LESSONS LEARNT FROM THE "PRESTIGE"
or
IS EUROPE BETTER PREPARED THAN BEFORE?

Summary.
Despite all effort put into ship safety incidents still happen. Major oil incidents obviously attract the attention of a large audience. In November 2002 when the tanker "PRESTIGE" spread a substantial part of its cargo over the Galician coastline many people raised their voices and Spanish authorities were blamed for inappropriate response.
In this paper an attempt is made to find the answer on the question whether European Member States are prepared to face a new Prestige incident and what has been the lessons from the incident.
The author found that the line of command, a co-ordinated approach, decision making and dedicated response measures can easily fail if not put in place in the preparative phase like the Oil Pollution Preparedness and Response Cooperation Convention means.
He also found that in many response operations he attended only limited resources were allocated in the early hours of the operation, whereas it would have been advisable to bring in specific teams that can later be scaled down if the situation allows for this.
An very large outflow of oil is almost impossible to respond to relying solely on national capacities.

Introduction.

In November 2002 the Spanish north-western coastline was hit by a catastrophic pollution originating from the tanker "PRESTIGE".
The unfortunate single-hull tanker due to various reasons, that are still not ascertained, got into distress and lost part of her shell plating before breaking up and sinking several days later.
Many European States placed recovery vessels and other means at the disposal of the Spanish authorities in order to recover oil at sea or clean the coastline.
Now looking back at the incident and the entire operation that lasted several months, it is my personal opinion that first of all Spanish authorities in charge of the response operation deserve our compliments.
Studying national contingency plans in Europe[1], I have not found a single state prepared to respond to a maritime incident like the "PRESTIGE".
Coastal State authorities have assessed the likelihood of a maritime accident involving the outflow of oil (quantity) and based on this risk analysis defined the required or necessary response capacity. It would be the cooperation between the Coastal States,

[1] Information on national contingency plans of European Member States is taken from the Bonn Agreement Manual and the European Community Information System.
Most of the Member States do have a basic response capacity in place, but also rely on the cooperation with neighbouring states in case of large volumes of oil.

bringing together various means for response that should be capable in dealing with a large volume of oil.

The international community proved to be able to provide assistance in a relatively short period of time. Various types of equipment were dispatched to recover oil and numerous volunteers were cleaning the coastline.

Within a relatively short period of time remarkable achievements were made in the "Hercules" control tower[2], setting up a full operational management centre.
So, is there no reason for criticism? If, through an evaluation of the experience gained in the operation, I would place myself in the position to criticise the operation, it would only be to define lessons learnt.
Lessons learnt in order to improve our Netherlands national preparedness.

The presentation will address issues that all play their specific role in an at sea response operation.

- providing assistance to a member state by use and integration of existing expertise and experience,
- a liaison officer at the crisis centre,
- aerial guidance to response vessels,
- coordination of at sea operations,
- operational conditions,
- ship to shore transfer of recovered oil,
- operations versus politics
- the role of EMSA.

Providing assistance to a member state
The European network, under the Management Committee on Marine Pollution (MCMP) that is a part of the EU Directorate General (DG)-Environment, provides the communication between member states for the exchange of information on maritime incidents also involving pollution. Through the Mission Information Centre, that is the 24 hour reporting centre, in Brussels other member states can be asked for assistance.
If the assistance requesting country is a member of the BONN AGREEMENT, authorities may first seek assistance within BONN but the flow of information may best run parallel.

Any other procedure may create confusion or might be too complicated politically.
The first request for assistance was received by our Ministry for Foreign Affairs due to the fact that the Spanish Ambassador had contacted the Ministry.
According to the EU arrangements it would have been best that Sasemar[3] either through the MIC in Brussels or directly to the Netherlands Focal Point (Coastguard Centre) had asked for assistance.

[2] At the entrance of the port of La Coruña the coordination centre is located in an H-shaped building, that is named "Hercules tower". From this centre the entire at sea and costal response was coordinated.

[3] Sociedad de Salvamento y Seguridad Maritima is the Spanish Pollution Response Authority and the abbreviation used is SASEMAR.

Nevertheless the communication resulted in establishing direct links to the Centre in La Coruña and a fax stating recovery capabilities and costs transmitted to the Centre.

Netherlands authorities, i.e. the North Sea Directorate, concluded in the evaluation that either within BONN or MCMP an international standard contract should be in place, clearly describing what conditions will be maintained.
This contract, or the contractual conditions, would also include the costs for assistance and what items are in- or excluded as well as the duration of the contract.
Full external costs will be used in the invoices however, governments may give a discount on the costs when providing assistance. This means that in some states two tariffs are in place, one for internal calculation and one for reimbursement (claim) at the polluter. Assistance costs should be without making a profit, actual costs should be covered. However the polluter (P&I club or the Fund) should cover full costs.
Parties should discuss the level of costs to be settled afterwards as costs will be claimed from the owners, insurers and/or the IOPC Fund.

The staff in the North Sea directorate concluded that items such as governmental employees on board the recovery vessels were not accounted for, nor were costs for communication (Sat-com). Especially with regard to the service of the RIJNDELTA, the commercial contractual costs were charged. However, the vessel is equipped with government owned recovery material and no fee was charged for that.

Another important conclusion was that all vessels placed at the disposal of the requesting country should remain to be under command of the government that owns the vessels.

A liaison officer at the crisis centre
This again represents an issue that should be discussed at the international level. When equipment in the widest sense is sent abroad for providing assistance a liaison officer should be sent with it, in order to establish contact with the crisis manager(s) and oversee expert deployment and handling.
His main task would be to provide assistance to the best of his endeavours, including the use of team skills to ensure smooth integration and running of operations.
A liaison could be acting on behalf of more countries than just the government he represents.

The liaison should be involved in decision making processes and where this is not practical be given sufficient guidance and the opportunity for regular meetings with the authorities in charge of the operations.

He or she should be considered as a valuable link between the vessels or other response cells and the local authorities.
Establishing on shore facilities in close cooperation with the local organisation and see to it that the at sea response means are adequately guided.

Netherlands authorities concluded that in a new event a liaison officer, with governmental mandate, would be send to the requesting country immediately, in order to act as a quartermaster and prepare the activities prior to arrival of the equipment.

Aerial guidance for response vessels

At sea response requires adequate guidance from day one and on a daily basis as soon as daylight begins.
Recovery vessels are effectively "blind" and in case of the PRESTIGE, sea conditions west and northwest of La Coruña with ocean swell of 8 metres made in impossible to detect the oil slicks from the bridge of the recovery vessels.
Bearing in mind the daily costs of a vessel, authorities should at least try to make the operation as efficient and effective as operationally possible.

The guideline should be that, depending on the sea area involved, one or two surveillance aircraft perform a detailed survey every day as early as possible. With the application of remote sensing instruments (e.g. Side Looking Airborne Radar) there is not even a direct requirement to wait until daylight allows for visual observation.
Based on the data obtained, maps can be provided to the management centre followed by directives to the at sea response vessels. A large sea area can be divided into grid segments, and the identified segments are also used in the coordination of the at sea response operation.
When large volumes of oil are recovered this combat operation could continue during darkness provided an aircraft equipped with Infrared system can provide guidance.
The vessels can then be guided by spotter aircraft, not necessarily equipped with remote sensing instruments.
When the response vessels are busy recovering a large field of oil, so picking up a considerable volume of oil, the spotter plane could leave the area for a few hours.

Based on his experience in several incidents the author concluded that from the early hours of an incident it is essential to set up an aerial surveillance team, governed by an experienced pilot or surveillance operator. Also a notice to aircrew should be published in order to inform all pilots that a specific air space is closed for all planes except the surveillance aircraft.

Aerial surveillance should be performed at least daily and/or whenever weather and sea conditions may have changed the situation drastically.
Obviously, if useable and available, satellite data can provide quick overviews of vast sea areas and fill the gap e.g. during night time. In this respect, with reference to the Prestige incident, only limited number of satellite images were available. Through European cooperation the system of obtaining images should be improved and all the present users of satellite data know that the speed of processing images has increased and will result in useful images at the desk within two hours. The advantage of having a satellite image should not be underestimated as it provides a quick overview of a vast sea area.

Coordination of at sea operations
Like aerial surveillance, the at sea operation requires a specialist to coordinate the recovery in order to make efficient use of the vessels.
A specialist would have to understand the capabilities of the systems deployed and therefore it is recommended to have briefing meetings with ship crew when a vessel arrives at the site or in the port prior to the recovery operation.
It is important to understand the recovery concept of each vessel since different equipment has different optimal operating conditions, depending on the type and weathering state of the oil, sea state etc. It makes a vast difference whether a belt skimmer in conjunction with a boom is deployed or a Transrec or sweeping arm system.
Also the coordinator should know the storage capacity of each vessel as well as capabilities to separate oil/water mixtures or to break emulsion.
A coordinator has to understand what recovery operations are about, both technically and operationally and what overall strategy is intended. He should also be the official who decides to keep a system in place or demobilise it because of poor results.

The coordinator should be supported by the liaison officer(s) from the assisting countries as well as by the on-scene-commander, (if required one commander per grid segment).

An important part of the at sea coordination is to regularly pass on information to the ships' crews about the main objective of the daily programme. Keeping a response vessel in a certain area without oil, requires some explanation to safeguard morale on board.

Operational conditions
Efficient and effective use of the recovery vessels is when ship and crew are in good shape, motivated and have been given time to rest; although all crew regularly involved in oil response operations appreciate they will get exhausted in the first days of an incident.

Most of the currently available equipment for at sea recovery will fail to be useful in wave heights above 2,5 metres.
Note that in ocean swell, without wind waves coinciding with the swell, recovery equipment can continue to be used efficiently in worse conditions.
At wind force close to 6 Beaufort, equipment could be damaged and recovery efforts are usually futile.

When deteriorating weather is expected to last only for a short period of time, the coordinator may decide to keep the ships at sea, however, the bad weather conditions could also provide the opportunity to transfer the recovered oil to a shore storage facility.
Longer periods of bad sea conditions can be a good reason to allow the vessels to berth in a sheltered area or a port for the crew to rest in order to be ready for the next period of favourable weather.
It might be required to check and maintain the recovery systems, clean some of the components and evaluate the operation in order to identify subjects for improvement.

Ship to shore transfer of recovered oil

One of the issues in response preparedness that is easily neglected is the readiness to take recovered oil/water mixtures ashore, to store the often large volumes of oil and water and to handle the ships.
During the PRESTIGE incident, the Spanish authorities had very quickly appointed terminals in ports to receive the recovered oily water mixture.
However there was a problem of availability of technical support systems to heat the mixture and to pump it into storage tanks.

Netherlands authorities noted that the liaison officer should be tasked with taking care of required arrangements for a quick, efficient transfer of recovered oily water since he/she knows the capabilities of the respective vessels.
If required the necessary booster pumps and heating systems can then be arranged and brought to the reception facility.
It was found that valuable time was lost due to the fact that the required means were not in place and that transfer of the mixtures took too long, although it has to be admitted that in some occasions, due to very bad sea conditions, no recovery operation was feasible.

At times, the injection of a light fuel or other substance to lower the viscosity of the oily water mixture recovered at sea should be considered to make the transfer easier. Such decisions should be taken by the coordinator in consultation with the on-scene-commander,

We concluded that in the Netherlands we have to improve the preparedness with regard to shore side facilities, pumping capacity of highly viscous oils and storage capacities.
It was found recommendable to appoint a team with this task should an incident occur.

Operations versus politics

During the PRESTIGE incident, one of the most difficult issues to deal with in the Crisis Centre at the "Hercules" tower appeared to be the influence of politicians. One could easily notice that at various points in time, the managers in La Coruña were loosing control because of the potential political implications of certain decisions.
For the assisting response vessels this implied for instance that no matter what the conditions at sea were, they had to stay at sea.
Keeping the general public calm; taking measures that can best be described "window dressing" and unfounded statements (bending the actual facts) should never come before operational and technical reality and truth.

Even during a phase of the at sea response when all operational experts agreed that some vessels should be released because of their low efficiency, the political influence was felt.
For the Dutch vessels this meant that the Minister of Transport had to intervene through the Netherlands Ambassador in Madrid, despite the operational agreement in the Crisis Centre.

The role of EMSA

Following the ERIKA incident in France in 1999, the European Maritime Safety Agency (EMSA) was established and the accident of the PRESTIGE led to an accelerated impulse for EMSA's development. Surely, some experts will have raised an eyebrow to say the least. Leaving aside the discussion about the advantages of double against single hulls, EMSA is now to play a leading role in the response to oil pollution.
In the field of Regional Agreements such as HELCOM and BONN and the EU/MCMP, new initiatives are expected from Brussels.
To quite a number of national experts, who regularly meet to discuss incidents or response methods, it is unclear what the role of EMSA will be in the near future.
I am prepared to give EMSA the benefit of the doubt and would push its development further by stating that now it is established, the Agency should take the leading role.
One of its tasks, in my opinion, would be that EMSA should check on national contingency plans in European Member States.
While the lack of experience within EMSA is noticeable, it should be remembered that the Agency is still in its infancy.
I would suggest to cooperate in that respect with the experts at ITOPF, since that organisation is to be present during most tanker incidents anyhow.
Another proposal would obviously be to bring national experts, united in the MCMP, under the EMSA secretariat in order to support the role of the Agency.

Through close cooperation between the various sources of expertise, it should be possible to built a European Contingency Organisation that is founded on National Capacities.
A series of trials and exercises, experiencing real oil slicks could be initiated by the Agency as well as training courses and workshops in order to train [?] the new response people in their development.
EMSA should also draft a standard contract for international assistance or at least facilitate this process. (In BONN we are working on this)
EMSA could work on certification of response equipment and might be in a position to support development of response techniques.
EMSA could bring together Technical Institutes or Scientific Bodies to built an international expert team on oil and/ or HNS.

I hope my message is crystal clear: Let's unite resources, expertise and skills under EMSA in order to avoid duplication or segregation and to be prepared for any incident.

Conclusions

Many European Member States have built a first response organisation, including a National Contingency Plan and sufficient response equipment for a "standard" incident that could happen in their sea area.
None of the Member States is currently prepared to deal (self-reliant) with an incident of the scale of the PRESTIGE.
International cooperation in response to large scale incidents is essential and indispensable.
I'm convinced that regional agreements and the EU commission's programme have contributed to the existing level of cooperation. Examples of these bi- or multilateral

arrangements are the cooperation between Sweden, Denmark and Germany (SWEDENGER) or between France and the United Kingdom (MANCHE plan).

Yet, as there is no standard incident[4], all response organisations should be forced to revise their preparedness regularly and governments should support initiatives for the improvement of the cooperation. Cooperation on a bilateral or a regional basis.
And although no Coastal State can be prepared for large volumes of oil escaping from a crippled tanker, authorities of the state should have in place a line of command; an operational structure of the response in several aspects.
The response team should appoint a combat-team for at sea operations; a survey and monitoring team; a shoreline response team; a technical team for the inspection of equipment and specific aspects of the response operation. No authority can be blamed for not having sufficient equipment for every kind of incident however, a profound line of command and information/communication should be in place from the first moments of the incident.

Did I in this presentation respond to the question raised in the title. Are European Member States better prepared to deal with a PRESTIGE-like incident?
The answer must be **no**, if one only takes into account national contingencies and one should respect the fact that no coastal state would be able to make the required budget available to maintain a response organisation at such high level.
The answer is **yes**, if we stress the effort in our cooperation regarding a mutual interest because drifting oil spills are not stopped by EEZ boundaries.
Bringing expertise and equipment together, including skilled operators, Member States can deal with almost any incident.
It is essential to prepare an operational organisation from the first possible moment.

a. a surveillance and monitoring team,
b. an at-sea response team,
c. a shoreline clean-up team,
d. a technical advisors team (equipment; shore facilities),
e. scientific advice (hazard profile, impact assessment; fishery)
f. an (inter-) national press team,

All these teams under command of the overall national commander.

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[4] A standard incident in most coastal states is the scenario on which the basic response organisation and capacity is defined. E.g. in NL the standard incident is an outflow of 30,000 tonnes of an average oil as a result of collision of a laden tanker with another ship about 40 miles west of Rotterdam. It is estimated that 50% would evaporate and dissolve and the remaining 15,000 tonnes should be recovered within three days.