

Translation

NATIONAL CONTINGENCY PLAN FOR OIL POLLUTION PREPAREDNESS AND RESPONSE

Chapter I Preamble

Section 1 - Purpose of the Plan

Japan, as a country surrounded by the sea and rich in natural environment, benefits from its rich fishing grounds, and people in. Japan live with close relationship to such environment. It is essential for Japan, therefore, to take actions immediately and effectively at early stage in order to protect marine environment, human life and property, in case an oil pollution incident occurs in the sea near Japan, and given the fact, that Japan has a number of tanker fleets as a petroleum importing country, to have a system for oil pollution preparedness and response, according to which national government, local governments, oil manufactures, shipping industry, mining industry, fishing industry and other parties concerned co-operate with one another.

The National Contingency Plan, prepared to comply with Article 6 of the International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990, which will be effective to Japan on 17 January 1996, contains the above mentioned Japanese system, the purpose of which is to satisfy the international requirement and to response oil pollution incidents immediately and effectively in order to protect marine environment, human life and property.

Section 2 - Relationship with other Plans

The plan is harmonized with other national plans such as "Basic, Operational and Local Plan for Disaster Prevention" which is based on Disaster Countermeasures Basic Act (Law No.223, 1961), "Basic Environment Plan" which is based on Basic Environment Law (Law No.91, 1993), "Plan for Cleaning of Spilled Oil" which is based on Law Relating to the Prevention of Marine Pollution and Maritime Disaster (Law No.136, 1970), and "Plan for Disaster Prevention in Petroleum Industrial Complexes" which is based on Law on the Prevention of Disaster in Petroleum Industrial Complexes and Other Petroleum Facilities (Law No.84, 1975), so that they can respond to oil pollution incident immediately and adequately.

Chapter II Basic matters on preparedness for oil pollution incidents

Section 1 - Maintenance of information on oil pollution

National government agencies should collect the information on oil pollution so that they can respond to oil pollution incidents comprehensively and effectively and exchange those information at the meeting among the government agencies for oil pollution preparedness and response.

National government agencies should also collect and keep up-to-date the information on natural, social and economical characteristic, such as information on fishing grounds, facilities for aquaculture, water inlets for factories, beaches, coral reefs, seaweed beds, tidelands and breeding, staging or wintering sites, so that they can

respond to oil pollution incidents adequately and minimize the damage. In addition, the national government agencies should systematize information for use in the administration in such an appropriate manner as information maps.

National government agencies should provide information to local governments, if necessary, to promote the activities of the local governments concerning the preparedness and response to oil pollution incidents.

Section 2 - Systems for oil pollution response

Maritime Safety Agency should strengthen its special rescue team and national strike team and keep their vessels and aircraft available for 24 hours.

In accordance with Law Relating to the Prevention of Marine Pollution and Maritime Disaster, Commanders of the Regional Maritime Safety Headquarter, owners of tankers and so forth, should establish a co-ordinating panel (hereinafter referred to as "the Panel") which consists of representatives from government agencies and private sector in order to organize a joint training for cleaning of the spilled-oil and to consider other important subjects.

Environment Agency and Fisheries Agency should prepare administrative systems in order to protect wildlife and fishing grounds from oil pollution, and cooperate with local governments and other organizations concerned.

Section 3 - System for notification and communication

Masters of ships, supervisors of factories including a land-based factory and so forth, should inform the nearest Maritime Safety Office by telephone, telex or other fast communication system when a large quantity of oil has been spilled or may be spilled into the sea from their ship or facility, in accordance with Law Relating to the Prevention of Marine Pollution and Maritime Disaster. Other persons who have found a wide spilled oil on the sea should also inform the Office.

Supervisors of petroleum industrial complexes, when they have found oil-spill and other unusual phenomenon in their complex, should inform the fire station immediately in accordance with the Act on Disaster Prevention in Petrochemical Complex.

Supervisors of mining companies, when oil has been spilled or may be spilled into the sea from their mine, should inform the Mine Safety and Inspection Department in accordance with Mine Safety Law.

Maritime Safety Agency, fire station, police station and so forth, should keep 24 hours' contact, improve their internal communication network to exchange information smoothly and ensure, using disaster control radio network and so forth, the communication to other national government agencies, local governments and other organizations concerned.

National government agencies should improve the communication system with local governments and other organizations concerned so that appropriate actions can be taken.

Furthermore, each local government should establish a communication network for their internal communication and to other local governments, if necessary, so that they can communicate each other when they are notified of oil pollution.

Section 4 - Preparation of equipments

In accordance with Law Relating to the Prevention of Marine Pollution and Maritime Disaster, shipowners and so forth should facilitate their ships with necessary equipments to clean the spilled oil, and the Maritime Disaster Prevention Centre should have necessary equipments for cleaning of the spilled oil so that the Centre can use them when requested by the Commandant of Maritime Safety Agency or by shipowners, or so that shipowners and so forth can use them by themselves.

Supervisors of mining companies should have necessary equipments to clean the spilled oil in accordance with the Act on Mine Security.

Supervisors of ports should have necessary equipments to clean the spilled oil in ports in accordance with Ports and Harbours Law.

Maritime Safety Agency should prepare vessels, aircraft, communication equipments and necessary equipments to clean the spilled oil in order to respond oil pollution incidents immediately and effectively.

Ministry of International Trade and Industry should encourage oil industries to prepare necessary equipments to clean the spilled oil for use by persons concerned.

Fisheries Agency should promote preparation of necessary equipments to prevent fishing grounds from oil pollution or to reduce oil pollution.

Environment Agency should promote preparation of necessary equipments to protect wildlife from oil pollution.

Each national government agency concerned should prepare necessary equipments to respond oil pollution in each administrative field.

They should also ensure a co-operation between national government and private sector with regard to the use of the equipments.

Section 5 - Exercises

Maritime Safety Agency should carry out exercises, under the co-ordination of the Panel, in order to respond oil pollution immediately and effectively.

Environment Agency should organize seminars for local governments and other organizations concerned with regard to the technique and knowledge to protect wildlife from oil pollution.

Furthermore, national government agencies should assist voluntary exercises, to train up personnel, which private companies organize by themselves so that they can respond to oil pollution immediately and effectively.

In accordance with Law Relating to the Prevention of Marine Pollution and Maritime Disaster, the Maritime Disaster Prevention Centre should organize exercises for maritime disaster prevention to promote more effective disaster prevention technique, and should also make efforts to improve its own technique regarding maritime disaster prevention.

When such exercises are conducted, should be taken into account protection of marine environment, human life, human body and property.

National government agencies should give guidance to people concerned through seminars and visits to ships with regard to oil pollution prevention and response, and enlighten people on protection of marine environment by such actions.

Chapter III Basic matters on response for oil pollution

Section 1 - Objects to be protected

When an oil pollution incident has occurred, with a view to protection of marine

environments, human life, human body and property, appropriate actions should be taken. In this case, every efforts should be made to minimize the damage, taking into account the information contained in section 1 of Chapter II.

Section 2 - Establishment of response system

When an oil pollution incident has occurred, organizations concerned should establish their own system to respond it and should also establish co-operation systems with others. In this case, national government agencies should exchange information and co-ordinate the operation through a meeting among government agencies or the like.

National and local governments should establish headquarters for disaster control in accordance with Disaster Countermeasures Basic Act or local disaster prevention centres for petrochemical complex in accordance with Law on the Prevention of Disaster in Petroleum Industrial Complexes and Other Petroleum Facilities, if necessary. When such centres have been established, organizations concerned should make efforts to promote the exchange of the information and should establish appropriate systems to respond oil pollution incidents.

Furthermore, the Commandant of Maritime Safety Agency or Commanders of Regional Maritime Safety Headquarters or governors of local governments should request the Self-Defence Force to dispatch its units, if necessary, in accordance with the regulation concerning the use of the Self-Defence Force for disaster prescribed in the Self-Defence Force Law.

Maritime Safety Agency, when they have been informed of any oil pollution, should make emergency arrangements and establish response systems to clean the spilled oil in co-operation with other organization concerned as soon as possible. In order to clean the spilled oil effectively, taking into account the location where the pollution occurred, circumstance, scale and ways of communication, Maritime Safety Agency should establish an emergency control centre, if necessary.

Section 3 - Exchange of information concerning oil pollution incident

National government agencies and local governments, when they have been informed that an oil pollution incident had occurred or might occur, should provide necessary information which they obtained to other relevant national government agencies and local governments for their response, using the contact network as established for this purpose, if necessary. From the viewpoint that it is important to take actions immediately and appropriately for oil pollution incidents, national and local governments concerned should exchange information as appropriate until the incident ends.

Section 4 - Evaluation of oil-spilled pollution

Maritime Safety Agency, when they have been informed that an oil pollution incident had occurred, should dispatch its vessels and aircrafts to the position where the pollution had occurred in order to obtain further information and conduct further investigation. With reference to the information mentioned in the Section 1 of Chapter I and taking into account the condition on weather, sea and traffic, Maritime Safety Agency should evaluate the effect of the incident and provide the result of the evaluation to other national government agencies and other parties concerned for their response.

Environment Agency and Fisheries Agency should evaluate the influence of the oil pollution to wildlife and fishing resources on the basis of the information provided by Maritime Safety Agency, other national government agencies and local governments concerned, use them for their decision-making so that the wildlife and fishing grounds can be protected, and provide the result of the evaluation immediately to Maritime Safety Agency and other national government agencies concerned for their responses.

Section 5 - Operation for cleaning spilled oil

1 When an oil pollution incident has occurred, Maritime Safety Agency should give advice and assistance for masters and others who have duties to take emergency measures and for shipowners who have duties to take cleaning measures in accordance with Law Relating to the Prevention of Marine Pollution and Maritime Disaster and should give advice for cooperators, taking into account the progress made by such persons. In case that masters and shipowners have not taken appropriate measures, Maritime Safety Agency should order them to do so.

In case that there is an urgent need to take measures, Maritime Safety Agency should request the Maritime Disaster Prevention Centre to take measures for cleaning, or should take measures by themselves.

2 As the measures to be taken for an oil pollution are different as the case may be, depending on the kind and the chemical behavior of the spilled-oil, the state of the diffusion of the oil, the conditions of the weather and the sea and other conditions, they should get hold of the circumstance of the diffusing oil and the change of its chemical and physical properties, prior to taking measures for cleaning, make decisions on how to clean the spilled-oil properly, taking into account the results of the evaluation contained in Section 4, concentrate forces for cleaning as early as possible and take measures for prevention of expansion and for cleaning of the spilled oil.

Measures for cleaning of the spilled-oil should be combined to minimize the damage, measures to be used for cleaning, in general, are as follows;

(1) Prevention of further oil spill

Measures such as closing of the gas outlet, control of the list and transfer of the oil from the damaged tank to other facility in order to stop the oil spill;

(2) Prevention of oil diffusion

Measures such as surrounding the oil by oil boom to stop the oil diffusion, since the spilled oil is diffused quickly because of the wind and the tide;

(3) Recovery of spilled oil

Measures such as mechanical recovery by using an oil recovery boat, an oil recovery machine and so forth, and physical recovery by using oil absorbent or gelling agents, and temporary and supplementary measures by using ladles and buckets and so forth. The best measure among these should be used as appropriate. The recovered oil should be transferred to a waste oil process facility and an incinerate facility by oil collection boats.; and

(4) Chemical treatment

Chemical treatment by using oil dispersant for decomposition. This measure should be only used when it is difficult to collect the spilled oil by the measure mentioned in paragraph (3), taking into account the situation to conduct the collection, the weather and sea condition, the natural environment, and the area of fishing grounds or aquaculture grounds.

3 When they take such measures, they should conduct the measures, taking into account the characteristics of such measures and the influence to marine environment comprehensively, with a reference to information map mentioned in Section 1 of

Chapter 2 , and recover the oil on the sea, and even in the case when it is impossible to prevent the oil from reaching the shore, they should lead the spilled oil into the area where it is easy to recover the oil and to restore the environment.

Section 6 - Relief of wildlife

Environment Agency, when a damage to wildlife has occurred due to an oil pollution incident, should take appropriate actions for washing the animal which have been smeared with the oil, for prevention of disease due to that oil, and for relief of the wildlife, in co-operation with veterinarians and organizations concerned.

Section 7 - Protection of fishing grounds

Fisheries Agency, when a pollution may occur or has occurred in fishing grounds due to an oil pollution incident, should take appropriate actions to maintain and restore the fishing grounds, such as recovery of the oil on waste-oil balls.

Section 8 - Safety of Navigation and Prevention of Danger

Maritime Safety Agency should take appropriate actions such as removal of ships and restriction of navigation, in cases that there is traffic congestion because of closing of route caused by an oil pollution incident, that an another maritime accident might occur, or that there is something to be an obstruction of cleaning work.

Furthermore, in case that dangerous oil has been spilled, actions for prevention of danger, such as checking the dangerous area by using a gas detector and imposing restriction on use of fire, should be taken, in order to prevent secondary disaster, such as a fire, an explosion and a gas poisoning, when they take oil cleaning action.

Section 9 - Public Relations

National government agencies and local governments concerned should publicize the information immediately and appropriately in co-operation with other national government agencies and local governments, in order to ensure the safety of navigation, to ensure the security of the residents and to clean the spilled-oil smoothly.

National government agencies should record the cause of the accident, the state of the pollution and actions taken, in order to prevent recurrence of the same accident and to stock knowledge for responding general oil pollution, when an oil pollution incident has occurred.

Section 10 - Observation after the incident

National government agencies and local governments concerned, under the mutual co-operation, should investigate the influence to the environment and the damage to the property, even after the actions have been taken, if necessary. Especially, because sometimes it takes long time to recover from the influence on the ecosystem around that area, the influence on the water, on the bottom of the sea and on the wildlife should be investigated into detail and the effect of the action taken should be checked. Furthermore, national government agencies and local governments concerned should take supplementary actions, taking into account the result of such investigation, if necessary.

Chapter IV Co-operation among national government agencies and so forth

Section 1 - Co-operation at national level

National government agencies, in accordance with latest regulations and competence, should prepare and implement a comprehensive plan, prepare national regulations related to this matter and promote research and study for preparedness and response to oil pollution incidents.

In this case, national government agencies should ensure a good mutual co-operation, taking advantage of consultation meetings among the government agencies and so forth.

Furthermore, oil industry, shipping industry, mining industry and other organization concerned are expected to take positive actions for preparedness and response to oil pollution, by using their capability, and national government agencies should assist them actively and ensure a good mutual co-operation with them.

Section 2 - Co-operation at regional level

Regional branch offices of national government agencies, in accordance with laws and regulations and competence, should take appropriate actions for oil pollution preparedness and response suitable for their region in harmony with the actions taken at national level referred in Section 1 of this Chapter.

Furthermore, local governments, private companies and other organizations concerned, In accordance with laws regulations or on their own initiative, are expected to take positive actions for oil pollution preparedness and response, using their capability, suitable for their region.

In this case, parties concerned, taking advantage of the Panel and so forth, should ensure a good mutual co-operation. Furthermore, if necessary, they should co-operate with experts for protection of wildlife, fishing grounds and other marine environment so that advice of the experts can be taken into account.

Chapter V Others

Section 1 - Promotion of research, study and development of technology

National government agencies and local governments concerned, if necessary, promote research, study and development of technology on prevention of oil pollution incidents and protection of marine environment in co-operation with the private sector.

Section 2- Review of the Plan

National government should keep this plan under review and revise the Plan, if necessary.