



Marine Protection Rules

Advisory Circular

PART 130C

REGIONAL OIL SPILL CONTINGENCY PLANS

1. General

Maritime Safety Authority advisory circulars are designed to give you assistance and explanations about the standards and requirements set out in the marine protection and maritime rules. However, the notes contained in advisory circulars should not be treated as a substitute for the rules themselves, which are the law.

When a number such as 130C.4 is referred to in this circular, this is a reference to a specific rule within Part 130C.

2. Purpose

This circular provides information to assist regional council staff to prepare regional marine oil spill contingency plans. It sets out the essential ingredients of a plan and provides a checklist against which plans can be tested for completeness.

It must be remembered that contingency plans are living documents, which will never be “100 percent right”. Every incident and exercise will inevitably lead to refinement and amendment.

3. Essential Ingredients

Regional on-scene commanders should ensure that draft regional plans include the following elements, except where it can be demonstrated that to do so is inappropriate within the context of their region –

- Set out, in introductory sections, policy, objectives, authority and jurisdiction, and any definitions and acronyms.
- State health and safety policy and set out a plan for response team and public.
- State clearly that investigations for the purpose of collecting evidence to assist the prosecution an offender have equal priority with response and clean-up.
- Identify potential sources and sizes of possible spills.
- Identify potential threats to natural resources and amenities.
- Identify response options for dealing with spills.
- Detail the response organisation, duties, responsibilities, and accountabilities.
- Detail response equipment and its availability.
- Set out response activities.
- Provide information to assist response activities including oily waste/residue disposal.
- Describe the linkages between site, shipboard, regional and national plans and responsibilities.
- Describe documentation, cost recording and financial systems.
- Detail training, exercises, and plan review.
- Are consistent with legislative requirements, including consultation.

- Are simple and clear.
- Have every page uniquely numbered and dated for the purposes of confirming currency.

Some of these factors can be further broken down, as follows –

- Threats to the environment -
 - ◇ Areas of concern for ecological, cultural, amenity reasons.
 - ◇ Nature and magnitude of the threat.
 - ◇ Assessment of movement possibilities for spilled oil.
 - ◇ Priorities for protection and clean-up.
- Response organisation
 - ◇ Response team structure, roles and responsibilities.
 - ◇ Communications internally and externally (including media).
 - ◇ Logistics support, training and equipment and its mobilisation, and financial systems.
 - ◇ Limits of accountability, responsibility and approvals (including financial).
 - ◇ Location, layout and details of the main and alternate control centres.
- Response activities
 - ◇ How spill notices/reports are received and processed.
 - ◇ How spills are evaluated.
 - ◇ Who can activate the plan.
 - ◇ Notification procedures (internally and to external parties).
 - ◇ Clean-up option guidelines within the overall need for flexibility.

- ◇ Response options for priority areas.
- ◇ Wildlife rescue.
- ◇ Waste disposal.
- ◇ Sampling and testing etc. (particularly for prosecution purposes).
- ◇ Incident close-out, debriefing, plan review etc., including reporting to MSA for cost recovery.

Use diagrams and flowcharts as much as possible.

- Simple and clear
 - ◇ Ring binder format.
 - ◇ Clear identification of the response procedure.
 - ◇ Clear identification of appendices.

4. Testing and Maintenance of Plans

To develop an effective working relationship between tier 1 and 2 plans, regional councils must maintain an exercise programme for the plan and its components, as approved by the Director of Maritime Safety for each year of the plan's three year life.

5. Maritime Transport Act 1994 Provisions for Regional Marine Oil Spill Contingency Plans

Regional councils are reminded that the process for the development and approval of regional marine oil spill contingency plans is set out in some detail in sections 288 to 295 of the Maritime Transport Act 1994. The requirements of Part 130C must be read in conjunction with these sections of the Act.