

# **NOWPAP REGIONAL OIL AND HNS SPILL CONTINGENCY PLAN**

The NOWPAP Regional Oil and HNS Spill Contingency Plan  
for the Northwest Pacific Region

adopted by:

- *People's Republic of China*
- *Japan*
- *Republic of Korea*
- *Russian Federation*

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## ***1. INTRODUCTION***

### ***1.1 Background***

1.1.1 The United Nations Environment Programmes (UNEP's) Regional Seas Programme was initiated in 1974 as a global Programme implemented through regional components. It has been repeatedly endorsed by the UNEP Governing Council as a regional approach to the management of marine and coastal resources and control of marine pollution. The Regional Seas Programme at present comprises 14 regions and there are over 140 coastal States and Territories participating in the programme. It is an action-oriented programme having concern not only for the consequences but also for the causes of environmental problems through the integrated management of coastal and marine areas.

1.1.2 In 1989, on the initiative of the Members bordering the semi-enclosed areas of the Northwest Pacific, UNEP approved the preparation of new action plans for seas not covered by the Regional Seas Programme, including among others the North-West Pacific. Following a series of meetings of experts and national focal points in the region the "Action Plan for the Protection, Management and Development of the Marine and Coastal Environment of the Northwest Pacific Region (NOWPAP)" and three Resolutions were adopted at the First Intergovernmental Meeting (Seoul, 14 September 1994), which was attended by the People's Republic of China, Japan, the Republic of Korea and the Russian Federation.

1.1.3 One of the resolutions adopted at the First Intergovernmental Meeting identified five areas of priority for implementation of the Action Plan, one of which was NOWPAP/4: "Development of Effective Measures for Regional Co-operation in Marine Pollution Preparedness and Response". It was recognised that, at the international level, the International Convention on Oil Pollution Preparedness, Response and Co-operation (OPRC 1990) had been adopted in November 1990 within the framework of the International Maritime Organisation (IMO) and subsequently entered into force in 1995. In the Northwest Pacific region OPRC 1990 has subsequently been ratified and accepted by the Peoples' Republic of China, Japan, and the Republic of Korea.

1.1.4 It was also recognised that, at the international level, the Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances (OPRC-HNS Protocol) had been adopted in March 2000 within the framework of the International Maritime Organisation (IMO). The fifteenth state ratified the OPRC-HNS Protocol on 14 June 2006. The Protocol therefore entered into force on 14 June 2007.

1.1.5 UNEP and IMO had initiated activities to address the needs for the NOWPAP Members for regional co-operation in marine pollution preparedness and response. These activities include the UNEP/IMO expert mission to the region in April 1994; and the UNEP/IMO Government-designated OPRC Experts Meeting on Sub-regional Co-operation to Enhance National Capabilities in Marine Pollution Emergency Preparedness and Response (Bangkok, November 1995). In this Experts Meeting, it was recommended that a Forum be created under the NOWPAP framework for the purpose of exchanging information on marine pollution preparedness and response. Following these activities, the Informal Meeting of Experts on Marine Pollution Prevention in the Northwest Pacific (Niigata, Japan, July 1996) defined the goals and objectives of the Forum as follows:

- (i) Exchange of information on marine pollution preparedness and response;
- (ii) Development of a regional contingency plan including a regional environmental sensitivity map; and
- (iii) Development of a Memorandum of Understanding (MOU) among the NOWPAP Members which defines general items relating to marine pollution preparedness and response, including immigration formalities and custom clearance.

1.1.6 Based on the priorities set by the First NOWPAP Intergovernmental Meeting, a detailed programme document was prepared, and approved by the Second Intergovernmental Meeting on NOWPAP in Tokyo in November 1996. Under the NOWPAP/4 component, four meetings were proposed to be held to fulfill the goals and objectives of the Forum. It was also agreed that the NOWPAP Members would host Forum meetings at least twice a year on a rotational basis.

1.1.7 At the first meeting of the NOWPAP/4 Forum it was noted that IMO supported Regional Co-operation in Marine Pollution Preparedness and Response and would assist in the

preparation of the regional oil spill contingency plan. The Plan was developed at the Fifth NOWPAP MERRAC Focal Points Meeting (MERRAC, 20-24 May 2002), based on the text of the draft of the Plan agreed at the Expert Advisory Group Meeting on NOWPAP Regional Oil Spill Contingency Plan and Memorandum of Understanding (Tokyo, Japan, 5-9 November 2001). It was finally adopted in the Eighth Intergovernmental Meeting of NOWPAP (Sanya, People's Republic of China, 5-7 November 2003).

1.1.8 At the Tenth Intergovernmental Meeting of NOWPAP (Toyama, Japan, 24-26 November 2005) the expansion of the MERRAC's activities was approved. MERRAC was assigned to deal with the HNS spill preparedness and response as one of new activities. The 9<sup>th</sup> MERRAC Focal Points Meeting (MERRAC, 5-7 June 2006) decided to organize a 2006 MERRAC Expert Meeting in order to develop the NOWPAP Regional Contingency Plan considering Oil Spill as well as HNS Spill Preparedness and Response.

1.1.9 At the Tenth NOWPAP MERRAC Focal Points Meeting (MERRAC, 15-18 May 2007), the draft texts of NOWPAP Regional Oil and HNS Spill Contingency Plan was reviewed in detail which had been developed by the 2006 NOWPAP MERRAC Expert Meeting on the development of the NOWPAP Regional Oil and HNS Spill Contingency Plan (Yuzhno-Sakhalinsk, Russian Federation, 7-9 November 2006). It was finally developed at the Eleventh NOWPAP MERRAC Focal Points Meeting (MERRAC, 10-13 June 2008) and adopted in the Thirteenth Intergovernmental Meeting of NOWPAP (Jeju, Republic of Korea, 20-21 October 2008).

## ***1.2 Purpose and objectives***

1.2.1 The purpose of the Plan is to provide a framework under which NOWPAP Members may co-operate at the operational level in responding to oil and HNS spill incidents.

1.2.2 The overall objective of the Plan is to provide an operational mechanism for mutual assistance through which NOWPAP Members will co-operate in order to co-ordinate and integrate their response to marine oil and HNS spill incidents which affect or seem likely to affect the Action Area of one or more of the NOWPAP Members and which exceeds the response capability of a NOWPAP Member and the resources available to it.

1.2.3 The specific objectives of the Plan are as follows:

- a) to determine the means of co-operation for the implementation of the Plan between the NOWPAP Members;
- b) to specify the type of assistance which might be provided and the conditions under which it will be provided;
- c) to identify the operational responsibilities and to provide for the transfer of responsibility from one Member to another;
- d) to establish the principles of coordination and liaison, and to define the corresponding structures; and
- e) to specify the considerations necessary for co-operative action to deal with an incident.

1.2.4 In order to achieve these objectives, the following actions are intended to be taken through the implementation of the Plan:

- a) developing appropriate preparedness measures and effective systems for detecting and reporting pollution incidents affecting or likely to affect the Action Area of the NOWPAP Members;
- b) promoting and implementing regional co-operation in oil and HNS pollution contingency planning, prevention, response, control and clean-up operations;
- c) establishing a declared response capability in each Member to minimise the hazard posed by oil and HNS spills;
- d) developing and implementing a programme of training courses and practical exercises available for personnel of the NOWPAP Members involved in oil and HNS pollution prevention and combating; and
- e) developing procedures to increase regional co-operation.



### ***1.3 Scope and geographical coverage***

1.3.1 This Plan is intended to provide for co-operation between the NOWPAP Members which have signed the MOU.

1.3.2 It applies, without prejudice to the sovereign right of any Member, to the waters lying between 33° N and approximately 55° N latitude and about 121°E and 145° E longitude.

1.3.3 The Plan applies when one or more of the NOWPAP Members is affected or likely to be affected and when the magnitude of the oil and HNS spill is such that the incident requires assistance from one or more NOWPAP Members.

#### ***Tiered response***

1.3.4 The Plan is intended to provide a procedure to enhance the ability of the NOWPAP Members to respond to Tier 3 oil spills and substantial HNS spills which may be beyond their individual capabilities. Under OPRC 1990 and OPRC-HNS Protocol all NOWPAP Members should require ports, oil and HNS handling facilities and offshore oil operations to have the capability to respond to small spills of oil (Tier 1 spills) or HNS at ports etc. which can be dealt with by local resources. NOWPAP Members should also ensure that there are facilities for dealing with larger spills which, although localised, may require resources to be brought in from national stockpiles or from other sources within the Members (Tier 2 oil spills and more substantial HNS spills that are beyond local level capabilities). The NOWPAP Members' ability to respond to oil and HNS spills could be set out in the information system of MERRAC.

### ***1.4 Risks of oil and HNS spills in the NOWPAP region***

1.4.1 Major oil and HNS spills which are likely to require this Plan to be brought into operation arise from accidents to ships, to offshore oil production and exploration operations and to oil handling facilities. The shipping accidents which are most likely to cause big spills

are collisions and groundings. These risks are likely to be the greatest where traffic is dense and there are navigational dangers, particularly approaching major oil and HNS ports. Information on the main shipping routes in the region and the amount of tanker and non-tanker traffic using them, areas of offshore oil or HNS operations, major oil and HNS ports and the areas of greatest navigational danger will be maintained by MERRAC and be provided to the NOWPAP Members on a regular basis.

### ***1.5 Sensitivity to oil and HNS spills***

1.5.1 In order to decide on the most effective response to oil and HNS spill, and the priorities for the response effort, it is essential for those dealing with the spill to have reliable and up-to-date information on the sensitivity of the coastline to oil and HNS. This detailed information will be maintained by MERRAC and be provided to the NOWPAP Members on a regular basis.

1.5.2 The following highlights the main sensitivities to oil and HNS spill: residential district, mariculture, fish farms, fisheries, wildlife, birds, amenities, tourism, industry, salt marshes, reed beds etc.

### ***1.6 Definitions, acronyms and abbreviations***

1.6.1 For the purpose of this Plan:

**Action Area** of a NOWPAP Member means the coasts, internal waters, territorial seas, and EEZ of that NOWPAP Member. Each Member prepares and responds to oil and HNS pollution incidents in its Action Area. The definition of Action Area does not imply agreement for any other purpose.

**Assistance Decision Authority** means the designated authority which is entitled to act on behalf of the Member to request assistance or to decide to render the assistance requested.

**Competent National Authority(ies)** means the designated competent authority or authorities having responsibility for oil and HNS spill preparedness and response.

**Joint Emergency Response Centre (JERC)** means an office, manned 24 hours a day and equipped with appropriate communications equipment, which has been set up for the purpose of the Plan by the Lead Member when the Plan is activated, which will serve as the operations room for the LOSC.

**Joint Response Operations (JROs)** means counter pollution operations involving two or more of the NOWPAP Members, including Strike Teams, equipment and other resources (aircraft, vessels) rendered as assistance by other NOWPAP Members as well as national resources of the Lead Member.

**Lead On-Scene Coordinator (LOSC)** means the designated officer of the Lead Member, having the overall Operational Coordination of all Joint Response Operations undertaken within the framework of the Plan.

**Lead Member** means the NOWPAP Member in whose Action Area a maritime casualty has occurred and which has activated the Plan and asked for assistance within the framework of the Plan, or the NOWPAP Member to whom the lead role has been transferred. The Lead Member designates the Lead On-Scene Coordinator (LOSC) who exercises the Operational Coordination of the Joint Response Operations.

**Liaison Officer** means an officer from the NOWPAP Member participating in the Joint Response Operations, who will participate in coordination activity of the LOSC, with a view to providing necessary information on national resources rendered as assistance to the Lead Member and facilitating communications with his/her respective NOSC.

**Maritime Casualty** means a collision of ships, stranding or incident of navigation, or other occurrence on board a ship or external to it resulting in material damage or imminent threat of material damage to a ship or cargo.

**National On-Scene Coordinator (NOSC)** means the designated officer of that Member, having Operational Control of all national pollution response resources which might, if so requested, participate in Joint Response Operations.

**National Operational Contact Point(s)** means the designated operational contact point(s) having responsibility for the receipt and transmission of oil and HNS pollution reports.

**NOWPAP POLREP** means the form of POLREP agreed by NOWPAP Members (Annex 4).

**NOWPAP Area** means the area defined under “Geographical Coverage” above.

**NOWPAP Members** refers to the People’s Republic of China, Japan, the Republic of Korea and the Russian Federation.

**Oil** means petroleum in any form including crude oil, fuel oil, sludge, oil refuse and refined products.

**Hazardous and Noxious Substance (HNS)** means any substance other than oil which, if introduced into the marine environment is likely to create hazards to human health, to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the sea. The list of examples of HNS to be covered under the Plan is set out at Annex 9 to the Plan.

**Operational Control** means direct control over personnel, means and units taking part in the response operations, including giving directions and supplying information necessary for the execution of response operations. It is exercised by National On-Scene Coordinators (NOSC) for the assisting Members and LOSC for the requesting Member.

**Operational Coordination** means overall co-ordination of JROs. It is exercised by the Lead On-Scene Coordinator (LOSC).

**Operations at sea** means any measures, including intervention at the source of pollution, spill surveillance, containment of the pollutant, recovery of the pollutant, application of treatment agents from vessels and aircraft, or any other action taken at open sea (off shore) in order to respond to a pollution incident, restrict the spreading and facilitate the removal of the pollutant and mitigate the consequences of the incident.

**Operations on the shoreline (shoreline clean-up operations)** means any action taken on shoreline or at sea immediately adjacent to it, in order to recover, remove or destroy the pollutant and reduce its damage or effects.

**Pollution incident** means an occurrence such as an accident to a ship or an offshore oil or HNS installation, or series of occurrences having the same origin, which results or may result in a discharge of oil or HNS and which poses or may pose a threat to the marine environment, or to the coastline or related interests.

**POLREP** means a Pollution Report which is used to communicate information about a pollution incident.

**Public Relations Officer** means an officer in charge of informing the public on the course of events and advising the LOSC on public reaction.

**Regional Activity Centre** means the Marine Environmental Emergency Preparedness and Response Regional Activity Centre (MERRAC) established within the framework of the Action Plan for the Protection, Management and Development of the Marine and Coastal Environment of the Northwest Pacific Region (NOWPAP).

**Strike Team** means a group of personnel taking part as an independent unit in response operations. It may include personnel on board vessels, aircraft or other self-contained units or personnel assisting in shoreline clean-up operations.

**Tactical Command** means directing and supervising the execution of specific tasks by teams or units on the scene of operations. It is exercised by the leaders of such teams or commanders of units.

**The Plan** means the NOWPAP Regional Oil and HNS Spill Contingency Plan.

The following are the main Abbreviations used in this document:

IMO	International Maritime Organisation
IOPC FUND	International Oil Pollution Compensation Fund
JERC	Joint Emergency Response Centre
JROs	Joint Response Operations
LOSC	Lead On-Scene Coordinator
MERRAC	Marine Environmental Emergency Preparedness and Response Regional Activity Centre
NCP	National Contingency Plan
NOSC	National On-Scene Coordinator
NOWPAP	Northwest Pacific Action Plan
OPRC	International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990
OPRC-HNS Protocol	Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances, 2000
POLREP	Pollution Report
UNEP	United Nations Environment Programme
EEZ	Exclusive Economic Zone
HNS	Hazardous and Noxious Substances

## ***2 POLICY AND RESPONSIBILITY***

### ***2.1 Basis for the Plan***

2.1.1 The essence of the oil and HNS spill response planning framework for the Northwest Pacific Region is that each NOWPAP Member should have its own National Contingency Plan (NCP) and resources to respond to marine oil and HNS spills in its waters, while this Regional Plan will provide for the NOWPAP Member or Members whose waters are threatened by a particular spill to call for assistance from the other NOWPAP Members if its own resources are inadequate or inappropriate and to organize for a joint response operation.

2.1.2 Response to a pollution incident within the Action Area of a NOWPAP Member should be conducted in accordance with the provisions of the NCP of that Member, under the overall Operational Coordination of the Lead Member exercised through the Lead On-Scene Coordinator (LOSC). Operations within the Action Area of a NOWPAP Member should be in accordance with the laws and regulations of that Member: all references to compliance with the NCP of a NOWPAP Member should be taken to imply compliance with that Member's laws and regulations.

### ***2.2 Designation of National Authorities and points of contact***

2.2.1 Each NOWPAP Member should designate the following:

- a) Competent National Authority or Authorities, with responsibility for oil and HNS pollution preparedness and response;
- b) National Operational Contact Point or Points, which shall be responsible for the receipt and transmission of oil and HNS pollution reports; and
- c) Assistance Decision Authority entitled to act on behalf of the Member to request assistance or to decide to render the assistance requested.

### ***2.3 Exchange of information***

2.3.1 The NOWPAP Member should exchange information which is relevant to the purpose of this Plan, with each other, directly or through MERRAC.

2.3.2 The NOWPAP Members should inform each other, directly or through MERRAC, about information which might be relevant in conducting JROs:

- a) the designated Competent National Authorities, National Operational Contact Points and Assistance Decision Authority listed above (ANNEX 1);
- b) likely sources of oil and HNS spills and vulnerable resources;
- c) inventories of pollution response equipment and products, as well as other means (such as, for example, vessels and aircraft) available in each Member for use in JROs;
- d) directories of experts, trained personnel and Strike Teams designated by each NOWPAP Member to take part in JROs;
- e) rules concerning the use of dispersants;
- f) logistic support available within the Member;
- g) NCPs of the NOWPAP Members (ANNEX 3); and
- h) maps showing the main environmentally sensitive areas in the region.

2.3.3 This information will be maintained by MERRAC and will be provided to the Members on a regular basis. The NOWPAP Members should inform the Regional Activity Centre (MERRAC; see 2.7) as soon as possible about any changes to this information.



## ***2.4 Meetings of Competent National Authorities responsible for the implementation of the Plan***

2.4.1 The Competent National Authorities of the NOWPAP Members should meet regularly, and as a minimum once a year, in order to discuss questions related to the implementation of the Plan, response to actual incidents, organisation of training courses and exercises and other relevant matters. These meetings may be held in conjunction with the MERRAC Focal Points Meetings.

2.4.2 Secretarial services ('Secretariat') will be provided by the Regional Activity Centre (MERRAC).

## ***2.5 Revisions to the Plan***

2.5.1. Changes to the Plan should be made by unanimous decision of all NOWPAP Members by the NOWPAP MERRAC Focal Points Meeting.

2.5.2. Changes to the Plan concerning important issues upon which unanimous decision can not be reached should be forwarded to the Intergovernmental Meeting.

2.5.3 Changes of detailed national information in the Annexes should be notified to MERRAC, who will be responsible for keeping the Plan up-to-date.

2.5.4 MERRAC will notify the MERRAC Focal Points of the changes to the Plan.

## ***2.6 Joint training and exercises***

2.6.1 The NOWPAP Members should conduct joint training courses and joint exercises as appropriate. Joint training and exercises need not involve all NOWPAP Members, depending on the sea area chosen.

2.6.2 The NOWPAP Members should host such training courses and exercises, as appropriate. The host Member should organize the training course or exercise and provide necessary logistic support; however, the expenses of the participants and any equipment deployed in joint trainings and exercises should be borne by their respective NOWPAP Members, unless otherwise agreed. Joint training and exercise programmes for the purpose of testing this Plan may be discussed at the regular meetings of the Competent National Authorities.

### ***2.7 Regional Activity Centre***

2.7.1 MERRAC, NOWPAP Regional Activity Centre, is responsible for the administration and co-ordination of the Plan in cooperation with NOWPAP Members. Its terms of reference are at Annex 8.

2.7.2 MERRAC will not have an operational role in a response to oil and HNS spill, but it will be a potential source of information to the Lead Member during an incident.

2.7.3 As being responsible for the administration of the Plan, MERRAC will keep the Plan up-to-date by receiving and distributing changes submitted by NOWPAP Members (see 2.5).

### ***3 RESPONSE ELEMENTS AND PLANNING***

#### ***3.1 Lead role***

3.1.1 The lead role in the implementation of the Plan will normally be assumed by the NOWPAP Member whose Action Area has been affected or is likely to be affected by pollution incident.

3.1.2 It is for the Member taking the lead role (Lead Member) to decide whether to activate the Plan and to ask for assistance within the framework of the Plan.

3.1.3 The Lead Member should designate the Lead On-Scene Co-ordinator (LOSC), who exercises the Operational Coordination over the joint operation.

3.1.4 When a pollution incident which has occurred in the Action Area of one of the NOWPAP Members poses its greatest threat to the interests of another NOWPAP Member, the NOWPAP Members may agree, after consultation between their Competent National Authorities, that the threatened NOWPAP Member will assume the lead role.

3.1.5 The Lead Member should not operate in the Action Area of another NOWPAP Member without the express agreement of that Member, nor should it authorize any response which is contrary to that Member's NCP without its agreement.

3.1.6 The lead role should be transferred from one NOWPAP Member to another only by agreement between the Members concerned. This might be when the major part of the pollutant has moved from the Action Area of the NOWPAP Member initially affected and who has activated the Plan, to the Action Area of another Member, or when the main response activities have moved to another Member. Following the transfer, the requests for assistance made by the former Lead Member will be confirmed, amended or cancelled by the new Lead Member.

3.1.7 If more than one NOWPAP Member are affected by the pollution, co-ordination of the response actions between the Members should be made by consultation between their Competent National Authorities.

3.1.8 The Lead Member should be responsible for:

- a) initiating the response to the spill;
- b) activating the Plan and informing the other NOWPAP Members through their National Operational Contact Points of that, and of the identity of the LOSC;
- c) surveillance of the pollution and reporting its result to other NOWPAP Members.
- d) assessment of the situation and informing the other NOWPAP Members of the assessment;
- e) spill movement forecasting and informing the other NOWPAP Members of the forecast; and
- f) exercising Operational Coordination during JROs

### ***3.2 National On-Scene Coordinator (NOSC); Lead On-Scene Coordinator (LOSC)***

3.2.1 At the activation of the Plan and commencement of the Joint Response Operations, the Lead Member should appoint the Lead On-Scene Coordinator (LOSC). The LOSC should exercise Operational Coordination of JROs in order to combat the pollution and to mitigate its consequences.

3.2.2 When the Plan is activated, assisting NOWPAP Members should each nominate a National On-Scene Coordinator (NOSC) who will exercise Operational Control over the response activities of that Member, including control of personnel (strike teams), equipment and self-contained units (vessels, aircraft).

3.2.3 The NOSCs of the assisting Members should operate under the overall Operational Coordination of the LOSC, but should nevertheless retain Operational Control (see 3.5.2) over personnel, equipment and self-contained units of their respective Members, including giving directions for the execution of response operations by them.

3.2.4 In order to relieve the LOSC of a part of his/her duties concerning Operational Control of national resources, the Lead Member may, at the time of the activation of the Plan, designate another officer who will have direct Operational Control of the national resources taking part in the JROs and who will act as the NOSC of the Lead Member.

3.2.5 In exercising his/her functions, the LOSC should be assisted by a support team (see 3.4).

### ***3.3 Joint Emergency Response Centre***

3.3.1 In case of the activation of the Plan, the Lead Member will set up the Joint Emergency Response Centre (JERC). The JERC should serve as the base of the LOSC and as the main communications centre for all communications related to the implementation of the Plan. The Centre, manned 24 hours a day, should be equipped with appropriate communications systems and have the necessary facilities to be used for the Operational Coordination of JROs.

3.3.2 When the Plan is activated, Members called upon to assist the Lead Member should designate an appropriate competent operational contact point which can be contacted 24 hrs a day.

### ***3.4 Support teams***

3.4.1 It is recommended that each NOWPAP Member should arrange to set up a support team, composed of the representatives of various relevant organizations.

3.4.2 For the purpose of this Plan the role of the support teams should be advisory as well as to provide operational support. If the Plan is activated the LOSC may seek the advice of the support team of the Lead Member. Support from the support teams of assisting Members, or members of them, should be made available to the LOSC on request.

3.4.3 Their functions include:

- a) providing advice to LOSC concerning, in particular, methods and techniques for combating oil and HNS pollution, safety of navigation and salvage, marine biology and

fisheries, (radio) communications, public information and compensation for oil and HNS pollution damage;

b) supporting and co-ordinating the activities of public organizations, services and industry which might take part in JROs, concerning in particular the provision of personnel, equipment and other resources, logistic support, immigration and customs formalities;

c) monitoring incoming reports and assessing the situation; and

d) co-ordinating all reporting on the status of the pollution incident to their respective LOSC/NOSC.

3.4.4 After the termination of response operations, the support team should, together with their respective NOSC:

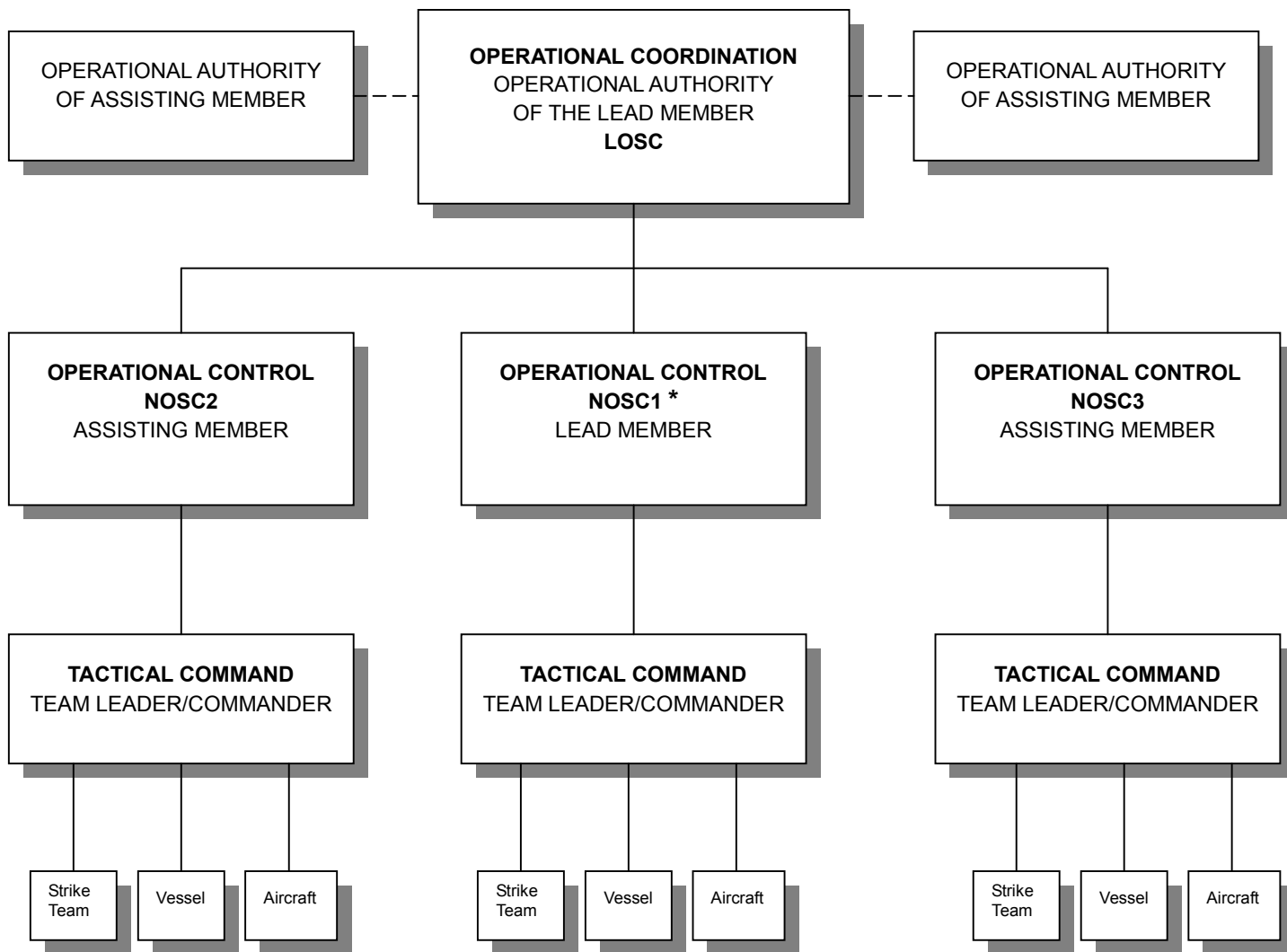
a) review post-incident reports from the NOSC/LOSC on the handling of the pollution incident for the purpose of analysing and introducing recommendations and improvements needed in the Plan and in their respective NCPs; and

b) forward to their respective Member relevant reports and recommendations, including NOSC/LOSC post-incident reports, support team debriefing reports and recommendations concerning amendments to the Plan or its Annexes.

### ***3.5 Coordination structure***

3.5.1 The Coordination Structure for JROs is shown in Diagram 1.

Diagram 1: COORDINATION STRUCTURE



\* refer to: paragraph 3.2.4

3.5.2 The Plan distinguishes between:

- a) **Operational Coordination**, which is overall co-ordination and control of JROs. It consists of exercising coordination of the response strategy, according to the relevant NCP, and defining the tasks of various units. Following the activation of the Plan, Operational Coordination of JROs is exercised by the LOSC;
- b) **Operational Control**, which is control over units taking part in the response operations, including giving directions to specific units for the execution of response operations, in accordance with the strategy and the tasks defined by the LOSC. Operational Control over national resources of the assisting Members is exercised by the NOSC of the respective assisting Members. Operational Control over the resources of the Lead Member may be exercised by the LOSC or by the Lead Member's NOSC. (see 3.2.3)
- c) **Tactical Command** which consists of directing and supervising the execution of specific tasks by units on the scene. Tactical Command is exercised by the Commander of each unit.

3.5.3 Liaison between the Lead Member and the assisting Member should be maintained, according to the circumstances and to the type and importance of the assistance rendered, in one of the following ways:

- a) by direct contacts between the LOSC and NOSC of the assisting Members (e.g. by telex, telefax, e-mail, telephone or radio);
- b) by a Liaison Officer from the assisting Member, who will participate in coordination activities of the LOSC. His/her duties should be to provide necessary information on resources rendered as assistance and to facilitate communication with his/her NOSC, Strike Teams and self-contained units taking part in the operations;
- c) by a senior officer of the assisting Member at the spill site, participating in JROs.



### ***3.6 Communications arrangements***

3.6.1 Communications for the implementation of the Plan should be established by the NOWPAP Members in accordance with 5.1 below and Annex 2.

3.6.2 English language, originally, or as translation attached to the original language, should be used in all important communications related to the implementation of the Plan, including all those in writing (see 3.6.3).

3.6.3 Important spoken communications should be confirmed by written documents, e.g. fax telex or e-mail. This is to include the activation of the Plan, requests for assistance, offers of assistance, estimated costs of assistance, acceptance of requests, instructions by the command for the movement and deployment of assisting units, tasks assigned to units and termination of operations. The lines of communication to be used are shown in Diagram 2.

### ***3.7 Response planning***

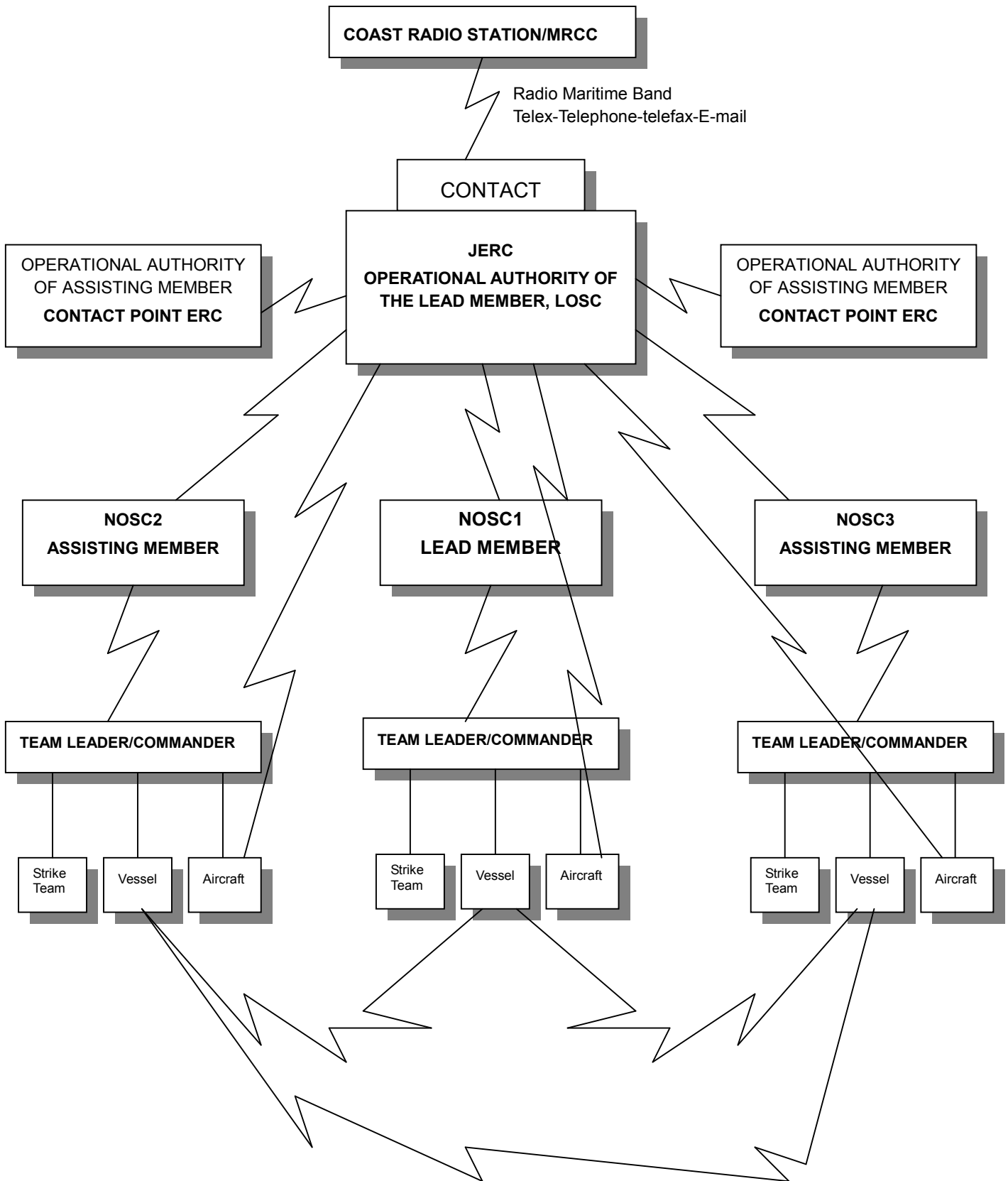
3.7.1 Response to a pollution incident within the Action Area of a NOWPAP Member should be conducted in accordance with the provisions of the National Contingency Plan of that NOWPAP Member.

### ***3.8 Response strategy***

3.8.1 Deciding upon the response strategy in a particular pollution incident and the planning of specific operations is the responsibility of the Lead Member in accordance with its NCP. In taking such decisions the Lead Member should refer to the following outline:

- a) assessment of the severity of the incident;
- b) activation of the NCP and notification of other NOWPAP Members;
- c) selection of appropriate response methods; and

Diagram 2: LINES OF COMMUNICATION



- d) evaluation of available and required response resources;
- e) activation of the Plan and request for assistance;
- f) implementation of selected response methods, making use of national resources and resources from assisting Members;
- g) re-assessment of the situation and making necessary modifications in response actions;
- h) termination of response operations;
- i) de-activation of the Plan; and
- j) returning to the Member of origin personnel, equipment and other means rendered as assistance by the other NOWPAP Members.

## **4 RESPONSE OPERATIONS**

### **4.1 Response phases**

4.1.1 For the purpose of the Plan, co-operation in pollution response operations has been divided into four distinct phases:

- Phase I - Notification
- Phase II - Evaluation and activation of the Plan
- Phase III - Joint Response Operations at sea
- Phase IV - Joint Response Operations on shoreline

4.1.2 Phases may take place concurrently.

#### ***Phase I - Notification***

4.1.3 Notification and verification of information concerning pollution incidents should be done in accordance with the provisions of the NCP of each Member.

4.1.4 Regardless of the need for the activation of the Plan, a NOWPAP Member becoming aware of a major<sup>1</sup> pollution incident should, after verifying it, immediately inform the other NOWPAP Members through their National Operational Contact Points. When there has been an incident which may cause pollution but has not yet done so neighbouring NOWPAP Members should be informed if the pollution would threaten their Action Areas if it occurred.

4.1.5 Initial notification and subsequent reports should be in the form of a NOWPAP POLREP (Annex 4). The initial report should give as much information as possible to alert the NOWPAP Members, but it should not be delayed while detailed information is sought. Detailed information can be added in subsequent reports.

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<sup>1</sup> “major” means a spill which requires counter-pollution resources to be mobilised.

4.1.6 The first NOWPAP Member to become aware of a pollution incident is likely to be the Member in whose Action Area it has occurred, but that is not necessarily so: a Member becoming aware of an incident out its Action Area should inform the Member in whose area the incident has occurred as well as other NOWPAP Members likely to be affected. The Member in whose Action Area the incident has occurred should confirm that it is taking the lead unless otherwise agreed.

4.1.7 It is the responsibility of the National Operational Contact Points to make further notifications within the Member according to the NCP.

***Phase II - Evaluation and activation of the Plan***

4.1.8 The NOWPAP Member affected or likely to be affected by the spill should assess the pollution, determine the type and level of response required and decide whether or not to activate its NCP and the Plan.

4.1.9 The Lead Member should not activate the Plan without first activating its NCP or commencing response operations.

4.1.10 As soon as the Plan has been activated the Lead Member should:

- a) appoint LOSC and inform the other NOWPAP Members, through their designated National Operational Contact Points, that the Plan has been activated, and who has been appointed as LOSC;
- b) designate the JERC;
- c) through the LOSC formulate the strategy to deal with the incident and evaluate the need for assistance from other NOWPAP Members;
- d) request, on the basis of LOSC requirements and advice, assistance from other NOWPAP Members through their Assistance Decision Authorities; and
- e) the LOSC should initiate the response as appropriate.

#### ***4.2 Spill surveillance and forecasting***

4.2.1 Surveillance of spill movement and behaviour should be made by the most effective available means.

4.2.2 The surveillance of the spill and its movement and transmission of relevant reports to the other NOWPAP Members, prior to the activation of the Plan, is the responsibility of the Lead Member. Following the activation of the Plan the LOSC should take the necessary measures to ensure regular surveillance of the spill and its movement and behaviour, in order to make the best possible assessment of the situation and decide as soon as possible on appropriate response measures. For that purpose the LOSC may request assistance from other NOWPAP Members.

4.2.3 NOWPAP Members should allow, when necessary, the surveillance of spills in their Action Area by aircraft or vessels of the other NOWPAP Members within the framework of the Plan and following the specific request of the Lead Member. Such operations should be in accordance with the national laws of the Members - see 6.4 Overflight and navigation procedures.

4.2.4 Reporting procedures on the result of surveillance, which should be followed for the purpose of the Plan by the crews of surveillance aircraft, are set out in the Guideline for reporting oil spills – aerial surveillance (Annex 5).

#### ***Forecasting oil and HNS movement and behaviour***

4.2.5 The Lead Member should, without delay, gather information about wind, tides and currents, and use these to make a forecast of the movement of the spilt oil and released HNS. The process should be progressively refined as data becomes available from surveillance operations, while data on the type of oil and HNS can be used to predict how it will behave (in case of oil: effect of weathering: evaporation, dispersion, emulsification, increase in viscosity; in case of HNS: evaporate, float, dissolve, sink). These predictions should preferably be done using a suitable computer program, but that is not essential, and should be complemented by regular on-site monitoring of the spill, including the air monitoring for

HNS. The predictions should be included in operational NOWPAP POLREPs.

#### ***4.3 Requests for assistance within the framework of the Plan***

4.3.1 Following the activation of the Plan, the NOWPAP Member which has activated the Plan may request assistance from the other NOWPAP Members to prevent or minimise pollution. This should be done through Assistance Decision Authorities.

4.3.2 Assistance might be requested, for example, in the form of:

- a) pollution response units such as vessels and aircraft;
- b) trained response personnel and, in particular, Strike Teams;
- c) specialised pollution combating equipment;
- d) pollution treatment products; and
- e) consultation services, and technical expertise.

4.3.3 A request for assistance should be formulated in a clear and precise manner, referring clearly to the Plan and preferably using the standard form in the NOWPAP POLREP (Annex 4) as a reference. It should contain a detailed description of what assistance is required and where, and the purpose for which personnel, equipment, products and other means will be used. It should request information on the cost of the assistance and the means by which personnel and equipment would be transported to the scene.

4.3.4 A NOWPAP Member receiving a request for assistance should immediately acknowledge receipt.

4.3.5 A NOWPAP Member receiving a request should agree to offer the assistance sought in accordance with their national laws subject to their capabilities and the availability of relevant resources, and should reply saying whether they can offer the assistance or not through the Assistance Decision Authority as quickly as possible.

4.3.6 An assisting Member may withdraw some or all of the assisting resources if it considers it necessary to do so. In that case it should give the requesting Member as much notice as possible. The requesting Member should release the withdrawn resources as quickly as possible.

4.3.7 A requesting Member may request withdrawal of some or all of the assisting resources if it considers it necessary to do so. In that case, it should give the assisting Member as much notice as possible.

#### ***4.4 Joint Response Operations***

##### ***General***

4.4.1 Once it is confirmed that other NOWPAP Members will provide assistance the LOSC will tell the respective NOSC where their units are to go, and what the lines of command will be. The LOSC should also advise them of the logistics preparations which are being made for the assisting units.

##### ***Phase III - Joint Response Operations at sea***

4.4.2 Operations at sea means any measures, including intervention at the source of pollution, spill surveillance, containment of the pollutant, recovery of the pollutant, application of treatment agents from vessels and aircraft, or any other action taken on or over the open sea (offshore) in order to respond to a pollution incident, restrict the spreading and facilitate the removal of the pollutant.

4.4.3 Joint Response Operations (JROs) at sea should be conducted in accordance with the procedures described in the NCP of the NOWPAP Member whose Action Area is affected (usually the Lead Member) using primarily national resources, which should be supplemented, as necessary, by the other NOWPAP Members at the request of the Lead Member. Units of the assisting NOWPAP Members should work under the overall coordination of the LOSC and under direct Operational Control and Tactical Command of their respective NOSC and unit commanders or team leaders.



#### ***Phase IV - Joint Response Operations on the shoreline***

4.4.4 Operations on shoreline (shoreline clean-up operations) means any action taken on shoreline or at sea immediately adjacent to it, in order to recover, remove or destroy the pollutant and reduce the damage to be caused by the pollutant by protecting environmentally sensitive areas and other vulnerable resources.

4.4.5 This phase also includes treatment and final disposal of collected pollutant and contaminated beach material.

4.4.6 The principles outlined under Phase III (see 4.4.3) should also apply to Phase IV.

4.4.7 In order to increase the effectiveness of JROs on the shoreline, the JERC may be transferred, at the discretion of the Lead Member, to adequate alternative premises closer to the site of operations. In such cases, the Lead Member should inform the assisting Members.

#### ***4.5 Use of dispersants and other non-mechanical response methods***

##### ***Use of dispersants***

4.5.1 Each NOWPAP Member should define its policy regarding the use of dispersants in combating oil pollution and describe it in its NCP. For this purpose the NOWPAP Members should refer to the IMO publication "Guidelines on oil spill dispersant application, including environmental considerations (IMO, 1995)".

4.5.2 Each NOWPAP Member should inform other NOWPAP Members about its policy on the use of dispersants through MERRAC. The NOWPAP Members should identify dispersants usable in their own Action Area.

4.5.3 In the Action Area of each NOWPAP Member dispersants should always be used in accordance with the provisions of the NCP of the NOWPAP Member concerned. In the case of JROs, the NOWPAP Members should obtain prior authorisation for the use of dispersants

from the Member which is responsible for the area where they are to be used. If a NOWPAP Member has prohibited the use of dispersants in its Action Area, other Members participating in JROs should observe this decision.

#### ***Use of other non-mechanical response methods***

4.5.4 The same principles (see 4.5.2 and 4.5.3) should apply also to the use of other response methods, such as in-situ burning or bioremediation, in the Action Areas of the NOWPAP Members.

#### ***4.6 Request for assistance from outside the Region***

4.6.1 This Plan does not hinder requesting assistance from outside the Region or from the private sectors.

#### ***4.7 Termination of Joint Response Operations and deactivation of the Plan***

4.7.1 The Lead Member will, on the advice of the LOSC, authorize the LOSC to terminate the JROs when:

a) the Lead Member considers that pollution response measures have been finalised or completed to a point where the benefits of further counter pollution measures would not be justified by their cost, or that

b) the response capabilities and resources of the Lead Member are sufficient for successfully finalising them,

provided that:

c) the other NOWPAP Members involved agree that the pollutant does not further threaten their interests, and none of them wishes to continue the operation as the Lead Member.

4.7.2 After the decision has been taken to terminate the JROs, the LOSC should immediately inform the NOSCs of the other NOWPAP Members of the decision and the operational actions to deactivate the Plan. The Lead Member should also inform the Assistance Decision Authorities of the other Members.

4.7.3 Following the deactivation of the Plan, the requesting Member should release all personnel, equipment, vessels, aircraft, unused materials etc. which took part in the JROs for return to their respective Members of origin, unless otherwise agreed - for example the NOWPAP Members concerned may decide that unused treatment products should remain in the Member that requested the assistance in accordance with the national legislation of their Members.

4.7.4 All equipment used by other NOWPAP Members should preferably be returned to its owners clean and, if possible, in working order. In the case of HNS equipment, it will be fully decontaminated. It is the responsibility of the NOWPAP Member owning the equipment to check it and to compile an inventory of the equipment returned, and its condition. The check should if possible be carried out with, and be agreed between, the requesting and assisting NOWPAP Members before the equipment leaves the territory of the requesting Member. Any defects or shortfalls found subsequently should be notified immediately to the requesting Member for further financial settlement (see 6.2.7d).

4.7.5 The requesting Member should take all possible measures to facilitate the departure from its territory and Action Area or airspace of all units rendered as assistance. In particular the requesting Member should take possible measures to facilitate the prompt repatriation of the personnel of the assisting Members, although the preparations for their repatriation remain the responsibility of their respective assisting Members.

4.7.6 Each assisting Member should prepare a report of the part they played in the JROs. The requesting Member should prepare a consolidated report of the whole incident (see 5.3 below), including the effectiveness of the personnel, equipment, products and other means received as assistance. These reports should be circulated to the other NOWPAP Members.

## **5 REPORTS AND COMMUNICATIONS**

### **5.1 Communication system**

5.1.1 The system of communication between the NOWPAP Members is set out in Annex 2.

### **5.2 Initial warning system**

5.2.1 Any polluting incident presenting a potential threat to another NOWPAP Member should be reported without delay to that Member's appropriate National Operational Contact Points. The initial notification should be followed up as soon as possible with a NOWPAP POLREP.

### **5.3 Pollution Reports (POLREPS)**

5.3.1 For the exchange of information concerning pollution incidents, the NOWPAP Members should use the NOWPAP version of the international pollution reporting system (POLREP) which is described in Annex 4.

5.3.2 During an incident the LOSC should transmit a NOWPAP POLREP at appropriate intervals to all the units under the LOSC coordination, and, through the National Operational Contact Points, to other NOWPAP Members even if they are not directly involved.

5.3.3 It is the responsibility of each NOWPAP Member to ensure that the reports are transmitted to all interested parties within their Member.

5.3.4 If the NOWPAP Member affected by the incident continues pollution combating operations after the deactivation of the Plan, the NOWPAP Member affected by the incident should continue to inform other NOWPAP Members of the situation through the National Operational Contact Points until the final termination of all pollution response operations if those Members are affected or threatened by pollution.

#### ***5.4 Post-incident reports***

5.4.1 Following the termination of pollution response operations the Lead Member should prepare the final report, referring to the reporting format in Annex 7.

5.4.2 Based on that report and their own experience of the incident the other NOWPAP Members involved should preferably prepare recommendations concerning amendments and improvements of the Plan , and if appropriate, their NCPs (cf. paragraph 2.5) .

5.4.3 JROs and the Plan should be reviewed during regular meetings of the NOWPAP Members.

## **6 ADMINISTRATION, LOGISTICS AND FUNDING**

### **6.1 Logistics**

6.1.1 The Lead Member should provide, as far as possible, the logistic support necessary within its territory for conducting JROs.

6.1.2 In particular the Lead Members should provide following supports as far as possible:

a) make preparations for accommodation and transportation within the Member, of all assisting personnel from the assisting Members;

b) when equipment stores and supplies are received from the assisting Members, take necessary measures to provide:

- unloading and handling facilities as appropriate, including cranes, fork-lifts, and vehicles as necessary;
- safe storage space or parking places, as appropriate, for machinery, equipment, vehicles and stores; and
- fuel, lubricants, basic repair, maintenance and cleaning facilities.

c) ensure assistance to the crews at airports and in ports and provide security services for ships, aircraft and related equipment, while these are in ports or at airports of the Lead Member.

6.1.3 The security of equipment in storage or being transported in its territory should be the responsibility of the Lead Member unless it is in the hands of the assisting Member which owns it.

## ***6.2 Financial procedures***

6.2.1 In requesting and rendering assistance, the NOWPAP Members should observe the following recommendations and principles concerning financial matters related to mutual assistance, which are based on the Annex to the OPRC Convention 1990;

6.2.2 The basic principle is that the requesting Member should reimburse the assisting Member for the cost of its action taken at the express request of the requesting Member.

6.2.3 The NOWPAP Members should preferably inform each other in advance on the wages of personnel, the rental rates for equipment, vehicles, vessels and aircraft and the cost of treatment products, which might be rendered as assistance. This information should be updated by MERRAC regularly based on information from each NOWPAP Member and be made available for each NOWPAP Member. The rates should include any insurance costs for equipment and personnel actually incurred by the assisting Member.

6.2.4 The NOWPAP Members discuss all relevant questions including the rates during the regular annual meetings on the Plan (paragraph 2.4).

6.2.5 The assisting Member should, immediately following receipt of the request for assistance, submit to the requesting Member an estimate of the costs of assistance. The costs relevant to the actions taken by the assisting Member at the express request should be fairly calculated according to the relevant law and current practice of the assisting Member, unless otherwise agreed.

6.2.6 If assistance is provided the assisting Member will submit an invoice for the cost to the requesting Member as soon as possible after the termination of operations. The invoice should itemise the costs, which should be clearly related to the tasks performed and if possible should be verified independently.

6.2.7 The following items should be included in the invoice:

- a) wages of personnel engaged in JROs, calculated on the basis of the notified price and the daily work logs approved by the LOSC or another responsible officer of the Lead Member;
- b) costs of rental of equipment etc. calculated on the basis of the notified price and daily work logs approved by the LOSC or another responsible officer of the Lead Member;
- c) cost of treatment products and other consumable materials used during JROs calculated on the basis of the notified price and the daily work logs approved by the LOSC or another responsible officer of the Lead Member;
- d) the costs of repair or replacement of damaged or missing equipment, except where those costs are covered by insurance; and
- e) all expenses listed in 6.2.15 below, which are not covered by the requesting Member

6.2.8 In case of oil spill, financial records and invoices should be prepared in accordance with the guidelines provided by IOPC Fund in its "Claims Manual" and attached to the Plan as Annex 6.

6.2.9 The requesting Member should pay to the assisting Member all agreed expenses incurred in rendering such assistance, according to the invoice, except that if an action was taken by a Member on its own initiative, that Member should bear the costs of its action unless otherwise agreed between the Members.

6.2.10 Following the transfer of the lead role, the Member which has assumed the lead role should bear all expenses related to the assistance rendered by other Members from the time of the transfer. It will be important that financial records show the dates on which costs were incurred. At the time of the transfer the new Lead Member should confirm, amend or cancel the request for assistance made by the previous Lead Member. See 3.1.6 above.

6.2.11 If the requesting Member decides to withdraw the request for whatever reason, it should pay to the assisting Member all the expenses incurred up to the moment when the request was withdrawn or the personnel and equipment were returned to their Member of origin, as appropriate.



6.2.12 The NOWPAP Members should resolve all questions related to financial matters after the termination of joint operations. The law and practice which should apply in case of dispute should be that of the assisting Member i.e. the Member incurring the costs unless otherwise agreed.

6.2.13 It should be for the Lead Member to pursue its own claim for reimbursement of all costs related to pollution response, including the cost of international assistance, submitted to the person liable for the pollution incident, their insurers or an international system for compensation of pollution damages, as appropriate. Payment of those rendering assistance must not depend on the success of claims for compensation from third parties (e.g., the polluter or his insurer). However, the assisting Member should cooperate with the requesting Member in putting together a compensation claim by providing documentary evidence of the costs incurred by assisting Member.

6.2.14 The provisions here should not be interpreted as in any way prejudicing the rights of NOWPAP Members to recover from third parties the cost of counter-pollution actions under national and international law.

6.2.15 In case of JROs the requesting Member should cover, directly or after submission of an invoice by an assisting Member, the expenses related to the stay in the territory of the requesting Member of personnel, equipment and means (including vessels and aircraft) of the assisting Member.

- a) board and lodging or daily subsistence allowance as appropriate, of response personnel other than the crews of ships and vessels, unless this was provided by the requesting Member;
- b) costs of transport of personnel, equipment and products to and from the Member where JROs are taking place;
- c) any port dues for vessels and ships rendered as assistance;
- d) any airport dues for aircraft rendered as assistance;

- e) any tax or duties paid to the requesting Member, including those for importing or removing equipment or personnel;
- f) fuel, as might be necessary, in particular, for vehicles, vessels and aircraft, engaged in JROs including fuel for vessels and aircraft proceeding to the site of JROs under their own power;
- g) medical services provided to injured and ill personnel of the assisting Member;
- h) costs related to repatriation of any person who died, was injured or taken ill during JROs;
- i) maintenance and cleaning costs and/or decontamination costs for any piece of equipment, vessel and aircraft engaged in JROs; including maintenance and repair costs incurred after their return;
- j) repair costs for any piece of equipment, vessel and aircraft, damaged in its territory during and due to the JROs, if such repair needs to be made prior to returning it to its Member of origin; and
- k) costs of communications related to the JROs incurred by the assisting Member in the territory of the requesting Member.

6.2.16 The assisting Member should bear the following expenses:

- a) mobilisation of personnel, equipment, products or other means of response in its own territory;
- b) costs of communications related to JROs originating from the territory of the assisting Member; and
- c) medical services rendered, following their return, to any of its own personnel injured or taken ill during JROs.

### ***6.3 Customs and immigration procedures***

6.3.1 In order to facilitate the movement of response personnel and equipment the requesting Member should make preparations for the rapid entry of equipment, products and personnel prior to their arrival in its territory.

6.3.2 Each Member should endeavour to give consideration to the maximum extent applicable in emergency situations and in particular it is recommended that:

- a) provisions should be made for rapid granting of entry visas and work permits for personnel; and
- b) customs formalities should be facilitated.

6.3.3 Information on such possible consideration of each Member should be provided through MERRAC. The assisting Member must provide the necessary information to the requesting Member in order for the prompt acceptance of personnel and equipment.

6.3.4 Before sending assistance to the Member who so requests, the assisting Member should follow the appropriate procedure, in order to obtain necessary clearance for entry of equipment, products and other means into the Member.

6.3.5 When offering assistance in response to a request the assisting Member should be prepared to:

- a) list all personnel with names, date of birth, nationality and passport numbers;
- b) list all equipment to be shipped (relevant customs information should be with the equipment on arrival);
- c) give the mode of transport with details (name of vessel, flight number, where from and estimated time of departure, where to and estimated time of arrival);
- d) request any special unloading, transport or storage facilities required; and

- e) request any special supplies or facilities which might be needed to put the equipment into operation.

### ***Termination of assistance***

6.3.6 The requesting Member should facilitate to the maximum extent the customs clearance of equipment being returned without undue delay.

### ***6.4 Overflight and navigation procedures***

6.4.1 If ships and aircraft should be requested, the requesting Member should ensure, as far as possible and as promptly as possible, that they are given the necessary authorizations to operate in or over the Action Area of the requesting Member. Ships and aircraft must not infringe international maritime or aviation law during a response operation. They should only operate in or over the Action Area of a Member at the express request and with the express permission of that Member. Nothing in this Plan shall affect the exercise by ships and aircraft of all Members of navigational rights and freedoms as provided for in international law and as reflected in relevant international instruments.

### ***Overflight procedures***

6.4.2 Within the framework of the Plan and upon the request of the Lead Member, aircraft of the other Members should enter and operate in the airspace of the Lead Member only in the areas specified by the Lead Member, for any of the following purposes:

- a) spill surveillance;
- b) transportation of response personnel, equipment and products;
- c) spraying of dispersants or other treatment products; and
- d) other flights related to pollution response operations.

6.4.3 In its request for assistance, the Lead Member should precisely define the aim of the mission and the flight plan to be made by assisting Members.

6.4.4 Each NOWPAP Member should endeavour to give consideration to the maximum extent to rapid granting of permits and clearances for civil aircraft (fixed wing or helicopters) of other Members, which might be requested to take part in response operations within its airspace. Similar considerations should be given to the maximum extent for the use of airport facilities by such aircraft of the other NOWPAP Members.

6.4.5 Overflight for the above-mentioned purposes, of the territory or Action Area of one of the Members, by military aircraft of the other NOWPAP Members, should be decided on the case-by-case basis by the Members concerned.

#### *Navigation procedures*

6.4.6 Within the framework of the Plan and upon the request of the Lead Member, vessels of the other NOWPAP Members should enter and operate in the Action Area of the Lead Member only in the area specified by the Lead Member, for any of the following purposes:

- a) spill surveillance;
- b) salvage operations;
- c) pollution response operations, including containment and recover of spilled products, spraying of dispersants or other treatment products, storage and transportation of recovered pollutant;
- d) transportation of response personnel, equipment and products; and
- e) any other voyage related to pollution response operations.

6.4.7 Each NOWPAP Member should endeavour to give consideration to the maximum extent to rapid granting of permits and clearances for the navigation of civil vessels (ships, boats specialised anti-pollution vessels) of other Members, which might be requested to take part in response operations within its Action Area. Similar considerations should be made to the maximum extent for the use of port facilities by other NOWPAP Members. Each NOWPAP

Member provides the information needed for arranging navigation in Action Area of the Member concerned through MERRAC.

6.4.8 Navigation for the above-mentioned purposes, in the Action Area of one of the NOWPAP Members, by naval vessels of the other NOWPAP Members, should be decided on the case-by-case basis by the NOWPAP Members concerned.

### ***6.5 Health and safety***

6.5.1 The NCPs should refer to the relevant national health and safety regulations and controls for operation workers and should require those in charge of operations at sea and on the shoreline to be familiar with the relevant regulations about health and safety. This is particularly important for HNS as these may represent a significantly higher level of hazard and risk to workers than is the case with oil. In each unit one manager should be responsible for ensuring that the proper consideration is given to the health and safety of the workers, and that all personnel are briefed on the risks associated with the equipment they are using and, in the case of HNS, the relative hazard and risk of the product that they will be addressing. Managers must also ensure that responders understand these safety precautions and are provided with the appropriate safety equipment and protective clothing.

6.5.2 Assisting Members should be briefed on the relevant regulations about health and safety by the Member in which they are working and also, in the case of HNS, the relative hazard and risk of the spilled product that they are responding to and should observe any regulations which apply to them. It is recommended that the requesting Member should draw attention of the assisting Member to any important regulations or safety requirements.

### ***6.6 Medical insurance and medical assistance***

6.6.1 Each NOWPAP Member should take whatever measures it deems appropriate to insure against death, illness and injury, its own personnel who might participate in JROs.

6.6.2 The Lead Member should endeavour to offer the best possible initial medical care and services to any person from another NOWPAP Member who was injured or taken ill during his/her participation in JROs.

6.6.3 The Lead Member should facilitate repatriation of assisting personnel injured or taken ill during JROs.

6.6.4 The costs of hospitalisation and medical assistance rendered within the Lead Member to injured or ill personnel of the assisting Member should be borne by the Lead Member. The Lead Member might decide to claim the reimbursement of all such costs from the Member responsible for the pollution incident, its insurer or an international system for compensation of pollution damages as appropriate.

### ***6.7 Documentation of response operations and related costs***

6.7.1 The LOSC should take necessary measures to ensure that detailed records of all actions taken in order to respond to a pollution incident, within the framework of the Plan, are accurately kept. For this purpose, The LOSC might include a record keeping officer or financial controller in his/her support team.

6.7.2 At least the following records should be regularly kept:

- a) description of the situation, decisions taken and response measures implemented;
- b) daily work log, giving details of:
  - operations in progress (place, time, purpose);
  - equipment and other means in use (place, time, purpose);
  - personnel employed (number, time); and
  - materials (e.g. fuel, dispersant, sorbents) consumed (quantity, purpose).
- c) records of all expenditure incurred in relation to pollution response operations.

6.7.3 Following the termination of the response operations, such records should be made available to the Authority responsible for the submission of claims for compensation.

## **7 PUBLIC INFORMATION**

### **7.1 Public Relations Officer (PRO)**

7.1.1 At the activation of the Plan, the Lead Member should designate a Public Relations Officer (PRO) who should be seconded to the LOSC's support team.

7.1.2 The PRO should be responsible for:

- a) maintaining contacts with the press;
- b) preparing and issuing press releases on behalf of the LOSC ; and
- c) following information released by the press and clarifying possible misunderstandings.

### **7.2 Press releases**

7.2.1 Press releases will preferably be prepared and distributed to the press at least once a day during the entire period between the activation and the deactivation of the Plan.

7.2.2 Press releases should be prepared by the PRO on the basis of accurate facts. They may contain information concerning:

- a) the pollution incident and development of the situation;
- b) injuries of personnel and damages to vessels, equipment, etc.;
- c) technical data on vessels involved, type of characteristics of the pollutants, etc.;
- d) measures taken to combat pollution;
- e) assistance provided by other NOWPAP Members;
- f) progress of response measures; and
- g) extent of pollution and its effects.



7.2.3 All press releases should be vetted and approved by the LOSC before distribution to the press. Where practicable, references in them to other NOWPAP Members will preferably be agreed with the NOSC of that Member or the appropriate Liaison Officer in the JERC.

### ***7.3 Press conferences***

7.3.1 After the activation of the Plan, the Lead Member may decide to organise one or more press conferences for briefing the media.

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