

Government and Industry Cooperation in the Development of Oil Spill Preparedness

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Abstract

Governments have recognized the importance and value of cooperation for oil spill preparedness. At the global level this is manifest through the International Maritime Organization's International Convention on Oil Pollution Preparedness, Response and Cooperation 1990, which is further enhanced through a series of region-specific agreements or Conventions and their related Protocols. These Governmental efforts also encourage partnership with the oil and shipping industries in developing preparedness.

At the regional level, OSPRI has been supporting development of Governments' cooperation mechanisms under the Bucharest Convention and its Emergency Protocol (for the Black Sea) and the Tehran Convention and its draft Oil Pollution Incident Protocol (for the Caspian Sea). The Black Sea framework was first established in 1992 and implementation has received enhanced focus from 2004 onwards. A regional oil spill exercising programme has been underpinned by a series of workshops, training and seminars. This programme featured a major regional exercise in September 2007 (Exercise SULH, hosted by Turkey) and the programme is planned to continue into the future representing a sustainable effort. The improvements in communication and potential for effective cooperation between Black Sea littoral States and industry in case of major oil spill are demonstrable.

This paper introduces the regional exercise programme for the Black Sea and indicates how this programme and related preparatory activities were targeted in the months leading to Exercise SULH – including the lessons learned and challenges remaining. The outcome of the programme is the availability of a proven and credible regional communication network in the Black Sea in case of major oil spills. At the second meeting of Contracting Parties to the Tehran Convention in 2008, the Caspian Sea littoral States committed to make every effort to finalise and ratify the Oil Pollution Incident Protocol before or at the third meeting of Contracting Parties, scheduled for 2010. When this is achieved and the Protocol is implemented, similar improvements in oil spill preparedness for the Caspian Sea are anticipated, as have been witnessed in the Black Sea.

Introduction

The safe development and transportation of oil reserves relies on effective operating procedures and spill prevention measures. It is correct to emphasise and prioritise oil

spill prevention but also prudent and responsible to have oil spill preparedness and response capacity in case of accidental releases (IPIECA 2005). Major oil spills can threaten serious ecological and socio-economic damage and present a challenge for all those organizations that may have a responsibility or role to play in their mitigation. Governments recognized this challenge and a series of regional Conventions and related Protocols with a focus on marine protection were created within the United Nations Environment Programme (UNEP) Regional Seas Programme. The regional frameworks were further enhanced by the global *International Convention on Oil Pollution Preparedness, Response and Cooperation 1990*, the OPRC Convention (IMO 1990) developed within the International Maritime Organization (IMO), a specialised agency of the United Nations with responsibilities for maritime security, safety and protection of the marine environment.

The OPRC Convention requires Parties to have national systems for dealing with oil spills and encourages the development of bi-lateral or multi-lateral co-operation mechanisms. Furthermore, operations bringing risk of oil spills must have contingency plans (IMO 1995), training and exercising programmes should be established along with adequate pollution combating resources – incorporating the approach known as tiered preparedness and response (IPIECA 2007). The Convention identifies the need for countries to facilitate people and equipment engaged in response actions in and out of their territory; this issue has been further emphasised by IMO Resolution A.983(24) (IMO 2005). It also calls for governments to work in cooperation with the oil and shipping industries in meeting their requirements.

Governments' establishment of oil spill preparedness around the world is typically set within a hierarchical framework of national planning, regional cooperation (often through a regional agreement or Convention) and the overarching OPRC Convention. Industry can play an important role in support of this framework and the Black Sea region provides an excellent case study.

Black Sea Oil Spill Preparedness

In recognition of the need to manage pollution threats to the Black Sea in a coordinated manner, the six countries bordering the Sea signed the *Convention on the Protection of the Black Sea Against Pollution* in 1992 (the Bucharest Convention). In addition, the six countries also developed the *Protocol on Co-operation in Combating Pollution of the Black Sea Marine Environment by Oil and Other Harmful Substances in Emergency Situations, 1992* (the Emergency Protocol). This Emergency Protocol is the basis for the Black Sea Contingency Plan, which is an operational document describing the framework of regional cooperation mechanisms and mutual support during major oil spills. It is important to note that this regional plan coordinates the littoral States' national oil spill contingency plans – it does not supersede or replace them.

The regional plan was developed by a dedicated working group with participants from all the littoral States and with support and assistance from the IMO. The Black Sea Commission's Advisory Group on Environmental Safety Aspects of Shipping (AG ESAS) approved the plan before it was submitted to the Commission for final adoption. The content and format of the plan were based on the precedents and experiences from other regions, such as the North Sea, Baltic Sea, Mediterranean

Sea and the Caribbean Sea, where similar arrangements are in place. The plan is also fully consistent with the OPRC Convention. A series of national and regional oil spill training courses were organised in the Black Sea between 2003 and 2006 to help build knowledge and capacity, with IMO funding and support from the oil and shipping industries.



Black Sea and Caspian Sea showing the littoral States.

In 2003 a group of eight international oil companies with interests in the Caspian Sea and Black Sea came together within the umbrella of the International Petroleum Industry Environmental Conservation Association (IPIECA). The purpose was to align their efforts in support of governments' development of proven, credible, integrated and sustainable oil spill preparedness. This effort is known as the Oil Spill Preparedness Regional Initiative (OSPRI) and it is effectively a manifestation of the IMO-IPIECA Global Initiative in the region (Taylor *et al* 2001a & 2005, Micallef and Thiam 2008). OSPRI was able to form a very positive relationship with the Black Sea Commission, including assistance with the following activities from 2004 onwards:

- Workshop on regional cooperation mechanisms
- Regional dispersant workshop
- Regional oil spill claims workshop
- Development of regional exercise guidelines and implementation programme

The regional exercise guidelines were based on those used in the Baltic Sea and other published guidance (IMO/IPIECA 1996). They provided a tool to facilitate the operational implementation and use of the Black Sea Contingency Plan. A series of communication and table-top exercises were held over a two year period to enable the operational authorities of the littoral States to become familiar with the regional plan's detail and procedures. The culmination of this programme was the first major oil spill exercise to involve all the littoral States as participants or observers, hosted by Turkey in September 2007 and named Exercise SULH (Kıraç *et al* 2008).

The specific preparations for Exercise SULH extended over nine months and incorporated a series of technical workshops, seminars and planning meetings, to ensure all parties were fully prepared to gain maximum benefit from the exercise. These events were jointly organized by the Turkish government, the Black Sea Commission and OSPRI, with assistance from a number of international organizations (IOPC Funds, ITOPF, *Oil Spill Response* and UK P&I Club). The events included:

- Sensitivity mapping workshop
- Aerial surveillance workshop
- Integration of international resources seminar
- Shoreline equipment deployment training and local Administration liaison workshop
- National claims workshop
- Management of the media seminar



A DVD of Exercise SULH was produced

It was clear during the exercise that the technical understanding gained during the preparatory activities greatly enhanced the confidence and ability of the many of the participants to undertake their roles in the simulated oil spill response. Significant background and reference materials were distributed during the preparatory activities.

Over 250 people took part in the exercise during three days and this included a team from one of the OSPRI members (Chevron), acting as cargo owner of the tanker involved in the scenario. International observers and participants included intergovernmental organizations and oil and shipping interests. This enabled the crucial relationships between governments and the key shipping representatives, their advisors and cargo owners to be tested and played out in a realistic manner. The exercise included deployments of Turkish resources and equipment brought from the Russian Federation and Romania, plus the mobilization of industry equipment and personnel from *Oil Spill Response's* bases in Bahrain and the UK. It is estimated that industry's contribution to the exercise and its preparatory activities, including so-called 'sweat equity' or in-kind support, was over 650,000 US dollars. Coupled with the commitments from Turkey, as hosts, and the other Black Sea littoral States, this event represented a major milestone and investment in the region's preparedness.

One of the great successes of Exercise SULH was the opportunity to learn lessons and build capacity. The key points from the exercise were:

- The series of preparatory events played an important part in ensuring Exercise SULH was well executed and contributed to medium and long capacity building in the region.
- The cooperation between all participating organizations was good, including government and industry interaction and integration.

- The thoroughness of planning for the event was very impressive.
- Future exercises will benefit from continued joint partnership between governments and industry, within the framework of the Black Sea Contingency Plan and the OPRC Convention.
- A higher degree of driving the exercise through injects should be considered for future exercises.

A ten-minute DVD was produced to raise the profile of the exercise and the lessons learned. These lessons have been used in the development of national plans in the region, as well as for planning future regional scale exercises. It has been recognised with the AG ESAS that the exercising programme needs to be sustainable. Regular communication and table-top exercises will continue. Planning for the next major regional exercise is underway; this has been named RODELTA and it is scheduled for August 2009 in Constanta, Romania.

In November 2007 the regional framework was put to the test, when a severe storm in the Black Sea led to the grounding and sinking of a number of vessels in the vicinity of the Kerch Straits, between Ukraine and the Russian Federation. These incidents resulted in sailors losing their lives and an oil spill of approximately 1,300 tonnes of heavy fuel oil. Although Russia did not request international assistance they did use the alert mechanism in the Black Sea Contingency Plan and cooperated with Ukraine (who also received support from a European Commission expert team). The Black Sea Commission played a key coordinating role in communications.

Caspian Sea – Developing Regional Cooperation

The Black Sea and other regional seas provide useful models for the Caspian Sea littoral States to consider, in developing its own preparedness. Increasing oil production and transportation in the region is bringing added focus to this issue within governments and industry. Significant progress has already been made with regional cooperation in the framework of the Caspian Environment Programme (CEP) and with the support of the IMO. Regional and national oil spill training courses have been organized by IMO. OSPRI has also been engaged, including the organization of a regional cooperation mechanisms workshop and a claims workshop in conjunction with IOPC Funds. National oil spill contingency plans development and improvement projects have been undertaken, with European Bank for Reconstruction and Development (EBRD) funding support to Azerbaijan and Turkmenistan (Taylor et al 2001b). The Organization for Security and Co-operation in Europe (OSCE) has become an active partner in developing preparedness and is undertaking a project to develop further the national planning in Azerbaijan, Kazakhstan and Turkmenistan. Industry has also undertaken extensive oil spill contingency planning for its operations (Abbasova et al 2005, Shepherd 2003).

The *Framework Convention for the Protection of the Marine Environment of the Caspian Sea* (the Tehran Convention) entered into force in 2006 and a *Protocol Concerning Regional Preparedness, Response and Co-operation in Combating Oil Pollution Incidents* (OPI Protocol) and related regional plan of cooperation were drafted during a series of workshops between 2001 and 2005. This framework strongly mirrors that established and proven in the Black Sea and other regions. Following discussions at the Second Meeting of Contracting Parties to the Tehran Convention (refer to documents available on the Tehran Convention website at

www.tehranconvention.org/spip.php?rubrique24), it is anticipated that the OPI Protocol will be signed at the Third Meeting of Contracting Parties, scheduled for 2010. The CaspEco project was launched in April 2009 and this will take forward the implementation of the Tehran Convention.

When the OPI Protocol is signed, this will provide the legal basis for the Caspian Sea regional plan and lead to the establishment of a Regional Centre to coordinate implementation of cooperation mechanisms. This should provide a sound basis for both intergovernmental and government-industry cooperation. It is also possible that wider ratification of the OPRC Convention amongst the Caspian Sea littoral States will ensue, as regional cooperation becomes embedded in national procedures.

Conclusions

Experiences from the Black Sea and other regions give a clear indication that governments and industry can improve oil spill preparedness by working together. Partnership in projects not only brings synergies and efficiencies but also engenders trust and understanding between all participants. A clear national response system, based on IMO guidelines, regional agreements and consistent with the OPRC Convention, allows industry to develop its own contingency plans and capability integral to government frameworks. Common issues and barriers to response such as movement of tiered response capacity (personnel and equipment) across international boundaries can be addressed. Joint exercise and training programmes provide the opportunity to identify strengths and weakness, enabling targeted future action and ultimately leading to improved environmental protection.

When the OPI Protocol is signed in the Caspian Sea region, this should provide the basis to implement both national and regional action plans and improvements, to ensure oil spill preparedness is effective and commensurate with the risks.

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