
CHATHAM ISLANDS MARINE OIL SPILL
CONTINGENCY PLAN
(TIER 2 PLAN)

IN THE EVENT OF A MARINE OIL SPILL
Ph: (03) 305 0033 (8.30 AM – 4.30PM weekdays)

And

The RCCNZ (Maritime New Zealand)
Ph: (04) 577 8030

Prepared by Maritime NZ
and
Emergency Management
Chatham Islands Council

Approved by
Director Maritime New Zealand

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THIS PLAN CONSISTS OF THREE PARTS:
AN OPERATIONAL SECTION
A SET OF CHAPTERS
A SET OF ANNEXES

The Operations Section guides
the overall response

The Chapters contain general supporting information that will
assist with the response

The Annexes contain regionally specific information that will assist
with each stage of the response

Important Supporting Documents:
Chatham Islands EOC SOP
Maritime NZ's Oil Spill Management Manual
Chatham Island Resource Management Document
NZ Nautical Almanac
Hydrographical Charts
NZ Tidal Streams Atlas

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1.0 INTRODUCTION

The Chatham Islands Council has been granted regional powers under the Local Government Commission Re-organisation Scheme with effect 31st October 1989, and as such, the Chatham Islands Council has formed an emergency management system which includes Civil Defence, Rural Fire, Marine Oil Spill and all emergency events that require two or more emergency services or when an emergency service becomes over stretched. In accordance with the statutory responsibilities under the Maritime Transport Act 1994 the Chatham Islands Council will response to a Tier 2 marine oil spill that occurs within the territorial seas.

Emergency Management on the Chatham Islands is intended to be a “one stop emergency management shop” and therefore this plan is designed to be used in conjunction with the Emergency Operating Centre Standard Operating Procedures produced by the council. Regional Contingency Plans are required to be consistent with the National Plan, for that reason the terms contained in this plan may not be consistent with those in the Emergency Operating Centre Standard Operating Procedures, however where possible similarities between the two plans have been cross referenced to bring the plans inline.

This Tier 2 Plan forms part of the Chatham Islands element of the NZ Marine Oil Spill Response Strategy and has been prepared in accordance with the Maritime Transport Act 1994, Rules and Amendments.

Function

This plan details how a Tier 2 response operation is to be undertaken in response to a marine oil spill that occurs within the territorial sea under the jurisdiction of the Emergency Management Chatham Island Council.

Objectives

The objective of the Chatham Island’s Tier 2 Plan is to safely mitigate the effects of an oil spill within the territorial sea and, if practicable, to assist with the restoration of oil damaged environment. The safety of human life takes precedence over every aspect of the response operation. The Chatham Island’s Council aims to safely:

- **Evaluate** a report of an oil spill within one hour of the report being reported,
- **Alert** concerned and interested parties of an oil spill which affects them within two hours of the spill being reported.
- **Mobilise** appropriate personnel and equipment in support of a Tier 2 response operation within three hours 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 restoration of the environment within six hours of the spill being reported:
- **Complete** clean-up operations as quickly and efficiently as available resources allow.
- **Recover** costs of clean-up in accordance with the MTA.

In writing this plan it is recognised that the oil spill response capacity of the Chatham Islands is limited and that assistance from Maritime New Zealand will be crucial to an effective response in the event of a reasonable sized spill.

2.0 STANDARD OPERATING PROCEDURES

2.1 Phase One - Discovery, notification, evaluation, identification, declaration, activation

2.1.1 Discovery & Notification of a Marine Oil Spill Incident to the Chatham Island's

An oil spill report will, and a report of a shipping incident may, require follow-up action to be taken in accordance with this plan. All reports of oil spills or shipping incidents within the territorial sea are to be directed to:

Emergency Management Chatham Island's Council

Ph: (03) 305 0033 (8.30 AM – 4.30PM weekdays)
Emergency Response Coordinator A/Hours
00881621 465480 or 03 305 0277
Fax: (03) 305 0044

And

The RCCNZ (Maritime New Zealand)
Ph: (04) 577 8030

Note: It is important to contact Emergency Management CI Council and Maritime NZ as early notification of a possibly spill is necessary for providing effective assistance in a timely manner.

2.1.2 Assessment and Identification of a Marine Oil Spill Incident

On receiving a report of an oil spill or shipping incident, the Oil Spill Investigating Officer (either Nigel Ryan, Rana Solomon or Josh Thomas) shall:

- Assess or arrange for an assessment to be immediately carried out in order to confirm the details surrounding the report;
- Complete as much detail on the pollution incident evaluation form (Ch 2) as possible;
- Contact the Regional On-scene Commander and deliver the information on the pollution incident evaluation form.

The pollution incident evaluation form may be used as evidence in any legal proceedings against the spiller as well as being of assistance with respect to the response, particularly when notifying the RCCNZ.

The Regional On-scene Commander will decide upon the appropriate course of action with respect to an oil spill, which may include:

No Response Required

The On-scene Commander will confirm that no response is required and prepare the standard report for MNZ.

Response under \$5,000

The Oil Spill Investigating Officer is to collect evidence (samples, photos, pollution incident evaluation form) and respond to the spill as appropriate. This will not involve activation of the EOC Group.

No Immediate Response Required = Standby Mode

If no immediate response is required (e.g. because oil is heading offshore), then On-scene Commander will:

- Put Incident Command Team on "standby" mode;
- Advise the RCCNZ ph (04) 577 8030 (24 hrs). If required the Maritime New Zealand Notification Form should be faxed to the RCCNZ fax (04) 577 8038; and
- Establish monitoring of the slick and its likely direction of travel, using forecast weather and current conditions; and
- Be prepared to declare a response; and
- In circumstances where a response was avoided, prepare a brief report for the Council and MSA.

Response Required

If a response is required the On-scene Commander will:

- Determine whether the response should be a Regional (Tier 2) Response or a National (Tier 3) Response and make a declaration as appropriate (Refer to criteria on the next page); and
- Advise the RCCNZ ph (04) 577 8030 (24 hrs). The Maritime Safety Authority Notification Form should be faxed to the RCCNZ fax (04) 577 8038.
- Instruct the Oil Spill Investigating Officer or nominee to obtain samples of the spilled oil and photos of the event in accordance with the sampling instructions outlined in Chapter 10.

2.1.3 Escalation

Tier 1

A Tier 1 response will escalate to a Tier 2 response when it is clear that the response is unlikely to be able to contain or remedy the spill. Such escalation may be at the request of the Tier 1 site operator or when, in the judgement of the Chatham Island's Council's On-scene Commander, this action is necessary to deal with the spill effectively.

Tier 2 Criteria

An oil spill response will be declared to be a Tier 2 response in the following circumstances:

- (i) The spill is within 12 nautical miles; and
- (ii) The Chatham Island's is able to respond adequately to the spill within the resources available; and

If these criteria cannot be met, then the Regional On-scene Commander (or any person authorised by them) should request the National On-scene Commander to declare a Tier 3 response. The National On-scene Commander may, if in his judgement such action is necessary, elevate a Tier 2 response to a Tier 3 response.

Request for a Tier 3 Response

This request will be made via the RCCNZ ph (04) 577 8030 (24 hrs). The Regional On-scene Commander should 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.

2.1.4 Activation of Chatham Island's Regional Marine Oil Spill Response Organisation

The Regional OSC should initiate the following actions (Note: Maritime New Zealand should have already been contacted and appropriate sampling personnel dispatched in accordance with the "Response Required" section above):

- Appoint personnel to monitor the spill.
- Tier 1 Operator should be notified and briefed as soon as possible with respect to transfer of responsibility (if applicable).
- Establish the Incident Command Centre (EOC) as appropriate for the scale of the response. If the EOC is to be the Chatham Islands Council Chambers (required for full scale response), this should be set up in accordance with the EOC Floor Plan (Ax 1). Activate the Emergency Management EOC, follow the SOP for EOC activation.
- Activate required members of the response team and inform them of the location of the EOC and the time of pre-response briefing. Ensure that there is an adequate pool of personnel to allow for an ongoing response (i.e. greater than 6-8 hours). Follow the SOP contact details included in EOC SOP.
- Establish Communications as required between the EOC and responders in "the field". Follow communications SOP (Ax 3)

Incident Command Team (ICC Team) and Incident Command Centre (ICC)

The Incident Command Team (ICC Team) and the Incident Command Centre (ICC) are the same as the Emergency Operations Centre Team (EOC Team) and Emergency Operations Centre (EOC) referred to in the Emergency Operating Centre Standard Operating Procedures

The ICC Team works from the ICC. The ICC is the centre of the operations during the oil spill response. Chapter 3 outlines the ICC Team roles and responsibilities. Annex 2 outlines personnel in the ICC Team.

The primary ICC for Chatham Islands is the Chatham Islands Council Chambers. This will be activated during a significant Tier 2 response. It will also be the ICC for a Tier 3 response if required.

Should the ROSC consider that the response is not large enough to warrant activating the EOC then they will determine the location of a suitable Incident Control Base?

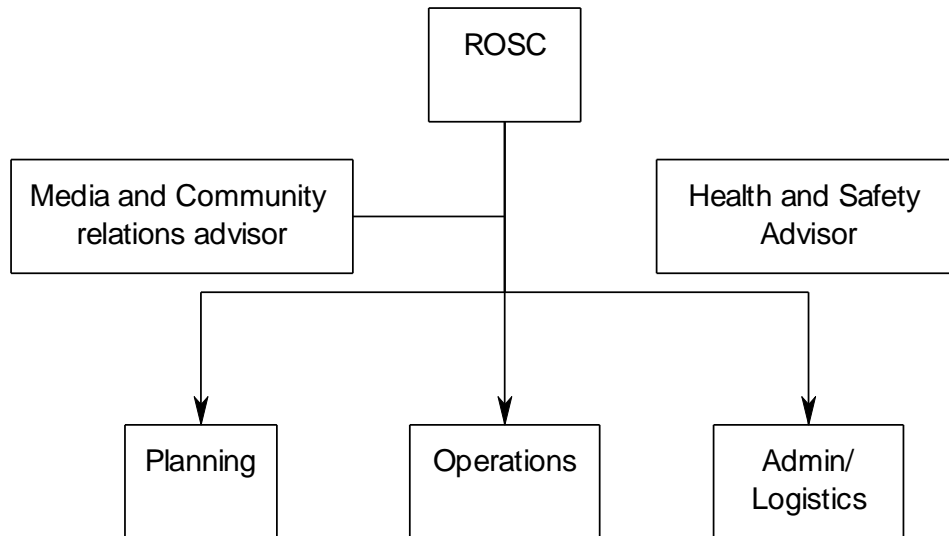
Ax 1 contains the Incident Command Floor Plan for a Tier 2 Response.

Legal Authority of the Regional On-scene Commander

During a Tier 2 incident the ROSC will assume responsibility for the response operation within their region directly. The ROSC shall decide whether or not it is appropriate for any action to be taken in response to that marine oil spill.

The powers of an On-scene commander are set out in Sections 300 - 328 of the Maritime Transport Act 1994. The roles and responsibilities of the Regional OSC, including Financial Authority are given in Chapter 3.

Chatham Island's ICC Structure for Oil Spill Response



Chapter 3 provides an expanded structure of the roles under planning, operations and admin/logistics and a description of the associated roles and responsibilities and should be referred to by the ICC team to assist with the production and implementation of the Incident Action Plan.

During a Tier 2 spill, most of the positions in the ICC Team may be filled by one or more persons, given the need to ensure that any response operation occurs in 6 to 8 hour shifts at most. This structure may change for smaller spills, as some positions may not be required.

2.2 Phase Two - Development of a spill Incident Action Plan

The following order of events is typical of the procedure that will take place at the ICC with the arrival of the ICC Team

ROSC convenes a briefing meeting with the ICC Team Group

ROSC forms a Incident Action Plan (IAP) Development Team

- Each spill event requires a specific Incident Action Plan tailored to the incident. The IAP sets out a clear strategy for spill responses, which is then converted into an operational plan/response by the ICC Team and field teams.

The Incident Action Plan (IAP) Development Team must assess the appropriateness of any current spill response plan implemented at the Tier 1 level, and modify this as necessary.

IAP Development Team tasks:

- Evaluate the spill incident and any current spill Incident Action Plan. The Regional Plan: Coastal contains information on Sensitive Areas and other Coastal Information. In addition, Chapter 6 outlines clean up and response options for different environments. Chapter 7 provides guidance on using dispersant selection and use, the dispersant guidelines should also be followed
- Determine both short term and long term objectives of the response;
- Develop a Incident Action Plan (IAP), which should include:
 - the strategy for the response and necessary actions to be undertaken, including a strategy for wildlife rescue and rehabilitation (Refer Chapter 9);
 - clear objectives;
 - clear time-line for all actions to achieve objectives; and
 - clear statement of responsibility (i.e. which members of the Team are responsible) for the actions and tasks.
- Determine the resources and expertise needed, and those available. Annex 1 and 2 provide equipment and personnel lists. Mobilisation instructions are outlined in these Annex's.
- Provide a mechanism for feedback, with continuous monitoring of the spill response and modification of the IAP as appropriate.

The Regional OSC will communicate the IAP to the entire Incident Command Centre Team, and is responsible for ensuring that the National OSC is also briefed of the action.

Notify interested parties

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

2.3 Phase Three - Incident Action Plan implementation

2.3.1 Safety

The safety of human life is to take precedence over all aspects of the response operation. Responders are to comply with the Chatham Island Council Health and Safety Management Plan 2005, as in accordance with the Health and Safety in Employment Act. The roles and responsibilities of the Health and Safety Advisor are outlined in Chapter 3.

2.3.2 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 and Mayor subject to Regional OSC 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 Regional OSC, the EOC Media Liaison Advisor or the Mayor. The roles and responsibilities of the Media Liaison Advisor are outlined in Chapter 3.

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.

2.3.3 Cost Tracking and accounting

Cost tracking must be rigorously applied throughout the response. Chapter 15 sets out Financial Instructions that must be followed during an oil spill response. High priority must be given to the gathering of sufficient and accurate information to enable recovery of costs from the spiller.

2.3.4 Sampling and Evidence Collection

Chapter 10 sets 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.

2.3.5 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 Communications SOP in Ax 3. Chapter 16 sets out procedures for document control that may also be of assistance.

2.3.6 Security

Security for the ICC, and the response operation in the field must be installed for the safety of response personnel and the public, protection of equipment and maintaining accessibility to those area affected by the spill.

2.3.7 Disposal of Oily Waste

Oil and associated oily waste material collected from the response operation is to be segregated and stored in suitable containers / vessels awaiting disposal. The Chatham Islands Council will dispose of the oil through a practicable means that complies with legislation and in accordance with the Chapter 11. Consideration will be given to transporting any recovered oil to Napier or Lyttleton, where it may then be transported to a reception facility for oily wastes.

2.4 Phase Four - Response termination and demobilisation

2.4.1 Response Termination

The Regional ROSC may terminate any marine oil spill response by the Chatham Island's (Section 304 (2) Maritime Transport Act (MTA) 1994). The decision should be made considering whether the objectives of the response have been achieved, the National OSC expertise and other expert advice (e.g. from DOC, MFish, the Fire Department) may be consulted to assist with this decision.

Prior to seeking termination of the response the ROSC will hold a debriefing with the ICC Team. The purpose of this meeting is to determine whether the IAP objectives have been achieved and the response has been adequately completed.

If this decision is likely to be contentious then the decision may be referred to the Director, Maritime New Zealand, for resolution.

Response termination involves the recovery, cleaning and maintenance of all equipment used during the response and the demobilisation of all personnel involved in the response. Also, it involves 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 Manager. The Managers will then attend a debriefing with the Regional OSC.

2.4.2 Debriefing

A debriefing of the Managers, chaired by the ROSC or nominee, will be held following termination of the response. This will enable a review of the Regional Plan and will highlight areas where the response (and planning) could be improved (see Ax 7 - Exercising the Plan and Plan Review).

The Regional OSC is responsible for arranging the time and venue of the debriefing and shall inform those persons / or representatives of supporting organisations of such arrangements. Those persons and/or representatives are expected to attend the debriefing. Costs associated with attending the debriefing or the completion of reports shall be considered to be part of the overall incident response.

2.4.3 Council Reporting Procedure

On completion of the debriefing, the OSC is to ensure that all pertinent information is collated and forwarded together with a report to the Chatham Island Council's General Manager as soon as practical after the debriefing.

2.5 Phase Five - Post operations - documentation of costs/litigation

Policy

It is the policy of the Chatham Island's Council to recover the costs of marine oil pollution clean-up operations from the spiller.

Financial systems

Chapter 15 details the financial delegations and procedures for tracking expenditure during the response and for cost recovery on completion of the response. Chapter 10 sets out the Code of Best Practice relating to prosecution and cost recovery.

It must be noted that costs will still be incurred after the termination of the clean-up phase of the incident and these need to be accounted for in the overall response cost.