NATIONAL MARINE CHEMICAL SPILL CONTINGENCY PLAN (CHEMPLAN)

May 2002

AMSA
Australian Maritime Safety Authority

AUTHORITY

In March 2000, the International Maritime Organization adopted the Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances (OPRC - HNS Protocol).

The primary objectives of the OPRC - HNS Protocol are to facilitate international cooperation and mutual assistance in preparing for and responding to major chemical pollution incidents, and to encourage countries to develop and maintain an adequate capability to deal with pollution emergencies.

The National Marine Chemical Spill Contingency Plan (Chemplan) has been developed in response to the obligations set out in article 4 of the OPRC - HNS Protocol.

Chemplan is hereby authorised for this purpose by the National Plan Operations Group.

Chair
National Plan Operations Group
March 2002

AMENDMENTS

Suggested amendments or additions to the contents of Chemplan are to be forwarded in writing to:

Manager
Environment Protection Group
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Australian Maritime Safety Authority
GPO Box 2181
CANBERRA ACT 2601

or by facsimile: (02) 6279 5076

Amendments should be recorded on the following table when received.

Amendment		Entered	
Number	Date	Signature	Date
Amendment 1 Complete reprint	Aug 2002		
Amendment 2 pp 34-48	Aug 2002		

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APPENDICES

ABBREVIATIONS AND ACRONYMS

AAPMA	Association of Australian Ports and Marine Authorities
AFAC	Australian Fire Authorities Council
AIP	Australian Institute of Petroleum
ALOHA	Areal Locations of Hazardous Atmospheres (Software Program)
AMOSC	Australian Marine Oil Spill Centre
AMR	Australian Maritime Resources
AMSA	Australian Maritime Safety Authority
ATC	Australian Transport Council
AusSAR	Australian Search and Rescue Coordination Centre (AMSA Canberra)
BC Code	Code of Safe Practice for Solid Bulk Cargoes
CASA	Civil Aviation Safety Authority
CHEMPLAN	The National Marine Chemical Spill Contingency Plan
ChemTox	Chemical Toxicity Database
CHRIS	Chemical Hazard Response Information System
COWG	Chemical Operations Working Group
DoT	Department of Transport and Regional Services
DPA	Darwin Port Authority
DPIWE	Department of Primary Industries, Water and Environment (Tasmania)
EA	Environment Australia
EEZ	Exclusive Economic Zone
EMA	Emergency Management Australia
EmS	Group Emergency Schedules (IMO Emergency Procedures for Ships Carrying Dangerous Goods)
EPA	Environment Protection Agency (or sometimes Authority)
EPBC Act	*Environment Protection and Biodiversity Conservation Act 1999*
EPG	Environment Protection Group (AMSA)
EPS	Environment Protection Standards (AMSA)
ESC	Environment and Scientific Coordinator
ESLA	Emergency Scale Level Assessment (Software Program)
EWG	Environment Working Group
FAO	Finance and Administration Officer
FWADC	Fixed Wing Aerial Dispersant Capability
GBRMPA	Great Barrier Reef Marine Park Authority
IAP	Incident Action Plan
GESAMP	UN Joint Group of Experts on the Scientific Aspects of Marine Pollution
HCC	Hazardous Chemicals Coordinator
IBC	Intermediate Bulk Containers
IBC Code	International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (International Bulk Chemical Code)
IC	Incident Controller
ICC	Incident Control Centre
ICS	Incident Control System
IGA	Inter-governmental Agreement (on the National Plan to Combat the Pollution of the Sea by Oil and Other Noxious and Hazardous Substances)
IGC Code	International Gas Carrier Code
IMDG Code	International Maritime Dangerous Goods Code
IMO	International Maritime Organization
IMT	Incident Management Team

INMARSAT	International Maritime Satellite
IUPAC	International Union of Pure and Applied Chemistry
LO	Logistics Officer
MARPOL 73/78	International Convention for the Prevention of Pollution from Ships
MBV	Marine Board of Victoria
MCIS	Milbros Chemical Information System
MFAG	IMO Medical First Aid Guide for Use in Accidents Involving Dangerous Goods
MLO	Media Liaison Officer
MO	Maritime Operations (AMSA)
MOSES	Marine Oil Spill Equipment System
MPC	Marine Pollution Controller
MSDS	Material Safety Data Sheet (PACIA)
MSES	Maritime Safety and Environmental Strategy (AMSA)
National Plan	The National Plan to Combat Pollution of the Sea by Oil and Other Noxious and Hazardous Substances
NOAA	National Oceanic and Atmospheric Administration (USA)
NPMC	National Plan Management Committee
NPOG	National Plan Operations Group
NRT	National Response Team
NT	Northern Territory
OCS	Offshore Constitutional Settlement
OO	Operations Officer
OOWG	Oil Operations Working Group
OSCC	On Scene Casualty Coordinator
OSRA	Oil Spill Response Atlas
OPRC 90	The International Convention on Oil Pollution Preparedness, Response and Cooperation 1990
OPRC-HNS	Protocol on Preparedness, Response and Cooperation to Pollution Incidents by Hazardous and Noxious Substances 2000
OSRICS	Oil Spill Response Incident Control System
OSRA	Oil Spill Response Atlas
OSTM	Oil Spill Trajectory Modelling
P & I	Protection and Indemnities
PACIA	Plastics and Chemicals Industries Association
PLA	Port of Launceston Authority
PO	Planning Officer
POLREP	Pollution Report
QCCAP	Queensland Coastal Contingency Action Plan
REEFPLAN	Marine Pollution Contingency Plan for the Great Barrier Reef Marine Park
SARO	Senior Search and Rescue Officer
SES	State Emergency Service
SITREP	Situation Report
SMPC	State Marine Pollution Committee
UHF	Ultra High Frequency
SOLAS	International Convention for the Safety of Life at Sea
TES	Territory Emergency Service
TLV	Threshold Limit Value
VHF	Very High Frequency
UNCLOS	United Nations Convention on the Law of the Sea

1 INTRODUCTION

1.1 BACKGROUND

The grounding of the 'Oceanic Grandeur' in the Torres Strait in 1970 showed the need for a national capability to respond to ship sourced pollution incidents. Extensive consultation between Commonwealth, State and Northern Territory (State/NT) representatives as well as representatives of the shipping and oil industries took place. By 1973 a national plan had been prepared that provided a framework for activating all appropriate national resources to combat a marine oil spill.

The National Plan sets out a clear definition of the responsibilities of the major participants, the Commonwealth, States/NT and industry. This is provided in a set of Commonwealth/State/NT arrangements by way of an Inter-Governmental Agreement (IGA) (Appendix 1), which also details such matters as divisions of responsibilities, contingency planning, access to Commonwealth equipment and the management, and control of financial affairs.

Based on these arrangements the prescribed role of the Commonwealth, through the Australian Maritime Safety Authority (AMSA), is one of co-ordination and the provision of technical advice, logistic and maintenance support, training, materials and equipment.

The national contingency plan hierarchy outlined in figure 1 consists of national marine oil and marine chemical spill plans, REEFPLAN, the marine pollution contingency plan for the Great Barrier Reef and State/NT, port and industry plans.

The National Marine Chemical Spill Contingency Plan (CHEMPLAN) is the National Plan that outlines how the combined resources of the Commonwealth, State and Northern Territory (State/NT) Governments, the chemical, plastics, shipping and petroleum industries may be activated to respond to the threat posed to Australia, its people and its marine environment by spillages of bulk or packaged dangerous goods and chemical spills from vessels. It prescribes procedures and provides information required to implement the chemical spill response provisions of the National Plan and appropriate State/NT contingency plans.

Under the terms of the IGA, the Australian Maritime Safety Authority (AMSA) is responsible for maintaining CHEMPLAN. The plan follows the general procedures of the National Marine Oil Spill Contingency Plan, taking account of the land-based chemical and hazardous materials response capabilities of fire services, industry and government authorities.

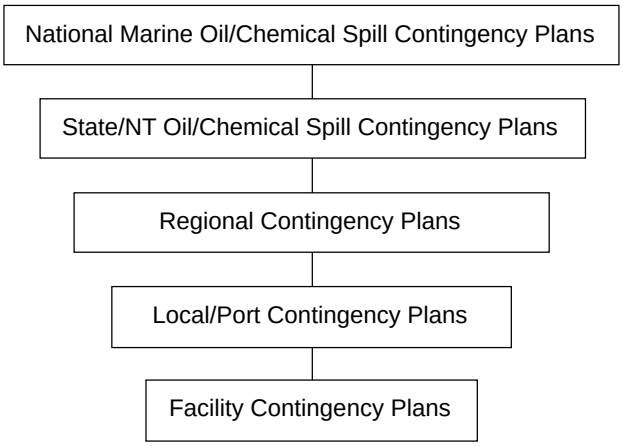


Figure 1 - National Plan Contingency Plan Hierarchy

1.2 THE THREAT

Worldwide, about 200 million tonnes of dangerous goods and hazardous materials are transported by sea each year. Most are carried in deep-sea and regional trade. Coastal shipping carries only about 10%. A wide variety of dangerous goods and chemical and other noxious or hazardous substances are shipped to, from and around Australia in specialised chemical tankers, in bulk chemical tanks carried in other vessels or in packaged form as container or loose cargo consignments. These chemicals can enter the marine environment as a result of accidental or deliberate releases. Accidental releases can occur as a result of natural disasters, human error or due to technical and mechanical faults in chemical transfer and storage equipment. Intentional releases could include dumping chemical wastes, acts of war, terrorism or sabotage. Incidents involving vessel groundings, collisions, fire, explosion, cargo reaction etc. could also cause chemical spills from vessels involved.

1.3 AIM OF THE PLAN

Australian governments have a responsibility to protect the community and the environment from the adverse effects of marine pollution and to minimise those effects where protection is not possible. The aim of CHEMPLAN is to outline the national arrangements for responding to chemical spills in the marine environment, with the aim of protecting public health and the marine environment from chemical pollution or, where this is not possible, to minimise its effects.

1.4 SCOPE OF THE PLAN

CHEMPLAN coordinates the provision of national and international support for responding to marine chemical spills that have the potential to impact on any of Australia's interests, including those of a health, environmental, resource or economic nature. General responsibilities for the response to chemical spills are outlined in the IGA in Appendix 1 and given in more detail in Section 2.1.

CHEMPLAN relates primarily to incidents involving releases and spills from ships' bulk chemical cargoes, from container chemical tanks or packaged chemicals, and as a result of the loss of these or other dangerous goods overboard at sea. Responsibility for packaged substances which have been washed ashore or for spillages and releases from shore facilities generally resides with the relevant State/NT authority.

CHEMPLAN outlines combined government and industry arrangements designed to allow a rapid and co-operative response to a marine chemical spill occurring within the area defined by this Plan. This Plan complements other Government and industry contingency plans prepared at Commonwealth, State/NT, regional, port and facility levels. Matters of detail are contained in local, site specific, contingency plans.

1.5 GEOGRAPHICAL AREA

The geographical area covered by CHEMPLAN includes all Australian Territorial Seas, including those of the offshore territories, Australia's Exclusive Economic Zone (EEZ). The scope of the plan can also extend to the High Seas where a chemical spill has the potential to impact on Australian interests are detailed in figure 2. CHEMPLAN may also be used as a basis for the provision of international assistance within Australia's region.

1.6 OIL SPILL INCIDENTS

Procedures dealing with the responses to marine oil spills are outlined in the National Marine Oil Spill Contingency Plan.

1.7 LEGISLATION

1.7.1 International Conventions

Australia has been a member of the International Maritime Organization (IMO) since its inception, and was active in the development and implementation of the five IMO Conventions which specifically address pollution from ships. These conventions are implemented in Australia by the "Protection of the Sea" package of legislation listed in 1.7.3.

1.7.2 International Codes and Guidelines

As part of international environmental standards, from 1 January 2003 all ships of 150 gross tonnage and above, certified to carry noxious liquid substances in bulk will be required to carry a shipboard Marine Pollution Emergency Plan for Noxious Liquid Substances. These plans will contain specific details of the vessel, evacuation details eg emergency response and fire fighting equipment, floor plans, emergency/evacuation assembly etc. Details of the international codes relevant to chemical spill incidents are given in Appendix 3.

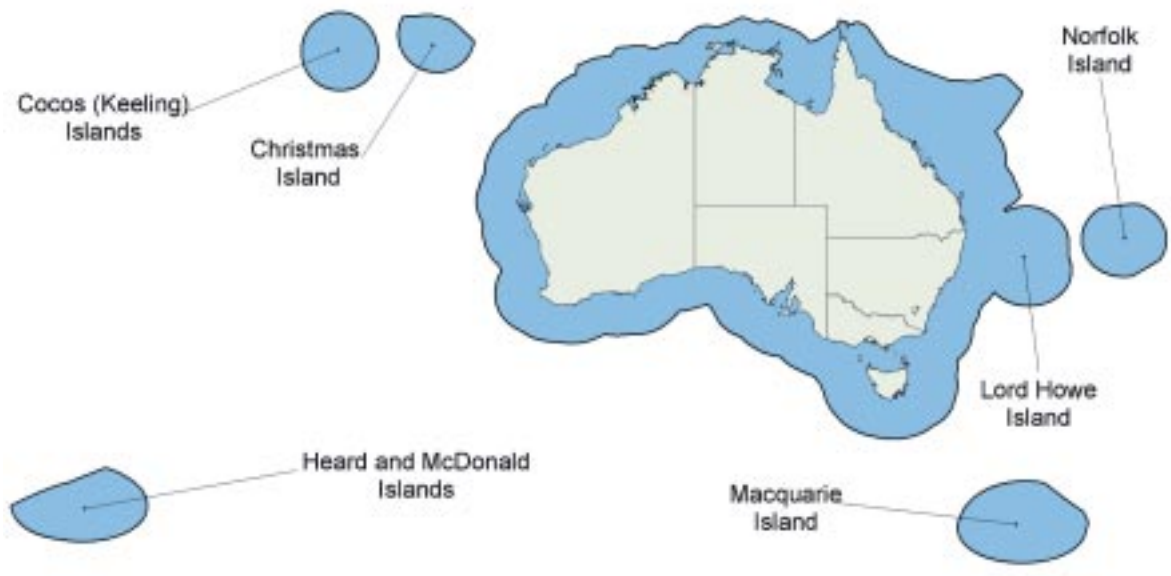


Figure 2 - Geographical Area (EEZ)

1.7.3 National Legislation

The authority to respond to hazardous material spills from ships that occur within the scope of this plan is vested in the following legislation.

Act	Objectives	Complementary State/NT legislation
Protection of the Sea (Civil Liability) Act 1981	Implements International Convention on Civil Liability for Oil Pollution Damage 1992, requiring the owners of oil tankers to have insurance for pollution damage.	No
	Cost recovery for AMSA National Plan activities.	Yes
Protection of the Sea (Powers of Intervention) Act 1981	Implements International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties and the 1973 Protocol to that Convention.	Yes
	Sets out intervention powers for territorial waters.	Yes
Protection of the Sea (Prevention of Pollution from Ships) Act 1983	Implements International Convention for the Prevention of Pollution from Ships (MARPOL 73/78) setting operational and construction standards for ships to prevent pollution.	Yes
Protection of the Sea (Shipping Levy) Act 1981 and *Protection of the Sea (Shipping levy Collection) Act 1981*	Imposes levy on shipping to fund Australia's National Plan and sets out how the levy is collected.	No
Australian Maritime Safety Authority Act 1990	Sets out functions of the Australian Maritime Safety Authority, including "the combating of pollution in the marine environment".	No
Environment Protection and Biodiversity Conservation Act 1999	Provides for protection of the environment and the conservation of biodiversity, and for related purposes. *Note: This Act only applies where response action is taken that is not in accordance with any contingency plan in place under National Plan arrangements.*	No

1.7.4 Offshore Constitutional Settlement

An agreement between the Commonwealth and the States/NT, known as the Offshore Constitutional Settlement (OCS) effectively gives the States/NT jurisdiction over the Territorial Sea and the Commonwealth jurisdiction over the High Seas. One feature of the OCS was recognition by the States/NT that a mechanism was required to enable Australia to become a party to key international maritime conventions without the need for the legislation in every Australian jurisdiction to be in compliance at the time of ratification. The concept of the "savings clause" was introduced whereby Commonwealth law giving effect to the Conventions would apply in all jurisdictions, but would "step back" if and when a State/NT enacted the provisions itself.

With Australia's accession to the United Nations Convention on the Law of the Sea (UNCLOS), the Commonwealth's jurisdiction extends to the EEZ and the Territorial Sea extends to 12 nautical miles from the coastline (Figure 2). However, the States/NT jurisdiction does not extend beyond the previous Territorial Sea limits of three nautical miles.

2 PREPAREDNESS

2.1 PLAN SUPPORT

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

– provide a basis for continued Commonwealth, State and NT government commitment to and support for the National Plan;

– provide a stable reference point whereby those unfamiliar with the Plan can readily ascertain the obligations placed on their organisation; and

– 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 the plan, including the National Marine Chemical Spill Contingency Plan. The management structure consists of:

2.1.1 Australian Transport Council

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

2.1.2 National Plan Management Committee

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

2.1.3 National Plan Operations Group

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

NPOG is further supported by three working groups:

- 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 the National Marine Chemical Spill Contingency Plan, chemical response training and chemical response equipment.
- 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

Under the IGA, as the managing agency for the National Plan, the Australian Maritime Safety Authority (AMSA) is responsible for maintaining the National Marine Chemical Spill

Contingency Plan. AMSA responsibilities also include acting as both Statutory and Combat Agencies for Commonwealth waters as described in the IGA. During incidents in State/NT waters AMSA provides support to State/NT Statutory and Combat Agencies.

2.1.5 State/NT Responsibilities

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

2.1.6 National Plan Key Contacts

Contact details for key elements of the National Plan are provided in Appendix 2.

2.2 DIVISION OF RESPONSIBILITY

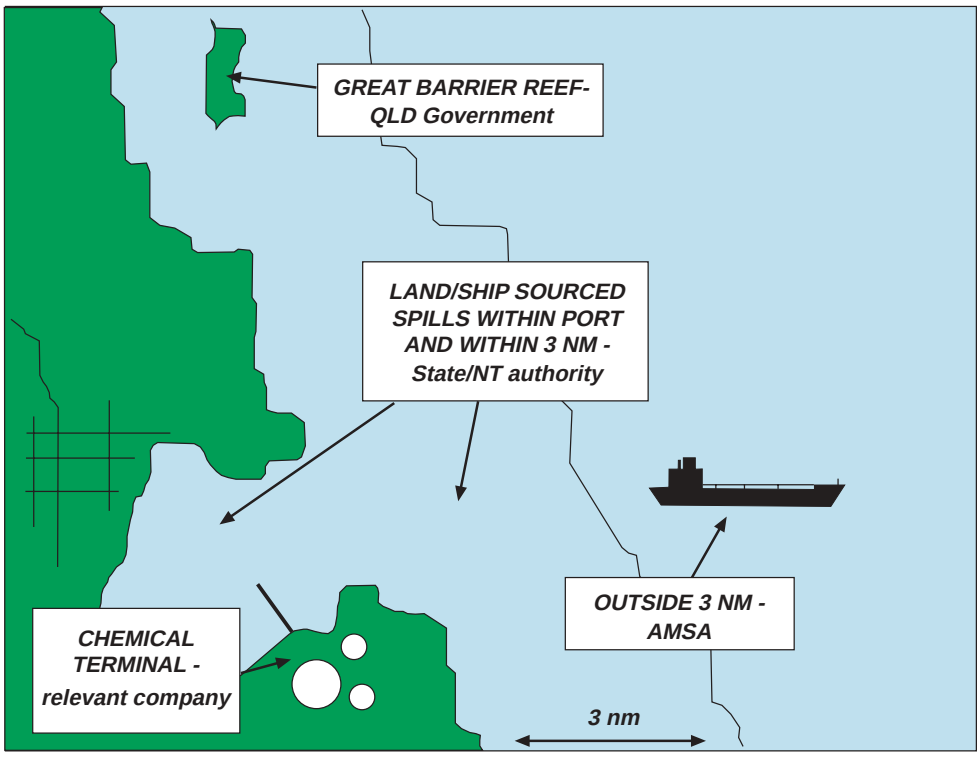
2.2.1 Statutory/Combat Responsibilities

The IGA (Appendix 1) defines authorities with responsibility for combating chemical spills within harbours, onshore, in the territorial seas and on the high seas around Australia. This includes those responsibilities of Statutory and Combat Agencies.

In some cases the Statutory and Combat Agencies will be the same entity.

Responsibilities for responding to chemical spills within harbours, on shore, in the territorial seas and on the high seas around Australia are shared between AMSA, State/NT Governments, Port Authorities and Corporations and the chemical 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 - Divisions of Responsibility



2.2.2 Statutory Agencies

In accordance with the IGA (and the Offshore Constitutional Settlement (OCS) jurisdictional arrangements), responsibility for oversighting response action for chemical spills, other than those from offshore petroleum operations, is as follows.

Within the three nautical mile (nm) coastal waters and in foreshore areas - the State/NT Government's designated Statutory Agency.

Outside the three nm coastal waters - AMSA, as the Commonwealth Statutory Agency. The Statutory Agency is responsible for the institution of prosecutions and the recovery of clean up costs on the behalf of all participating agencies.

2.2.3 Combat Agencies

Combat Agencies for responding to chemical spills in various locations are as follows:

At chemical terminals	The relevant chemical company or terminal operator under industry arrangements, such as the PACIA Chemsafe Emergency Management Program arrangements. If the response is beyond chemical company or terminal resources, the Statutory Agency will respond with assistance from other National Plan stakeholders as required. Statutory Agencies should enter into predesignated response arrangements with chemical terminal operators which clearly specify the agreed division of responsibilities and terms and conditions for transferring control.
In ports (other than at terminals within a port)	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.
Within the three nm coastal waters	The responsible State/NT Statutory Agency with response assistance from other National Plan stakeholders as required.
Beyond the three nm coastal waters	The Commonwealth via AMSA, with response assistance from other National Plan Stakeholders as required. In incidents close to shore when chemicals are likely to impact the foreshore, the State/NT via the Statutory Agency will be the Combat Agency for protecting the coastline, while AMSA assumes responsibility for ship operational matters, eg containing the spill within the ship, organising salvage, etc.
In the REEFPLAN area of the Great Barrier Reef	The Queensland Government via the Queensland National Plan State Committee, with assistance from the National Plan and industry as required.
For spills emanating from offshore petroleum operations	The relevant oil/chemical 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 clean up 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.

A response by a Combat 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 SPILLS

In those incidents close to State/NT borders, it is essential that high level consultation take place between relevant agencies, with the objective that the State/NT likely to be most affected shall assume the role of Combat Agency.

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

2.4 RESPONSE POLICY

The primary aims of a chemical and hazardous substance spill response are to:

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

The environmental impact of a chemical or hazardous substance spill can be minimised by good management and planning as well as the response actions put into effect by the responsible authority. Such actions will largely depend on several factors:

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

2.5 LEVELS OF RESPONSE

Under National Plan arrangements marine pollution incidents involving hazardous materials and the response they require are categorised into “Levels”. CHEMPLAN has adopted the concept of a response that consists of three levels as detailed in figure 4. The concept of a levelled response links the credible spill scenarios to attainable scales of response and, by linking joint arrangements, enables escalation from one level of response to another, should the need arise. It is a practical method of planning a marine pollution response in terms of required resources and likely environmental impact.

CHEMPLAN's three levels of response are based on the following graduated spill scenarios (figure 4):

Level 1 - Potential Emergency Condition - small spill/incident;

A minor chemical incident that only requires response within the boundaries of the berth, vessel or small geographical area. No impact or problems are anticipated outside the operations area.

Statutory and Combat Agencies will generally be able to respond to and clean up a spill with local resources. When additional resources are required, these will generally be available from the chemical industry, local port authority or by using National Plan resources in the region or from adjacent industry operators.

Level 2 - Limited Emergency Condition - a medium or significant spill/incident;

A significant chemical incident that can be responded to within the boundaries of the berth, vessel or geographical area, but which may have a serious impact on human life and/or the environment.

The Combat Agency will initiate a response and simultaneously notify the Statutory Agency and/or State/NT Committee. Local resources may need to be supplemented by other intra-state or interstate resources. The Statutory Agency, through the Environment Protection Group (EPG), AMSA, will facilitate provision of interstate resources.

Level 3 - Full Emergency Condition- a major spill/incident;

A major chemical incident that will pose a very serious impact on human life and/or affect the environment significantly. It requires the activation of support resources up to national or international level.

The Combat Agency may require local, regional and national assistance. For catastrophic spills, resources from overseas may also be required. These can be sought by the State/NT Committee through EPG, AMSA, and, in the case of incidents involving chemical tankers, in consultation with industry.

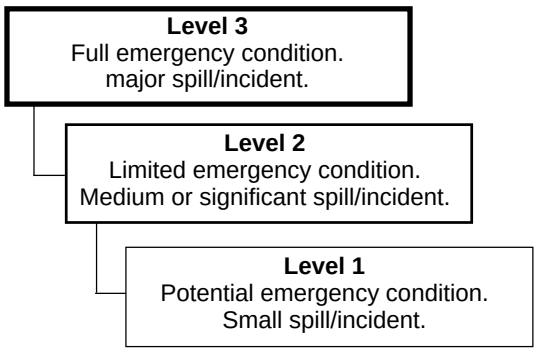


Figure 4 - National Marine Chemical Spill Contingency Plan Response System

2.6 RISK ASSESSMENT

The location of National Plan resources around the Australian coast is based on a risk profile of pollution of the sea by discharges of oil or chemicals from ships.

The risk profile identifies, major areas of concern are the loss of a container overboard during rough weather, damage of a container and its contents on board ship during passage, poor handling of a container while loading/off-loading and the incorrect storage of dangerous goods in containers.

2.7 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. Statutory Agencies may be supported by State/NT Committees and will provide advice and support to Combat Agencies during pollution incidents.

2.8 INCIDENT CONTROL SYSTEM

The response to any pollution incident will be controlled using an Incident Control System (although known as Oil Spill Response Incident Control System (OSRICS) it will be used to manage a marine chemical spill response). 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 while ensuring accountability and standardised records. The system clearly defines roles and responsibilities and provides interoperability between agencies, States and Territories.

Appendix 4 contains a marine chemical spill contingency planning checklist that may be useful when preparing contingency plans. Although changes may be required to meet individual State/NT emergency planning, legislation and administrative requirements, this checklist has been found to be generally applicable.

The principal 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 will be formulated by a nominated Marine Pollution Controller (MPC) and implemented by an Incident Controller (IC). During lesser incidents, the IC will be responsible for overall response strategy. The IC will keep the Statutory Agency and/or Marine Pollution Committee informed of progress with the response.
- The Statutory Agency, SMPC and AMSA, will provide suitably experienced staff, to assist the MPC and IC to initiate and conduct response action.
- Preparation and maintenance of State/NT contingency plans, complementing this plan, are the responsibility of the relevant State/NT Statutory Agency.

2.8.1 Marine Pollution Response Structure

OSRICS identifies key positions including:

- Marine Pollution Controller (MPC);
- Incident Controller;
- Planning Section;
- Operations Section;
- Logistics Section; and
- Finance and Administration Section.

Figure 5 shows a typical ICS structure. A more detailed structure may be found in Appendix 5.

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.

2.8.2 Marine Pollution Controller (MPC)

When a major incident occurs, the Statutory Agency shall nominate a senior management level Marine Pollution Controller (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.

2.8.3 Incident Controller (IC)

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

The IC is responsible for the management and co-ordination of response operations at the scene of a pollution incident to achieve the most cost effective and least environmentally damaging resolution to the problem.

State/NT Statutory Agencies should ensure that the IC is assisted by a Response Team with appropriate planning, operational, scientific, chemical, environmental, logistical, administrative, financial and media liaison skills.

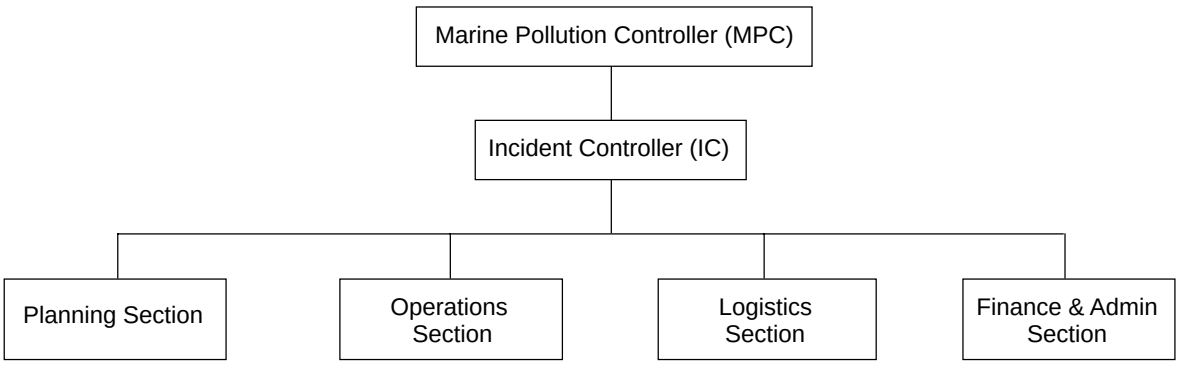


Figure 5 - Typical OSRICS Structure

2.8.4 Planning Officer (PO)

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

The PO is responsible to the IC 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.

2.8.5 Operations Officer (OO)

The Commonwealth and each State/NT Statutory Agency shall identify appropriate individuals to act as 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 are passed on to operational personnel in the field, and for ensuring that the plans are carried out effectively.

2.8.6 Logistics Officer (LO)

The Commonwealth and each State/NT Statutory Agency shall identify appropriate individuals to act as Logistics Officer (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 and that these personnel are provided with the essential amenities. 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.

2.8.7 Finance and Administration Officer (FAO)

The Commonwealth and each State/NT Statutory Agency shall identify appropriate individuals to act as Finance and Administration Officer (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.

2.8.8 Fire Services Hazardous Materials Coordinator (HMC)

The Commonwealth and States/NT should identify personnel to act as Fire Service/ Hazardous Chemicals Co-ordinator (HCC) in the Operations Section. The HCC is responsible for the management and co-ordination of Fire Services activities at the scene of a pollution incident.

2.8.9 Environment and Scientific Coordinator (ESC)

The Environment and Scientific Coordinator (ESC) shall be pre-appointed by the Commonwealth and the State/NT, 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 a chemical spill and 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 be an adviser directly to the MPC.

2.8.10 Media Liaison Officer (MLO)

An experienced and well informed Media Liaison Officer (MLO), appointed by the Combat Agency shall be provided for in the overall contingency plan. 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.

2.9 SPECIALIST ADVICE AND ASSISTANCE

Specialist technical advice is available to response managers from a variety of sources. Advice can vary from the fate of spilled chemicals, and the selection and deployment of pollution control equipment, to the capabilities of support equipment and 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 a chemical spill in the marine environment are listed below.

2.9.1 Australian Maritime Safety Authority (AMSA)

Environment Protection Group (EPG)

The Environment Protection Group (EPG), AMSA, can provide advice relating to spill management, chemical spill response options, environmental effects, risk assessment of the spill, response equipment availability and logistics. A number of decision support tools are outlined in Section 5.

Environment Protection Standards (EPS)

Environment Protection Standards (EPS), AMSA, can provide advice relating to intervention powers, legislation, environmental effects, scientific advice on chemicals, chemical spill response options and response priorities.

Maritime Operations (MO)

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

Australian Search and Rescue (AusSAR)

In addition to coordinating the rescue and saving of life, AusSAR, can provide drift calculations and advice on offshore currents. AusSAR has a range of communication facilities, including Inmarsat satellite systems that can be used during an incident to communicate directly to vessels.

2.9.2 Emergency Management Australia (EMA)

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.

2.9.3 Environment Australia (EA)

Environment Australia (EA) (part of the Department of the Environment and Heritage) has Commonwealth responsibility for the management of Australian legislation and international conventions and treaties relating to biodiversity issues, habitat protection, endangered or protected species. This management responsibility includes both flora and fauna in the terrestrial and marine environments. In particular, information relating to the location(s), number, breeding patterns, feeding habits, migration pathways and the likely impact of pollution or habitat destruction on protected, migratory and endangered species.

EA Marine Coasts and Wetlands Section is able to advise on likely environmental impacts relating to *The International Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Dumping Convention)* and other issues concerning marine oil/chemical spills and related environmental issues.

Parks Australia, a division of EA, manages national parks, nature reserves and marine parks in the external territories and in Australian waters outside the three-mile limit. Parks Australia can also provide a network of contacts in the States/NT wildlife and conservation authorities and community groups to assist the ESC or response organisations in wildlife issues.

2.9.4 Great Barrier Reef Marine Park Authority (GBRMPA)

Advice relating to the Great Barrier Reef World Heritage Area is available through the Great Barrier Reef Marine Park Authority (GBRMPA). Reference should be made to the marine pollution contingency plan for the Great Barrier Reef Marine Park (REEFPLAN).

2.9.5 Plastics and Chemicals Industries Association (PACIA)

The Plastics and Chemicals Industries Association (PACIA) through its Chemsafe Emergency Management Program provides the following support services to the chemical industry:

- A land based Transport Incident Management Service, which is a physical response to chemical transport emergencies involving the products of participating companies.
- Material Safety Data Sheet (MSDS) Database, which provides MSDS, sheets to all emergency service providers.
- An Emergency Response Service which provides a 24 hour day, 7-day a week technical advice on product hazards, appropriate protective clothing and equipment and medical advice via a toll free number 1 800 033 111.
- Provide advice on specific chemical products and manufacturers.

2.9.6 Bulk Liquids Industry Association

The Bulk Liquids Industry Association (BLIA) is a national association of companies that move bulk liquids between ship and shore. Its members include chemical manufacturers, terminal storage companies (many who are also members of PACIA) and chemical shipowners.

It also includes marine cargo surveyors/chemists, port authorities and trucking companies who service the chemical industry. In an emergency these companies may be able to provide specialist advice.

Contact through PACIA.

2.9.7 State/NT & Local Authorities

State/NT and local authorities, such as Transport, and 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 the environmental impacts, or response activities. This also includes access to State Fire Services.

2.9.8 National Response Team

A National Response Team (NRT) of environmental, chemical, technical and scientific experts, from operator level through to senior spill response managers can provide the services of experienced personnel from Commonwealth/State/NT agencies, industry and other organisations. Chemical and hazardous materials experts and responders from the fire services, PACIA and BLIA may be called to form part of the NRT where necessary.

The services of the NRT are obtained through EPG, AMSA, which makes arrangements with the respective agencies, industry and organisations for the release of designated personnel for spill response activities. These services are available when a spill incident exceeds the resource availability or is of major significance that the Combat Agency and State/NT request NRT support.

2.9.9 International Assistance

In the event of a major chemical spill incident, it is likely that assistance may be sought from overseas chemical manufacturers, transport companies, private and government spill response organisations. Requests for such overseas assistance should be passed to EPG, AMSA, which will make the necessary arrangements. AMSA has obtained the cooperation of the Commonwealth Customs and Immigration Departments to expedite the temporary import of equipment and experienced personnel should the need arise on a request from AMSA.

EPG, AMSA, in accordance with current Memoranda of Understandings and relevant International Conventions, assists neighbouring countries in relation to marine spill incidents in their waters, or obtains assistance when required from overseas in accordance with the OPRC Convention.

2.10 EQUIPMENT AVAILABILITY

A variety of chemical monitoring, response and personal protective equipment may be needed to support a chemical spill incident response. A list of items of specialised chemical response and clean up equipment across Australia identified by the chemical industry and Fire Authorities is available from these agencies to support this plan.

2.10.1 Use of National Plan Oil Spill Equipment

Conventional on water oil spill containment and recovery equipment is of little use in the majority of marine chemical spills. Only approximately 15% of bulk chemicals transported by sea float and are persistent. Many of these could also be incompatible with the equipment construction materials or pose a health hazard to response equipment operators.

When it is suitable and safe to do so, existing National Plan oil spill equipment is available to support a marine chemical spill. National Plan equipment is situated in strategic locations around Australia that reflect the likely risk of an oil spill in the marine environment. The majority of this equipment is located in the States/NT under the control of the State/NT Chair on long-term loan through AMSA/State/NT equipment loan agreements outlined in the IGA Administrative Arrangements (Appendix 1). These loan agreements include details of not only the equipment, but also storage and security arrangements and maintenance requirements.

The State/NT Chair may delegate the overall day to day maintenance and custodianship of National Plan equipment to the respective State/NT Authorities. However, as the signatory to the loan agreements the State/NT Chair maintains overall responsibility for equipment. Most of the National Plan equipment on long term loan to the State/NT is stored and maintained by local port authorities

Full details of National Plan, State/NT, AMOSC and other industry equipment, including custodians are contained in MOSES. An example of outputs from MOSES is contained in Appendix 6. Full MOSES outputs are available from EPG, AMSA.

National Plan ship-to-ship transfer equipment is located in Brisbane and Fremantle. This equipment is under the direction and control of EPG, AMSA. Release of this equipment shall be authorised by the Manager, EPG, AMSA or the EPG Duty Officer.

All movements and use of AMSA owned National Plan resources shall be reported to the Manager, EPG, AMSA, within 24 hours to enable recording of information for management, cost recovery and stock take/audit purposes and updating of MOSES, maintenance records and loan agreements. The term "Use of National Plan Equipment" shall be defined to include operational deployment and placement on stand-by.

When AMSA owned National Plan dispersant or sorbent stock is used during an incident, the Combat Agency shall furnish the Manager, EPG, AMSA, with a full report outlining the quantities used. State/NT custodians of AMSA owned National Plan sorbent material are responsible for the replacement of stock expended in response activities.

At the completion of an operation a representative of the IC shall advise the Manager, EPG, AMSA, of all usage of AMSA owned National Plan oil spill equipment, including details of any damage or discrepancies.

2.11 FINANCIAL ARRANGEMENTS

The IGA includes agreed funding arrangements (Paras 21-24) and the Administrative Arrangements under the IGA provide guidance on costs and expenses (Schedule 1, Paras 22-29). 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 Indemnities (P&I) insurers, as all claims will be assessed to ensure that the costs are reasonable, and that they can be 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.

2.12 COMMUNICATIONS

In a pollution incident it is important that the IC has access to adequate communication facilities. In addition to the facilities available through AusSAR (section 2.9.2) it is envisaged that port VHF radio facilities, National Plan communication systems, consisting of portable Satcom M, MiniSat, VHF marine band radios and repeater VHF aviation band radios and UHF networks, and the AMOSC communications package would be available to co-ordinate a response. In a major incident it may be necessary to seek the assistance of emergency services radio networks and, if necessary, the Defence Forces. To obtain Defence assistance, a request should be made through EPG, AMSA, in accordance with section 4.2.

2.13 WILDLIFE RESPONSE

When a marine pollution incident occurs it is possible that the contamination of birds, marine mammals and other wildlife will eventuate.

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

AMSA is developing National Oiled Wildlife Response Guidelines with the objective to provide guidance for an immediate and effective protection, rescue, cleaning and rehabilitation of birds, marine mammals and other wildlife resources and their habitat that are harmed or potentially harmed by a marine spill. This is further supported by detailed State/NT internal arrangements.

Under most State/NT internal agreements, arrangements and State legislation, National Parks and Wildlife Services, Natural Resource and Conservation agencies, or environment protection authorities have responsibility for wildlife protection and response to wildlife impacts such as marine spills. These arrangements vary from state to state and should be detailed within a State/NT or regional wildlife plan.

2.14 STATE/NT CONTINGENCY ARRANGEMENTS

Outlines of the State/NT contingency arrangements for marine chemical spills are given in Appendices 12 to 17. More detail can be obtained from State/NT authorities and relevant plans and procedures.

2.15 SAFE HAVENS

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 safe havens.

It is rarely possible to deal satisfactorily and expeditiously 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.

Some States/NT have adopted specific guidelines on safe havens, and these should be followed as appropriate. Regardless of whether safe havens are pre-designated or not, the following criteria are basic for the selection of safe havens:

– adequate depth of water;

– good holding ground;

– shelter from effect of prevailing wind/swell;

– relatively unobstructed approach from seaward;

– environmental classification of adjacent coastline and fisheries activity;

– access to land/air transport; and

– access to loading/unloading facilities for emergency equipment.

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

2.16 TRAINING AND EXERCISES

Training programs are conducted at three levels, which recognise the overall technical complexity of managing a marine pollution response and that the associated knowledge required by personnel varies depending on their level of responsibilities.

The three levels of training conducted are:

Senior Management

- the focus is on the requirements of senior government and industry management personnel, including Commonwealth, State/NT appointed Marine Pollution Controllers - responsible for high level decision making;

Middle Management

- the focus is on the requirements of middle management personnel, including designated and potential Incident Controllers, their deputies and ESCs - responsible for the preparation of contingency and response plans and the management and conduct of effective chemical spill response operations and associated logistic, administrative and financial tasks;

Operator

- the focus is on the requirements of operational personnel, those undertaking on-site clean-up operations and operating spill response equipment.

2.16.1 Chemical Spill Training

In addition to National Plan oil spill response training CHEMPLAN training courses have been developed by AMSA in conjunction with the Australian Maritime College. The courses train Fire Service and Hazardous Materials responders on maritime chemical transport practices and the techniques involved in combating chemical spills in the marine environment. Full details of the course and its content are available from EPG, AMSA.

2.16.2 National Plan Training for Marine Spill Response

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

Full details of the National Plan training program, including course content, are available from EPG, AMSA or www.amsa.gov.au/me/natplan/Training.htm

3 RESPONSE

3.1 MEASURES TO BE EMPLOYED

In the event of a hazardous material spill in the marine environment the following measures should be employed according to the circumstances of the spill and conditions prevailing. The importance of human health and safety in any response operation cannot be overstressed.

- if possible prevent, control or stop the outflow or release of the chemical from the source;
- if coastal or marine resources are not threatened or likely to be threatened, monitor the movement and behaviour of the chemical residues, plume or vapour;
- if coastal and marine resources are threatened, determine whether to begin response operations, either at sea and/or to protect sensitive resources;
- 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 chemical contamination monitoring, clean-up priorities and other response measures; and
- if possible contain the spread of chemical residues.

3.2 OVERALL PROTECTION PRIORITIES

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

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

However, in assessing protection priorities, it is necessary to maintain a balanced view of the potential success of particular response strategies. Strategies that may be unsuccessful in meeting a higher priority, could be highly successful in relation to a lower priority.

3.3 SPECIALISED AGENCY PARTICIPATION

Due to the wide range of chemicals and their diverse hazards and properties, specialist expertise from Fire Services, industry, AMSA advisers and environmental agencies should be sought to ensure the use of safe and practical response systems.

Fire Services, Chemical Spill Response units or Hazardous Materials units of State/NT Environmental Agencies, as key response resources, will meet their normal agency responsibilities but will operate under direction of the Statutory or Combat Agency. This maximises the utilisation of existing local resources and expertise in fire and toxic emission control, hazardous material containment, clean up and decontamination operations.

A response by a specialised 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.

3.4 INCIDENT REPORTING AND RESPONSE ACTIVATION

3.4.1 Initial Reports

Notification of a pollution incident will normally be made as a result of planned surveillance activities, through observations of Government agencies, by shipping and aircraft, by those responsible for the incident, or by the public. It is important that the information received be reported without delay to enable immediate and appropriate action to be taken. The response procedures, which shall be followed, are summarised in Figure 6.

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

The AusSAR contact details are outlined in Appendix 2.

3.4.2 Initial Action

The agency receiving the report of a pollution incident shall notify the relevant State/NT Statutory Agency as defined in the IGA. In circumstances where the notification was not received from AMSA, then this shall include advice to EPG, AMSA.

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

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 POLREP in accordance with section 3.4.4.

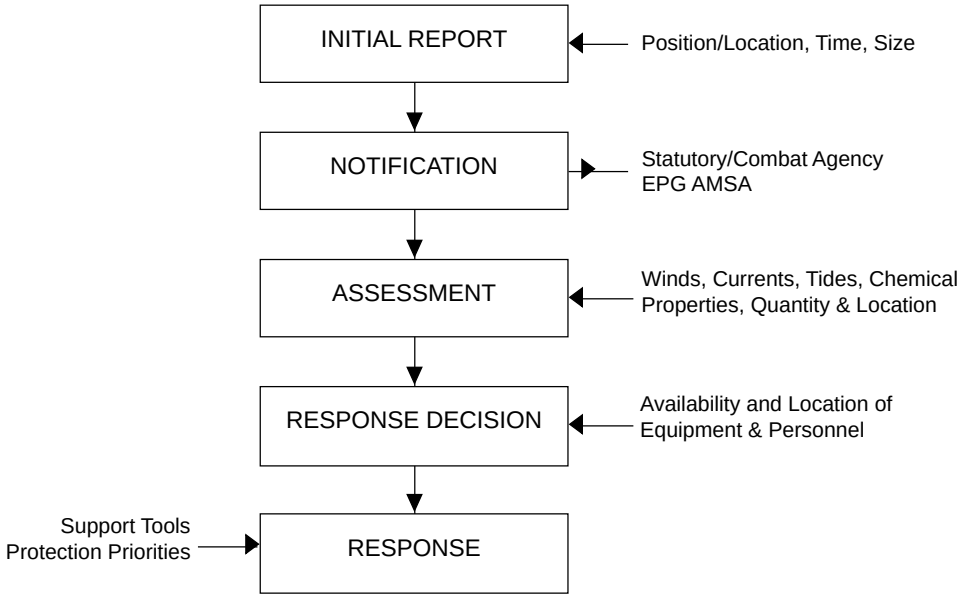


Figure 6 - Typical Response Procedure

3.4.3 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 a marine hazardous material 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 hazardous materials or where a decision has been made to implement response action, the Combat Agency should mount a response operation in accordance with the appropriate contingency plan arrangements.

It should be noted that some States might have a requirement to formally activate a Plan. This should be done without delay to facilitate any subsequent cost recovery actions.

3.4.4 Pollution Report (POLREP)

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 AusSAR who would disseminate to relevant agencies based on the incident type and location. A generic POLREP form is shown in Appendix 7(i) which can be used by agencies.

It should also be noted that the requirement for ships' Masters to report discharges from their vessels is established by the MARPOL 73/78 Convention. For reference, a copy of the details that ships' Masters should report is also listed at Appendix 7(ii) (Harmful Substances Report).

3.4.5 Situation Report (SITREP)

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 despatched to those concerned. SITREPs should contain as much information as possible.

During an incident, which involves the risk of marine pollution, the Combat Agency shall be responsible for initiating SITREPs to relevant agencies, including AMSA. Concerning AMSA, these SITREPs should be directed to AusSAR who would disseminate to EPG. A suggested format, including required content, for reporting this information is outlined in Appendix 8.

3.4.6 Chemical Pollution On-Shore

Chemicals washed ashore are usually in packages, drums or tank containers. Masters of vessels are also required to report the loss overboard of such cargo immediately. The reports are passed to AusSAR, which will advise EPG, AMSA the nearest responsible State/NT authority as quickly as possible. At the same time, EPG, AMSA will endeavour to obtain a copy of the vessel's dangerous goods manifest and identify the chemicals involved and possible trajectory or fate of lost chemical cargo containers.

3.5 INCIDENT CONTROL

Operational control of a chemical incident is the responsibility of the Combat Agency representative nominated as IC, supported by an Incident Management Team (IMT) that performs the tasks of the Planning, Operations, Logistics and Finance and Administration Sections required by OSRICS.

The IC shall establish an Incident Control Centre (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.

3.6 RESPONSE PLANS

3.6.1 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.

3.6.2 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 short-term, specified 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.

The IAP provides clear aims and objectives for the response.

3.7 RESPONSE TO CHEMICAL SPILLS

A detailed Marine Chemical Spill Response Manual prepared by IMO and held by AMSA supports the CHEMPLAN and State/NT and local contingency plans. Figure 7 summarises the five main phases of the response to a chemical spill.

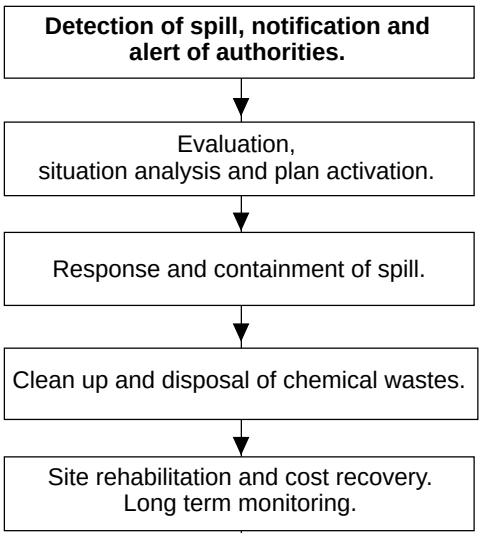


Figure 7 - The Five Phases of the Response to a Chemical Spill

3.8 HAZARD IDENTIFICATION AND ASSESSMENT

It is essential to acquire as much information as possible on the identity of the chemical(s) spilled, the quantities released and the risk of further release of chemicals before response action begins. Fire services and AMSA, as well as the shipping and plastic and chemical industries can assist Statutory and Combat agencies with this hazard assessment. A checklist of information that may be required during this phase of a response operation is given in Appendix 9.

3.8.1 Monitoring chemical spills at sea

In some chemical spill situations, especially involving gases, vapours or dissolving chemicals, the only response option is monitoring the dispersion plume, evacuating the public and advising commercial and private fishing vessels to avoid contaminated areas.

In water surface pollution and floating chemical incidents, monitoring of the plume will enable the foreshore impact zone to be established so that equipment and personnel can be deployed to protect sensitive ecological areas, similar to that provided in oil spill trajectory modelling.

The majority of chemicals are colourless which renders them difficult to monitor by visual means. Depending on the chemical properties, monitoring by remote ultra-violet, infrared, temperature variations or other remote sensing techniques may be useful.

Depending on the chemical spilled and the location of the spill, if there are no threats to environmentally sensitive areas or it is not likely that the pollutant will come ashore, biological and physical processes may naturally disperse the chemical over a period of time. In these circumstances the best action may be to do nothing other than monitor the concentration, movement and fate of the chemical plume or slick. Such action will require the support of sound chemical and environmental advice to Governments, the public and the media to clearly explain why no other action has been taken.

3.9 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 clean up operations will depend on:

- type of chemical spilled;
- size of the spill;
- location of the spill;
- circumstances of the spill; and
- weather conditions.

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

3.10 *ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999 (EPBC ACT 1999)*

The Minister for the Environment has issued a Notice of Exemption for the National Plan under the *Environment Protection and Biodiversity Conservation Act 1999* (the 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.**

3.11 CULTURAL AND HERITAGE ISSUES

Important indigenous and non-indigenous culturally and historically significant sites and values exist in many parts of Australia's coastal areas. Therefore, when planning response operations there needs to be an awareness of these issues.

Issues that should be addressed include access to and general disturbance of areas. This includes recognition of cultural heritage values, semi-subsistence resource use and general protocols.

Typically there are limited accessible written records of significant sites or values. 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.

3.12 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 and for the subsequent allocation or recovery of costs. In the majority of cases of spills from known sources, there is unlikely to be any dispute about the accuracy of an analysis. In the case of a spill from an unknown source, where there will be a number of samples from different vessels to compare with a spill sample, multiple analysis methods of identifying the source may be required.

To ensure that a positive analysis result may be achieved, correct sampling, storage, handling, preparation of the samples from potential sources is essential.

Further details concerning sample collection, storage and handling are outlined in Appendix 10.

3.13 DISPOSAL OF SPILL MATERIAL

Clean-up operations can generate substantial quantities of contaminated wastes and debris. Temporary storage, transportation and final disposal methods shall be arranged to comply with local Government disposal approvals.

States/NT should ensure that they have arrangements in place with their respective Environment Protection Agencies (EPA) for the disposal of contaminated debris and include contact details for the transport and disposal of chemical waste including chemical reprocessors, approved contractors and final disposal sites in their State/NT, regional and local contingency plans.

3.14 EQUIPMENT

On completion of a chemical pollution response operation, the IC shall arrange recovery of all equipment, and unused materials and arrange their prompt return to the resource centre from which they came. In the event of a major incident, a NRT member will be available to assist in the coordination of equipment transfers, including returning equipment to its point of origin.

The IC, or delegate, will ensure that all equipment is cleaned after use to the extent available facilities allow and is returned to the ownership authority by the quickest possible means, having regard to freight costs. Where necessary the equipment should be decontaminated of any chemical substances.

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.

Details including contacts of National Plan, State/NT, AMOSC and other industry resources held in each State/NT are given in MOSES. An example of MOSES is at Appendix 6. A copy of MOSES should be placed in each State/NT Contingency Plan. Procedures to be followed to gain access to them are outlined in part 2.10.1 of this plan.

Requests for equipment from other States/NT should be made by the IC, directly to a State/NT Committee, which will, in turn, request the equipment through EPG, AMSA. See Appendix 2 for contact information.

3.15 TERMINATION OF A RESPONSE

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

The Statutory Agency will be responsible for announcing the termination of a response, after consultation with the Combat Agency. This should include issuing a final SITREP.

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

4 RESPONSE SUPPORT

4.1 CHARTER AND HIRE ARRANGEMENTS

4.1.1 Charter of Vessels

During an incident there may be the requirement to charter local vessels to assist in response operations. A Vessel Charter Agreement used by AMSA shown in Appendix 11 provides an example of an agreement, which may be amended for use by other agencies.

It is suggested that a formal agreement should be used whenever there is a need for agencies to charter a fishing vessel, or other craft, for use at pollution incidents and where the owner agrees to its use for such charter.

While the IC may need to control the operation of a vessel to suit prevailing conditions and the particular circumstances of the incident, it shall be made clear that THE NAVIGATION AND SAFETY OF THE VESSEL WILL REMAIN THE RESPONSIBILITY OF THE VESSEL'S MASTER AT ALL TIMES.

When an owner is not prepared to accept the suggested agreement, but is prepared to make a vessel available, the charterer should ensure that:

(a) the vessel complies with all safety and equipment requirements; and

(b) it is made clear by the charterer to the owner that the controls shall apply at all times.

All other aspects of the charter shall be the subject of local negotiation at the time of the incident.

Details of craft availability, including Port and State/NT Government craft, should be shown in appropriate regional and local contingency plans.

4.1.2 Hire of Spray Aircraft

AMSA in conjunction with the AIP through its oil spill centre - AMOSC - have put in place a Fixed Wing Aerial Dispersant Capability (FWADC) for the application of oil spill dispersants. This capability has been achieved by means of a contract with Australian Maritime Resources (AMR) based in Adelaide, SA and may be suitable for the application of neutralisers on chemical spills.

Based on the concept of utilising large agricultural aircraft, the FWADC is designed to complement informal dispersant spraying arrangements using helicopters, which are confined to close inshore work. The aircraft have a dispersant capability of between 1890 - 3100 litres, depending on aircraft type and model.

AMR, as the contractor, is required to have available at least two aircraft on any one day. These aircraft are located at Tintinara (SA) or Adelaide (SA) and either Emerald (Qld) or St George (Qld). Additionally, aircraft will also be available for approximately 275 days per year each at Scone (NSW), Ballarat (Vic) and St George/Emerald. Aircraft activation is on a basis of a four hour response time, i.e. available to fly within four hours of being requested to respond to an incident.

Activation of the FWADC is through the EPG Duty Officer, who can be contacted via AusSAR. The EPG Duty Officer will make an assessment of the requirement and then contact AMR, who within 30 minutes will advise AMSA of the nominated aircraft and ETA.

As the FWADC Contract does not include a stand-by arrangement, it is important to note that a decision to activate the FWADC incurs a substantial daily charge. The daily charge is in addition to charges for actual flying time. Notwithstanding the absence of a stand-by arrangement, AMSA will advise AMR, for planning purposes (not an activation), of significant incidents where dispersant application may be considered as a major response option.

It should be noted that only National Plan approved dispersants are to be used in response to any incident involving dispersant use. Full details of approved dispersant can be obtained from EPG, AMSA or www.amsa.gov.au/me/natplan/TOOLBOX/dispersa/apprvdisp.htm.

Further details of the FWADC are available through EPG, AMSA.

4.1.3 Surveillance Aircraft

Where the source of an incident is not identified and thus recovery of costs unlikely, or where it is intended to claim reimbursement of costs from AMSA under the IGA arrangements, then the EPG Duty Officer or Manager, EPG, AMSA must approve the use of aircraft for surveillance or investigation.

4.1.4 Hire of Other Equipment

The hire of earthmoving, storage, transport or other equipment will be arranged by direction of the IC as required in a clean up operation.

4.2 DEFENCE FORCE ASSISTANCE

Requests for Defence Force assistance, including the use of military transport are to be directed to the EPG, AMSA.

After assessing and approving any requests, EPG will seek the assistance of the Defence Forces through EMA, Canberra. EMA will arrange for Defence Force assistance once all avenues of utilising commercial resources have been exhausted, or where time frames are such that it is impractical to use normal commercial resources.

Following approval by the Defence Department of a request, EPG will continue to liaise with EMA regarding transport details.

Costs associated with the engagement of Defence Force resources, will be charged against the incident and recovered from the polluter. These costs are determined by the Defence Forces, in accordance with Government cost recovery directions and, therefore, may exceed normal commercial rates.

4.3 SALVAGE ARRANGEMENTS

4.3.1 Salvage Involvement

In the event of an incident involving a damaged or disabled ship, it is paramount that salvage industry be involved in the response as soon as possible. Salvage activities may need to be arranged to take the vessel in tow, refloat a grounded vessel, or reduce or stop a discharge of chemicals to minimise environmental damage resulting from the casualty. It is essential that these operations be undertaken as soon as possible.

In accordance with the IGA, AMSA has responsibility for safety issues relating to vessels on interstate or foreign voyages and will be responsible for ship operational matters. These functions include alerting and liaising with salvors, taking measures to minimise chemical out flow and other salvage activity.

A salvor will normally be appointed by the vessel's owner or Master by signing a Lloyds Open Form Agreement. However, in cases where this does not occur, AMSA may use its powers under the International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties 1969 to either direct the Master/Owner to engage a salvor or alternatively contract a salvor to undertake necessary work, with costs recoverable from the owner.

4.3.2 Salvage Liaison

During an incident requiring the salvage of a vessel, consideration should be given to the appointment of an On Scene Casualty Coordinator (OSCC). The role of the OSCC is to enable continuing exchange of information regarding the salvage operation between the IC, the Salvage Master and the Statutory/Combat Agencies. This will enable the Salvage Master to limit briefings to one person, whilst at the same time providing for continuity in information flow. An AMSA marine surveyor is available to act as the OSCC as required.

4.3.3 Independent Salvage Advice

In a major casualty the possibility may arise for the need to have access to independent salvage advice. AMSA has identified three suitable companies that can provide independent advice on the salvage operation, including whether the proposed salvage operations are appropriate, independent of the salvor or the owner. In the event of requiring such advice, AMSA will make the appropriate arrangements with one of the identified companies.

4.4 UPDATING THE PLAN

Contingency Plans are evolving documents, and as such require regular updating. It is recommended that all Contingency Plans be reviewed annually to take into account policy changes and experience from incidents and exercises. Regular amendments should be made to reflect changes in contact, equipment and other details.

Minor amendments to this Plan will be issued by AMSA as they become necessary. AMSA will review the Plan annually and any major revisions presented to NPOG for endorsement.

Information for updating the Plan should be forwarded on a regular basis to:

Manager
Environment Protection Group
Maritime Operations
Australian Maritime Safety Authority
GPO Box 2181
CANBERRA CITY ACT 2601

or by Facsimile: (02) 6279 5076

5 CONTINGENCY PLAN DECISION SUPPORT SOFTWARE

AMSA holds copies of various software programs that can provide assistance to MPCs and ICs involved in operations under CHEMPLAN. Full details of the software and its capabilities can be obtained from EPG, AMSA, but brief details are as follows:

Software	Purpose	Information	Remarks
ALOHA (Areal Locations of Hazardous Atmospheres)	Chemical plume modelling software	Allows the user to model the behaviour of a chemical and the "footprint" of a toxic gas plume escaping from a vessel, tank or other storage container under the influence of wind and other meteorological conditions. The dose and concentration level over time for the escaping chemical can be predicted at any point downwind eg indoor and outdoor, in a building, at certain height, etc.	Developed by the US National Oceanic and Atmospheric Administration (NOAA), Hazardous Materials Response and Assessment Division and the US Environmental Protection Agency (EPA). Requires trained operator - available through EPG AMSA.
CHRIS (Chemical Hazard Response Information System)	Information needed for decision-making by personnel during emergencies involving hazardous materials	A variety of chemical information, hazard assessment information and response guides.	Developed for the US Coast Guard
IMDG Code (Computerised International Maritime Dangerous Goods Code)	Information on the safe transport, handling and stowage of packaged dangerous goods by sea	Classification, documentation, storage, segregation, packing Marking, labelling and placarding of packaged dangerous goods UN Codes Properties of the substances GESAMP Ratings Class Packaging Group Fire Precautions Emergency Schedules for Ships Carrying Dangerous Goods (EmS) Medical First Aid Guide for Use in Accidents Involving Dangerous Goods (MFAG) Code of Safe Practice for Solid Bulk Cargoes (BC Code) Reporting Procedures under SOLAS 74 and MARPOL 73/78 IMO/ILO Guidelines for Packing Cargo in Freight Containers or Vehicles Recommendations on the Safe Use of Pesticides in Ships International Nuclear Fuels Code	Developed by IMO

Software	Purpose	Information	Remarks
MCIS (Milbros Chemical Information System)	Up-to-date source of information on the safe transportation and handling of liquid bulk chemicals	1. chemical/product name 2. description 3. formula 4. synonyms and trade names 5. UN number 6. CHRIS code (US Coast Guard) 7. IMDG classification 8. IMO regulations that apply 9. various MARPOL information 10. physical data 11. cargo temperature & heating requirements 12. TLV levels 13. reactivity of the chemical 14. stability and use of stabilisers/ inhibitors 15. cargo handling instructions 16. tank cleaning requirements 17. MARPOL regulations related to cleaning/loading 18. emergency procedures in case of fire, spillage, human exposure 19. loading/transfer equipment requirements including equipment suitability. 20. pollution rankings and details based on GESAMP ratings.	Developed by Milbros Shipping AS. Originally designed for chemical tanker operators.
MOSES (Marine Oil Spill Equipment System)	Computer based database, of pollution control equipment.	Type, quantity, location, status and availability of equipment.	Developed by AMSA. Copies of MOSES outputs are available in State/NT Plans or directly from EPG, AMSA.
OSRA (Oil Spill Response Atlas)	Provides modelling of bulk liquid or water movement in the continental shelf region of Australia. Can also predict the extent of certain spills.	Base Map Shoreline Biological Resources Wetlands, Estuaries & Rivers Human Resources Logistical Use Resources/ Infrastructure Remote Sensing/Aerial Photography Incident Details/Spill Trajectory Sensitivity Ratings/Response Options.	Developed by States/NT under a National Plan-funded ongoing program. OSRA is a Geographic Information System (GIS), PC based resource for use, with real-time data from the Bureau of Meteorology (BOM), by field scientific and environmental staff during chemical or oil spill incidents and exercises.
OSTM (Oil Spill Trajectory Modelling)	Identify and describe the coastal resources in an area; Provide information on access features of an area; Can contain information on the response options such as boom deployment and dispersant use, and logistical problems.	Speed of movement, weathering and spreading characteristics of the oil under the influence of prevailing currents and weather conditions.	Developed for AMSA. Can also be applied (with caution) to certain chemical spills. Periodic updates of the prevailing winds and confirmed observations of the movement of the spill are needed to confirm accuracy. Bureau of Meteorology forecasts are needed to maintain currency.

Software	Purpose	Information	Remarks
ChemAlert	Chem Alert provides definable reports including: Chem Alert Reports & Labels; Manufacturers' Scanned MSDS; Risk Assessment Module; Hazardous Substances Registers; Dangerous Goods Registers; and Stock Management System & Reporting	Features of Chem Alert include: Health hazards & precautions for use, Safe handling procedures, Storage & transport requirements, Environmental fate, and Emergency and first aid advice.	Developed by Risk Management Technologies, United States of America. Access by contacting Fire Services in each State/NT
ChemData	An extensive data base of hazardous materials, providing 'first response' information for firefighters and other emergency services and designed for use by communications personnel rather than technical specialists.	Provides information on personal protection, hazards, precautions, environmental protection priorities, firefighting procedures, decontamination, and first aid for a very broad range of hazardous materials. Also includes the IMDG Emergency Schedules (EmS).	Developed and maintained by the National Chemical Emergency Centre, Harwell, United Kingdom. Practically all Australian Fire Services use a modified Australian edition designed to provide information for the HAZMAT Action Guide form used by Fire Services for communication of response advice by radio.

A list of website links for chemical databases and information follows:

Organisation	**Website**
Computer-Aided Management of Emergency Operations (CAMEO) - National Oceanic and Atmospheric Administration (NOAA)	response.restoration.noaa.gov/cameo/links.html
Material Safety Data Sheets	www.msds.com.au/
Guiding Principles for Chemical Accident Prevention, Preparedness and Response	www1.oecd.org/ehs/ehsmono/ACGUCON.HTM
Aids for Chemical Accident Responders and Planners- NOAA	response.restoration.noaa.gov/chemaids.html
US Office of Hazardous Materials	hazmat.dot.gov/
US National Safety Council - chemical hazards	www.crossroads.nsc.org/index.cfm
Agency For Toxic Substances & Disease Register -Hazardous Substance Release and Health Effects Database	www.atsdr.cdc.gov/hazdat.html
Toxicological Network - data base & fact sheets	ace.ace.orst.edu/info/extoxnet/
Dangerous Goods Information - International Air Transport Association	www.iata.org/cargo/dg/
US Chemical Emergency Preparedness and Prevention office	www.epa.gov/ceppo/emerg.html

List of Reference Material & Publications

Emergency Response Guidebook: Guidebook for first response to hazardous materials incidents (2000), US Department of Transportation, hazmat.dot.gov/gydebook.htm

Dangerous Goods - Initial Emergency Response Guide: Australian/New Zealand Handbook (1996), Standards Australia/Standards New Zealand (ISBN: 0 7337 0465 4)

Guide to the Compatability of Chemical Cargoes from V5 IMDG Code 2000 edition.

Manual on Chemical Pollution Section 1: Problem assessment and response arrangements 1999 (IMO-630E, ISBN 92-801-6096-6)2 prepared by IMO.

Manual on Chemical Pollution Section 2: Search and Recovery of Packaged Goods Lost at Sea (IMO-633E)

APPENDIX 1 Inter Governmental Agreement & Administrative Arrangements

Inter-governmental Agreement on the National Plan To Combat Pollution of the Sea by Oil and Other Noxious and Hazardous Substances

This AGREEMENT is made on the 25th day of May 2001.

BETWEEN
The Commonwealth of Australia
The State of New South Wales
The State of Victoria
The State of Queensland
The State of Western Australia
The State of South Australia
The State of Tasmania And
The Northern Territory
("The Parties")

Definitions

"Australian Maritime Group" means the group of representatives from the transport agencies of the Commonwealth, States and Northern Territory.

"Australian Transport Council" means the group of Commonwealth, State and Territory Ministers who have responsibility for transport matters from time to time.

"Combat Agency" means the agency having operational responsibility in accordance with the relevant contingency plan to take action to respond to an oil and/or chemical spill in the marine environment.

"Committee" means the National Plan Management Committee established in accordance with paragraph 3 of this Agreement.

"National Plan" means the National Plan to Combat Pollution of the Sea by Oil and other Noxious and Hazardous Substances.

"Review Report" means the report of the 1999/2000 Review of the National Plan to Combat Pollution of the Sea by Oil and other Noxious and Hazardous Substances of 30 June 2000 endorsed by the Australian Transport Council on 25 May 2001.

"Standing Committee on Transport" means the heads of the transport agencies of the Commonwealth, States and Territories, or their representatives.

"Statutory Agency" means the State/NT or Commonwealth agency having statutory authority for marine pollution matters in their area of jurisdiction.

Principle

Since its establishment in 1973, the National Plan has been characterised by willing and effective cooperation between key players from both government and industry, and has provided both timely and effective response to actual pollution incidents.

Nothing in this agreement lessens the need to maintain this high level of cooperation between all stakeholders in order to provide timely and effective response to actual pollution incidents, including making available equipment and trained personnel as and when needed.

Recitals:

Whereas

A. The Parties have agreed to the implementation of the Review Report recommendations concerning the administrative and funding arrangements under the National Plan for responding to oil and chemical pollution in the marine environment;

B. The Parties agree that the implementation of the recommendations of the Review Report, and the administrative and funding arrangements set out in Schedules 1 and 2 to this Agreement require the establishment and implementation of a cooperative arrangement to ensure that:

   (i) the national approach to preparedness and response to oil and chemical spills in the marine environment under the National Plan is continued and strengthened, consistent with the recommendations of the Review Report, with the active participation of industry groups wherever possible and with due regard to existing State/NT emergency management arrangements;

   (ii) the division of responsibility between the Parties is clear in relation to maintaining the national preparedness and response capacity in accordance with the National Plan and to manage associated funding, equipment, and training programs to support National Plan activities;

   (iii) mechanisms are established to ensure that decision making under the National Plan is cooperative and that the obligations of the Parties under the National Plan are met; and

   (iv) principles are agreed under which the obligations of the Parties under the National Plan are to be funded.

C. The Parties note that the Australian Maritime Safety Authority (AMSA), established under the *Australian Maritime Safety Authority Act 1990* as a Commonwealth Authority, is the national safety agency with a primary role in maritime safety, protection of the marine environment and aviation and marine search and rescue. AMSA is largely self-funded through levies on the commercial shipping industry. AMSA has statutory authority for marine pollution matters within the jurisdiction of the Commonwealth of Australia. One of AMSA's primary areas of responsibility is protection of the marine environment through management of the National Plan.

D. The Parties are agreed that the elements of the cooperative arrangement are:

   (i) the establishment of a National Plan Management Committee to be responsible for strategic management of the National Plan and to report to the Australian Transport Council through the Australian Maritime Group and the Standing Committee on Transport;

   (ii) the establishment of a National Plan Operations Group to report to and support the National Plan Management Committee by considering the overall operational aspects of the National Plan;

   (iii) that the Statutory Agency in each State/NT is to be responsible for the coordination of the local administration and operation of the National Plan;

   (iv) continuation of AMSA as the managing agency of the National Plan;

   (v) a Memorandum of Understanding between AMSA and the Australian Institute of Petroleum; and

   (vi) the establishment of principles under which the obligations of the Parties under the National Plan are to be funded.

NOW IT IS AGREED BY ALL PARTIES AS FOLLOWS:

Operation of the Agreement

1. The Agreement will commence on the date it is signed by the Commonwealth, the States and the Northern Territory.
2. The Parties will take such action as is provided for by this Agreement and as is otherwise required to achieve the objectives set out above by initiating the administrative acts and procedures provided for by this Agreement, in accordance with the roles and responsibilities set out below.

Operation and functions of the Committees and Statutory Agencies

National Plan Management Committee

3. The Parties will establish a National Plan Management Committee to provide advice to the Australian Transport Council on the strategic, policymaking and funding direction for the National Plan. The functions of the National Plan Management Committee are to:
   (i) provide strategic oversight and direction for the effectiveness and efficiency of the National Plan, including preparedness and response standards;
   (ii) oversee the ongoing effectiveness of the formal arrangements between key stakeholders and AMSA as National Plan manager;
   (iii) provide advice to the Australian Transport Council on the collection and distribution of funds for the National Plan, including contributions from the Commonwealth, the States/NT, and shipping industry;
   (iv) develop and maintain a four-year rolling budget for AMSA's National Plan activities to be submitted for advice each year to the Australian Transport Council;
   (v) develop, implement and monitor mechanisms to ensure the roles and responsibilities of the stakeholders are clearly understood by all stakeholders in the National Plan;
   (vi) prepare an annual report to be distributed to all stakeholders on achievement of the National Plan objectives, activities and operations including financial management;
   (vii) provide advice to AMSA in developing and maintaining international and regional cooperative arrangements for marine pollution response and preparedness; and
   (viii) perform such other functions as the Australian Transport Council may confer on it from time to time.
4. Membership of the Committee will comprise a senior executive representative (or alternate with equivalent authority) from each of the Parties, AMSA (as National Plan manager) and a representative of each of the following stakeholders to the National Plan:
   (i) Association of Australian Ports and Marine Authorities;
   (ii) Great Barrier Reef Marine Park Authority;
   (iii) Australian Institute of Petroleum;
   (iv) Australian Shipping Federation; and
   (v) Plastics and Chemicals Industries Association.
5. The Committee will have an independent chair who is not a representative of the Parties or the stakeholders.

6. Each member will bear the costs and expenses incurred in the course of Committee business.
7. The Committee will hold such meetings at least annually, and will hold additional meetings as necessary for the efficient performance of its functions. Meetings may be held by teleconference or videoconference. Notice of meetings and agendas will be given at least one month in advance, unless otherwise agreed by the members. Meetings will not be held unless a majority of State/NT members are able to attend.
8. The Parties will encourage their representatives to provide a whole-of-government perspective, and not just the views of their respective agencies.
9. The Committee will make its reports and recommendations to the Australian Transport Council through the Australian Maritime Group and the Standing Committee on Transport.
10. The Australian Transport Council will be entitled to be notified of and to be given information concerning any matter being dealt with by the Committee. The Australian Transport Council will have the right to refer any matter arising out of or in connection with their marine pollution prevention responsibilities directly to the Committee for consideration.
11. The secretariat for the Committee will be provided by AMSA.

National Plan Operations Group

12. The Parties will establish a National Plan Operations Group to support the National Plan Management Committee by considering the overall operational aspects of the National Plan. The functions of the National Plan Operations Group are to:

    (i) develop and implement programs to:

    (a) provide training under the National Plan;

    (b) coordinate the National Response Team[1] to assist in a response under the National Plan to an oil or chemical spill in the marine environment;

    (c) monitor National Plan equipment, identify acquisitions to be made by AMSA of National Plan equipment and maintenance of AMSA-owned National Plan equipment;

    (d) ensure equipment allocation, compatibility and preparedness to enable a consistent approach to be taken by each Party for the purposes of paragraph 20 of this agreement;

    (e) test the effectiveness of contingency plans through conducting incident response exercises;

    (f) maintain support systems under the National Plan, including fixed wing aerial dispersant spraying, risk assessment, the Oil Spill Response Atlas, and the Oil Spill Trajectory Model;

    (g) support the adoption of new technology and evaluate research and development projects for National Plan funding;

    (h) address marine environmental issues such as guidelines to determine extent, and restoration of, damage caused by marine pollution incidents;

    (i) raise community awareness about protection of the marine environment from oil and chemical pollution; and

[1] The National Response Team is a group of trained and experienced personnel from various National Plan stakeholder agencies that is available to provide support across all response disciplines to any National Plan Combat Agency in the event of a major oil pollution incident.

(j) support and give guidance to the implementation of the Oil Spill Response Incident Control System.

(ii) establish and oversight working groups that are necessary for the National Plan Operations Group to carry out its functions;

(iii) assist States/NT to establish and maintain effective communication channels with all relevant stakeholders; and

(iv) perform such other functions as the National Plan Management Committee may confer on it from time to time.

13. Members of the National Plan Operations Group will have senior operations management responsibilities within their respective agencies or organisations. Parties to this agreement and the following stakeholders in the National Plan will be represented:

(i) Australian Marine Oil Spill Centre;

(ii) Environment and Scientific Coordinators Network;

(iii) Australasian Fire Authorities' Council; and

(iv) Association of Australian Ports and Marine Authorities.

14. The National Plan Operations Group will be chaired by AMSA (as National Plan manager).

15. Each member will bear the costs and expenses incurred in the course of National Plan Operations Group business.

16. The National Plan Operations Group will hold such meetings as are necessary for the efficient performance of its functions. Meetings will be held twice yearly or more often as the Operations Group decides is appropriate and where possible will be held before meetings of the National Plan Management Committee. Meetings may be held by teleconference or videoconference. Notice of meetings and agendas will be given at least one month in advance, unless otherwise agreed by the members. Meetings will not be held unless a majority of State/NT members are able to attend.

17. The National Plan Operations Group will make its reports and recommendations to the National Plan Management Committee.

18. The secretariat for the National Plan Operations Group will be provided by AMSA.

State/NT Responsibilities

19. A Statutory Agency in each State and the Northern Territory will be responsible for coordinating the local administration and operation of the National Plan, in accordance with the National Plan Administrative Arrangements, appearing in Schedule 1 to this Agreement. This may be done in consultation with a State/NT Committee and with due consideration to the relevant State/NT emergency management arrangements.

20. The responsibilities of the National Plan State/NT Statutory Agencies will be:

(i) administration and operation of the National Plan in the State/NT, including provision of support to the National Plan Management Committee and National Plan Operations Group;

(ii) developing and implementing contingency plans for combating marine pollution under the National Plan;

(iii) advising and supporting the Combat Agency during the response to a marine oil or chemical pollution incident;

(iv) advising AMSA in relation to capital equipment, maintenance and training requirements for that State/NT on an annual basis; and

(v) ensuring all oil and chemical pollution incidents and reports of oil spill sightings whether confirmed or unconfirmed are reported to AMSA.

Funding

21. The Parties agree that the following principles should form the basis under which obligations are funded under the National Plan:

    (i) Preparedness for marine pollution incidents should be funded on the basis of the principle that the potential polluter pays;

    (ii) Response to marine pollution incidents should be funded on the basis of the principle that the polluter pays; and

    (iii) Agencies responding to and incurring costs in relation to pollution incidents where the polluter is not identified, or costs are not recoverable, will be reimbursed by AMSA on the basis of the potential polluter pays, as set out in paragraphs 22 to 29 of Schedule 1 to this Agreement.

22. Each State/NT agrees that, following consultation with the National Plan Operations Group and relevant stakeholders, they will ensure that:

    (i) each oil/chemical terminal and offshore drilling rig/platform within their jurisdiction maintains, either directly or indirectly, an appropriate preparedness and response capacity consistent with the level of risk posed by the terminal, offshore drilling rig or offshore platform;

    (ii) each port within their jurisdiction, including private ports and private terminals within ports, maintains, either directly or indirectly, an appropriate preparedness and response capacity consistent with the level of risk within the port;

23. The Parties agree that any arrangements put in place to provide participation by ports in National Plan activities outside port limits are undertaken on a commercial basis, where such participation is not separately mandated by State/NT legislation.

24. The Parties agree to the specific funding obligations appearing in Schedule 2 to this Agreement.

Review

25. The National Plan Management Committee will report to the Australian Transport Council on an evaluation of the cooperative arrangements contained within this Agreement within 12 months of its commencement and at regular intervals thereafter as determined by the Australian Transport Council.

26. The Australian Transport Council will decide as soon as practicable after receipt of the report whether this Agreement should continue, be modified or terminated. The Council will make their decision by consensus and, if the decision is to extend, modify or terminate this Agreement, take all necessary steps to give effect to their decision.

27. The Australian Transport Council may at any time review or modify this Agreement and, if they decide by consensus to terminate it, do all that is necessary to terminate it.
28. The National Plan Management Committee may at any time review or modify the Schedules to this Agreement.

SIGNED by *(the Commonwealth of Australia)*

Date:

SIGNED by *(the State of New South Wales)*

Date:

SIGNED by *(the State of Victoria)*

Date:

SIGNED by *(the State of Queensland)*

Date:

SIGNED by *(the State of Western Australia)*

Date:

SIGNED by *(the State of South Australia)*

Date:

SIGNED by *(the State of Tasmania)*

Date:

SIGNED by *(the Northern Territory)*

Date:

SCHEDULE 1

Administrative Arrangements

Application

1. These arrangements will apply to action taken when responding to marine oil and chemical pollution in Australian waters.

2. Arrangements between the Commonwealth and/or State/NT authorities and the Australian Institute of Petroleum with respect to the role of the oil industry and for the mutual use of equipment and expertise are set out in separate agreements.

Division of Responsibility

3. In some cases the Statutory and Combat Agencies will be the same agency.

4. In accordance with the Offshore Constitutional Settlement jurisdictional arrangements, the Statutory Agency responsible for oversighting response action for oil and/or chemical spills other than those from offshore petroleum operations is as follows:

   (i) within the three nautical mile coastal waters and foreshore areas - the State/NT government's designated Statutory Agency;[2]

   (ii) outside the three nautical mile coastal waters and in coastal waters and foreshore areas not within State/NT jurisdiction - the Australian Maritime Safety Authority (AMSA), as the Commonwealth Statutory Agency.

5. In accordance with the *Petroleum (Submerged Lands) Act 1967* and relevant State/NT offshore petroleum legislation, Statutory Agency responsibility for oversighting response actions to pollution events from offshore petroleum operations lies with the relevant State/NT Statutory Agency, or the agent for the Commonwealth in areas of Commonwealth jurisdiction.

6. Combat Agency responsibility for responding to oil and/or chemical spills in various jurisdictions can vary between the States/NT. Generally, the following applies:

   For State/NT waters:[3]

   (i) at oil terminals - the relevant oil company or terminal operator using industry arrangements as required such as the AMOSPlan mutual aid arrangements through the Australian Marine Oil Spill Centre (AMOSC). Should a situation develop where the necessary response is beyond 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 predesignated response arrangements with oil terminal operators which clearly specify the agreed division of responsibilities and terms and conditions for transferring control;

   (ii) at chemical terminals - the relevant chemical company or terminal operator under industry arrangements as required such as the Chemsafe Emergency Management Program arrangements under the Plastics and Chemicals Industries Association. Should a situation

[2] In Queensland, it is recognised that offshore jurisdiction between the Commonwealth and the State is particularly complex as a consequence of the many islands and cays within the Great Barrier Reef and Torres Strait. Jurisdiction in these areas is set out in maps that have been prepared for the purposes of this agreement. These maps are held by the Queensland and Commonwealth Statutory Agencies and should be referred to when determining jurisdiction for incidents in these areas.

[3] In NSW, the Combat Agency for all oil and chemical spills in State waters is the designated Statutory Agency.

develop where the necessary response is beyond chemical 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 predesignated response arrangements with the relevant Chemical Terminal operators which clearly specify the agreed division of responsibilities and terms and conditions for transferring control;

(iii) in ports (other than at oil and chemical terminals within a port), the port operator or responsible State/NT authority, as specified in the relevant contingency plan, with assistance from other National Plan stakeholders as required; and

(iv) within the three mile coastal waters - the responsible State/NT Statutory Agency with assistance from other National Plan stakeholders as required.

For Commonwealth waters:

(v) beyond the three mile coastal waters - the Commonwealth via AMSA except in those incidents close to shore when oil or chemicals are likely to impact the shoreline. In these circumstances, the State/NT via the Statutory Agency will be the Combat Agency for protecting the coastline while AMSA assumes responsibility for ship operational matters, eg containing the spill within the ship, organising salvage, etc.

For the Great Barrier Reef:

(vi) in the REEFPLAN area of the Great Barrier Reef - Queensland Government via the Queensland National Plan State Committee, with assistance from other National Plan stakeholders as required.

For offshore petroleum operations:

(vii) for spills emanating from offshore petroleum operations - the relevant oil company with assistance, as required, from the Statutory Agency;

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

8. The Combat Agency will as soon as possible undertake preventive and clean up action or may request another agency to act on its behalf.

9. In circumstances where the incident has exceeded or is likely to exceed the capacity of the Combat Agency to respond effectively or the response is not being conducted effectively, the Statutory Agency may assume control of the response.

10. The Statutory Agency is responsible for the institution of legal proceedings and the recovery of clean up costs on behalf of all participating agencies.

11. An oil/chemical spill response will be terminated when the Statutory Agency considers that the effective completion of the response is achieved based on expert Combat Agency advice. The Statutory Agency will be responsible for announcing the termination of a response, after consultation with the Combat Agency. These arrangements are to be specified in all contingency plans.

Australian Maritime Safety Authority

12. AMSA's role as managing agency of the National Plan includes:

(i) maintaining the National Maritime Oil Spill Contingency Plan and the National Maritime Chemical Spill Contingency Plan;

(ii) providing on-site oil and/or chemical spill operational, technical, environmental and administrative advice and assistance to Statutory and Combat agencies;

(iii) maintaining a listing of National Response Team members to assist Statutory and Combat Agencies to respond to oil spills in the marine environment;

(iv) maintaining a national database of trained oil and/or chemical spill response personnel;

(v) maintaining a national inventory of marine oil and chemical spill response equipment;

(vi) maintaining uniform standards and testing protocols for oil spill dispersants and other chemical response agents;

(vii) maintaining a national database of marine oil and chemical spill incidents, collating data provided by State/NT agencies;

(viii) providing advice regarding setting of standards for equipment, training and implementation of oil and chemical spill responses;

(ix) providing advice and guidelines for contingency planning and audit of response plans;

(x) managing the development and delivery of annual and longer term equipment acquisition programs for AMSA-owned equipment;

(xi) auditing and inspecting response equipment stockpiles and maintenance programs;

(xii) coordinating and auditing the National Plan training program endorsed by the National Plan Operations Group and delivery of AMSA courses;

(xiii) reviewing and reporting to National Plan stakeholders on State/NT or industry spill responses and exercises;

(xiv) managing research and development projects endorsed by the National Plan Operations Group and the dissemination of information on pollution prevention, improved spill response and planning techniques;

(xv) being accountable for the Commonwealth's responsibilities as outlined in these Arrangements;

(xvi) managing revenue collected by AMSA for the purposes of the National Plan and expenditure against a four-year rolling budget developed by the National Plan Management Committee, and provision of financial statements to the National Plan Management Committee;

(xvii) managing the Oil Spill Response Atlas and Oil Spill Trajectory Modelling programs;

(xviii) providing the Chair to the National Plan Operations Group;

(xix) represent the interests of National Plan stakeholders in international fora;

(xx) providing secretariat services to the National Plan Management Committee and the National Plan Operations Group; and

(xxi) administering and enforcing Commonwealth legislation.

Responsibility for overall coordination of a major spill

13. Statutory Agencies will each nominate one or more senior persons authorised to act as Marine Pollution Controller with overall responsibility for ensuring that a response to a major incident within their relevant jurisdiction, as defined in paragraphs 4, 5 and 6 of this Schedule, is managed and coordinated appropriately. This includes coordinating the delivery of all available combat resources both in Australia and, where necessary, from overseas.

14. The nominated persons (Marine Pollution Controller) will have authority to direct response and clean up arrangements at a high management level and will be responsible for high level liaison with Ministers as well as senior government and industry representatives.

Equipment

Ports, terminals, rigs and platforms

15. Consistent with the funding principles set out in this Agreement, States/NT and the Commonwealth will each ensure that ports, terminals, rigs and platforms will ensure a first-strike capacity is provided to respond to oil spills within their declared areas of operation. This capacity may be provided directly by the operator, or as a service to the operator by a separate organisation. This first strike capacity will generally involve the provision of Tier 1 (up to 10 tonnes) type spill equipment and capacity for its effective operation, although there may also be circumstances where a greater or lesser capacity would be appropriate.[4]

16. State/NT Statutory Agencies, in consultation with the relevant terminal, port, rig or platform operator, will determine the required first strike capacity for these operations, having regard to the individual circumstances. The National Plan Operations Group is to be consulted when determining appropriate capacity.

17. The equipment employed will be compatible with national standards and/or criteria established for National Plan equipment by the National Plan Operations Group. AMSA is available to assist stakeholders in determining equipment compatibility.

Transitional Arrangements

18. For the purposes of paragraph 15 of this Schedule, AMSA will transfer ownership of first strike equipment to the States/NT or their nominees at no cost. The National Plan Operations Group will determine the distribution of this first strike equipment, considering equitable arrangements, gaps arising from risk analysis, and age and condition of equipment. The cost for any identified shortfall in equipment or equipment repair will be met from the National Plan.

Australian Maritime Safety Authority

19. Regional resource centres of equipment and material for use in the response, containment, monitoring and clean up of marine pollution will be maintained by AMSA in accordance with this agreement.

20. The contents of the resource centres will be determined by the National Plan Operations Group based on recommendations from Statutory Agencies and taking into consideration national priorities and equipment held by ports, terminals, rigs and platforms, and the Australian Marine Oil Spill Centre. All stakeholders will be kept informed of any significant changes to the contents of the resource centres.

[4] Some States/NT have legislation requiring ports to respond to oil spills in coastal waters adjoining the State, for which ports receive appropriate regulatory fees.

21. AMSA will maintain a database of all National Plan equipment. This database will be available for use by all National Plan stakeholders. States/NT and industry will keep AMSA informed of detailed holdings/movements in order that national pollution equipment database records can be maintained accurately.

Costs and Expenses

22. Where a marine oil and/or chemical pollution incident occurs detailed records will be kept of all operations (use of personnel, equipment, etc). When relevant, the Protection and Indemnity Club representative is to be notified as soon as possible and kept advised of oil spill response strategy and general operations.

23. Subject to paragraphs 24 to 29 of this Schedule, AMSA will replace consumable materials used and reimburse the reasonable costs and expenditure incurred by a Statutory or Combat Agency and any assisting agency in the prevention and clean up of marine pollution from ships where the value of the materials and total reasonable costs and expenditure incurred in responding to oil spills during a financial year exceeds $5000. This figure is to be indexed in accordance with CPI, and will increase by increments of $1000 at appropriate intervals. Where response costs in respect of a single incident exceed $5000 and the polluter cannot be identified, AMSA will also reimburse the first $5000.

24. Costs and expenditure relating to oil and hazardous substances spill monitoring that will be reimbursed by AMSA is restricted to Type 1 monitoring. Type 1 monitoring is defined as the collection of information about the oil and hazardous substances spill, in particular the extent and quantity of contamination and effectiveness of clean-up for the purposes of aiding decision making during shoreline clean-up and on-water operations. Reimbursement of costs and expenditure by AMSA will be limited to those incurred during the incident.

25. For the purpose of paragraph 23 of this Schedule, costs and expenditure which will not be reimbursed by AMSA includes;

    (i) post spill monitoring (other than Type 1 monitoring referred to in paragraph 24 of this Schedule) and environmental impact assessment;

    (ii) the cost of patrol, search and surveillance or other activities not directly related to a particular incident, actual or reported;

    (iii) a payment, other than the premium for insurance directly relevant to persons involved in a particular incident, made pursuant to legislation relating to workers' compensation; or

    (iv) the payment of compensation or damages for the death or injury to a person or the loss of or damage to property;

    (v) legal costs associated with action other than recovery of clean up costs.

26. For the purposes of paragraph 23 of this Schedule, the State/NT Statutory Agency will furnish AMSA with a report of every incident which will include details of:

    (i) the methods used to determine whether the pollution came from a ship source;

    (ii) the preventative and clean up measures taken; and

    (iii) the equipment, dispersant and other materials used and costs and expenses incurred.

27. In any case to which paragraph 23 of this Schedule is applicable, and to the extent it is practicable to do so, the State/NT Statutory Agencies will take such steps as are available to them, including the institution of criminal or civil proceedings, for recovery from the owner or the master of the ship which caused the oil and/or chemical pollution of the costs and expenses incurred in the preventative and clean up measures (including costs and expenses incurred by a Statutory Agency on its behalf or an assisting agency). Hire charges for National Plan equipment should be in accordance with the rates advised by AMSA as updated from time to time. Any amount recovered by a State/NT Statutory Agency pursuant to this paragraph will be deducted from the amount payable by AMSA to that agency pursuant to this paragraph or, if the agency has already been paid the full amount of such costs and expenses, the agency will pay the amount it has recovered to AMSA.

28. State/NT Statutory Agency will use best endeavours to recover all reasonable costs incurred in responding to an incident in its jurisdiction. AMSA will assist the State/NT by providing advice on making claims, format etc. AMSA will be responsible for recovery of all costs incurred in assisting the State/NT to respond to the spill. This includes, but is not limited to, all AMSA direct costs and the costs of any assistance provided or arranged by AMSA under National Plan arrangements such as transport of National Plan, industry or overseas equipment and the provision of National Response Team, or overseas personnel involved in the response. Unless an agreement is reached with the shipowner and the insurer in respect of a specific incident, all accounts will be lodged with the shipowner.

29. Where the costs of clean up for any one incident exceed $20,000, the responsible Statutory Agency may seek reimbursement from AMSA for analysis of oil and chemical spill samples and legal costs not otherwise recoverable which have been incurred in the effort to recover clean up costs. On receipt of documented claims AMSA will meet these reimbursement costs. This does not include legal costs incurred in mounting a prosecution, which will be the responsibility of the appropriate State/NT or Commonwealth Government depending on jurisdiction of the area of the spill.

Training

30. Training will be conducted by National Plan stakeholders at three levels:

    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, eg 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.

31. The National Plan training program will be developed and overseen by the National Plan Operations Group.

32. AMSA will meet the reasonable cost of airfares and course fees for State/NT Statutory Agency nominees to attend courses run by AMSA as part of the training program.

SCHEDULE 2

Funding Arrangements

Australian Maritime Safety Authority

1. The Australian Maritime Safety Authority (AMSA) is largely self-funded through levies on the commercial shipping industry. AMSA will manage the National Plan against a four-year rolling budget developed and maintained by the National Plan Management Committee and submitted for advice each year to the Australian Transport Council. AMSA will provide for a range of programs to support National Plan activities, as set out in paragraphs 3 to 14 below.

Administration of the National Plan by AMSA

2. AMSA will meet the administrative costs associated with management of the National Plan. This includes AMSA staffing costs, travel and transport, communications expenses, and depreciation.

Equipment

3. AMSA will purchase equipment for incident response, in accordance with a four year rolling oil spill response capital program developed by the National Plan Operations Group. This equipment will not include first strike equipment for offshore petroleum operations, terminals and ports.

4. AMSA will develop and implement an annual equipment maintenance program and pay reasonable storage costs for equipment held by AMSA in central and regional stockpiles.

5. AMSA will develop and implement an annual equipment audit program for equipment held by AMSA in central and regional stockpiles, or held on long term loan by the States/NT.

6. AMSA will maintain the Marine Oil Spill Equipment System (MOSES) that provides information on equipment held by AMSA, States/NT and industry.

Training

7. AMSA will fund and coordinate the AMSA Oil Spill Management Courses (Level 2 course) and State Marine Pollution Controller Courses (Level 3 course) to meet the requirements of the National Plan.

National Plan Biennial Exercise

8. AMSA will provide funding assistance to facilitate the development and delivery of a major biennial exercise by AMSA, States/NT and industry to test response plans, procedures and arrangements. Such assistance will be determined on a case-by-case basis in consultation with the National Plan Operations Group.

Fixed Wing Aerial Dispersant Capability (FWADC)

9. AMSA will manage the operational delivery of the national fixed wing aerial dispersant capability and the administrative functions associated in maintaining the capability.

Dispersants

10. AMSA will develop, maintain and fund a rolling program to provide for the purchase and storage of oil spill dispersants for Tier 2 and 3 incidents.

Incident Cost Recovery

11. AMSA will replace consumable materials used and reimburse the costs and expenditure incurred by a State/NT Statutory or Combat Agency and any assisting agency in the prevention and clean up of marine pollution from ships, in accordance with Schedule 1 to this Agreement.

Research and Development

12. AMSA will fund research and development projects agreed by the National Plan Operations Group and approved by the National Plan Management Committee.

Oil Spill Response Atlas (OSRA)

13. AMSA will manage the OSRA program and provide annual funding to allow the State/NT to ensure existing data remains current and to add additional data as necessary, as specified in the Oil Spill Response Atlas strategy agreed by the National Plan Operations Group.

Oil Spill Trajectory Model (OSTM)

14. AMSA will manage and provide annual funding for the OSTM program.

States/NT

15. The States/NT will maintain and administer State/NT contingency plans, in accordance with obligations set out in this agreement, and provide a range of programs to support National Plan activities, as set out in paragraphs 16 to 21 below.

Equipment

16. States/NT will administer an appropriate preparedness and response capacity at oil/chemical terminals, offshore drilling rigs/platforms and ports within their jurisdiction in accordance with paragraphs 15 to 17 of Schedule 1 to this Agreement. This will include appropriate arrangements for equipment maintenance and audits. States/NT will give due regard to principles developed by the National Plan Operations Group.

17. States/NT will provide regular updates of equipment held by the State/NT to AMSA to ensure the Marine Oil Spill Equipment System (MOSES) is accurate.

Training

18. States/NT will be responsible for the delivery of Equipment Operator Courses (Level 1 Course), Shoreline Cleanup Courses and Oil Spill Administration Courses to meet the requirements of the State/NT.

Exercises

19. States/NT will provide funding and personnel as appropriate to assist in the development and delivery of a major biennial exercise by AMSA, State/NT and industry to test response plans, procedures and arrangements. AMSA will reimburse the costs of the airfares of States/NT personnel who are involved in the planning and umpiring of a biennial exercise.

20. States/NT will arrange, conduct and bear the cost of exercises required by the NT/State Statutory Agencies.

Oil Spill Response Atlas

21. States/NT will ensure existing OSRA data remains current and carry out the functions specified in the strategy endorsed by the National Plan Operations Group.

APPENDIX 2 CONTACT DETAILS

APPENDIX 3 INTERNATIONAL CODES AND GUIDELINES RELATING TO THE CARRIAGE OF DANGEROUS GOODS

In discussing aspects of international codes and guidelines for vessels carrying chemicals, under IMO rules and recommendations a distinction is made between dangerous goods in packaged form, in solid form in bulk and in liquid form in bulk. The latter category is divided into oil, noxious liquid substances and liquefied gases. Regulations covering the carriage of dangerous cargoes and the ships that carry these cargoes are found in the International Convention for the Safety of Life at Sea (SOLAS, 1974), as amended, and MARPOL 73/78, as outlined above. The conventions are supplemented by the following:

1. The International Maritime Dangerous Goods Code (IMDG Code).
2. The Code of Safe Practice for Solid Bulk Cargoes (BC Code).
3. The International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (International Bulk Chemical Code or IBC Code) applies to ships built after June 1986.
4. The International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (International Gas Carrier Code or IGC Code) applies to ships built after June 1986.

The Marine Environment Protection Services (EPG) of AMSA has a computerised version of the IMDG code available as a support service (Section 4.1) through the contact details in Appendix 2.

International Maritime Dangerous Goods Code (IMDG Code)

This code lays down certain basic standards concerning the transport, handling and storage of packaged goods by sea. It deals with the:

- classification;
- documentation;
- storage/stowage;
- segregation;
- packing;
- marking;
- labelling; and
- placarding of packaged dangerous goods.

Other sections of the IMDG code of interest to responders are:

- requirements for written statements in the form of declarations or certificates that packages, freight containers and/or vehicles are properly packed;
- requirements for proper shipping name, durable markings that include the UN number and in the case of marine pollutants, the addition of "Marine Pollutant" on the label;
- requirements that each package offered for transport be clearly identified with distinctive labels or stencil marking;
- specific requirements for segregation of incompatible cargoes; and
- special list/manifests of dangerous goods on the vessel and location details.

Supplements to the IMDG Code contain the:

– Emergency Schedules for Ships Carrying Dangerous Goods (EmS);
– Medical First Aid Guide for Use in Accidents Involving Dangerous Goods (MFAG);
– Code of Safe Practice for Solid Bulk Cargoes (BC Code);
– Reporting Procedures under SOLAS 74 and MARPOL 73/78;
– IMO/ILO Guidelines for Packing Cargo in Freight Containers or Vehicles;
– Recommendations on the Safe Use of Pesticides in Ships; and
– International Nuclear Fuels Code.

Code of Safe Practice for Solid Bulk Cargoes (BC Code)

Hazards associated with the shipment of solid bulk materials generally come under the following main categories:

- Structural damage due to improper distribution of the cargo, during and after loading.
- Loss or reduction of stability during the voyage, either due to a shift of cargo or to the cargo liquefying under the combined factors of vibration and motion of the vessel.
- Chemical reaction such as spontaneous combustion, emission of toxic or explosive gases, corrosion or oxygen depletion.

Therefore the BC Code classifies solid materials into three major categories:

- Bulk materials that liquefy.
- Bulk materials possessing chemical hazards.
- Bulk materials which are neither liable to liquefy nor possess chemical hazards.

The BC Code:

- Highlights the dangers associated with the shipment of certain types of bulk cargoes.
- Gives guidance on various procedures which should be adopted.
- Lists typical products which are shipped in bulk.
- Gives advice on their properties and how they should be handled.
- Describes various test procedures that should be employed to determine the characteristic cargo properties.

International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (International Bulk Chemical Code or IBC Code)

This code applies to vessels constructed after June 1986 for the carriage of noxious liquid substances in bulk. Chemical tankers and other vessels under this code must be built to conform to internationally agreed design and construction standards, and with operational requirements such as:

– efficient stripping of cargo tanks;
– prewashing with subsequent discharge to reception facilities;
– vapour containment;
– strict requirements for the discharge of tank washings at sea; and
– recording of operational activities in log books.

International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk. (International Gas Carrier Code or IGC Code)

By definition any chemicals that have a vapour pressure exceeding 2.8 bar at a temperature of 37.8 C must be carried under pressure, refrigerated or a combination of both so as to liquefy them. Vessels constructed under this code must be built to conform to internationally agreed design and construction standards, and with operational requirements.

Ships built after June 1986 must comply with the code and obtain certification of fitness to carry such goods.

Emergency Procedures for Ships Carrying Dangerous Goods

These procedures outline emergency actions to be used in conjunction with the IMO Medical First Aid Guide during chemical incidents. Each schedule lists:

– special emergency equipment to be carried;
– emergency procedures;
– emergency actions; and
– special remarks for specific substances.

Both Emergency Procedures (EmS) and Medical First Aid Guide (MFAG) outputs from the computerised IMDG Code are available during a chemical incident from EPG, AMSA at the contacts provided in Appendix 2.

APPENDIX 4 CHECK LIST FOR THE DEVELOPMENT OF STATE/NT, REGION OR PORT MARINE CHEMICAL SPILL CONTINGENCY PLANS

(taken in part from the IMO/UNEP publication 'Awareness and Preparedness for Emergencies at Local Level', London 1996)

Use the checklist to determine if the following concerns have been addressed within the development of the contingency plan.

☑ (tick each item when completed)

ORGANISATIONAL STRUCTURE

"Organisation structure" refers to the structure of the various organisations in place for responding to chemical and hazardous materials emergencies.

Are the following organisations included within the State/NT/Region Maritime Chemical Spill Contingency Plan?

- ☐ Australian Maritime Safety Authority (AusSAR/EPG)
- ☐ State/NT National Plan/Marine Pollution Controller
- ☐ State/NT National Plan/Marine Pollution Committee
- ☐ Port/Harbour Authority/Corporation
- ☐ Chemical Plant/Facility Response Unit & Management
- ☐ Hazardous Materials/Fire Brigade response
- ☐ Chemical Industry Response/Liaison
- ☐ Police
- ☐ Environmental Protection/Pollution Agency
- ☐ Natural Resource/Wildlife Protection Agencies
- ☐ Occupational Health & Safety Organisations
- ☐ State emergency services
- ☐ Press, radio and television

Have each organisation's responsibilities and capabilities been determined for:

- ☐ pre-response (planning & prevention)?
- ☐ response (implementation of the plan during the incident)?
- ☐ post-response (clean-up and restoration)?

- ☐ Has one organisation been given the command and control responsibility for the response?
- ☐ Has a "chain-of-command" been established for the response control through all levels of the operation?
- ☐ Are the roles, relationships, and co-ordination procedures between government and non-government (private entities) delineated? Are they understood by all affected parties? How are they instituted (written, verbal)?

- ☐ Who are the agencies and departments that will provide technical guidance during a response? Will they vary with the type of incident?
- ☐ Does the organisational structure provide a mechanism to meet regularly for planning and coordination?
- ☐ Does the organisational structure provide a mechanism for regular testing of the response organisation?
- ☐ Has a simulation exercise been conducted within the last year to test the organisational structure?
- ☐ Does the organisational structure provide a mechanism to review the activities conducted during a response or exercise to correct shortfalls?
- ☐ Have trained and equipped incident controllers (IC) been identified?
- ☐ Has the authority for site decisions been vested in the incident controller?
- ☐ How quickly can the response system be activated?

HAZARD ANALYSIS

A "hazards analysis" is generally considered to consist of the identification of potential hazards, determination of the vulnerability of an area as a result of the existing hazards, and an assessment of the risk of a hazardous substances release or spill.

☑ (tick each item when completed)

- ☐ Has a hazards analysis been completed for the area? If one exists, when was it last updated?
- ☐ Does the hazards analysis include hazards arising from ship operations? Does it make use of ship inspection reports? Does it cover safety of navigation for ships entering and manoeuvring within ports/channels/harbours etc?
- ☐ Does the hazards analysis include the location, quantity, and types of hazardous substances that are manufactured, processed, used, disposed, or stored within the region?
- ☐ Does it include the routes by which the hazardous substances are within the vicinity?
- ☐ Have areas of public health concern been identified?
- ☐ Have sensitive environmental areas been identified?
- ☐ Have historical data on spill incidents been collected and evaluated?
- ☐ Have the levels of vulnerability and probable locations of hazardous substances incidents been identified?
- ☐ Are environmentally sensitive areas and population centres considered in analysing the hazards of the transportation routes and fixed facilities?

COMMUNICATION

"Communication" means any form or forms of exchanging information or ideas for emergency response with other entities, either internal or external.

☑ (tick each item when completed)

Coordination:

- ☐ Have procedures been established for coordination of information during a response?
- ☐ Has one organisation been designated to coordinate communications activities?
- ☐ Have radio frequencies been established to facilitate coordination between different organisations in the field?

Information Exchange:

- ☐ Does a formal system exist for information sharing among agencies, organisations, and the private sector?
- ☐ Has a system been established to ensure that "lessons learned" are passed to the applicable organisations?

Information Dissemination:

- ☐ Has a system been identified to carry out public information/community relations activities?
- ☐ Has one organisation or individual been designated to coordinate with or speak to the media concerning the incident?
- ☐ Does a communications system/method exist to disseminate information to responders, affected public, etc?
- ☐ Is this system available 24-hours per day?
- ☐ Have alternative system/methods of communications been identified for use if the primary method fails?
- ☐ Does a mechanism exist to keep land/mobile telephone/pager numbers up-to-date?
- ☐ Are communication systems/networks tested on a regular basis?

Information Sources and Data Base Sharing:

- ☐ Is a system available to provide responders with rapid information on the hazards and physical/chemical characteristics of substances involved in an incident?
- ☐ Is this information available on a 24-hour basis? Is it available in computer software?
- ☐ Is a system in place to update the available information sources?

Notification Procedures:

- ☐ Does a network exist for notifying and activating necessary response personnel?
- ☐ Has a central telephone number been established for initial notification?
- ☐ Is this contact number available on a 24-hour basis?
- ☐ Have specific procedures for notification of hazardous substance incidents been developed? (Where to send POLREPs?)
- ☐ Does the initial notification system have a checklist of information required?

RESOURCES

"Resources" means the personnel, training, equipment, facilities, and other resources available for use in responding to hazardous substance emergencies.

☑ (tick each item when completed)

Personnel:

☐ Have the numbers of trained personnel available for chemical spills and clean up been determined?

☐ Has the location of trained personnel available for hazardous chemical spills been determined on a risk basis?

☐ Are sufficient personnel available to maintain a given level of response capabilities identified in a prolonged response?

☐ Has the availability of specialist technical expertise been identified eg chemists, industrial hygienists, toxicologists, health physicians, marine biologists, marine engineers, chemical ship operational experts etc.

☐ Have limitations on the use of above personnel resources been identified?

☐ Do mutual aid arrangements exist to facilitate support between organisations?

Training:

☐ Are centralised response training needs available?

☐ Is specialised training available covering marine chemical spill response?

☐ Has the training been matched to the responsibilities/capabilities of the personnel being trained?

☐ Have resources and organisations been allocated to provide the identified training of response personnel?

☐ Has one group been designated to coordinate this training?

☐ Have standardised curricula been established to facilitate consistent training?

Equipment:

☐ Have response equipment requirements been identified for a given level of response capability?

Are the following types of equipment available:

☐ personal protective equipment including compressed air tanks and refill capability?

☐ first aid and other medical emergency equipment?

☐ emergency vehicles/vessels available for hazardous substances response?

☐ sampling equipment (air, water, soil) and other monitoring devices (eg explosivity meters, oxygen meters)

☐ analytical equipment or facilities for analysis?

☐ fire fighting equipment/other chemical response equipment:
- chemical retardants
- foams
- inert gas generators
- overdrums/chemical recovery drums
- drum handling equipment
- chemical sorbents etc.

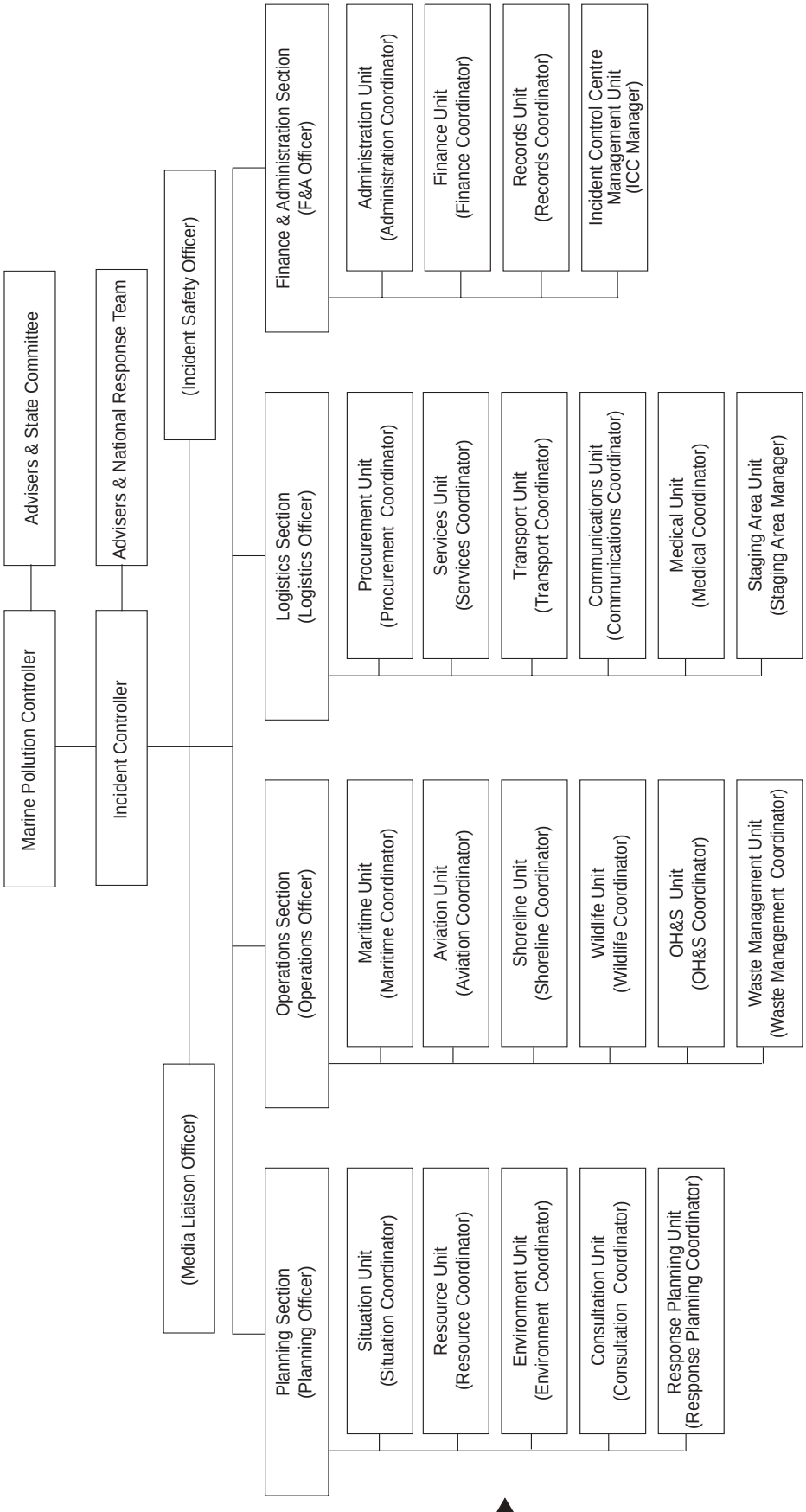
- ☐ Are up-to-date equipment lists maintained and by who? Are they computerised?
- ☐ Are these lists categorised into various types of equipment eg PPE, boats, monitoring equipment, medical supplies etc?
- ☐ Have responders access on a 24-hour basis to equipment supplies?
- ☐ Does a program or auditing and maintenance exist for the equipment?
- ☐ Are there mutual aid arrangements for the use of specialised response equipment?
- ☐ Are fast and effective transportation systems available for this equipment?

Facilities:

- ☐ Have facilities capable of performing rapid chemical analyses been identified?
- ☐ Do adequate facilities exist for storage and cleaning/reconditioning of response equipment?
- ☐ Have locations or facilities been identified for the storage, treatment, recycling, and disposal of chemical wastes resulting from a spill incident?
- ☐ Where are the closest facilities capable of providing medical treatment to persons injured by hazardous substances exposure?
- ☐ Have facilities and procedures been identified for housing persons requiring evacuation or temporary relocation as a result of an incident?
- ☐ Have facilities been identified that are suitable for command and field operations centres?
- ☐ Are adequate facilities available to house and feed response personnel?

APPENDIX 5

OSRICS RESPONSE STRUCTURE



Typical response structure

For further details refer to State, Regional and Local contingency plans.

APPENDIX 6 MARINE OIL SPILL EQUIPMENT SYSTEM (MOSES)

OVERVIEW

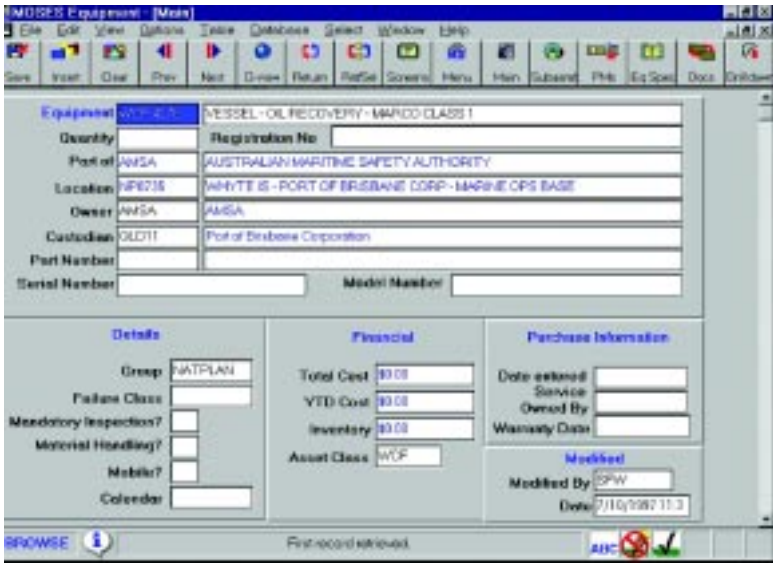
The Marine Oil Spill Equipment System (MOSES) is a system to make accessible and manage operational and technical information about National Plan assets. It is also used to manage audit, maintenance and repair of equipment.

MOSES is based on the MAXIMO application licensed from PSDI Inc.

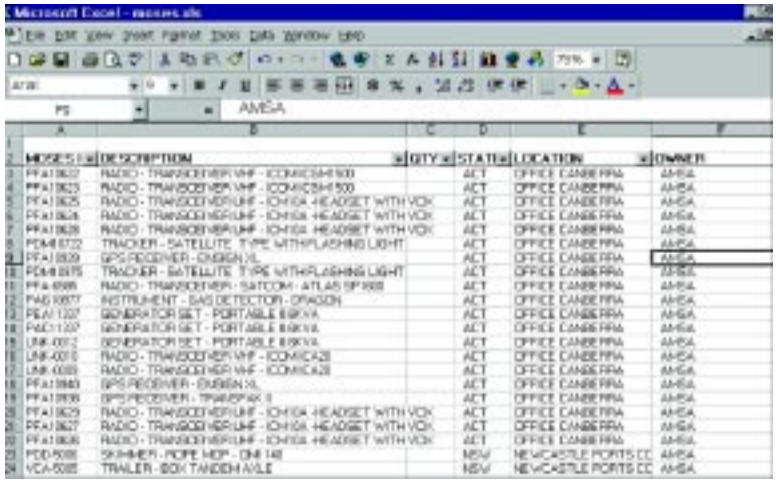
MOSES enables users to create, modify and track asset information, collect and report the cost of incidents and other work, plan and schedule equipment audits and maintenance, standardise the procedures used to perform this work, and track location, stock levels and suppliers of spare parts.

EQUIPMENT

The equipment of the National Plan is listed in the MOSES Data Base. The detail of the information required so that the data base can be correctly listed is shown here on the actual MOSES Equipment screen.



As a result of the information stored AMSA can produce an Excel spread sheet that lists all the equipment, location of storage, Contact Officer and owner. A section of this report is undernoted to provide a brief description of an output.



Copies of MOSES outputs are available from EPG, AMSA. Alterations to equipment details (locations, contact details, new equipment, etc,) should be forwarded to EPG, AMSA, for amendment to MOSES.

APPENDIX 7(i) **MARINE POLLUTION INCIDENT REPORT (POLREP) FORMAT**

MARINE POLLUTION INCIDENT REPORT (POLREP)

This is the initial advice from the Combat Agency of actual or threatened pollution.

Key is early dispatch of the POLREP, rather than waiting for details of information specified.

Completed form is transmitted to all relevant agencies including:

- *Statutory Agency*
- *AMSA Rescue Coordination Centre.*

Date/Time of Report			**Ref. No.**	
Date/Time of Incident				
Location of Incident				
	Latitude		**Longitude**	
Original Report Source	**Name**			
	Position			
	Contact	**Address**		
		Telephone		
		Fax		
		Mobile		
Nature of the Incident & Spill Source				
Cause of Discharge				
Status of Discharge				
Oil Type or Description				
Identity & Position of Adjacent Vessels (if source unknown)				
Nature & Extent of Pollution				
Rate & Direction of Movement				

CONTINUES ON PAGE 2

POLREP PAGE 2

Weather/ Sea/ Tide Conditions			
Combat Agency			
Incident Controller	**Name**		
	Contact:	**Telephone**	
		Fax	
		Mobile	
Statutory Agency			
Initial Response Actions			
Samples Taken? Yes/No			
Images Taken? Yes/No	**Photographs: Yes/No**		**Video: Yes/No**
Additional Information			
POLREP Prepared By	**Name**		
	Agency		
	Role		
	Contact	**Telephone**	
		Fax	
		Mobile	
Attachments ?	**No of Pages Attached:**		

APPENDIX 7(ii) HARMFUL SUBSTANCES REPORT FORMAT

(Sections of the ship reporting format which are inappropriate should be omitted from the report)

This report is for use when reporting discharge or potential discharge of oil or noxious liquid substance carried in bulk

A Ship name, callsign/ship station identity and flag

B Date and time of event
(Note: time must be expressed as Universal Coordinated time)

C Position: latitude and longitude; or

D Position: true bearing and distance

E True course

F Speed in knots and tenths of knots

L Route information/intended track

M Radio communications: full names of stations (including INMARSAT)

N Time of next report
(Note: Time must be expressed as Universal Coordinated time)

P** 1. Type of oil or the correct technical name of the noxious liquid substances on board
2. UN number or numbers
3. Pollution category (A,B,C or D) for each noxious liquid substance
** (Note: In the case of a probable discharge, item P should be included)

Q 1. Condition of ship, as relevant
2. Ability to transfer cargo/ballast/fuel

R 1 Type of oil or the correct technical name of the noxious liquid substance discharged into the sea
2. UN number or numbers
3. Pollution category (A,B,C, or D) for each noxious liquid substance
4. Names of manufacturers of substances or consignee or consignor
5. An estimate of the quantity of each substance
6. Whether lost substances floated or sank
7. Whether loss is continuing
8. Cause of loss
9. Estimate of the movement of the discharge or lost substances giving current conditions, if known
10. Estimate of the surface area of the spill

S Weather conditions (give brief details of weather and sea conditions prevailing)

T Name, address, telex and telephone numbers of the ship's owner and representative

U Ship size and type

X 1. Action being taken with regard to the discharge and to the movement of the ship
2. Assistance or salvage efforts which have been requested or to which have been provided by others
3. The master of an assisting or salvaging ship should report the particulars of the action undertaken or planned

APPENDIX 8 **MARINE POLLUTION SITUATION REPORT (SITREP)**

MARINE POLLUTION SITUATION REPORT (SITREP)

This is advice from the Combat Agency of the current status of the incident and the response.
This form is transmitted to all relevant agencies including:

- *Statutory Agency*
- *Chair, State Committee*
- *General Manager Maritime Operations, AMSA*

				Ref. No.	
Priority	**Urgent** ☐		**Immediate** ☐	**Standard** ☐	
Final SITREP?	**Yes** ☐		**No** ☐	**Next SITREP on:**	
Date/Time					
POLREP Reference					
Incident	**Name**				
	Latitude		**Longitude**		
Brief Description of Incident and Impact					
Overall Weather conditions					
Summary of Response Actions to Date					
Current Strategies					

CONTINUES ON PAGE 2

SITREP PAGE 2

Summary of Resources Available/Deployed			
Expected Developments			
Other information			
SITREP Prepared By	**Name**		
	Agency		
	Role		
	Contact	**Telephone**	
		Fax	
		Mobile	
Attachments ?	**No of Pages Attached:**		

APPENDIX 9 CHECKLIST OF INFORMATION THAT MAY BE REQUIRED WHEN ASSESSING A CHEMICAL SPILL THAT AFFECTS THE MARINE ENVIRONMENT

(This checklist is not in any order of priority)

Category of Information	Details/Information Required	Information available? Tick Yes Cross if Not Required
Time of Incident	Date	☐
	Local time	☐
	GMT/UTC time	☐
Position/location of incident	Lat.	☐
	Long.	☐
	Speed	☐
	Bearing	☐
Population at Risk	Distance from Shore of vessel/cargo	☐
	Proximity of populace	☐
	Proximity of vulnerable areas	☐
Cause/Nature of incident	Collision	☐
	Grounding	☐
	Explosion	☐
	Fire	☐
	Cargo shifting	☐
	Cargo reaction	☐
	On-board release of chemical	☐
	Loss of packages overboard	☐
	Discovery of packages washed ashore	☐
SAR Needs/Situation	Communications Radio Channel VHF	☐
	INMARSAT/data/fax available	☐
	Crew number/casualties	☐
	Nationality/ working languages	☐
	Material Safety Data Sheets - crew access	☐
	Other vessels/tugs in vicinity	☐
	Other vessels/tugs on route	☐
Cargo/Chemical Details	UN Number(s)	☐
	Quantity Chemical/oil spilled/lost	☐
	Rate of Loss	☐
	Quantity at risk/remaining	☐
	Pollution Category A, B, C or D	☐
	Product/ Chemical Trade Name	☐
	Chemical IUPAC Name	☐
	CAS Number	☐

Category of Information	Details /Information Required	Information available? Tick Yes Cross if Not Required
Type of Hold/Packaging	Bulk	☐
	Number of tanks/capacities	☐
	Parcels	☐
	Container	☐
	IBC	☐
	Packages	☐
Identification of Spilled Chemical(s)	Physical form	☐
	Colour	☐
	Appearance	☐
	Odour	☐
	Behaviour- float/sink/evaporate/dissolve	☐
	Specific Gravity	☐
	Dimension of Slick/plume	☐
	Direction of Movement of Slick/plume	☐
	Heated/cooled tank or chemical (C)	☐
Weather Present & Forecast	Wind Speed	☐
	Wind Direction	☐
	Air temperature	☐
	Visibility	☐
	Sunrise/Sunset times	☐
Sea Conditions	Wave Height/Swell etc	☐
	Sea Temperature	☐
	Sea State/Beaufort Scale	☐
	Tide times/heights	☐
	Water Current speed/direction	☐
Condition of Casualty	Number of tanks damaged/undamaged	☐
	Stability of vessel	☐
	Abandoned/manned	☐
	At Anchor/adrift	☐
	Afloat/aground	☐
	Under tow	☐
Ship details	Name	☐
	Number IMO	☐
	Country/Flag	☐
	Gross Tonnage	☐
	Net Tonnage	☐
	Deadweight Tonnage	☐
	Number Holds/tanks	☐
	Classification Society	☐
	Availability of Ship plans	☐
	Length	☐
	Beam	☐
	Draft forward/aft	☐
	Passage/Route (from/to)	☐

Category of Information	Details /Information Required	Information available? Tick Yes Cross if Not Required
Vessels Systems - Condition	Main engine	☐
	Steering Gear	☐
	Radar system	☐
	Navigational systems	☐
	Electrical Plant	☐
	Cargo Pumps	☐
	Ballast Pumps	☐
	Cargo Lines	☐
	Ballast Lines	☐
	Inert Gas System	☐
	Anchors	☐
	Cranes/Derricks	☐
	Winches	☐
Ship owners/agent	Name	☐
	Telephone	☐
	Fax	☐
	Telex	☐
	Address	☐
Other Parties Contacted & Contact details	Salvage Company	☐
	Hull Insurers	☐
	P & I Insurers	☐
	Cargo Owners	☐
	Cargo Owners Agents	☐
Actions being taken on vessel to minimise discharge or movement of vessel	Who is already involved?	☐
	What equipment is at scene/on way?	☐
	What supplies are at scene/on way?	☐
Dangerous Goods lost overboard	Position of goods lost overboard	☐
	Correct technical name(s) of goods	☐
	UN number(s)	☐
	IMO hazard class	☐
	Names of manufacturers of goods	☐
	Name of consignor	☐
	Types of packages, containers	☐
	Estimated quantity	☐
	Numbers of packages	☐
	Did lost goods float or sink?	☐
	Is loss continuing?	☐
	Reason for loss of dangerous goods?	☐

APPENDIX 10 SAMPLING PROCEDURES

COLLECTION OF SAMPLES

Samples should be taken from potential sources and from the water/foreshore areas with the minimum of delay so that changes in composition due to weathering are kept to a minimum.

Every effort should be made to obtain a representative sample of the pollutant and ships tanks for comparison purposes, particularly if prosecution is envisaged. It should be noted that it is particularly difficult and expensive to prove source connection without comparative source samples.

CONTINUITY OF SAMPLES

To be admissible as evidence, samples taken must be proved conclusively to be in an appropriate person's possession until delivery to the laboratory undertaking the analyses. This requires that rigid controls be instituted and maintained to establish continuity for the samples from the time of initial sampling.

DELIVERY OF SAMPLES

Where samples are collected for the purpose of prosecution appropriate safeguards need to be ensured during their transport. AMSA has identified that TNT Failsafe Couriers can provide transport of samples from the person responsible for its collection and/or custody to the designated analyst, incorporating rigid controls and security.

Transport of samples is organised for all State/NT locations by the TNT Failsafe's Sydney office. TNT Failsafe contact details are available from EPG, AMSA.

ANALYSIS OF SAMPLES

AMSA has arrangements in place whereby designated analysts appointed under the provisions of the *Protection of the Sea (Prevention of Pollution from Ships) Act 1983* will carry out testing of all samples for the purposes of Commonwealth prosecutions under that Act.

FURTHER DETAILS

Further details concerning sampling procedures and appointed analysts are available from EPG, AMSA.

APPENDIX 11 AUSTRALIAN MARITIME SAFETY AUTHORITY VESSEL CHARTER AGREEMENT

IT IS MUTUALLY AGREED between the owner and the Australian Maritime Safety Authority that the owner will let and the Australian Maritime Safety Authority will take the vessel for the period of hire at the agreed rate for the purpose of combating pollution of the sea by oil and other noxious and hazardous substances within such parts of the area of operations as the Australian Maritime Safety Authority representative may direct on the following conditions namely:

(1) Prior to the commencement of hire, the owner and the skipper of the vessel shall perform and observe all laws relating to the servicing operation and certification of the vessel.

(2) The owner will place the vessel in a seaworthy condition manned in accordance with all relevant legal requirements at the disposal of the Australian Maritime Safety Authority at the specified port at the commencement of hire.

(3) The owner will pay the wages of the crew during the hiring and, subject to condition 7, will bear the cost of maintenance and other outgoings arising out of the hiring other than the cost of fuel which shall be borne by the Australian Maritime Safety Authority.

(4) The skipper will be responsible for the safe navigation of the vessel and will be the sole judge as to whether it is prudent to put to sea or remain at sea at any given time having regard to the state of the weather and the surrounding circumstances.

(5) Subject to condition 4 the skipper and crew will obey all reasonable orders of the Australian Maritime Safety Authority representative including orders relating to:

(a) the carriage of persons other than the crew on board the vessel;

(b) the fitting to the vessel of anti-pollution equipment supplied by the Australian Maritime Safety Authority;

(c) the carriage, operation and use of anti-pollution equipment and materials on board the vessel; and

(d) the voyages and tasks to be undertaken by the vessel.

(6) Time lost through any defect in the vessel or its equipment or any unreasonable act or omission of the owner, skipper or crew will be deducted from the period of hire.

(7) The Australian Maritime Safety Authority shall, with respect to matters arising from the use of the vessel for the purpose of this Agreement:

(a) to the extent that the owner is not otherwise covered by insurance, indemnify the owner against all actions claims and demands, other than those for or relating to workers' compensation, for which the owner shall be liable on account of death of or injury to any person or the loss of or damage to any property; and

(b) to the extent that the owner is not otherwise covered by insurance, compensate the owner for loss of or damage to the vessel including pollution damage and for loss of the value of fish that are aboard the vessel at the commencement of hire.

(8) The hiring may be terminated by the Australian Maritime Safety Authority representative, or by the owner, at any time upon either of them giving 24 hours' notice in writing to the other.

(9) Any notice which the owner may desire to give to the Australian Government under this agreement may be given by the owner or skipper to the Australian Maritime Safety Authority representative and any notice which the Australian Maritime Safety may wish to give the owner under this agreement may be given by the Australian Government representative to the owner or skipper.

(10) In the agreement the expressions set out in Column 1 of the Schedule shall have the meanings respectively set out opposite to them in Column 2 of the Schedule.

THE SCHEDULE

COLUMN 1	COLUMN 2
Vessel	
Owner	
Skipper	
Specified Port	
Area of Operations	within a radius of ..... nautical miles from
Commencement of Hire	..... am on .../.../... ..... PM on .../.../...
Period of Hire	... days of 24 hours
Agreed Rate	$..... a day and proportionately for and part of $..... a day
Australian Maritime Safety Authority Representative	The person signing this agreement on behalf of the Australian Maritime Safety Authority or any person nominated by him to be the Australian Maritime Safety Authority representative for the purpose of this agreement.

Dated this .....day of.....20.....

.....	.....
Owner	Australian Maritime Safety Authority

APPENDIX 12 NEW SOUTH WALES CONTINGENCY ARRANGEMENTS FOR MARINE CHEMICAL SPILLS

1 Area of Application

NSW State Waters, being the New South Wales and Lord Howe Island coastal waters and the prescribed waters of the six ports of Yamba, Newcastle, Sydney, Botany Bay, Port Kembla and Eden.

2 Relevant State Legislation

NSW Marine Pollution Act 1987
Ports Corporatisation and Waterways Management Act 1995
State Emergency and Rescue Management Act 1989

3 Supporting Regulations, Memorandums of Understanding and Other Instruments

Memorandum of Understanding between the NSW Department of Transport and the NSW Fire Brigades.

4 State Plan

NSW State Waters Marine Oil and Chemical Spill Contingency Plan.

5 Statutory Agency

Newcastle Port Corporation.
Sydney Ports Corporation.
Port Kembla Port Corporation.
Waterways authority.

6 Combat Agencies

Location	Combat Agency
NSW State waters, as defined in the *Marine Pollution Act 1987*, and foreshores adjacent to State waters	Sydney Ports Corporation Newcastle Ports Corporation Port Kembla Port Corporation
Declared Naval waters	Royal Australian Navy

7 Support Agencies

Port corporations not acting as combat agency.
NSW Fire Brigades.
NSW Environment Protection Authority.
Waterways Authority.
Petroleum Industry.
Royal Australian Navy.
Australian Defence Force.
National Parks and Wildlife Service.

8 National Plan Equipment Stockpile Locations

Yamba, Newcastle, Lord Howe Island, Sydney, Botany Bay, Port Kembla and Eden.

9 Specialist Hazardous Materials Equipment Sources

NSW Fire Brigades' units

APPENDIX 13 NORTHERN TERRITORY CONTINGENCY ARRANGEMENTS FOR MARINE CHEMICAL SPILLS

1 Area of Application

Northern Territory coastal waters

2 Relevant Territory Legislation

Fire and Emergency Act
NT Disasters Act
NT Marine Pollution Act
Waste Management and Pollution Control Act

3 Supporting Regulations, Memorandums of Understanding and Other Instruments

Northern Territory Fire and Rescue Service
Management Guide to Hazmat
Management Guide to Decontamination
SOP No 002 "Decontamination"
SOP No 004 "Command and Control"
SOP No 008 "Predetermined Response"
SOP No 009 "Liquid Petroleum Gas (LPG) Incidents"
SOP No 013 "Airline Trolley"
SOP No 026 "Breathing Apparatus Stage I & II"
SOP No 038 "Radioactive Substance"
SOP No 042 "Bio Hazards Cleaning and Spare Fire Fighting Uniform"
SOP No 044 "Environmental Pollution Hotline"
SOP No 046 "Deliberate Release of Chemical Warfare Agents"
SOP No 047 "Dangerous Goods - Initial Emergency Response Guide"
SOP No 050 "Response to a Gas Pipeline Emergency"
SOP No 056 "Bio Hazard Injuries"
SOP No 055 "Clandestine Laboratories"

4 State Plan

Northern Territory Marine Pollution Contingency Plan

5 Statutory Agency

Northern Territory Department of Infrastructure, Planning and Environment

6 Combat Agencies

Northern Territory Fire and Rescue Service

7 Support Agencies

Darwin Port Corporation
Northern Territory police
St John Ambulance
Bushfires Council of the Northern Territory
Work health Authority

8 National Plan Equipment Stockpile Locations

Darwin, Groote Eylandt and Gove.

9 Specialist Hazardous Materials Equipment Sources

Northern Territory Fire and Rescue Service

APPENDIX 14 QUEENSLAND CONTINGENCY ARRANGEMENTS FOR MARINE CHEMICAL SPILLS

1 Area of Application
Queensland coastal waters.

2 Relevant State Legislation
Transport Operations (Marine Pollution) Act, 1995

3 Supporting Regulations, Memorandums of Understanding and Other Instruments
Transport Operations (Marine Pollution) Regulation, 1995.

4 State Plan
Queensland Chemical Spill Contingency Plan (Draft).
(a sub plan of)
Queensland Coastal Contingency Action Plan (QCCAP). Torres Plan and Border Plan.

5 Statutory Agency
Queensland Transport.

6 Combat Agencies
Queensland Fire and Rescue Authority.

7 Support Agencies
Queensland Fire and Rescue Authority.
Queensland Police Service.
Queensland Emergency Services (Chem Unit).
Environmental Protection Agency.

8 National Plan Equipment Stockpile Locations
Brisbane, Bundaberg, Gladstone, Rockhampton (Port Alma), Mackay, Hay Point, Abbot Point, Townsville, Lucinda, Mourilyan, Cairns, Cape Flattery, Thursday Island, Weipa and Karumba.

9 Specialist Hazardous Materials Equipment Sources
Queensland Fire and Rescue Authority.

APPENDIX 15 SOUTH AUSTRALIA CONTINGENCY ARRANGEMENTS FOR MARINE CHEMICAL SPILLS

1 Area of Application
State water including the Port of Adelaide, and the Gulf of St Vincent Spencer Gulf, Investigator Straits.

2 Relevant State Legislation
Pollution of Waters by Oil and other Noxious and Hazardous Substances Act 1987, The Harbours and Navigation Act 1994.

3 Supporting Regulations, Memorandums of Understanding and Other Instruments
Memorandum of Understanding between SA Department of Transport and SA Metropolitan Fire Service, and South Australia Police.

4 State Plan
South Australian Marine Spill Contingency Action Plan
(including SOP 2 - Response to a report of a Noxious or Hazardous Substance Spill).

5 Statutory Agency
Transport SA, Marine Group.

6 Combat Agencies
South Australian Metropolitan Fire Service, State Committee Agencies.

7 Support Agencies
State Committee.

8 National Plan Equipment Stockpile Locations
Adelaide, Port Adelaide, Port Lincoln, Port Pirie, Wallaroo, Thevenard, Calvin Grove Airfield, Port Bonython and Port Stanvac.

9 Specialist Hazardous Materials Equipment Sources
SA Metropolitan Fire Service & Country Fire Service.

APPENDIX 16 TASMANIA CONTINGENCY ARRANGEMENTS FOR MARINE CHEMICAL SPILLS

1 Area of Application

State Waters, which are defined in the *Tasmanian Pollution of Waters by Oil and Noxious Substances Act 1987* as:

a. the territorial sea adjacent to the State;

b. the sea on the landward side of the territorial sea adjacent to the State that is not within the limits of the State; and

c. waters within the limits of the State.

2 Relevant State Legislation

The Tasmanian Pollution of Waters by Oil and Noxious Substances Act 1987
Fire Service Act 1979
Emergency Services Act 1976

3 Supporting Regulations, Memorandums of Understanding and Other Instruments

Memorandum of Understanding between the Department of Primary Industries, Water and the Environment and Tasmania Fire Service.

4 State Plan

Tasmanian Marine Pollution Contingency Plan (TasPlan).
Chemical spill plan yet to be prepared.

5 Statutory Agency

Department of Primary Industries, Water and Environment.

6 Combat Agencies

Tasmania Fire Service.

7 Support Agencies

Department of Health and Human Services.
Department of Infrustructure, Energy and Resources.
State Emergency Service.
Local Government.
Tasmania Police.
Tasmania Ambulance Service.

8 National Plan Equipment Stockpile Locations

Devonport, Bell Bay, Burnie and Hobart.

9 Specialist Hazardous Materials Equipment Sources

Tasmania Fire Service Special Equipment Unit.

APPENDIX 17 VICTORIA CONTINGENCY ARRANGEMENTS FOR MARINE CHEMICAL SPILLS

1 Area of Application
Victoria State Waters

2 Relevant State Legislation

3 Supporting Regulations, Memorandums of Understanding and Other Instruments

4 State Plans
State Emergency Response Plan.
Water Division Emergency Response Plan.
Port Emergency Management Plans.
State Marine Pollution Contingency Plan.
Fire Services HAZMAT Plans.

5 Statutory Agency

6 Combat Agencies

Location	Combat Agency
Victoria State Waters	Marine Safety Victoria
Ships alongside	
Port of Melbourne	Melbourne Fire and Emergency Services Board
Port Phillip Bay and Western Port Bay	Country Fire Authority

7 Support Agencies
Marine Safety Victoria.
Marine/Port Authority.
Fire Authorities.

8 National Plan Equipment Stockpile Locations
Westernport, Geelong, Melbourne, Port Welshpool, Portland, Paynesville Gippsland Port, Lakes Entrance Gippsland Ports, Barry Beach, Newport, Altona, Lakes Entrance, Longford, Long Island, Yarraville.

9 Specialist Hazardous Materials Equipment Sources
Fire Services.

APPENDIX 18 WESTERN AUSTRALIA CONTINGENCY ARRANGEMENTS FOR MARINE CHEMICAL SPILLS

1 Area of Application
State Waters and Ports.

2 Relevant State Legislation
Fire Brigades Act 1942
(No Emergency Management Legislation)

3 Supporting Regulations, Memorandums of Understanding and Other Instruments
State Emergency Management Advisory Committee Policy Statement No 7 "Western Australian Emergency Management Arrangements"

4 State Plans
Western Australian Hazardous Materials Emergency Management Plan.
Port Emergency Management Plans.

5 Statutory Agency
WA Fire and Rescue Service.

6 Combat Agencies
WA Fire and Rescue Service.

7 Support Agencies
Bush Fire Service of Western Australia.
Chemistry Centre of Western Australia.
Consigners and Prime Contractors.
Department of Conservation and Land Management.
Department of Environmental Protection.
Department of Minerals and Energy.
Health Department of WA.
Industry Owners and Operators.
Main Roads WA.
Port Authorities.
Transport WA.
WA Ambulance Service.
WA Police.
WA State Emergency Service.
Water and Rivers Commission.
Water Corporation.
Western Power.
WorkSafe WA.

8 National Plan Equipment Stockpile Locations
Fremantle, Port Hedland, Wyndham, Broome, Carnarvon, Port Walcott, Dampier, Dampier (Woodside), Geraldton, Bunbury, Albany, Esperance, Kwinana, Useless Loop, Onslow, Exmouth, Varanus, Thevenard Island, Exmouth, Barrow Island, Vicksburg and Ocean Bounty.

9 Specialist Hazardous Materials Equipment Sources
Industry.