

# The National Contingency Plan

## A Strategic Overview for Responses to Marine Pollution from Shipping and Offshore Installations

## Contents

Introduction .....	3
STRATEGIC.....	4
1. Aim and Purpose.....	4
2. Legal Basis .....	5
3. Definitions .....	6
4. Areas covered .....	7
5. Roles and responsibilities of the Lead Government departments .....	10
5.2 Department for Transport.....	10
5.3 Maritime and Coastguard Agency.....	10
5.4 Department of Business Energy and Industrial Strategy.....	10
5.5 Secretary of State’s Representative (SOSREP) .....	11
6. Role of central Government .....	11
7. Role of the devolved administrations .....	12
7.5 Scottish Government .....	12
7.6 Welsh Government .....	13
7.7 Northern Ireland Executive .....	13
7.8 Cross Border Working.....	13
OPERATIONAL.....	15
8. Overview .....	15
9. Establishing the Level of Response .....	15
10. Overall Incident Management Strategy .....	25
11. Notification and Initiating a response to an incident .....	34
12. Responsibility for clean up.....	36
13. The clean-up operation at sea.....	37
14. Dispersants – Approval, Use and Monitoring .....	38
15. Harbour response.....	40
16. Places of Refuge .....	42
17. Salvage .....	43
18. Fishing Restrictions .....	44
19. Shoreline Response .....	44
20. Wildlife Response.....	45
21. Waste Management .....	45
22. Communications.....	47
23. Liability, compensation, cost recovery and record keeping .....	48
24. Testing the National Contingency Plan.....	49
25. Reviewing the National Contingency Plan.....	50

## Introduction

The National Contingency Plan for Marine Pollution from Shipping and Offshore Installations (NCP) has been in existence for a number of years and has been an important reference document for setting out the procedures and processes involved in pollution response and recovery, prior to, and after a marine pollution incident. Over the years it has been revised numerous times to meet the emergence of new pollution threats and situations and also to meet the recommendations and lessons learned arising from incidents such as Deep Water Horizon in the Gulf of Mexico and various public enquiry's and incident port recommendations. The publication of each new version is a major updating exercise that takes a great deal of time and effort.

This is the first version to be solely electronic with the core document containing hyperlinks that point to additional information. This new format allows for updating of new information and better practices to be undertaken quicker and therefore be more readily available without the need for a lengthy updating exercise.

There have been a number of changes incorporated in this version. The NCP has been divided into two main sections Strategic and Operational to make it easier to differentiate between the types of information included. A great deal of information has been devolved to hyperlinks, due the layout of some hyperlinked documents additional scrolling through may be required to get to the chapter of the required hyperlinked document that is required.

The Plan also raises the importance of collaborative working during any incident something that is vital to ensuring an effective and efficient incident response. The UK Government does not support a rigid hierarchal incident command and control structure. Consequently, the plan details the importance of utilising the existing, adaptable approach, that meets the needs of the type of changeable and unpredictable incident that can occur following pollution from shipping or an offshore installation.

The NCP will be further reviewed and updated as required.

# STRATEGIC

## 1. Aim and Purpose

1.1 The purpose of this Plan is to ensure that there is a timely, measured and effective response to incidents of, and impact from, marine pollution from shipping and offshore installations. To achieve this, it identifies the key stakeholders involved, the governance arrangements under which they should operate and the broad responsibilities attached to each. Further, it seeks to provide guidance on general incident management, the method and structures of co-ordination and communication, the general resources that may be brought into play and, the circumstances in which the MCA deploys the UK's national assets to respond to a marine pollution incident in order to protect the overriding public interest.

1.2 This Plan provides a Strategic and Operational overview intended to inform Central Government Departments, Devolved Administrations, Local Authorities, Environmental Agencies, Port and Harbour Authorities, Health bodies and senior managers of response organisations - including those of industry. Within the Plan embedded hyperlinks lead to relevant and more detailed information.

1.3 The scope of this Plan matches the scope of the Secretaries of State for Transport and the new Business Energy and Industrial Strategy which encompasses the responsibilities of the now merged Energy and Climate Change department and Business Innovation and Skills. These responsibilities extend to any activities associated with the at sea or shoreline clean up.

1.4 After preserving human life, the key priorities are to protect human health, and the marine and terrestrial environment. A range of national and local agencies, some of which have more specific statutory duties than others, undertake the response to incidents that threaten to pollute, or have resulted in pollution to the seas around the UK.

1.5 The UK Government regards the pollution of the coastal environment as a serious threat. An immediate response to incidents causing, or with the potential to cause significant pollution is therefore required.

1.6 Whilst many incidents may involve the release of oil and gas, some maritime incidents may release hazardous and noxious substances or inert material or a combination of these that have the potential to threaten public health as well as cause at sea and shoreline pollution. In such cases, this Plan should run in parallel with, and dovetail into, existing protocols and major incident plans normally invoked when there is an incident involving hazardous and noxious substances onshore.

1.7 As a Party to the United Nations Convention on the Law of the Sea, the United Kingdom has an obligation to protect and preserve the marine environment. This National Contingency Plan (NCP) is one of the measures that the United Kingdom has taken to meet this obligation.

1.8 The Lead Government Departments for counter pollution preparedness, regulation and response are Department of Business Energy and Industrial Strategy

(BEIS) for offshore installations and Department for Transport (DfT) for shipping. The Maritime and Coastguard Agency (MCA), as an executive agency of DfT, is designated as the United Kingdom Competent Authority for counter pollution response, and is the custodian of the NCP. Lead Government Departments and the MCA have developed this Plan as a strategic framework document incorporating an operational overview, it also provides a gateway to more detailed information for incident response, rather than attempting to be overly prescriptive. The Plan is designed to be easy to use and update.

1.9 Each incident derives from, and presents unique circumstances and characteristics. These necessitate responses which, whilst similar in basic principle need to be adapted in light of a specific threat in or to, a particular area of the UK either at sea or on the shoreline. This Plan is designed as an overview supported by a sign posted library of information and is underpinned by other multi-agency plans.

1.10 This Plan is aimed at all personnel who may become involved in responding to maritime emergencies, particularly those at senior and operational levels. It is primarily intended for reference purposes during emergencies but may also be used for training and exercise purposes. The Plan is applicable throughout the United Kingdom and it aims to establish good practice based on lessons learned from incidents and live exercises both in the United Kingdom and globally. The objectives of the Plan are to further develop a shared understanding of the multi-agency framework for response to incidents, the roles and responsibilities of organisations at local, sub-national or national levels.

1.11 This Plan co-exists with other UK emergency response plans or contingency arrangements including [HM Government's "Emergency Response and Recovery"](#); [Scotland's "Preparing Scotland"](#); [Wales's "Pan-Wales Response Plan"](#) and [Northern Ireland's "A Guide to Emergency Planning Arrangements in Northern Ireland"](#). In addition to these major plans consideration needs to be given to major incident and security plans operated by ships, ports, harbours, oil handling facilities, local authorities and oil and gas offshore installations. There needs to be a mutual understanding and respect between those utilising and invoking this Plan and those responsible for invoking all other associated plans. This ensures that all of the plans dovetail and are compatible and can continue to function efficiently, whatever the circumstances.

1.12 When an incident occurs there is a duty to carry out investigation and enforcement activities as and when necessary. Incidents will be investigated by the MCA's Enforcement Unit or BEIS's Offshore Inspectorate Unit and where appropriate by the Marine Accident Investigation Branch or the Health and Safety Executive.

## **2. Legal Basis**

2.1 The United Kingdom has to meet many National, International and European legal obligations relating to pollution from shipping and offshore installations. This plan addresses these obligations and the document [Legal Basis](#) provides an outline of relevant legislation.

### 3. Definitions

- **“marine pollution”** refers to pollution by oil or other hazardous substances.
- **“offshore installation”** means an offshore oil and gas, gas storage or carbon capture and storage installation
- **“oil”** means oil of any description and includes spirit produced from oil of any description, and also includes coal tar;
- **“other hazardous substances”** are prescribed under section 138A of the Merchant Shipping Act 1995. They also include any substance that, although not so prescribed, is liable to create hazards to human health, to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the sea. Such pollution can result from spills of ships’ cargoes carried in bulk or in packages, ships’ bunkers and/or stores’, and leaks from oil and gas installations and pipelines.
- **“cells”** refer to any centre, cell, unit, group, team, or similar grouping term used within the response to an incident.
- **Exclusive Economic Zone (EEZ)** means the area of sea designated under the Exclusive Economic Zone Order 2013. The offshore industry in the UK works within the United Kingdom Continental Shelf designated under the Continental Shelf Act 1964.
- **“containment”** means controlling pollution at its source in respect of offshore installations

A comprehensive list of terms used in civil resilience has been published and can be found on [www.gov.uk](http://www.gov.uk).

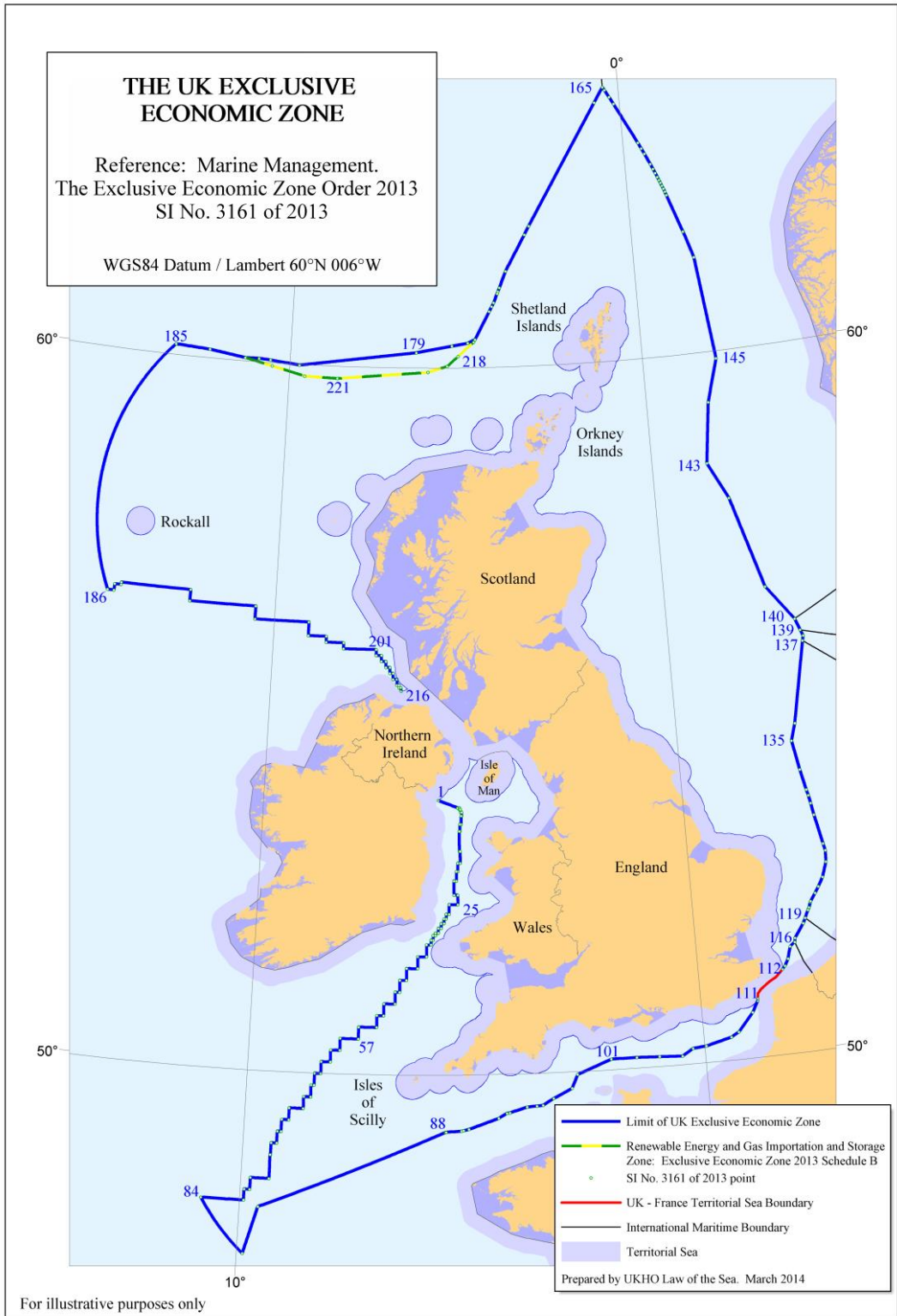
## 4. Areas covered

4.1 This Plan covers all incidents in, or likely to affect, the United Kingdom Exclusive Economic Zone (EEZ) and the United Kingdom Continental Shelf (UKCS).

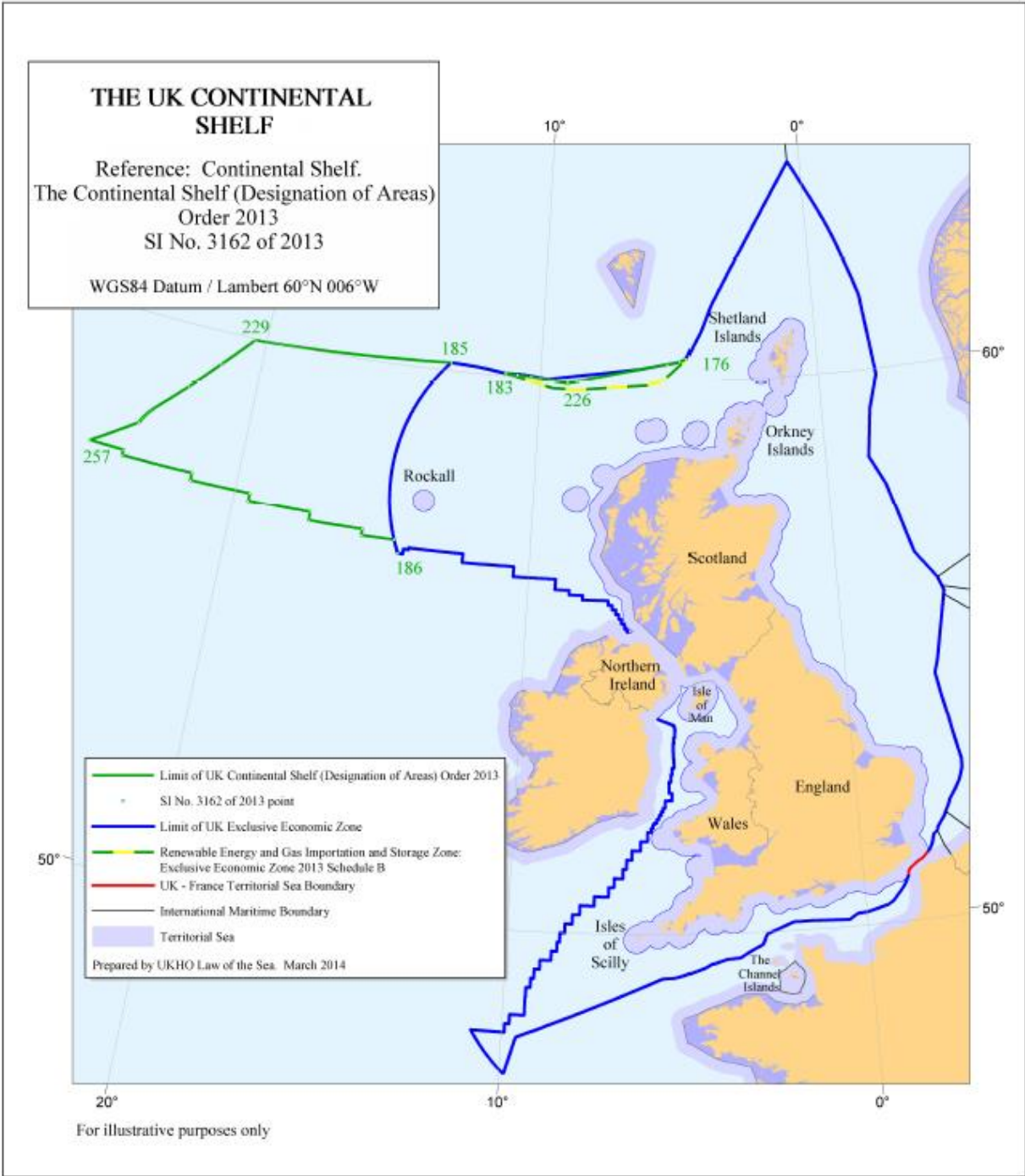
4.2 The Isle of Man and the Channel Islands are responsible for their own counter pollution arrangements but may request assistance from the MCA or the Secretary of State's Representative (SOSREP) during a major incident.

4.3 The document [International Assistance and Co-operation](#) provides a summary of the bilateral and multilateral International assistance and co-operation agreements currently in force. The MCA's Duty Operations Director and Counter Pollution and Salvage (CPS) Branch discharge all obligations under these agreements. They also inform other neighbouring Coastal States of any pollution threat to their waters or shoreline, and co-ordinate any requests for international assistance.

4.4 Although this Plan is for marine pollution from shipping and offshore installations, the MCA supports the environmental regulators; the Environment Agency for England, Scottish Environment Protection Agency, Natural Resources Wales and the Department of Environment (Northern Ireland) with appropriate resources in the event of a large shore-based spill affecting United Kingdom waters.







## **5. Roles and responsibilities of the Lead Government Departments**

5.1 Major marine pollution incidents require work on a wide range of issues apart from those directly connected with salvage, containment and clean-up operations. Most incidents in the United Kingdom are handled at the local level by the emergency services and other responders with no direct involvement by central government departments; however, this is not the case when there is an incident of national significance.

### **5.2 [Department for Transport \(DfT\)](#)**

5.2.1 DfT has policy responsibility for several issues that arise from a marine pollution incident in line with the Secretary of State's responsibilities, namely taking or co-ordinating measures to prevent, reduce and minimise the effects of marine pollution.

#### **Maritime Security and Resilience Division**

5.2.2 Maritime Security and Resilience Division's Pollution Prevention team has policy responsibility for marine pollution from shipping. The Pollution Prevention team does not contribute to operational decisions during an incident. However, it monitors the MCA's approach to incidents within the framework of the Agency's objectives and liaises with Ministers and across Whitehall.

### **5.3 [Maritime and Coastguard Agency \(MCA\)](#)**

5.3.1 The MCA is an executive agency of the DfT; the Agency is responsible for:

- Minimising loss of life amongst seafarers and coastal users;
- Responding to maritime emergencies 24 hours a day;
- Developing, promoting and enforcing high standards of maritime safety and pollution prevention for ships; and
- When pollution occurs, minimising the impact on UK interests.

5.3.2 During an incident the Agency's Chief Executive continues to manage the Agency as a whole. The Director of Maritime Operations is responsible, with Maritime Safety and Environment colleagues for ensuring that Ministers are kept informed of incident progress, liaising with the Chief Executive on matters of Agency policy. The Directorate of Maritime Operations is also responsible for civil maritime search and rescue, counter pollution and at sea clean-up operations, and liaises with MCA colleagues on survey and inspection, and any enforcement action. The CPS Branch has specific responsibility for counter pollution preparedness and response at sea and the management of the UK Government's stockpiles of equipment and dispersant.

### **5.4 [Department of Business Energy and Industrial Strategy \(BEIS\)](#)**

5.4.1 BEIS's Offshore Oil and Gas Environment and Decommissioning Unit is responsible for environmental regulation, prevention of oil pollution and offshore environmental issues including approval of oil pollution emergency plans for the offshore industry. BEIS consults with the MCA prior to approving or rejecting operators' oil pollution emergency plans.

5.4.2 The Offshore Environmental Inspectors within the Unit provide a 24/7 on call facility to respond to any offshore pollution incident. In the event of any offshore pollution threat BEIS's Duty Offshore Environmental Inspector engages with offshore oil and gas, gas storage or carbon capture and storage operators, the MCA Duty Counter Pollution and Salvage Officer (DCPSO), Aberdeen Coastguard Operations Centre (CGOC), the CPS Branch and, when appropriate, the National Maritime Operations Centre (NMOC).

## **5.5 Secretary of State's Representative (SOSREP)**

5.5.1 The role of the SOSREP is to represent the Secretaries of State for Transport (in relation to ships) and Energy and Climate Change (in relation to offshore installations) by removing or reducing the risk to safety, the environment and property arising from accidents involving ships, fixed or floating platforms or sub-sea infrastructure. The [intervention powers](#) available to the SOSREP extend to United Kingdom territorial waters (12 nautical miles from the coast/baseline) for safety issues and in the EEZ for pollution from shipping related incidents. For pollution incidents from offshore installations the powers extend to the United Kingdom Continental Shelf. The SOSREP is empowered to make crucial and often time-critical decisions, without delay and without recourse to higher authority, where such decisions are in the overriding United Kingdom public interest.

5.5.2 The SOSREP has the ultimate and decisive voice for maritime salvage, offshore containment and intervention. The SOSREP role does not include any responsibility for either at sea or shoreline clean-up activities. In the unlikely event of conflicting priorities between the "at-sea" and "land based" response cells, the SOSREP may, where appropriate, consider exercising the intervention powers where actions being taken, or being proposed, are not deemed to be in the overriding UK public interest.

## **6. Role of Central Government**

6.1 Whilst, the government's central crisis management machinery, Cabinet Office Briefing Room, Scottish Government Resilience Room, Emergency Co-ordination Centre (Wales) and Civil Contingencies Group (NI) do not have the power to interfere with the actual maritime operation where the SOSREP has control; the SOSREP ensures that there are adequate reciprocal lines of communication between all parties.

6.2 The main central Government departments involved in this Plan other than the owners include, among others, the Cabinet Office, Department of Environment, Food and Rural Affairs and Department of Communities and Local Government; other key

organisations include among others the Marine Management Organisation and Environment Agency.

6.3 Many other [stakeholders](#) are involved with the Plan and the details of all of these can be found on the Gov.uk website.

## **7. Role of the devolved administrations**

7.1 Action to prevent marine pollution remains a function of the United Kingdom Government. Nevertheless, the Scottish Government, the Northern Ireland Executive, and the Welsh Government (the “devolved administrations”) need to be closely involved when their areas are, or may be, affected. They have responsibilities for the marine environment and fisheries and other activities in waters adjacent to their coasts, and are concerned with the effects on coastal areas. It is essential to recognise the importance of working closely with the devolved administrations throughout a marine pollution incident in their waters.

7.2 The precise balance of activity depends on where responsibilities lie between a devolved administration and the United Kingdom government in relation to the particular incident. In areas of reserved responsibility, the Lead Government Department co-ordinates the response, working closely with the relevant devolved administration.

7.3 Care should be taken to respect the roles and responsibilities of the Lead Government Departments and the devolved administrations with respect to devolved powers. Ministers of devolved administrations are kept informed to the same timescale and extent as UK Ministers in relation to incidents in their waters. Mechanisms for liaising with relevant officials and press officers from the devolved administrations reflect this.

7.4 In certain circumstances, the devolved administration may consider it necessary to establish its own centre working closely alongside the other response centres.

### **7.5 Scottish Government**

7.5.1 The Scottish Government is responsible for a wide range of devolved issues including health, education, justice, agriculture and rural affairs, the water industry and transport. Marine Scotland is a Directorate of Scottish Government and is responsible for marine planning, marine nature conservation, fisheries and aquaculture policy and the sustainable use of the marine environment. Marine Scotland operates emergency response procedures (and has emergency contacts) to provide environmental advice in the event of marine pollution incidents.

7.5.2 The Scottish Government also sponsors the Scottish Environment Protection Agency, Scottish Natural Heritage and Scottish Water and is assisted by the Scottish Agricultural Science Agency and by the Food Standards Agency Scotland. Scottish Government’s resilience guidance is available on [Ready Scotland](#).

## 7.6 Welsh Government

7.6.1 The Welsh Government's Agriculture, Food and Marine Department have the lead policy responsibility for the protection of the natural environment out to 12 nautical miles offshore, including marine pollution. In addition the Welsh Government's Marine and Fisheries Division is responsible out to the median line for policy on fish and the protection of fisheries, including liaison with the fishing industry.

7.6.2 The Welsh Government sponsors Natural Resources Wales. Details of the Welsh Government's Emergency Preparedness obligations can be found in this [Cabinet Office publication](#). General information on emergency preparedness in Wales can be found on the [Wales Resilience](#)

## 7.7 [Northern Ireland Executive](#)

7.7.1 The Environment and Marine Group of the Department of Environment is responsible in Northern Ireland for the development of policy concerning the environment and natural heritage, including the marine environment and the living resources that it supports.

7.7.2 The Department of Environment's work on Marine issues is undertaken by its Marine Division. Marine Division aims to deliver integrated policy, planning and operations which ensure the protection of the marine environment and enables its sustainable development on behalf of the Department.

7.7.3 Northern Ireland Environment Agency is an executive agency within the Department of Environment and is the lead agency responsible for implementing environmental legislation and policy in Northern Ireland. Details of Northern Ireland's Emergency Preparedness obligations can be found on [www.gov.uk](http://www.gov.uk).

7.7.4 The Department of Agriculture and Rural Development has a key role in managing fisheries and aquaculture activities within Northern Ireland territorial waters.

## 7.8 Cross Border Working

7.8.1 Given the nature of the marine environment it is possible that a maritime incident could involve central government and all three devolved administrations, for example an oil spill in the Irish Sea. It is for each devolved administration to review and assess the threat to their internal waters and shoreline, to formulate the best method of response and to communicate with other administrations. There may be a requirement for mutual aid or co-operation.

7.8.2 Under the Civil Contingencies Act regime there is a generic national framework for managing emergency response on land which remains flexible enough to be adapted to the needs of any threat to United Kingdom coastal resources. Chapter 4 of the Government's non statutory guidance to the [Civil Contingencies Act Emergency Response and Recovery document](#), describes the national framework, however, a brief outline of the two main response groups which would most likely be formed for a major threat from the marine environment, is provided in Chapter 10 of this document.



# OPERATIONAL

## 8. Overview

8.1 The following chapters of this Plan are intended to provide an overview of the UK's operational response. The different chapters are designed to lead, by the provision of hyperlinks, to more detailed information.

8.2 Within the NCP, the level of central government involvement varies and could range from non-operational advice and support from the Lead Government Department, through to the 24/7 activation of the central government crisis management machinery. Through this mechanism the Government works with devolved administrations, emergency responders and other organisations to enhance the UK's ability to prepare for, respond to and recover from emergencies. Further details on this can be [viewed by clicking here](#).

8.3 Additional information on the United Kingdom Government's [Concept of Operations](#) sets out arrangements for responding to and recovering from emergencies.

## 9. Establishing the Level of Response

9.1 The four principal aims of managing the response to any incident are:

- to protect public health,
- to prevent pollution occurring,
- to minimise the extent of any pollution that does occur, and
- to mitigate the effects of any pollution

9.2 To help achieve these principal aims it is necessary to establish a response structure which is scalable and adaptable. This structure must be able to meet the above aims and be sufficiently flexible to respond to changing situations.

9.3 For the purpose of planning, tiers are used to categorise pollution incidents. The tiered approach to oil pollution contingency planning identifies resources for responding to spills of increasing magnitude and complexity, and often, by extending the geographical area over which the response is co-ordinated.

- Tier 1 Local (within the capability of one local authority, offshore installation operator or harbour authority)
- Tier 2 Regional (beyond the capability of one local authority or requires additional contracted response from offshore operator or from ports or harbours)

- Tier 3 National (requires national resources co-ordinated by the MCA for a shipping incident and the operator for an offshore installation incident)

## Incident Response Matrix

Tier Level	Criteria	Management of Response
1	<b>Local (within the response capability of one local authority, harbour authority, offshore Operator or NIEA)</b>	<ul style="list-style-type: none"> <li>• Response can be managed within the capability and resources of local authority, harbour authority, offshore operator or NIEA.</li> <li>• Local response plans, including the offshore operator's Oil Pollution Emergency Plan (OPEP) to be activated.</li> <li>• Local responder to assess quantity and likely fate of any pollution spilled and report to local Coastguard NMOC.</li> <li>• MCA to create incident on MCA incident management system (Vision).</li> <li>• MCA to report any non-offshore industry related pollution to stakeholders. Operational Management System lists agreed mandatory reporting external addressees / stakeholders.</li> <li>• Offshore operator and BEIS to report any pollution to stakeholders.</li> <li>• Clarify lead responder in accordance with relevant plan(s)</li> <li>• MCA to monitor response and support with technical and environmental protection advice as necessary.</li> <li>• Where necessary, support from appropriate Regulatory authority, MCA Marine Office and/or relevant Enforcement organisation.</li> <li>• Local media handling with partner agencies.</li> </ul>
2	<b>Regional (Beyond the response capability of one local authority, or requires additional contracted response from offshore operator or a port/harbour or NIEA), or cross-boundary for Devolved Administrations</b>	<p><b>MCA and local / regional responders' actions as per Tier 1 above. Additional actions:</b></p> <ul style="list-style-type: none"> <li>• If contained entirely within a port or harbour authority's jurisdiction, response can be managed within the capability and resources of the authority's own or contracted responder.</li> <li>• Tier 2 specific response plans, or relevant multi-agency regional plans and responders' own plans, such as the offshore operators OPEP, to be activated.</li> </ul>



Tier Level	Criteria	Management of Response
2 cont		<ul style="list-style-type: none"> <li>• Responders to conduct initial risk assessment and activate resources as appropriate. Continual re-assessment of risk to be undertaken throughout any incident.</li> <li>• Where appropriate MCA and/or offshore operator to deploy aerial surveillance to assess extent of pollution.</li> <li>• Responders to support SCG/TCG (or DA equivalent) as appropriate.</li> <li>• Appropriate communications schedule to be established to co-ordinate overall response.</li> <li>• Responders to support EG and/or STAC (or DA equivalent) as appropriate. Environmental impact assessments to be conducted and regularly reviewed.</li> <li>• MCA to conduct Places of Refuge risk assessments and analysis if appropriate</li> <li>• SOSREP to establish SCU/TEZ and or issues Direction if appropriate</li> <li>• For offshore industry incidents operator may establish an emergency response cell(s) and SOSREP may establish OCU if appropriate.</li> <li>• MCA / BEIS to alert OGDs as appropriate.</li> <li>• Local/Regional/National media handling with partner agencies, as appropriate.</li> <li>• MCA may consider deploying national pollution response resources.</li> </ul>
3	National (response requirement beyond any contracted Tier 2 response capability)	<p><b>MCA and local / regional responders' actions as per Tier 1 and Tier 2 above. Additional actions:</b></p> <ul style="list-style-type: none"> <li>• Escalation to Tier 3 to be determined by the National Competent Authority and promulgated to all appropriate Category 1 responders.</li> <li>• MCA to establish a MRC and assume the lead for at-sea pollution response for non-offshore industry related incidents.</li> <li>• For offshore industry incidents SOSREP establishes OCU to oversee and monitor the Operator's incident response.</li> <li>• MCA to establish MRC for an offshore industry incident where oil is on the water.</li> <li>• MCA to alert relevant coastal States, EC and EMSA if there is a risk of pollution</li> </ul>

Tier Level	Criteria	Management of Response
		<p>outside the UK EEZ activating relevant bilateral and multi-national plans where necessary.</p> <ul style="list-style-type: none"> <li>• Counter pollution resources deployed as required by national contractors, operators' contractors, designated salvors, BONN / EMSA resources.</li> <li>• Lead Government Departments, SOSREP and response organisations to support Central Government and Devolved Administration briefing.</li> </ul>

Additional information may be found in paragraphs 9.6 and 12.10.

9.4 When an incident occurs, a tiered response considers:

- the risk of pollution;
- the type of pollution;
- the actual/potential scale of pollution;
- environment conditions, (i.e. weather, wind, tidal streams, sea state temperature);
- resource requirement (both personnel and equipment);
- the potential for a long term response requirement,
- the need for maritime intervention;
- the geographical location and physical extent including:
  - environmental and/or economic sensitivity – current and future, and
  - international impact.

9.5 It is unlikely that any one of the components/considerations listed above will, on its own, determine the level of response. Each incident of marine pollution has a unique 'fingerprint'; even a relatively small spill in a highly sensitive location can trigger the deployment and use of a significant response capability.

9.6 The response to pollution incidents from offshore installations is different in that offshore oil and gas operators are responsible for, and must be able to respond to pollution incidents from their offshore installations and infrastructure. As such, all exploration and production activities that could give rise to an oil pollution incident on the United Kingdom Continental Shelf must be covered by an OPEP. That said, so as to align with the recognised UK tier system used by responders, reference to the tiers can be made when offshore response options/strategies are described within OPEPs.

9.7 The OPEP is a fit for purpose operational document that sets out the procedures for responding to offshore oil pollution incidents, including the shoreline clean up, in an effective and efficient manner, and is in line and co-ordinated with the policies and principles of the United Kingdom's National Contingency Plan. It is the operator's responsibility to ensure the OPEPs clearly identify the potential release

scenarios, including the worst case scenario, the potential environmental impacts and how the operator responds to mitigate those impacts.<sup>1</sup>

9.8 During an offshore installation incident, the operator may establish an emergency response cell and the BEIS Duty Offshore Environmental Inspector will maintain close liaison with the operator and, depending on circumstances, locate to the operator's emergency response cells. Liaison may also be necessary with the appropriate devolved administration.

9.9 The majority of incidents do not require any response cells to be established however during escalated incidents there are several types of response cells or advisory centres that can be instigated as deemed appropriate according to the nature of the incident.

9.10 In all cases involving a national response, whether from ship or offshore installation, there is a need to establish response cells to deal with the incident. Whilst the oil remains at sea, these cells may include:

- Marine Response Centre

The Marine Response Centre (MRC) considers and implements the most appropriate means to contain, disperse, and remove potential pollutants from the scene based on all the information available to them. In almost all cases involving a national response the MCA establishes a Marine Response Centre at the most appropriate location. The Head of CPS Branch determines the need to establish a Marine Response Centre for specific incidents and informs all other response cells of its location.

- Salvage Control Unit

During a shipping incident, the primary role of the Salvage Control Unit (SCU) is to monitor salvage operations and actions that are being taken and/or proposed relating to salvage activity and to ensure that such actions do not have an adverse effect on safety and the environment. The SOSREP determines the requirement for a Salvage Control Unit taking into consideration the nature and scale of the incident.

The SCU operates close to the incident site. For incidents at sea the NMOC or other MCA facilities may be considered. For incidents within port or harbour jurisdictions it is likely that a suitable location for the cell may have already been determined in the local contingency plan. However for at sea or harbour responses commercial facilities may be more appropriate or conveniently situated.

---

<sup>1</sup> Directive 2013/30/EU of the European Parliament and of the Council on safety of offshore oil and gas operations is to be implemented in the UK by 19 July 2015. In relation to marine pollution, the objective of the Directive is to reduce as far as possible the occurrence of major accidents related to offshore oil and gas operations and to limit their consequences, thus increasing the protection of the marine environment and coastal economies against pollution. Implementing the Directive will impact on both oil and gas operators who will have to prepare an Internal Emergency Response Plan and the MCA and BEIS will have to prepare an External Emergency Response Plan.

- Operations Control Unit

During an offshore related incident the primary role of the Operations Control Unit is to monitor the offshore operator's response actions taken and/or proposed relating to containment activity and to ensure that such actions do not have an adverse effect on safety and the environment. The SOSREP determines the requirement for an Operations Control Unit taking into consideration the nature and scale of the incident.

The Operations Control Unit is established by the SOSREP and is located at the operator's premises or with their emergency response provider as detailed within the operator's relevant approved OPEP.

In circumstances where an Operations Control Unit has not been established, BEIS, as the Lead Government Department dealing with the incident decides, through the course of normal operational delivery, whether there is a need for additional formal inter-government liaison.

9.11 In addition, for an offshore installation incident, other response cells may be established alongside the main centres to assist.

- Operator's Emergency Response Cell – incident response cell established by the offshore operator and tasked with managing the operator's pollution response activity. Provides information to the SOSREP, Operations Control Unit, Marine Response Centre and to other response organisations.
- Operator's Crisis Management Team - established by the offshore operator to manage the operator's stakeholders and to address the operator's long term strategic goals.

9.12 When the pollution threatens the shoreline, a number of additional groups may be established. These are:

- Strategic Co-ordinating Group

Civil Contingency (Gold Level) – during the acute phase of an incident where there is likely to be significant on-shore consequential impacts on health, the economy or environment or where significant public and media interest has been generated, a Strategic Co-ordinating Group may be activated. It is normally be chaired by a senior police officer during the response phase, although on occasions, particularly where there is no immediate threat to life, a senior local authority official or other appropriately trained and experienced individuals may assume the role. When established, it manages the overall on-shore response strategy, dovetailing when appropriate with the "at sea" response, develops the long term plan, and the policy and direction of the response.

- Tactical Co-ordinating Group

Civil Contingency (Silver and/or Bronze) – when established develops and co-ordinates the on-shore operational response plan. The Tactical Co-ordinating Group (TCG) usually comprise the most senior officers of each agency committed within the area of operations and assumes tactical command of the event or situation. [Section 4.2.11 of Emergency Response and Recovery](#) gives further details.

The Strategic Co-ordinating Group and the Tactical Co-ordinating Group between them cover many of the functions previously carried out by the Shoreline Response Centre.

- Response Co-ordinating Group (ResCG)

Where an incident affects more than one Local Resilience Forum area a Response Co-ordinating Group (ResCG) may be established by the Department for Communities and Local Government (DCLG) to co-ordinate multi SCG interaction. The ResCG will normally be chaired by DCLG, with Lead Government Department input from DfT/MCA. ResCGs observe the principle of subsidiarity – in which it is recognised that decisions should be taken at the lowest appropriate level. The ResCG will not interfere in local command and control arrangements but provides a mechanism for ensuring that local responders can be as fully informed as possible in the decisions they have to take.

Section 4.2.19 of Emergency Response and Recovery gives further details.

- Recovery Co-ordinating Group

After the acute phase of an incident, recovery may be co-ordinated by a Recovery Co-ordinating Group. Chaired by a representative of the affected local authority.

#### Scotland

In Scotland, on shore, and in addition to the groups lists above, the relevant Local Resilience Partnership, co-ordinates the multi-agency response to a marine emergency. The role of the partnership, as well as regional and national support arrangements will follow best practice as set out in [Ready Scotland - Preparing Scotland](#)

#### Northern Ireland

An emergency can range from a purely local incident to one having an impact across Northern Ireland and beyond. These events require different co-ordination arrangements. While the majority of emergencies are local level and dealt with entirely by responders acting on a local basis some due to the nature and scale of their impacts require strategic co-ordination by Central Government.

Local level emergencies are those where the outcomes are such that the response can be delivered entirely by organisations operating locally. This might be the case if a limited stretch of coastline was impacted by pollution.

A protocol for multi-agency co-ordination of local level response and recovery sets out in detail the arrangements for:

- Multi-agency assessment of an anticipated or developing situation
- Co-ordination of the multi-agency response and recovery and
- Inter-agency communication and compilation of an accurate and up to date information picture for the developing situation

Strategic level emergencies are those where the extent or severity of their impact is such that strategic level intervention and coordination by central government is required. This might be the case if there was major incident impacting on Belfast Lough which could result in the closure of a power station and shut down the Port of Belfast.

Where the impacts of the incident are such as to require strategic intervention by Central Government the Lead Government Department co-ordinates the response and recovery. It is likely that the Department of the Environment will be the Lead Government Department for any maritime incident causing water pollution at sea that is likely to come ashore. It should be noted that these strategic arrangements will be in addition to, and work in conjunction with, the tactical co-ordination arrangements outlined above. For the most severe emergencies the Northern Ireland Central Crisis Management Arrangements (NICCMA) may be invoked to direct and co-ordinate the strategic response and recovery for Northern Ireland.

9.13 The response to any maritime incident, even one short of a full national response, may require the establishment of a number of groups that are involved in both operations at sea and shoreline clean up. These are:

- [Environment Group](#)

The Environment Group (EG) provides a single advisory line on public health and environmental issues at sea to all response cells. Where the incident poses a significant threat to health or the environment on land, the SCG may establish a Science and Technical Advice Cell (STAC) (see below) and this may be integrated with the Environment Group. At the outset of an incident, at sea, the MCA triggers the formation of an Environment Group to provide advice requiring a local, regional or national response. Standing Environment Groups cover the entire UK coastline and MCA co-ordinates the geographical coverage of individual Standing Environment Groups, their contact details and call out arrangements. The Environment Groups comprise the statutory environmental regulators, fisheries departments, nature conservation bodies and public health bodies plus a range of specialist public sector and non-government organisations.

The Environment Group framework enables a co-ordinated and timely environmental input to any other more localised or specialised incidents. The Group may be set up as a precautionary approach when the possibility of incident escalation has potential. In many minor incidents the operational Environment Group remains a “virtual” Group responding with advice when requested.

The Environmental Group's remit is advisory and it has no powers of direction or enforcement. Regulatory functions of individual members of the Group are exercised outside the Group structure and function.

- [STOp Notice 2/16](#)

Provides guidance on the purpose, scope and membership of the EG, as well as the planning and preparedness of maintaining, regional, standing EG's.

- [Scientific and Technical Advisory Cell \(STAC\)](#)

During the response to an emergency, local responders in England are advised to consider establishing a [STAC](#) to provide timely and co-ordinated advice on scientific and technical issues, for example regarding the public health or environmental implications of an incident at sea, release of toxic material, or the spread of a disease.

The role of the STAC is to provide a common source of scientific and technical advice to the SCG, co-ordinate activity within the scientific and technical community, and share information and agree on courses of action. In addition, it liaises between agencies represented in the cell and their national advisors to ensure consistent advice is presented locally and nationally. Its role is similar to the Environment Group in that it provides guidance and advice to the Strategic Co-ordinating Group and Tactical Co-ordinating Group. Where both the Environment Group and this cell are established for an incident the STAC and Environment Group liaise closely and may on occasions merge fully [Enhanced SAGE Guidance](#).

9.14 For Scotland - guidance on the [STAC](#).

9.15 In Wales, arrangements are in place for the establishment of a STAC for provision of advice to assist decision making for emergencies where no specific arrangements are in place and multi-agency co-ordination of scientific and technical advice is needed.

9.16 For marine pollution incidents, an Environment Group is established which provides environmental and public health advice to all response cells as set out in the NCP. Where an incident originates offshore the Environment Group provides scientific and technical advice for the marine response. In such an incident a STAC is not required.

9.17 [Environmental Monitoring and Impact Assessment](#)

A [Premium](#) Monitoring Co-ordination Cell (PMCC) or equivalent may be established to initiate, conduct and co-ordinate post spill environmental monitoring and impact assessment. Access to the Premium Guidelines, operating principles and responsibilities is via the Cefas website (Cefas is an executive agency of the Department for Environment, Food and Rural Affairs (Defra)).

One well established shoreline survey method: the [Shoreline Clean-up Assessment Technique \(SCAT\)](#) is a simple and comprehensive way to perform a survey of an affected shoreline. SCAT can be used as a tool both operationally and as part of post spill impact assessment. This systematic approach uses standardised terminology to collect data on shoreline oiling conditions and supports decision-making for shoreline clean-up and the measurement of the recovery process.



## 10. Overall Incident Management Strategy

10.1 A major maritime emergency has the potential to pose significant challenges for responder organisations, both at sea and on shore. In addition, major maritime emergencies often have an international dimension, and may require liaison with neighbouring states. Strategic decisions for maritime incidents are taken in separate response cells and not by a single entity in charge. Further, some tactical decisions may need to be taken on shore at a strategic level, rather than at the incident scene.

10.2 There is a potential for up to five strategic decision making cells for specific aspects of the incident:

- The MCA lead the at-sea response, through a [Marine Response Centre](#) that is established by the MCA's Counter Pollution and Salvage Branch. The MRC, subject to any priority requirements of the SOSREP, and in consultation with other cells, decides on actions to track, contain, disperse or mitigate pollutants whilst at sea.
- The SOSREP has overall responsibility for salvage and containment issues for incidents involving shipping and offshore oil and gas infrastructure and determines if a **Salvage Control Unit**, in relation to shipping, or an **Operations Control Unit**, in relation to oil and gas activities is required. Although the SOSREP does not have responsibility for either at-sea or shoreline clean-up activities, the SOSREP does have the responsibility for exercising the intervention powers where there is a risk of significant pollution or where there is a risk to safety or human health. The SOSREP therefore liaises with other response cells and may have options to exercise the intervention powers, where appropriate, in particular, where differing requirements and priorities emerge
- Where there are significant 'on shore' consequences from an at-sea pollution incident, a multi-agency **Strategic Co-ordinating Group** is established. The SCG, in consultation with other cells, manages the overall strategic multi-agency response.
- For protracted shoreline clean-up operations a **Recovery Co-ordinating Group** may be required, with the lead being provided by the police or the local authority.

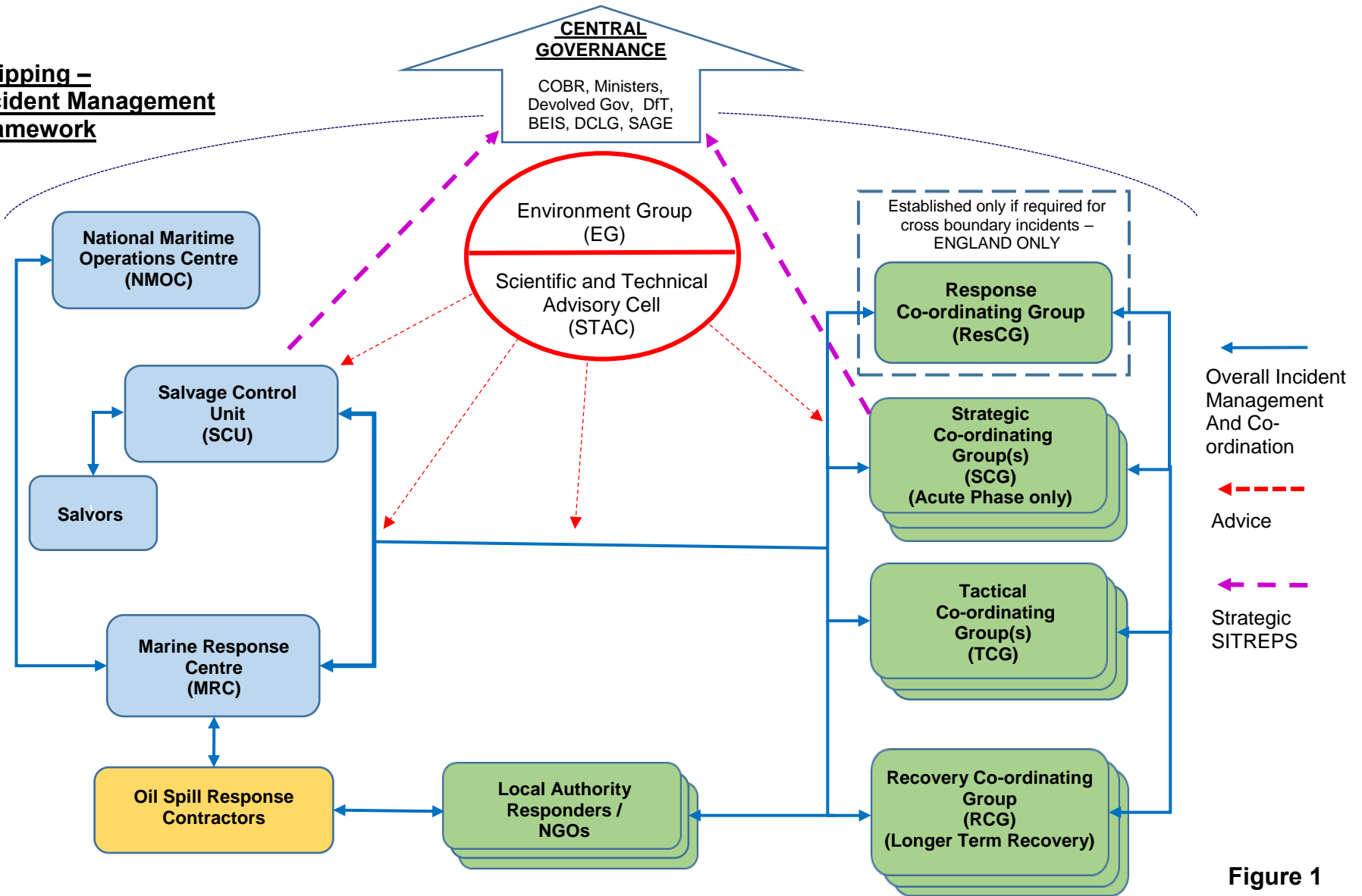
10.3 It is essential that clear arrangements are in place to provide liaison between strategic cells and for the effective co-ordination of the at-sea and on land response. Local plans should address this requirement, and arrangements should provide for the inclusion of liaison officers in each strategic cell to represent the interests of their particular cells. Inter-agency liaison needs to recognise the shore-based consequences at an early stage and make appropriate arrangements.

10.4 It should be noted that the land based consequences of a maritime incident may affect more than one local authority/resilience/police area, and also more than one region (including Devolved Administrations). Where the geography makes this likely (e.g. where rivers and estuaries divide Local Resilience Forum/local response areas/police force areas or national boundaries such as Wales/England), standing arrangements must address the issue of co-ordination between on-shore response

authorities; this may mean the establishment of multiple SCGs, and potentially a ResCG. Multiple operational and tactical level response cells (e.g. Tactical Co-ordinating Groups) may also be established at the Operational and Tactical levels

10.5 The core members of the three Lead Government Department cells, including a summary of roles and responsibilities is provided below. However, it should be noted that the nature of the incident will determine overall membership and responsibilities. Also provided are three organisational diagrams which depict possible response cell structures for shipping (figure 1), offshore installations (figure 2) and port and harbour incidents (figure 3).

**Shipping –  
Incident Management  
Framework**



**Figure 1**

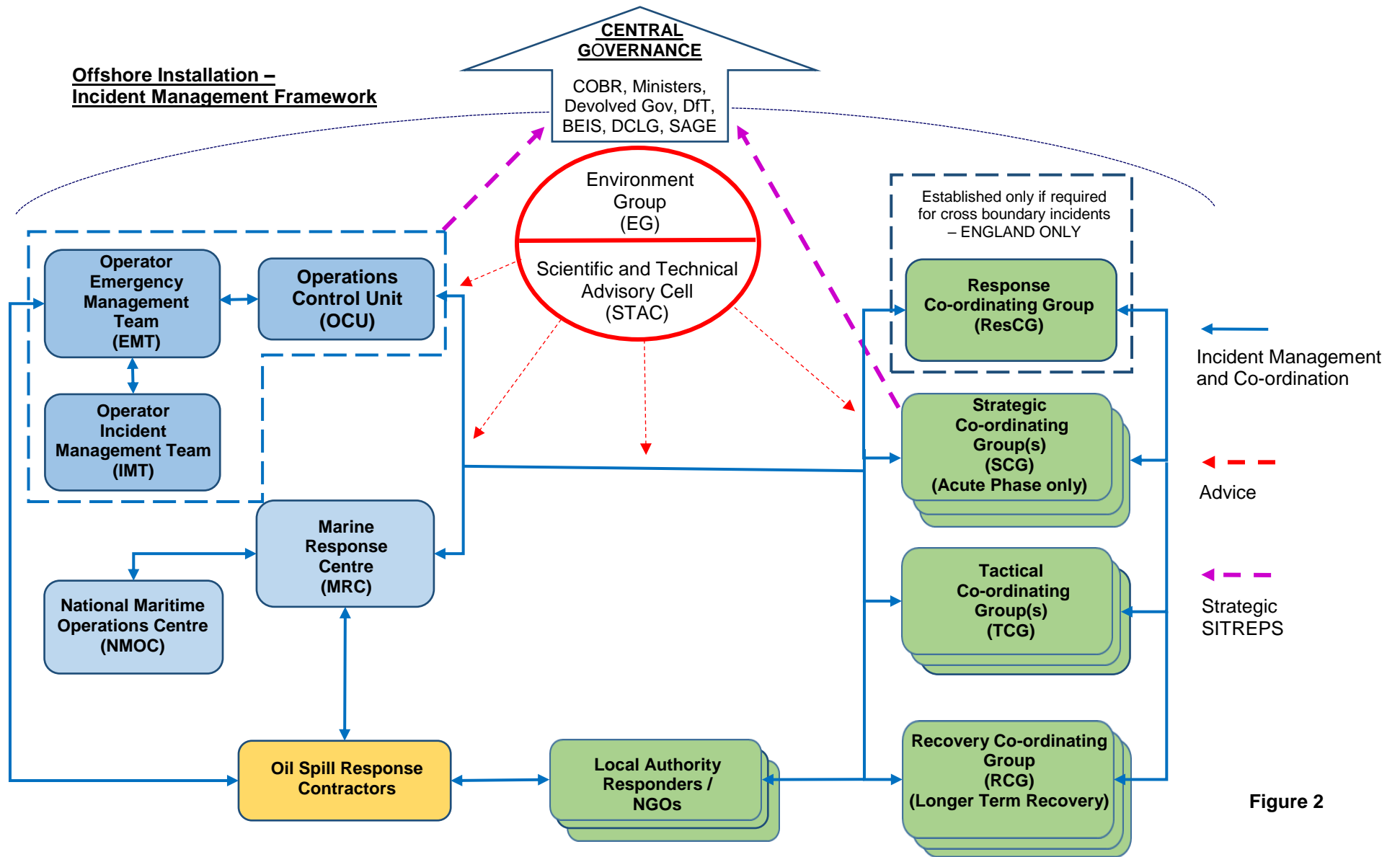
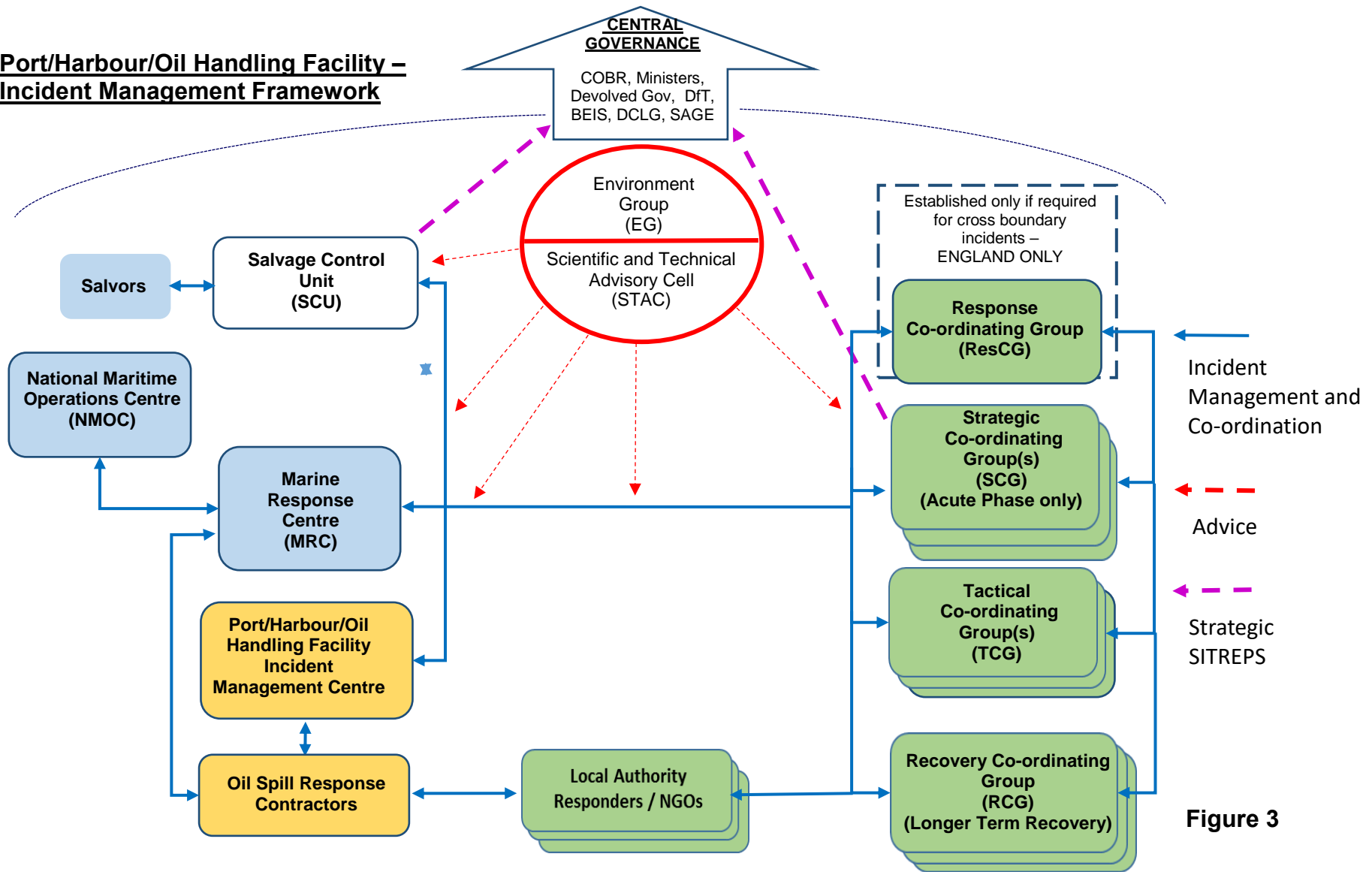


Figure 2

**Port/Harbour/Oil Handling Facility – Incident Management Framework**



**Figure 3**

<b>Salvage Control Unit</b>	
<b>Members</b>	<b>Tasks / Responsibilities</b>
<ul style="list-style-type: none"> <li>• SOSREP, Head of Cell</li> <li>• Salvage Manager from the salvage company appointed by the ship-owner</li> <li>• Harbourmaster, if the incident involves a harbour or its services</li> <li>• Single representative nominated by agreement between the ship-owner and the insurers (for both the physical property and their liabilities)</li> <li>• CPSO</li> <li>• HMCG Liaison Officer</li> <li>• Environmental Liaison Officer, nominated by the Chair of the Environment Group; and</li> <li>• Personal independent salvage adviser, if the SOSREP decides to appoint one</li> <li>• SOSREP Support Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Oversee operations</li> <li>• Monitor progress</li> <li>• Issue Directions, where necessary</li> <li>• Establish TEZ</li> <li>• Issue Strategic SITREPs</li> <li>• Chair the Three Minute Head of Cells meetings</li> <li>• Approve salvage plans</li> </ul>
<b>Operations Control Unit</b>	
<b>Members</b>	<b>Tasks / Responsibilities</b>
<ul style="list-style-type: none"> <li>• SOSREP, Head of Cell</li> <li>• BEIS Environmental Inspector, Assistant to the SOSREP</li> <li>• Emergency Operations Manager</li> <li>• Operator's Representative</li> <li>• Operator's Technical Representative</li> <li>• CPSO</li> <li>• HMCG Liaison Officer</li> <li>• Environment Liaison Officer, nominated by the Chair of the Environment Group</li> </ul>	<ul style="list-style-type: none"> <li>• Oversee operations</li> <li>• Monitor progress</li> <li>• Issue Directions, where necessary</li> <li>• Establish TEZ</li> <li>• Issue Strategic SITREPs</li> <li>• Chair the Three Minute Head of Cells meetings</li> <li>• Approve containment plans</li> </ul>

<ul style="list-style-type: none"> <li>• Independent Specialist or Technical Advisor, appointed by SOSREP if required</li> <li>• Liaison Officer from any other Member State involved</li> <li>• BEIS Administrative support staff</li> </ul>	
<b>Marine Response Centre</b>	
<b>Members</b>	<b>Tasks / Responsibilities</b>
<ul style="list-style-type: none"> <li>• Head of Counter Pollution and Salvage Branch, Head of Cell</li> <li>• CPSO, to deputise when necessary, and to manage current operations</li> <li>• CPSO, to manage future operations planning</li> <li>• Environmental Scientist, to oversee environmental issues</li> <li>• Second Environmental Scientist to manage at sea modelling, satellite imagery, etc.</li> <li>• Logistics Lead to manage resources, procurement, national assets, financial governance, etc.</li> <li>• Liaison Officer from any other State that may be affected</li> <li>• Liaison Officer from the Operator in an offshore installation incident</li> <li>• Liaison Officer from any response contractor appointed</li> <li>• Coastguard Liaison Officer</li> <li>• Minimum of two administrative assistants</li> <li>• Environment Liaison Officer, nominated by the Chair of the Environment Group</li> <li>• Local authority representative</li> </ul>	<ul style="list-style-type: none"> <li>• Oversee operations at sea</li> <li>• Responsible for ensuring clean-up of pollution inside the UK EEZ</li> <li>• Prioritisation of national resources</li> <li>• Monitoring of pollution movement and modelling</li> <li>• Cargo transfer operations</li> <li>• Pollution verification and surveillance flights and reports</li> <li>• Dispersant spraying and test spraying</li> <li>• Decontamination of at sea resources</li> <li>• Response techniques</li> <li>• Protection techniques</li> <li>• Logistics</li> <li>• Monitoring of government financial commitments</li> <li>• Financial security</li> </ul>

- |  |  |
|--|--|
| <ul style="list-style-type: none"><li>• Representative from the local fishing industry</li></ul> |  |
|--|--|



## **Operational Communications**

10.6 Briefings should be established between the Heads of all Response Cells. These briefings can be face to face meetings, but due to the short durations of the briefing and cell location, are more likely to be by telephone/video conference calls. The briefing is an opportunity for Heads of Cells, or a nominated Deputy to advise colleagues within other response cells of the actions which have been taken, what tasks are currently ongoing and their future intentions. The briefing enables the Heads of Cells to calculate any impact on their own operations by other cells and discuss or make adjustments to their plans as necessary. When involved, the SOSREP acts as Chair for these multi-agency briefings and determines the frequency and timings of these briefings on a daily basis. For incidents not involving the SOSREP, the Chair is determined by the nature of the incident.

10.7 A suggested briefing format for the [Three Minute Brief](#).

10.8 All operational SITREPs should be forwarded to MCA, BEIS, the SOSREP, and all active response cells that have responsibility for wider distribution to parent organisations as necessary.

## **Ministerial, other stakeholder briefings and SITREPs**

### **Ships, ports, harbours and oil handling facilities**

10.9 For **incidents involving ships** the MCA CPS Branch issues situation reports (SITREPs), but once triggered and established the SOSREP takes the lead in providing United Kingdom Government Ministers with strategic SITREPs. These SITREPs are compiled from information gathered from all the response cells that are formed, i.e. Marine Response Centre, Environment Group, Strategic Co-ordinating Group and Salvage/Operations Control Unit. The MCA CPS or the SOSREP also provide SITREPs to officials of the devolved administrations affected or potentially affected, so that they can similarly advise their Ministers.

10.10 The DfT's Maritime Security and Resilience Division takes the lead in providing policy advice, consulting departmental colleagues, other government departments and the devolved administrations as appropriate. In particular, it will contact [Community and Local Government's Resilience and Emergencies Division](#) which is responsible for the Government liaison function on resilience issues below the national level in England (formerly provided by the Government Offices for the Regions). For incidents in Devolved Administration waters, it contacts the relevant responders.

### **Offshore Incident**

10.11 For incidents involving offshore installations BEIS takes the lead with regard to the provision of SITREPs until the SOSREP assumes responsibility and an Operations Control Unit is established. Any strategic SITREPs prepared by the SOSREP are similarly used to provide BEIS Ministers with

information on the circumstances of the incident and the response measures being taken. The Department itself provides policy advice as required. BEIS, or where appropriate the SOSREP, also disseminates SITREPs to officials of any devolved administrations affected or potentially affected, to allow them to advise their own Ministers e.g. Marine Scotland for incidents in Scottish waters.

### **Unattributed Marine Pollution**

10.12 In relation to an incident involving pollution in the marine environment from an unknown source, the MCA CPS Branch takes the lead in providing United Kingdom government ministers and other pre-agreed recipients, depending on the location of the incident, with SITREPs. These SITREPs are compiled from information gathered from all the response organisations involved.

## **11. Notification and Initiating a response to an incident**

11.1 In every incident the MCA DCPSO is normally the first point of contact via either a CGOC or the NMOC. Where the DCPSO assesses that the current response may be inadequate, for any reason, a further assessment is made as to whether an escalation in response is warranted. For a shipping incident the DCPSO discusses the situation within the MCA to determine whether or not an escalated response is required. If the situation relates to an offshore incident, the DCPSO discusses the situation with the BEIS Duty Offshore Environmental Inspector and/or, in extremis, the offshore operator. Albeit, as the incident develops, the responsibility for this liaison function falls to BEIS.

### **Ships, ports, harbours and oil handling facilities**

11.2 Incidents at sea, outside a harbour area of jurisdiction, should be reported immediately to a CGOC or an [MCA NMOC](#). If an incident occurs in a harbour area of jurisdiction it should be reported to the harbour master who immediately informs the most appropriate NMOC.

11.3 The NMOC initiates a search and rescue response, if required, and reports any pollution incident or a risk of pollution to the MCA's DCPSO. The NMOC compiles a Pollution Report (Polrep) and sends this to a pre-agreed list of recipients depending on the location of the incident. Additional appropriate organisations and authorities will also be included in the distribution as appropriate.

11.4 Irrespective of whether the incident is at sea or in a harbour the NMOC contacts the vessel to obtain full details of the incident. Details of the information the NMOC [expects to receive](#).

### **Offshore Installation**

11.5 Operators of offshore oil and gas installations must report as soon as possible to the nearest CGOC (and in future the NMOC) and BEIS, any spill of hydrocarbons or chemicals, regardless of volume.

11.6 The CGOC/NMOC may, depending on the circumstances, contact the offshore installation to obtain further details of the incident.

11.7 The offshore operator is required to submit, within six hours of the incident occurring, an electronic [Petroleum Operation Notice PON 1](#), to BEIS, which is also sent to Aberdeen NMOC, Joint Nature Conservation Committee and other pre-agreed list of recipients depending on the location of the incident e.g. Marine Scotland for an incident in Scottish waters

11.8 The BEIS Duty Offshore Environmental Inspector liaises with the MCA's DCPSO and the operator<sup>2</sup>.

### **Other organisations**

11.9 Any other organisation, for example a local authority or environmental organisation, receiving a report of marine pollution of any type or quantity, or a threat of marine pollution, whether from a ship, offshore oil and gas installation or unknown source, should send that information immediately to the nearest CGOC/NMOC and/or BEIS.

11.10 Organisations sending information to the CGOC/NMOC and BEIS should make every practicable effort to provide as much information as possible.

---

<sup>2</sup> The MCA DCPSO has dedicated 24 hour on-call technical environment support available seven days a week

## 12. Responsibility for clean up

12.1 The ship owners, the operators of offshore installations, oil handling facilities, and the harbour masters/operators of ports/harbours bear the primary responsibility for operating in a manner that avoids marine pollution. They are equally responsible for ensuring that they have the means at their disposal to respond to pollution incidents within the limits of their stipulated area of jurisdiction. The following table provides guidance on who would assume the lead for ensuring responsibility for clean up:

Location of pollution	Responsibility for ensuring clean up
On the water, jetties, wharves, structures, beach or shoreline owned by the harbour authority within the port/harbour area	Harbour authority
Shoreline (including land exposed by falling tide)	Local authority/Northern Ireland Environment Agency
Jetties, wharves, structures, beach or shoreline which is privately owned	Owner of the property / land
All other areas at sea (inside the EEZ/UK Pollution Control Zone and the UK Continental Shelf)	MCA

12.2 In order to achieve this, commercial marine pollution response contractors are engaged under either permanent arrangement and/or 'on-demand' when required, to undertake the actual physical clean-up and associated support activities. In addition, the MCA, as the National Competent Authority, has contractual arrangements with specialist pollution response contractors and with other appropriate commercial service providers. The former is tasked with the deployment and operational use of national counter pollution equipment and the latter provide additional support services, e.g. aerial surveillance and spraying; substance testing and analysis.

12.3 Where ship owners, operators of offshore installations, port/harbour authorities and oil handling facilities face pollution incidents that exceed the response capabilities that they can reasonably maintain (especially in the provision of counter pollution equipment and personnel), additional capability may need to be brought to bear. Similarly, local or regional coastal authorities and commercial pollution response contractors may become overwhelmed and require equipment or expertise beyond their capabilities. In all such events additional response capability may be obtainable directly from other accredited pollution response contractors or the use of national assets may be requested via the MCA. Additional details on the requesting and use of national pollution response assets is at paragraph 13.5 – 13.9. Further, the MCA may request the use of additional response capability from partner States within the Bonn Agreement and/or through the European Maritime Safety Agency network.

## 13. The clean-up operation at sea

13.1 The aim of any clean-up operation is to minimise the damage (environmental, amenity or financial) that the pollution would cause. The MCA's CPS Branch considers the most appropriate options for clean-up and advises the relevant regulatory authority. Port and harbour response is dealt with in Chapter 14.

13.2 For further information on [assessing risk and responding to UK coastal and marine pollution operations at sea](#).

13.3 During a pollution incident of national significance a Marine Response Centre is established at the most appropriate location. The purpose of the Marine Response Centre is to provide a group through which the MCA and relevant regulatory and environmental bodies can discharge their responsibilities for mitigating and resolving pollution at sea.

13.4 The Marine Response Centre decides and advises on actions to contain, disperse, mitigate and/or recover pollutants. These decisions include the following methods of response:

- Assess and monitor;
- Dispersant spraying operations;
- Mechanical recovery operations; and
- Cargo transfer operations.

### National Assets, Resources and Response Options

13.5 National pollution response assets are controlled by the MCA and, when used in incident response, are normally managed by the Marine Response Centre (MRC). Requests for use of national assets is considered when resources become overwhelmed and should be passed to the MCA's CPS Branch or the MRC, when activated for pollution incidents of national significance. It is important to note that support from the MCA/MRC can be requested at any level of response. Assistance may be requested by the operators of offshore installations, spill response contractors, oil handling facilities, and the harbour masters/operators of ports/harbours, where planned and currently deployed response capability is overwhelmed or may be in the future.

13.6 The MRC can supply support and advice as necessary. Where national resources are allocated and deployed they are accompanied and operated by MCA contractors at all times. Depending on the circumstances and duration of the incident, operational control of national assets may be retained by the MCA/MRC who co-ordinates collaborative activity with other response capability.<sup>3</sup>

---

<sup>3</sup> This is the normal arrangement when national assets are deployed following their request by response organisations and authorities external to the MCA/MRC.

13.7 The cost of using national assets either by the MRC directly or in support of Local Authority pollution response activity on the shoreline is not charged to the user; it is recovered via the incident claims process. Where national assets are requested by commercial pollution response contractors, then a scale of charges will be agreed and levied for the service provided.

13.8 Through participation in mutual support agreements with neighbouring coastal States, through both the Bonn Agreement and the wider European Union, the MCA/MRC has the option to request the services of additional international pollution response capability. If, following the request, it is deployed on the UK's behalf, it will come under the operational control of the MCA/MRC as part of the national response.

13.9 Actions by the MCA/MRC in utilising national assets may include the:

- tasking of aerial surveillance;
- triggering/activation of an Environment Group;
- tasking of aerial dispersant spraying (see below);
- arranging for inspection of the ship by an MCA Marine Surveyor or other qualified person;
- preparing and/or deploying:
  - dispersant spraying aircraft and ships;
  - oil recovery equipment;
  - cargo transfer equipment;
  - counter pollution equipment stockpile;
  - the Emergency Towing Vessel or other commercial towage identified from the Coastguard Agreement on Salvage and Towing and tug brokers.
- obtaining position specific weather forecasts;
- requesting, via the NMOC, control of airspace through a Temporary Danger Area in vicinity of the casualty. Further details about [Temporary Danger Areas](#);
- activating other members of MCA CPS Branch;
- identifying and assessing potential places of refuge; and
- assessing the need for SOSREP intervention powers e.g. [Temporary Exclusion Zone](#).

## 14. Dispersants – Approval, Use and Monitoring

### Approval

14.1 Dispersants remain a primary United Kingdom response to oil spilled in the marine environment. However, legislation prohibits the use in UK waters of oil treatment substances unless approved by an appropriate regulatory and licensing authority.

14.2 Under [the Marine and Coastal Access Act 2009](#) the Marine Management Organisation (MMO) acts as the regulatory authority for the use

of oil spill dispersant products in waters off England and Wales, though advice from Natural Resources Wales will be sought for the latter. In the waters off Northern Ireland, the regulator is the Department of Environment's Marine Division. For the waters off Scotland, Marine Scotland is the regulator in accordance with the [Marine and Coastal Access Act 2009](#), and the [Scottish Adjacent Waters Boundaries Order 1999](#) and the [Marine Access \(Scotland\) Act 2010](#). However, the use of oil spill dispersant products in relation to offshore oil and gas exploration and production operations is specifically excluded from these legislative regimes and is regulated by BEIS.

14.3 Guidance in relation to the legislative differences and the agreed procedures underpinning the use of oil spill treatment products in UK waters can be [viewed by clicking here](#)<sup>4</sup>. Irrespective of the relevant regulatory regime, [oil spill dispersant products must be approved for that purpose](#), and be included in the [United Kingdom approved list of products](#), before they can be considered for use in United Kingdom waters.

## **Use and Monitoring**

14.4 The actual use of dispersants and other oil treatment products is [subject to strict control](#). Specific approval from the appropriate licensing authority is required for any use of oil treatment products in water depths of less than 20 metres, or within one nautical mile of any such area. If the use of such products is to take place outside of these confines, in deeper waters, the relevant regulatory authorities will normally wish to be consulted beforehand except under force majeure conditions (for example, if human life is at risk) or where the use is covered by a standing approval.

14.5 The relevant regulatory authorities will consider a request for dispersant use in shallow waters on a case by case basis after seeking advice from the statutory nature conservation agencies, fisheries, marine environmental scientists and, marine fisheries agency inspectors.

14.6 Some ports, harbours and oil handling facilities and offshore oil and gas facilities have 'standing approval' to enable them to immediately use a limited amount of dispersant according to terms specified in the approval and the procedures described in their approved OPRC Oil Pollution Contingency or Emergency Plan. Any use not prescribed by this 'standing approval'(such as using more dispersant than approved, using dispersants on types of oil specifically excluded from the standing approval, or using dispersants in a sea area not specified) requires approval by the relevant regulatory authority on a case by case basis.

14.7 Overall dispersant response is overseen by the appropriate regulatory bodies. Operational use of dispersants is also monitored by the Maritime and Coastguard Agency as the National Competent Authority with responsibility delegated to the Marine Response Centre when activated.

---

<sup>4</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/62990/6202-reg-treat-products.doc](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/62990/6202-reg-treat-products.doc)

14.8 Where applicable the Marine Management Organisation or relevant devolved administration regulators will enforce [the Environmental Damage Regulations 2009](#), for damage in territorial waters or to protected marine species and habitats anywhere in UK waters. By 19 July 2015, these requirements will be extended to all waters on the UK Continental Shelf.

14.9 The Marine Management Organisation's [Marine Pollution Contingency Plan](#) specifies:

- MMO support to response to major marine pollution incidents, and
- MMO's statutory role regarding the use of oil treatment products in responding to oil spills.

### **In the case of a shipping incident**

14.10 In response to oil pollution from a vessel, the MCA's Marine Response Centre may, where necessary, initiate and manage a dispersant spraying operation. This will be established based on the appropriate legislative permissions, the list of approved dispersants, the geographical constraints noted at paragraphs 13.4 and 13.5 above and the advice received from the relevant regulators.

### **In the case of an offshore oil and gas incident**

14.11 The use of dispersants in relation to offshore oil and gas exploration and production activities is excluded for the Marine and Coastal Act and Marine Scotland Act regimes and BEIS has authority to approve the use of (approved) oil spill dispersant products.

14.12 The offshore operator is responsible for the response, based on permissions granted by BEIS following advice received from relevant marine management authorities, e.g. MMO, Marine Scotland, Natural Resources Wales, Northern Ireland Environment Agency.

### **Sub-Surface Application of Dispersant**

14.13 Dispersants may be considered for sub-surface application in the event of a subsea release.

## **15. Harbour response**

### **Powers of harbour authorities**

15.1 For ship casualty incidents occurring inside the jurisdiction of a harbour authority, the harbour master directs the initial incident response in accordance with the port's emergency response plans. All harbour masters have powers to direct the time and manner of a ship's entry into, departure from, or movement within a harbour. These powers include vessels in need of assistance. This



gives a harbour master the power to regulate day to day movements within the harbour.

15.2 Some harbour authorities have powers to issue general directions. Unlike the harbour master's powers, these powers are not ship and movement specific. Neither do they enable the harbour authority to prohibit or insist upon a ship's entry or departure. However, powers do exist in the Dangerous Vessels Act 1985 that permits a harbour master to prohibit entry or require departure from a harbour if it is considered that the condition of the ship, or the nature of anything it contains, is such that its presence in the harbour might pose a grave and imminent danger to the safety of persons, the environment and/or property or there is risk that the ship may, by sinking or foundering in the harbour, prevent or seriously prejudice the use of the harbour by other ships. The harbour master must have regard to all the circumstances and to the safety of any person or ship. The exercising of this power may be overridden by the SOSREP.

### **Harbour Master and the SOSREP co-operation**

15.3 Many incidents originating within a harbour area are handled entirely adequately by implementing the local port or harbour contingency plans and through using the combined efforts of the harbour master, salvors, ship owners and crew, and the MCA. When notified of an incident within a harbour area, the SOSREP monitors and tacitly approves the response actions and proposals.

15.4 The statutory powers of the Secretary of State do empower the SOSREP to take over command of all operations in certain circumstances. One example could be where there is an urgent need of a place of refuge for a vessel in order to reduce the risk of pollution or in the interests of safety. In such a case, and in the event that the harbour master does not wish to admit the vessel, the SOSREP may override the authority of the harbour master. The SOSREP can exercise the same power in dealing with the owner of any coastal facility, privately owned or otherwise. Where possible the SOSREP will endeavour to put the notice of intervention in writing, however if this is not immediately possible, a verbal Direction will be given and written confirmation will be provided when circumstances permit.

15.5 The SOSREP will work with the harbour authority to resolve incidents and use the intervention powers in support of the harbour authority's management of the incident. It is recognised that the process of bringing a vessel, particularly one that is damaged or has difficulty in manoeuvring is a complex and demanding process and achieving it safely requires the proper co-ordination of port resources. In many situations, the best outcome will be achieved by requiring the vessel to fully co-operate with the port entry requirements including facilitating inspections where necessary.

15.6 The control exercised by the SOSREP may not nor need not be ultimate. It can be limited to requests made to the harbour master or harbour authority requiring certain general courses of action to be adopted or avoided. This control need not take the active form of giving directions. It can be in the form

of monitoring (and tacitly approving) the proposals for, and progress of operations to ensure that the wider public interest is being safeguarded.

15.7 It is recognised that there is a raft of complex legislation applying to harbour authorities and harbour masters including strict liability offences which may be contravened as a result of undertaking salvage operations in certain circumstances. Whilst a legal indemnity is unlikely to be available, SOSREP will take into account the risks of prosecution and exercise the powers appropriately in order to minimise this risk. For these reasons it is imperative that full and comprehensive consultations are held with harbour authorities and the harbour master prior to making any decisions regarding marine casualty management in ports.

## **16. Places of Refuge**

16.1 A place of refuge means a place where a ship in need of assistance can take action to enable it to stabilise its condition and reduce the hazards to navigation, and to protect human life and the environment. [IMO Resolution A.949\(23\) Guidelines on Places of Refuge for Ships in Need of Assistance](#) provides further information and guidance, as does [EU operational guidance on places of refuge](#).

16.2 Except in the most severe incident, a ship is likely to retain some of its cargo, bunkers and other pollutants. It may be desirable to carry out a cargo and bunker transfer operation from the stricken ship to prevent or minimise further spills. It may help to move the ship to a more sheltered area, such as a port, anchorage, or oil terminal. Ship to ship transfers are regulated by [the Merchant Shipping \(Ship to Ship transfers\) \(Amendment\) Regulations 2012](#).

16.3 It is safer to carry out cargo and bunker transfer operations in sheltered areas. However, the decision to use an area moves the risk of pollution to an area that the incident might otherwise not have affected. The SOSREP is the designated UK competent authority to assign Places of Refuge. The SOSREP has in mind that time may be short and the damaged ship may not be in a condition to travel very far.

16.4 The process of identifying an appropriate place of refuge is driven by the circumstances of the incident, including such event-specific data as the weather, the geographical whereabouts of the incident and the type of threat posed by the vessel and its cargo. The CPS Branch will identify, in consultation with any Environment Groups, and as far as is practicable, and carefully consider potential places of refuge and conduct risk assessments of those potential locations prior to submission to the SOSREP who will make the final decision to assign a Place of Refuge.

16.5 Further, the MCA's Marine Survey and Inspection Branch provides trained Marine Casualty Officers who may be requested by the SOSREP to assess casualty vessels and determine the wider risk of any marine incident and future response.

## 17. Salvage

17.1 It is envisaged that many incidents will be handled entirely adequately by implementing local contingency plans and through the combined efforts of harbour masters, salvors, ship owners and crew, and MCA staff.

17.2 If there is a threat of significant pollution from a vessel, the NMOC and/or DCPSO contacts the master or owner of the ship, and the harbour master if the incident is within a port area of jurisdiction, and offers assistance.

17.3 Where a salvage company has been appointed the DCPSO contacts the master, ship owner, or harbour master to request further information including:

- the Salvage company name and contact details
- the broad nature of the contract between owner and salvor;
- outline future intentions of the salvor; and
- any other important information that has not yet been gathered.

17.4 Where a salvor has not yet been appointed a Formal Caution may be given to a casualty, or its owners, stating that the powers of intervention may be exercised unless an appointment is made without further delay.

17.5 It is for the SOSREP to decide whether the salvor has the capability to carry out the necessary salvage actions, in terms of experience, personnel, and material. If the threat of the incident merits the establishment of a Salvage Control Unit, the SOSREP mobilises to the scene at an appropriate time.

17.6 As part of any salvage operation, the SOSREP is expected to consult, as far as practicable, with affected local authorities and devolved administrations, as well as environmental bodies. The SOSREP is actively supported in this by the CPS Branch who have ready access to the dedicated or specialist bodies able to deliver the information required. However, given the fast-developing nature of maritime emergencies, the SOSREP is not compelled to conduct extensive consultation or to accept the advice of those consulted.

17.7 If SOSREP intervenes and takes control of a salvage operation, all those involved must act on the Directions issued. In other cases, the salvors operate by agreement with, or with the tacit approval of the SOSREP, without the need to issue further Directions. SOSREP also considers what should happen if the current salvage plan goes wrong or the incident escalates in severity.

### **Access to the casualty**

17.8 The SOSREP strictly monitors and, if necessary, controls access to the casualty, establishing any necessary protocols, through the appointed salvage master. The SOSREP may allow others with a clearly defined and beneficial role access to the casualty. For example, the SOSREP may grant a single

special representative of hull and/or cargo owners and insurers, access to the casualty.

17.9 Similarly, as soon as it is judged that the situation is safe, the SOSREP grants access to one or more Inspectors of [the Marine Accident Investigation Branch](#) or Flag State. This Branch has a statutory duty to investigate accidents falling within its jurisdiction and prompt access to witnesses and to other evidence on board greatly facilitates the work of these technical investigators.

17.10 In Scotland, as a pollution prevention measure, the MCA may task the Emergency Towing Vessel <sup>5</sup> to proceed to the casualty.

## **18. Fishing Restrictions**

18.1 Under [Part I of the Food and Environment Protection Act 1985](#), Departments or Agencies with food safety responsibilities can prohibit the taking of fish and edible plants from a designated sea area. They may do this when the consumption of contaminated food from that area could present a health risk to consumers. They may therefore restrict fishing, on a precautionary basis, if resources are, or are likely to become, contaminated.

18.2 Food and Environment Protection Act orders can last until such time as it can be shown that there are no food safety issues. Once it is felt that restrictions can be lifted this is achieved through a revocation order. The revocation order might lift all restrictions or lift only some restrictions depending upon the circumstances.

## **19. Shoreline Response**

19.1 It should be noted that the land based consequences of a maritime incident may well affect more than one local authority. Where geography, or the extent of the incident, makes this likely, standing arrangements must address the issue of co-ordination.

19.2 The introduction of the Civil Contingencies Act 2004 enabled the formation of a wide area, multi-agency, policy and planning body named the Local Resilience Forum in England and Wales (Scotland follows a similar response structure without these forums). Northern Ireland has a Civil Contingencies Framework. In emergency response these forums bring together strategic leadership from relevant organisations to form a Strategic Co-ordinating Group which takes overall responsibility for the multi-agency management of an emergency and establishes the policy and strategic framework for response and recovery.

19.3 Where a Strategic Co-ordinating Group has been established, a Government Liaison Officer is normally despatched immediately from

---

<sup>5</sup> The vessel is stationed to cover the Northern and Western Isles of Scotland and it is unlikely that it would be tasked outside of this area.

Resilience and Emergencies Division (part of the Department for Communities and Local Government) in England. The Devolved Administrations will deploy their own liaison officers for incidents in their jurisdictions. The role of the Government Liaison Officer is to assist the exchange of information between responders and with central government.

### **Contracted Shoreline Clean-Up**

19.4 Shoreline clean-up operations may be contracted directly by the body responsible for the pollution, and if this is the case, a Strategic Co-ordinating Group and/or Tactical Co-ordinating Group may be activated to oversee its activities and ensure it is in accordance with local requirements and environmental considerations. Where a polluter is unknown it is likely that the local authority will lead the clean-up operation and may incur costs associated with this.

### **19.5 [STOp Notice 1/16](#)**

Provides guidance to local authorities and partner organisations have a role in the response to and recovery from a shoreline marine pollution incident.

## **20. Wildlife Response**

20.1 In the event that wildlife is affected by a pollution incident there is a mechanism to take contaminated animals into captivity for cleaning and rehabilitation. It is imperative that actions taken in pursuit of wildlife welfare be compatible with wider environmental safeguard requirements.

20.2 The lead agencies for wildlife welfare action and management is the RSPCA (England and Wales) SSPCA (Scotland) and USPCA (Northern Ireland) augmented as appropriate by special local arrangements (e.g. Shetland Islands). These organisations have well developed and high standards for capture, cleaning and rehabilitation. It is important that the EG direct the welfare efforts of third-parties toward the recognised welfare bodies to ensure the maximum benefit for wildlife conservation. The Royal Society for the Protection of Birds will be involved in co-ordination of response to oiled, polluted or contaminated wild birds.

20.3 [Sea Alarm](#) brings together non-government organisations, government agencies and industry to enhance oiled wildlife response acting as an independent and impartial facilitator.

## **21. Waste Management**

21.1 The handling of waste is carefully controlled and enforced in England by the Environment Agency, in Wales by Natural Resources Wales, in Scotland by the Scottish Environment Protection Agency, and in Northern Ireland by the

Northern Ireland Environment Agency. It is understood that during any major incident across agency co-operation would ensure that accelerated procedures were put in place to ensure that waste was handled, removed, re-used and recovered and where appropriate disposed of in a timely and efficient manner.

21.2 [A Court of Justice of the European Union ruling](#) established that spilled oil, even though it is 'discarded involuntarily' is to be regarded as a waste and that the owner of the oil is the 'original owner' of the waste.

21.3 Clean-up operations in the UK must comply with the [EU Directive on Waste \(2008/98/EC\)](#) which establishes a framework for the management of waste across the European Community. It defines terms, such as 'waste', 'recovery' and 'disposal', to ensure that a uniform approach is taken across the EU. The regulatory framework embraces the vast majority of actions and activities relating to the management and processing of oil spill waste and is therefore essential that those involved in the decision-making process are aware of the relevant legislation and consult with and liaise with the regulator's representatives.

21.4 [Article 14 of the Waste Framework Directive \(2008/98/EC\)](#)

The revised EU Waste Framework Directive 2008/98/EC establishes a framework for the management of waste across the European Community. It also defines certain terms, such as 'waste', 'recovery' and 'disposal', to ensure that a uniform approach is taken across the EU. It requires Member States to:

- Give priority to waste prevention and encourage reuse and recovery of waste.
- Ensure that waste is recovered or disposed of without endangering human health and without using processes which could harm the environment.
- Prohibit the uncontrolled disposal of waste, ensure that waste management activities are permitted (unless specifically exempt).
- Establish an integrated and adequate network of disposal installations.
- Prepare waste management plans.
- Ensure that the cost of disposal is borne by the waste holder in accordance with the polluter pays principle.
- Ensure that waste carriers are registered.

21.5 This is reflected in UK legislation as the Duty of Care under which the producer of the waste should ensure that it is legally disposed of. Whilst the removal of waste following a shipping incident is normally covered by insurance, offshore operators should consider developing a Waste Management Plan as part of their response strategy.

21.6 A Waste Management Team may be established in a Tactical Co-ordinating Group and additional information on this team is available in [STOp Notice 3/16](#).

21.7 Further guidance on the planning for and operational management of waste can be found here:

- MCA Research Project: Planning the Processing of Waste arising from a Marine Oil Spill.
- [ARCOPOL](#) project : Waste Management

## **22. Communications**

22.1 Good public communication is vital to the successful handling of any incident and should be incorporated in all contingency planning. When an incident occurs the key communications objective is to deliver accurate, clear, timely and up to date information and advice to the public.

22.2 The need for formal co-operation between all press officers of interested parties, i.e. a Lead Government Department; the operator (in the case of an offshore oil and gas installation), ship owner/salvor (for a shipping incident) and Devolved Administrations (depending on the location of the incident) is vital.

22.3 A major maritime incident is of immediate interest to the media and social media. An accurate, timely and consistent flow of information to the public and other key stakeholders is essential to maintain confidence in the responses to an emergency of any kind. Failure to consider this could have serious implications for the management of the whole incident and the public's trust in the Government's ability to resolve it.

22.4 The news media remain the primary means of communication with the public in these circumstances although websites and social media are increasingly used to provide commentary and a further source of more detailed information and advice. Advances in technology mean that live interviews and reports can be sent directly from the scene of an incident via a mobile telephone as the event unfolds.

### **Media working arrangement**

22.5 There are two cardinal rules:

- Information and advice should NOT be released by one organisation if it covers the area of responsibility of another or, if the information has not been agreed by the responsible organisation.
- Do NOT speculate about causes or future developments. Only factual information should be provided to avoid confusion.

## **MCA Media Crisis Team**

22.6 From the outset of an incident the MCA establishes the Crisis Media Team. One of the team's roles is to liaise on behalf of MCA and the SOSREP with the press and other Government press offices (for example, the DfT and BEIS press offices). It is essential that this team :

- identifies the agencies which are responsible for handling various aspects of the situation e.g. DfT, BEIS (if an offshore incident), ship owner and/or operator, local authority, police, port authority and any other relevant organisations; establishes a Communications Working Group made up of press officers representing the ship owner and/or operator, DfT/MCA, BEIS, devolved administration (if necessary). This group will be establish a working protocol and be the main conduit for information sharing between press officer's and is likely to be meet remotely by conference call.
- compiles a list of standard Questions and Answers and fast facts which grows as the incident develops. This list should be shared with all press offices of the organisations involved;
- advises senior staff at the MCA and the SOSREP on media issues, arranges press conferences, issues regular news bulletins, posts on social media and agrees how social media is monitored and posts answered;
- ensures that media activity does not interfere with the operational activity of the emergency services; and
- ensures that the media does not harass human casualties.

22.7 At an early stage a mechanism needs to be established for clearing statements, responding to media enquiries and social media postings, the logistics of arranging the press conferences, individual briefings and media monitoring.

## **Ministerial and VIP visits**

22.8 It is inevitable that, in the case of a major high profile incident, a Minister or a VIP would wish to visit the scene. During any such visit:

- the Minister/VIP would be escorted by the most appropriate senior official (dependent on the nature of the incident) at all times, as well as an official from the lead government department if present; and
- the Heads of the Response Centres should be given the opportunity to discuss the incident with the Minister/VIP although this should not be at the expense of the response to the incident.

## **23. Liability, compensation, cost recovery and record keeping**



23.1 Dealing with marine pollution incidents can be protracted and expensive. Initially the costs of such operations fall on those undertaking them. Under current legislation, those incurring expenses as part of the response operation later seek to recover them from those responsible. A brief summary of compensation regimes that may assist in the recovery of those costs is available – [Liability and Compensation for Pollution Damage](#).

23.2 For outline guidance on a procedure that may be followed when claiming compensation is available at [Cost Recovery and Record Keeping](#). This guidance also covers the level and type of records that should be retained. It is essential that, from the outset, a Financial Controller is appointed and that all participants keep records of how, when and why, they respond. These records are needed to support claims for cost recovery and to show that the actions taken were proportionate and reasonable for the threat from pollution and the risks to safety. It is the responsibility of all response organisations to ensure they keep records of actions taken and decisions made including the rationale behind those decisions and/or actions. It is vitally important that financial systems are in place, as part of contingency plans, in advance of an incident.

23.3 The route by which compensation is available for a pollution incident inside the EEZ/United Kingdom Pollution Control Zone and the United Kingdom sector of the continental shelf is dependent upon the source and the type of the pollutant involved. Some [MCA guidance](#) on a possible route to recover costs is available.

### **Joint Claims**

23.4 For smaller incidents, the MCA is prepared to lead on cost recovery action across the public sector and specifically for bodies identified in this Plan. The decision for the MCA to lead is taken on a case by case basis and subject to agreement by all parties at the time.

## **24. Testing the National Contingency Plan**

24.1 The ultimate test of any contingency plan is measured by performance in a real emergency, and the effectiveness of the Plan should be examined in the light of any actual emergency response. It may be that activation of the plan to a real event may negate the requirement for a subsequent exercise of the plan. However, notwithstanding such events, the plan must be tested regularly, through a programme of realistic credible exercises.

24.2 The MCA and BEIS in their respective guidance to ports and harbours and the offshore installations requires that their contingency plans are exercised regularly.

24.3 The frequency of the National Contingency Plan offshore industry related exercises has been increased to at least every three years (previously five years) to ensure a high level of response preparedness by all parties.

24.4 Equal priority needs to be given to both offshore industry and shipping related national exercises, and an inter-exercise period of around 18 months needs to be planned for. In addition, the MCA will initiate Marine Response Centre exercises annually to test communications with other response cells including the shoreline response structure, offshore operators' emergency response centres, Salvage/Operations Control Unit, environmental groups and the NMOC.

## **25. Reviewing the National Contingency Plan**

25.1 To keep the plan up to date the plan will be reviewed on a regular basis. Its validity will be reviewed following national exercises and after significant real world incidents, where it will be adjusted as necessary.

25.2 The 'owners' of hyperlink information retain responsible for the source data that links lead to and should ensure that it remains valid. Where changes to individual hyperlink data are made, or where the hyperlinks are changed, the MCA CPS Branch is to be informed. Every six months MCA CPS will undertake a review of all hyperlinks to confirm their validity.

25.3 Proposed changes to the Plan, feedback on the information it contains or problems with the hyperlinks should be reported by emailed to [ncp@mcga.gov.uk](mailto:ncp@mcga.gov.uk).

25.4 Every five years an in-depth review of the Plan will take place which will be followed by a full consultation.