

**GOOD PRACTICE GUIDE SERIES**



**Local Authorities International  
Environmental Organisation**



**OIL POLLUTION  
CONTINGENCY PLAN  
GUIDELINES FOR COASTAL LOCAL  
AUTHORITIES**

Based on experiences as a result of major oil tanker disasters such as the MV Braer (Shetland 1993) and the MV Sea Empress (Pembrokeshire 1996)

A checklist has been produced to accompany this manual and is available from KIMO upon request

**MANUAL**

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## INTRODUCTION

### **Background**

Vast quantities of oil are regularly transported around the world and although it is a well-established practice, the risk of a major oil spill occurring is considerable. The consequences of a spill are profound and can adversely affect beaches, wildlife, fisheries, human health, tourism and industrial plants. Moreover, where these resources are affected to a considerable degree, there may be a serious impact to the local economy of the coastal area.

### **Definition of a 'contingency'**

- *'A contingency is an event which may happen, the timing of which is obscure or unknown.'*

### **The purpose of this report**

This manual has been produced to explain the reasoning behind the issues and questions which were raised, in the accompanying checklist, in the development of a comprehensive Local Authority Oil Pollution Contingency Plan. This manual focuses on oil spills in the water and its impacts on the surrounding shoreline and the local area – socially, economically, environmentally, psychologically and medically. However, it is not meant as a technical manual but only as a guideline and '*aide memoire*' in formulating an Oil Pollution Contingency Plan. It is based on the experiences of the *MV Braer* in Shetland and *MV Sea Empress* in Pembrokeshire.

### **The application of this report**

This document is intended to give guidance to coastal local authorities in many different countries. Therefore, since many different countries have different procedures and agreements, this report may not always be indicative of local circumstances.

***The information contained in this document, to the best of our knowledge was correct at the time of publication. This manual is meant only as an "aide memoir" and KIMO assumes no responsibility for any omission or for any actions that might arise as a result of using this guide.***

## **Why have a Contingency Plan?**

The potential benefits of having a preconceived Contingency Plan is that it allows:

- (a) an effective and efficient complex response to be developed in advance, free from pressure;
- (b) a limit to be placed on the extent of environmental and commercial damage;
- (c) a reduction in the number of subsequent claims for compensation;
- (d) a Local Authority to indicate its concerns for the environment and therefore of its local community

## **From where does the duty arise?**

It is generally accepted that the Local Authorities are the frontline agency for dealing with emergencies, including coastal pollution. It is, therefore, appropriate that local coastal authorities develop a Contingency Plan to deal with unforeseen pollution incidents.

## **The International Convention on Oil Pollution Preparedness, Response, and Co-operation, 1990**

Many countries expressed their desire for the development of an international co-operative framework for combating major oil pollution incidents. The Marine Environment Protection Committee (MEPC) of the International Maritime Organisation (IMO) was given this responsibility and, on 13 May 1995, the Oil Pollution Preparedness, Response, and Co-operation Convention (OPRC) came into force internationally. The Convention places various obligations on signatories, including, under Article 3, the preparation of Oil Pollution Emergency Plans.

## **What are the fundamental elements of the plan?**

Local Authorities need to develop their plan based on the internationally recognised tiered response that classifies oil spills into three categories. Each spill scenario should then be matched by a spill response plan. In developing this plan, an oil pollution risk assessment of the Local Authority's area of jurisdiction must be carried out.

Furthermore, it is important that the Local Authority seeks the co-operation of all those who share the risk of an oil spill and who will participate or have an interest in the response. Any plans that have been developed by other agencies should be integrated to the Local Authority plan.

Finally, the Contingency Plan must be the subject of frequent examination, through training and exercise programmes, and kept updated, taking into consideration the relevance of new and emerging technologies and the movement of personnel who have a key responsibility or obligation in the response effort.

## **What are the aims of the plan?**

- to provide direction and guidance to those involved in responding to an oil spill incident
- to identify the most appropriate and successful response to minimise the damage, whether that be environmental, ecological, recreational or financial, that would be caused by an oil spill

## **What are the objectives of the plan?**

- to identify the geographical area covered
- to identify the responsible authority and boundary of the plan's operation
- to articulate agreed command and control arrangements

- to define roles and responsibilities
- to identify early warning and notification procedures
- to articulate a communications plan
- to articulate a contact cascade and directory
- to consult with all relevant agencies
- to carry out an adequate oil spill risk assessment
- to identify pre-agreed response strategies
- to articulate a disposal plan
- to identify response capability
- to define mobilisation procedures
- to address health and safety aspects
- to identify and implement a financial control system in advance
- to interact successfully with other relevant plans
- to carry out post operation review and implement an amendment policy
- to articulate procedures for dealing with the media, including a public relations plan
- to develop post-spill marketing programmes

# **SECTION 1 – DIMENSIONS OF AN OIL POLLUTION CONTINGENCY PLAN**

## **Scope of the plan**

The Contingency Plan will be primarily concerned with oil spills in the marine environment of the area of jurisdiction of the Local Authority. Small oil spills can be dealt with locally but should the incident prove to be beyond that capability or affect a larger area, a greater response will be required. However, Local Authorities may wish to extend the scope of the Contingency Plan to cover spills of other hazardous substances.

## **Content of the plan**

In general, Contingency Plans should be easily understood and compatible and are best divided into three main sections:

- **Strategy**  
This section should define the policy, scope, and division of responsibilities, perceived risks, the proposed response strategies, and the arrangements for logistical support and post-operation activities.
- **Operational plan**  
This section is the most important of the plan, and is essentially an action checklist setting out emergency procedures to be followed so as to allow an early response and a rapid mobilisation of resources when a spill occurs.
- **Data directory**  
This section should contain information, such as, contact details, resource listings, relevant maps, safety assessment and product information sheets which are required to assess an oil spill incident and to implement the pre-agreed response strategy. Such information will regularly change and will require constant review and update.
- **Map**  
It will be useful to include a map of the geographical area covered by the Plan.

## **Procedure for formulating a Contingency plan**

### **Information gathering**

To develop an effective plan involves a long process, taking time and effort, and requiring the advice and assistance of individuals and agencies, both internal and external to the Local Authority, including:

- the Maritime Pollution Control Agency (MPCA) or equivalent
- the Fisheries and Agricultural Departments
- the Environment Protection Agencies
- the Nature Conservation/Wildlife Agencies
- other local agencies with an interest

### **Plan management and design**

The plan should be a user-friendly and must include:

- a list of copy holders and locations
- a revision record which is to be signed upon every amendment to the plan
- a summary of relevant legislation – local/national/international
- a glossary of terms and abbreviations
- a good index
- section dividers

The plan should be written with a good word-processing package and stored on computer to assist in easy updating when required. During an incident, a hard copy of the plan, on A4 paper contained in a ringbinder, will be more appropriate.

### **Amendment Policy**

A plan will rapidly become out of date as the roles, responsibilities and contact details of relevant organisations and personnel change and advances in technology are made. Therefore, for the plan to remain accurate, it must be reviewed at least once a year. To evaluate its effectiveness, it is vital that the following are also developed:

### **Emergency Exercises**

These will ensure that the plan is, in the first place, of any value and, secondly, that those involved in the response effort are familiar to it and each other. This will allow the plan to be tested and modified so that it will function properly in an actual incident.

### **Training/Safety Schedules**

Oil spill response requires specialist training which should be developed at all levels of the response. This, too, will help in ensuring that all those involved understand their roles, and those of others, in an oil spill incident.

### **Post Incident Review**

Lessons learnt in an actual oil spill incident may also be incorporated into the Plan review.

## **SECTION 2 - ROLES AND RESPONSIBILITIES OF THE LEAD AGENCIES**

### Local Authorities

It is generally accepted that Local Authorities are one of the frontline agencies for dealing with coastal clean up. In an incident, they will decide if and when to establish a Shoreline Response Centre (SRC). Where it is thought appropriate to do so, it will be the responsibility of the Local Authority to provide support in the fields of transport, emergency accommodation, catering, welfare, environmental control, logistics, communications, press conferences, media enquiries and animal welfare.

In developing their plan, they must consult with and keep an up-to-date list of contacts of the following agencies that have a duty or interest in an oil spill incident. Where other Contingency Plans exist, the Local Authority must integrate these fully into their Contingency Plan.

### **Maritime Pollution Control Agency (MPCA) or equivalent**

Depending on the country, the MPCA or equivalent will have various different roles and responsibilities in the event of an oil spill. They will receive early warnings of a potential major oil spill incident and will be able to issue a preliminary estimation of an emergency. It may be the lead agency in taking action at sea and initiating search and rescue activities. In relation to shoreline clean up, their role will be to work alongside Local Authorities. They may retain a national stockpile of oil spill clean up equipment and should be able provide technical advice in aspects of the clean up operation.

This Agency may grant authorisation for the use of dispersants depending on national legislation. If approval has been obtained, a copy should be included in the plan.

### Oil Industry/Sector

Oil companies operating within the area may be invited to form part of the response organisation on the basis that they can provide equipment, manpower and valuable expertise in dealing with an oil spill and will have developed Contingency Plans of their own.

### Nature Conservation/Wildlife Agencies

In some countries, Nature Conservation/Wildlife Agencies may have a statutory role and various responsibilities. Such agencies are helpful in advising on the location of sensitive sites and wildlife habitats.

### **Environment Protection Agencies**

Environment Protection Agencies are responsible for controlling pollution to the general environment. They may provide booming resources and expertise. They can provide information on various environmental aspects of the oil spill clean up, such as, water quality, position of discharge outlets, position of salmon farms, etc, collection and storage of waste, disposal of waste, use of dispersants, etc.

## Port and Harbour Authorities

In some countries, such Authorities may have a statutory duty for responding to incidents within their port and harbour area and, if so, should have developed Contingency Plans of their own.

## **International Tanker Owners Pollution Federation Ltd (ITOPF)**

ITOPF was established in 1968 as a non-profit making service organisation. Since 1997, its principal function is to provide a wide range of technical and information services in the field of oil pollution. Their work includes: responding to oil spills; assisting in damage assessment and assessing the *technical reasonableness* of claims; Contingency Planning and advisory work; and providing training, education and information.

## **International Oil Pollution Compensation Fund (IOPC Fund)**

The IOPC Fund was established by the worldwide oil industry to compensate victims of oil pollution.

## **Protection and Indemnity Clubs (P & I Clubs)**

P & I Clubs represent the interests of tanker owners who are under an obligation to insure their oil pollution risks. The P & I Club will liaise with ITOPF and IOPC Fund Officers in assessing claims for compensation.

## **Emergency Services**

The police, ambulance and fire services each have an important role and an area of expertise in a response. The police will be particularly useful where an Exclusion Zone has been designated to protect the safety of the media and general public.

## **Other Agencies with an interest**

### **Weather Station**

The Weather Station or service will be an important point of contact in the subsequent period. Weather conditions will have a direct impact on the choice of response strategies to be initiated and regular weather forecasts and updates will be required.

### **Telecommunications Provider**

Negotiations and consultation will have to be made in advance with telecommunications providers who can provide a technical service to establish an effective communications network from and between the various sites of operational activity. This is particularly important when coping with the huge media influx that an incident will cause.

### **Local radio/television/media**

The local press, radio and television stations will be able to assist in the release of important information, address the needs of the local community and to appeal for local volunteers.

### **Transport providers – hauliers/ferry companies/airlines/airport authorities/rail network**

Transport providers will be able to arrange the movement of necessary equipment and personnel to and around the incident site. They will also have an important duty in ensuring that travel arrangements for essential resources are given priority in their booking and scheduling procedures.

### **Fisheries and Agricultural Organisations (NGOs)**

Fisheries and agricultural organisations are vital in providing local and expert scientific advice in relation to sensitive resources and potential impacts of an oil spill to particular areas of the shoreline.

### **Tourist Board**

The local Tourist Board will hold information on local accommodation and transport providers. They can also play a part in disseminating information to the local community and potential visitors to the area.

### **Contractors**

A major oil spill may require a response which is beyond the capability of local resources, particularly where it occurs in remote areas. Contractors may be able to supply labour and equipment which are essential to the response effort.

### **Landowners**

A vast quantity of oily debris and material will be collected during the clean-up operation. Where it is proposed to make use of a landfill site to dispose of such material, the landowner must be notified. In certain circumstances it may be necessary to obtain landowners permission for access during the clean up phase.

### **Health & Safety Authority**

The oil spilled and any chemicals used in the response effort present a potential health hazard to the workers and those living close to the incident site. The appropriate health and safety

authority may be able to provide advice on the hazards involved, how to minimise these risks and, more importantly, to reassure the public.

**Politicians (MP's, MEP's, VIP's etc.)**

Local, National and other Politicians will likely be involved in the event particularly with respect to responding to media interest. Procedures should be in place to accommodate their involvement. Procedures must also be in place to deal with high profile visits by VIP's.

**European Commission**

Appropriate procedures should be in place to accommodate links with the Commission.

## **SECTION 3 - NOTIFICATION PROCEDURE**

Initial reports of an oil spill will be received by the Maritime Pollution Control Agency (MPCA), or equivalent, who will make an initial assessment of the incident to establish:

- (a) the reliability/classification of the report i.e. doubtful, probable, confirmed
- (b) whether the cause of the spill is known
- (c) the type and extent of the actual or potential oil spill.

The classification of the oil spill by the internationally recognised tier-system will dictate those to be notified. The plan must include contact details of all those required to be notified, the procedures for doing so, and identify the individual who is responsible for alerting those listed. These contact details should be reviewed periodically and updated when appropriate.

### **Tier 1**

Local Authority  
Department of the Environment  
Fisheries and Agricultural Departments  
Nature Conservation/Wildlife Agencies  
Marine Laboratory  
Fisheries and Agricultural Organisations (NGO's)  
Environment Protection Agencies  
Port and Harbour Authorities  
Oil Industry  
Health and Safety Authorities

### **Tier 2** As Tier 1 plus:

Local fisheries and wildlife experts

### **Tier 3** As Tier 2 plus:

Emergency Services

### **Other interested agencies:**

- Local Health Boards
- International Tanker Owners Pollution Federation Ltd (ITOPF)
- International Oil Pollution Compensation Fund (IOPC Fund)
- Protection & Indemnity Club (P & I Club)
- Weather Station
- Telecommunications Provider
- Local radio/television/media
- Transport Providers – hauliers/ferry companies/airlines/airport authorities/rail network
- Politicians
- European Commission

- Tourist Board
- Contractors
- Landowners

## SECTION 4 – OIL POLLUTION RISK ASSESSMENT

To develop adequate response strategies, the first essential fundamental step a Local Authority must take is to carry out an oil pollution risk assessment of the area<sup>1</sup>.

### Are priorities for protection identified and agreed?

It is unlikely that all resources at risk can be successfully defended. Therefore, after identifying sensitive resources, Local Authorities should then be in a position to determine, in advance, those for which there is most concern in order that they may be protected first and most effectively. This will ensure that time is not wasted during an incident on trying to agree priorities.

In determining priorities, Local Authorities must address the fact that public concern tends to focus on a limited range of wildlife species, primarily birds and marine mammals, and not on the many other types of wildlife which can be adversely affected. This concern should be weighed up and an appropriate balance should be taken between the environmental priorities, amenity demands and economic values of the local community

Once this oil pollution risk assessment has been carried out, the information gathered should be reproduced in map form to be annexed to the operational plan, together with a summary of the details on important features and the location of sensitive resources.

### **Why is it important?**

The development of a database of the environment prior to an incident is extremely important. Gathering such data will help to determine potential points of impact for the oil, what resources are at risk, what damage might be done to those resources and thereafter help dictate the clean-up strategy.

Furthermore, information of this type can be used as a basis for assessing the impact of an oil spill in the aftermath. This may be useful evidential material in formulating claims for cost-recovery and any legal action to be taken.

### **What factors need to be taken into account?**

Oil pollution risk assessment is a very complex task and the detail requirements will vary from area to area depending on the extent and type of coastline to be covered. However, it is important to identify the following factors which are important and familiar aspects in the assessment of potential harm that a spill may cause to an area.

- Potential sources of pollution
- Types of oil handled
- Likelihood of an oil spill
- Potential size of an oil spill
- Quantities handled
- Physical features of the coastline
- Sensitivity of the area
- Regenerative ability of the area
- Time of the year - seasons
- Time of the day – nighttime/daytime

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<sup>1</sup> For Health & Safety Risk Assessment, see section 9

- Frequency of handling
- Shipping vessels/types
- Volume of traffic
- Navigation hazards
- Geographic location
- Weather – winds and climates
- Sea conditions – current and tides
- Accessibility to areas of the coastline
- Ability to respond/available resources

### **What are the potential effects of an oil spill to the area?**

In general, the long-term effects to the environment and to the local economy may prove to be minimal, however in the short-term the effects may be very damaging. The worst long-term effects are where pollutant levels are of such a magnitude as to interfere with the regenerative ability of a particular area. Thus, the economic and social costs need to be considered in determining priorities.

### **Are all sensitive areas identified - environmental, commercial and recreational?**

In carrying out a risk assessment, all sensitive areas likely to be adversely affected by an oil spill need to be identified. This includes areas which are important for their environmental, commercial and recreational purposes.

In order to identify these areas, consultation should be carried out with all commercial and leisure users of the coastal waters, those with fishing interests, environmental and wildlife conservation groups and local landowners. Concerns may include:

#### **Environmental**

- Coral reefs
- Swamps/marshes
- Estuaries
- Fish/spawning grounds
- Bird breeding/flocking areas
- Plankton
- Marine mammals
- Sheltered shoreline
- Shallow subtidal

#### **Recreational**

- Tourist/amenity beaches
- Bathing beaches
- Marinas

#### **Commercial**

- Water intakes/extraction
- Shipyards/ports
- Fish farms and fishing
- Other mariculture
- Land and agriculture

#### **Medical**

- Public health

## SECTION 5 - SPILL RESPONSE STRATEGIES

A Local Authority must develop response strategies, in advance, based on the information gathered from the oil pollution risk assessment and its philosophies and objectives for the response.

### **Range of clean-up methods**

Clean-up methods may range from using booms and oil skimmers on the water to using shovels and rakes to remove contaminated beach material.

### **Legal constraints**

#### **Dispersants**

In some countries, the use of dispersants in specific areas will be a licensable activity. Authorisation for the use of dispersants from the appropriate body may be required, depending on national legislation.

#### **Containment and recovery**

Containment and recovery of spilled oil raises the problem of waste disposal for the oily debris and material likely to be collected. Legal restrictions may exist in relation to the movement and final disposal of such oily waste.

### **Logistical constraints**

In remote areas, the transportation and storage/accommodation of the large amount of equipment and personnel may be impracticable or very difficult from a logistical point of view.

#### **The weather**

Weather conditions have a direct impact on all the available clean-up options.

### **The clean-up resources and crew available**

**The number of persons and equipment required in an incident might not be available within the local vicinity, particularly where the incident has occurred in a remote area. Therefore, the time taken and the costs involved in mobilising a full response organisation must be taken into account.**

## Strategy for the Shoreline

### **Allow to collect**

In some instances it may be an accepted strategy to deliberately allow the oil to come ashore either for its subsequent collection or to weather and degrade naturally. These shoreline sites may be chosen for their lack of sensitive resources, accessibility, etc which should make them relatively easy to clean-up.

### **Removal of floating oil**

In general, oil should be removed from the shoreline as soon as possible to prevent it from moving on to, perhaps, a more sensitive area.

### **Clean-up of stranded oil and oiled beach materials**

Oil may be recovered by skimming, pumping or suction devices. Heavy equipment can clean beaches quickly and may also be used to collect heavily contaminated beach materials. However, there are potential disposal and erosion problems associated with this method and the biodiversity of an area may be disturbed.

## **Strategy at sea**

The limitations of spill control techniques must be appreciated and the most suitable equipment selected for the anticipated range of weather conditions and oil types.

### **Monitor and evaluate**

Oil is a biodegradable substance and can also be dispersed by natural processes. This means that sometimes it may be best to leave the oil to degrade naturally especially where clean-up activities might do more environmental harm than good. Attempts to treat or remove the oil might aggravate rather than reduce the damage. However, this may prove to be a difficult approach to take where there is public and political pressure to carry out some sort of immediate clean-up activity. If the 'do nothing' strategy is chosen, the movement of the oil must be closely monitored, either by direct observation or using computer models, and clean-up teams must still be prepared to respond.

### **Disperse the oil with chemicals**

Dispersants can be used under a wide range of weather and sea conditions and they are often the quickest and preferred method of response. They are useful to protect the coastline and the wildlife associated with that area since it removes the oil from the surface of the sea, thereby protecting birds. Furthermore, they remove the problem of waste disposal.

However, dispersants have the effect of placing the oil into the water column thereby affecting fish and the marine environment. The spraying operation, itself, can present potential hazards to public health, land and livestock by introducing a second source of pollution into the environment.

If the spraying operation is to be effective, dispersants must be used quickly since due to weathering processes, many oils rapidly become less amenable to treatment thereby preventing the dispersant from penetrating and breaking the oil down into droplets. Once sprayed, sea temperature and energy can have a big influence in preventing the oil droplets resurfacing to form a slick. The efficiency of dispersants may also deteriorate as they age or if they are not stored properly.

The use of dispersants is only suitable for dealing with certain types of oil and in certain areas. Spraying should generally not take place near water intakes to industrial plants, saltmarshes, coral reefs, shellfish beds, fish hatcheries or near centres of population.

The cost implications of making use of dispersants may also have a direct bearing on the decision whether to initiate spraying operations or even whether to apply for standing approval to be granted.

### **Protection, containment and recovery**

If the weather is favourable, one of the most effective and efficient methods to protect or deflect the oil away from priority areas is to deploy booms. They can be used to prevent the oil from spreading and to concentrate it in a particular area from where it can be recovered by skimmers. The oil should then be transferred to temporary storage before going on to a final disposal site. This approach causes the least damage to the environment.

However, booms are impracticable where sea energy conditions are rough thereby reducing their effectiveness to achieve the desired result. The type and nature of the oil may also influence its amenability to mechanical recovery.

### **Burning**

Burning spilled oil may be considered but should be seen as the last available option. This method causes highly visible atmospheric pollution and potential safety problems. Undoubtedly, there may also be political and public opposition.

## SECTION 6 - WASTE DISPOSAL

One of the greatest logistical problems encountered in any oil spill is the disposal of the recovered oil and oily debris, such as, items of protective clothing and equipment used in the clean-up operations. It is essential that suitable temporary storage sites and vehicles or vessels for transportation on to final disposal sites are identified. The identification of final disposal routes/sites for the waste can be the most difficult task since the availability of suitable methods may depend on the time of the year, local conditions or existing legislation.

Where can wastes be legally held or disposed?

In many countries, procedures for transportation, storage and disposal of oily waste and material may have to comply with legal requirements. It is vital, therefore, that Local Authorities familiarise themselves with existing legislation and the procedures which may have to be adhered to. They should also obtain any forms that may have to be completed when it is proposed to move waste for final disposal from the incident or temporary storage sites.

Where it is proposed that direct disposal is the best option, prior notification to and consultation with the Regulators and the landowner may be required under relevant national legislation. Local Authorities should also take note of any penalties for breach of the legislation.

### **What if the best environmental option for each type of waste?**

There are a variety of techniques for dealing with oil and oily wastes, each with their own advantages and disadvantages. However, in the event of a major spillage, all options would need to be considered and assessed in terms of the economic and environmental costs. These options may include:

#### **Recover the oil**

The first option is to recover the oil and transport it for eventual processing or blending with fuel oils to refineries and oil recovery contractors who specialise in waste oils.

#### **Biodegradation**

Oil and oily wastes can sometimes be broken down using composting processes, such as distributing it on land set aside for that purpose or landfarming.

#### **Direct disposal**

Where recovery of the oil is impractical, especially where there are vast quantities of solid beach material, dumping in landfill sites is an effective method of disposal. Such sites may have to be licensed, depending on national legislation.

## **Have storage sites been identified?**

In consultation with the appropriate Regulator and the landowner, suitable storage sites must be identified. Temporary sites should be located near to the incident site since these may be necessary throughout the clean-up operation. Thereafter, intermediate and final disposal sites/routes may have to be identified.

In identifying suitable sites, the Local Authority can either designate specific sites or consider potential sites. The drawbacks of the first option are that the bureaucracy and costs involved may be enormous and the site may not be suitable or available at the time of the incident. Instead, it may be more practical to consider and identify potential sites that could be used in the event of an oil spill.

Planning permission may have to be granted from the appropriate authority.

## **SECTION 7 - ABILITY TO RESPOND**

An internationally recognised three-tier oil spill classification system exists with each tier requiring a different level of response. This classification allows a Local Authority to determine, in advance, the correct level of response required in an incident and to carry out a realistic assessment of their ability to do so.

### **Tier 1 - Small operational spills**

A spill that can be dealt with immediately, utilising local resources and without assistance from other areas.

### **Tier 2 - Medium sized spills**

A spill that requires the deployment of all labour, equipment and materials available within the Local Authority area together with additional assistance.

### **Tier 3 - Large spills**

A spill which demands a response which is beyond the capability of local resources requiring national and international assistance

### **What should be considered?**

#### **The availability and location of trained response personnel**

The manpower required to deploy equipment and undertake clean-up operations should be estimated. In the case of larger spill scenarios, additional manpower will be required, particularly for labour intensive operations on the shoreline.

#### **The availability and location of response equipment**

To ensure that the most effective and efficient response is initiated, necessary equipment could be located close to the identified high-risk areas. However, this will be very costly, in terms of maintenance and storage. As an alternative, Local Authorities should locate available equipment and familiarise themselves with mobilisation procedures.

#### **Mobilisation time**

The time taken to supply essential personnel and equipment to the incident scene is vital and is an extremely important factor for remote coastal areas.

#### **Communications**

An effective communications network is vital, at all levels of the response, between the various sites of the response organisation.

#### **Transportation**

Personnel and equipment need to be on the scene within minutes of an oil spill occurring. The Local Authority must familiarise itself with the location of airports, ports and harbours and the rail and road network.

#### **Access to clean up sites**

#### **Location of airports, ports and harbours**

#### **Rail and road network**

## **SECTION 8 – OIL SPILL RESPONSE GUIDE**

Once an oil spill risk assessment has been carried out, potential clean-up strategies developed and disposal methods chosen, a Response Guide may be drawn up. Although it is no substitute for up-to-date advice in a spill, it should be an integral part of the plan. The guide should include a sensitivity map of the coastal area together with written documentation of important details, such as specifications of oil commonly traded and current, tides and weather conditions. This data must be presented in such a way so that personnel who do not have much specialist environmental knowledge can understand it.

To be effective and adequate, it is important that the Response Guide includes the following aspects:

- Environmental sensitivities
- Commercial sensitivities
- Recreational and amenity areas
- Hydrographic details
- Priorities for protection
- Methods of protection
- Pre-agreed response strategies
- Pre-agreed waste disposal sites
- Details of access to sites
- Load bearing characteristics
- Logistical resources
- Coastal facilities

## SECTION 9 - HEALTH AND SAFETY PROCEDURES

In a major oil spill incident, significant numbers of people may be involved, not only in the clean-up operations, but also in providing support to these activities.

Under national and/or international law, Local Authorities may have a duty to establish and maintain a safe system of work. Such legislation may require them to take all reasonably practicable steps to protect the health, safety and welfare of all employees and others including the public, contract workers and volunteers. In order to carry out this duty, the Local Authority should carry out the following tasks:

### **Develop a written health and safety programme**

There should be a clear and documented policy for health and safety arrangements and procedures to be followed in order to safeguard the welfare of all staff engaged in the operation.

### **Carry out a Health & Safety risk assessment**

Oil spill response is labour intensive, dirty and exhausting. Adverse weather conditions and potentially hazardous environments put all workers at risk. Therefore properly trained and experienced personnel must develop a safety plan for each site of the operation.

This will involve identifying the presence of potential hazards in aspects such as:

### **The spilt oil and clean up chemicals**

Crude oil and products are complex chemical mixtures which must be treated with caution. Such chemicals present two major hazards:

- **Toxicity**

Physical contact with the chemicals could result in dermatitis and other related diseases and could have carcinogenic implications. Inhalation of the vapours/gases could cause respiratory problems. Ingestion could introduce toxic substances into the body and could cause illness.

- **Flammability**

**Vapours/gases could be present, so there must be an awareness of possible sources of ignition, such as, cigarettes, engine exhausts, electrical sparks and sparks produced when using machinery/equipment.**

Clean-up equipment

**The equipment varies in size, duty and complexity and may be dangerous if used improperly.**

Chemical stockpile/condition

**Dispersants are prone to deteriorate over time or if they are inadequately stored.**

The weather

**The weather is unpredictable. Rain, snow and wind to sunshine and heat can change a good working environment into a bad one.**

The working environment

*Tidal conditions, loose surfaces, confined working conditions and seasickness all have the potential of causing injury.*

## **Distribute Health & Safety assessment sheets**

Safety assessments should be carried out on different types of oil, oil dispersants, and other chemicals likely to be used. These should be made available to all those involved in the clean-up operations.

## **Carry out health and safety training**

All workers, including volunteers, involved in the clean-up operation must be fully briefed and trained in safety related matters by the Health and Safety Advisors. They should have an understanding of the specific hazards involved and how to do their job safely.

## **Provide First Aid stations/medical surveillance**

Where clean-up operations are extensive, it is essential that health expertise is available at each of the operational sites to assess the nature and extent of any health hazard associated with the materials involved. Certain locations, the crude oil and any chemicals to be used may create a health risk to both the general public and the workers involved in the clean-up operations.

## **Develop procedures for a safe working environment**

*The workforce should be divided into teams of at least two people to carry out clean-up operations targeting a section of the beach. The teams will require competent supervision and adequate communications. A logging in/out system should be established so that a comprehensive reporting procedure can be developed.*

## **Provide protective clothing**

Significant quantities of protective clothing will be required in order to protect workers from the potential physical and chemical hazards they will face in an oil spill clean up. Requirements will include head, face, eye, skin, hearing, foot and respiratory protection.

## **Establish Exclusion Zones**

Powers to declare Exclusion Zones may be available under local, national or international legislation if there appears to be a risk of significant harm either to the marine environment or to persons and property. An Exclusion Zone around a wreck or land area should be established to keep away vessels and individuals.

## **Welfare**

Workforce welfare is paramount and consideration must be given to regular meals and refreshments and cleaning and toilet facilities. Accommodation and the use of shifts should be considered and counselling services should be made available.



## Outline decontamination procedures

Improper decontamination methods could result in exposure to contaminants outside the incident site. The Local Authority should determine arrangements for the management of surplus equipment and material in advance. Any contaminated material should be packaged, labelled and discarded adequately.

Workers should have access to cleaning stations and clothing stockpiles on termination of daily operations. At the scene of the incident, there is a requirement for a contamination reduction area where clothing and equipment can be washed or disposed. This area must have a good water supply and drainage capability. Containers for washing, rinsing, and disposal should be arranged in a logical fashion. From there, a clean-up area should be set-up providing clean clothes and wash facilities, and finally, waste disposal methods need to be identified. All procedures should be explained through the use of appropriate signs.

## Consider the public liability aspect

Local Authorities owe a duty of care to their employees, contractors, volunteers and the public. To meet this obligation they should be in possession of adequate insurance policies to cover their potential liabilities.

It is essential that Local Authorities familiarise themselves with the EC Working Time Directive, and any relevant local or national legislation, which deal with working time limits. The EC Working Time Directive provides that an employer is required to take all reasonable steps to ensure that workers do not work more than an average of 48 hours a week over a 17-week period. This Directive is also relevant to rest periods.

However, special circumstances exist where a worker's:

**'ACTIVITIES ARE AFFECTED BY AN OCCURRENCE DUE TO UNUSUAL AND UNFORESEEABLE CIRCUMSTANCES OR EXCEPTIONAL EVENTS, THE CONSEQUENCES OF WHICH COULD NOT HAVE BEEN AVOIDED OR AN ACCIDENT OR THE IMMINENT RISK OF AN ACCIDENT'**

This provision relates essentially to emergency situations.

## SECTION 10 - COMMAND AND CONTROL

Major incidents generally occur with no warning and develop rapidly. This puts an immediate demand for some sort of response if they are not to grow in size or complexity. Often several agencies are involved, each with its own obligations and management structure.

Therefore, an effective incident management system is required to co-ordinate and control the clean-up response. It should take into account any existing policies and legislation and the public and political concern for damage to the environment, wildlife, property, equipment and human health. It should overcome problems, such as, a shortage of resources, the increased and sophisticated media coverage. Finally, it should take control over the financial implications of an oil spill to the area.

### The need for a Shoreline Response Centre (SRC)

A Shoreline Response Centre (SRC) should allow central co-ordination of a major oil spill incident to take place under a single organisation which has complete responsibility for handling the operation. It will need to demand complete co-operation of the various agencies involved, such as, the Local Authority, the Maritime Pollution Control Agency (MPCA) or equivalent, the Nature Conservation/Wildlife Agency, the Fisheries and Agricultural Agencies, the Environment Protection Agency, and other local organisations with an interest in the response.

### Who is in charge?

The overall shoreline response organisation may be under the direction of the Local Authority. As a collective body, it should have the capability for organising personnel, facilities, equipment and communications. It should assess the spill and the extent of the problem, identify and plan for the most appropriate response, and thereafter direct, organise and co-ordinate the response. Finally, in the post-operation period, it should assess the impact of the spill and pay all necessary accounts. Other key duties include preparing for the media, taking sole responsibility for health and safety matters, and recording and reporting every aspect of the response.

### Are team structures and chairs identified?

**Ideally, the shoreline organisation should be divided into several functional 'Teams' each with a particular role in the response organisation. The following Team structures are recommended but they can be altered to suit local circumstances. However, it is vital that effective lines of command and clear lines of communication are established and can be clearly made out between the various Teams. This will be best illustrated on an incident organisation chart.**

### What are the functional 'Teams'?

In no order of importance or priority:

- Management Team

- Technical Team
- Environmental Team
- Financial Team
- Logistics Team
- Press and Public Relations Team
- Wildlife Response Team
- Monitoring Team

### Action Sheet

An Action Sheet should be drawn up for all key personnel which will outline a clear list of their responsibilities and actions to be taken.

### Mobilisation Procedures

Effective and efficient mobilisation procedures for a full response team to be deployed should be developed. This will involve identifying the location of necessary equipment and personnel, estimating the time taken to have such resources on site, etc.

### Contact directory

The plan must include a detailed contact directory of all those with an interest or responsibility in a major oil spill incident. Contact names, addresses, telephone, fax, pager and telex numbers should all be listed together with a contact hierarchy indicating the preferred method of communication. This information should be regularly reviewed and updated when appropriate.

## SECTION 11 - SHORELINE RESPONSE CENTRE

The Shoreline Response Centre (SRC) should be the location from which all incident operations are directed. It should house all the functional teams and support services – the Management Team, Logistics Team, Financial Team and administrative support and should also retain close contact with the Environmental Team, the Technical Team, and the Press and Public Relations Team.

### Location of the Shoreline Response Centre (SRC)

An appropriate building will need to be identified which should ideally be close to the incident site. It must be large enough to accommodate the numbers of persons likely to be involved in the incident. There must be access in and out of the site with adequate access, transport links and car parking space.

**Only key personnel should be permitted access to the SRC. A specialist security firm may be utilised to prevent any unwanted visitors from entering the building.**

### Adequate facilities

**There must be sufficient space for team members to work in some degree of comfort with adjacent areas for meetings and for staff rest and refreshment. Toilet and wash facilities will be required. It must also have adequate storage space for the vast amount of equipment likely to be utilised. There will also need to be electrical and telephone points.**

### Communications network

The SRC should serve as a focal point throughout the response operation and all information on the clean-up operation and logistical support should be channelled through it. Many operations will be taking place at the same time and therefore, good communications are vital in order to receive, pass on and process the information with the appropriate people and enable complete liaison with outside agencies.

**Prior to an incident, negotiations and consultations should be carried out with telecommunications providers about the services that they should be able to offer in an emergency situation.**

The plan must include details of the methods of communications for the initial notification, subsequent mobilisation and ongoing operations by the response team. These methods should include telephone, telex and fax, satellite, radio or VHF communications, and more increasingly mobile phone and Internet mail.

It is also essential that the Local Authority establishes a system which will allow all relevant information to be passed on in easily understood standard form.

A diagrammatic representation of the communications network serving the SRC should be annexed to the plan, showing links to and between the internal lines, the main switchboard of the Local Authority, external lines and the beach operations.

## **Floor Plan**

A floor plan of the chosen site for the SRC should be annexed to the plan identifying the area from where each Team will operate.

## **Necessary equipment**

The SRC should have the capability to receive and disseminate reports of oil sightings, weather forecasts and situation updates. To help in this respect, manuals, maps, charts, incident logs and status boards, etc must be available. Larger items of equipment will also be required, such as, telephones, incoming and outgoing fax machines, computers with internet access, printers, photocopiers, TV/Satellite, radio, newspapers, whiteboards, map tables, chairs, etc

The most essential items of equipment should be retained at the SRC. Each Team will have different equipment needs and so it is useful to store equipment in a logical fashion. Where storage at the SRC is impractical, its location, procedures for mobilisation and contact numbers of suppliers should be recorded in the plan.

## **SECTION 12 - MANAGEMENT TEAM**

### **What are the Team roles and responsibilities?**

The Management Team should have overall responsibility of the SRC and of the incident itself, making important policy decisions.

Its main functions relate to:

- the overall execution of the plan
- determining strategies for priority areas and the various polluted sites
- reviewing operations
- gathering and collating information
- authorising media releases
- controlling general financial aspects of the operation
- interacting with other agencies involved in the clean-up operation, central government, the media and public
- preparing formal detailed management and situation reports
- deciding when to terminate operations

## **SECTION 13 - TECHNICAL TEAM**

### **What are the Team roles and responsibilities?**

The Technical Team should be responsible for the management of all tactical operations at the incident. On the basis on the oil pollution risk assessment, the Technical Team working in close co-operation with the Environmental Team, should assess the situation and plan and implement the response. Its fundamental basic functions include:

#### Planning and Assessment

- collecting and evaluating incident information
- identifying areas most at risk
- determining the best response strategy at each of the various polluted sites
- monitoring the progress of the operation
- preparing daily incident logs

#### Operations

- allocating resources on a priority basis
- allocating outside contractors to specific sites and tasks
- implementing the chosen strategy
- directing the clean-up operations

## **SECTION 14 - ENVIRONMENT TEAM**

### **What are the Team roles and responsibilities?**

The Environmental Team should have extensive, detailed local knowledge of shoreline habitats and species and those which may be indirectly affected by clean-up operations. However, this vital role relates to the environment in its widest sense by being able to provide advice on human health, ecological, wildlife and amenity interests. Working in close co-operation with the Technical Team, this Team should fulfil several basic functions, including:

#### **Planning and Assessment**

Providing advice on:

- the risk and vulnerability of environmental features to oil pollution
- local sensitivities and the location of wildlife habitats of the affected coastline
- possible/probable impacts of the oil
- priority for protection of sensitive sites
- environmental effect of clean-up methods
- potential and real effects on human health

#### **Operations**

- helping to implement the chosen strategies
- monitoring and ensuring that priorities of clean-up and techniques adequately reflect environmental concerns
- directing the wildlife response
- co-ordinating all environmental monitoring and sampling programmes
- providing liaison links with other interested environmental organisations
- preparing daily incident logs

## **SECTION 15 - FINANCIAL TEAM**

### **What are the Team roles and responsibilities?**

The Financial Team should be responsible for establishing an effective and efficient financial accounting system and outlining procedures for preparing and submitting compensation claims in advance of an oil spill incident.

### **Establish a detailed financial accounting system**

**For effective and efficient management of the financial aspects of an oil spill incident, procedures need to be implemented, in advance, whereby all costs incurred during an incident can be logged and tracked. Once these have been determined, all Teams must be informed of the correct procedures to be followed in every transaction that they enter.**

### **Memo of understanding**

It may be accepted that Local Authorities are responsible for shoreline clean-up, but economic assistance may not be offered by Central Government. Therefore, Local Authorities should prepare a budget for the possibility of a major oil spill incident occurring within their area.

A memo of understanding could be drawn up, taking account of the prospects of the successful recovery of costs and defining how much expenditure will be allowed and on what services. However, it is impossible to accurately estimate the level of expenditure that may be incurred during an incident and it is likely that the constraints of having an 'approved emergency budget' may still have to be lifted temporarily. Therefore, the financial arrangements cannot be too rigid or set in tablets of stone. Local Authorities should, however, have some means of control over the discretion of those responsible for acquiring necessary equipment, personnel, etc. to avoid the creation of further and unnecessary financial problems

### **Allocate and promulgate code numbers**

#### Cost centre

This is an objective code representing a single income and expenditure account for a particular unit of service which, in this case, will be the oil spill response. Where the incident becomes sufficiently complicated, the cost centre may be broken down into component parts.

#### Cost codes

These are the subjective codes assigned to describe specific types of expenditure incurred in relation to the incident.

By combining the cost centre and cost codes, a full description of the financial aspects of the incident will be obtained and the overall billed-up costs can be determined.

## Supervise the financial arrangements of the incident

Procedures and methods for procuring necessary equipment, etc. should be established. Ideally, the individual should raise a purchase requisition, seek authorisation of his senior officer and complete all the necessary paperwork.

Thereafter, these forms should be passed onto the Financial Team for processing and the transaction will be entered onto the accounting system. This is known as 'separation' which is aimed at preventing 'improper spending' whereby no transaction can be carried through to completion unless there are at least two persons involved.

## Keep track of the entire incident related costs

Gathering and collating all the necessary information is a prolonged task especially where the Local Authority incurs expenditure years later, details of which will still have to be recorded.

## Prepare financial reports

Financial reports will be an important source of information for subsequent cost-recovery actions and for use by other bodies in relation to the details of labour and equipment supplied by contractors.

## Take control of cost recovery actions

It should be the role of the Financial Team to manage the Local Authority's cost recovery action. This will involve a daily or weekly cost analysis, submitting claims accurately and timely to the IOPC Fund, validating all financial records, negotiating directly with the IOPC Fund Officers and explaining and justifying various parts of their claim.

One important issue that should be highlighted is that Local Authorities may not be given preferential treatment in recovering their costs. Moreover, a presumption may exist whereby Local Authorities and Central Government should be the last to submit their claims for compensation to allow the private sector to recoup all their losses first.

## **SECTION 16 - LOGISTICS TEAM**

### **What are the Team roles and responsibilities?**

The Logistics Team should be responsible for organising, providing, marshalling and routing essential personnel, equipment, facilities, services and supplies to meet all of the needs of the Teams involved in the incident.

#### Evaluate the needs of the incident

In order to determine the short and long term needs of the incident, the Team should take into account the fact that the incident may last only days or, on the other hand, up to several weeks or months.

#### *Personnel acquisition*

It is likely that a major spill may require a large labour force to clean beaches and carry out other remedial works. Such a large number of staff could have to be recruited from within the Local Authority departments and from local and external agencies. However, Local Authorities must take into account that external personnel and agencies may have other commitments and jobs.

#### **Local Authority personnel**

Local Authorities, when assigning individuals to specific posts, should be careful to draw people from various departments so that there is adequate cover to allow the normal day-to-day work of the authority to carry on with minimum disruption.

#### **Contract labour force**

The hiring and administration of the workforce could be directed through one contracting company. Possibilities with their numbers should be annexed in the plan.

#### **Volunteers**

It is likely that a major oil spill incident may attract offers of assistance from volunteers. It is important that an appropriate authority is identified to decide when it is safe to use volunteers in the clean-up operations. There is no obligation to utilise volunteers but if volunteers are involved in the incident, adequate insurance cover of their potential liabilities is vital. There must be procedures in place to deal with the offers of assistance. Failing to do so may mean that human and financial resources are wasted. Names, contact numbers, and any specific skills should then be recorded. This would allow a training programme to be developed and, more importantly, during an incident, it will allow the field effort to be planned in advance.

Generally, it is best to use local people and discourage volunteers from outwith the area except where they can provide expertise which is not available locally. Where external assistance is required, it is best to use teams from reputable agencies in order to make logistical arrangements easier. These groups may have their own team-leader, the required motivation and funding. Furthermore, arranging transport, accommodation and catering may be much easier to achieve for a group of people than on an individual ad-hoc basis.

## Personnel accommodation and transportation

A major oil spill is likely to generally attract the attention of individuals from outwith the area, whether they are from the media, voluntary organisations or agencies contracted to supply personnel or equipment. This interest may put pressure on the availability of accommodation and travel resources of the area. Furthermore, the time of the year, whether there are other events going on, etc could also influence their availability. It is vital that accommodating and transporting key personnel is a priority. A list of the telephone numbers of all hotels, bed and breakfast establishments, car hire firms, the local Tourist Board, etc should be annexed to the plan.

A Local Authority may wish to book all available resources, once an oil spill occurs, for use by key personnel. However, if the incident turns out to be less problematic as first thought, the Local Authority may be faced with a bill to pay for resources which were not required. An understanding should, therefore, be sought between Local Authorities and service providers when developing up the Contingency Plan.

### **Accommodation**

The location of hotels, bed and breakfast establishments, Youth Hostels, etc. should all be identified. The possibility of commissioning a flotel or passenger ship should also be considered. However, such vessels are hard to locate at short notice and several weeks may pass before one can be chartered to arrive in the area. On the other hand, in an emergency situation, time is required to plan, assess the number of workers required and establish training programmes before an effective response can be initiated.

Where the use of a flotel or passenger ship is considered as appropriate, it is important to seek advice and obtain outline agreement from the P & I Club or ITOPF.

### *Personnel transportation*

There may be a requirement to move large numbers of personnel to; from and around the spill area and all manner of transportation must be considered. There may be a requirement for buses, rough terrain vehicles and even aircraft should access be very difficult. Transportation problems may prove to be ongoing as the clean-up area will tend to extend as time proceeds.

### **Catering**

A common feeding strategy is required to cater for a huge workforce engaged in on-scene operations, the activities of the SRC and other various command centres. A food preparation centre may have to be established and suitable vehicles for transporting the food and refreshments to the incident sites may have to be obtained. A communications network between the vehicles and the beach teams is essential to provide them with an estimated time of arrival for the food and to give the caterers an idea of how many workers are needing to be fed.

### **Oversee health and safety aspects<sup>2</sup>**

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<sup>2</sup> For further details, see Section 9

Adequate arrangements and procedures must be developed to secure the safety and welfare of all those employed in the incident response.

## **Arrange social activities and entertainment**

Where the services of agencies from outwith the area are utilised, some consideration should be given to providing social events and entertainment for workers when they are not engaged in the clean-up operations. The Local Authority should make arrangements with local leisure centres, bars, discos, etc.

## **Administration Support**

The required administrative assistance for each functional team should not be underestimated in an emergency situation. Clerical support is required to provide communications links within the SRC, directing message traffic into and out of the SRC, distribute the message traffic within the SRC, logging the message traffic, taking minutes, typing services logging and updating information boards and operational maps, etc.

## **Accounting and record keeping**

It is important that all those involved in the incident log and keep a record of all actions taken and why. This is essential where liability and compensation issues are likely to arise as a result of the incident. The Local Authority and other agencies involved can then be in a position where they are able to justify all actions taken and produce detailed accounts.

### **What will the records be used for?**

The records will be used for a variety of purposes, such as supporting claims for the recovery of money spent, serving as a basis from which reports of the operation can be prepared, and use by governmental bodies in relation to the details of labour supplied by contractors.

### **What type of information should be recorded?**

It is impossible to define one particular purpose that the records will be used for and therefore a precise format of the records cannot be specified. It could range from minutes taken at Management Team meetings to records of the number of personnel and materials used at various incident sites on any given day. However, it is worth preparing examples of record forms, in advance, and to provide guidance on the keeping of appropriate records in the plan.

Daily Incident Logs should give an indication of the labour and plant assigned to a beach. It should also give details of the hours worked, the materials and equipment used, protective clothing supplied, a summary of the days work, details of oiled materials removed from the beach and proposals for the following days work.

Where expenditure is incurred, the forms should indicate whether equipment and/or labour had been hired, purchased, loaned, who had authorised procurement and what channels of invoicing and payment are to be used.

## **Procedure**

Records should clearly show what information was available and received and actions taken on the basis of that information and orders given. Decisions and reactions of other bodies involved in the decision-making process should also be recorded.

A major oil spill incident could involve expenditure of large sums of money. All Teams involved in the incident therefore should be advised by the Financial Team of the appropriate cost codes to be attached to each transaction that they enter into. These records should then be passed onto the Financial Team for processing.

## Equipment acquisition

A list of all the equipment available to the Local Authority should be annexed to the plan.

### Primary oil spill equipment

#### **Booms**

Skimmers

Absorbents

Sprayers

Dispersants

Radio communications

Boats/tugs

Pumps/hoses

Tanks/barges

Shovels

Diggers/loaders

Drums/skips

Trucks/tankers

Vacuum trucks

Plastic sheeting

#### **Protective clothing**

#### **Aircraft**

Communications

Catering

Housing

#### **Transport**

Control room

#### Sources

Oil companies

Specialised contractors

Harbour authorities

Government agencies

Local operators

Local emergency services

Manufacturers

## **Procedures for mobilisation**

For quick and effective delivery of essential equipment, the plan needs to include information on its:

- availability
- type
- location
- contact
- cost
- manufacturer
- size
- transport
- delivery time
- contractual terms and conditions

## **Equipment storage & security**

Arrangements must be made for secure storage of equipment, stock control management and record keeping, not only at the central base but at all forwarding bases.

### *Equipment inspection, maintenance and testing*

Equipment should be regularly inspected to ensure that it is kept in good condition and any deteriorating items are replaced. For items that are to be used in the clean-up, cleaning equipment must be provided and spare parts should be provided.

### Equipment/personnel cleaning<sup>3</sup>

Provision must be made for cleaning equipment and personnel upon termination of daily clean-up operations.

## **Recovered oil and waste disposal<sup>4</sup>**

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<sup>3</sup> For further details, see Section 9

Procedures for the disposal, management and minimisation of oily waste and material must be arranged.

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<sup>4</sup> For further details, see Section 6

## **SECTION 17 - PRESS AND PUBLIC RELATIONS TEAM**

### **What are the Team roles and responsibilities?**

The Press and Public Relations Team should be responsible for evaluating and preparing for the potential extent of the media interest, i.e. local, national or international and thereafter handling all aspects of the needs of the media and of the local community.

### **Assess the impact of the media on the implementation of the Contingency Plan**

Any oil spill incident will undoubtedly attract the interest of the local media. Where a spill poses significant risks to the environment, it is probable that it will arouse national and international interest. This can result in an influx of vast numbers of individuals, groups and agencies having an immediate impact on the availability of transport and accommodation in the local area to key personnel. The media also presents the risk of disruption and security breaches to the ongoing operational activities.

### **Develop media plans**

Separate plans for disseminating information should be developed for the various interested sectors. This should involve plans for the local community, the local and international press, pressure groups, claimants, staff, central government and other authorities.

### **Locate an appropriate media centre**

Experience has shown that a media centre needs to be located near to the SRC. However, it should also be far enough away to allow response operations to advance without unnecessary interruption.

The media centre must be large enough to accommodate potentially hundreds of journalists. It must offer a reasonably comfortable working environment by offering such facilities as a canteen, toilets, refreshments, etc.

### **Provide necessary equipment**

The media centre will require telephones, incoming and outgoing fax machines, computers with access to the internet, printers, television and/or satellite, radio, newspapers, etc, along with plenty of phone lines and power points.

## **Arrange security and control over the media in the area of operations**

Initially, the interests and activities of the media will be focused on the incident site itself and the search for information will begin immediately. It is therefore imperative that adequate security arrangements are established. This is important not only in preventing interruption of operational activities but also in protecting their safety.

However, access to certain areas involved in the incident should be allowed when it is practicable and safe to do so. However, this should be arranged with the agreement of the relevant supervisor.

### **Arrange and prepare press briefings and conferences**

The most appropriate method for releasing information to the media is to hold formal daily press conferences at set times. This will allow the press to meet their broadcasting deadlines and discourage them from disturbing those involved in the clean-up operations. Arrangements for less formal press briefings should be made when appropriate.

The information to be released should be prepared in advance, kept to the facts of the incident and should be 'properly cleared' by the Management Team. Representatives of each of the agencies involved in the response effort should attend the press conferences so that a co-ordinated approach is taken and the information released forms a coherent whole.

### **Take a proactive approach**

Experience has shown that the best way to deal with and manage the media is to take a proactive approach and to develop a good working relationship. The Team must be committed to providing accurate information as soon as practicable and regular briefings should be scheduled. However, the media must be made aware of the limitations on the release of specific details and information. Media kits should also be provided which will detail relevant background information of the area to assist the press in formulating the first news reports. This will also assist those involved in the incident to focus on the work to be carried out without being disturbed by media enquiries. The Local Authority could organise visits to the incident site and arrange travel for the media.

### **Verify journalist accreditation**

Procedures to verify accreditation of journalists need to be developed. This may take the form of recording their location, attendance and contact details. Thereafter, suitable press passes should be issued only to those who will be allowed access to the media centre, to attend press conferences, etc.

### **Arrange public consultation meetings**

Public consultation meetings are very important and should be arranged so that any queries or fears of the local community can be addressed. It is necessary that consideration of how these would be conducted and facilitated takes place in advance.

## Monitor media output

The media office needs to monitor all television, text and radio output for content and tone so that errors or misleading information can be corrected instantly.

## Deal with Governmental/VIP visits

Representatives of various governmental bodies and other authorities may wish to visit the scene of the incident, probably in the early stages. This could put further strain on those involved in the response and the resources of the area. Extra security, staff, etc. may have to be arranged.

## Develop guidelines for dealing with the media

Generally, such guidelines should outline the best protocols for dealing with media enquiries such as establishing media identities, being aware of what type of information may be released and how that will be undertaken, etc.

## **Consider cost recovery aspects**

It is clear that from the wording of the IOPC Fund manuals that the recovery of costs incurred in accommodating the world's media may not be available.

## **SECTION 18 - WILDLIFE RESPONSE TEAM**

### **Separate Contingency Plan**

A Wildlife Contingency Plan should be developed separate to, but fully integrated into, the Local Authority Contingency Plan<sup>5</sup>. All the issues which are addressed in relation to the formulation of a Local Authority Contingency Plan should be relevant to developing a Wildlife Contingency Plan. However, there are additional issues that are exclusive to the wildlife aspect.

### **Command and Control**

**Personnel needs can vary in different situations and locations and it is likely that additional specialist expertise may be required.**

### **What are the Team roles and responsibilities?**

The Wildlife Response Team should have control over all the wildlife aspects of the clean-up operations. The Team should collect and deal with wildlife casualties and fatalities provide advice to the various SRC teams and prepare daily incident logs.

### **Location of a Wildlife Response Centre (WRC)**

**A list of buildings that are available and suitable for use as a WRC should be identified, in advance. Ideally, the WRC will be located close to the spill. It should offer adequate space for administration, field control and equipment storage, wash and toilet facilities, rest and refreshment areas, plenty of electrical and telephone points, possible sleeping accommodation, car parking and security.**

### **Location of Emergency Cleaning/Rehabilitation Centres**

Buildings in the local area suitable for the treatment and rehabilitation of oiled wildlife need to be located. These buildings should be periodically reviewed as to their availability and suitability. The availability and location of mobile cleaning units and national cleaning centres may also have to be identified in the event of the capability of the local centre to be exceeded during an incident. If this occurs, a decision may have to be made as to whether to utilise these mobile units, transport the casualties to a national centre or establish another local emergency cleaning centre. In the latter case, advice must be sought from the appropriate agency with expertise in setting up cleaning centres.

### **Facilities**

The buildings should be of sufficient size and provide heat, ventilation, drainage, good water supply, reliable transportation routes, communication facilities, and pool space and freezer units with adequate capacity to stock vast quantities of fish and/or casualties.

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<sup>5</sup> a good example of such a plan is the Wildlife Response Co-Ordinating Committee Contingency Plan which was used in the *MV Braer* incident. For details of how to obtain a copy, contact Shetland Islands Council

## Strategy for dealing with oiled wildlife

All live wildlife should be taken to the rehabilitation centre where they may have to be kept warm, provided with fluids and have the oil removed from their eyes, mouth and nasal cavities and thoroughly washed. They should also be logged and ringed. Once they have been successfully rehabilitated, a decision must be made as to an appropriate release date and location.

## Strategy for dealing with dead wildlife

**All fatalities should be logged, labelled and stored in freezer units for subsequent scientific examination.**

## **SECTION 19 – MONITORING TEAM**

### **The need for monitoring and impact assessment work**

There is a wide range of purposes for monitoring and impact assessment work following an oil spill. It can be used to justify feelings of anger and distress and to address public health issues. More practically, the work has a role in the marketing of local produce, in assessing the environmental and economic impacts to a community, in extending scientific knowledge and to support claims for compensation.

### **What are the Team roles and responsibilities?**

There will be various agencies who have an obligation to carry out some sort of monitoring work, such as, the MCA or equivalent, the Nature Conservatory Agency, the Environment Protection Agency, local and national Health Authorities and members from research institutions and local expertise. Working as a collective body, the Monitoring Team should take a co-ordinated approach to the survey and monitoring work required to be undertaken so as to avoid any duplication of work and to ensure that no important work is left undone. To do so, the Team should be divided into specific groups focusing on particular aspects of the spill.

### **Priorities**

Priorities will very much depend on the circumstances of the spill. Different spills require different responses and therefore the need for monitoring and survey work is particularly urgent at the beginning of the incident.

Priorities should include monitoring:

- human health
- contaminated land areas and beach areas
- clean-up areas
- temporary waste disposal sites
- comparison/control areas
- marine environment
- atmosphere
- public, private and bottled water supplies
- water abstraction points
- areas close to the incident or the shoreline
- areas in the prevailing wind
- livestock – living and slaughtered
- slaughterhouses
- crops – growing and stored
- natural heritage
- effects on valuable economic resources, such as tourism, fish, livestock

### **Monitor the Movement of the Oil**

In order to formulate an appropriate response strategy to minimise damage it may be essential to locate and track the oil throughout the incident. It is especially vital where the 'do nothing' approach is chosen.

## Monitor the Effects on the Marine and Coastal Environment and on Wildlife

Detecting or inferring change after an oil spill may be done in one or more of three ways:

### ***Comparing pre-spill baseline information with post-spill assessments of the same area or population***

This option is the preferred choice. The information that is gathered at the oil spill risk assessment stage would be vital in providing meaningful baseline data for comparison and evaluation of the impact of the oil spill.

Comparing post-spill observations of the polluted area or population with an unpolluted control area or population

This option is limited by the fact that the similarity of the control area or population is never certain.

Using the predictions of a mathematical/computer model

This option is limited by the availability of good models.

## Monitor the Effects on Human Health

The protection of human health and life should always be the priority in the event of an oil spill. Health expertise should always be available as soon as possible to assess the nature and extent of any health hazard, to monitor the environment and to provide health surveillance in all areas where there is a potential risk to human health.

## Monitor the Effects on the Local Economy

The Team should assess the impact of the oil spill to the various industries upon which the livelihoods of the local community rely upon, such as fishing, farming and tourism etc.

## **Provide Guidance on the establishment of Exclusion Zones**

Under relevant local, national or international legislation, appropriate authorities may have the power to create orders prohibiting the taking of water, crops, livestock, fish, etc from a specified area if they are deemed to be unfit for human consumption.

## Prepare Reports

Each group should then produce reports of its results to be made available to those affected by the oil spill, to those managing its consequences and to the scientific community. These Reports can then be used as a basis for evaluating the response and what can be learnt for the future.

## Cost recovery aspects

It is clear from the wording of the IOPC Fund manuals, that compensation for survey and monitoring programmes is not available. Local Authorities should, therefore, make provision for expenditure in these areas in advance.

## **SECTION 20 - COMPENSATION AND COST-RECOVERY**

Dealing with a major oil spill is a long-term and expensive business for all those involved in the operation. This section gives a brief description of costs which may or may not be recovered and the procedures for doing so. However, it is not intended to provide definitive legal advice and therefore, it is essential that Local Authorities familiarise themselves with the compensation fund structure and implement appropriate financial systems in advance<sup>6</sup>.

The legal framework

The international compensation regime for clean-up costs and pollution damage following an oil spill is established by two international conventions. The 1969 International Convention on Civil Liability for Oil Pollution Damage (1969 Civil Liability Convention) deals with the liability of tanker owners. The 1971 International Convention on The Establishment of an International Fund for Compensation for Oil Pollution Damage (1971 Fund Convention) establishes the International Oil Pollution Compensation (IOPC) Fund.

Under these conventions, the tanker owner and the IOPC Fund are *strictly liable* for the costs of *reasonable* clean-up operations. Strict liability means that the claimant does not need to prove fault in order to obtain compensation. There are only a limited number of exceptional circumstances which may act as a defence.

Potential claimants

Anyone who has suffered *pollution damage* may make a claim. This should include all those involved in the clean-up operation, such as, Local Authorities, Central Government, the private sector including the fishing, tourism and agricultural industries and private citizens, etc.

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<sup>6</sup> For further details, see the *International Oil Pollution Compensation Fund* manuals 1971 & 1992

## Scope of compensation

Compensation is available for anyone who has suffered 'pollution damage'. This has been interpreted to include the following:

### **Property Damage**

Generally, measures taken at sea, to protect sensitive resources, to clean shorelines and to dispose of any recovered oily debris may be compensated.

This could, therefore, include the cost of hiring personnel, their related costs, the hire or purchase of equipment and materials and the costs of cleaning, repairing and replacing clean-up equipment consumed during the operation.

Economic loss

**Losses may be the direct result of physical damage to property ('consequential losses') or may occur despite the fact no damage to the property itself has occurred ('pure economic loss'), for example, a loss of earnings due to being prevented from carrying on fishing activities.**

The assessment of these claims is difficult. Claimants need to be able to prove the alleged loss; that it was due to the spill; that the loss arose as a direct consequence of their reliance on the affected environment for their livelihood; and, that efforts were made to mitigate the loss.

Environmental damage

The definition of pollution damage includes '*compensation for impairment of the environment but limited to costs of reasonable measures of reinstatement actually undertaken or to be undertaken*'.

### **Assessment of claims**

The IOPC Fund has developed a test of *technical reasonableness* to determine whether claims are eligible for compensation. Although it is not clear what reasonable measures are, it has been interpreted to mean '*measures taken or equipment used in a response which were appropriate on the basis of a technical appraisal at the time the decision was taken, and were likely to be effective in minimising pollution damage*'.

This means that the measures must be appropriate and offer a reasonable prospect of success and the costs that are incurred are reasonable and not disproportionate to the results to be achieved.

## Non-recoverable costs

Clearly, the definition of '*pollution damage*' does not cover accommodating the international media interest and general public relations activities, undertaking monitoring and survey work, building emergency wildlife cleaning centres, worker overtime, legal advice and market recovery programmes. The IOPC Fund also requires more detailed information on the costs of using the internal contract workforce in the response effort than in relation to the details of the external contractors.

These are major fields of financial outlay but are very important to the community, especially in providing a source of expert and scientific knowledge to support their compensation claims.

## Amount available

A two-tier system of compensation exists. The tanker owner is liable for paying compensation in the first place, but they have the right to limit this liability to an amount determined by reference to the gross tonnage of the tanker. To meet this obligation, tanker owners must have insurance to cover their potential liabilities, usually obtained through a Protection and Indemnity (P & I) Club.

Thereafter, if the amount of compensation from the tanker owner is insufficient to meet all valid claims then supplementary compensation may be available from the IOPC Fund.

The total amount of compensation available from the tanker owner and the IOPC Fund together is about £110m<sup>7</sup>. The experience of the *MV Braer* showed that the Fund paid out on a first-come-first-served basis and when claims exceed the amount available in the Fund then claimants may only receive an equal percentage of their claims.

## Time limits

The Conventions provide that a claim should be made within three years from the date on which loss or damage occurred or costs were incurred, or six years for the date of the incident. After that date, claimants may lose their right to compensation.

## Procedure for submitting a claim

In most cases compensation will be payable under both Conventions and thus the IOPC Fund and the P & I Club will co-operate closely, in investigating the incident and assessing and settling the claims. Usually, they will set up a local claims office so those claims may be processed more efficiently.

All claims should be made in writing with supporting documentation and should contain the following particulars: the name and address of the claimant, and of any representative; the identity of the tanker involved; the date, the place and details of the incident if known, the nature of the response measure, and the amount of compensation sought.

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<sup>7</sup> as at August 1999

## Existing presumptions

Local Authorities must take into account that they and Central Government may be the last in line to submit their claims in order to allow the private sector to recoup all their losses first. This might mean that Local Authorities might not recover any or all of their expenditure if other claims exceed the compensation funds limits.

However, this is by no means binding practice and is simply a voluntary arrangement. The ultimate decision of a Local Authority as to when to submit their claim will depend upon their view of the local community.

## **The role of the International Tanker Owners Pollution Federation Ltd (ITOPF)**

**ITOPF are available during an incident to offer advice on the technical reasonableness of proposed clean-up strategies taking into account the possibility of successful recovery of costs.**

## **Conclusion**

It is impossible to lay down hard and fast rules as to how much money can be spent and on what types of services. In practice, to do so would prove to be impractical and inappropriate and may be against the interests of the community. At the end of the day, the Local Authority should rely on the 'good spending judgement' of its employees.

Taking this into account, a Local Authority may decide to write off all the costs incurred in an incident. This could allow the Local Authority to budget realistically for and minimise the effect upon other services that they provide. In this way, if any costs are subsequently recovered, it will be a bonus.

## **SECTION 21 - PROSECUTION**

Depending on the country, legal action may be possible either under local, national or international law. Regulators or enforcers of the law should be identified and be familiar with the relevant legislation. Particular aspects, which should be addressed, are the appropriate court in which to raise an action, the procedures for initiating court action, the existence of any time-limits, the quantity and quality of evidence required, and the financial consequences of taking legal action.

## **SECTION 22 - EFFECTS ON THE LOCAL ECONOMY**

Coastal areas and the livelihood of its inhabitants rely, to a great degree, on the income generated and the jobs provided by the tourism, fisheries and agricultural industries. This means that an incident involving the release of vast quantities of oil into the environment will undoubtedly have a serious impact on the economy of the local area.

### **Market Damage**

The wildlife and natural beauty of the coast have a pivotal role in the local tourist industry. Furthermore, a direct relationship exists between the produce industry and the maintenance of an unpolluted environment.

The enormous worldwide publicity surrounding an oil spill incident may have an immediate and serious impact on the marketing of local produce and the reputation of the area. It may become more difficult to sell produce at premium prices if buyers use the oil spill as an excuse to lower prices and negotiate discounts. Buyers and visitors may infer from the enormous media attention that the whole area and its produce are contaminated.

### **Impacts on the Fisheries and Agricultural Industries**

#### **Direct contamination**

Fish and agricultural products that are directly contaminated should to be destroyed and an immediate voluntary exclusion zone should be established by the industry until such time as a statutory Exclusion Zone can be put into place. This should prevent any contaminated produce from reaching the market. Following on from this, an intensive programme of sampling should be undertaken to ensure that all produce is continuously tested for contamination.

#### **Long term biological impact to fisheries**

Shellfish species are relatively immobile and are more likely to be contaminated by the oil. Farmed fish are particularly susceptible to pollution since they are confined to cages and will probably have to be destroyed. There may be effects on stock levels for years to come for all fish species if spawning grounds are affected.

#### **Long term biological impact to agriculture**

The regenerative ability of the land may be affected and crop yields may diminish in quantity and quality.

## **Impacts on the Tourism Industry**

Just the threat of a spill in a tourist area could result in lost bookings for hotels and so the potential impacts of an actual oil spill incident on the tourist industry are obvious. The tourist industry of an area may contribute large sums of income to the local economy and provide jobs to the community. Therefore, depending on the season, an oil spill could affect tourist numbers, with a knock-on affect to income and local employment.

## **Contingency Planning**

The effects of an oil spill to the local area, especially in relation to the fishing and agricultural industries, are often overlooked in Contingency Planning. Therefore, it is recommended that the Local Authority and these industries formulate a Contingency Plan focusing particularly upon marketing and public relation aspects to regain control of the situation and to present a different and positive message to the world.

## **Fisheries and Agriculture**

It should be emphasised to the press that contamination is limited to the Exclusion Zone and that no produce is being taken from that area. To assure buyers of the quality, a programme of testing all produce outwith the Exclusion Zone should be initiated and normal quality control procedures should be expanded. The Shetland fishing industry hosted special buffets for the press which proved to be very successful. This could be coupled with high profile visits from famous chefs and restaurants. Special visits for produce buyers, supermarket chains and food retailers could also be arranged.

## **Tourism**

Extra funding may have to be raised to supplement the existing tourism budget. A multi-media advertising campaign should be launched with high profile press information and press visit programmes, exhibitions, etc. New advertising and promotional material should be created to project a more positive message. The need to communicate and inform potential visitors of the recovery of the area is fundamental.

## **Cost recovery aspects**

There should be complete co-operation and a thoroughly professional approach taken in each particular sector to the submission of their compensation claims. Their claims should be submitted separate from those of the Local Authority to better their prospects for successful recovery. Particular areas where they may find difficulty in recouping their losses relating to the costs incurred in carrying out market recovery programmes and impact assessments to their industry.

## **SECTION 23 - CONCLUSIONS**

This report aimed to identify some of the main issues which a Local Authority should consider in order to develop a comprehensive Oil Pollution Contingency Plan; one which can deal with any level of oil spill incident.

### **Evaluation of the Oil Pollution Contingency Plan**

#### **Are the aims of the plan met?**

- direction and guidance to those involved in responding to an oil spill incident has been provided
- the most appropriate and successful response to minimise the damage (environmental, ecological, amenity or financial) that would be caused by an oil spill has been identified

#### **Are the objectives of the plan met?**

- the geographical area covered has been identified
- the responsible authority and boundary of the Plan's operation has been identified
- agreed command and control arrangements have been articulated
- roles and responsibilities have been defined
- early warning and notification procedures have been identified
- a communications plan has been articulated
- a contact cascade and directory has been articulated
- consultation with all relevant agencies has been carried out
- an adequate oil spill risk assessment has been carried out
- pre-agreed response strategies have been identified
- a disposal plan has been articulated
- response capability has been identified
- mobilisation procedures have been defined
- health and safety aspects have been addressed
- a financial control system has been identified and implemented in advance
- it interacts successfully with other relevant plans
- a post-operation review has been carried out and an amendment policy has been implemented
- procedures for dealing with the media, including a public relations plan, have been articulated
- post-spill marketing programmes have been developed

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## **BACKGROUND**

### **THE PROJECT**

The project was undertaken in Shetland by Miss Marie Peterson as part of the Shell Technology and Enterprise Programme (STEP) in 1999 and was sponsored by KIMO UK. The checklist and manual are available on the KIMO website at <http://www.zetnet.co.uk/coms/kimo> The printing of the checklist was sponsored by Shell UK Exploration and Production.

### **KOMMUNENES INTERNASJONALE MILJØORGANISASJON (KIMO) LOCAL AUTHORITIES INTERNATIONAL ENVIRONMENTAL ORGANISATION**

KIMO is an international association of Local Authorities and associated organisations, which was formally founded in Esbjerg, Denmark, in August 1990 to work towards cleaning up pollution in the North Sea. The idea for the organisation originally came from Vågsøy Kommune in Norway. Vågsøy had been concerned since 1985 about the proposals for further nuclear fuel reprocessing at Dounreay, which they saw as a threat to their fishing industry. The widespread seal deaths in the North Sea in 1988 and the spread of toxic algae bloom up the west coast of Norway in the same year brought home to them that the threats to marine life in the North Sea extended well beyond radioactive discharges. They also realised that any action taken to clean up the North Sea could only be effective if it was co-ordinated on an international basis and decided to contact some other local authorities to form a nucleus of an international group.

The other founder members - Shetland Islands Council, Grampian Regional Council and Esbjerg City Council - were selected at that time on the basis that they shared with Vågsøy a common interest in protecting their fishing industries. From this modest localised start KIMO has grown in size and in terms of its aims and objectives. It now has over 100 members in the UK, Norway, Sweden, Denmark, Faeroe Islands, The Netherlands and The Republic of Ireland with associate members in Germany representing over 5 million people. Its remit now includes the Irish Sea and the North East Atlantic.

"KIMO's primary objective is the cleaning up of the existing pollution in Northern Seas and coastal waters, of preventing future pollution and working to preserve and enhance them and to leave them in a fit and healthy state for the well-being of future generations"

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to Improve  
Northern Seas Environments

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*"KIMO's primary objective is the cleaning up of the existing pollution in Northern Seas and coastal waters, of preventing future pollution and working to preserve and enhance them and to leave them in a fit and healthy state for the well-being of future generations"*

A **Growing** CONCERN

