MARINE POLLUTION - THE AUSTRALIAN RESPONSE

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THE NATIONAL PLAN

Marine pollution, and specifically oil pollution, has been a source of deep concern since the first major oil spill involving the vessel TORREY CANYON in 1967. . The latest, much publicised oil pollution reports followed the fateful events of 24 March 1989, when the 213,755 deadweight ton tanker EXXON VALDEZ grounded in Alaskan waters, opening up eight of its eleven cargo tanks and spilling more than 10 million gallons of crude oil into one of the world's most sensitive ecosystems.

Over the years, there have been a number of marine casualties which have resulted in serious oil pollution. However, this incident captured global attention because the spill affected Prince William Sound, one of the USA's most pristine and magnificent natural areas. It also

happened in an area of the world where news-gathering is at its most sophisticated, and in a society where consumer protection and product liability are principles enshrined in its culture.

Images of the effect of the spilt oil on birds and marine mammals were used to add to the publicity, and possibly reinforced the notion of the oil industry's inhumanity to the environment. Satellite communications providing live reports and dramatic shots of the oil spill and its effects, together with international awareness of the environment, have raised the spectre of catastrophic marine pollution to many countries, particularly to island nations such as Australia and New Zealand.

Australian awareness of the dangers of oil pollution was stimulated by the grounding of the vessel OCEANIC GRANDEUR in Torres Strait in 1970. This incident was too close to home for comfort, and as a consequence, Commonwealth and State Ministers agreed that Australia should be prepared to respond to ship sourced pollution, not only from oil tankers but also from large bulk carriers and container vessels which are capable of carrying significant quantities of bunker fuel. Agreement was also reached on the basic divisions of responsibility for combating oil pollution from ships.

In October 1973, the Commonwealth Government introduced the National Plan to Combat Pollution of the Sea by Oil

(colloquially referred to as "the National Plan"). It is described as being a combined effort by Commonwealth and State Governments with the assistance of the oil industry. The plan provides an infrastructure for an organised response to an oil spill that occurs in waters controlled either by the Commonwealth or State Governments.

The National Plan is based on the "potential polluter pays" principle and to achieve this, a levy is imposed on commercial vessels calling at Australian ports. The levy is currently 1.7 cents per net registered ton per quarter, for vessels over 24 meters in length and carrying more than ten tonnes of oil. These funds have enabled the steady development of the National Plan, which has included an equipment acquisition program introduced soon after the Plan's establishment. As a result, the National plan has been developed to the stage where, subject to weather and other external factors, it can generally provide a rapid response capability to combat significant but not very large oil spills. At the end of 1989, the value of National plan stocks stood at almost $9 million. Much of the stocks, primarily oil booms and skimmers, are dispersed over 44 centres and are on long term loan to State port and marine authorities or departments.

The National Plan has three basic elements:

- Training
- Equipment acquisition
- Scientific support

Training of personnel is an important function of the Plan. The Commonwealth Department of Transport and Communication (DOTC) has responsibility for conducting three levels of oil spill response training, these are:

i. On scene co-ordinator workshops designed for those officers who may be required to assume overall control and co-ordination of an oil spill response.

ii. Contingency planning workshops which address the various elements that make up a contingency plan, including risk assessment, foreshore sensitivity, manpower and equipment availability etc.

iii. Scientific Support Coordinators workshops for scientists who may be required to provide advice during an oil spill response.

Equipment operator courses were also held regularly by the department. However, a sufficient number of

operators have now been trained to enable State port and marine authorities to conduct their own operator courses.

Until recently, the philosophy behind the equipment acquisition program was a deliberate policy of achieving an optimum level of preparedness based on the findings of an inquiry by a House of Representatives Standing Committee on the Environment. The Committee in its 1978 report, noted there was no economic or operational justification to equip and prepare for a major disaster which might never occur. Consequently, contingency planning for very large spills was based on seeking additional resources from overseas. This practice is a widely accepted approach, as illustrated during the EXXON VALDEZ clean up operation, when equipment was despatched to Alaska from all over the world, including Australia. However, the Alaskan experience has shown this approach to be too simplistic and demonstrated that the findings and recommendations of the 1978 report would not meet the expectations of the society to whom it was directed. Clearly, it is highly desirable that countries should at least have the capability of mounting a credible initial response.

The EXXON VALDEZ incident underlined the limitations of the Plan to deal effectively with the complexities of deploying equipment and personnel on a scale necessary in the event of a spill of catastrophic proportions. In particular, it showed that existing philosophy failed to

address an effective command structure, taking into account the inter-relationship of Federal, State and industry organisations.

RE-THINKING THE NATIONAL PLAN

The detailed reports emerging from the EXXON VALDEZ incident have helped Australian government and industry officials to focus on a number of pollution combat issues, and to re-examine past policies. Consultation between National Plan participants has led to a general view that early action should be taken to raise Australians level of combat readiness for large oil spills. There is growing consensus that the National plan should be pitched towards a capability of mounting a rapid and credible response to a 10,000 tonne oil spill anywhere in Australian waters. The rationale behind this thinking is based on the order of spillage that might be expected if a large tanker of the class that trades to Australia were to suffer major damage.

An option under examination by the DOTC is the establishment of dispersed stockpiles of oil spill response equipment, located at three centres. These centres would be designed to provide rapid initial responses to three regions:

- the North East with a stockpile at Brisbane,
- the West and North West with the stockpile in Fremantle and

- the South East with a stockpile at Sydney, Melbourne or Adelaide.

While the National Plan is complemented by a specific oil spill response plan in each State, there is certainly no room for complacency. Events surrounding the EXXON VALDEZ incident revealed many shortcomings in response arrangements, notwithstanding the existence of local, national and industry contingency plans, and access to impressive amounts of combat resources. Australia, with far fewer resources and, in particular, not having a disciplined maritime response organisation comparable in scale with the United States Coast Guard, needs to note the lessons learned and establish tightly co-ordinated arrangements to respond to large spills.

To be effective in combating such oil spills in Australia, the National Plan must be able to operate at two distinct levels, which however, are fundamentally linked:

i. it must be able to mount a timely and credible initial response anywhere in Australian waters, and

ii. it must have the capacity for a rapid build up and co-ordination of a very large and protracted response, which may involve many hundreds of people and a commensurate amount of

equipment.

Furthermore, the Plan should aim to gain public support and engender a sense of realistic expectation. Consultations with the States and the oil industry have already been held, with a view to implementing the necessary changes as soon as possible.

THE GREAT BARRIER REEF

Because of the environmental sensitivity of the Great Barrier Reef and its particular vulnerability to damage from pollution by ships, specific spill contingency arrangements have been developed for the region. These arrangements are in the form of a contingency plan called REEFPLAN, which is a supplement to the National Plan and the Queensland State Plan. A stockpile of equipment for this region is located in Townsville and it is being augmented by additional resources during 1990-91. The new equipment and the resources of the other stockpiles will bring oil pollution response resources in this area up to current world standards.

As well as the development of REEFPLAN, Australia has been instrumental in obtaining international measures to protect the Great Barrier Reef region. In 1987, Australia obtained international agreement through the International Maritime Organization (IMO) to a resolution

which recommends that all ships of 100 metres in length and over, and all loaded tankers, irrespective of size,

should engage the services of the Queensland Coast and Torres Strait Pilot Service when navigating in the Torres Strait, the Inner Route of the Great Barrier Reef, the Great North East Channel and Hydrographer's Passage. Investigations have shown that a high proportion of ships comply with this recommendation. Ways of extending pilotage provisions to other ships as a risk reducing measure are being actively considered.

AUSTRALIA/NEW ZEALAND CO-OPERATION

An Informal Understanding exists between Australia and New Zealand on co-operation in the control of marine oil pollution. In practice, the informal understanding is between the Australian Department of Transport and Communications and the New Zealand Ministry of Transport, who are the national authorities responsible for oil pollution control. The co-operation is primarily directed at oil spills from ships but does not necessarily exclude oil spills from other sources. Annual exchange visits are made on an alternating basis when possible, by officers of the two Governments. The purpose of these visits is to promote an adequate understanding of national oil pollution prevention activities.

CONCLUSION

The Executive Summary of the Report to the President of the United States of America, on the Exxon Valdez Oil Spill, includes the following:

> "Oil is a vital resource that is inherently dangerous to use and transport. We therefore must balance environmental risks with the nation's energy requirements. The nation must recognise that there is no fail-safe prevention, preparedness, or response system. Technology and human organisation can reduce the chance of accidents and mitigate their effects, but may not stop them from happening. "

These sentiments are no less true for Australia. Since shipping is a dynamic industry, contingency plans designed to protect the marine environment from ship-sourced pollution must also be dynamic. Australian planning for responses to marine spills will continue to need upgrading and revision. The continued development of our response capability coupled with an active fostering of regional co-operation will help improve our combat readiness for the massive spill we hope will never happen.

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