

# Regional Marine Oil Spill Contingency Plan



**This plan covers the entire coastal marine area as defined under the Resource Management Act through the Regional Coastal Plan (See map overleaf)**

An electronic copy of this Plan is held in Environment Southland's Electronic Document Records Management System (MORF fA20735)

### **Reports of Marine Oil Spills**

All reports of marine oil spills within the coastal marine area of the Southland region, including the Bluff Harbour are to be reported to:

#### **Environment Southland, Invercargill**

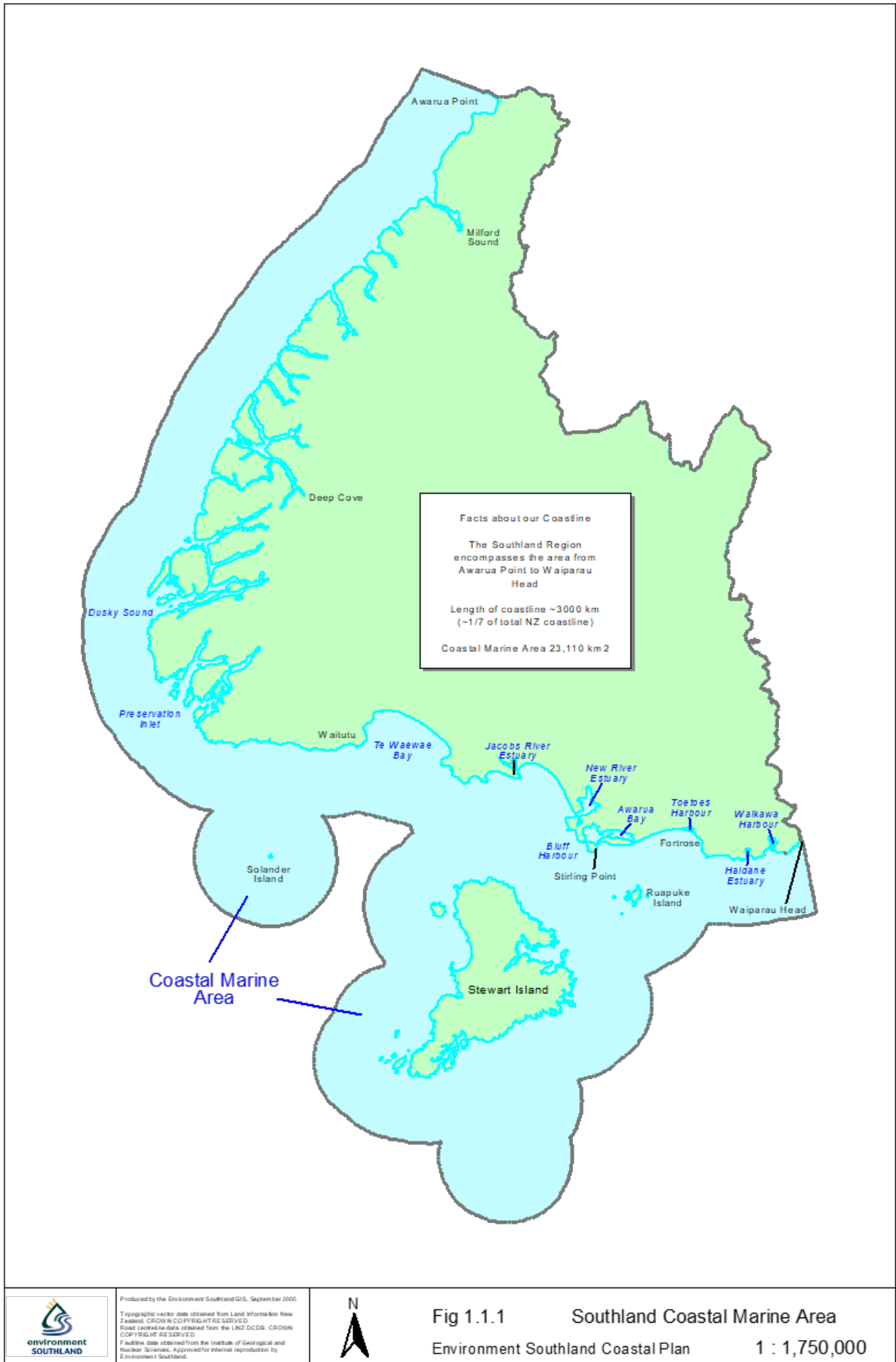
Telephone: (03) 211 5115 (8.00 am to 5.00 pm) or toll free 0800 76 88 45 (0800 Southland)

After hours: (03) 211 5225

Fax: (03) 211 5252

Email: [service@es.govt.nz](mailto:service@es.govt.nz)

**NB: The after-hours number for the Council will in most instances be answered by an Answer Service. However, if the Answering Service cannot be contacted, telephone (03) 211 5245. This is the Council's 24 Hour Pollution Response number.**



Produced by the Environment Southland GIS, September 2000  
 Topographic vector data obtained from Land Information New Zealand. CROWN COPYRIGHT RESERVED  
 Road centreline data obtained from the LINZ DCDG. CROWN COPYRIGHT RESERVED  
 Bathymetric data obtained from the Institute of Geological and Nuclear Sciences. Approved for internal reproduction by Environment Southland.



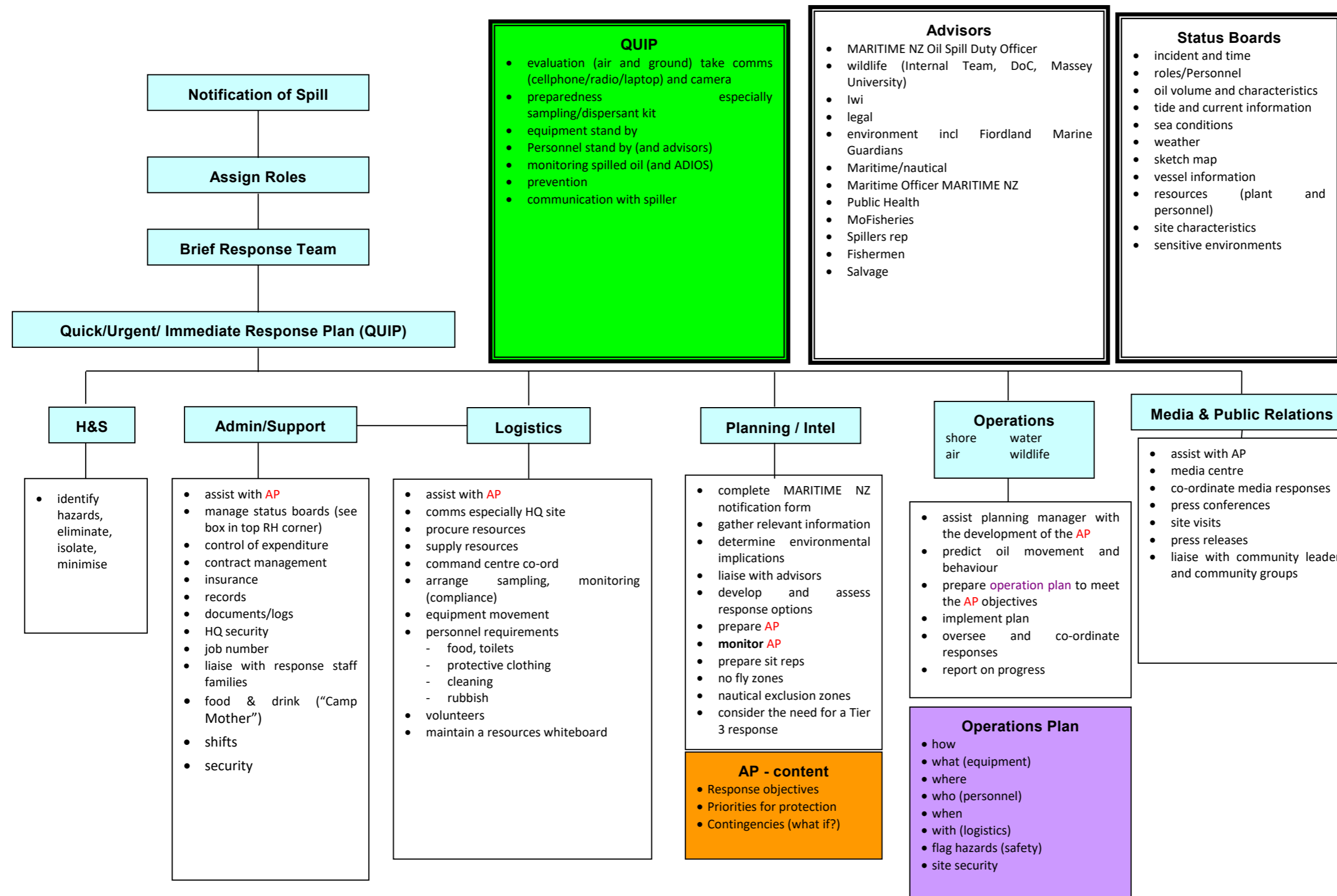
**Fig 1.1.1 Southland Coastal Marine Area**  
 Environment Southland Coastal Plan 1 : 1,750,000

# Contents

- Flowchart 1: Regional Oil Spill Response Standard Operating Procedures..... 5
- Operations section ..... 6
- Introduction..... 6
- Purpose of this Plan..... 6
  - Underpinning concepts ..... 6
- Interface with other plans..... 7
  - Objectives of this Plan ..... 7
- Standard operating procedures for marine oil spills (SOPs) ..... 8
- Phase One – Discovery, notification, assessment, identification, declaration, activation ..... 8
  - Instructions for anyone reporting a Marine Oil Spill..... 8
    - Notification of an Oil Spill from Maritime New Zealand ..... 8
  - Receiving Oil Spill Reports (General)..... 8
    - Spills or incidents outside of Southland’s coastal marine area..... 8
    - Harmful Substance Spills ..... 9
    - Potential Spills From Shipping Incidents ..... 9
- Flowchart 2: Determination of Responsibility..... 13
- Spill Assessment and Prediction..... 13
  - No response required SOP ..... 14
  - No immediate response – standby mode SOP..... 14
  - Response required SOP ..... 14
  - Mobilising response personnel and equipment..... 15
  - Request for a Tier 3 response / response escalation ..... 15
- When a Tier 2 Response is Declared/Identified ..... 16
  - Regional On-Scene Commander Assumes Control ..... 16
  - Briefing of the Regional On-Scene Commander..... 16
  - Transfer of Responsibility for Response from the responsible party/spiller to the Regional On-Scene Commander ..... 16
  - Legal Authority of the Regional On-Scene Commander ..... 16
  - Response Costs..... 16
- Activation of the Environment Southlands Marine Oil Spill Response ..... 16
  - Environment Southlands Regional Marine Oil Spill Response ..... 16
  - Establishment of the Emergency Operations Centre..... 17
  - Incident Management Team Structure ..... 17
- Phase Two – development of an Action Plan..... 17
  - Action plan template(s)..... 19
  - Use of pre-determined action plans..... 20

Phase Three – Action Plan activation .....	20
Notification of parties involved in or affected by the spill .....	20
Health and safety .....	20
Mana whenua/Mana moana engagement .....	20
Community Engagement.....	20
Media relations .....	21
Cost tracking and accounting .....	21
Sampling and evidence collection .....	21
Documentation.....	21
Phase four – Response termination and demobilisation .....	21
Response Termination.....	21
Demobilisation .....	22
Phase five – post operations, documentation of costs / litigation .....	23
Debriefing, review and audit of response operation .....	23
Cost Recovery .....	24
MNZ Spill Reporting requirements.....	24
Standard Operating Procedures.....	26
Small vessel (eg inshore fishing vessels, large pleasure craft, etc) casualties .....	26
Responses in remote locations .....	27
See the Fiordland Special Area Plan .....	27
Templated Action for spill responses .....	27

**Flowchart 1: Regional Oil Spill Response Standard Operating Procedures**



## Operations section

### Introduction

#### Statutory responsibility

Environment Southland has a statutory responsibility under the Maritime Transport Act 1994 to conduct a regional response (Tier 2 response) to marine oil spills that occur within the coastal marine area. A Tier 2 response will be invoked when either:

- The person responsible for the spill (typically an oil transfer site operator or vessel master/owner) who considers that the marine oil spill cannot be contained or cleaned up by the resources available to that person; or
- The Regional On-Scene Commander considers that it is appropriate to initiate action under the Regional Marine Oil Spill Contingency Plan (RMOSCP).<sup>1</sup>

#### Relationship of the regional response to a national response

Maritime NZ is responsible for conducting a national response (Tier 3 response) to marine oil spills which either occur outside the coastal marine area or occur within the coastal marine area but are beyond Environment Southland's response capability both physically and financially.

Guidelines on determining whether a spill response is Tier 2 or Tier 3 are contained in Appendix F of the NZ Marine Oil Spill Response Strategy 2022-2026.

### Purpose of this Plan

This plan establishes operational guidelines that will enable Environment Southland to respond to a marine oil spill in the coastal marine area.

In the event of a Tier 3 response in the Southland Region, this plan will provide Maritime New Zealand with regional specific information to assist in responding effectively to the spill.

### Underpinning concepts

#### Bluff Harbour is a special case

Whilst drafting this plan the Council recognised that it was necessary to distinguish between a response operation arising from a spill that originates inside the Bluff Harbour and a response operation arising from a spill that originates outside the Bluff Harbour. This is because spills originating within the Bluff Harbour require a very quick response time to prevent adverse effects on the environment and Port Maintenance Group Ltd staff will be able to respond quickly to most spills originating in this area. Hence, a spill in the Bluff Harbour will utilise resources from Port Maintenance Group Ltd to the fullest extent practicable. Spills outside the Bluff Harbour will fully utilise Council staff, and to a lesser degree, Port Maintenance staff.

#### This plan will be implemented by trained responders

This plan assumes that those implementing it will be trained Regional On-Scene Commanders and Regional Responders.

---

<sup>1</sup>This change over between a Tier 1 response and a Tier 2 response is in accordance with Section 299 and 300 of the Maritime Transport Act 1994.

The Regional On-Scene Commander responsible for the implementation of the plan is Lyndon Cleaver, Harbourmaster/Maritime Manager, Environment Southland. In the Regional On-Scene Commanders absence, alternate qualified Regional On-Scene Commanders will be sourced from other Environment Southland staff or appointees, then Otago Regional Council staff. See **Annex 2** for the response structure and a description of the roles within that structure, and for personnel lists and contact numbers.

### **Oil spills from inland waterways**

Some spills in the coastal marine area may arise from inland waterways or move into inland waterways. Any oil spill in the coastal marine area that has its source in an inland waterway or storm water drain, is regarded as a marine oil spill and is covered by the arrangements in this Plan.

Environment Southland Pollution Response staff will co-ordinate any spill response in inland waterways (lakes or upper catchment rivers) where the spilled oil is unlikely to reach the coast.

### **Interface with other plans**

This plan is prepared specifically to guide an oil spill response in Southland. It is not the repository of masses of general technical information. It will however, contain some information that is specific to potential oil spill scenarios in Southland, for example, the location of environmentally sensitive areas and the availability of resources.

The following plans should also be referred to during a spill response where appropriate:

- Te Tangi a Taurira (Ngai Tahu ki Murihiku)
- Fiordland Marine Oil Spill Contingency Plan
- Fiordland Marine Regional Pathway Management Plan
- The National Marine Oil Spill Contingency Plan (Maritime NZ)
- Oil Transfer Site Marine Oil Spill Contingency Plans for operators in the Southland Region

These plans are held by Lyndon Cleaver in his office in the corner cupboards and stored electronically on Objective

### **Objectives of this Plan**

#### **Objective 1**

To safely mitigate the effects of a marine oil spill within the Southland region and, if practicable, to assist with the rehabilitation of an oil damaged environment. The safety of human life takes precedence over every aspect of the response operation.

This plan aims to develop a response system that will safely:

- evaluate a reported marine oil spill within 15 minutes of a spill being reported within the Bluff Harbour or 1 hour of a spill being reported outside the Bluff Harbour
- alert concerned and interested parties of a marine oil spill which affects them within 2 hours of the spill being reported
- mobilise appropriate personnel and equipment in support of a Tier 2 response operation, within 30 minutes of the spill being reported
- commence any necessary clean-up operations which avoid, remedy or mitigate the effects of the spilled oil and contribute to the rehabilitation of the environment, within 1 hour of the spill



being reported within the Bluff Harbour and 6 hours of a spill being reported outside the harbour

- complete clean-up operations in an expeditious manner within the resources available to this plan

## **Objective 2**

To recover the costs of responding to the marine oil spill from the polluter and to prosecute the offender where appropriate:

- obtain evidence sufficient to prove the:
  - source of the spill
  - parties responsible for the spill
  - amount spilled
  - adverse effects of the spill
- identify the costs of the response operation through the keeping of a proper accounting.

## **Standard operating procedures for marine oil spills (SOPs)**

### **Phase One – Discovery, notification, assessment, identification, declaration, activation**

#### **Instructions for anyone reporting a Marine Oil Spill**

In all instances a person reporting a marine oil spill must call the Southland Regional Council and state that they are reporting a marine oil spill.

Phone (03) 211 5115 (8.00 am – 5.00 pm)  
Toll free 0800 76 88 45 (within Southland region)  
After hours (03) 211 5225

NB: The after-hours number for Environment Southland will in most instances be answered by an answering service, who will redirect the call. However, if the answering service cannot be contacted, telephone 03 211 5245. This is the Council's 24-hour Pollution Response number.

#### **Notification of an Oil Spill from Maritime New Zealand**

If MNZ receives a report of a marine oil spill within the 12 nautical mile (nm) limit the responsibility to investigate and respond to a marine oil spill rests with the relevant regional council. In accordance with section 231 of the Maritime Transport Act 1994 the Oil Spill Duty Officer (OSDO) from MNZ will inform the Council of any spill notified to MNZ within that Council's area of jurisdiction. The Council will investigate and respond as required, keeping the OSDO informed of both progress and the outcome. If a spill occurs beyond the 12 nm limit and could potentially move within the 12 nm then the OSDO notifies the Council as soon as possible.

#### **Receiving Oil Spill Reports (General)**

The persons receiving reports of a marine oil spill should follow the instructions below:

#### **Spills or incidents outside of Southland's coastal marine area**

In the case of spills outside of Southland's coastal marine area i.e. spills that are generally beyond 12 Nautical Miles from shore, and including the Sub Antarctic Islands, contact:

Maritime NZ Rescue Coordination Centre of New Zealand (RCCNZ)  
Phone 0508 472 269

### **Harmful Substance Spills**

If the reportee believes the pollutant to be toxic or otherwise hazardous then they should also promptly forward the report to the Fire Service, Phone (03) 218 4114. If in doubt the person receiving a pollution report should refer details of the incident to the Fire Service.

### **Potential Spills From Shipping Incidents**

On receipt of reports involving shipping incidents, consideration should be given on whether there may be a consequent risk of marine pollution, irrespective of this being included in the report or not. A potential oil spill is deemed to be an actual oil spill for response purposes and should be notified accordingly.

### **Receiving Oil Spill Reports (South Port, Bluff Harbour Radio or Port Maintenance Ltd)**

For spills in Bluff Harbour reported to or observed by South Port New Zealand Limited, Bluff Harbour Radio or Port Maintenance Ltd the following actions are to be carried out by the Duty Pilot, Duty Watchman or Company Manager respectively, where the spill has entered, or is about to enter, the water and is beyond the capacity of a site or ship board response (Note: For spills outside of Bluff Harbour reported to the above parties, the report should be forwarded as soon as possible to Environment Southland).

The Duty Pilot, Duty Watchman or Company Manager is to immediately verify themselves, or dispatch a member of staff to verify, that a marine oil spill has taken place. If there is pollution the despatched staff member should confirm this immediately to the person who despatched them. The person verifying the spill should complete the Pollution Incident Evaluation Form (**Annex 8**).

The Duty Pilot, Duty Watchman or Company Manager will immediately advise, by telephone (see phone numbers above), the Environment Southland Compliance Division, or outside office hours the 24 Hour Pollution Response Officer, outlining the circumstances listed in the Oil Pollution Incident Evaluation Form (**Annex 8**).

A member of the Environment Southland Compliance Division or the Environment Southland 24-hour Pollution Response Officer will contact the Port Maintenance Manager (John Roderique, 027 2407820 or 03 212 7674) if he is not already aware of the spill. The Environment Southland Compliance Division member or the 24-hour Pollution Response Officer will also contact the Regional On-Scene Commander and advise him of the spill.

The Port Maintenance Manager should, on request, assess the spill and mount an appropriate response in consultation with the Environment Southland Compliance Division member of the 24-hour Pollution Response Officer and/or the Regional On-Scene Commander (by phone). The Port Maintenance Manager will manage any response at least until an Environment Southland representative is on site or the Regional On-Scene Commander assumes control, and then await further instructions.

On request, the Port Maintenance Manager will initiate the call out of appropriately trained and qualified Port Maintenance and South Port personnel and plant. This may include placing on standby or mobilising the oil spill equipment and personnel in accordance with the Mobilisation Procedures listed in Annex 1 (Equipment and resources) and Annex 2 (Personnel lists and

mobilisation instructions). **Under no circumstances is any dispersant to be applied without the approval of the Regional On-Scene Commander.**

Where requested by either the Environment Southland Compliance Division, the 24-hour Pollution Response Officer or Regional On-Scene Commander, the Port Maintenance Manager will arrange for oil spill samples to be taken by appropriate personnel in accordance with the **procedures in the Regional Council Guidelines - Prosecution and Cost Recovery**. It is important that a witness is present whilst sampling is carried out. If time permits Port Maintenance will involve Environment Southland Pollution Response personnel in this process.

### **Receiving oil spill reports (Environment Southland) and notifying Maritime NZ and interested parties**

The following actions are to be carried out in response to any report of a marine oil spill or oil pollution incident.

#### **The person receiving the call (receptionist or Duty Officer)**

The person receiving the call (receptionist or Duty Officer) is to direct the call initially to a person from the Environmental Compliance Division (business hours) or 24hr pollution response officer (after hours). That person is known as the “responding officer”.

#### **The responding officer**

The responding officer should record the details of the spill on the Pollution Incident Evaluation Form (**Annex 8**) if this has not already been done.

In the case of spills in the Bluff Harbour or Stewart Island Harbours contact:

The Port Maintenance Manager and/or South Port Duty Pilot

#### **Port Maintenance Phone**

03 212 7674 (bus)

027 240 7820 (mobile)

03 212 7076 (ah)

03 212 7675 (fax)

Email [portmaintenance@xtra.co.nz](mailto:portmaintenance@xtra.co.nz)

#### **South Port Phone**

03 212 8159 (24 hours)

03 212 8685 (fax 8.00 am - 5.00 pm Mon-Fri)

email: [pilots@southport.co.nz](mailto:pilots@southport.co.nz)

#### **In the case of spills in Riverton Harbour, contact:**

Riverton Harbourmaster

Phone 03 234 8786

Fax 03 234 9059

Mobile 027 267 8504

Email [coardylines@xtra.co.nz](mailto:coardylines@xtra.co.nz)

#### **In the case of spills that could affect the coast of Ruapuke Island, contact Ruapuke Islanders (See Annex 2).**

For all but minor spills that do not require any follow up actions, advise the Regional On-Scene Commander (Lyndon Cleaver), or if he can't be contacted, the first, second or third alternate Regional On-Scene Commander Simon Moran, SDC 027 221 8222, Simon Mapp 022 187 9954 The

responding officer shall continue to respond in a similar manner to any other complaint/pollution callout unless otherwise instructed by the Regional On-Scene Commander. The Regional On-Scene Commander can authorise the deployment of personnel and equipment that are not available to the responding officer.

The responding officer should commence filling out the [Spill Assessment Form \(Annex 8\)](#) or forward the information required to fill out the form to the Regional On-Scene Commander. It should be noted that this form facilitates the procurement of information that is required to guide subsequent decision making.

### **Assessment and Identification of a Marine Oil Spill Incident**

Investigation and/or assessment of the spill is the Regional On-Scene Commander's first task following receipt of the notification.

The evaluation should be guided using the 'Responder Aide Memoire', which all responders should have and a copy can be found in WEBOC library.

Key information to obtain during the spill evaluation includes:

- Spill location;
- Size and extent of the spill (see Annex 5);
- Oil type (refer Responder Aide Memoire);
- Position of the spill in relation to marine and coastal resources (see Annex 4);
- Movement of the oil (see Annex 5);
- Spill source and sampling (refer Prosecution and Cost Recovery Guideline); and
- Weather Conditions (see Annex 5).

Flowchart 2 should also be used to determine whether the responsibility for responding lies with an oil transfer site operator, the Regional Council or Maritime New Zealand.

The person or persons (in Bluff this will most likely be John Roderique from Port Maintenance) sent to evaluate the Oil Spill Report will:

- take into account the amount of time elapsed since the spill first occurred and the tides and weather since then and the places to which the spilled oil may have travelled
- take into account the means of travelling to the site. If it is by air, it is desirable to have at least two people to operate the equipment (GPS, cameras and communications) and to observe out of each side of the aircraft
- take with them such communication and recording equipment as is necessary to speedily report information back to the Emergency Operations Centre (EOC), and vice versa, and to record observations for subsequent dissemination. Such equipment may include:
  - hand held radios and spare batteries and/or radios
  - ear pieces
  - cellphones
  - warrants (ES and Maritime NZ)
  - laptop computer
  - digital camera
  - maps or charts (available in the ICC)
  - paper, pens and pencils
  - GPS
  - sampling equipment

- oil spill sampling kit (in red carry bag in EI shed)
- clipboard
- back up equipment (camera, comms and GPS in particular)
- Marine Oil Spill Response – Aerial Surveillance Log in Annex 8

Before departing for the scene the evaluators should ensure that they have arranged with the Communications manager the means by which they will be communicating back to the Emergency Operations Centre (normally Environment Southland office).

It should be appreciated that in many situations the Evaluators will be operating from an aircraft. Details of helicopter and aircraft contacts are contained in Annex 1.

On land or on the water the Evaluators may well be working in conjunction with the sampling and evidence gathering team.

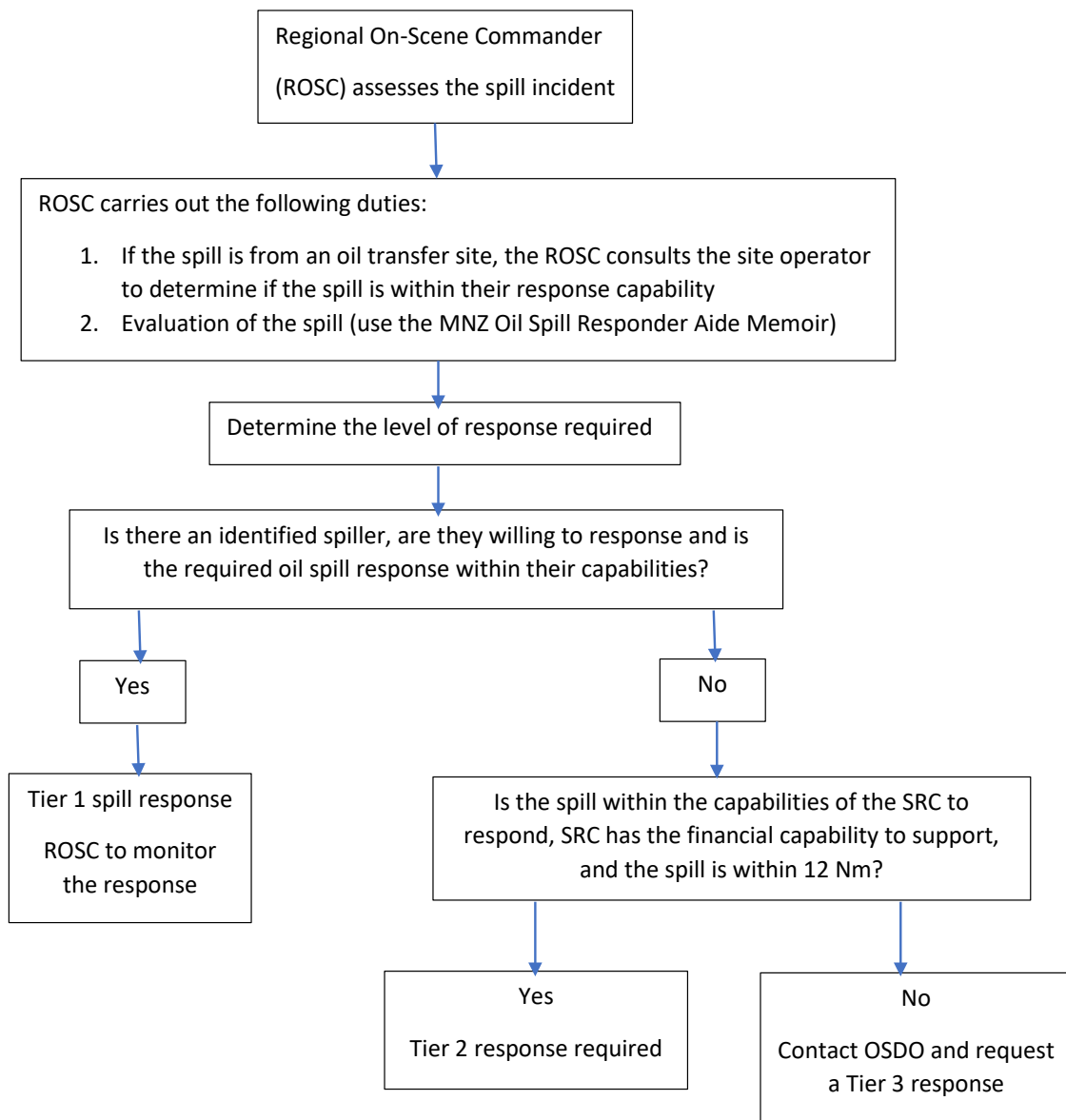
Confirm the existence of a spillage and immediately report this to the Regional On-Scene Commander and brief him/her in full.

If the spillage is evaluated on the ground or from a boat, obtain samples (even if the spill is diesel or petrol) and photos in accordance with the procedures in the Regional Council Guidelines Prosecution and Cost Recovery. It is important that a witness is present whilst sampling is carried out.

If the identity of the spiller is known, find out from them the type of oil and obtain the specifications (viscosity, pour point etc.) of the spilled oil.

Once the evaluators have undertaken the initial evaluation they should be placed on standby for ongoing surveillance duties especially after a change in tide direction.

## Flowchart 2: Determination of Responsibility



### Spill Assessment and Prediction

Once the oil spill evaluator confirms that nature of the spill the Regional On-Scene Commander will initiate the following actions as appropriate:

- estimate the volume of the spill (see the MNZ Spill Assessment Form in Annex 8) and assess the likelihood of further spillage. In the case of a vessel this may well require obtaining quite particular information about the oil and fuel tank layout and the quantities of fuel, lubricants, hydraulic oils and liquid cargoes being carried at the time of the incident. Spill volume is quite an important consideration in prosecutions, especially the level of fine. As such it is important to determine whether the spill is in excess of 100 litres or not
- predict the behaviour of the spilled oil using ADIOS and the information in Annex 5
- predict the movement of the spilled oil using meteorological information and the tidal and current information contained on charts and Annex 5. Annex 5 also contains contacts for

Weather Information. Generally, the predictions should be for specific intervals and be over at least one tide change

- obtain environmental information from Annex 4 and the Regional Coastal Plan for Southland
- develop an Action Plan (AP) with the assistance of the Advisory Team. See Phase Two – development of an Action Plan below.

In developing the AP the following documents shall be consulted as is appropriate:

- Regional Responder Aide Memoir (*Maritime NZ*)
- Marine Oil Spill On-Scene Commanders Course Book (*Maritime NZ*)
- Fiordland Marine Oil Spill Contingency Plan (*Maritime NZ*)
- Health and Safety in relation to Hazards On Board Ships (*Maritime NZ*)
- Adios Users Manual – US Coastguard RandD Centre (*contact Maritime NZ, Te Atatu*), see also <http://response.restoration.noaa.gov/software/adios/adios.html>
- Regional Council Guidelines

These materials can be sourced online and in the harbourmasters office.

### **No response required SOP**

If after the initial assessment it is determined that no response is required this will be confirmed by the Regional On-Scene Commander.

#### **No immediate response – standby mode SOP**

If no immediate response is required but a response may be required if the incident circumstances change (e.g. because oil is heading offshore, or the incident involves a potential spill from a vessel casualty etc), then On-scene Commander will where appropriate:

- Put Incident Command Team on "standby" mode;
- Advise the RCCNZ ph (04) 577 8030 (24 hrs);
- Establish monitoring of the slick and its likely direction of travel, using forecast weather and current conditions;
- Establish communications with the vessel casualty;
- Be prepared to declare a response.

### **Response required SOP**

If a response is required the On-scene Commander will determine whether the response should be a Regional (Tier 2) Response or request a National (Tier 3) Response.

If a Tier 2 response is declared/identified the ROSC assumes full responsibility for the response operation and should:

- Advise the OSD0 via the RCCNZ ph (04) 577 8030 (24 hrs) if this has not been done already.
- Instruct the Oil Spill Investigating Officer or nominee to obtain samples of the spilled oil and photos of the event in accordance with the evidence collection instructions in the Regional Council Guidelines for Prosecution and Cost Recovery.
- Determine the initial response actions required and mobilise appropriate response personnel and equipment
- Identify and notify any potentially affected parties
- notify CEO and other interested parties such as iwi, including advisors and owners of facilities that may be directly affected by the spill
- establish an Incident Command Centre suitable for the response, call out appropriate members of the incident response team and advisors (see Annex 2) and proceed to the

Incident Command Centre (refer to the Marine Oil Spill Process Summary Sheet). The size of the response at this stage will be influenced by the nature and reliability of the initial oil spill report

- assign roles (Operations, Planning, Logistics, Occupational Health and Safety, Communications and Media and Community Relations) to the incident response team members and advisors (use coloured vests as appropriate)
- brief the incident response team and advisors using the I-SPEAC-Q format
- establish status boards to display information
- develop a quick urgent immediate response plan (QUIP) Marine Oil Spill Process Summary Sheet with a specific focus on the following:
  - evaluation and monitoring
  - sampling
  - personnel and equipment standby
  - prevention
  - clean-up
  - evidence gathering –source, responsible party, amount spilled, adverse effects
  - press releases
  - establishing contact with the spiller or its representative
  - liaising with Maritime NZ
  - arrange for Environment Southland’s finance section to issue a Job Number for the spill response against which all time, goods and services can be charged (see also **Regional Council Guidelines – prosecution and cost recovery**).
- Remind members of the response and advisory team that:
  - no goods or services are to be procured without the express approval of the Regional On-Scene Commander or his designated representative
  - all media comment/press statements need to be authorised by the Regional On-Scene Commander
  - they need to keep a personal log of all significant actions, telephone calls, discussions, meetings and decisions recording the time, date and parties involved. Civil Defence radio message pads are sufficient for this purpose but any pad will suffice provided it has the above headings
  - record keeping and filing is important for post response investigations, prosecutions and cost recovery including the cost the responders’ time.
- set a time for subsequent briefings.

### **Mobilising response personnel and equipment**

Personnel and Equipment should be mobilised in accordance with the information and procedures contained in Annexes 1 and 2.

### **Request for a Tier 3 response / response escalation**

If the ROSC considers that the required oil spill response is beyond the capability of the Regional Council a request should be made via the OSDO (ph 04 473 6369) for a Tier 3 response to be undertaken. The National On-Scene Commander (NOSC) will contact the Regional On-scene Commander and instruct them to undertake such actions as are necessary to assist the National On-scene commander in accordance with the National Marine Oil Spill Contingency Plan. In a Tier 3 response the National Oil Spill Contingency Plan will take priority over the Regional Plan.



## **When a Tier 2 Response is Declared/Identified**

### **Regional On-Scene Commander Assumes Control**

The ROSC is responsible to the Chief Executive, Environment Southland, for the entire marine oil spill response and clean-up operation and is authorised to assume responsibility for the response operations whenever he/she considers it appropriate.

### **Briefing of the Regional On-Scene Commander**

When the ROSC has assumed responsibility for the response operation, all the information collected about the spill should be made available to the ROSC by the person receiving the initial notification of the oil spill. This will also include the initial notification form, details of any other communications and appropriate nautical charts.

### **Transfer of Responsibility for Response from the responsible party/spiller to the Regional On-Scene Commander**

Once the ROSC has determined that a regional response will be necessary the responsible party/spiller should be notified and briefed as soon as possible.

### **Legal Authority of the Regional On-Scene Commander**

Section 300 of the *Maritime Transport Act 1994* authorises the Regional On-Scene Commander to take whatever measures are necessary, within the powers set out in the Act, to respond to a spill if notified by the Director of Maritime New Zealand or if they otherwise become aware of the spill. Sections 305 and 311 in particular set out the specific powers of the Regional On-Scene Commander, whilst section 312 sets out specific limits. All designated Regional On-Scene Commanders are to be fully familiar with these provisions.

The role and responsibilities of the Regional On-Scene Commander are given in Annex 2, with financial procedures and delegations given in WEBEOC library – ‘Finance’.

### **Response Costs**

If the response costs exceeds the capability of the Regional Council to support the response then a request can be made to make the response a Tier 3 response, which then becomes the responsibility of MNZ.

The Regional On-Scene Commander should inform the NOSC should the expenditure for a Tier 2 response could become prohibitive. This is to ensure that MNZ is aware that a Tier 2 response may potentially escalate to a Tier 3 response. All costs incurred shall be separately accounted for. For the purposes of a potential claim under the Civil Liability Convention and/or Fund Convention, claims against the spiller must be supported by certain specific details. These are set out in WEBEOC library – ‘Finance’.

## **Activation of the Environment Southlands Marine Oil Spill Response**

### **Environment Southlands Regional Marine Oil Spill Response**

A summary of the key steps in the regional response is shown in Flowchart 4 (page 13). Environment Southland’s marine oil spill response involves an integrated system which is designed to either escalate from and complement the responsible party/spillers response (Tier 1 response); or to form the foundation for a Tier 3 national response. It is also designed to link in with and utilise the response systems of the spiller (if present). The operational part of the regional structure is under the overall command of the Regional On-Scene Commander.

For all issues related to the marine oil spill the Regional On-Scene Commander has the legislative responsibility to act. All other parties with an interest in supporting the actions of the Regional On-Scene Commander, including the spiller, must recognise this role. However, where issues or problems directly or indirectly associated with the incident or response is clearly the responsibility of other parties or agencies, which are in a better position to act, then they should be able to do so.

### **Establishment of the Emergency Operations Centre**

The Regional On-Scene Commander (ROSC) will notify the Emergency Operation Command Centre Manager (EOCM) to set up an Emergency Operations Centre (EOC). The extent of the Emergency Operations Centre will be determined by the ROSC to suit the size of the response required. The location of the EOC will depend on the location of the oil spill and will be decided by the ROSC. The EOC may augment an existing Tier 1 response Command Centre and arrangements will need to be made on a case-by-case basis between the ROSC and the responsible party.

The primary Emergency Operations Centre is located in “Tau Whakamaru”, an outbuilding at Environment Southland’s offices at the corner of Price Street and North Road, Invercargill. See annex 1 for further details.

### **Incident Management Team Structure**

The Incident Management Team Structure is outlined in Annex 2. The Incident Management Team (IMT) works from the Emergency Operations Centre (EOC).

## **Phase Two – development of an Action Plan**

Each spill event requires a specific Action Plan tailored to the incident. The Action Plan sets out a clear strategy for spill response, which is then converted into an operational plan/response by staff at the EOC. It is the responsibility of the Planning Section within the EOC to facilitate and coordinate the preparation of the Action Plan, for sign-off by the Regional On-Scene Commander.

The development of the Action Plan must include an assessment of the appropriateness of any current spill response plan implemented during a Tier 1 spill response, and modified as necessary.

The Planning Section will carry out the following tasks:

- Evaluate the spill incident and any current spill response plan. The Responders Aide Memoire provides criteria, procedures and decision trees which will be of assistance;
- Determine both short-term and long-term objectives of the response;
- Develop a draft Action Plan, which should include:
  - the strategy for the response and necessary actions to be undertaken;
  - clear objectives for all actions;
  - clear time-line for actions and phases of action; and
  - clear statement of responsibility for the actions and tasks set.
- Determine the resources and expertise needed, and available staff. Annexes 1 and 2 provide equipment and personnel lists, and mobilisation instructions; and
- Provide a mechanism for feedback, with continuous monitoring of the spill response and modification of the Action Plan as appropriate.

The Regional On-Scene Commander will approve the Action Plan and communicate the plan to the entire Incident Management Team. The NOSC should also be briefed on the Action Plan where appropriate.

### **Decisions on the scale and type of response**

Decisions on the scale and type of response should be made by the Regional On-Scene Commander in consultation with the appropriate members of their IMT and Maritime NZ (potential Tier 3) once a full assessment of the situation has been made. The decisions made will form the Action Plan (NB: Wherever possible, a spiller's representative should be consulted in the development of the AP. If a vessel is responsible for a spill, the owner's name can be located by Maritime NZ's Maritime Officers based in Invercargill [027 836 1105 or 027 836 1632, or the Maritime NZ's Oil Spill Duty Officer (04) 473 6369]).

The degree to which a full operational response is implemented will depend on the size and significance of the spill. However, the procedures, lines of responsibility and authority will remain the same although some intermediate steps may be unnecessary.

### **Underlying principles**

The Action Plan is underlain by the following principles in the following order of priority:

- The protection and safety of human life and welfare is paramount, including the protection of casualties, responders, the public and others associated with the incident (It should be noted, however, that the prime responsibility for casualties may lie with another agency, for example, the Police) – The Occupational Health and Safety Advisor should be consulted during the preparation of the Plan. If the response is not sufficiently large to involve the H&S Advisor, then H&S matters and the contents of Environment Southland's Health and Safety guidelines should be specifically considered
- the prevention of further spillage including the protection of ships or pipelines where required to prevent further pollution
- the protection of environmental, social, cultural and amenity values from the adverse effects of the spilled oil
- the protection of property, assets and the prevention of financial and economic loss
- the removal of spilled oil and the clean-up of contaminated areas.

### **Identification of the issues (problems) and development of a broad strategy**

Before the specific response options can be assessed the broader spill related issues need to be defined to provide focus for subsequent decision making.

Salvage, non-oil pollution, rats and undaria invasion are examples of the broader issues that need to be factored into a response. If a vessel has sunk the vessels owners and insurers need to be made aware of Rule 10.3.1 of the Regional Coastal Plan for Southland.

Thought needs to be given to potential for shipping movements, especially in Bluff Harbour and Milford Sound and how that might impact on the response. The Harbourmaster should be involved if restrictions on movements are required.

### **Development and Assessment of Options including Oiled Wildlife**

The various options for responding to each issue (problem) need to be identified and assessed. Ultimately one particular option or a combination of options will be selected as a means of addressing each issue (See National Plan supporting documents for the range of options available). The collective selected options form the Action Plan (AP) which is implemented through various operational plans.

If an oiled wildlife response is required this should be requested through the MNZ Oil Spill Duty Officer (OSDO) after discussions with the ROSC as to whether or not this is appropriate. If required, the OSDO will contact Wildbase and mobilise the NOWRT.

### **Implementing the Action Plan**

Personnel and organisations will be tasked by the Regional On-Scene Commander to undertake various actions (tasks) for which Operational Plans will be required. The Operational Plans will specify the following:

- how the response is to occur;
- what equipment and materials will be used;
- where operations will take place;
- when operations will occur;
- with what personnel;
- what hazards to be aware of; – eliminate, isolate, minimise (site safety plan Ax 8)
- how the assistance (personnel and equipment) will be deployed; (logistics)
- what level of site security is required including cordons and people to man them;
- what communications will be used (Communications Plan); See Annex 3 – Communications.

**NB:** All orders for equipment and the services of personnel should be authorised by the Regional On-Scene Commander or an Alternate Regional On-Scene Commander in the OSC's absence, using Environment Southland Works Orders.

### **Spill Monitoring**

Careful ongoing assessment of the situation (monitoring) should be undertaken to provide timely and accurate information and to check on the accuracy of predictions. It may also be necessary to revisit the site when the tide changes as the oil will most probably travel in a completely different direction. It is preferable for the initial spill evaluators to continue to operate in the surveillance role to obtain accurate comparative assessments.

### **Think about “what ifs”**

Once the initial AP is developed and implemented the Planning Team should start thinking about the “what ifs”, that is the various situations that could develop if conditions (including vessel state, spill size, sea conditions and wind direction) should change. Changes in the tide are expected and should be accommodated in the initial AP process.

### **Reviewing and updating the Action Plan**

The suitability of the plan should be regularly reviewed to ensure it remains fit for purpose. The plan should be updated in the following circumstances:

- monitoring indicates that the plan is not working as well as intended
- the nature or extent of the spill changes significantly
- the weather and/or sea state changes
- new issues/problems arise
- there is a significant change in the nature or quantity of resources.

### **Action plan template(s)**

The MNZ Action plan template is contained in Annex 8

## **Use of pre-determined action plans**

Potential or “model” APs developed through table top exercises are available for spills in four areas, those being Port Pegasus (South Arm), Paterson Inlet, Dusky Sound, Secretary Island in Doubtful Sound, Freshwater Basin at Milford Sound and Bluff Harbour (HFO spills that move into Awarua Bay and large petrol spills at the Town Wharf). These APs are located in Annex 4 (Sensitive Areas and Coastal Information) of this Plan.

**The AP for Port Pegasus is also a suitable example to guide a regional response in any spill that immediately becomes a Tier 3 response.**

In addition to the above, the Fiordland Marine Oil Spill Contingency Plan provides guidance for spills in Milford, Doubtful and Dusky Sounds.

## **Phase Three – Action Plan activation**

### **Notification of parties involved in or affected by the spill**

Ax 2 contains a list of interested parties who should be notified of any spill. The ROSC (in consultation with the IMT) may determine other interested parties and when to contact them if required (i.e. before or after the AP is developed). Notification of DoC and Tangata Whenua should be a priority. It is the ultimate responsibility of the ROSC to ensure that all the Interested Parties are appropriately informed.

### **Health and safety**

The safety of human life is to take precedence over all aspects of the response operation. Responders are to comply with Environment Southlands Health and Safety Procedures, and in accordance with the Health and Safety at Work Act (2015).

### **Mana whenua/Mana moana engagement**

The intrinsic relationship that tangata whenua have with the natural environment and the role and responsibilities associated with Kaitiakitanga, are a clear indication that the iwi and hapu of Southland have an important role in a marine oil spill response. The relevant parties should be identified and notified at the outset of an oil spill response, kept well informed of the details of the spill and response actions and involved in decision making and response activities where appropriate. Southlands coastal marine area contains many sites of significance for iwi and hapu as well as areas that are important for the harvest of kaimoana and other cultural activities (e.g. rahui). Notwithstanding the area forms part of the Ngai Tahu Settlement Act.

### **Community Engagement**

During an oil spill response, the ROSC will ensure that response activities include early engagement with the community, keeping the community informed about what is happening with the spill and operational spill response and involving the community in the response when it is safe, effective, and appropriate to do so. The level of engagement with the community will vary depending on the circumstances of the incident and the desired outcomes of a particular response activity.

## **Media relations**

Cooperative media relations must be developed early in the response, and regular press releases made during the response by the EOC Media Liaison Advisor subject to ROSC approval. Unless otherwise approved by the Regional OSC, the only people in the Response Team who will communicate with the media during an oil spill response will be the ROSC, the EOC Media Liaison Advisor or CEO. The Media Liaison Advisor should forward media queries outside the subject of the spill response to the appropriate organisation or individual to provide that comment.

### **Media releases during Tier 3 response operations**

Releases of information regarding a Tier 3 response operation to the media are to be made only with the authority of the Director, Maritime New Zealand, or the National On-scene commander. Regional responders in a Tier 3 operation are to decline comment with the media and refer all enquires to the aforementioned persons.

## **Cost tracking and accounting**

Cost tracking must be rigorously applied throughout the response. The Regional Council Guidelines – Funding, Budgeting and Invoicing provides information to assist with cost tracking and accounting requirements. High priority must be given to the gathering of sufficient and accurate information to enable recovery of costs from the spiller.

The Environment Southland Cost Code for oil spill response activities is: **General Operations 3410.1245**

## **Sampling and evidence collection**

Evidence collection instructions are outlined in the Regional Council Guidelines for Prosecution and Cost Recovery. The guidelines set out details for obtaining samples and gathering information to enable a successful prosecution and/or civil action to be taken. Full and accurate documentation of all response actions and associated costs is also a critical component of this.

### **Documentation**

Records of all communications (telephone conversations, faxes and file notes must be recorded), all financial transactions and expenditure, and a chronological account of the incident must be kept. Refer to the Regional Council Guidelines Funding, Budgeting and Invoicing for information outlining documentation that is required for cost recovery.

## **Phase four – Response termination and demobilisation**

### **Response Termination**

The Regional On-Scene Commander will consult with the IMT and other interested parties, as appropriate, before terminating the response operation. If this decision is likely to be contentious the Director of Maritime NZ should be consulted.

The decision will be made considering whether the objectives of the response have been achieved. Prior to seeking termination of the response, the ROSC will hold a meeting of the IMT and senior response staff, and where appropriate any affected parties, with the purpose of this meeting to

determine whether the AP objectives have been achieved and the incident response has been adequately completed.

Response termination involves the recovery, cleaning and maintenance of all equipment used during the clean-up, the demobilisation of all personnel involved in the response, and the collation and completion of all documentation associated with the spill response, including expenditure reports.

Before the response personnel depart their stations they should attend a debriefing meeting with their section supervisor. These supervisors will then attend debriefings with their managers and the ROSC (“hot debrief”).

As part of the termination process, all IMT managers shall compile a detailed events log, which should be passed to the Regional On-Scene Commander. The Regional On-Scene Commander is responsible for ensuring that the event history is compiled, costs are recovered, enforcement procedures are undertaken (if warranted), and for arranging the running of the post incident (“cold”) debriefs.

## **Demobilisation**

### **Personnel**

Personnel may be tired and burnt out as a result of the extraordinary effort required in a response. They may require ongoing support after they have returned home and their normal day work managers should be liaised with to ensure that they are not rushed back into their day to day roles without a sufficient recuperation period. Fresh personnel may be required to clean up and demobilise equipment.

### **Equipment**

Equipment that is used during the response operation should be returned to its storage depot and the following maintenance carried out:

- all equipment should be cleaned and repaired where any damage has occurred. In the field this should be carried out in a responsible manner whereby the oil that is being cleaned off the equipment is captured and contained in temporary storage facilities. Preferably though, the oil equipment is transported for cleaning at the facilities identified in [Annex 1](#)
- where possible, final cleaning of oil spill response equipment and associated gear should be carried out at a site with appropriate resource consents. Care should be taken to ensure that no oil is lost during transportation to the cleaning site
- consumed items such as fuel, dispersant, sampling jars, sorbents should be replaced as soon as possible
- protective clothing should be checked and replaced or renewed where necessary
- retrieving and returning loaned/hired resources.

In the equipment demobilisation process, it is important to keep equipment and other facilities secure to ensure nothing is lost in the process.

### **Restoration of temporary storage sites and disposal of oil/oily waste**

All sites used for the storage of recovered oil, along with all work areas should be cleaned and tidied and any remediation requirements carried out. All recovered oil and oily waste should be disposed of in accordance with the National Plan waste management supporting document using the “preferred supplier” arrangements set out therein.

### **Collating documents**

All costs incurred for the use of plant and personnel plus items consumed should be collated. If requests for works, services and equipment are charged at the time of requisition to the job number issued at the beginning of the response this job will be much easier. All costs are to be ultimately recovered from either the spiller (preferred option) or failing that, the Oil Pollution Fund through Maritime NZ (NB: The Oil Pollution Fund is not a compensation fund).

All other documents and records relating to the spill e.g. Action Plans and personal logs, should be collated and stored in a safe place for later reference.

### **Civil liability**

Damage to private property is a matter to be resolved between the parties involved. This shall be by way of civil litigation if necessary. Damage to private property from spilled oil is a matter to be resolved between the spiller and the property owner.

### **Compensation funds**

If it becomes necessary to take action to recover costs under either:

- The International Convention for Civil Liability for Oil Pollution Damage 1969 and its Protocols (CLC Convention) or
- The International Convention on Establishment of an International Fund for Compensation of Oil Pollution Damage 1971 and its Protocols (Fund Convention).

Such action will be taken through or by Maritime NZ.

## **Phase five – post operations, documentation of costs / litigation**

### **Debriefing, review and audit of response operation**

#### **Review and audit**

The Council, OPAC or the Director of Maritime NZ may require a review and audit of a Tier 2 response operation. Accordingly, the Regional On-Scene Commander is to ensure that a complete record is kept of significant details of the response including reports from supporting organisations where required.

Whatever the case, the effectiveness of the plan should be evaluated and recorded after its use in response to an oil spill.

The Director of Maritime NZ should be invited to participate in any post-use review of the plan.

Any proposed amendments to increase the effectiveness of the plan must be submitted to Maritime NZ as soon as practicable for approval under Section 293(2) of the MTA.

Whatever the case, the effectiveness of the plan should be evaluated and recorded after its use in response to an oil spill.

The Director of Maritime NZ should be invited to participate in any post-use review of the plan.

Any proposed amendments to increase the effectiveness of the plan must be submitted to Maritime NZ as soon as practicable for approval under Section 293(2) of the MTA.



### **Debriefing following major spills**

A debriefing will be held following any major spill to identify what went well (and needs to be repeated) and to what could be improved upon. This plan may need revising based on lessons from the spill response.

The Regional On-Scene Commander for the spill is responsible ensuring that a debrief is held. The debrief will be organised and chaired by a qualified Regional On-Scene Commander, but not the person or persons that undertook that role during the response.

All participating personnel and organisations shall be invited to the debrief. Where the number of potential participants or practical attendance is a problem, those smaller groups can hold their own debrief and the results can be communicated to the Regional On-Scene Commander's debrief by a representative of the group. Similarly, if any invitee is unable to attend, that person's comments can be submitted in writing. Maritime NZ shall be notified of the time and location of all such debriefings, and shall be invited to attend.

The debrief shall be use the plus/delta (+/Δ) format. A model agenda including the debrief rules is included in Annex 8.

### **Cost Recovery**

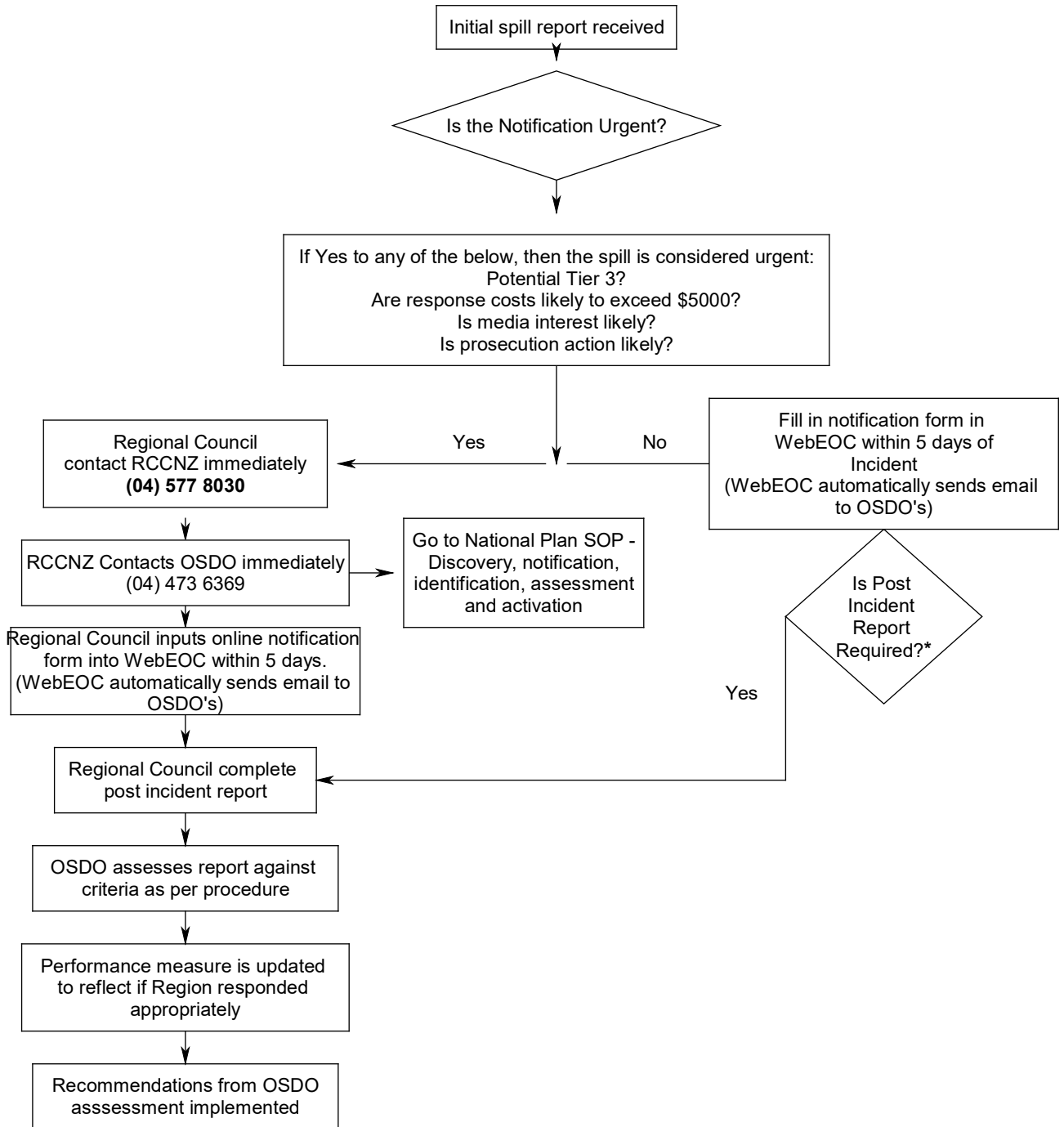
All reasonable efforts must be made to recover those costs from the person that caused the oil spill. Reasonable costs associated with responding to actual and potential oil spills are to be recovered from the potential spiller. Recoverable costs include, but are not limited to, activities associated with investigating a suspected marine oil spill and controlling, dispersing, and cleaning up any marine oil spill.

### **MNZ Spill Reporting requirements**

All spill incidents are to be reported to MaritimeNZ using the procedure set out below (this procedure is largely given effect to by lodging a spill report through the MPRS page on Web EOC <http://webeoc.maritimenz.govt.nz/eoc7/>)

The generic Environment Southland username and password are "southland" and "Environment1". Once logged on, select "MPRS Database" from the Incident menu. Enter the database and navigate to the "incident/spills" tab, then "Add New Incident/Spill"

## Regional Council Oil Spill Notification Procedure



\* 1. Regional Councils will be required to complete a "Regional Council Oil Spill Response Report" for every significant oil spill response that they are involved in, which will be assessed by the on-call OSDO at the time of the spill response.  
 A "significant oil spill" is defined as:  
 a. A spill response where response activities involved more than an initial assessment and leaving a spill to disperse naturally; and / or  
 b. The answer is yes to any one of the four questions contained at the beginning of this procedure.

## Standard Operating Procedures

### Small vessel (eg inshore fishing vessels, large pleasure craft, etc) casualties

#### Spill Scenario(s)

One of the most likely spill scenario in the Southland is that resulting from a vessel casualty. Many fishing vessels operate around the entire coastline and there have been many incidents where vessels casualties have occurred requiring an oil spill response.

#### Response Actions

##### 1. Identify Vessels Response Capability (if any)

- If the casualty is a larger fishing vessel, it may have a SOPEP and therefore an associated response capability.
- This response capability however is largely limited to undertaking actions to prevent, stop or minimise the release of oil into the sea.

##### 2. Initial Actions

- On notification of a vessel casualty obtain as many details relating to the incident and potential spill as possible:
  - Location of the vessel and nature of casualty
  - Vessel details: size, owner/operator
  - Amount of oil on board and location of tanks
  - Possible actions the master/owner can take to avoid, stop or minimise the amount of oil being released.
- Get status of spill and owners response actions and confirm if the spill can be managed at the Tier 1 level of if additional support is required.
- Mobilise Oil Spill Investigating Officer to go to the casualty and oversee the Tier 1 response and ensure that the spill is being respond to effectively appropriately. Ensure:
  - the spill has been effectively stopped at the source and no risk of further spill is possible
  - the spill has been effectively contained; or
  - the spill is naturally dispersing/evaporating with minimal environmental impacts

##### 3. Notifications

- Vessel owner / operator
- Iwi – Insert relevant parties
- Maritime NZ/OSDO
- DoC

#### 4. Regional Council response required

- Mobilise response team
- Review and update the templated small vessel Action Plan and implement as appropriate.

### **Responses in remote locations**

See the Fiordland Special Area Plan

### **Templated Action for spill responses**

1. Common / most likely spill scenarios



Action Plan\_Small  
vessel casualty.docx

2. High risk locations – See Ax 4
3. Highly sensitive sites – See Ax 4

Ax 4 contains a number of example action plans that have been developed during exercise for spill scenarios various high risk and highly sensitive sites.