



Government of Western Australia
State Emergency Management Committee

STATE HAZARD PLAN

Maritime Environmental Emergencies (MEE)

Note: This document contains information relating to the arrangements for managing marine oil pollution and marine transport emergencies. It must be read in conjunction with the State Emergency Management Plan, which contains the generic emergency management arrangements.

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Legislation

Policy

PLAN

Procedure

Guidelines

Glossary

CONTACT OFFICER

To provide comment on this Plan, contact:

Maritime Environmental Emergency Response Unit
Department of Transport
Level 4, 5 Newman Court, Fremantle WA 6160
Marine.pollution@transport.wa.gov.au
08 9480 9924

AMENDMENT TABLE

Amendment		Details	Amended by:
#	Date		
1	August 2018	Amalgamation of Westplan – Marine Oil Pollution and Westplan – Marine Transport Emergency ¹ , a new State Hazard Plan format, statement of fact changes, removal of duplication with the State Emergency Management (EM) Plan, inclusion of capability baseline and assurance activities and machinery of Government changes.	Department of Transport, Marine Safety Business Unit
2	December 2018	Version 01.01 – Statement of fact amendments. Refer also to the generic amendments to the suite of State EM documents as per amendments table v02.00 approved by SEMC (Resolution Number 90/2018).	SEMC Business Unit
3	October 2019	Version 01.02 – Minor amendments approved by SEMC (Resolution Number 91/2019) as per amendments table v02.02 .	SEMC Business Unit

¹ Copies of these Westplans and their amendment history is available from the State Emergency Management Committee upon request.

Amendment		Details	Amended by:
#	Date		
4	September 2020	Version 01.03 – Amendments to reflect amendments to the <i>Emergency Management Act 2005</i> and <i>Emergency Management Regulations 2006</i> and statement of fact amendments approved by SEMC (Resolution Number 39/2020) as per State EM documents amendments table SHP MEE v01.03 . Review date deferred to August 2021 approved by SEMC (Resolution Number 25/2020).	SEMC Business Unit Department of Transport

This State Hazard Plan is available on the State Emergency Management Committee internet site www.semc.wa.gov.au.

CONTENTS

Contact Officer	i
Amendment Table.....	i
Contents.....	iii
1 Introduction	1
1.1 Scope	1
1.2 Hazard Definition	1
1.3 Organisational Roles and Responsibilities.....	2
1.4 Related Documents and Legislation	3
1.5 Activities Informing the Assurance Process.....	3
2 Prevention and Mitigation	4
2.1 Responsibility for Prevention and/or Mitigation.....	4
2.2 Prevention and/or Mitigation Strategies	4
3 Preparedness	6
3.1 Responsibility for Preparedness	6
3.2 Capability Baseline	6
3.3 Planning and Arrangements	8
3.3.1 Incident Management Plans.....	8
3.3.2 Oil Spill Contingency Planning	8
3.3.3 WA Oiled Wildlife Response Plan	9
3.3.4 Safety Management System	9
3.3.5 State Maritime Environmental Emergency Response Committee (SMEERC)	10
3.3.6 Human Resources.....	10
3.3.7 Equipment Resources	10
3.3.8 Standing Contracts.....	11

3.4	Community Information and Education.....	11
3.5	Assistance Arrangements with Other Jurisdictions.....	11
3.5.1	Australian Government Assistance	11
3.5.2	National Plan Assistance.....	12
3.6	Coordination/Control Arrangements with Other Jurisdictions	12
3.6.1	Western Australia Border Agreements	12
3.7	Levels of Response	12
4	Response.....	15
4.1	Responsibility for Response	15
4.1.1	Maritime Transport Emergency Incidents.....	17
4.1.2	Shipboard Fires.....	17
4.1.3	Shipboard Fires – Emergency Situation Declaration	17
4.1.4	Shipboard Fires – Controlling Agency	17
4.1.5	Hazardous Materials	18
4.1.6	Spills of Oil Originating on Land	18
4.1.7	Place of Refuge.....	18
4.2	Response Arrangements.....	18
4.2.1	Maritime Environment Emergency Coordination Centre (MEECC)	18
4.2.2	Incident Controller	19
4.2.3	Appointment of Incident Controller	19
4.2.4	Incident Management Team (IMT)	19
4.2.5	DoT Liaison Officer.....	19
4.2.6	Environmental Scientific Coordinator (ESC).....	19
4.2.7	Maritime Environment Emergency Incident Coordination Structure	20
4.3	Offshore Petroleum Incidents	21

4.4	Notifications	22
4.5	Public Warnings/Information	22
4.6	Evacuation Arrangements During Response	22
5	Recovery	23
5.1	Recovery Committee	23
5.2	Recovery Arrangements	23
5.3	Transition to Recovery	23
5.4	Recovery Functions	24
5.5	Removal and Disposal of Maritime Environmental Emergency Response Waste	25
5.6	Equipment	25
5.7	State Level Recovery Coordination	25
5.8	Post Oil Spill Monitoring	25
5.9	Cost Recovery	25
5.10	Investigation	26
5.10.1	Post Incident Analysis / Post Operation Report (Level 2/3)	26
Appendix A	Distribution List	27
Appendix B	Glossary of Terms / Acronyms	28
B1	Glossary of Terms	28
B2	Acronyms	30
Appendix C	Response Roles and Responsibilities	32



List of Figures

Figure 1 – Maritime Environment Emergency Response Coordination Structure	20
Figure 2 – Significant Simultaneous Maritime Environmental Emergency Coordination Structure.....	20
Figure 3 – Lesser Significant Simultaneous Maritime Environmental Emergency Coordination Structure	21
Figure 4 – Overall Control and Coordination Structure – Offshore Petroleum Cross Jurisdiction Incident.....	21

List of Tables

Table 1 – Possible Spill Scenarios	6
Table 2 - Maximum Credible Oil Spill Scenarios	7
Table 3 – Credible Oil Spill Volumes based on tanker size	8
Table 4 – Emergency Classification and Activation Triggers.....	13
Table 5 – WA Maritime Environmental Emergency Response Arrangements	15
Table 6 – Recovery Functions.....	24

1 INTRODUCTION

The State Hazard Plan for Maritime Environmental Emergencies (the Plan) provides an overview of arrangements for the management of marine oil pollution and marine transport emergencies in Western Australia and contains information on prevention, preparedness, response and recovery. Collectively these two hazards are referred to as Maritime Environmental Emergencies (MEE).

The Plan refers to a range of existing plans and documents relating to MEE but does not duplicate the information contained in these, instead providing directions to websites or other sources where further information can be obtained if required.

The Chief Executive Officer, Department of Transport (DoT) is the Hazard Management Agency (HMA) for marine oil pollution and marine transport emergencies.

1.1 SCOPE

This Plan covers emergency management arrangements within the geographic boundaries of WA, and specifically within the following waters:

- State Waters:
 - All waters within limits of the State; and
 - All coastal waters of the State within the meaning given in the *Coastal Waters (State Powers) Act 1980* (Commonwealth) section 3(1).
- Port Waters:
 - The area of a port as defined in the *Shipping and Pilotage Act 1967* section 3.

- The area described in relation to a port by order made by the Governor under the *Port Authorities Act 1999* section 24.

Spills of oil that impact shorelines from waters outside State Waters and Port Waters are also covered by this Plan. Specifically, this includes spills of oil originating in Commonwealth Waters.

It describes risk reduction strategies, preparedness for, response to and initiation of recovery arrangements following the impact of a marine oil pollution and/or marine transport emergencies within State Waters and Port Waters.

This Plan does not include:

- a. Spills of oil originating on land that enter State and Port Waters
- b. Spills of other hazardous materials in State Waters and Port Waters.
- c. Fires on-board ships adjacent to any Fire District that are subject to the *Fire Brigades Act 1942*.
- d. Terrorist acts.
- e. Radiation escape from a nuclear power warship.
- f. Marine search and rescue.

Further detail on the management of the hazards not covered by the Plan can be found in [section 4.1](#).

1.2 HAZARD DEFINITION

Events, situations and conditions prescribed as hazards under regulation 15 of the [Emergency Management Regulations 2006](#) (EM Regulations) applicable to this Plan are:

- **Marine Transport Emergency:** “Actual or impending event involving a vessel (including collision, a stranding or an incident of navigation) if that event is capable of causing or resulting in –
 - (i) material damage to the vessel or another vessel;
 - (ii) loss of life, injury to a person or damage to the health of a person, property or the environment; or
 - (iii) a hazard to the navigation of other vessels” ([EM Regulations](#) r. 15(i)); and

Note: Vessel means a craft for use, or that is capable of being used, in navigation by water, however propelled or moved, and includes an air-cushion vehicle, a barge, a lighter, a submersible, a ferry in chains and a wing-in-ground effect craft ([EM Regulations](#) r.14).

- **Marine Oil Pollution:** “Actual or impending spillage, release or escape of oil or an oily mixture that is capable of causing loss of life, injury to a person or damage to the health of a person, property or the environment” ([EM Regulations](#) r. 15(j)).

These hazards are collectively referred to within this Plan as MEE.

1.3 ORGANISATIONAL ROLES AND RESPONSIBILITIES

The Chief Executive Officer, DoT is the HMA for marine oil pollution and marine transport emergencies and is responsible for ensuring effective prevention, preparedness, response and recovery to these hazards within the State.

The DoT is responsible for the development, implementation and revision of this State Hazard Plan – MEE, in consultation with key stakeholders.

The HMA has assigned various functions to do with management of an incident to senior employees within the DoT.

Under s. 5 of the [Emergency Management Act 2005](#) (EM Act), the HMA has delegated all powers and duties under sections 50,53 and 55 to the following DoT positions:

- Executive Director Maritime
- Assistant Executive Director Maritime
- Director Waterways Safety Management
- Harbour Master

The Assistant Executive Director Maritime has been nominated by the HMA to perform the role of State Marine Pollution Coordinator (SMPC), as detailed in the Intergovernmental Agreement on the National Plan to Combat Pollution of the Sea by Oil and other Noxious and Hazardous Substances 2002, and the National Plan for Maritime Environmental Emergencies 2020 Edition (National Plan) ([see 1.5](#)). During a MEE incident within State and Port Waters, the role of SMPC provides strategic management of the incident response on behalf of the HMA.

In addition to the Assistant Executive Director Maritime, the role of the SMPC during a MEE incident may be performed by one of the above DoT positions.

It is recommended that each agency with a role or responsibility under this Plan has appropriate operational procedures detailing their response arrangements in accordance with this Plan. These arrangements should be complementary to the operational procedures detailing their

roles and responsibilities under the [State Emergency Management Plan](#) (State EM Plan).

Information regarding the response roles and responsibilities of relevant agencies under this Plan is detailed in Appendix C.

1.4 RELATED DOCUMENTS AND LEGISLATION

This Plan is to be read in conjunction with the following documents:

- Australian Marine Oil Spill Plan (AMOSPlan)
- DoT WA Oil Spill Contingency Plan (OSCP)
- Intergovernmental Agreement on the National Plan to Combat Pollution of the Sea by Oil and other Noxious and Hazardous Substances 2002
- National Plan for Maritime Environmental Emergencies 2020 Edition (National Plan)
- Port, Port Operator, Port Facility Operator and Petroleum titleholder OSCP or Oil Pollution Emergency Plans (OPEPs)
- Western Australian Oiled Wildlife Response Plan.

Legislation and codes relevant to this Plan include but are not limited to:

- *Emergency Management Act 2005* (EM Act)
- *Emergency Management Regulations 2006* (EM Regulations)
- *Marine and Harbours Act 1981*
- *Maritime Transport and Offshore Facilities Security Act 2003* (Commonwealth)
- *Navigation Act 2012* (Commonwealth)

- *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (Commonwealth)
- *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Commonwealth)
- *Petroleum and Geothermal Energy Resources (Environment) Regulations 2012*
- *Petroleum (Submerged Lands) (Environment) Regulations 2012*
- *Petroleum Pipelines (Environment) Regulations 2012*
- *Pollution of Waters by Oil and Noxious Substances Act 1987* (POWBONS)
- *Port Authorities Act 1999*
- *Shipping and Pilotage Act 1967*
- *Transport Coordination Act 1966*
- *Western Australian Marine Act 1982*.

1.5 ACTIVITIES INFORMING THE ASSURANCE PROCESS

The 2002 Inter-Governmental Agreement on the National Plan to Combat Pollution of the Sea by Oil and other Noxious and Hazardous Substances (IGA) commits the Australian Government and State/Territories to implement and maintain a National Plan for MEE. The IGA commits the State to nominate a responsible 'Jurisdictional Authority' to manage marine oil pollution incidents in State waters and nominate a SMPC.

The National Plan sets out the national arrangements, policies and principles for the management of marine oil pollution. It defines obligations of the States and various industry sectors in respect to marine oil pollution prevention, preparation, response and recovery.

In effect, the above arrangements prescribe DoT as the Jurisdictional Authority in respect to the IGA for a marine oil pollution event in State waters. The Chief Executive Officer, DoT has nominated the Assistant Executive Director Maritime, DoT as the SMPC.

The HMA, through the SMPC, engages with intrastate agency stakeholders and national stakeholders to ensure a consistent approach to managing MEE within WA.

The HMA ensures that all aspects of response performance are reviewed, and that a consistent and structured approach is applied to all aspects of response performance. This includes the implementation and evaluation of the outcomes of such reviews.

The State Emergency Management Committee (SEMC) oversees compliance of plans with the State EM arrangements (e.g. State Hazard Plan reviews and exercises).

2 PREVENTION AND MITIGATION

2.1 RESPONSIBILITY FOR PREVENTION AND/OR MITIGATION

As the HMA, the Chief Executive Officer, DoT, is responsible for undertaking prevention and/or mitigation activities in relation to marine oil pollution and marine transport emergencies.

It is the responsibility of all Shipmasters, Ports, Port Operators, Port Facility Operators, Boat Harbour Operators and Petroleum Titleholders to ensure that MEE prevention and mitigation strategies relative to their operations are implemented and maintained at an adequate level.

2.2 PREVENTION AND/OR MITIGATION STRATEGIES

The HMA's prevention and mitigation activities include (but are not limited to):

- Developing and monitoring policies and arrangements to prevent and control MEE.
- Promoting the commitment of Controlling Agencies to implement the State Hazard Plan – MEE.
- Licensing Marine Pilots for operation in Shipping and Pilotage Ports.
- Conducting hydrographical surveys and producing navigation charts of the WA coast, inshore islands and inland waterways.
- Installing and maintaining aids to navigation to promote safe navigation in State waters.
- Monitoring compliance with WA marine safety legislation and regulations. This includes those conventions of the International Maritime Organisation to which Australia is signatory and have been adopted by legislation to apply in WA Waters.
- Assisting the Australian Maritime Safety Authority (AMSA) in monitoring compliance with the *Marine Safety (Domestic Commercial Vessels) National Law Act 2012*.
- Ensuring that all Ports, Port Operators, Port Facility Operators, Boat Harbour Operators formulate and maintain an appropriate OSCP detailing their preparedness and response capability commensurate with their identified risk including maintaining a stock pile of marine oil pollution response equipment commensurate with their level of risk.

- Ensuring that all Petroleum Titleholders formulate and maintain an appropriate Oil Pollution Emergency Plan (OPEP) detailing their preparedness and response capability commensurate with their identified risk including maintaining a stockpile of marine oil pollution response equipment commensurate with their level of risk.
- Maintaining a stockpile of marine oil response equipment to meet Controlling Agency responsibilities and supplement other Controlling Agency stockpiles during MEE.
- Promoting public awareness and appropriate community participation in MEE preparedness.
- Participating in the National Plan Strategic Coordination Committee (NPSCC).
- Ensuring the development and ongoing refinement of contingency planning within WA, through support for State Hazard Plan – MEE and State Incident Management Plan (SIMP)/OSCP/OPEP auditing procedures.
- Promoting MEE response capability development and response training in WA.
- Consulting with Petroleum titleholders to formulate and maintain an appropriate OPEP detailing the response arrangements and capability in place for timely response to oil pollution from offshore petroleum activities (including actions under the control of the HMA in State waters) under their legislative obligations of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Commonwealth) and environment regulations.

3 PREPAREDNESS

3.1 RESPONSIBILITY FOR PREPAREDNESS

As the HMA, the Chief Executive Officer, DoT, is responsible for the development of plans and arrangements to manage MEE.

DoT is responsible for the preparation of the State OSCP and the SIMP and ensuring that MEE preparedness is maintained at an adequate level for State Waters and Port Waters.

Controlling Agencies have responsibility for ensuring adequate preparedness for MEE within their respective area of responsibility.

3.2 CAPABILITY BASELINE

To assist with planning and preparedness for incidents relating to MEE, Controlling Agencies are to structure their response based upon the following credible incident scenarios in Table 1, Table 2 and Table 3.

Table 1 – Possible Spill Scenarios

Incident Type	General Shipping	Ports & Port Facilities	Oil Loading & Offloading Facilities	Offshore Exploration	Offshore Production
Vessel Collision	Yes	Yes	Yes	Yes	Yes
Vessel Grounding	Yes	Yes	Yes	Yes	Yes
Vessel Transfer/ Bunkering	Yes	Yes	Dep	Yes	Yes
Vessel Tanker Loading or Unloading	N/A	N/A	Yes	N/A	Dep
Pipeline Failure	N/A	N/A	Dep	N/A	Yes
Structural Failure	Yes	N/A	Yes	Yes	Yes
Surface Blowout	N/A	N/A	N/A	Yes	Yes
Sub-Surface Blowout	N/A	N/A	N/A	Yes	Yes

Notes:

1. Yes - Possible incident scenario for the facility or operation.
2. Dep - Possible incident scenario dependent on the nature of the facility or operation.
3. N/A - Not usually relevant to the facility or operation.
4. Petroleum Titleholders operating in Australian Government Waters are required to follow NOPSEMA's guidance on credible scenarios.

Source: AMSA 2013 'Technical guideline for the preparation of marine pollution contingency plans for marine and coastal facilities'

Table 2 - Maximum Credible Oil Spill Scenarios

Scenario		Basis of Volume Calculation	
Source	Incident		
Oil Tanker ¹	Collision	Major ²	Volume of largest ² outside tank + one adjacent inner tank
		Non-Major ³	100% of volume of largest wing tank (i.e. not double hulled) or 50% of tank protected by double hull.
	Grounding	Major ⁴	Volume of largest two consecutive potentially impacted tanks.
		Non-Major ⁵	100% of volume of largest wing tank (i.e. not double hulled) or 50% of tank protected by double hull.
Other Vessel ⁷	Collision		Volume of largest tank
	Grounding	Major ⁶	Total fuel volume + cargo
		Non-Major ⁸	Total of 1 fuel tank
Mobile Offshore Drilling Unit/ Production Platform	Blowout		Predicted flow rates per day x days estimated to get a relief rig on site + 20 days to cap well ⁹
	Refuelling (continuous supervision)		Transfer rate x 15 minutes of flow ¹⁰
	Refuelling (intermittent supervision)		Transfer rate x 2 hours of flow ¹⁰
Onshore Pipeline	Rupture		100% of maximum flow or 1 hours + volume of affected pipeline section ¹¹
	Leak (above LoD) ¹²		2% of maximum daily flow x 4 days or time taken to reach and repair leak ¹³

Scenario		Basis of Volume Calculation
Source	Incident	
	Leak (below LoD) ¹²	2% of maximum daily flow x 90 days or time taken to reach and repair leak ¹³
Offshore Pipeline	Rupture	Maximum daily flow rate x 1 hour + volume of oil in the pipeline ¹⁴
	Leak	2% of maximum daily flow rate x 1 day + time taken to clear/flush the pipeline with seawater ¹⁵

Note: To be used for planning purposes if actual volumes cannot be, or have not been, calculated.

1. See Table 1
2. Assumes penetration of external and internal hull at the water line and based on the loss of contents of largest potentially impacted cargo tank.
3. Based on the loss of contents of largest outside tank (including fuel tanks). In the case of tanks protected by double hull a maximum potential loss of 50% of the contents is assumed
4. Based on the total loss of the vessel.
5. Based on vessel with bottom tanks. If no bottom tanks are present then there is no anticipated volume loss.
6. If a supply vessel carrying fuel as cargo, treat as a tanker.
7. Based on rupture to all impacted tanks and/or loss of vessel.
8. Based on damage to one impacted tank. Note: If tanks cannot be holed, this scenario will result in no loss.
9. Estimated days to get a relief rig onsite should be supported by a Blow-out Management Plan or other documentation. Alternative strategies for well control may be used but should be supported.
10. If spills can only be to deck then volume held by scuppers etc. may be deleted from the total provided that this volume will be recovered.
11. Based on presence of leak detection system, block valves and automatic shutdown systems. Note one hour shutdown time may be reduced if effectiveness of systems can be supported.
12. LOD = Level of Detection, as stipulated by pipeline automatic detection systems.
13. Times taken to reach and repair leak sites may be reduced if shorter times can be demonstrated.
14. Based on ability to detect major faults but absence of block valves.
15. Assumes daily over flights that will detect sheens.

Source: AMSA 2013 'Technical guideline for the preparation of marine pollution contingency plans for marine and coastal facilities'

Table 3 – Credible Oil Spill Volumes based on tanker size

Typical Tonnage (Deadweight)	Slight Grounding or Collision (1 wingtank)	Grounding with Rupture (2 wingtanks plus 1 centre tank)	Bunker Oil
30,000	700	3,000	1,350
50,000	1,100	5,000	2,300
70,000	3,000	12,500	5,200
100,000	5,500	21,000	7,000
200,000	10,500	45,000	8,300
240,000	15,000	60,000	12,000

Notes:

- Volumes are tonnes

Source: IPECA 1991 'A Guide to Contingency Planning for Oil Spills on Water'

3.3 PLANNING AND ARRANGEMENTS

Preparedness arrangements for a marine transport emergency are to be outlined in an Incident Management Plan (IMP).

Preparedness arrangements for a marine oil pollution incident are to be outlined in an OSCP or OPEP.

The contents of IMPs, OSCP and OPEPs are to be consistent with this Plan, the [State EM Plan](#), other [State Hazard Plans](#) and the National Plan for MEE.

These plans will document risk identification and assessment, response strategies, response capability, reporting requirements, location and management of resources as well as documented guidelines, templates and forms.

3.3.1 Incident Management Plans

It is the responsibility of DoT to formulate, review and exercise an IMP for State Waters.

It is the responsibility of all Port Authorities and DoT to formulate, review and exercise incident management plan for their respective Port waters. The HMA may periodically review these plans in respect to marine transport emergencies.

Preparing to respond appropriately to a marine transport emergency requires a joint collaborative effort by the HMA, Controlling Agency, emergency management agencies and key stakeholders.

3.3.2 Oil Spill Contingency Planning

It is the responsibility of DoT to formulate, review and exercise an OSCP for State Waters.

It is the responsibility of all Port, Port Operator, Port Facility Operator, Boat Harbour Operator and Petroleum Titleholders to formulate, review and exercise their own OSCP/OPEPs. The HMA may periodically review these plans.

Preparing to respond appropriately to a marine oil pollution incident requires a joint collaborative effort by the HMA, Controlling Agency, emergency management agencies and key stakeholders.

Relevant Controlling Agencies are required by legislation to prepare OSCP/OPEPs setting out arrangements to respond to marine oil pollution incidents that might occur in their areas of responsibility.

OSCP/OPEPs will document the identified hazard and risks, available response resources, response arrangements, procedures and reporting requirements.

The SMPC will represent the WA government in matters pertaining to the assessment or granting of a place of refuge request during a marine transport emergency, particularly in relation to dealings with AMSA through the Maritime Emergency Response Commander (MERCOCOM). Further information on this process is contained within AMSA's *Place of Refuge Guidelines*.

3.3.3 WA Oiled Wildlife Response Plan

Oiled wildlife response is an integral part of a MEE response.

The Western Australian Oiled Wildlife Response Plan for a Maritime Environmental Emergency is administered by the Department of Biodiversity, Conservation and Attractions (DBCA). During MEE, DBCA will lead the oiled wildlife response under the control of the appointed Controlling Agency.

3.3.4 Safety Management System

It is a requirement under the Safety of Life At Sea (SOLAS) Convention that all ships of over 400 GRT operate under a Flag Administration approved Safety Management System.

It is a requirement under the *Marine Safety (Domestic Commercial Vessel) National Law Act 2012* that all domestic commercial vessels operate under a Safety Management System.

The ship/vessel Operator has a general safety obligation to implement and maintain a Safety Management System that ensures that the ship/vessel and the operations of the ship/vessel are so far as reasonably practicable and safe.

The Shipmaster also has a general safety obligation aboard the vessel to, so far as reasonably practicable, implement and comply with the Safety Management System for the vessel and the operations of the vessel.

In the event of an incident involving a ship, the Shipowner and/or Ship Operator and Shipmaster are responsible for undertaking prompt and effective action to ensure the safety of their vessel and cargo; including the engagement of commercial assets, where necessary and available. These actions include:

- engagement of emergency towage services;
- engagement of salvage contractors; and
- effective communication to AMSA on the actions being taken to manage the situation.

3.3.5 State Maritime Environmental Emergency Response Committee (SMEERC)

The SMEERC assists the HMA in the development, implementation and review of the State Hazard Plan – MEE. Comprising of representatives from Controlling Agencies and other government and industry organisations, the SMEERC provides a forum for collaboration to promote prevention of, preparation for, response to and recovery from MEE.

3.3.6 Human Resources

The DoT maintains a database of WA personnel who have been trained by DoT and/or AMSA as incident management and/or oil spill responders. Participants who have completed the relevant training courses may be called upon to assist in MEE.

Maritime Incident Management Team (MIMT)

The MIMT is comprised of personnel from DoT and other State Government organisations who are trained to perform roles within an Incident Management Team (IMT). Activation of individuals in the MIMT during MEE is through the SMPC.

State Response Team (SRT)

The SRT comprises of personnel from DoT, State Government organisations and selected external organisations trained to perform field response operations. Activation of individuals in the SRT during MEE is through the SMPC.

National Response Team (NRT) / Industry Core Group

The NRT and Industry Core Group comprises experienced personnel who can be seconded from Australian Government/State/Territory Agencies and industry to perform a

range of response roles. NRT members are managed, trained and seconded through AMSA. Industry Core Group members are managed by the Australian Marine Oil Spill Centre (AMOSOC).

Requests to AMSA for activation of the NRT and/or Core Group during a MEE is through the SMPC.

3.3.7 Equipment Resources

The DoT maintains a WA database of MEE response equipment managed by DoT, the Port Authorities, Port Facility Operators and Boat Harbour Operators. In addition, AMSA maintains a database of MEE response equipment managed by AMSA.

Western Australian Government and Port Owned Equipment

Each Port, Port Operator, Port Facility Operator and Boat Harbour Operator is required at a minimum to hold and maintain a stockpile of Level 1 response equipment commensurate with their identified risk.

It is a requirement that an up to date list of equipment is to be provided to DoT in order to maintain the WA database.

National Plan Equipment

National Plan response equipment owned and maintained by AMSA is stored in two stockpiles located in Fremantle and Dampier. National Plan dispersant stocks are also stored with these stockpiles.

Requests to AMSA for access to this equipment during MEE are through the SMPC.

Response equipment owned by other States can also be accessed during MEE through the SMPC.

Petroleum Industry Equipment

Each Petroleum Titleholder is required to hold and maintain a stockpile of equipment commensurate with their identified risk as outlined in their relevant OSCP/OPEP.

The AMOSC holds and maintains a stockpile of equipment commensurate to their obligations to AMOSC members. AMOSC equipment can be accessed during MEE under the National Plan arrangements through AMSA by request through the SMPC

Surveillance Aircraft

OSCPs/OPEPs are to identify any existing local arrangements for accessing aircraft for surveillance during MEE

If local aircraft cannot be sourced by the Controlling Agency during a MEE, a request can be made to the SMPC to assist in securing a suitable aircraft.

Where commercial aircraft are unsuitable or not available, Department of Defence aircraft may be available.

All requests for Australian Government assistance external to the AMSA National Plan Arrangements are to be coordinated through the HMA in accordance with [State EM Policy](#) section 5.10, [State EM Plan](#) section 5.6.1 and [State EM Response Procedure](#) 20.

3.3.8 Standing Contracts

Aircraft for Dispersant Spraying Operations

AMSA have established a Fixed Wing Aerial Dispersant Capability for the application of oil spill dispersants. Activation of the contract is through the SMPC.

Emergency Towing Arrangements

AMSA is responsible for the delivery of a national emergency towing capability within Australia's designated regions.

All emergency towing requests should, as far as practically possible, be made through AMSA's Joint Rescue Coordination Centre (JRCC) through the SMPC.

3.4 COMMUNITY INFORMATION AND EDUCATION

Preparedness includes MEE response training and general public awareness.

DoT maintains a Community Engagement Plan and conducts regular liaison with Local Government Authorities, District Emergency Management Committees and other key stakeholders in relation to community information and education pertaining to MEE.

3.5 ASSISTANCE ARRANGEMENTS WITH OTHER JURISDICTIONS

3.5.1 Australian Government Assistance

External to the National Plan arrangements, the provision of Australian Government physical assistance is dependent upon established criteria and requesting arrangements. All requests for Australian Government physical assistance are to be made

in accordance with the [State EM Policy](#) section 5.10, [State EM Plan](#) section 5.6.1 and [State EM Response Procedure](#).

Requests for Australian Government assistance during MEE will be coordinated through the SMPC on behalf of the HMA.

3.5.2 National Plan Assistance

The SMPC will request National Plan assistance through AMSA's JRCC Duty Officer. AMSA will activate and coordinate the deployment of NRT, National Plan resources and any overseas assistance as outlined in the National Plan.

Any requests for assistance from WA under the National Plan arrangements for MEE in another jurisdiction will be made through the SMPC.

3.6 COORDINATION/CONTROL ARRANGEMENTS WITH OTHER JURISDICTIONS

3.6.1 Western Australia Border Agreements

If a MEE occurs close to the WA State border, the Controlling Agency will be decided through consultation between the relevant Jurisdictional Authorities. The agency deemed most capable of performing the role will be assigned as the Controlling Agency.

In these instances, the SMPC will represent WA in consultations with other State or Australian Government Jurisdictional Authorities.

Situations/arrangements when the Australian Government or any others will assume control an event or part thereof are described and summarised in Table 5.

3.7 LEVELS OF RESPONSE

MEE response is based on the principle of proportionate response whereby the Controlling Agency, and amount of resources mobilised, will vary according to the scale and location of the incident.

The Incident Controller has a responsibility to continually assess the incident level and regularly confirm that assessment with the SMPC.

If deemed appropriate, the HMA, or SMPC as a delegate of the HMA, may declare an emergency situation in response to a MEE (refer to [section 4.4.1](#)). In this instance, the incident may be referred to as an emergency.

SHP - MEE identifies three levels of incidents as follows:

- Level 1 Incidents are generally able to be resolved through the application of local or initial resources only (e.g. first-strike capacity).
 - In the case of a maritime transport emergency, Level 1 Incidents are generally able to be resolved through the application of local or initial resources only. In many cases may be managed through standard DoT or Port Waterways Safety arrangements.
- Level 2 Incidents are more complex in size, duration, resource management and risk and may require deployment of jurisdiction resources beyond the initial response.
- Level 3 Incidents are generally characterised by a high degree of complexity that is likely to require national and international resources.

If assessed as a Level 2 or 3 incident, the Incident Controller must make an 'Incident Level Declaration' to the SMPC.

If a Level 2 incident has the potential to escalate to a Level 3 Incident, or a Level 3 Incident is declared by the Incident Controller, the HMA/SMPC, will contact the State Emergency Coordinator to:

- Advise of the incident level declaration.
- Discuss activation of the State Emergency Coordination Group (SECG).
- Consider an 'Emergency Situation' declaration.

Table 4 provides a non-exhaustive list of the general characteristics of each of the three levels.

These characteristics can be used to develop criteria for consideration when evaluating the need to escalate response arrangements. These criteria should be embedded within the relevant OSCP/OPEP or adapted to the specific emergency. Not all characteristics will apply in all cases, or to all MEE.

Table 4 – Emergency Classification and Activation Triggers

CHARACTERISTIC	LEVEL 1	LEVEL 2	LEVEL 3
MANAGEMENT			
Jurisdiction	Single jurisdiction	Multiple jurisdictions	Multiple jurisdictions
Delegation	Incident Controller responsible for all functions	Some functions delegated or divisions created	All functions delegated and/or divisions created
Number of agencies	First-response agency	Routine multi-agency response	Agencies from across government and industry
Incident Action Plan	Simple/Outline	Outline	Detailed
Resources	Resourced from within one area	Requires intra-state resources	Requires national or international resources
TYPE OF EMERGENCY			
Type of response	First-strike	Escalated	Campaign
Duration	Single shift	Multiple shifts Days to weeks	Extended response. Weeks to months
Hazards	Single hazard	Single hazard	Multiple hazards
RESOURCES AT RISK			
Human	Potential for serious injuries	Potential for loss of life	Potential for multiple loss of life

Environment	Isolated impacts or with natural recovery expected within weeks	Significant impacts and recovery may take months. Remediation required	Significant area and recovery may take months. Remediation required
Wildlife	Individual fauna	Groups of fauna or threatened fauna	Large numbers of fauna
Economy	Business level disruption	Business failure	Disruption to a sector
Social	Reduced services	Ongoing reduced services	Reduced quality of life
Infrastructure	Short term failure	Medium term failure	Severe impairment
Public Affairs	Local and regional media coverage	National media coverage	International media coverage

(Ref National Plan – Table 5 Guidance for emergency classification)

4 RESPONSE

4.1 RESPONSIBILITY FOR RESPONSE

As the HMA, the Chief Executive Officer, DoT, has overall responsibility for ensuring there is an adequate response to a marine oil pollution and/or a marine transport emergency in all State and Port waters.

DoT, Port Authorities and Petroleum Titleholders are responsible for developing and implementing adequate response arrangements for MEE within their respective area of responsibility.

The HMA has delegated powers and duties under the [EM Act](#) to employees within the DoT (see appendix B for more detail).

During an incident, the role of SMPC provides strategic management of the incident response.

Responsibilities for response to MEE, including identification of HMA/Jurisdiction Authorities and Controlling Agencies, are described in Table 5.

Table 5 – WA Maritime Environmental Emergency Response Arrangements

Location	Incident	Hazard Management Agency/ Jurisdictional Authority	Controlling Agency	
			Level 1	Level 2/3
Australian Government Waters	Marine Transport Emergency	AMSA	AMSA	AMSA
	Offshore Petroleum Activity Marine Oil Pollution	NOPSEMA	Petroleum Titleholder	Petroleum Titleholder
	Vessel Marine Oil Pollution	AMSA	AMSA	AMSA
State Waters	Marine Transport Emergency	Chief Executive Officer, DoT	DoT ¹	DoT
	Offshore Petroleum Activity Marine Oil Pollution	Chief Executive Officer, DoT	Petroleum Titleholder	DoT ²
	Vessel Marine Pollution	Chief Executive Officer, DoT	DoT ³	DoT

Location	Incident	Hazard Management Agency/ Jurisdictional Authority	Controlling Agency	
			Level 1	Level 2/3
Port Authority (PA) Waters	Marine Transport Emergency	Chief Executive Officer, DoT	PA ³	PA/DoT ⁴
	Offshore Petroleum Activity Marine Oil Pollution	Chief Executive Officer, DoT	Petroleum Titleholder	DoT
	Vessel Marine Oil Pollution	Chief Executive Officer, DoT	PA ³	PA/DoT ⁴
Shipping and Pilotage Port (SPA) Waters	Marine Transport Emergency	Chief Executive Officer, DoT	DoT ³	DoT
	Offshore Petroleum Activity Marine Oil Pollution	Chief Executive Officer, DoT	Petroleum Titleholder	DoT
	Vessel Marine Oil Pollution	Chief Executive Officer, DoT	DoT	DoT

Notes:

The Controlling Agency remains true to the incident initial location. If a Maritime Environmental Emergency crosses over defined waters boundaries, the Controlling Agency will remain with the original nominated agency or organisation unless otherwise appointed through agreement between the HMA / Jurisdictional Authority of both waters.

AMSA may request that DoT manage an incident in Australian Government waters.

DMIRS is the Regulatory Agency for Offshore Petroleum Activities in State waters and have the responsibility to approve OSCPs and to administer their relevant legislation. DoT remains the HMA for spills sourced from Offshore Petroleum Activities in State waters.

- (1) A level 1 incident may be managed under existing Waterways Safety Management protocols or Port Operation procedures. Decision to appoint an Incident Controller and nominate a Controlling Agency will be based on the nature of the incident.
- (2) In the event of a Level 2/3 incident resulting from an Offshore Petroleum activity in Australian Government waters that impacts State waters, the role of Controlling Agency will be performed by DoT for response activities in State waters. Petroleum Titleholders are to ensure they are compliant with the Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009, Reg 14 (8AA), (a), (b), (c) (d).
- (3) DoT and PA may assign, through IMPs/OSCPs/OPEPs, emergency response functions to a Port Operator or Port Facility Operator for spills originating from their activities, however the role of Controlling Agency will remain with the nominated agency or organisation as above.
- (4) In the event of a Level 2/3 incident in PA waters, the role of Controlling Agency may fall with the PA or DoT and will be determined by the HMA in consultation with the PA. The Controlling Agency will be the agency deemed most capable of performing the role of Controlling Agency.

The Controlling Agency has responsibility to control response activities to an actual or impending MEE.

The SMPC is to confirm in writing the Controlling Agency during a MEE.

In a MEE, should a Controlling Agency be deemed by the HMA/SMPC as being incapable of providing an adequate response, he/she may reassign the role of Controlling Agency.

The responsibilities of Service Providers during a response to a MEE are listed in [Appendix C](#) of this Plan or individual IMPs/OSCPs/OPEPs.

4.1.1 Maritime Transport Emergency Incidents

During a marine transport emergency incident, the nominated Controlling Agency will only assume control where the Shipowner, Ship Operator and/or Shipmaster does not have capacity or capability to fulfil their responsibility to manage the marine transport emergency incident effectively, or in a timely manner, or in the interest of protecting the community and the environment.

4.1.2 Shipboard Fires

Fires on-board ships lying in any river, harbour, or other waters within or adjacent to any Fire District are subject to the *Fire Brigades Act 1942* that is administered by the Department of Fire and Emergency Services (DFES).

Arrangements for responding to shipboard fires in accordance with the *Fire Brigades Act 1942* will be determined by DFES, in conjunction with the relevant Ports, Port Operator, Port Facility and Boat Harbour Operator.

4.1.3 Shipboard Fires – Emergency Situation Declaration

In the event of a marine transport emergency becoming a greater risk than that of a shipboard fire, and a significant and coordinated response is required, the Chief Executive Officer, DoT, as the relevant HMA, or the SMPC as a delegate of the HMA, may make an emergency situation declaration for the hazard of marine transport emergency, in an area of the State where the emergency exists.

Where an emergency situation is declared, the emergency will be responded to in accordance with State Hazard Plan – MEE.

4.1.4 Shipboard Fires – Controlling Agency

Where a shipboard incident becomes a marine transport emergency in State waters, but outside Port Authority waters, the DoT shall be the Controlling Agency.

Within Port Authority waters, the relevant Port Authority shall be the Controlling Agency.

The Controlling Agency function will remain with the agency nominated unless otherwise directed by the SMPC/HMA.

In such instances, DFES will remain the primary emergency management agency in relation to the response to the fire component of the marine transport emergency. DFES have procedures and assets to assist the Controlling Agency in providing an appropriate response to a shipboard fire. This capability can be deployed State-wide within a reasonable timeframe, depending on geographic location, to combat a fire and augment local resources.

The Controlling Agency may opt to appoint a suitable DFES Officer as the Incident Controller or establish a unified command structure within the IMT with the senior DFES on-scene officer. Local response arrangements for shipboard fires are to be detailed in the relevant IMP.

In formulating their response plans for a shipboard fire, all Ports, Port Operators, Port Facility Operators and Boat Harbour Operators who plan on utilising the fire-fighting capability of support vessels such as tugs, should endeavour to comply with Australian Standards AS3846, or an international equivalent, with regards to the technical requirements for the fire-fighting capacity of that support vessel.

4.1.5 Hazardous Materials

For an actual or impending spill of hazardous materials by a ship in State waters, or at berth, and where the hazardous materials and/or the mitigating actions required will not affect the structural integrity of the ship, then the emergency shall be regarded as a hazardous materials (HAZMAT) emergency and management of the emergency will be addressed through [State Hazard Plan – HAZMAT](#).

4.1.6 Spills of Oil Originating on Land

Where spills of oil originating on land enter State or Port waters, the Fire and Emergency Services Commissioner is the HMA. The management arrangements for these land spills are detailed in the [State Hazard Plan – HAZMAT](#).

Where a subsequent discharge into the marine environment caused by an initial land spill presents a significantly greater risk, management of the incident may be transferred to the relevant Controlling Agency and/or HMA for the subsequent spill by agreement between the two agencies. This is in accordance with [State EM Plan](#) section 5.1.2. In this instance, the emergency would be managed in accordance with State Hazard Plan – MEE.

4.1.7 Place of Refuge

A place of refuge is a place where a ship in need of assistance during a marine transport emergency can take action to enable it to stabilise its condition (including the status of cargo), protect human life and the environment and reduce the hazards to navigation.

The National Maritime Place of Refuge Risk Assessment Guidelines is an arrangement, agreed by the Commonwealth,

state and Northern Territory governments, for the management of requests for, or circumstances that require a place of refuge.

All place of refuge requests should, as far as practically possible, be made through AMSA's JRCC. Within Australia, only a state or Northern Territory government agency or AMSA has the authority to assess and grant a place of refuge request from a vessel.

The SMPC will represent the WA Government in matters pertaining to the assessment of granting of a place of refuge request during a MEE, particularly in relation to dealings with AMSA through the MERCOM.

4.2 RESPONSE ARRANGEMENTS

The HMA has overall responsibility for ensuring there is an adequate response to MEE.

During an incident, the role of SMPC provides strategic management of the incident response.

4.2.1 Maritime Environment Emergency Coordination Centre (MEECC)

During Level 2 or 3 MEE, the SMPC will establish a Maritime Environmental Emergency Coordination Centre (MEECC).

The MEECC will be comprised of individuals able to coordinate the strategic incident management activities of the SMPC.

Should an incident escalate to an emergency, an Operational Area Support Group (OASG) comprising of senior representatives from other Government organisations, will be established and located in the MEECC.

4.2.2 Incident Controller

The Incident Controller is the individual responsible for the management of all response activities to a MEE.

In a marine transport incident, the Incident Controller can be referred to as the Maritime Casualty Coordinator.

4.2.3 Appointment of Incident Controller

The Controlling Agency is responsible for appointing the Incident Controller and ensuring they are competent to undertake the incident control function at a level commensurate with the defined level of incident.

For Level 2 and Level 3 MEE, the appointment of an Incident Controller by the Controlling Agency will be confirmed in writing by the SMPC to the nominated Controlling Agency.

DoT is responsible for maintaining a database of individuals deemed by the HMA/SMPC as being competent to perform the role of Incident Controller.

4.2.4 Incident Management Team (IMT)

The IMT is the group of incident management personnel comprised of the Incident Controller and other personnel appointed by the Incident Controller to be responsible for the response to a MEE.

The exact composition and structure of the IMT will be determined by the Incident Controller, however it must be based upon Australasian Inter-Service Incident Management System (AIIMS).

For Level 2 incidents, consideration must be given by the Controlling Agency to establishing an Incident Support Group

(ISG) to enhance coordination and support arrangements. For Level 3 incidents, an ISG must be established by the Controlling Agency.

4.2.5 DoT Liaison Officer

During a MEE, the SMPC may deploy a DoT Liaison Officer to an external Incident Control Centre to assist effective communications between the SMPC and the Incident Controller. The DoT Liaison Officer may also offer subject matter expert advice to the Incident Controller as appropriate.

4.2.6 Environmental Scientific Coordinator (ESC)

The Environmental Scientific Coordinator (ESC) is a nominated officer from the DBCA.

The ESC is a member of the SMEERC and may be requested during a MEE to provide whole of government, expert environmental and scientific advice to the HMA, SMPC or Incident Controller.

In the performance of their duties, the ESC is supported by the Environmental Liaison Group. The Environmental Liaison Group is comprised of nominated individuals from a number of State Government Agencies, including the DBCA, the Department of Primary Industries and Regional Development (DPIRD) and the Department of Water and Environmental Regulation (DWER). Additional representatives from the Department of Mines, Industry Regulation and Safety and the Department of Health may also be requested to participate as appropriate.

In a MEE, access to the ESC is coordinated through the SMPC. The role and responsibilities of the ESC are further defined in the DoT State OSCP.

4.2.7 Maritime Environment Emergency Incident Coordination Structure

The coordination structure for responding to a MEE is shown in

Figure 1.

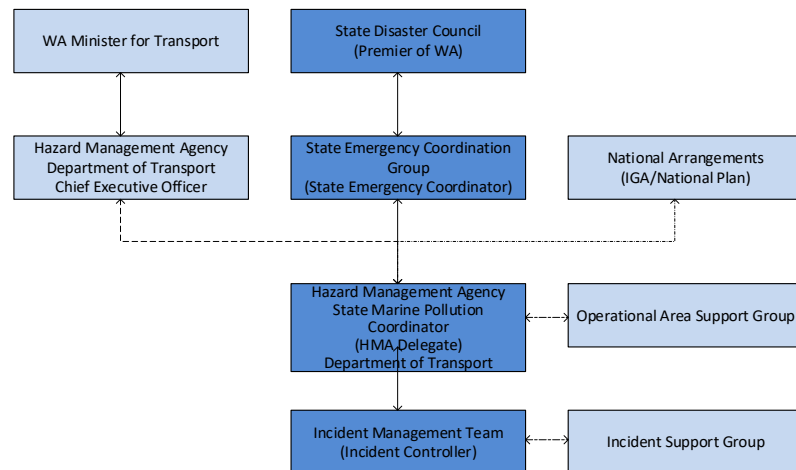


Figure 1 – Maritime Environment Emergency Response Coordination Structure

In the event of a simultaneous marine transport emergency and marine oil pollution event, the SMPC will perform the role of Operational Area Manager (OAM) to facilitate control across the operational area.

In this instance, the SMPC may also appoint multiple Incident Controllers with separate IMTs or opt for a single Incident Controller with a single IMT.

For significant actual or impending simultaneous marine transport emergency and marine oil pollution events, the likely overall coordination structure is shown in Figure 2.

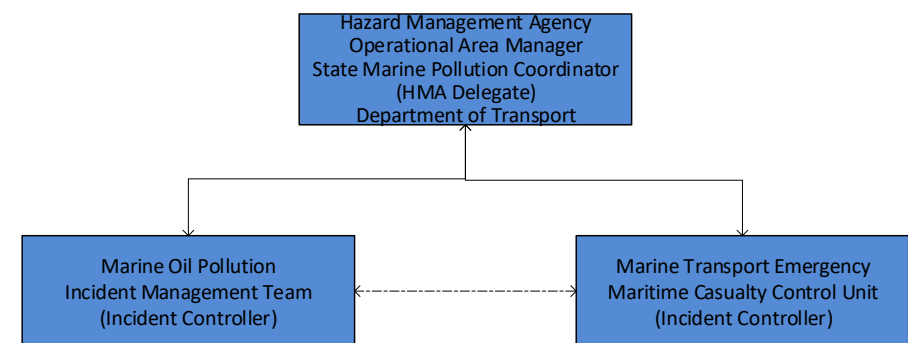


Figure 2 – Significant Simultaneous Maritime Environmental Emergency Coordination Structure

For lesser actual or impending simultaneous marine transport emergency and marine oil pollution events, the likely overall coordination structure is shown in Figure 3.

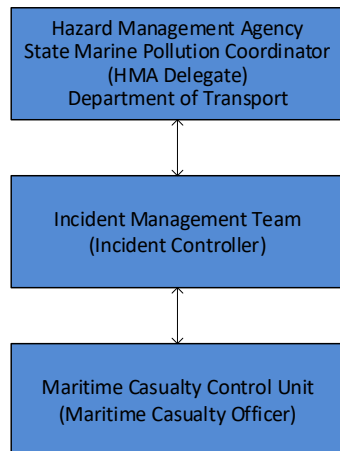


Figure 3 – Lesser Significant Simultaneous Maritime Environmental Emergency Coordination Structure

4.3 OFFSHORE PETROLEUM INCIDENTS

Level 2/3 marine oil pollutions incidents originating from offshore petroleum activities in Australian Government Waters (Commonwealth Waters) that impact State Waters require a high level of coordination between DoT, the Australian Government and the respective Petroleum Titleholder.

Referred to as Cross Jurisdictional incidents, the emergency management arrangements for these incidents are detailed in DoT's '*Offshore Petroleum Industry Guidance Note – Marine Oil Pollution: Response and Consultation Arrangements*'.

Specifically, this guidance note covers the coordination arrangements between DoT as the Controlling Agency in State Waters, and the Petroleum Titleholder as the Controlling Agency in Australian Government Waters.

This includes the establishment of a Joint Strategic Coordination Committee (JSCC) to ensure appropriate coordination between the respective IMTs established by multiple Controlling Agencies as shown in Figure 4.

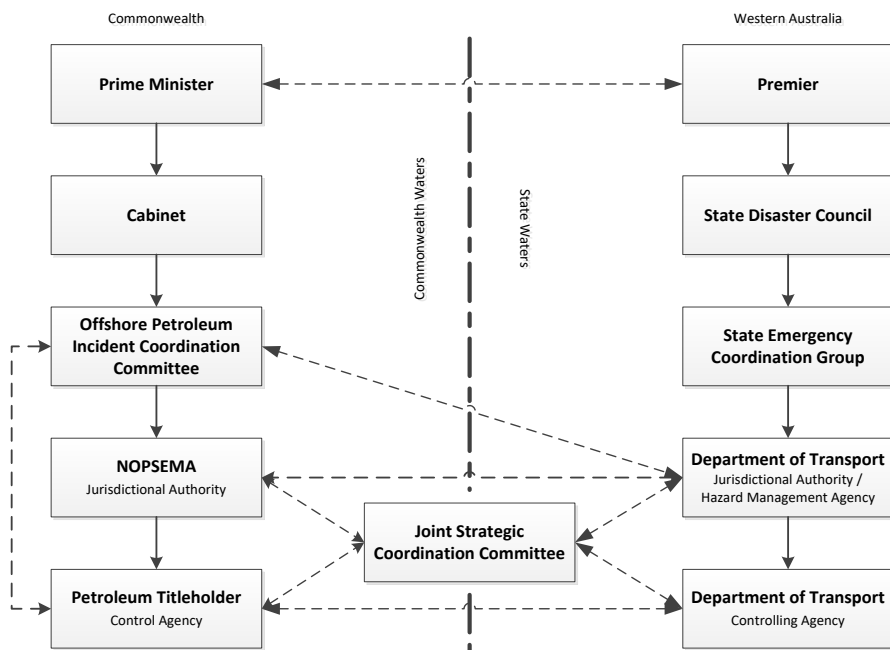


Figure 4 – Overall Control and Coordination Structure – Offshore Petroleum Cross Jurisdiction Incident

4.4 NOTIFICATIONS

Initial notification and reporting procedures for an actual or impending MEE are to be prescribed in the relevant Port, Port Operator, Port Facility Operator, Boat Harbour Operator, Shipmaster and Petroleum Titleholder IMPs/O SCPs/OPEPs.

The relevant Port, Port Operator, Port Facility Operator, Boat Harbour Operator, Shipmaster or Petroleum Titleholder must report all actual or impending MEE incidents in State waters to the DoT Maritime Environmental Emergency Response Unit

(MEER) Duty Officer via the 24-hour reporting number (08) 9480 9924, as soon as reasonably practicable

The SMPC is responsible for the provision of alerts during actual or impending MEE to potential Controlling Agencies, emergency management agencies and service providers. This will be achieved through notifications to members of both the OASG and the SMEERC and follow up communications as required.

The HMA/SMPC, is responsible for the notification of an actual or impending MEE in State or Port Waters to the State Emergency Coordinator, as required. This obligation extends to the provision of regular briefings and updates as required.


4.5 PUBLIC WARNINGS/INFORMATION

The HMA, through the SMPC, has overall responsibility for the provision of media management and public information during MEE.

For Level 1 MEE the Incident Controller will be responsible for appointing a Public Information Officer to assist the Incident Controller to facilitate media conferences, prepare media releases and co-ordinate on-scene media visits. The SMPC may provide strategic guidance to the Incident Controller in this regard.

For Level 2 and Level 3 MEE, final approvals for the release of information to the media will be undertaken by the SMPC.

The [State Support Plan - Emergency Public Information](#) may also be activated through the State Emergency Public Information Coordinator, WA Police Force, as appointed by the State Emergency Coordinator.



Further detail about public warnings and information is contained in the DoT Public Information and Media Plan.

4.6 EVACUATION ARRANGEMENTS DURING RESPONSE

Evacuation is a risk mitigation strategy that may be used to mitigate the effects of an emergency on a community. The decision to evacuate is complex and requires careful consideration to ensure residents are not placed at greater risk.

Evacuation arrangements will be determined in the response phase and will be dependent on the nature and location of the emergency.

5 RECOVERY

The HMA has overall responsibility for ensuring an effective recovery process is initiated for a MEE incident.

The Controlling Agency has responsibility for initiating and coordinating an effective recovery process for a MEE incident in their jurisdictional waters. This includes liaising with the relevant Local Recovery Coordinator/s and including them in the incident management arrangements during the response phase.

The impacted local government is responsible for managing the community recovery process.

The responsibilities of service providers to support a recovery process to MEE are listed in Appendix C of this Plan or individual IMPs/OSCPs/OPEPs and agreements.

Assessment of the recovery and rehabilitation requirements should be coordinated by the Controlling Agency, as soon as practicable after the impact of the event and implemented in conjunction with the incident response.

In addition, the Controlling Agency is responsible for coordinating the completion of an Impact Statement prior to the transfer of responsibility for management of recovery to the affected local government(s), and providing it to members of the ISG and State and Local Recovery Coordinators, in line with [State EM Recovery Procedure](#) 4.

5.1 RECOVERY COMMITTEE

The Recovery Committee will be established by the Incident Controller, in consultation with the HMA/SMPC, before the termination of response activities to MEE. The Recovery Committee may comprise representatives from the HMA, Controlling Agency, Local Governments, support organisations, service providers and representatives from any of the coordination structure groups.

5.2 RECOVERY ARRANGEMENTS

Recovery activities support the affected community in reconstruction of the marine environment and port infrastructure, restoration of navigational safety to the required level, and provide for emotional, social, economic and physical wellbeing. Marine accident and coronial investigations may continue and records and accounts must be kept.

The arrangements for managing the community recovery process, including arrangements for State level involvement, are detailed in [State EM Policy](#) section 6, [State EM Plan](#) section 6 and [State EM Recovery Procedure](#) 1-4.

5.3 TRANSITION TO RECOVERY

Recovery activities are initiated and retained by the Controlling Agency until such time as the local recovery structure is established in accordance with [State EM Policy](#) section 6.2 and 6.3 and [State EM Plan](#) section 6.4 and 6.5.

In MEE, the Controlling Agency is responsible for initiating recovery activities to an emergency. This may include transition arrangements whereby the end point criteria and triggers for the transition from response to recovery are determined. The

end point criteria will be established and assessed by the Incident Controller, in consultation with the SMPC. Controlling Agency, HMA and relevant technical experts.

AMSA provide an advisory document entitled ‘Advice on Foreshore Assessment and Response Termination’ (NP-ADV-003) which provides guidance on foreshore assessment, response termination and recovery/rehabilitation considerations.

The Incident Controller will confirm with the HMA/SMPC, the impacted local government/s, when the response phase has concluded.

As a part of this process, the findings of the Impact Statement will be discussed with relevant parties, including the Incident Controller, State Recovery Coordinator and local government representative/Local Recovery Coordinator.

The management of the recovery/rehabilitation will then be the responsibility of the impacted local government at this time.

5.4 RECOVERY FUNCTIONS

The recovery process after MEE typically addresses four functions: environmental, economic, social and infrastructure. Table 6 below provides guidance on the types of activities required to address each of these recovery functions.

Table 6 – Recovery Functions

Environmental	Economic	Social	Infrastructure
Assessing and documenting the impact of the incident on natural resources	Assessing and documenting the impact of the incident on the local, regional, & national economy	Assessing and documenting the impact to cultural and heritage & other community resources	Assessing and documenting the impact to infrastructure and services
Rehabilitating impacted areas where possible and measuring recovery over time	Support Organisations recovering response costs	Rehabilitating and conserving impacted cultural and heritage resources where possible	Rehabilitating or returning to service the impacted infrastructure, e.g. damaged navigation aids and restoring production
Communicating to the public the impacts of the incident	Facilitating the recovery of losses incurred by business as a result of the incident	Restoring community services as soon as possible, e.g. re-opening beaches & boat ramps	Prioritising the rebuilding of impacted infrastructure
Engaging with the community to assist with the assessment and rehabilitation process	Assisting business to recover from the intangible impacts of the incident, e.g. loss of confidence in the fishery or tourism sectors	Engaging with the community on the recovery process	Engaging with affected stakeholders on the recovery process

Source: National Plan for Maritime Environmental Emergencies – Table 9 Recovery Functions

5.5 REMOVAL AND DISPOSAL OF MARITIME ENVIRONMENTAL EMERGENCY RESPONSE WASTE

The site clean-up, removal and disposal of MEE response waste will be conducted in accordance with the DoT Waste Management Guidelines and the respective Port, Port Operator, Port Facility Operator, Ship Owner or Petroleum Titleholder IMPs/OSCPs/OPEPs.

The DWER administers the *Environment Protection Act 1986* and regulations for the disposal of MEE response waste.

5.6 EQUIPMENT

The Controlling Agency will initiate and coordinate recovery of all equipment and unused materials once no longer required to support the MEE incident response.

A recovery plan will be prepared by the IMT, in consultation with the Recovery Committee, to ensure all equipment is cleaned and returned to its custodian as soon as is reasonably practicable.

The custodian will ensure the equipment is serviced and repaired or replaced as per the equipment maintenance schedules prior to returning to storage. Reasonable costs incurred by the custodian requiring reimbursement by the polluter must be submitted with justification to the HMA/SMPC to be included in the overall cost recovery process.

5.7 STATE LEVEL RECOVERY COORDINATION

The HMA shall provide a representative (if requested) for State level recovery coordination activities.

5.8 POST OIL SPILL MONITORING

The Controlling Agency has the responsibility to implement a post spill scientific monitoring program.

The HMA, through the SMPC, in consultation with SMEERC, will provide advice and approve proposed monitoring program prior to their implementation.


5.9 COST RECOVERY

Cost recovery arrangements for MEE are in accordance with the AMSA National Plan and the 'polluter pays principle'.

In addition to the National Plan arrangements, DoT has statutory powers in State waters to recover all costs and expenses incurred in relation to discharges or probable discharges in accordance with the *Western Australian Pollution of Waters by Oil and Noxious Substances Act 1987*.

For the offshore petroleum industry, the OSCP/OPEP must confirm that cost recovery arrangements apply in full for all documented expenses incurred by DoT and Service Providers. Expenses include any costs resulting from any action or inaction taken by DoT in association with an actual or impending MEE incident.

This is achieved through the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* for Australian Government and the *Petroleum and Geothermal Energy Resources Act 1967*, *Petroleum (Submerged Lands) Act 1982* and *Petroleum Pipelines Act 1969* for State.



The Controlling Agency is responsible for initiating and preparing claims for cost recovery in line with the polluter pays principles outlined in the National Plan, AMSA guidance on cost recovery and relevant legislation.

5.10 INVESTIGATION

Any investigation into the cause of the MEE will be conducted in accordance with the existing maritime legislation, both Australian Government and State, as appropriate. Investigative activities of MEE under State legislation will be conducted by DoT.

5.10.1 Post Incident Analysis / Post Operation Report (Level 2/3)

Following a MEE response, the HMA/SMPC, in consultation with the Controlling Agency, will undertake a Post Incident Analysis (PIA) or review to assess the effectiveness of relevant IMPs/OSCPs/OPEPs and State Hazard Plan – MEE.

The PIA should include a collaboration of responder experiences, formal debrief outcomes, incident reports, incident investigation reports and any outcomes of inquiries. The PIA will be conducted in accordance with ‘The Conduct of Post Event and Incident Analysis’ guidelines published AMSA.

A Post Operation Report will be provided to the SEMC in accordance with [State EM Policy](#) section 5.11, [State EM Plan](#) section 5.7 and [State EM Response Procedure](#) 22.

APPENDIX A DISTRIBUTION LIST

This State Hazard Plan for Maritime Environmental Emergencies is available on the SEMC website (www.semc.wa.gov.au). The agencies below will be notified by the HMA (unless otherwise specified) when an updated version is published on this website.

- All agencies and organisations with responsibilities under this Plan
- Emergency Management Australia (SEMC Business Unit to notify)
- Minister for Emergency Services (SEMC Business Unit to notify)
- Minister for Transport
- State Emergency Management Committee (SEMC), SEMC subcommittee and SEMC reference group members (SEMC Business Unit to notify)
- State Library of Western Australia (SEMC Business Unit to notify).

WA Based Agencies

Australian Marine Oil Spill Centre (AMOSC) Fremantle
Australian Maritime Safety Authority: Fremantle
Australian Maritime Safety Authority: Karratha
Department of Water and Environmental Regulation (DWER)
Department of Biodiversity Conservation and Attractions (DBCA) – Parks and Wildlife Service
Department of Fire and Emergency Services (DFES)
Department of Primary Industries and Regional Development (DPIRD) – Fisheries Division
Department of Transport (DoT)
Department of Mines, Industry Regulation and Safety (DMIRS)

Western Australia Police Force
Rottnest Island Authority
Port, Port Operator, Port Facilities Operators
Kimberley Ports Authority
Pilbara Ports Authority
Mid-West Ports Authority
Fremantle Ports Authority
Southern Ports Authority
Australian Institute of Petroleum (AIP)
Cape Cuvier (Dampier Salt)
Derby (Shire of Derby/West Kimberley)
Houtman Abrolhos Consultative Committee
Onslow Salt (AKZO)
Port Walcott (RTIO)
Useless Loop (Shark Bay Salt)
Wyndham Port
Yampi Sound Cockatoo Island (Portman Mining)

Interstate Agencies

Australian Maritime Safety Authority (AMSA), Canberra
Australian Marine Oil Spill Centre (AMOSC)
Australian Petroleum Production & Exploration Association Ltd (APPEA)
Department of Planning, Transport and Infrastructure, South Australia
Marine and Safety Tasmania
Marine Safety Queensland
Maritime New South Wales
National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA)
NT Department of Transport
Transport Safety Victoria

APPENDIX B GLOSSARY OF TERMS / ACRONYMS

B1 GLOSSARY OF TERMS

Terminology used throughout this document has the meaning prescribed in section 3 of the *Emergency Management Act 2005* or as defined in the [State Emergency Management Glossary](#). In addition, the following hazard-specific definitions apply.

BOAT HARBOUR OPERATOR The agency or organisation responsible for the management and operation of a Boat Harbour or Marina.

CONTROLLING AGENCY The agency or organisation that has responsibility to control response activities to an actual or impending Maritime Environmental Emergency.

ENVIRONMENTAL SCIENTIFIC COORDINATOR (ESC) The nominated person who provides scientific and environmental advice to the Incident Controller or State Maritime Environmental Emergencies Coordinator during a Maritime Environmental Emergency.

HAZARD MANAGEMENT AGENCY (HMA) The Hazard Management Agency is a public authority or person prescribed under the *Emergency Management Act 2005* who is responsible for emergency management, or the prescribed emergency management aspect, in the area prescribed of the hazard for which it is prescribed.

The Chief Executive Officer, DoT is the HMA for the hazards of marine oil pollution and marine transport emergency.

Section 5 of the *Emergency Management Act 2005* provides for the delegation of some or all of the powers, duties of an HMA. The Chief Executive Officer, DoT as the HMA has delegated all powers and duties under sections 50,53 and 55 to the following DoT positions:

- Executive Director Maritime
- Assistant Executive Director Maritime
- Director Waterways Safety Management
- Harbour Master

JURISDICTIONAL AUTHORITY The Agency identified in the National Plan for Maritime Environmental Emergencies that has the jurisdictional or legislative responsibility to ensure there is adequate prevention of, preparedness for, response to and recovery from a Maritime Environmental Emergency.

MARINE OIL POLLUTION EVENT An actual or impending spillage, release or escape of oil or an oily mixture that is capable of causing loss of life, injury to a person or damage to the health of a person, property or the environment.

MARINE TRANSPORT EMERGENCY EVENT An actual or impending event involving a ship that is capable of material damage to the vessel or another vessel, loss of life, injury to a person or damage to the health of a person, property or the environment or a hazard to the navigation of other vessels.

MARITIME CASUALTY A collision of vessels, stranding or other incident of navigation or other occurrence on board a vessel or external to it resulting in material damage or imminent threat of material damage to the vessel, its cargo, or persons on board the vessel.

MARITIME EMERGENCY RESPONSE COMMANDER (MERCOCM) A person responsible for the management of emergency intervention issues in response to a maritime casualty. The MERCOCM is appointed by AMSA and is supported by statutory powers under the *Protection of the Sea (Powers of intervention) Act 1981* (Commonwealth).

MARITIME ENVIRONMENTAL EMERGENCIES (MEE) Collective name given to a marine oil pollution event and/or marine transport emergency.

MARITIME INCIDENT MANAGEMENT TEAM (MIMT) A group of personnel from DoT and other State Government organisations trained to perform roles within an Incident Management Team.

NATIONAL PLAN FOR MARITIME ENVIRONMENTAL EMERGENCIES A nationally endorsed Plan that sets out national arrangements, policies and principles for the management of Maritime Environmental Emergencies.

NATIONAL PLAN STRATEGIC COORDINATION COMMITTEE (NPSCC) A committee responsible for the strategic coordination of the National Plan for Maritime Environmental Emergencies.

NATIONAL RESPONSE TEAM (NRT) A group of experienced personnel who can be seconded from Australian Government/State/Territory Agencies and industry to perform a range of response roles.

OFFSHORE PETROLEUM FACILITY Means a facility operating in accordance with the provisions of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (Commonwealth) or the equivalent State legislation.

OIL Hydrocarbons in any liquid form including crude oil, fuel oil, sludge, oil refuse, refined products and condensates. Also including dissolved or dispersed hydrocarbons, whether obtained from plants or animals, mineral deposits, or by synthesis.

OIL SPILL CONTINGENCY PLAN (OSCP) / OIL POLLUTION EMERGENCY PLAN (OPEP) A documented scheme of assigned responsibilities, actions and procedures, required in the event of a marine oil pollution event.

PORT AUTHORITY WATERS

The area described in relation to a port by order made by the Governor under the *Port Authorities Act 1999* section 24.

PORT, PORT OPERATOR, PORT FACILITY OPERATOR Any supplier of goods or services at a maritime facility within the boundaries defined by the *Shipping and Pilotage Act 1967* and *Port Authorities Act 1999*.

SHIPMASTER The person having command or charge of a ship. Also referred to as the Captain.

SHIP OWNER An entity owning a ship or shares in a ship.

SHIP OPERATOR A person or company that runs the ship. The entity responsible for the commercial decisions concerning the employment of a ship and therefore decides how and where that asset is employed.

SERVICE PROVIDER An agency or organisation that provides assistance to the Controlling Agency in response to a Maritime Environmental Emergency.

STATE MARINE POLLUTION COORDINATOR The Assistant Executive Director Maritime, DoT is the nominated State Marine Pollution Coordinator under AMSAs National Framework to Combat Pollution of the Sea by Oil and other Noxious and Hazardous Substances.

During a Maritime Environmental Emergency incident, the role of the SMPC is to coordinate strategic management of the incident response. This includes the provision of strategic guidance to the Incident Controller.

During an incident the role of SMPC will be performed by one of the following DoT positions:

- Executive Director Maritime
- Assistant Executive Director Maritime
- Director Waterways Safety Management
- Harbour Master

STATE RESPONSE TEAM (SRT) A group of personnel from DoT, State Government organisations and selected external organisations trained to perform field response operations.

B2 ACRONYMS

AIIMS	Australasian Inter-Service Incident Management System
AIP	Australian Institute of Petroleum
AMOSC	Australian Marine Oil Spill Centre
AMOSPlan	Australian Marine Oil Spill Plan
AMSA	Australian Maritime Safety Authority
DBCA	Department of Biosecurity, Conservation and Attractions
DFES	Department of Fire and Emergency Services
DoT	Department of Transport
DoT OSCP	Department of Transport Oil Spill Contingency Plan
DPIRD	Department of Primary Industries and Regional Development
DWER	Department of Water and Environmental Regulation
ESC	Environmental and Scientific Co-ordinator
IGA	2002 Inter-Governmental Agreement on the National Plan to Combat Pollution of the Sea by Oil and other Noxious and Hazardous Substances
HMA	Hazard Management Agency

IMP	Incident Management Plan	SECG	State Emergency Coordination Group
IMT	Incident Management Team	SEMC	State Emergency Management Committee
ISG	Incident Support Group	SIMP	State Incident Management Plan
JRCC	Joint Rescue Coordination Centre – Australia	SMEERC	State Maritime Environmental Emergency Response Committee
MEECC	Maritime Environmental Emergency Coordination Centre	SMPC	State Marine Pollution Coordinator
MEER	Maritime Environmental Emergency Response	SOLAS Convention	Safety of Life at Sea Convention
MERCOM	Maritime Emergency Response Commander	SRT	State Response Team
MIMT	Maritime Incident Management Team		
National Plan	The National Plan for Maritime Environmental Emergencies 2017		
NOPSEMA	National Offshore Petroleum Safety and Environmental Management Authority		
NPSCC	National Plan Strategic Coordination Committee		
NRT	National Response Team		
OAM	Operational Area Manager		
OPEP	Oil Pollution Emergency Plan		
OSCP	Oil Spill Contingency Plan		
PIA	Post Incident Analysis		

APPENDIX C RESPONSE ROLES AND RESPONSIBILITIES

The Department of Transport Maritime has the primary role of coordinating the response to Maritime Environmental Emergencies (for marine oil pollution and marine transport emergency).

The following are the response roles and responsibilities of agencies under this Plan. Brief all-hazards information is also provided for agencies who may have a role under this Plan – full details of these roles and responsibilities can be found in the [State Emergency Management Plan](#), Appendix E.

All agencies should maintain appropriate internal plans and procedures in relation to their specific responsibilities.

Organisation	Response Responsibilities (see State EM Plan Appendix E for full all-hazards roles and responsibilities)
State and Local Government	
Department of Biodiversity Conservation and Attractions (DBCA)	<ul style="list-style-type: none"> ○ Oiled wildlife response ○ Environmental Scientific Coordinator Role ○ Environmental advice ○ Marine park management advice/support ○ Regional expert advice ○ Local resource support
Department of Communities	<ul style="list-style-type: none"> ○ Support organisation of the emergency management activity of Providing welfare services
Department of Fire and Emergency Services (DFES)	<ul style="list-style-type: none"> ○ HMA for HAZMAT ○ HMA for land based spills ○ Logistical support ○ Evacuation support/coordination
Department of Health	<ul style="list-style-type: none"> ○ Coordinate the health response ○ Medical support ○ Public health and safety support

Organisation	Response Responsibilities (see State EM Plan Appendix E for full all-hazards roles and responsibilities)
Department of Indigenous Affairs (DIA)	<ul style="list-style-type: none"> ○ Cultural, heritage, indigenous advice ○ Conduit for communication between communities and emergency management
Department of Mines, Industry Regulation and Safety (DMIRS)	<ul style="list-style-type: none"> ○ Assess and approve OSCP's for offshore petroleum activities in State waters. ○ Environmental advice.
Department of Transport (DoT)	<ul style="list-style-type: none"> ○ CEO is HMA / Jurisdictional Authority / Controlling Agency as per State Hazard Plan – MEE
Department of Water and Environmental Regulation (DWER)	<ul style="list-style-type: none"> ○ Environmental advice ○ Waste management approvals ○ Air quality sampling ○ Chemical response advice/support
Local Government	<ul style="list-style-type: none"> ○ Local knowledge ○ Local logistical support ○ Community engagement support ○ Assist shoreline clean up ○ Undertake recovery activities
Port Authorities	<ul style="list-style-type: none"> ○ Controlling Agency for MEE Incidents in Port Authority Waters ○ Resource support
Port Operators, Port Facilities Operators, Boat Harbour Operators	<ul style="list-style-type: none"> ○ Formulate, exercise and review own OSCP/OPEP ○ May be assigned to assist MEE response in relevant OSCP's/OPEP's
Western Australia Police Force (WA Police Force)	<ul style="list-style-type: none"> ○ HMA for SAR ○ Emergency management support ○ Site security/control ○ Evacuation support/coordination

Organisation	Response Responsibilities (see State EM Plan Appendix E for full all-hazards roles and responsibilities)
Australian Government	
Australian Maritime Safety Authority (AMSA)	<ul style="list-style-type: none"> ○ Jurisdictional Authority, Controlling Agency for shipping related maritime environmental emergencies within Australian Commonwealth Waters ○ Conduit for activation of National Plan resources
Bureau of Meteorology	<ul style="list-style-type: none"> ○ Meteorological information
Department of Defence	<ul style="list-style-type: none"> ○ Provide support to response at the request of AMSA and Emergency Management Australia
National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA)	<ul style="list-style-type: none"> ○ Jurisdictional Authority for Offshore Petroleum related marine oil pollution incidents within Australian Government Waters ○ Accept OPEPs for Offshore Petroleum activities in Australian Government Waters.
Industry	
Australian Marine Oil Spill Centre (AMOSC)	<ul style="list-style-type: none"> ○ Resource Support
Petroleum Titleholders	<ul style="list-style-type: none"> ○ Controlling Agency for Level 1 Offshore Petroleum related MEE Incidents in State Waters. ○ Controlling Agency for Offshore Petroleum related MEE incidents in Commonwealth Waters. ○ Resource support