Just When Is Oil Spill Preparedness Too Expensive?

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Interesting although the attendance at larger tanker spills is decreasing, ITOPF is attending more non tanker spills (primarily bunker spills). This figure shows the number of tanker vs non-tanker incidents attended by ITOPF. This simply highlights our growing role in smaller incidents from non-tanker vessels, primarily due to increased environmental and claims awareness worldwide.

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- But it's worth remembering that she was actually a fairly modest sized containership, as was MSC NAPOLI, RENA and MSC CHITRA.
- Containerships are now the largest ships at sea, and are getting much, much bigger.
- EMMA MAERSK has 13,800 TEUs of capacity, and can carry 17,000 MT of bunker oil – Triple E Class are 18,000 TEU – six times the size of BARELI, and potentially six times as complicated to handle if there was an incident involving a vessel this size.
- So it's worth being prepared for incidents involving containerships and using the lessons learned.
- For example identifying storage and handling facilities for dangerous goods and providing key workers with HAZMAT training and regular drills.

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- And responding to containership incidents can be particularly complex

- Incidents like the MSC NAPOLI in the UK and COSCO BUSAN in the US caused a lot of concern
- And the MSC CHITRA in India and the RENA incident in New Zealand resulted in the biggest spills that these two countries had ever faced
- And it's not just the oil that's the problem as we'll discuss…

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- methyl tertiary-butyl ether
- Iso-butyl-aldehyde
- PCC Project 2: Co - operation and capacity building on Hazardous and Noxious Substance (HNS) preparedness and response in the Straits of Malacca and Singapore

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Regulation, Conventions and good practice play an important role in improving safety and environmental awareness. Nevertheless, there are a number of IMO Conventions and Guidelines out there that have taken many years of painstaking work to prepare and, as the Secretary General of the IMO said only a few weeks ago, for them to be effective, they need to be implemented properly, otherwise there is no point in having them.

A case in point is the Guidelines on Places of Refuge for Ships in Need of Assistance that were drawn up following the ERIKA incident in December 1999 and which gained more urgency following the CASTOR incident in the Mediterranean sea in December 2000 and then again following the PRESTIGE in November 2002.

Despite these Guidelines having been adopted more than 10 years ago in December 2003, we still hear of instances where ships have been denied a place of refuge, like the most recent case, the MARITIME MAISE, which caught fire following a collision on 29th December last year and was repeatedly denied a place of refuge, only eventually being allowed into the Port of Ulsan, Korea, on 11th April, almost 4 months after the initial incident.

She contained almost 5,000 bbls of HFO, and laden with some 19,000 MT p - Xylene, 7,000 MT Styrene Monomer and 3,600 MT of Acrylonitrile,

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Very quickly,

Some basics…

Major spills are usually associated with serious casualties such as groundings, collisions, structural failures and fires and explosions and typically occur offshore or outside ports

The volume of oil transported within a given area is itself an indication of spill risk from casualties, but if this is combined with other factors such as high vessel traffic densities or hazards such as bad weather and narrow, congested straits, there is a good correlation with previous major spill accidents (>700 tonnes or 5,000bbl)

Regions at greatest risk are Mediterranean and Wider Caribbean. South East Asia are very high risk.

We will look at oil transportation changes in the East Asia Seas region. The region has some busy traffic routes through natural navigation hazards eg Malacca Straight, whose route is 1.5 miles across at its Narrowest (Phillips Strait in Singapore Strait)!

Risk Depends on what Tanker is doing as to what its at risk from. Many countries at risk of major spills are not large oil importers and the threat therefore from tankers transiting nearby waters.

Intermediate spills (7-700 tonnes) usually occur in ports or their approaches, either during routine oil transfer such as loading, discharging and bunkering or as a result of less severe casualties such as low energy collisions, groundings and berthing accidents.

Difference between intermediate spill risks seems to be down to individual countries not regions. -Countries which import large quantities of oil appear to be at greater risk than those which are major exporters.

ITOPF stats of tanker incidents show Bigger incidents, such as collisions, hull failures etc may well happen away from the coast – passing tanker syndrome

Intermediate spills…

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Amenity areas, ecologically sensitive areas, sea water intakes, fisheries, mariculture, seabirds and marine mammals and other resources likely to be threatened by an oil spill should be identified. Since it will not be possible to give equal protection to all

sensitive resources, priorities need to be determined. Account should be taken of the practical problems as well as the relative economic and environmental values of each resource and their sensitivity to oil pollution. Seasonal variations e.g. of beaches and breeding areas should be noted. Information on the location and sensitivity of resources and priorities for protection is frequently provided in the form of maps annexed to the contingency plan.

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So what have we learned. What has changed....
Lots have been done to reduce the number of spills.
Spills still happen
We know we need to be prepared
Spills can have a large economic and environmental impact, particularly if not dealt with efficiently
So

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OPRC-90

Article 6

OPRC, not new but encapsulates the spitit of preparedness and assistance beteen industry and government and between neighbouring states.
6.1 Establish a national system for responding promptly and effectively to oil pollution incidents.
6.2 Each Party, within its capabilities either individually or through bilateral or multilateral co-operation and, as appropriate, in co-operation with the oil and shipping industries, port authorities and other relevant entities, shall establish:

- a minimum level of pre-positioned equipment
- a programme of training & exercises
- detailed plans & communication capabilities for responding to an oil pollution incident
- a mechanism or arrangement to co-ordinate the response with, if appropriate, the capabilities to mobilize the necessary resources.

Government and Industry involvement in Spill Response
Everyone's goal should be to mitigate the effects of oil pollution damage, both environmentally and economically

The best approach of dealing with a problem is through cooperation
Government has a responsibility for looking after its citizens and its coastlines
Shipowners are serving a demand for products by citizens within that country
(90% of world's products carried by sea transportation)
Clearly defined rules of the game. Correct expectations of each other

- Processes in place to enable success
- Finger pointing and casting blame are counterproductive

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This map shows the widespread ratification of the two tier compensation system across the world with those countries in purple having the highest level of compensation available and those coloured in blue, the lowest level.

'Adequately prepared 'also means ensuring that there is sufficient compensation to pay for oil pollution damage in the event of spills

These compensation Conventions leave the issue of responsibility for clean-up of oil pollution to national and local governments, meaning that they can decide how best to arrange the clean-up in their own jurisdictions.

This arrangement respects the fact that they alone can determine the priorities for clean-up and are ultimately responsible for the welfare of their citizens.

However, whatever arrangement is put in place the expectation is that the shipping and oil industry will play their part. The provisions in the Convention text provides for a system of compulsory insurance and strict liability, with the quid pro quo, that the ship-owner is able to limit his liability. The shipping and oil industry may also play a more active role in any response itself, such as through the provision of technical support but I'll talk about this more a little later.

More in next ppt.

Thus, for economic losses falling under these Conventions, claims are made in the first instance against the ship-owner and, if a country has ratified the Fund Convention and claims exceed this limit, against the Fund, which as we heard yesterday, will pay claims up to the Fund limit by placing a levy on oil receivers.

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Bearing in mind what ITOPF's statistic have shown for the risk of non-tanker spills may be more countries should ratifiy the Bunkers Convention, which provides compensation for damage caused from spills of fuel oil from non-tankers

Discussion about compensation for spills of bunkers took place at the same time as the discussion of the CLC and Fund Conventions for tankers but it was thought too complicated to introduce this as oil carried as cargo and oil carried as bunkers were clearly quite different and involved different potentially paying parties.

Nevertheless, about 15 years ago discussion of a separate convention applicable to spills of bunker oil from all ships began and in March 2001, the Bunkers Convention was finally adopted.

It is now in force in 64 different countries,

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On 9th December 2014, the tank vessel SOUTHERN STAR 7 collided on the Shela River in the Sundarbans region of Bangladesh resulting in a release of an estimated 350,000 litres of heavy fuel oil cargo. The spilled oil spread to threaten an internationally important area of mangrove forest and given the potential impact of the oil spill, the Government of Bangladesh (GoB), through the UNDP office in Bangladesh, on 15th December requested international technical support.

A Joint United Nations Sundarbans Oil Spill Response mission, composed of a United Nations Disaster Assessment and Coordination (UNDAC) team, working in partnership with the United Nations Development Programme (UNDP) and with the support of national and international experts, was mobilised. The objective of the **Joint United Nations mission** was to support the oil spill response of GoB.

Towards the completion of the mission's work in Bangladesh at the end of 2014, the **UK Government's Department for International Development (DFID)** contacted the International Tanker Owners Pollution Federation (ITOPF) with a view to them providing further technical assistance to GoB, UNDP and other parties still working to

respond to the pollution incident.
ITOPF travelled to site on 6th January 2015 on a 60 day aid mission agreement with DFID. Following meetings with DFID and UNDP, the following work plan was developed that addressed some of the key recommendations made by the Joint UN mission's report.

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At 13:50 on Wednesday 7th January the HOEGH OSAKA re - floated on her own under the influence of
currents and winds. Svitzer had tugs connected to keep her from moving into the shipping lanes.
Once afloat she remained stable (as modelled by the naval architect) and after a period of monitoring she was towed to the designated, preferred, anchorage. Salvors are using the vessel's anchor, combined with tugs, to keep her in position. It is hoped that even during the forecasted bad weather, work can begin to start pumping out the majority of the estimated 3,000 MT of water that has accumulated within decks 1 - 6. Salvors have confirmed that there is oil (likely to be a combination of diesel and lubes from the cargo) on the surface of this water. However, the
Environment Group (EG) and the Maritime and Coastguard Agency (MCA) are content for the salvors to pump from well below the oil and discharge the water overboard. Approximately 200 MT of

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