

## **2. PREPAREDNESS**

### **2.1. Plan Support**

As outlined in part 1.1, the National Plan is underpinned by the IGA. The IGA aims to:

- provide a basis for continued Commonwealth/State/NT Government commitment and support for the National Plan
- provide a stable reference point whereby those unfamiliar with this Plan can readily ascertain the obligations placed on their organisation
- be used to set out agreed minimum activities, allowing participants' performance against those minimums to be more readily assessed.

The IGA ensures that the national approach to preparedness and response to oil and chemical spills in the marine environment is continued and strengthened. It provides a mechanism to ensure decision-making under the National Plan is cooperative and that the obligations of all parties are met.

The IGA also outlines a management structure for the National Plan that covers all elements of this Plan and ChemPlan. The management structure consists of:

#### **2.1.1 Australian Transport Council**

The Australian Transport Council (ATC), made up of Commonwealth, State/NT Ministers with responsibility for transport, is the Ministerial body responsible for National Plan matters.

#### **2.1.2 National Plan Management Committee**

Under the IGA, the National Plan Management Committee (NPMC) was established to provide advice to the ATC on the strategic policymaking and funding direction for the National Plan.

#### **2.1.3 National Plan Operations Group**

Under the IGA, the Parties also established the National Plan Operations Group (NPOG) to support the NPMC by considering the overall operational aspects of the National Plan.

Three working groups further support NPOG. These are:

- the Oil Operations Working Group (OOWG), which considers issues such as the National Marine Oil Spill Contingency Plan, oil spill response equipment and training, fixed wing aerial dispersant spraying and contingency plan audits
- the Chemical Operations Working Group (COWG), which considers issues such as ChemPlan, and chemical spill response equipment and training
- the Environment Working Group (EWG), which addresses research, development, technology and the environmental and wildlife interests of all the parties to the National Plan.

#### **2.1.4 Australian Maritime Safety Authority (AMSA)**

Under the IGA, AMSA is the managing agency for the National Plan and is responsible for maintaining the National Marine Oil Spill Contingency Plan. AMSA is also responsible for:

- acting as both Statutory and Combat Agencies for incidents in Commonwealth waters
- providing, support to State/NT Statutory and Combat Agencies, as required during incidents in State/NT waters.

### 2.1.5 State/NT Responsibilities

Under the IGA, the Statutory Agencies in each State/NT/Commonwealth are responsible for coordinating the local administration and operation of the National Plan. This may be done in consultation with a State/NT Committee with due consideration to the relevant State/NT/Commonwealth emergency management arrangements.

### 2.1.6 National Plan Key Contacts

Contact details for key National Plan personnel are provided in Appendix 2.

## 2.2. Division of Responsibility

### 2.2.1 Statutory/Combat Responsibilities

The IGA defines the Statutory and Combat Agencies with responsibility for responding to oil spills in Australian waters.

It should be noted that in some cases the Statutory and Combat Agencies will be the same entity.

Responsibilities for responding to oil spills around Australia are shared between AMSA, State/NT Governments, Port Authorities and Corporations, and the oil industry.

In relation to the offshore territories of Cocos (Keeling), Christmas, Norfolk, Heard, Macquarie, McDonald and Ashmore Islands, and the reef territories, the Commonwealth Government will assume the role of a 'State' Government. The New South Wales Government accepts responsibility for Lord Howe Island.

Responsibilities are given in detail below and are summarised in Figure 3.

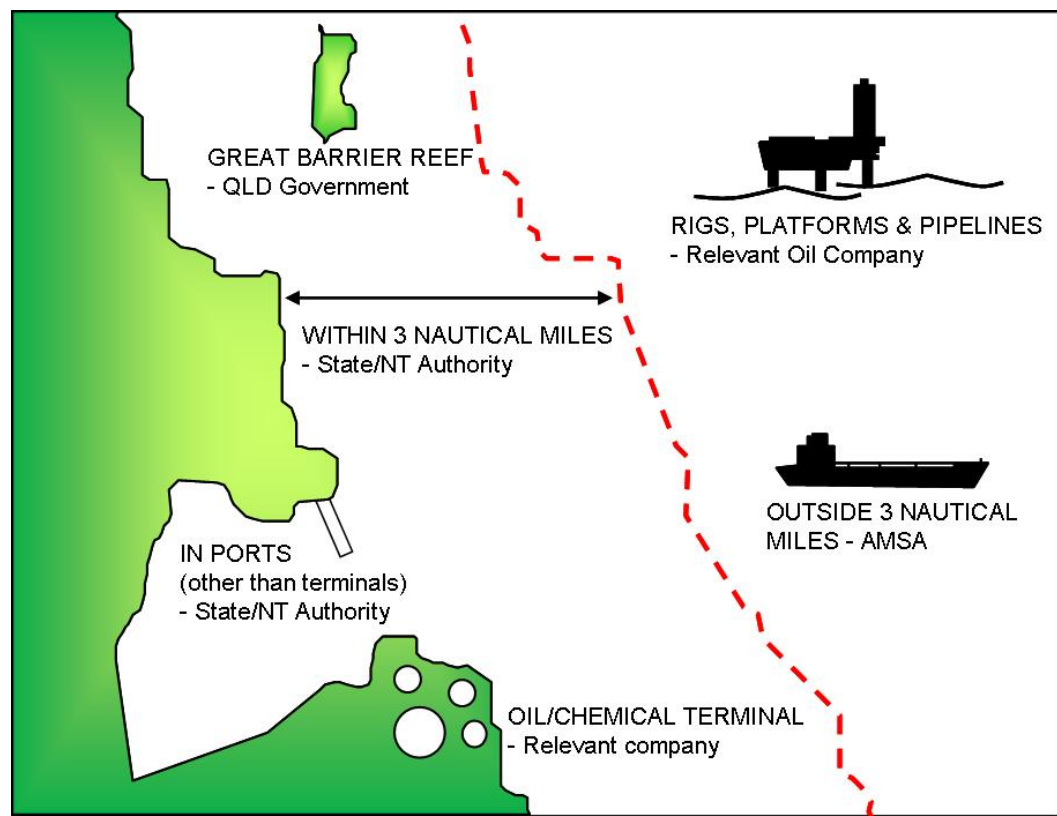


Figure 3: State oil spill responsibilities

### 2.2.2 Statutory Agencies

In accordance with the IGA (and the OCS jurisdictional arrangements), responsibility for overseeing response action for oil spills, other than those from offshore petroleum operations, is as follows:

- within the three (3) nm coastal waters and in foreshore areas - the State/NT designated Statutory Agency
- outside the three (3) nm coastal waters - AMSA, as the Commonwealth Statutory Agency.

The Statutory Agency for oil spills from offshore petroleum operations is the relevant Designated Authority.

The Statutory Agency is responsible for the institution of prosecutions and the recovery of cleanup costs on behalf of all participating agencies.

### 2.2.3 Combat Agencies

Combat Agencies have the operational responsibility to take action in order to respond to an oil spill in the marine environment in accordance with the relevant contingency plan.

The Combat Agency responsible for responding to marine oil spills in various locations is as follows:

<b>At oil terminals:</b>	The relevant oil company or terminal operator using industry arrangements as required, such as the Australian Industry Cooperative Oil Spill Response Arrangements (AMOSPlan) through AMOSC. Should a situation develop where the necessary response is beyond the oil company or terminal resources, responsibility for control will transfer to the Statutory Agency, with response assistance from other National Plan stakeholders as required. Statutory Agencies should enter into pre-designated response arrangements with oil terminal operators, which clearly specify the agreed division of responsibilities and terms and conditions for transferring control.
<b>In ports:</b>	The port operator or responsible State/NT authority as specified in the relevant contingency plan, with response assistance from other National Plan stakeholders as required.
<b>Within the three (3) nm:</b>	The responsible State/NT Statutory Agency with response assistance from other National Plan stakeholders as required.
<b>Beyond the three (3) nm:</b>	The Commonwealth via AMSA, with response assistance from other National Plan stakeholders as required. In incidents close to shore when oil is likely to impact the shoreline, the State/NT via the Statutory Agency will be the Combat Agency for protecting the coastline, whilst AMSA assumes responsibility for ship operational matters, for example, containing the spill within the ship, organising salvage, etc.
<b>In the REEFPLAN area:</b>	The Queensland Government via the Queensland National Plan State Committee, with assistance from

**Spills emanating from offshore petroleum operations:** other stakeholders as required. The relevant company with assistance from the Statutory Agency and other National Plan stakeholders as required.

The Combat Agency shall, as soon as possible, undertake preventive and cleanup action or may request another agency to act on its behalf.

Regardless of which agency has lead responsibility, other agencies shall assist as far as is practical, in accordance with requests from the Combat Agency.

In circumstances where the incident has exceeded, or is likely to exceed, the effective response capacity of the Combat Agency, or the response is not being conducted effectively, the Statutory Agency may assume control of the response. Refer to Appendix 4 - Combat Agency Transfer Operational Protocol for more information regarding spills emanating from the offshore petroleum exploration and production industry.

A response by a Combat Agency and/or Statutory Agency does not in any way indicate an admission of liability for the source of the spill or for acceptance of the costs of a spill. Liability for a spill is to be determined by due legal proceedings.

### **2.3. Cross Border Incidents**

In those incidents close to State/NT borders, it is essential that high-level consultation and cooperation between the two Statutory Agencies occur, with an objective to ensure a clear delineation of responsibility for the response.

It should be noted that some States have formal arrangements by way of Memorandum of Understandings that deal with cross border incidents.

### **2.4. Response Policy**

The primary aims of an oil spill response is to:

- protect human health and safety
- minimise environmental impacts
- restore the environment, as near as is practicable, to pre-spill conditions.

The environmental impact of an oil spill can be minimised by good management and planning, and by the response actions put into effect by the Combat Agency. Such actions will largely depend on several factors:

- the type of oil(s) involved
- the size of the spill
- the location of the spill
- the prevailing sea and weather conditions at the spill site
- the environmental sensitivity of the coastline/site impacted.

### **2.5. Levels of Response**

Under the National Plan arrangements, oil spills and their response requirements are categorised into three 'Tiers'. The concept of a tiered response links the credible spill scenarios to attainable scales of response and, by linking joint arrangements, enables escalation from one tiered response to another, should the need arise. It is a practical method of planning a spill response in terms of required resources and likely environmental impact.

The National Plan's three levels of tiered response are based on the following spill scenarios:

**Tier 1 - up to 10 tonnes** – a small spill requiring a local response:

The Combat Agency will generally be able to respond to and clean up a spill utilising local resources. In cases where additional resources are required, these will generally be available from the local port authority, or by utilising National Plan resources in the region, or from adjacent industry operators under mutual aid arrangements.

**Tier 2 - between 10 and 1000 tonnes** – a medium spill requiring regional and/or national assistance:

The resources of the Combat Agency will need to be supplemented by other resources from intrastate and possibly interstate. Interstate resources will be facilitated by the Statutory Agency through Marine Environment Pollution (MEP), AMSA.

**Tier 3 - above 1000 tonnes** – a large spill requiring national assistance:

The Combat Agency will require local, regional, national and possibly international assistance. Interstate and international resources will be facilitated by the Statutory Agency through MEP.

## 2.6. Oil Industry Arrangements

Combat Agency responsibilities of the Australian oil industry are set out in the IGA. In general, at oil terminals the relevant oil company or terminal operator has Combat Agency responsibility. Should a situation develop where the necessary response is beyond the oil company or terminal resources, the Combat Agency responsibility will transfer to the Statutory Agency. For offshore petroleum operations, the relevant oil company has Combat Agency responsibility, with assistance as required from the Statutory Agency.

Generally the oil industry subscribes to AMOSC, a subsidiary of AIP. AMOSC, located in Geelong, holds a Tier 3 stockpile and provides response training, and other services. Under an agreement between AMSA and AMOSC, AMOSC and industry resources (both equipment and personnel) can be made available to the Commonwealth and States/NT for incidents not involving companies that are subscribers to AMOSC. Access to this equipment is available through MEP.

Subscribers to AMOSC have access to the AMOSPlan, a mutual aid plan. AMOSPlan recognises that the response effort for an oil spill at an industry facility may require resources beyond those of the company itself and allows mutual aid to be provided from other industry company resources. AMOSPlan is administered by AMOSC and the legal arrangements facilitating AMOSPlan are a series of contracts and agreements which facilitate access to assistance and resources. To activate AMOSPlan, a request for assistance is made by the Mutual Aid Contact (MAC) of the affected company to the MAC of a company that is able to provide assistance. Under AMOSPlan arrangements, the MAC is expected to liaise with the local authorities to agree and maintain effective plans for the response to an oil spill. Non subscriber companies can access AMOSC resources at a significantly higher cost.

In the event that the Statutory Agency takes over the Combat Agency responsibility from the affected company, industry resources will continue to be available to the response.

Industry Advisers have been nominated from each AMOSC subscriber company. During an incident involving an AMOSC Member company, the Industry Adviser of the affected company provides a direct high-level linkage to the response organisation. Industry personnel have representation on NPMC, NPOG and the respective National

Plan State/NT Committees.

## 2.7. Risk Assessment

The location of National Plan resources is based on a risk profile of Australian waters. The risk profile was calculated based on data relating to the pollution of Australian waters by discharges of oil or chemicals from ships.

The following risk factors are recognised as important in Australian waters:

- risk of collision
- risk of grounding
- hazards to navigation
- seaworthiness of vessels
- negligence and competence of the owner/operator, Master or crew
- aging of the fleet of vessels at sea; chemical, bulk and container
- size/type of vessel
- stowage and control of cargoes
- type/amount of oil and/or chemical(s) carried
- traffic density
- environmental factors including tidal flow and weather, etc.

The risk assessment reports by location on the level of risk of pollution of the sea, coastline and ports of Australia, by oil and other noxious and hazardous substances, taking into account:

- environmental sensitivity
- industries (e.g. fishing, tourism) which would be most adversely affected ecologically or financially by a spill
- commercial cargo shipping size, frequency, trading patterns and amounts of oil carried as bunker fuel
- oil/chemical tanker frequency, sizes, shipping patterns and quantities shipped
- properties of oil/chemicals shipped as cargo
- type, density and movement of shipping including concentration of fishing vessels and tourist vessels
- areas that pose a high level of difficulty to safe navigation
- changes in the operation and construction of ships during the 1990's, such as the introduction of double hulls, amendments to the International Convention for the Prevention of Pollution from Ships (MARPOL), International Safety Management Code, etc
- amount and properties of oil produced offshore and transported by pipeline
- location of offshore production and pipeline facilities
- extent of offshore exploration drilling
- future trends, including proposed new ports and projected changes to trading patterns.

As part of the risk assessment, waters around Australia are divided into regions and each region further divided into near-shore, intermediate and deep-sea subregions. The Risk Index for each subregion was determined by combining the predicted frequency and average size of spills from all sources in each subregion. Additionally, this includes a simple environmental sensitivity factor taking into account the vulnerability and importance of the main environmental resources in each subregion.

The overall Risk Profile for Australia is shown in Figure 4. This shows the geographical distribution of the Risk Index from all spills over 10 tonnes. Higher risk areas (where frequency, spill size and environmental sensitivity are all likely to be higher) are also shown (presented by the magenta areas); with progressively lower levels of risk being shown as indicated in the legend, down to the lowest category of risk (presented by the blue areas). It should be noted that the Risk Index represents the overall risk in any subregion, and variations of the risk level across a subregion are not shown.

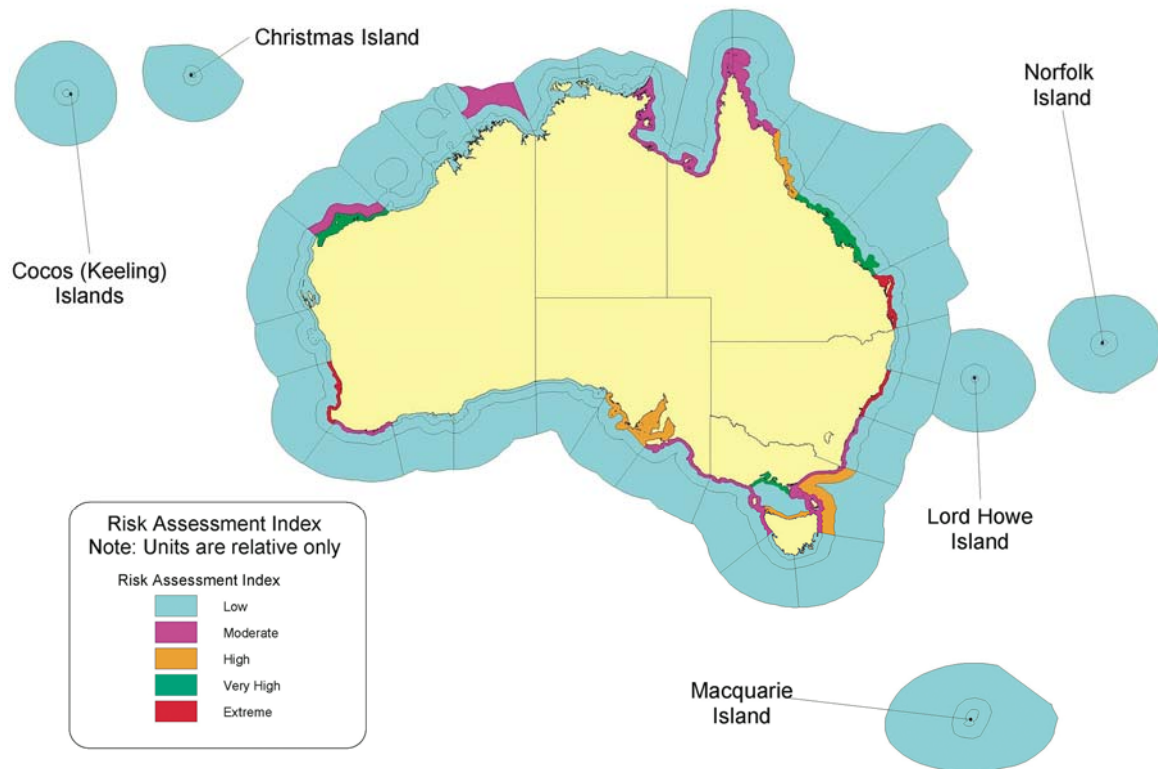


Figure 4-Risk Assessment Index

The Risk Profile indicates that there are some key areas of relatively higher risk from larger oil spills. These are most of the East Coast of Queensland, the Southwest and Northwest areas of Western Australia, and the major port areas around Sydney and Melbourne.

## 2.8. Response Planning

Under the IGA, State/NT Statutory Agencies supported by Combat Agencies, are primarily responsible for ensuring that contingency plans are developed at State/NT, regional and local levels, and that these plans complement adjacent plans. Statutory Agencies may be supported by National Plan State/NT Committees and will provide advice and support to Combat Agencies during pollution incidents.

The primary marine pollution response structure and responsibilities that need to be addressed in the planning process include:

- The Statutory Agency, usually through a State Marine Pollution Committee (SMPC), will provide management, operational, technical and environmental advice and support to the Combat Agency as required. This may include support for the management of the response.
- During major incidents, the overall response strategy shall be formulated by a nominated Marine Pollution Controller (MPC), and implemented by an Incident Controller (IC) and section officers who form the Incident Management Team (IMT). During lesser incidents, the IC shall be responsible for overall response

strategy. The IC shall keep the Statutory Agency and/or MPC informed of progress with the response.

- The Statutory Agency, the SMPC and AMSA, shall provide suitably experienced staff to assist the MPC and IC to initiate and conduct response actions.
- Preparation and maintenance of State/NT contingency plans that complement this Plan are the responsibility of the relevant State/NT Statutory and/or Combat Agencies.

## 2.9. Establishment of Response Organisations

Regional or local response organisations must be designed and established by the State/NT Statutory Agency. Where State/NT or local committees are established to support the Statutory Agency, it is recommended that the membership include senior representatives of the relevant organisations. Committees should also be able to invite wider participation to ensure that all interests are represented and their resources and services are considered.

### 2.9.1 Response Organisation Structure

The response to any pollution incident may be managed using the Oil Spill Response Incident Control System (OSRICS). OSRICS is based on an incident control system used in a wide range of emergency response activities to provide a standardised organisational structure that is flexible yet provides compatibility between agencies and events, whilst ensuring accountability and standardised records (Appendix 3). The system clearly defines roles and responsibilities and provides interoperability between State/NT agencies. OSRICS also allows for the ability to escalate or downsize the response as required.

OSRICS lists four major functions under which it is possible to group the tasks that need to be undertaken during a marine pollution response - Planning, Operations, Logistics, and Finance and Administration. These form the main elements of the organisational structure under OSRICS and are designated as sections in the structure. Responsibility for carrying out the tasks is delegated to a section officer who reports to the IC forming an IMT. Units staffed by people with appropriate skills and experience to deal with particular tasks may be created within the sections.

The number of staff required to fill positions in the OSRICS structure can be varied according to the size and complexity of the incident and the number of staff available. In a major incident all positions may be filled, but in a lesser incident one person may fill a number of positions. In a very small incident, it may only be necessary to appoint an IC who will be able to carry out all management functions.

Figure 5 shows the typical structure of an Incident Control System (ICS). A more detailed structure may be found in Appendix 3.

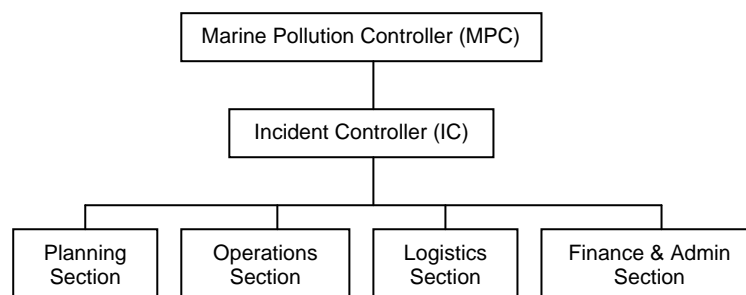


Figure 5-Typical OSRICS Structure

Statutory Agencies should ensure that persons with appropriate experience and skills are identified so that they can be appointed to the following positions if a marine pollution incident occurs. During an incident response staff represent the combat

agency and not their normal employer. If agency input into a response is required National Plan stakeholders should consider placing liaison officer/s within the IMT, rather than relying on personnel that will be fully engaged in response activities.

#### **2.9.1.1 Marine Pollution Controller**

The Commonwealth or State/NT shall nominate a senior management level MPC to take overall responsibility for managing the response. The MPC must be capable of ministerial as well as senior government, industry and media liaison.

#### **2.9.1.2 Incident Controller**

The relevant Commonwealth or State/NT agencies shall identify appropriate individuals to act as an Incident Controller (IC). The IC is responsible for the management and coordination of response operations at the scene of a pollution incident to achieve the most cost effective and least environmentally damaging resolution to the problem.

During a major incident the IC is responsible to the MPC for the operational aspects of the response. During lesser incidents the IC shall have overall responsibility for managing the response.

Commonwealth or State/NT Statutory agencies should ensure that the IC is assisted by a response team with appropriate planning, operational, technical, scientific, chemical, environmental, logistical, administrative, financial, and media liaison skills.

#### **2.9.1.3 Planning Officer**

The Commonwealth and each State/NT Statutory Agency shall identify appropriate individuals to act as the Planning Officer (PO) in accordance with relevant contingency plan requirements.

The PO is responsible for the provision of scientific and environmental information, maintenance of incident information services, and the development of Strategic and Incident Action Plans.

The PO shall ensure the distribution of all information to the Incident Management Team and to all response personnel generally.

#### **2.9.1.4 Operations Officer**

The Commonwealth and each State/NT Statutory Agency shall identify appropriate individuals to act as the Operations Officer (OO) in accordance with relevant contingency plan requirements.

The OO is responsible to the IC for all response operational activities. This includes ensuring that the requirements of Incident Action Plans (IAP) are passed on to operational personnel in the field, and for ensuring that the plans are implemented effectively.

#### **2.9.1.5 Logistics Officer**

The Commonwealth and each State/NT Statutory Agency shall identify appropriate individuals to act as Logistics Officers (LO) in accordance with relevant contingency plan requirements.

In any response there is a vital need to ensure that response personnel are provided with adequate resources to enable an effective response to be mounted. The LO shall ensure that all resources are made available as required. This includes the procurement and provision of personnel, equipment and support services for operations in the field and for the management of resource staging areas.

#### **2.9.1.6 Finance and Administration Officer**

The Commonwealth and each State/NT Statutory Agency shall identify appropriate individuals to act as Finance and Administration Officers (FAO) in accordance with relevant contingency plan requirements.

The FAO shall be responsible for all financial, legal, procurement, clerical, accounting

and recording activities including the contracting of personnel, equipment and support resources. In addition, the FAO is responsible for the management of the Incident Control Centre (ICC).

#### **2.9.1.7 Environmental and Scientific Coordinator**

The Commonwealth and the State/NT shall pre-appoint the Environmental and Scientific Coordinator (ESC), either on a State/NT, regional or local area basis. During a spill response the ESC will normally form part of the Planning Section. In this role the Planning Section is to provide the IC with an up-to-date and balanced assessment of the likely environmental effects of an oil spill. The Planning Section will advise on environmental priorities and preferred response options, taking into account the significance, sensitivity and possible recovery of the resources likely to be affected. Under some State/NT arrangements the ESC may directly advise the MPC.

#### **2.9.1.8 Media Liaison Officer**

An experienced and well-informed Media Liaison Officer (MLO) appointed by the Combat Agency shall be provided for the response. The MLO shall ensure adequate liaison between the IC's team and the media. All queries received from the media should be directed to this person.

Before releasing any information, the MLO's action should have the approval of either the MPC or IC, depending on the size of the spill incident.

## **2.10. Specialist Advice and Assistance**

Specialist technical advice is available to response managers from a variety of sources. Advice can vary from the fate of oil, selection and deployment of pollution control equipment, and dispersant use, to the associated environmental effects of an oil spill. Specialist advice can also be provided in relation to the safety and stability of ships.

Some of the organisations that can provide a range of specialist environmental and operational technical advice in the event of an oil spill in the marine environment, include:

### **2.10.1 Australian Maritime Safety Authority**

#### **2.10.1.1 Marine Environment Division**

The objectives of MED are to minimise the impact of shipping on the environment and to minimise the environmental impact if marine pollution incidents occur. This is accomplished by maintaining a regulatory system consistent with international standards; influencing the development, implementation, monitoring and enforcement of international environment protection standards, and the operation of international liability and compensation schemes; providing timely and appropriate response to marine casualties; and providing ship and offshore facility sourced pollution response services, consistent with international obligations, regional arrangements and Inter-Government Agreements, as manager of Australia's National Plan to Combat Pollution of the Sea by Oil and Other Noxious and Hazardous Substances.

#### **2.10.1.2 Marine Environment Pollution MEP**

The MEP section can provide advice relating to spill management, operational, logistic and technical issues, dispersant use, environmental effects, intervention powers, and legislation. MEP can also provide outputs and advice on decision support tools outlined in Section 4. All AMSA assistance will be coordinated through MEP.

MED is responsible for the National Maritime Emergency Response Arrangements (NMEMA).

Key elements of the NMEMA are:

- The provision of a minimum level of maritime emergency towage capability involving Emergency Towage Vessels (ETVs) located in strategic coastal regions. The ETV's include a dedicated vessel, *Pacific Responder*, which maintains a constant presence and availability to respond to emergencies in the Northern area of the Great Barrier Reef. Other ETVs are either vessels contracted by AMSA to be available to be called upon in the event of an incident or suitable vessels that are in the relevant area at the time of the incident that are used as "vessels of opportunity".
- The provision of a Maritime Emergency Response Commander (MERCOT) appointed by AMSA to act on behalf of the Authority during a shipping casualty. The MERCOT is responsible for the management of responses to shipping incidents.

#### **2.10.1.3 Maritime Operations Division**

Maritime Operations Division (MOD) of AMSA can provide advice relating to ship safety, structural integrity and stability of marine casualties.

#### **2.10.1.4 Emergency Response Centre**

In addition to coordinating the rescue and saving of life through the Emergency Response Centre (ERC), the ERC can provide drift calculations and advice on offshore currents.

The ERC has a range of communication facilities that can be utilised during an incident including International Maritime Satellite (Inmarsat) systems, enabling messages to be communicated directly to vessels.

#### **2.10.2 Emergency Management Australia**

Emergency Management Australia (EMA) has agreed to assist in coordinating the movement of National Plan equipment. Where necessary, EMA will facilitate access to Defence Force resources where commercial operators are unable to provide this service. All EMA assistance will be coordinated through MEP.

#### **2.10.3 Department of Sustainability, Environment, Water, People and Communities (DSEWPC)**

The Australian Government Department of Sustainability, Environment, Water, People and Communities (DSEWPC) develops and implements national policy, programs and legislation to protect and conserve Australia's natural environment and cultural heritage. Some responsibilities relevant to the marine environment include regulation of dumping of wastes at sea, declaration and management of marine protected areas in Commonwealth waters and conservation of listed threatened, migratory and marine species. DSEWPC also leads Australia's Antarctic Program, which includes administration of the Australian Antarctic Territory (AAT) and the Territory of Heard Island and McDonald Islands and protection of Antarctic and sub-Antarctic marine ecosystems and species.

The responsible Minister has issued a Notice of Exemption for the National Plan under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). The effect of this notice is that response actions taken in accordance with the National Plan are exempt from the EPBC Act.

DSEWPC can advise on matters relating to the Environment Protection (Sea Dumping) Act 1981 and its obligations, including the permitting and reporting of emergency dumping of material at sea. DSEWPC can also advise on Australia's obligations under the International Convention on the Prevention of Marine Pollution by Dumping of Waste and Other Matter (London Dumping Convention) and its 1996 Protocol.

DSEWPC will advise on potential impacts of oil spills on threatened marine and migratory species, such as seabirds, seals, marine turtles, whales and dolphins. It

can also provide advice on proposals approved under the EPBC Act where conditions may specify arrangements for dealing with spills.

DSEWPC should be contacted if any oil spill is likely to impact on marine protected areas in Commonwealth waters. DSEWPC should also be informed of any oil spills affecting the Australian Antarctic Territory, the Australian Territory of Heard Island and McDonald Islands, Macquarie Island and the Southern Ocean between Australia and the AAT. DSEWPC is able to provide advice on habitats in Commonwealth marine protected areas, Antarctic and sub-Antarctic seabirds, marine mammals, marine invertebrates and macro algae, along with advice on rates of hydrocarbon biodegradation, dispersal and the use of dispersants in cold climates.

Information on cultural and heritage issues can be found in part 3.9.

#### **2.10.4 Great Barrier Reef Marine Park Authority**

Advice relating to the Great Barrier Reef World Heritage Area is contained in REEFPLAN which is available from the Great Barrier Reef Marine Park Authority (GBRMPA).

#### **2.10.5 Oil Industry**

As outlined in part 2.6, the oil industry can provide equipment and personnel resources and advice on a range of issues, including oil characteristics and local industry resource availability.

#### **2.10.6 State/NT and Local Authorities**

State/NT and local authorities, such as Transport, Conservation and Resource Management Departments, Environmental Protection Authorities, emergency services, port/harbour authorities, and local conservation groups are able to provide a wide range of site-specific information and resources, either in relation to environmental impacts, or response activities.

#### **2.10.7 National Response Team and National Response Support Team**

The National Response Team (NRT) provides support to the Australian and States/Northern Territory (NT) Governments in the event of a major oil pollution incident, specifically in the roles of response managers, aerial observers and response team leaders. A total of 63 personnel are nominated by States/NT as follows:

<b>Role</b>	<b>Positions per State/NT</b>	<b>Total</b>
Planning Officer	1	7
Operations Officer	1	7
Logistics Officer	1	7
Aerial Observer	1	7
Response Team Leader	5	35
<b>TOTAL</b>		<b>63</b>

The National Response Support Team (NRST) is required to support an incident. The following roles have been identified for a national capacity:

- Environmental Advisers
- Finance & Administration Officer
- Wildlife Officer
- Equipment Operator

- Marco Operator
- Offshore Containment/Recovery
- Inshore Containment/Recovery
- Marine Qualifications
- Dispersant Helicopter Spray Buckets
- Vessel-based dispersant spraying
- Shoreline Assessment
- Shoreline Cleanup

The Equipment Operator role has been broken down into areas of specific expertise. Equipment Operators may be competent in more than one area. Training of NRST is the responsibility of the States/NT.

Nominations for the NRST are optional; however, each State/NT is encouraged to identify personnel to fulfil these roles, as these personnel may be required when responding to incidents within their own jurisdictions, and will become part of the NRT when succession planning.

During a National Plan incident the Incident Controller or the Marine Pollution Controller appointed by the combat agency may submit a request to AMSA for personnel from other States/NT to become part of the Incident Management Team or the incident response team. A request should be made initially through the Marine Environment Pollution Duty Officer via the Emergency Response Centre. This request must be followed by written confirmation within three (3) hours of the verbal request. During extended responses AMSA may appoint an officer to coordinate inter-state deployments and will advise the Incident Controller and the Marine Pollution Controller accordingly.

The following information is to be provided when making such a request:

- Roles or skills required (e.g. Planning Officer, Aerial Observer)
- Number of personnel required to fill each role
- Contact name, address, and time of where personnel are to initially report
- Brief overview of the work to be undertaken.

Suitable personnel will then be selected by AMSA from the National Response Team or the National Response Support Team, unless special circumstances exist. This procedure does not apply to the activation of NRT and NRST personnel from within the State/NT where the incident has occurred. In such circumstances, the relevant combat or statutory agency is responsible for activation in accordance with applicable contingency plans or State/NT arrangements.

The maximum release period is ten (10) days (including travel time) as per the [National Response Team Policy](#), unless both AMSA and the NRT/NRST member's organisation reach a separate agreement. Where an extension on deployment is being sought, the requesting agency is to provide details how the health and safety of the individuals are to be managed.

Personnel will remain in the employ of their own agency, and all entitlements in relation to their contract of employment remain unchanged.

The individual's employer will initially meet all costs. Costs include salary, travel, accommodation, incidental expenditure, and where appropriate overtime expenses. The loaning agency can recover such costs by forwarding deployment cost details, including supporting documentation, to the borrowing agency or AMSA for cost recovery purposes. The National Plan [Pollution Cost Recovery Procedures](#) will be applied when assessing claims for costs.

### **2.10.8 International Assistance**

In the event of a major oil spill incident, it is likely that assistance may be sought from overseas in accordance with the International Convention on Oil Pollution Preparedness, Response and Cooperation (OPRC 1990). Commonwealth Customs and Immigration Departments will expedite the temporary import of equipment and experienced personnel should the need arise on a request from AMSA. If additional overseas resources are required to respond to an incident in Australia, then MEP in conjunction with AMOSC will arrange for assistance from Oil Spill Response (OSR) (see 2.6 above). OSR is a company based in Singapore, Bahrain and Southampton (UK) and is part of the Global Response Network. The Global Response Network is a collaboration of seven major oil industry funded spill response organisations (including AMOSC) whose mission is to harness cooperation and maximise the effectiveness of oil spill response services world wide.

MEP, in accordance with current Memoranda of Understandings and relevant International Conventions, may also assist neighbouring countries in relation to oil spill incidents in their waters.

### **2.11. Equipment Availability**

Tier 1 marine pollution response equipment is located in State/NT ports. In addition to the equipment held by the States/NT, the National Plan through AMSA operates nine (9) regional stockpiles of Tier 2/3 equipment, which can be utilised for larger incidents or where additional resources are required. These stockpiles are located in Townsville, Brisbane, Sydney, Melbourne, Launceston, Adelaide, Fremantle, Dampier and Darwin. Ship-to-ship transfer equipment is located in the Brisbane and Fremantle regional stockpiles.

AMSA National Plan equipment is under the direction and control of MEP release of this equipment shall be authorised by the Manager, MEP or the MEP Duty Officer. Requests for equipment from other States/NT should be made by the IC, directly to the State/NT Committee, which will, in turn, request the equipment through MEP. Details for National Plan, State/NT, AMOSC and other industry resources held in each State/NT are given in the Marine Oil Spill Equipment System (MOSES) - see part 4.4.

### **2.12. Financial Arrangements**

The IGA includes agreed funding arrangements (Paragraphs 21-24), and the administrative arrangements (Schedule 1, Paragraphs 22-29) provide guidance on costs and expenses. This includes details for reimbursement of expenses and the charging for use of National Plan equipment.

Statutory and Combat Agencies should note that detailed financial records, including all supporting information, are required where a claim is made in accordance with the IGA. This requirement is of particular importance when submitting claims to the Protection and Indemnity (P&I) insurers, as all claims will be assessed to ensure that the costs are reasonable, and are supported by satisfactory documentation.

Accordingly, agencies should have in place appropriate systems to ensure that these requirements are met and that these are adequately outlined in contingency plans. For claims submitted to AMSA for reimbursement, when the spiller has not been identified, the authority addresses the claims from a standpoint of normal audit requirements and reasonableness, i.e. it will apply the same general criteria used by P&I Clubs and their correspondents when assessing the reasonableness of claims for reimbursement of costs incurred in responding to an oil spill, or potential oil spill. In general, costs will be considered "reasonable" if they result from actions that:

- were undertaken on the basis of a technical appraisal of the incident
- sought to enhance the natural processes of recovery
- were not undertaken purely for public relations reasons.

Further details are provided in “Pollution Cost Recovery Procedures” available at: [http://www.amsa.gov.au/Marine\\_Environment\\_Protection/National\\_plan/Supporting\\_Documents/Claims\\_for\\_Reimbursement.asp](http://www.amsa.gov.au/Marine_Environment_Protection/National_plan/Supporting_Documents/Claims_for_Reimbursement.asp).

### **2.13. Communications**

In a pollution incident it is important that the IC has access to adequate communication facilities. In addition to the facilities available through the ERC (part 2.10.1.4) it is envisaged that port Very High Frequency (VHF) radio facilities, the AMOSC communications package, and the National Plan communication systems, consisting of portable Satcom M, MiniSat, VHF marine band radios and repeater VHF aviation band radios and Ultra High Frequency (UHF) networks would be available to coordinate a response. In a major incident it may be necessary to seek assistance from the relevant State/NT/Commonwealth Government agency and utilise the Government Radio Network or the emergency services or Defence Forces radio network.

To obtain Defence assistance, a request should be made through MEP (part 4.6).

### **2.14. Wildlife Response**

When a marine oil pollution incident occurs it is highly likely that oiling of birds, marine mammals and other wildlife will eventuate.

The impact on wildlife and biodiversity will depend upon the environmental sensitivity, the type and quantity of the pollutant, and the location of the spill. Oiled wildlife attracts both significant community and media attention. The effectiveness of a spill response is sometimes measured on the success of its wildlife rescue and rehabilitation.

AMSA has developed National Guidelines for the Development of Oiled Wildlife Response Contingency Plans, with the objective to provide guidance for the immediate and effective protection, rescue, cleaning and rehabilitation of birds, marine mammals, their habitat, and other wildlife resources that are harmed or potentially harmed by a marine oil spill. This is further supported by detailed State/NT internal arrangements. The guidelines are available at: [www.amsa.gov.au/Marine\\_Environment\\_Protection/National\\_Plan/General\\_Information/Oiled\\_Wildlife/Wildlife.pdf](http://www.amsa.gov.au/Marine_Environment_Protection/National_Plan/General_Information/Oiled_Wildlife/Wildlife.pdf).

Under most State/NT internal agreements, arrangements, and legislation, the National Parks and Wildlife Services, Natural Resource and Conservation Agencies, or Environment Protection Authorities have the responsibility to protect wildlife and respond to wildlife impacts such as oil spills. These arrangements vary from State to State and should be detailed within a State/NT or regional oiled wildlife plan.

### **2.15. Place of Refuge**

It is rarely possible to deal expeditiously and satisfactorily with a casualty in open sea conditions, and the longer a damaged ship is forced to remain at the mercy of the open sea, the higher the risk of its condition deteriorating and thereby becoming a greater pollution hazard.

A place of refuge must provide favourable conditions to enable a ship to stabilise its condition, protect human life, and minimise the risk of environmental degradation. Australia is better placed than many maritime nations in that passing traffic not calling at Australian ports is minimal, and States/NT have sufficient jurisdiction over waters and areas of the coast to enable the selection of a place of refuge.

Some States/NT have adopted specific policies on places of refuge, and these should be followed as appropriate. National Maritime Place of Refuge Risk Assessment Guidelines (Appendix 5) have been developed to provide an overall framework for the assessment and identification of place of refuge requirements. Regardless of whether places of refuge are pre-designated or not, the following criteria form the basis for their selection:

- adequate water depth
- good holding ground
- shelter from the effect of prevailing wind/swell
- relatively unobstructed approach from seaward
- environmental classification of adjacent coastline and fisheries activity
- access to land/air transport
- access to loading/unloading facilities for emergency equipment.

It should be noted that the International Convention on Salvage 1989 places an obligation on Australian response authorities to take into account the need for cooperation between various parties concerned in a salvage operation, including public authorities, when considering admittance of damaged vessels to ports.

## **2.16. Training and Exercises**

The National Plan, incorporating AMSA, State/NT authorities and industry, conducts regular training programs and exercises for personnel likely to be involved in a response to an oil spill in the marine environment. These training programs and exercises are designed to enable Australia to have sufficient numbers of trained personnel to mount a credible and effective response to an oil spill incident.

Training programs are conducted at three levels, which recognise the overall technical complexity of managing an oil spill response and that the associated knowledge required by personnel varies depending on their level of responsibilities. The three levels of training conducted are:

- Level 3 - senior government and industry personnel responsible for high level decision making in the management of oil or chemical spill incidents.
- Level 2 - middle management personnel responsible for managing the operational response, e.g. incident controllers, their deputies and environment and scientific coordinators, and Fire Brigade (Hazardous Materials) specialists.
- Level 1 - operator level personnel, i.e. those undertaking on-site clean-up operations. In a major incident this would also include supervisors appointed as site managers.

Full details of the National Plan training program, including course content, are available from MEP.or at:

[http://www.amsa.gov.au/Marine\\_Environment\\_Protection/National\\_plan/Training\\_Program/index.asp](http://www.amsa.gov.au/Marine_Environment_Protection/National_plan/Training_Program/index.asp)