

# **EXECUTIVE COUNCIL**

## **RESTRICTED**

**Title of Report: Oil Spill Response (OSR) Recommendations Report**

**Paper No: 23/09**

**Date: 29 January 2009**

**Report of: Marine Officer**

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### **1.0 Purpose:**

- 1.1 This paper sets out the background to the Recommendations Report which has very recently been received by the Fisheries Department from Oil Spill Response (OSR).
- 1.2 A copy of the Recommendations Report is provided for information.
- 1.3 At this stage only three recommendations are made, pending wider consultation with all stakeholders.

### **2.0 Recommendations:**

- 2.1 That Executive Council be advised to approve the promulgation of the OSR Recommendations Report to all stakeholders for consultation.
- 2.2 Give approval to take forward the recommendations contained in the Report in tandem with finalising the NOSCP.
- 2.3 Defer consideration of financial issues until a further paper is submitted reflecting the outcome of the consultation at 2.1, together with a more detailed analysis of the recommendations and options.

### **3.0 Summary of Financial Implications:**

To be the subject of a further paper.

### **4.0 Background:**

- 4.1 As part of the review and update of the National Oil Spill Contingency Plan (NOSCP), an OSR consultant Mr. David Rouse made a site visit to the

Falkland Islands in late November 2008. Part of the remit to revise the NOSCP was a requirement to make recommendations as to any additional oil spill equipment and alternative response strategies which might improve capability.

- 4.2 The resulting Recommendations Report has been received within the last week and has not as yet been distributed to all stakeholders but has been seen by GMT members and Falklands Conservation. The latter body has been briefly consulted because a number of recommendations involve their input and have funding implications. Hence the Report now requires consultation with all others with a likely input to response strategy. The task of updating the text of the existing NOSCP by OSR can continue in the meanwhile, but some of the content of the final content of the Plan depends on the extent of adoption of the Recommendations Report. As the updated Plan will be a “Word” document, further revisions or additions can be made dependent on any future decisions on adoption or rejection of recommendations.
- 4.3 The Report contains 34 recommendations, some of which are purely additional administrative tasks, others which require a policy decision and are in some cases linked to cost implications.
- 4.4 OSR were anticipating that FIG would consider and respond on the Recommendations Report prior to their concluding the revision of the NOSCP. It was considered in GMT that this would unnecessarily delay the completion of the NOSCP and additionally there is some pressure to conclude the project to enable OTPF funds to be drawn down in the current financial year. As indicated above, it is anticipated that OSR should be able to do this. In a number of cases the recommendations can be readily accepted, particularly those involving no or low cost and it should be possible to give OSR sufficient direction to finish the NOSCP. Any recommendations which involve more significant cost or policy decisions will need to be the subject of a further ExCo paper which can also reflect the outcome of the consultative process.

## **5.0 Financial Implications**

- 5.1 A further annex is provided which is based on the priority table of recommendations from the main Report, but has an additional two columns added which give rough costings and comment on the particular recommendation. Comments in red were supplied by Falklands Conservation.
- 5.2 If all the recommendations which have a cost implication were approved, the range of expenditure would be between £120K and £232K based on the maxima and minima given in the annex. These costs do not include freight as applicable. Some of these costs are one-off expenditure, although depending on whether all recommendations are accepted, there will be an element of

recurring expenditure. In due course a paper with refined cost estimates and a range of options will be submitted.

5.3 Recommendation 33 advises that a bespoke training course should be undertaken by all those who have a role to play in oil spill response. Plans are already in hand for OSR to deliver training in the Islands during the 2009/10 financial year. Funding of £16,728 (c.50% of total cost) is available from the FCO Overseas Territories Programme Funding.

## **6.0 Legal Implications**

6.1 Within the scope of the Report, there appears to be only one recommendation with obvious legal implications. Recommendation 18 advocates the delegation of certain powers from the Governor to the Incident Commander in much the same way that powers are devolved from the Secretary of State for Transport to the Representative for Maritime Salvage and Intervention (SOSREP). In the UK, the 1995 Merchant Shipping Act provides for such delegation, but no such powers currently exist in the Falklands under the Prevention of Pollution Act 1971.

6.2 Although outside the scope of the OSR Report, it may be that the legislation governing powers for intervention in a shipping casualty requires revision anyway in the aftermath of the “Ocean 8” incident.

## **7.0 Human Resources Implications:**

There are no additional human resources implications.

Fisheries Department  
15 January 2009

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High Priority				
No.	Recommendation	Cost	Comment	Page
R5	It is recommended that links be established, formalised and strengthened with other organisations who have oiled wildlife response experience and capability, in order to share knowledge, expertise and potentially equipment in the event of an incident. One route to achieving this is through Sea Alarm ( <a href="http://www.sea-alarm.org">www.sea-alarm.org</a> ). FC and the Veterinary dept have established links with oiled wildlife response organisation (mostly S. America), including individuals that have some interest (research / work related) in the Falklands.	Ø	Policy decision & a matter of communication strengthening of communications	3
R6	An oiled wildlife response stockpile should be put together, including the necessary PPE for responders, the requisite equipment for cleaning oiled wildlife and adequate medical supplies.	5-20K* 2k – 5k	Policy decision, assessment of quantities	3
R7	It should be a priority to establish a designated facility for oiled wildlife rehabilitation. This facility may have other uses, but would be able to be quickly converted into an oiled wildlife rehabilitation centre when required.  Facility would need pools / good water (preferable sea water) supply. Pools have been identified as one of the most critical tool in successful rehabilitation.	10-50K* £20k +	Policy decision, identify facility, assessment of scale, Identify ownership and use when not a rehab facility. Identify a use where by it can generate money.	3
R9	Training is required as a priority for those who would have roles to play in cleaning and rehabilitating oiled wildlife. <i>Oil Spill Response</i> can facilitate this training. The training should be for hands-on responders, wildlife response managers and for other experts (e.g. vets). Training could include use of the links that have been established within R5. Training in delegation and effective management in response to scenarios.	10K* 5- 10k	Policy decision, assessment of scale	3
R10	It is recommended that a Tier 3 oiled wildlife response arrangement is set up so that a large incident could be swiftly and effectively handled. Resources and response initiated from the Falklands through a contingency plan. It is expected that some key teams may need to be flown in (experts in oiled wildlife	A disaster fund ! £***	Policy decision Contingency plan Assessment of scale, what can be realistically achieved in event of a	3

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	response).		<p>large scale incident. It is vital that the Falklands agree the capacity in relation to oiled wildlife response and options, assessing species, locations, numbers. Needs to be clear before any T3 response can be put in place.</p> <p>FC staff communicating / liaising with other organisations where large scale incidents occurred. (e.g. S. Africa SANCOOB) to develop strategy for Falklands.</p>	
R13	A single list should be drawn up containing all staff who work for PWD, FIDF and Falklands Fire and Rescue Service, identifying those who work for more than one of the organisations and particular skillsets that individuals possess. This would then be held by all three organisations and appended to the NOSCP.	∅	Administrative task	3
R26	It is recommended that a maintenance schedule is drawn up and regular maintenance carried out, particularly on the mechanical equipment (e.g. skimmer, airblowers and water pump). This should also extend to any purchases of new equipment.	1K*	Contract to private sector	3
R27	It is recommended that a dispersant spraying system is procured and stored at a suitable location whereby it can swiftly be transported and installed into an appropriate vessel in the event of a spill.	10K*	Equipment procurement	3
R29	It is recommended that a replacement dispersant stockpile of 5 tonnes of Type 3 dispersant is purchased. The dispersant should be kept in a secure, temperature-stable location, protected from sunlight, where it can be easily accessed in the event	13K	Procurement	3

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R30	It is recommended that the conditions for spraying dispersants are amended to allow for their use closer to shore.	∅	Policy decision	3
R31	It is recommended that a map of the Islands is drawn, showing the pre-approved zones where dispersant can be sprayed. This would allow for swifter decision making in the event of an incident, and would also contribute to decision making for salvage operations.	∅ – 5K	Policy decision, possibly easier (and cheaper) to simply apply revised conditions to each situation	3
R32	It is recommended that enhanced collection points are identified and shown on a map so that swift decision making can be facilitated in the event of a potential emergency that may cause an oil spill.	∅	Administrative & technical task	3
R33	It is recommended that a bespoke training course be undertaken by those who would have roles to play in an oil spill response. The training should cover a number of areas and include a balance of theoretical and practical sessions (as appropriate). The training should be designed taking into account the features and limitations of the Falkland Islands planned response to an oil spill.	30K*	Policy decision	3

Medium Priority				
No.	Recommendation	Cost	Comment	Page
R1	It is recommended that an ongoing programme of public communication takes place to ensure that the public are made aware of the realities of dealing with spilled oil and have realistic expectations of what can be achieved.	∅	Administrative task	3
R2	For a potential incident, where it is anticipated that an oil spill is likely to occur, information should be broadcast on Falkland Islands Radio Service to inform the public of the incident, the safety issues, what they can do, and what is being done about the incident.	∅	Administrative task	3
R3	In the event of a spill, importance should be placed on using the Falkland Islands Radio Service and the Penguin News to keep the public informed and updated over the course of the incident.	∅	Administrative task	3
R4	Communication with the public should be maintained following a spill, and a	∅	Administrative task	3

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	transparent approach to sharing lessons learned should be taken. This is especially relevant in the Falklands whereby the involvement of and impact on the public of an oil spill cleanup is likely to be more widespread and significant than in other parts of the world.			
R8	In conjunction with the links built up as a result of R7, the Oiled Wildlife Contingency plan should be reviewed and updated to encompass best practice ( <i>Oil Spill Response</i> can manage this process).	8K* Short term salary	Policy decision	3
R11	It is recommended that a formal on-call system be set up for the key staff involved in a response, and that personal contact details are added to an appendix to the plan.	∅	Policy decision and administrative task	3
R12	It is recommended that the contact directory of the plan is updated to include 24 hour / callout contact details for activating each organisation named within it.	∅	Policy decision and administrative task	3
R14	A list of private contractors and the plant and equipment they hold should be obtained, including contact details, and it will be appended to the NOSCP.	∅	Administrative task	3
R15	It is recommended that the disused oil tanks at Navy Point are surveyed to determine their feasibility for use as medium/long term storage of recovered oil. If remedial works are minor it is recommended that these are undertaken, and the use of just the bunds for oil storage should also be considered. It is then proposed that these tanks are designated for medium-term temporary storage.	4K*	Policy decision, is it really feasible to get oil in and out? Main port may be better venue. Survey via SSL/PWD?	3
R16	It is recommended that potential landfill sites are surveyed and feasible locations identified on a map, which will be appended to the NOSCP.	3K*	PWD to advise	3
R17	It is recommended that arrangements are developed with Stanley Services to provide waste disposal for recovered oil and water in the event of a significant spill.	∅	Possibly no cost to investigate options, costs could be significant in providing contingency and implementation	3
R18	It is recommended that the Incident Commander of a spill has full powers delegated to them by FIG to manage the incident as appropriate, and authority to incur financial expense. This role will then be clarified in the NOSCP. It is advised that the UK's SOSREP role could be used as a model.	∅	Policy decision with agreed financial limits & framework	3
R23	It is recommended that FIG become associate members of <i>Oil Spill Response</i> . This	5K	Policy decision	3

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	would enable <i>Oil Spill Response</i> resources to be quoted in the NOSCP, and would mean guaranteed access to equipment and expertise in the event of a spill. The cost of associate membership (based on 2009 costs) is £17,000 annually, plus a one-off £5,000 joining fee.	+ 17K pa		
R24	It is recommended that FIG insist that any oil companies carrying out exploration or production in the region maintain an appropriate Tier 2/3 capability in the Islands.	Ø	Policy decision	3
R28	It is recommended that consideration is given to the purchase of further backpack dispersant sprayers that can be strategically sited, to enable a quick first response to a spill whilst awaiting the arrival of the vessel based spray system.	1K	Equipment procurement	3
R34	It is proposed that in keeping with best practice, refresher training is held every three years, which can also accommodate new training requirements, for example people new into roles or to address gaps in preparedness following exercises, which should be held as frequently as practical to maintain and develop knowledge of and familiarity with procedures and equipment.	10-30K*	Equivalent of 10K per annum, although 30K in first year to raise training levels	3

Low Priority				
No.	Recommendation	Cost	Comment	Page
R19	It is recommended that discussions are held with Stanley Services to explore how they could support FIG logistically in the event of a spill. Any arrangements or agreements which are made will be included in the NOSCP.	Ø	Policy decision	3
R20	It is recommended that all available sensitivity mapping is compiled and made available, to include environmental and economic sensitivities, biosecurity issues, pre-identified dispersant spray zones and military hazards.	Ø-10K* Low cost for compiling species sensitivities	Depends how readily available data is and if already in digital format, otherwise could be much more expensive. Technical task Species data / risks is relatively on hand but needs compiling to GIS format -	3
R21	Consideration should be given to strategically locating rat poison near potential	Ø		3

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	beaching sites or in vehicles that would attend a salvage / vessel recovery situation that might lead to a spill.			
R22	Consideration should be given to the creation of sensitivity maps for biosecurity, highlighting the levels of vulnerability of the different species that inhabit the islands, and the potential severity of the impact of rodent introduction to the locations inhabited by species.	10K* Low cost for compiling species sensitivities	Policy decision Technical task Much of the species data is available but needs to be ranked by importance and collated.	3
R25	It is recommended that the containers are replaced so that they could be transported if required by lorry, and that when stored, access to them is maintained at all times.	10K*		3

\* Rough estimates only