list of witnesses they would like to come and then the clerk invites them in the order they're on the list.

I will hear from the rest of the committee.

Again, we haven't agreed yet to go ahead with this. There seems to be consensus, if it can be agreed on how we proceed.

Ms. Gallant.

**Mrs. Cheryl Gallant:** Thank you, Mr. Chairman.

I was listening to Nathan talk about different Inuit groups we may be inviting. In the interest of saving taxpayers' dollars, I would mention that the defence committee did a study recently of Arctic sovereignty and this subject matter was discussed ad nauseam.

I thought this study was more towards the mitigation and prevention of such a spill. The people who are best positioned, and who I would want to hear from, are the ones our respective governments have dispatched to the area to help out. I really want to hear from them, and my concern is that they might not be available next week. The people you're proposing have put their position on the record. I don't want to duplicate that; I want to hear from new people instead.

Thank you.

**The Chair:** Mr. Cullen.

**Mr. Nathan Cullen:** I want to argue back a little bit with respect to David's point.

Again, I think there are two tracks available to us. There's the national scope, with three coasts to deal with and different regulatory bodies and such. Obviously within this motion, we're very much concentrated on the Beaufort, because the west coast doesn't have drilling, and the east coast already has drilling, but the Beaufort is proposing to drill and is drilling exploratory wells right now. That's the point. I don't think bringing in the regulatory body of Newfoundland and Labrador or Nova Scotia right now necessarily is a bad idea, but I think this is just very concentrated and specific. We're going to have a drilling season right now through the summer, right? That's what's proposed for the Beaufort.

There have been concerns raised as to what the implications are and what the rules are. The NEB is also considering rule changes right now. That's what's poignant about this.

On that topic, if folks think there are other witnesses to bring, that's great. But I think we're totally open to the second piece that David and you, Chair, referred to about bringing witnesses and vetting the list and all that. We want to have a broader study. Again, that's the second track.

The first track is on what's happening in the Beaufort, the plans, and the rules that are in place. That's why, Cheryl, I think your point about the Arctic sovereignty question is totally valid. Because of this treaty, there's another government to deal with in the north, in the Beaufort. That's why we put these folks down. They seem to be the lead coming out of that government, wanting to talk about the regulations. If there's another group from the Inuit, fine.

If we were mostly talking about Newfoundland, we'd probably want to talk to the Newfoundland government. That's why they're on the list. This isn't representative of all offshore drilling in Canada. This is representative of drilling in the Beaufort, which is the one that's most quickly in line, the one from my perspective of most interest, simply because the context is totally new for us as a country. We haven't done it before. We just had a major blowout in the gulf, and it's worth exploring.

I'm in agreement with the committee. I don't want to wreck our process, because you're right, Chair, it works for us when we take all witnesses and try to balance the witness list. But on this specific topic, I guess I want to know from committee members, if we're looking at the Beaufort, if there is anybody else at first blush for our first meeting who we'd want to talk to. It seems to me that it should be the NEB, the industry, British Petroleum in particular—because they're most implicated in this case—and maybe somebody from the Inuvialuit government. Those seem to be the usual suspects on this question.

On the larger question, absolutely let's get witnesses in and balance out the list and do our usual. But I think there is a call for expediency. I take a little umbrage with David's point about striking while the media iron's hot. I think there's a legitimate concern here. We don't want to be dismissive of that concern. Something happened that was never supposed to happen, by all industry standards and expectations, under rules that are very similar to Canada's. I think it's incumbent upon us to move as quickly as we can without being irresponsible. I don't think this list is irresponsible. We've tried to balance. We have the energy groups, the oil groups, and the main regulator. We didn't put Greenpeace on the list. We didn't call in Ducks Unlimited. We focused on the people who know this best to get the best answers for the Canadian public. We're asking if this could happen here. To this point, it's difficult to answer the question, because it's not supposed to happen anywhere.

• (0935)

**The Chair:** I have two other people to be recognized.

Mr. Cullen, I thought we were reaching some consensus until you started focusing on the Beaufort, which isn't in your motion. I don't know if it had even been mentioned before. In fact, we'd heard suggestions that offshore drilling on the east coast be considered as well. So I'm not sure there is consensus here any more.

Let's see where we go with Mr. Allen and Mr. Anderson.

**Mr. Mike Allen:** Thank you, Chair.

I guess I'm a little bit confused now. When the motion was originally being introduced, it talked about deep ocean drilling in the Canadian context. To me, the Canadian context means deep ocean drilling anywhere. It could be offshore, in the north, or anywhere. I guess my concern is that before we finish something like this, if we

have only British Petroleum, we have only British Petroleum's viewpoint on the world. There are many other companies doing deep ocean drilling. Maybe some of the principles and practices being used by some of these other companies are worthy of our consideration, and the companies would be worthy parts of the witness list. That's one of my concerns about not having a complete witness list. That's the first thing.

The second thing is, as part of this, what does the committee intend to produce out of this, or what does Mr. Cullen think we would produce out of this? Is it going to be a report? Is it just going to be testimony from a couple of days' worth of witnesses that we would bring in?

Until I can feel we have this nailed down, it's going to be a little bit hard for me to agree to that. If we are dealing with deep ocean drilling in Canada—and response mechanisms, because different companies could have different response mechanisms as well—I think we need to take that into consideration and have at least a few different companies in here that we can propose.

I agree with the NEB. That's not a big problem. I agree with that. But I think we should be looking at a little bit broader context with regard to witnesses, and should at least consider some others.

**The Chair:** Would the committee agree to have Mr. Cullen respond to that before we go to the next question? Is that okay?

All right. Seeing no disagreement, go ahead, Mr. Cullen.

**Mr. Nathan Cullen:** Very briefly, in terms of product, Mike, I haven't really thought that through. The committee might see the testimony and say a report is what's required or the testimony is good enough in and of itself.

I think we can answer both things, Mr. Chair. I think this is not meant to be a full, encompassing, and complete project, what I've proposed here.

Certainly the initiation of this committee to get into the offshore oil and drilling question has been prompted by the incident in the gulf. That's given us all a new energy to focus on this. We can focus on lots of different things, but this one is important. So if this is just a first initial meeting... That's why we included CAPP, by the way, Mike. We didn't want to just hear from BP, but BP is obviously of relevance. CAPP represents all of the energy groups and I'm sure would bring some of those perspectives. If this is just the first meeting and we can pull it together for next Thursday, I think we'd be doing okay.

This place moves so slowly sometimes, you know. Sometimes it's for a good reason. You don't want to necessarily make laws up on the spot. We're not talking about making up a law here. We're not talking a radical shift. We're talking about an initial meeting about a very relevant topic that is at play in Canada.



This is meeting one. And expanding to the east coast implications, expanding to other questions that committee members have raised—absolutely. Of course I suspect that is what's going to happen for all of us in our minds when we hear the first witnesses. We'll have a question about that, or have a question about this mechanism, or what they do in Norway. Those are all good things. We're inquisitive people. That's what we should do.

But as the first one, I don't necessarily see the problem with this. I guess you're right, Mr. Chair, that the Beaufort isn't named, but I guess the implication in the witness list we drew is to connect it towards the north more than it is towards the west coast or the Gulf of St. Lawrence or the east coast, just by who we drew up in here.

So while we didn't name the particular body of water, that is what we're talking about. Again because of what I said earlier, this is the one that is most at play. They're not about to send rigs out on the west coast, as far as I know.

The east coast has a different paradigm entirely. Some are drilling. Nova Scotia wants to do more. So this is focused certainly towards the north, because that's the one next up on the block. That's the one that's not just being discussed, but is being acted upon.

So is it not incumbent upon us if we can...? I guess I'm not hearing from anybody that there is anything wrong with any of the witnesses to discuss that question. If there isn't, why don't we say yes to this, or take one off and add one today, and then see if the clerk can invite them?

• (0940)

**The Chair:** Thank you, Mr. Cullen.

What I have heard is that other parties would like a chance to present a witness list too, prior to—

**Mr. Nathan Cullen:** Mr. Chair, just to be clear, let me just finish that thought.

The witness list, if there are larger questions and larger considerations, absolutely. There's nothing wrong with that.

I'm saying let's get started with this and bring our witnesses and talk about other meetings and expand it out all we want. I think that's great. If we hold this whole process up until we have a complete, universal picture of oil and gas drilling in every nook and cranny of Canada, it will be three weeks before we hear anybody.

That's just a consideration committee wants to make, if you want to wait three weeks for that or if we want to give it a start. I think these witnesses are solid, and I think that they're going to be balanced.

**The Chair:** Thank you, Mr. Cullen.

Mr. Anderson, hopefully you can try to come up with some position the committee can move forward with. If not, it will be Mr. Tonks who gets the floor after you.

**Mr. Alan Tonks:** Oh geez. I hope he does.

**Mr. David Anderson:** I don't know if I can. I just think we're in the middle of doing a report. It looked like we were going to be able to have the text of that done. I don't want to speak out of camera here, but it will be probably before the break. We spent a couple of meetings on that.

It looks like we can get that done and set that aside. We're at a different stage with that. It would be finished. In the context of this, if I were Mr. Cullen I would like to go ahead with this as well, because he's the one who presented the motion with his list of witnesses that he wants to bring.

I understand and respect his argument. He wants to bring that list forward. But I think in order to be fair—unless we're only going to hear those witnesses, have one meeting with those witnesses and that would be good enough—I think it's fair to the other members of the committee to say get your witness list and let's see what we can do.

He said that nobody is opposed to the witnesses. We don't operate that way here. If people want to bring witnesses forward—whether we agree with the witnesses or not—we don't stop them from coming or object to them coming to the committee.

I just think it's fair for everyone else to be able to bring their witnesses forward, put a witness list together, have our—I think it's two—meetings that we want to have. They'll be that same week and that will give some continuity to it as well. Then we can go back to what we were doing in an hour.

I guess my other question is if it's two meetings, it's probably just hearings. If we're going to be extending this out... I think Mr. Cullen has actually expanded the discussion here, because he's talked about offshore drilling and he talked about mainly focusing on the Beaufort. His motion talks about drilling and production in all of Canada. So I don't think that the motion is so focused that we don't stand a chance of really wandering off in a number of directions here before we're done.

So I think we should get our witness list in. There are other companies who are working in the gulf already. There are Canadian companies down there who may want to have an opportunity to come and speak to us as well. I just think that we should all be able to get our witness list before the committee moves. We'll certainly try to do that as quickly as we can.

**The Chair:** Thank you, Mr. Anderson.

As far as witnesses, I hear what you're saying, but what about where the study goes? The motion gives some direction, but are you suggesting you would be comfortable with a couple of meetings to determine where we might want to go? Or what are you suggesting?

**Mr. David Anderson:** I think he's suggesting we have two meetings on this hearing. The main focus seems to be the Beaufort, but that's not particularly what the motion says. So if we're going to agree to focus on the north and what's happening there, we can do that. I think we can cover it in a couple of meetings. If we want to talk about the regulatory regime in Canada and the emergency response assets to offshore drilling in general—Nathan mentioned offshore drilling across Canada—and do it in two meetings, we're going to have some short, quick testimony.

We're willing to do this, but what is the focus specifically? Do we want to just focus on the Beaufort? I think we can decide that in the next five minutes. Do we want to focus on offshore drilling across Canada? As Geoff pointed out, we have different regulatory regimes and supervisory organizations across the country. So if it's just the Beaufort I think we can do that in a couple of meetings, but we need to get our lists in first. If it's wider than that and we want to spend a couple of extra meetings on it, we can decide to do that as well. We'd just like to know what we're doing.

**The Chair:** Thank you, Mr. Anderson.

Mr. Tonks, we're looking for you to provide some final suggestions around which the committee can coalesce.

● (0945)

**Mr. Alan Tonks:** I bow to the collective wisdom of this group—always have.

There's no question about what Mr. Allen has said. It's kind of interesting, the whole uniqueness of the Arctic. There's really a renaissance of thought on that, which is extremely welcome. There's no question that the motion is part of something bigger—the huge issues.

When I was sitting at my desk the other night reading the motion I didn't see it in that very broad context. I saw it first in terms of the status of emergency assets and what's out there. Cheryl is right that I have had the privilege of sitting on a couple of meetings where the defence committee has been going through its report on military responses and regimes in the north. The new territorial imperative and the implications of emerging issues on whether the definitions of “strait” and “territorial waters” are encompassed in our protection—those things have come up. But the second part has also come up, which is the military and its capacity to be part of those assets that respond to natural or other occurrences.

So I saw this as a very specific opportunity. What's the status of emergency response, and what's the present legislative regime? Those were the two things. When I looked at it I thought we could start off by just bringing in the witnesses who are fundamentally involved in that.

I think this is also a learning opportunity for the committee. We should have those people in to discuss those two things as soon as possible. If anybody thinks there are additional individuals or organizations that should be part of this specific thing, put them forward.

Geoff has talked about the territorial issues with respect to the offshore petroleum boards. Maybe that's something we should look into, because they're part of the assets, and that's what we're focusing on.

My suggestion is that we set a date one week from Thursday and all provide witnesses for that specific discussion. I suggest the offshore petroleum boards—whoever would be appropriate—for a general discussion. If the committee in its wisdom feels we should have a broader study, at least we'll have a background of information to make those decisions and give thought to that, along the lines that everybody has contributed.

I think we're at a point where we can run two parallel courses. It's always a challenge for the committee. We can deal with the report, which is totally relevant to the issues of the medical isotope situation, and so on. But we can also run a parallel track with a focused discussion, with input, on the status of emergency response and what the legislative framework is. Those are the two issues.

Let's not make it hugely more broad than that at this point. Let's deal with the witnesses who have been suggested and any others that the committee, in its wisdom, wants to put forward. Let's set a date a week from Thursday for those specific witnesses. The challenge is for the clerk to try to get them, but because of the emergency nature and the trauma associated with the event in the gulf, we'll probably be able to scramble to get that meeting with appropriate witnesses to focus on this issue.

**The Chair:** Thank you, Mr. Tonks.

We have the motion before us. We've had considerable discussion on the motion. The motion as it is won't allow for any witnesses other than the ones who are actually named in the motion.

If there's no further discussion, we'll have to go to a vote on the motion as it is, which precludes any witnesses other than those who are listed in Mr. Cullen's motion.

**Hon. Geoff Regan:** It leaves it wide open. It says “other involved proponents.”

**The Chair:** It does. So how do we determine that? I guess we have to deal with the motion here pretty quickly.

Mr. Harris, were you asking to be recognized?

● (0950)

**Mr. Richard Harris:** If I understand Mr. Tonks, we would have our witness lists in by Tuesday, and then next Thursday we're going to carry on with the isotope and then deal with this after the break. Is that what he's suggesting?

**Mr. Alan Tonks:** I'm not sure. Maybe the committee can help me on the process. There are others who are better at that than I am, certainly, but what I thought we would do is... I think we're pretty close in terms of the witnesses for this focused discussion, and yes, by next Tuesday... We know the ones who we can have our clerk go ahead with. There doesn't seem to be any opposition to those.

That meeting on Thursday is going to be well attended, hopefully, by the witnesses who have been suggested here, and by Tuesday, if there are any additional witnesses, we could have them on for a following meeting, maybe the following Tuesday, for part of it. Maybe it's not the whole meeting; maybe we'd have two panels. We could continue for half the meeting with our isotope paper, then the second half have the additional witnesses who have been put forward by the committee.

I guess I'm trying to find some comfortable parallel path by which we can start on a very focused discussion, leave it a little open-ended for additional witnesses but not expand it until we've had the benefit of listening to the front end.

**The Chair:** Mr. Cullen, then Mr. Regan.

**Mr. Nathan Cullen:** I think Mr. Tonks' suggestion is very helpful. If folks want to focus more on the issue rather than the geography, that might give some ease. The issue is, as Mr. Tonks has rightly said, the emergency response assets and the current regulatory regime.

This motion does not preclude other witnesses being there. I think we could very easily have the National Energy Board, if David says the department needs to be there. I think the oil producers is a good example to start. I think British Petroleum... I don't want to make these guys uncomfortable, but I'll bet dollars to doughnuts these guys don't mind testifying, to be honest. If I were their public relations manager, I'd send them here on the Thursday for sure, because no answers... British Petroleum is out in London today, for example, talking about this very publicly as to their plans and their estimates, and the relief well, and all the rest of that. I suspect British Petroleum will be beating our door down to get here, but I can't speak for the company.

Why not go ahead and see if the clerk can get them for Thursday, and include—either on Tuesday or at some other point—a deadline in which we have witness lists for a much more expanded conversation? I think it satisfies this motion, and I thank Alan for the suggestion. I think it satisfies the concerns that David, Mike, Dick, and others have raised.

**The Chair:** Thank you, Mr. Cullen.

Again, you know, the vote on the motion is one thing, and that really is what we're debating. What we do with the rest of it is another thing. There's been some discussion, no agreement. There doesn't have to be agreement before we go to the motion, but it might affect the outcome of the vote.

Mr. Anderson, do you have any suggestion on this?

**Mr. David Anderson:** I'm only wondering if this list of witnesses is adequate for Mr. Cullen for the hearings. He's put this forward. If this is the list of witnesses we heard from and we had the hearing, is that good enough? If we go into this, we have the hearing next Thursday with your list of witnesses, then what do we do? The rest of us suggest witnesses and we try to do what? Because everybody else's witnesses come later. Is one hearing with these witnesses enough?

**The Chair:** Mr. Cullen, go ahead.

**Mr. Nathan Cullen:** The suggestion right from the beginning was that we can operate this on two tracks. On the larger questions you have all raised about exploration and different drilling regimes and so on, which I think are valid ones, Chair, you can decree that the witness lists have to be in by next Tuesday for that conversation. This gets us started, because I think it's probably the most relevant and it brings the biggest players, certainly the NEB, that I want to hear. It will start us off and will inform how we set up the meetings to follow the constituency week.

I think the two tracks are okay. Committees do this, by the way. This happens and it's okay. We're not suggesting perfection; that's why the motion says if there's some other key person... Again, I think these are the most likely suspects. They're the ones who are going to be able to answer the response, and also the regulatory questions best. When we want to go to more, we'll go to more. We

can have a witness list due date by next Tuesday and expand it beyond.

My feeling is that if we get these folks in, it will help direct our further studies past the constituency break. I think when we hear from the NEB it's going to raise questions, and everybody will say they want to hear from a particular person, or want to hear from this particular oil drilling company, or particular constituent. That's my guess, based on other witnesses and other hearings.

Why not start with this on the Thursday, do what Alan suggested and pull a larger list in for Tuesday, and a more expansive study? I think it solves our issues.

• (0955)

**The Chair:** It seems that the proposal before the committee—there is a motion, of course—is that we also have parties submit witness lists by next Tuesday, and we'll see what happens from there. We still haven't nailed that down.

Mr. Allen.

**Mr. Mike Allen:** Thank you, Chair.

May I come back to my original proposal that I made before? If we were to go with the first meeting with these people next Thursday—I'm fine with that—and we submit a witness list for the following Tuesday, if we get some structure around this I think one meeting would help us in some respects to inform what we might want to do next. At the same time, I think it might take another meeting. That's why I'm saying two meetings; it seems to me to be a little bit more...with one being right after the break.

We could have the first meeting, if we can schedule the set of witnesses, and that would be one approach that we could use. We could have our witness lists produced by Tuesday, which would be devoted to a second meeting after the break, then because we'd have some balance here, it would give an opportunity for everybody to have some witnesses at least over two meetings. After those two meetings, we could decide whether we want to take this any further—do we want to produce a report, or do we want to expand this out?

I guess I am trying to say we'll all get a crack at a witness here, and if we deem we have no witnesses by next Tuesday, then so be it.

**Some hon. members:** Agreed.

**The Chair:** Mr. Regan, go ahead.

**Hon. Geoff Regan:** I want to agree with Mike. See, I'm coming to his defence now. Alan, he's ready to attack you too, right?

I thought the caveat was that in terms of submitting our lists by Tuesday, if there's stuff that comes out of next Thursday's meeting that tells us that these are witnesses we really need, we ought to be able to say so. That's all.

**The Chair:** Is this agreed to, then?

Mr. Anderson, go ahead. I see one more comment here.

**Mr. David Anderson:** I've listened to this committee complain for months about the uncertainty about its agenda and its schedule, and now we're walking into a situation where that's deliberately what we're doing. So three weeks from now, when everybody's complaining about how this whole thing's going, I think we need to remember that.

I'm of the opinion we should have the witness list in as a full witness list, and then go from there. But if the rest of the committee has chosen a different path, that's fine.

**The Chair:** Okay, I think there is consensus that we would go ahead with the motion, that all parties would submit a prioritized witness list by Tuesday. The question, then, is whether it could be opened up for new witnesses beyond that, and that isn't clear to me. So what are the suggestions, quickly, from the various parties on that?

Mr. Cullen would be next.

**Mr. Nathan Cullen:** On that last point, we're almost there, right? I think Mr. Regan's point is that we will be informed by what happens. My suspicion, having seen the processes here before, is that we submit witnesses and the clerk begins putting meetings together. Some of them come together quicker than others. I think the idea of keeping the list somewhat open, as Mr. Regan suggested, based on what we hear on the Thursday, is something we should be open to. The committee is the master of its own fate. It can initiate those first few meetings and then say it wants to tack on any group that we need to hear from. I think we should be open to that. But we're almost there. I think it's a smaller point, frankly, as to whether we're open to more new witnesses, but sure, it sounds fine.

**The Chair:** Madame Brunelle, I'm not sure whether you'd asked for the floor or not. Had you asked for the floor?

[Translation]

**Ms. Paule Brunelle:** No, but I want to.

[English]

**The Chair:** I'll go to Mr. Anderson, and then if you want the floor, indicate, please.

Did you want the floor? Go ahead.

[Translation]

**Ms. Paule Brunelle:** It seems to me things are getting much clearer. I appreciate Mr. Tonks' and Mr. Allen's wisdom. If we really limit the discussion to response assets and the regulatory regime, it is going to be okay. The motion talks about other involved proponents, so it will be possible to call other witnesses if it is warranted later. As to getting a proposed list of witnesses to the clerk by Tuesday in order to debate it next Thursday, this is quite acceptable to me.

• (1000)

[English]

**The Chair:** Okay, there's another proposal.

Mr. Regan.

**Hon. Geoff Regan:** Just to be absolutely clear, what I'm looking for is the door to be unlocked, not necessarily wide open. I just want to make sure there's a door there in the first place.

**The Chair:** That really doesn't make it perfectly clear, whatever that means.

I'm not sure that we're entirely there. I think we're getting close. What about the issue of what it really means? If each party submits its witness list, it's prioritized. But you want it to be such that it can be sort of opened beyond that. I need a little more clarity on that part of it.

Mr. Cullen.

**Mr. Nathan Cullen:** I understand Geoff's point. We want to be informed by what we hear, and then that informs how we call witnesses.

What I imagine to happen, Geoff, is that if we submit all our witnesses by next Tuesday, with a bit of research, we'll have a pretty complete picture of what we're studying. If there's a desperate need for another separate issue, then I think the committee would just take a pause at some point through this study and say, "Issue X hasn't been identified at all; will the committee hear another day or tack another meeting on during the week?" I think that makes more sense than leaving us in ambiguity of the witness list not necessarily ever being closed.

**Hon. Geoff Regan:** I don't think it will be a problem.

Let's say Tuesday. We'll keep David really happy by saying that on Tuesday we'll have the list. We can always try to persuade him later that we need to hear somebody and try to have agreement on that.

How does that sound?

**The Chair:** Mr. Anderson.

I think we're almost there.

**Mr. David Anderson:** I can see how well this is going to work for both us and for the clerk in trying to organize this later.

**The Chair:** You have presented your cautions, Mr. Anderson.

Is it agreed that we pass the motion, with the understanding that each party submit a witness list, prioritized by next Tuesday, before five o'clock, and that the clerk invites, for the second meeting, witnesses based on those prioritized witness lists?

(Motion agreed to) [See *Minutes of Proceedings*]

**The Chair:** Thank you.

It was a good discussion, it's an extremely important issue, and we have decided where to go. So I thank you all for that.

We'll have to move the meeting back in camera to continue our discussions, starting on clause 15 of the report on medical isotopes.

I will briefly suspend the meeting.

[*Proceedings continue in camera*]







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