

3. RESPONSE

3.1. Measures to be Employed

In the event of an oil spill in the marine environment the following measures should be employed according to the circumstances of the spill and conditions prevailing:

- if possible prevent, control or stop the outflow or release of the oil from the source
- if coastal or marine resources are not threatened or likely to be threatened, monitor the movement and behaviour of the oil
- if coastal and marine resources are threatened, determine whether to begin response operations, either at sea and/or to protect sensitive resources
- if possible contain the spread of oil
- if, due to weather and sea conditions, response at sea or protection of sensitive areas is not feasible, or the foreshores have already been affected, determine appropriate cleanup priorities and other response measures.

The importance of human health and safety in any response operation cannot be overstressed.

3.2. Overall Protection Priorities

Protection priorities to be employed during a response to an oil spill are, in order of descending priority:

- human health and safety
- habitat and cultural resources
- rare and/or endangered flora and fauna
- commercial resources
- amenities.

However, in assessing protection priorities, it is necessary to maintain a balanced view of the potential success of particular response strategies.

3.3. Incident Reporting and Response Activation

3.3.1 Initial Reports

Notification of a pollution incident will normally be made by:

- those responsible for the incident
- Government Agencies
- ships in the vicinity of the spill
- aircraft flying over the spill
- the public.

It is important that the information received be reported without delay to enable immediate and appropriate action to be taken. Pollution reports from the polluter may prove to be imprecise, often conservative. All efforts should be made to validate the quantity to better inform planning and decision making. The response procedures that shall be followed are summarised in Figure 6.

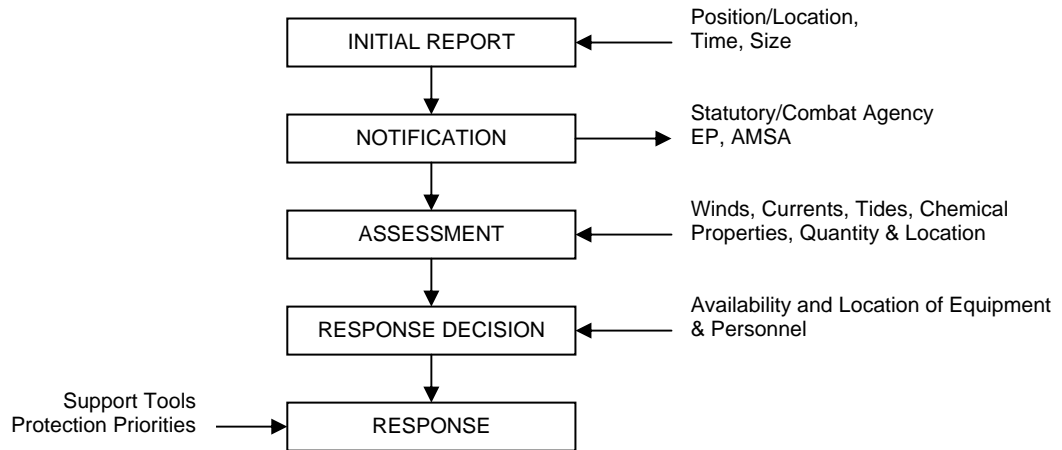


Figure 6 -Typical Response Procedure

The most efficient method of ensuring that reports are dealt with promptly is by reporting through the ERC. The ERC operates twenty-four (24) hours a day and is equipped with continuously monitored telephone, facsimile and telex lines. The ERC will disseminate this information to MEP.

The ERC contact details are outlined in Appendix 2.

3.3.2 Initial Action

The agency receiving the report of a pollution incident shall notify the relevant State/NT/Commonwealth Statutory Agency as defined in the IGA.

In the event that AMSA is the first agency advised of a pollution incident, the relevant State/NT Statutory Agency shall be notified as soon as possible.

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The Statutory Agency shall promptly assess the information contained in any report and make the necessary decisions in relation to appropriate investigations and response actions. This will include jurisdiction and expected Statutory and Combat Agency responsibilities. The Statutory Agency shall advise the relevant Combat Agency of the need for a response.

Following the report of an incident the Combat Agency shall issue a Pollution Report (POLREP) in accordance with part 3.3.4.

3.3.3 Activation

When a report has been received by the Combat Agency, that agency should confirm the incident details. The proximity and possible subsequent movement of an oil spill to sensitive areas will dictate the urgency of the method used to confirm the presence of the pollution.

On confirmation of the presence of oil (see Appendix 6 for the Bonn Agreement Oil Appearance Code), or where a decision has been made to implement a response action, the Combat Agency should mount a response operation in accordance with the appropriate contingency plan arrangements.

Contact MEP for an AMSA 'Identification of Oil on Water: Aerial Observation and Identification Guide'.

It should be noted that some States/NT might have a requirement to formally activate

a Plan. This should be done without delay to facilitate any subsequent cost recovery actions.

3.3.4 Pollution Report

After initial verbal advice has been provided to the Statutory Agency, the Combat Agency should issue a Pollution Report (POLREP) to relevant agencies. This would best be directed to the ERC who would disseminate the information to relevant agencies based on the incident type and location. A generic POLREP form is shown in Appendix 7, which can be used by agencies.

It should also be noted that the MARPOL Convention established the requirement for ship's Masters to report discharges from their vessels. For reference, a copy of the details that ship's Masters should report is also listed at Appendix 8 (Harmful Substances Report).

3.3.5 Situation Report

During a marine pollution incident (or potential incident), it is essential that all relevant authorities be kept advised of any significant developments.

The IC will be responsible for ensuring that periodic Situation Reports (SITREPs) are dispatched to those concerned. SITREPs should contain as much information as possible.

During an incident that involves the risk of marine pollution the Combat Agency shall be responsible for initiating SITREPs to relevant agencies, including AMSA. SITREPs should be forwarded to AMSA via the ERC who will disseminate them to MEP. A suggested format, including required content, for reporting this information is outlined in Appendix 9.

3.4. Incident Control

Operational control of a pollution incident is the responsibility of the Combat Agency representative nominated as an IC, and supported by an IMT that performs the tasks of the Planning, Operations, Logistics, and Finance and Administration sections of OSRICS.

The IC shall establish an ICC at a location, in close proximity to the incident, affording resources and facilities for the sustained management of the incident. This shall include access to communication facilities, suitable road access and other resources required for the response.

3.5. Response Plans

3.5.1 Strategic Plans

In a major incident it is important that a strategic plan is drawn up which clearly details the aims and objectives of the overall response. In some cases it may be necessary for strategic plans to be developed to cover a number of aspects of the incident.

Strategic plans address the broader issues of the response, not short-term operational activities.

3.5.2 Incident Action Plans

Short-term operational objectives and activities are the subject of an Incident Action Plan (IAP). The IAP will provide details of the operational activities and objectives to be achieved over a specified, short-term period. Initially this may be for the subsequent few hours only, but once the operation is underway it is likely to address the activities required over each of the following twenty-four hours or longer.

3.6. Response Options

A number of options exist for the treatment of oil that has been released into the marine environment. All may be effective to a degree according to the conditions prevailing and the sensitivity of the environment under threat. The response options to be considered as part of this contingency plan include:

- surveillance
- control and recovery
- application of dispersant
- shoreline cleanup
- bioremediation.

Bioremediation is undertaken in limited circumstances in consultation with the relevant State ESC, Combat/Statutory Agency and other stakeholders.

3.7. Occupational Health and Safety

Response managers should be aware that at all times human life, health, and safety is paramount. The degree of risk associated with cleanup operations will depend on the:

- type of oil spilled
- size of the spill
- location of the spill
- circumstances of the spill
- weather conditions.

Fresh crude oil and refined petroleum products are capable of giving off flammable gases. Therefore, fire and explosion remain a real danger to personnel and equipment, particularly when fresh crude oil and certain refined products are situated in confined locations.

At all times response managers should be aware of the limitations and safe operating procedures for all equipment used throughout the phases of the cleanup operation. This should, where necessary, include a risk assessment and development of a formal site-specific management plan, including details for induction and briefing procedures.

3.8. *Environment Protection and Biodiversity Conservation Act 1999*

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. In this context, the National Plan includes separate contingency plans for oil and chemicals, supported by State/NT contingency plans, regional contingency plans, contingency plans for ports, terminals and platforms, and vessel response plans.

It is important to note, however, that any response action contrary to one of these contingency plans would be subject to the EPBC Act.

3.9. Cultural and Heritage Issues

Important indigenous and non-indigenous heritage values and places exist in many parts of Australia's coastal areas and include:

- historic heritage sites and items
- places with physical evidence of indigenous use
- places of cultural value to indigenous people (e.g. dreaming places)
- natural resources.

The potential impact of response operations on the heritage values of the area needs to be addressed in planning the operation.

The potential heritage values of an area need to be identified and the likely impacts that result from the activities should be addressed. Specific consideration should be given to access to, and general use and disturbance of areas. The assessment should consider both direct and indirect impacts, cultural protocols and strategies for minimising impacts. Consultation with local indigenous communities should occur as part of the planning process (refer Ask First – A guide to respecting Indigenous heritage and places, Australian Heritage Commission, 2002, <http://www.environment.gov.au/heritage/ahc/publications/commission/books/ask-first.html>)

Information about the heritage values of an area may be limited, or difficult to access. Some heritage registers held by State/NT agencies are subject to access restrictions. As such, appropriate Commonwealth, State/NT and local government agencies should be consulted to facilitate contact with indigenous communities and obtain necessary information required by the IMT and response personnel.

3.10. Obtaining Samples for Evidence and Analysis

In the aftermath of a pollution incident, identification of the source of contamination is a vital component in identifying the polluter, not only for possible legal action but also for the recovery of response costs. Even where one ship is considered to clearly be the source of the spill it is important to be able to establish that other potential sources have been eliminated. Where a spill has occurred there may be a number of different ships that are potential sources of the spill and they must all be identified and sampled as far as practicable. Samples must be obtained from all possible sources (tanks, bilge etc) onboard each ship to compare with spill samples. The laboratory will use multiple analysis methods to eliminate or identify the source of the spill. To ensure that a positive analysis result can be achieved, correct sampling, storage, handling, preparation of the samples from all potential sources is essential. Further details concerning sample collection, storage and handling are outlined in Appendix 10.

3.11. Disposal of Oil and Oily Debris

Cleanup operations generate substantial quantities of oily debris. Temporary storage, transportation and final disposal methods must be arranged to comply with Government disposal approvals. This will usually be facilitated by the responsible State/NT environment protection agency.

State/NT, regional and local contingency plans should contain information on the disposal of oily waste. This should include any pre-designated arrangements for disposal sites and approved contractors.

Ideally disposal sites should be identified as close as practical to those areas where oil pollution could most likely occur. Additional information is provided in the National Plan document Management and Disposal of Oil Spill Debris, available on the AMSA National Plan website

www.amsa.gov.au/marine_environment_protection/National_Plan/Supporting_Documents/Management_and_disposal_of_oil_spill_debris.asp.

3.12. Equipment

On completion of an oil pollution response operation, the IC shall arrange recovery of all equipment and unused materials, and their prompt return to the resource centre from which they came. In the event of a major incident, a NRT member would normally be available to assist in the coordination of equipment transfers, including returning equipment to its point of origin. The IC shall advise the Manager, MEP, of all usage of AMSA-owned National Plan equipment, including details of any damage or discrepancies. When AMSA-owned National Plan dispersant stocks are used during an incident, the Combat Agency shall furnish the Manager MEP, with a full report outlining the quantities used.

The IC, or delegate, will ensure that all equipment is cleaned after use to the fullest extent the available facilities allow, and is returned to its owner by the quickest possible means, having regard to freight costs.

On its return to the resource centre the equipment shall be thoroughly serviced in accordance with equipment maintenance schedules prior to being stored. The Combat Agency shall ensure that all costs incurred in returning equipment to the resource centre, including cleaning and servicing is included in the overall schedule list of costs submitted for reimbursement by the polluter.

3.13. Termination of a Response

Under the terms of the IGA, an incident response will be terminated by the Statutory Agency once the Statutory Agency considers that the effective completion of the response is achieved based on expert Combat Agency advice.

Termination arrangements are outlined in the IGA and should be included in State/NT, regional and local contingency plans.