

**CAPACITY BUILDING IN THE DEVELOPMENT
AND OPERATION OF NATIONAL OIL SPILL
CONTINGENCY PLANNING**

(1999 – 2000)

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PROPOSAL FOR PROJECT ON CAPACITY BUILDING IN THE DEVELOPMENT AND OPERATION OF NATIONAL OIL SPILL CONTINGENCY PLANNING

1. Executive Summary

A joint International Maritime Organization (IMO) and South Asia Co-operative Environment Programme (SACEP) project has been set up to develop a regional oil spill contingency plan¹ for the five countries in the South Asian Seas area, Bangladesh, India, Maldives, Pakistan and Sri Lanka. A consultant has reviewed the state of oil spill preparedness in the five countries. Representatives of the five countries, and of IMO, SACEP and other interested bodies met at Colombo in December 1999 to discuss the state of the national plans and the proposal for a regional plan. It was affirmed that national plans are an essential foundation for a regional plan, and it was concluded that national plans should be prepared or updated on the basis of the general proposals made by IMO at that meeting and the consultant's specific recommendations².

Of the five countries only India has both the plan and the resources to respond effectively to a Tier 2 spill. Sri Lanka has a good plan, but lacks trained people and the material resources to implement it. Bangladesh, Maldives and Pakistan all need to put in place the capacity to draw up, or update, their plans and to maintain them.

This proposal is for a project to enable Bangladesh, Maldives and Pakistan to develop their national plans by establishing the necessary capacity in the form of organisation and expertise. It looks beyond the initial plan to its long term maintenance, exercising and activation by making proposals for senior administrators to be introduced to the principles of oil spill preparedness and response and for key people to be trained as senior operational managers and on-scene commanders.

The essential elements of a national oil spill contingency planning are:

- the appropriate institutional arrangements;
- trained people to draw up and maintain the plan;
- an assessment of the risk and the strategies for responding to spills; and,
- Resources to implement the plan in the form of trained people and equipment.

This proposal is aimed at the first two of these. It is not directed towards an assessment of risk, providing material resources to respond to oil spills, nor towards the training of responders who undertake actual clean-up operations on-site.

The proposal is for a project to provide 3 seminars, one each in Bangladesh, Pakistan and Maldives, and 4 training courses, one each in those countries and one in Sri Lanka. These to be delivered by one or more consultants according to the specification in the **Annex 1** to this proposal.

It is estimated that if quick approval were given the project could be completed by the end of 2001 at a cost of some US\$ 336,775.

Suggestions are made for possible follow-up work, not included in the cost estimate above.

¹ The term "oil spill" here refers to spills from ships of oil or other hazardous and noxious substances which pollute, or may pollute, the marine environment. The terms "regional plan" or "national plan" refer to contingency plans for responding to such spills.

² Both the IMO proposals and the Consultant's recommendations are set out in Annex 4 to the Report of the Meeting of Senior Officials to Consider the Draft South Asia Regional Oil Spill Contingency Plan, Colombo, Sri Lanka, 14 to 16 December 1999 (Document IMO-SACEP/7).

2. Background

The International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990 (OPRC) facilitates international co-operation and mutual assistance in preparing for and responding to a major oil pollution incident and encourages states to develop and maintain an adequate capability to deal with oil pollution emergencies. The basic obligation of this Convention is for Parties to establish a national system for responding promptly and effectively to oil pollution incidents.

India and Pakistan are the only countries in the region to have ratified the OPRC 1990 Convention. In order to assist the other countries to do so, in 1995 the United Nations Environment Programme (UNEP) adopted the project "*Development and Implementation of National and Regional Oil Spill Contingency Planning*" as one of the priority project areas in its South Asian Regional Seas Action Plan. At the First Intergovernmental Meeting of the South Asian Seas Programme, held in Islamabad in 1999, two projects were approved for implementation under this priority project area:

1. Capacity Building in the Development and Operation of National Oil Spill Contingency Planning; and,
2. Updating and Finalising of the South Asia Seas Oil Spill Contingency Plan.

The funding for this second project was pooled with funding previously secured by IMO for that activity, to finance a joint IMO/SACEP project to prepare a South Asia Regional Oil Spill Contingency Plan. A consultant reviewed the state of oil spill preparedness in the five countries. Representatives of the five countries, and of IMO, SACEP and other interested bodies met at Colombo in December 1999 to discuss the state of the national plans and the proposal for a regional plan. It was affirmed that national plans are an essential foundation for a regional plan, and it was concluded that national plans should be prepared or updated on the basis of the general proposals made by IMO at that meeting and the consultant's specific recommendations. As a step towards establishing the national contingency plans, SACEP in co-operation with IMO commissioned the consultant who had carried out the review of the national plans discussed in Colombo to prepare this proposal, under the project at 1 above.

3. Justification

The waters³ of the South Asian Seas countries are at risk of oil spills from passing tanker traffic, from the bunkers of other passing ships, from tankers bringing crude oil to their refineries and those distributing oil products. There is also a risk off the Indian coast of spills from offshore oil operations. Despite the generally kind weather and good visibility, storms and smogs do occur and the risk is assessed as medium to high in the vicinity of the main shipping routes to and from the Malacca Straits.

The livelihood of coastal populations in these countries depends on clean waters. These waters support economically important fisheries. The shoreline has extensive coral reefs, mangroves and seagrass beds, which are especially environmentally sensitive. A big oil spill would have a serious effect on the local economy and on the environment

It is therefore important that these countries have the ability to mount a first response to an oil spill. It is perhaps even more important that they have plans to call for assistance from neighbouring countries and beyond. In order to be able to respond themselves and to co-ordinate the assistance of others they need firmly based national oil spill contingency plans. These plans do not need to be elaborate: they should be based on the principles incorporated in the OPRC Convention and set out in the IMO Manual on Contingency Planning⁴.

³ These include the territorial seas, internal waters (that is inside the baselines of the territorial limits), and the exclusive economic zone which extends out to 200 nautical miles. In Bangladesh there is considerable transport of oil products on inland waterways.

⁴ Manual in Oil Pollution: Section II- Contingency Planning (1995 edition). International Maritime Organization, London 1995.

Writing an oil spill contingency plan requires an understanding of the basic principles, a knowledge of local conditions (weather, sea traffic, navigational hazards) and a familiarity with national organisations and institutions, both government and non-government. It also requires the skills to consult these bodies and to co-ordinate the contributions which they can make to the spill response. This work is best focused on a few people within a government ministry who can devote a large proportion of their time to the contingency planning function. Usually they will be in the ministry dealing with coastguard, shipping or ports matters, but they may be in an environmental ministry. They must have the support of Ministers and officials in all the relevant ministries.

Providing the capacity to develop an oil spill plan thus requires first and foremost the creation of a small group of expert officials with this knowledge and these skills, who have the support and understanding of all the other contributors, preferably through some nationally recognised co-ordinating committee or consultative forum.

The institutional arrangements are of the first importance. Because so many ministries and non-government bodies are involved the structure for dealing with oil spills needs to be incorporated in the government administration at a high level. The broad policy needs to be accepted and endorsed collectively by ministers, with parliamentary or presidential approval as appropriate. One of the aims of this capacity building project should be to engage the government at a high level and to secure a high level commitment to oil spill contingency planning.

Given the range of issues which must be brought together, drawing up an oil spill plan is a difficult process for officials who are unfamiliar with the work, especially if the timetable for the plan is driven by external constraints, such as the need here to contribute towards a regional plan. There are considerable advantages in getting experienced help in the early stages by bringing in international organisations or consultants to advise, and to run workshops, seminars and training courses:

- they will bring in knowledge and experience from working in other countries;
- they will be able to advise on priorities: plans do not have to be elaborate to be effective;
- they will identify and evaluate problems and indicate solutions;
- they will help to focus attention on the plan among all the participants by taking a broad, impartial view which can cut across departmental rivalries; and,
- They should be able to encourage the support of senior officials and ministers, without which a plan will not be adopted by the government.

This project should involve primarily **Bangladesh, Maldives and Pakistan**, since they were identified by the consultant as having either no plan at all, or out-of-date and ineffective plans, and few if any trained personnel.

India has a good plan and trained personnel. But given India's key role in a regional plan the involvement of one or two Indian representatives in workshops and seminars under this project would help to build consistency, continuity and confidence across the region and smooth the path towards the regional plan.

Sri Lanka has a good plan, although this will require development as new legislation comes into effect requiring plans in ports other than Colombo. Sri Lanka therefore need strictly be involved only in the operational training elements of the project, although they might benefit from inclusion in workshops or seminars.

4. Expected Results and Impacts

4.1 Expected Results

On completion of this project all the South Asian Seas countries should have the ability to draw up a national oil spill contingency plan. They should each have:

- An identified lead agency as required by OPRC.
- A small team of officials within the lead agency familiar with the elements of oil spill contingency planning.
- A clear idea of the organisational structure needed to develop, maintain and implement a plan.
- An understanding of the roles, responsibilities and stakeholder interests of the various national bodies, public and private, who would be involved in the plan.
- an understanding of the administrative issues which might need to be resolved, such as:
 - national legislation needed;
 - ratification of international conventions;
 - budgetary provision for the maintenance of the plan, and for training and exercising;
 - who should provide, store, maintain and deploy equipment;
 - means of access to the sources of compensation available after a spill; and,
 - Policy on intervention after an accident to a ship.
- An understanding of the technicalities of oil spill response and the strategies which are likely to be available, practicable and effective in their country.
- The basis for understanding what type of response equipment exists.
- A knowledge of systems for:
 - reporting spills;
 - alerting, activation of the national plan, communications, logistics
 - monitoring and surveillance of spills; and,
 - Command and control: decision-making in spill response.
- An appreciation of:
 - international sources of assistance, relationship of the national plan to a regional plan; and,
 - The staffing, training and exercising requirements to maintain the national response capability in line with the plan.

4.2 Impacts

The impacts of the project will be to:

- Raise the profile of oil spill response within the government and among other involved bodies, and will lead to the establishment of a national oil spill contingency plan and will be an important step towards participation in a regional oil spill plan;
- Lead to discussion and resolution of national policies in relation to the relevant international conventions, and the national legislation needed to ratify them; and,
- Lead to a requirement for continuing expenditure to maintain, resource and exercise the national plan, which will not be directly recovered through compensation paid in respect of incidents.

5. Institutional Framework

IMO will manage the project in co-operation with UNEP/SACEP.

IMO in co-operation with UNEP/SACEP will implement the following tasks:

- Assume overall responsibility for the delivery of the outputs in the form of seminars, training and advice to the participants, including all training materials, based on the Level 2 and 3 IMO OPRC Model Training Courses;
- Prepare the terms of reference for the consultants, select and appoint the consultants, as well as monitor the progress of the work; and,
- Report on the outcome of the work.

SACEP, being the regional office for UNEP's South Asia Regional Seas Action Plan, will ensure proper liaison with the participating countries.

6 Expected Outcomes:

The following are the expected outcomes of this project:

- The Government's will confirm their approval in principle for the preparation of a draft national oil spill contingency plan;
- A lead agency will be designated for responding to oil spills;
- A government official will be designated as the focal point with responsibility for preparing a national oil spill contingency plan; and,
- Highlight the current state of oil spill contingency planning in the country. In particular the key public and private bodies actively involved in the response to a major spill will be identified;

7. Activities

IMO in co-operation with SACEP will:

- Prepare terms of reference for consultants who will be involved in running the seminars/training courses and select and hire the consultants;
- Prepare program for seminars/training courses and select and order course materials based on the IMO OPRC Model Training Courses;
- Prepare letters of invitation to the seminars/training courses;
- Run 3 national seminars in Bangladesh, Maldives and Pakistan, based on the IMO level 3 OPRC Model Training Course and as set out in the specification at Annex 1;
- Run 4 training courses for participants from Bangladesh, Maldives, Pakistan and Sri Lanka, based on the IMO level 2 OPRC Model Training Course and as set out in the specification at Annex 1; and,
- Prepare reports on each of the seminars/training courses, including an outline of the necessary future work.

The timing of these activities is shown in the Work Plan.

8. Work Plan

Activity	Responsibility	Target Time Period
Prepare terms of reference for consultants and select and hire consultants	IMO / SACEP	4 weeks
Prepare programme for seminars / training courses and select course materials	IMO / SACEP / Consultants	4 weeks
Identify participants for seminars/training courses including any observers	Governments	2 weeks
Set dates for seminars/training courses	Governments / IMO / SACEP	3 weeks
Prepare letters of invitation to the seminars / training courses	IMO / SACEP	1 week
Run 3 national seminars in Bangladesh, Maldives and Pakistan, as set out in the specification at Annex.	IMO / SACEP / Consultants / Concerned States	3 weeks
Run 4 training courses for participants from Bangladesh, Maldives, Pakistan and Sri Lanka as set out in the specification at Annex.	IMO / SACEP / Consultants / Concerned States	4 weeks
Prepare reports on each of the seminars / training courses, including an outline of the necessary future work.	IMO / SACEP / Consultants	2 weeks

9. Inputs

9.1 Participating Countries

The participating countries are expected to make practical and logistical arrangements and to provide in-kind support for the training courses/seminars, including:

- Identification of personnel relevant to the oil spill planning process of the countries concerned;
- Identification of key note speakers for opening and closing ceremonies;
- Making arrangements for venue;
- Providing a photocopier and at least one computer/printer for the courses/seminars;
- Providing secretarial support for the courses/seminars as well as a driver and vehicle for use during the courses / seminars; and,
- Sending invitations to participants based on a standard letter provided by IMO / SACEP.

Prior to the seminars/courses the countries are also expected to provide copies of their existing national oil spill contingency plan, or otherwise provide information on:

- Present and propose organisation for responding to oil spills.
- List of the key public and private bodies, which would be actively involved in the response to a major spill.

- Data for national waters and adjacent waters on:
 - * marine traffic, identifying oil traffic and other ships carrying significant quantities of bunker oil;
 - * weather, tides and currents;
 - * Environmental sensitivities of the coastline - location of coral, mangroves, fisheries, and industries reliant on the sea or seawater (outline data should suffice to begin with, this can be refined as the planning process develops).
- Maps and charts of ports, coastline, adjacent waters.

9.2 IMO/SACEP

- IMO will manage the project and co-ordinate the activities in co-operation with SACEP;
- IMO will provide technical input to the seminars/training courses, include the provision of training materials based on the IMO OPRC Model Training Courses;
- SACEP will assist with the organisational aspects of the seminars/training courses;
- IMO in liaison with SACEP will communicate with the countries concerned; and,
- UNEP, through SACEP will provide financial contribution towards the activities;

10. Budget

Activity	Cost in US \$
Three five-day National Seminars in each of the following countries: Bangladesh, Maldives and Pakistan (Costing in Annex 2)	157,175
Four three-day National Training Courses in each of the following countries: Bangladesh, Maldives, Pakistan and Sri Lanka (Costing in Annex 3)	179,600
GRAND TOTAL	336,775

SPECIFICATION FOR SEMINARS /TRAINING COURSES

Type	National Seminar
Number of Seminars	Three (3)
Venues	One each in Bangladesh, Maldives and Pakistan
Number of Participants	15 – 25 per Seminar
Locations	To be decided

OBJECTIVE

On completion of this project all the countries involved should have the capability to draw up a national contingency plan for responding promptly and effectively to marine pollution incidents.

PARTICIPATION

Government officials and representatives of non-government bodies from the country concerned. All would be involved in the national response to a major oil spill, and will be involved in the preparation of a national contingency plan for that purpose. The government concerned will select those attending: numbers expected to be 15 -25 for each seminar

Some of those attending are likely to have little knowledge of oil spill response, but others may have considerable background and experience.

TOPICS TO BE COVERED

The seminars will be based on the IMO OPRC Level 3 Training Course and will cover the following topics:

INTRODUCTION TO OIL SPILL CONTINGENCY PLANNING

- The need for a plan
- The OPRC convention
- The framework of the national contingency plan: integration with port and industry plans
- oil pollution emergency plans for ships, offshore installations and ports
- bilateral, multilateral and regional plans and the role of international organisations

INSTITUTIONAL ORGANISATION FOR OIL SPILL RESPONSE

- Need for and roles of:
 - * an identified lead agency (the competent national authority as required by OPRC) with authority to control national resources and to spend money to respond to an incident
 - * a small team of officials within the lead agency responsible for oil spill contingency planning
- the organisational structure needed to develop, maintain and implement a plan
- the roles, responsibilities and stakeholder interests of the various national bodies, public and private, who would be involved in the plan, in particular ports and oil companies
- responsibility for clean-up along the shoreline
- the organisation needed to respond to spills
- arrangements for briefing the media

ADMINISTRATIVE ISSUES, INCLUDING:

- national legislation needed and other legal matters
- international conventions: implications of ratification
- the need for budgetary provision for the maintenance of the plan, and for training and exercising
- the sources of compensation available after a spill: making claims
- implications of intervention after an accident to a ship

RISK ASSESSMENT

- techniques for assessing the risk of a spill, the size and type of possible spills

ENVIRONMENTAL SENSITIVITY

- main types of sensitive coastline in the region
- the effect of spills on the local environment
- environmental sensitivity mapping

RESPONSE STRATEGIES AND TECHNIQUES

- the concept of tiered response
- the fate and effects of oil spills
- predicting the movement of spilt oil
- an understanding of the technicalities of oil spill response and the strategies which are likely to be available, practicable and effective in their country
- the assessment of priorities for protection
- disposal of oily waste
- importance of record keeping
- dealing with hazardous substances other than oil

EQUIPMENT FOR MONITORING AND RESPONDING

- the basis for deciding what equipment should be available nationally, commensurate with the risk
- who should provide, store, maintain and deploy equipment
- logistic support: transport, accommodation, storage, repair and maintenance

UNDERSTANDING THE STRATEGIES FOR DEALING WITH MARINE INCIDENTS

- an understanding of the strategies for dealing with a marine pollution incidents

COMMAND AND CONTROL SYSTEMS

- command and control: the need for rapid decision-making in spill response
- systems for:
 - * reporting spills - standard reporting procedures
 - * alerting, activation of the national plan, communications
 - * monitoring and surveillance of spills
 - * requirements of control or co-ordination centres and their location

ASSISTANCE FROM OTHER COUNTRIES OR INTERNATIONAL RESPONSE CENTRES

- international sources of assistance
- relationship of the national plan to a regional plan: using international assistance

STAFFING, TRAINING AND EXERCISING

- Staff requirements to maintain the national plan.
- Devising and running training programmes
- Exercise programmes to maintain response capability in line with the plan

Type	National Training Course
Number of Courses	Four (4)
Venues	One each in Bangladesh, Maldives, Pakistan and Sri Lanka
Number of Participants	15 - 25
Locations	To be decided

OBJECTIVE

To train those who will have senior management responsibilities under the national contingency plan to co-ordinate and supervise response operations so as to deliver a timely, organised and effective response, and to give senior managers an awareness of the roles and responsibilities of those directly involved with the response.

The course should bring together those directly involved in the spill response with their immediate superiors to learn about the issues through discussions with specialists, with a view to developing a co-ordinated national response process.

PARTICIPATION

Government officials, senior personnel from the ports and oil industries and others who will have a supervisory or senior management role in the response under the national contingency plan, and those with superior management positions who need to understand the issues and the way the plan works, although they may not themselves have operational roles during an incident.

TOPICS TO BE COVERED:

The courses will be based on the IMO OPRC Level 2 Training Course and will cover the following topics:

- Contingency Planning
- Spill Assessment
- Operational Strategies
- Operational Management
- Communications and the Media
- Liability and Compensation
- International Co-operation
- The Policy Role of the Administrator
- The Effect of Oil Pollution on the Marine Environment
- The Need for Rapid Decision Making
- Response Policies
- Management and Structure
- The National Contingency Plan
- Roles and Responsibilities
- Regulations and Conventions
- Administrative and Financial Aspects of a Spill
- Liability and Compensation
- Deactivation of Response Operations

COSTING FOR NATIONAL SEMINARS

	No	Days	Rate		No of	TOTAL
					Seminars	in US \$
			in US \$			
CONSULTANTS						
Fee	2	13	300	7800	3	23400
Travel	2			9000	3	27000
DSA	2	7	160	2240	3	6720
IMO REPRESENTATIVE						
Travel	1			9000	3	27000
DSA	1	7	160	1120	3	3360
SACEP REPRESENTATIVE						
Travel	1			4500	3	13500
DSA	1	7	160	1120	3	3360
2 OBSERVERS EACH FROM INDIA & SRI LANKA						
Travel	4			4500	2	9000
DSA	4	7	160	4480	2	8960
NATIONAL PARTICIPANTS						
Out of pocket expenses inclusive						
of Local Travel	25	5	25	3125	3	9375
Seminar Materials						
				3500	3	10500
Conference Facilities						
				4000	3	12000
Miscellaneous						
				1000	3	3000
Total in US \$				55385		157175

COSTING FOR NATIONAL TRAINING COURSES

	No	Days	Rate		No of	Total
			in US \$		Courses	in US \$
CONSULTANTS						
Fee	2	10	300	6000	4	24000
Travel	2			9000	4	36000
DSA	2	5	160	1600	4	6400
IMO REPRESENTATIVE						
Travel	1			9000	4	36000
DSA	1	5	160	800	4	3200
SACEP REPRESENTATIVE						
Travel	1			4500	4	18000
DSA	1	5	160	800	4	3200
OBSERVER FROM INDIA						
Travel	1			4500	1	4500
DSA	1	5	160	800	1	800
NATIONAL PARTICIPANTS						
Out of pocket expenses inclusive of Local Travel	25	3	25	1875	4	7500
Seminar Materials				5000	4	20000
Conference Facilities				4000	4	16000
Miscellaneous				1000	4	4000
			TOTAL	48875		179600