

INTERSPILL 2012

KEYNOTE SPEECH BY SIR ALAN MASSEY, CHIEF EXECUTIVE, MARITIME & COASTGUARD AGENCY

May I start with 4 fairly straightforward propositions?

First, global energy demands will continue to increase and will inevitably drive the exploration of Oil and Gas Resources in new regions.

Second, the offshore oil and gas industry will continue to expand, and hydrocarbon exploration will be undertaken in areas of harsh climatic environments and increasingly demanding extraction conditions, bringing increasing challenges to the prevention and control of any pollution.

Third, whilst we have benefited from improvements in ship technology, navigation and safety systems, the very fact that we transport oil and chemical products around the world, principally by sea, means there will invariably be some risk of vessels grounding and potentially polluting the waters surrounding our coasts.

Fourth, the public's expectation will be that governments and the energy industry will, between them, continue to legislate,

regulate and innovate such that both pollution prevention and response will achieve unprecedented effectiveness to make our seas and shores cleaner and safer.

You and I well know, though, that however much has been achieved in managing the risk and aftermath of spills up to now – and there is quite a good story to tell here – we cannot be complacent. We must continue to challenge our understanding and planning, to keep pace with the evolving technologies and the increasing complexity of hydrocarbon extraction and its transportation.

Good work is going on amongst producers, regulators and responders to develop and improve their knowledge and expertise, particularly in the deepwater environment. We all aim to ensure adequate safety regimes, risk assessment and mitigation measures to deal with potential spills. The received wisdom is that no single agency can achieve this on its own, and that in this area of business it is teamwork, shared information, investment and collaboration that will yield the best prospects for success.

To this end, it is axiomatic that combined research, planning and regular exercises must happen to maintain and improve deepwater expertise across all sectors of the industry and its stakeholders. The UK's Exercise SULA in May 2011 was run for exactly that purpose, and incorporated all aspects of the UK's National Contingency Plan for Maritime Pollution from Shipping and Offshore Installations.

SULA resulted directly from Deep Water Horizon. The exercise brought out a number of important insights, both positive and negative. Some of these were reassuring in demonstrating that today's oil spill response systems and processes generally perform well. For me personally, one of the most impressive features was the polished professionalism of the Chevron Emergency Response Team, which shed a glowing light on the competence and commitment of the industry in taking first responsibility for dealing with spill containment and cleanup.

I'd add a sidenote here. It's probably true to say that the general public simply don't appreciate how seriously the industry takes its responsibilities for preventing and

mitigating the effects of spills: and I think we should do more to ensure that we're telling that story.

The Exercise also reaffirmed the benefits of having the SOSREP function at the centre of spill response activity. He has powers akin to those of the Roman Emperor, and this works extremely well in providing unity of purpose and command in the decision-making process.

On the other side of the coin there were some areas that call for closer scrutiny and procedural review. My own organisation's Marine Response Centre was one of these, and we have put urgent work in hand to address the shortfalls that became evident from the exercise.

SULA introduced us to a scale of incident within the UK's Counter Pollution Zone that has not previously featured either for real or for exercise. Unsurprisingly, it pointed up some weaknesses in our national preparedness that we can now grip on the basis of some solid evidence. That said, the overall take was that the UK (including the industry and specialist contractors) currently has an adequate airborne, sea borne and shore based oil-spill response capability that

we can deploy in a reasonable timescale to begin effective counter pollution operations. But as the operating environment becomes ever more challenging and complex, it will only be through continued research and development, along with regular exercising and realistic assessment, that we can expect to make that assertion.

Regulation, both at International and National levels, has helped by providing formal ground rules for oil spill prevention and preparedness. But of course the regulators themselves must also keep pace with changes occurring in legislation and technology, as well as with the public's ever-growing interest in the well-being of the environment. That demands constructive links between regulators and the industry, the oil spill contractors, and with other government departments involved.

There is also an international angle to all this, and I think we all well recognise that maintaining close co-operation and collaboration in oil spill response demands constant attention and effort. There has been considerable success on this front in northern Europe at least, where the participating nations of

the BONN Agreement have in recent years worked positively together towards a coherent regional response strategy.

Similarly, through EMSA we have an even wider framework for co-operation, standardisation and innovation, and particularly for the sharing of scarce resources. This co-operation is especially evident in our membership of the EMSA CleanSeaNet and SafeSeaNet programmes, along with our detailed bilateral arrangements under Bonn with France through the MANCHEPLAN, and more recently with Norway through the NORBRIT Plan.

This sharing of capability on a routine daily basis is most ably demonstrated with the CleanSeaNet satellite imaging system. Here, its readily available wide-area surveillance has allowed the UK to rationalise and refine its airborne surveillance capability to such a degree that we expend considerably less resource but enjoy at least the same quality of information as we had before. We firmly believe that taking advantage of advancing technologies supporting pollution response is absolutely essential, if we are to use

both our individual and collective assets to greatest effect and at the best value for money.

Whilst today's society is increasingly energy-hungry, people are also increasingly aware of their environment; and the impact of oil spills evokes a global reaction of enormous concern. Moreover, we know we will find ourselves under very close public scrutiny as soon as we start to take practical pollution countermeasures. There is constant and intense pressure to ensure that all possible environmental impacts are considered across the entire range of incident response activity. And whether we like it or not, answering the environmental concerns of a very wide range of external stakeholders is fast becoming one of the over-riding conditions of response.

To that extent, we clearly need to pursue vigorous research and development into response mechanisms and materials that are not only effective but are also as gentle as possible in wider environmental terms.

At present the 'side effects' of some spill response measures ,such as dispersant spraying, can appear

unattractive; but these have then to be weighed against the wider environmental risks of using less effective alternatives.

Similarly, the 'leave alone' or 'do nothing' option must also be seriously considered. In some cases, working with the forces of nature, rather than against them, might prove to be a perfectly reasonable and efficacious strategy.

There is no simple formula for such decision-making. It clearly depends on the type of pollutant and other factors like weather, sea state, and the size and degree of dispersion of the spill. Where the spill can be adequately contained by physical means such as booming, then mechanical recovery is often the most desirable option. But we may not always enjoy that luxury.

Whilst environmental concerns must be actively addressed, there is risk that circular arguments and inaction might end up prevailing over pragmatism. This is difficult and potentially controversial, but ultimately we need to find ways of making timely and well-founded decisions, in conjunction with other interested parties, to allow for fast and effective measures where these offer the most promising outcomes.

Clearly the speed and quality of counter-pollution response will be improved if we have viable and well-rehearsed contingency plans to guide our reactions and procedures. As CEO of the Maritime and Coastguard Agency I have the particular responsibility for ensuring that the UK's NCP is fit for purpose. This draws together the interests of 3 major government departments as well as the energy, shipping and oil spill response industries, along with the local authorities responsible for shoreline defence.

Much has happened in the last 5 or so years since the last major review of this plan. Significantly, the Deep Water Horizon incident has given us many insights, including for example the exponential rate at which an incident can escalate; and how difficult it can be to marshal a coherent response capability quickly and effectively over a wide-ranging geographical area and across multiple responding agencies. The aftermath of DWH was the impetus for a major regulatory and capability review in the UK, spawning fresh thought and much needed change. Over the next few minutes I would like to touch on some of the findings and

recommendations emerging from DWH, from the Oil Spill Response Advisory Group and the UK Oil and Gas Regulatory Review. I see these all as very important factors in taking forward our future national response and our partnership with neighbouring nations.

To my mind, the development of sound and well-reasoned response strategies is crucial. Contingency plans must be coherent and practicable, and should include every possible response option. They must judge all potential risks and establish plans that incorporate a clear hierarchy of responsibility and accountability. It's not just about setting out 'What' we want to achieve, but also the 'How' and – crucially – 'By Whom'.

These strategies must provide clear guidance and an easily understood framework that can be scaled for the size of the problem and the number and variety of the organisations involved. Importantly, any plan must intimately involve the industry, recognising that in reality, industry and specialist contractors are going to provide the bulk of the response capability and are likely to have the greatest breadth and

depth of technical know-how available to them. Government is very short of such expertise, as well as owning only a tiny proportion of the physical resources that may require to be deployed in any incident of a serious scale. In the case of the UK, we have even fewer Government-owned assets than before, and our reliance on industry has if anything increased. Once activated, the national incident response effort must be fully informed to allow for effective, joined-up centralised planning. The plan must give crystal clear direction on where standing and delegated authority lies, or might be directed. It must also indicate where functional accountability is placed across the whole range of incident response.

Such delegated authority must be carefully channelled so as to drive the response activity through the myriad of formal and informal organisations that can be expected to come together in support of major incident response. In high tempo operations, the processing of situational information obviously needs to be swift, accurate and tailored to need, with the right information, in the right format being delivered at the right time. Only with these can we maintain essential

situation awareness through every phase of the oil spill response chain.

We have learned a number of lessons in the MCA over the years in this regard. The most important – and also the most difficult – issue has tended to be the smooth flow and management of up to date, accurate information to enable sound, timely decision-making in any incident. That in turn relies heavily on dependable, interoperable communications systems and consistent, simple procedures. Clearly every incident will be in some sense different from the last, and dynamic in its evolution. So we have to be adaptable in response and ready for anything. Nevertheless, we have found great value in establishing a set daily routine – some have called it a ‘battle rhythm – of pre-planned meetings, briefings and reporting between all stakeholders. When used sensibly, such a schedule leads to a fully shared Common Recognised Information Picture. This greatly facilitates the passage of timely and accurate briefing, and enables direction and guidance both up and down the chain of authority. Almost paradoxically, we have found that this apparently

rather rigid approach actually breeds exactly that flexibility and readiness for changing requirements, giving leaders the means to decide on next steps with the confidence that they are doing so on the basis of the very best information available at the time.

We have also learned that all responders and their teams need to know the situation, understand the plan and fully appreciate their own role in it. In that respect, we should never underestimate the importance of having people in the response chain who are selected, trained and regularly exercised in their roles. In my own experience, the human factor will always be the most telling component of incident response – so we need to invest liberally in our people and their development, as well as investing in concrete countermeasures.

I'd like to turn briefly now to the always vexing question of 'how much is enough?' by way of oil-spill incident response. In the event of a major incident both political and environmental groups will want to have their say in determining the final recovered state. But again, there has to

be room for realism and sensible pragmatism in shaping the outcomes.

Finding that balance between the desirable and the practicable will be highly dependent on the work, makeup and output of the Scientific and Technical Advisory Cell (STAC) and their interaction with the incident Environment Group.

In our revised National Contingency Plan we are looking at the potential of setting up a combined framework for manning, responsibility and decision making across these two groups; perhaps even going as far as developing a single point of environmental advice to all responders.

Working closely with the Oil Spill Response Forum Working Group on Spill Treatment Options, we will also be looking closely at any emerging regulatory guidelines for the use of dispersants, including the application of sub-sea dispersants.

We hope also to revisit the pros and cons of in-situ burning in the light of DWH experience and the draft IMO Guidelines for Oil Spill Response – Offshore in Situ Burning.

Further areas for investigation and development are likely to include the identification, assessment and control of public health issues during incident response. This will take inputs from the Pollution Response in Emergencies: Marine Impact Assessment and Monitoring (PREMIAM) Project, dealing with the long term monitoring of incident response.

Finally, at the end of the day Oil spill response will never be an exact science. The limitations of real-world oil spill response are not generally recognised or understood outside of those whose job it is to professionally respond. But we have somehow to explain these limitations transparently and convincingly to an often sceptical public, whilst also reassuring them that what we are doing is genuinely in the best interests of themselves, their health and their environment. Sound planning, along with astute investment in external communications and public expectation management, will remain essential.

In Summary –

In major incident response, political factors and environmental pressures will always seek to influence our actions. But our goal must always be to deliver the most effective and timely response possible, which returns the sea and shore to normal – or something very close to it. WE cannot possibly do this without the active support and practised collaboration of industry and contractors.

A clear framework for Command, Control and Communication is the key-stone of this and it must be capable of assimilating and giving voice to every responder organisation.

In our judgement, the combined capacity of government, industry and contractors is capable of dealing adequately with the foreseeable risk. But in truth you are only as good as your last incident. We cannot be complacent, especially as the move into more northerly and southerly regions and those into deeper waters and closer to coasts presents us with more challenges than ever before.

Thank You.

Oil Spill Response Fora detail:

The Environmental Sensitivities Group seek to ensure that coastal and environmental sensitivities are sufficiently understood to enable effective spill planning and response, and to make sensitivity data readily available to operators, regulators and responders.

The Oil Spill Modelling Group is looking to modelling's role in both contingency planning and real-time response and the need for a consensual and standardised approach, that will reflect the perceived risk and potential longevity of incident response.

Waste Management – within the totality of the UK Counter Pollution Zone, taking account of the differing legislation/ rules/ process.

Oil Pollution Emergency Plans (OPEPs) – Review the requirement of regulators and operators for OPEPs, identify gaps and shortfalls and to incorporate the output from appropriate OSRF Working groups, the revised NCP and other relevant external reports.

Accredited Responders – To create a sustainable framework for involving all responders in the event of a significant incident. To facilitate a unified, central co-ordination of skilled response contractors and enable wider management of inexperienced labour during large scale shore clean-up operations.