

Governmental takeover of the Incident Command from the oil operator in extreme situations

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Introduction

This paper will focus on the establishment of a national system for handling very large oil spills and governmental takeover of the incident command from the responsible operating company and lessons learnt from exercises were the system is tested.

The Norwegian system for preparedness against acute pollution is based on the Pollution Control Act. The Act describes responsibilities for the industry, the municipalities and the Government. The Norwegian oil industry is subject to preparedness requirements in regulations for petroleum related activities. Based on this, all offshore operating companies must have contingency plans and be able to respond to an oil spill resulting from their own activities. The Norwegian Coastal Administration (NCA) has a duty on behalf of the government to maintain preparedness and respond to major incidents of acute pollution. NCA have developed a national oil spill contingency plan describing the roles and responsibilities of the different governmental agencies for incidents involving oil spills from both ships and offshore installations. NCA have, by law, a possibility to take command and direct major response operations. An important part of this contingency plan is a system for governmental takeover of the incident command from the responsible polluter.

Main Results

On the Norwegian Continental Shelf there have only been two incidents involving the offshore oil industry with the release of crude oil estimated at more than 4,000 m³. The Bravo blow-out occurred in 1977, with a release of oil of approximately 12,700 m³. The Statfjord A release occurred in 2007 during a shuttle tanker loading with a release of oil of approximately 4,400 m³.

How to handle large spills from the oil industry?

In 2013 an updated national risk picture was presented with fourteen defined scenarios. One of these is an offshore oil and gas blow-out spilling approximately 300,000 tonnes and resulting in approximately 3,000 km of polluted shoreline. Together with the lessons identified from the Deepwater Horizon response in 2010, there was a need to assess and improve how spills with an extreme nature and magnitude were organized on a national level. Based on the report "Deepwater horizon – Lessons learned and follow up", the Norwegian Oil and Gas Association (formerly The Norwegian Oil Industry Association - OLF), presented several recommendations to the Norwegian oil industry. One of the recommendations were "OLF will continue working closely with the NCA to make a case for implementing the principles of unified command for incidents of national significance on the National Contingency System (NCS)." This recommendation was very much in line with a recommendation from an inter-governmental risk assessment group on this issue. Their task was to look into how oil spill response operations of a magnitude similar to the Macondo incident are organized in Norway.

Based on this, the NCA assessed that it would be beneficial to include the organization and handling of very large oil spills from the offshore oil industry into the national oil spill contingency plan.

Further, it was also decided to look into whether a system similar to the US unified command concept should be applied in Norway. As described above, the NCA already has the legal power to take operational control from a polluter. The report concluded that a new system should be implemented within the framework of the current legislation.

Cooperation between government and oil industry to establish a system for governmental take over

Based on the recommendations above, NCA took the initiative to establish a joint working group between the oil industry and the NCA. The task of the group was looking into the question of whether adapting an integrated command system with governmental takeover of the incident command could be a solution for Norway. Based on the recommendations from the group, it was decided to establish a system where the government could take over the command to handle pollution incidents with an extreme magnitude from the offshore oil industry. It has developed criteria for when a governmental take over could be effectuated. These criteria are regarded as guidelines, and the decision will be taken based on an overall evaluation of the situation.

The responsibility for the level of preparedness, and the obligation to act, lies with the operating company. The level of preparedness is dimensioned based on environmental risks and should be on a level that enables the operator to deal with oil spills caused by the operator's activities. An oil spill response that escalates to a level where the authorities will take operational command will normally begin as an operation led by the operating company.

Bridging document

In the phase following takeover of operational command, NCA will establish the incident command structure based on the existing system for governmental oil spill response operations. How the takeover will be organized is described in a *Bridging document developed by Norwegian Coastal Administration and the Oil Industry through their association Norsk olje og gass*. When the decision to take operational command is taken, the NCA will take charge of the most central functions in the ELS system (ELS is a Norwegian adaption of the ICS system and translates loosely into uniform management system) by merging into the existing incident command established by the operating company.

Workshops and exercises

As a preparation to develop the Bridging document and after the Bridging document was introduced, NCA and the oil industry have arranged several exercises and workshops to test the procedures in the Bridging document. Based on the different exercises, the Bridging document has been updated twice. To date, the industry and NCA have arranged the following activities to discuss and test the Bridging document.

Before the Bridging document was released in 2015:

- Table-top exercise November 2013
- Workshop May, 2014
- Exercise with Statoil 2014

After the Bridging document was released:

- Exercise with Statoil 2015
- Workshop together with the oil companies in 2017
- Exercise with AkerBP 2017
- Evaluation meeting between NCA and the oil industry January 2018

Lessons learnt – updating of the Bridging document

Through the different activities to discuss and test the Bridging document, the need to update the current Bridging document was identified. Below you will find areas where update is needed:

- The bridging document must be clearer about what “Governmental takeover” means. This does not include the takeover of SAR, killing of the well or other areas of stopping the leakage. The document is only related to the oil pollution at sea.
- It must be highlighted that the operator is expected to continue all of their efforts to minimize the consequences of the spill, even if the Government has taken over the command.
- The document should be clear about which personnel categories will be stationed in the operator's Emergency room and which personnel will be sent to the operator's oil spill response organization (Norwegian Clean Seas Association of Operating Companies – NOFO)
- There should be a clarification in the document that NCA has established the ICS (Norwegian ELS) to handle large oil spills from shipping incidents.
- The document must be adjusted to reflect that the oil company must handle much more than the oil spill, e.g. SAR, killing of well etc.
- Several updates of appendices and text in general

Supporting Images or Graphs

No supporting images and graphics, if applicable

Conclusion

Norway has since the beginning of the oil and gas industry only two incidents larger than 4000 m³ crude oil spilled. The Deep Water Horizon incident in 2010 resulted in a discussion about how Norway could be better prepared to handle large oil spills from the offshore oil industry since a risk for such an event is identified through analysis. The industry and the Norwegian Coastal Administration agreed to establish a Bridging document to improve the cooperation between the governmental institutions and the industry in case of very large oil spills. The exercises to test the Bridging document have been very useful in creating awareness about governmental takeover and how the industry and Government can work together in extreme situations to minimize the consequences of an oil spill.

References

- The Norwegian national contingency plan for acute pollution
- Bridging Document NCA-Oil industry