



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

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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			
4			

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

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

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1 INTRODUCTION

The State Hazard Plan for Maritime Environmental Emergencies (MEE) (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.

The Plan refers to a range of existing plans and documents relating to Maritime Environmental Emergencies 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 Marine Safety, General Manager, 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:

- Waters of the State:
 - 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* (Australian Government) section 3(1).
- 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.

For the purposes of the Plan, the above waters are referred to collectively as “State Waters”.

Spills of oil that impact shorelines from State Waters are covered by this Plan.

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.

This Plan does not include:

- a. Spills of oil originating on land that enter State Waters
- b. Spills of other hazardous materials in State 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.
- g. Non-marine oil pollution events involving a vessel/ship less than 400 GRT.

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 section 15 of the *Emergency Management Regulations 2006* (EM Regulations) applicable to this Plan are:

- **Marine Transport Emergency:** “Actual or impending event involving a ship 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 15(i)); and

Note: In the context of the Plan, a ship or large passenger vessel means either a registered ship 400 GRT or greater or a passenger ferry licenced under Division 4A of the *Transport Coordination Act 1966*.

- **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 15(j)).

These hazards are collectively referred to within this Plan as Maritime Environmental Emergencies.

1.3 ORGANISATIONAL ROLES AND RESPONSIBILITIES

The Marine Safety, General Manager, DoT is the HMA for marine oil pollution and marine transport emergencies.

The Marine Safety, General Manager is the State Maritime Environmental Emergency Coordinator during an actual or impending Maritime Environmental Emergency.

The DoT is responsible for the development, implementation and revision of this State Hazard Plan – Maritime

Environmental Emergencies (MEE), in consultation with key stakeholders.

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 (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)
- Department of Transport Oil Spill Contingency Plans (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 2017 (National Plan)
- Port, Port Operator, Port Facility Operator and Petroleum titleholder OSCP/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)*

- *Marine and Harbour Act 1981*
- *Maritime Transport and Offshore Facilities Security Act 2003 (C'th)*
- *Navigation Act 2012 (C'th)*
- *Offshore Petroleum and Greenhouse Gas Storage Act 2006 (C'th)*
- *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009(C'th)*
- *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 Maritime Environmental Emergencies. The IGA commits the State to nominate a responsible 'Jurisdictional Authority' to manage marine oil pollution incidents in State waters and nominate a 'State Marine Pollution Controller'

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 and the Marine Safety, General Manager, DoT as the State Marine Pollution Controller. In the context of this Plan, the State Marine Pollution Controller is referred to in WA as the State Maritime Environmental Emergency Coordinator (SMEEEC).

The HMA engages with intrastate agency stakeholders and national stakeholders to ensure a consistent approach to managing Maritime Environmental Emergencies across Australia.

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 Marine Safety, General Manager, 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 Shipmaster, Port, Port Operator, Port Facility Operator, Boat Harbour Operator and Petroleum titleholders to ensure that Maritime Environmental Emergency 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 Maritime Environmental Emergencies.
- 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 Port, Port Operator, Port Facility Operator, Boat Harbour Operators formulate and maintain an appropriate Oil Spill Contingency Plan (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 stock pile 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 a Maritime Environmental Emergency.
- Promoting public awareness and appropriate community participation in Maritime Environmental Emergency 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 Maritime Environmental Emergency 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 OPGGS Act and environment regulations.

3 PREPAREDNESS

3.1 RESPONSIBILITY FOR PREPAREDNESS

As the HMA, the Marine Safety, General Manager, DoT is responsible for the development of plans and arrangements to manage Maritime Environmental Emergencies.

DoT is responsible for the preparation of the State Oil Spill Contingency Plan and the State Incident Management Plan and ensuring that Maritime Environmental Emergency preparedness is maintained at an adequate level for State waters.

Controlling Agencies have responsibility for ensuring adequate preparedness for Maritime Environmental Emergencies within their respective area of responsibility.

3.2 CAPABILITY BASELINE

To assist with planning and preparedness for incidents relating to Maritime Environmental Emergencies, 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 Oil Spill Contingency Plan (OSCP) or Oil Pollution Emergency Plan (OPEP).

The contents of IMPs, OSCP and OPEPs are to be consistent with this Plan, the State EM Plan, other State Hazard Specific Plans and the National Plan for Maritime Environmental Emergencies.

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 incident management plan for State waters.

It is the responsibility of all Port Authorities and DoT to formulate, review and exercise incident management plans 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 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 HMA 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 Maritime Environmental Emergency 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 a Maritime Environmental Emergency, 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 the Australian Maritime Safety Authority (AMSA) on the actions being taken to manage the situation.

3.3.5 State Maritime Environmental Emergency Response Committee

The State Maritime Environmental Emergency Response Committee (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 Maritime Environmental Emergencies.

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 a Maritime Environmental Emergency.

Maritime Incident Management Team (MIMT)

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

State Response Team (SRT)

The State Response Team (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 a Maritime Environmental Emergency is through the State Maritime Environmental Emergency Coordinator.

National Response Team (NRT) / Industry Core Group

The National Response Team (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 (AMOSC).

Requests to AMSA for activation of the NRT and/or Core Group during a Maritime Environmental Emergency is through the State Maritime Environmental Emergency Coordinator.

3.3.7 Equipment Resources

The DoT maintains a WA database of Maritime Environmental Emergency response equipment managed by DoT, the Port Authorities, Port Facility Operators and Boat Harbour Operators. In addition, AMSA maintains a database of Maritime Environmental Emergency 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 a Maritime Environmental Emergency are through the State Maritime Environmental Emergency Coordinator.

Response equipment owned by other States can also be accessed during a Maritime Environmental Emergency through the State Maritime Environmental Emergency Coordinator.

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 Australian Marine Oil Spill Centre (AMOSC) holds and maintains a stockpile of equipment commensurate to their obligations to AMOSC members. AMOSC equipment can be accessed during a Maritime Environmental Emergency under the National Plan arrangements through AMSA by request through the State Maritime Environmental Emergency Coordinator.

Surveillance Aircraft

OSCPs/OPEPs are to identify any existing local arrangements for accessing aircraft for surveillance during a Maritime Environmental Emergency.

If aircraft are unavailable, or sources cannot be located during a Maritime Environmental Emergency, an initial request can be made to the State Maritime Environmental Emergency Coordinator. Where commercial aircraft are unsuitable, or not available, Department of Defence aircraft may be available. Request for Defence resources can be made through the State Maritime Environmental Emergency Coordinator.

All requests for Australian Government physical assistance are to be made 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 is through the State Maritime Environmental Emergency Coordinator.

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).

3.4 COMMUNITY INFORMATION AND EDUCATION

Preparedness includes Maritime Environmental Emergency 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 Maritime Environmental Emergencies.

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 20.

Requests for Australian Government assistance during a MEE incident will be coordinated through the State Maritime Environmental Emergency Coordinator.

3.5.2 National Plan Assistance

The State Maritime Environmental Emergency Coordinator 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 a Maritime Environmental Emergency in another jurisdiction will be made through the HMA.

3.6 COORDINATION/CONTROL ARRANGEMENTS WITH OTHER JURISDICTIONS

3.6.1 Western Australia Border Agreements

If a Maritime Environmental Emergency occurs close to State borders the Controlling Agency will be decided through consultation between the relevant HMA and Jurisdictional

Authorities and will be assigned to the agency deemed most capable of performing the role of Controlling Agency.

In these instances, the State Maritime Environmental Emergency Coordinator 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

Maritime Environmental Emergency 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 State Maritime Environmental Emergency Coordinator.

If deemed appropriate, the HMA may declare an emergency situation in response to a Maritime Environmental Emergency (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).
- 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 State Maritime Environmental Emergency Coordinator.

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 State Maritime Environmental Emergency Coordinator must 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.

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

CHARACTERISTIC	LEVEL 1	LEVEL 2	LEVEL 3
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)

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 Maritime Environmental Emergencies.

4 RESPONSE

4.1 RESPONSIBILITY FOR RESPONSE

As the HMA, the Marine Safety, General Manager, DoT has overall responsibility for ensuring there is an adequate response to a marine oil pollution and/or a marine transport emergency in State waters.

The HMA is designated as the State Maritime Environmental Emergency Coordinator during an actual or impending Maritime Environmental Emergency.

Responsibilities for response to a Maritime Environmental Emergency, including identification of HMA/jurisdiction 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
WA State Waters	Marine Transport Emergency	Marine Safety, General Manager, DoT	DoT	DoT
	Offshore Petroleum Activity Marine Oil Pollution	Marine Safety, General Manager, DoT	Petroleum Titleholder	DoT ¹
	Vessel Marine Pollution	Marine Safety, General Manager, DoT	DoT ²	DoT
Port Authority (PA) Waters	Marine Transport Emergency	Marine Safety, General Manager, DoT	PA ²	PA/DoT ³

Location	Incident	Hazard Management Agency/ Jurisdictional Authority	Controlling Agency	
			Level 1	Level 2/3
	Offshore Petroleum Activity Marine Oil Pollution	Marine Safety, General Manager, DoT	Petroleum Titleholder	DoT
	Vessel Marine Oil Pollution	Marine Safety, General Manager, DoT	PA ²	PA/DoT ³
Shipping and Pilotage Port (SPA) Waters	Marine Transport Emergency	Marine Safety, General Manager, DoT	DoT ²	DoT
Shipping and Pilotage Port (SPA) Waters	Offshore Petroleum Activity Marine Oil Pollution	Marine Safety, General Manager, DoT	Petroleum Titleholder	DoT
Shipping and Pilotage Port (SPA) Waters	Vessel Marine Oil Pollution	Marine Safety, General Manager, 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 OSCP and to administer their relevant legislation. DoT remains the HMA for spills sourced from Offshore Petroleum Activities in State waters.

- (1) 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).
- (2) 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.
- (3) 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 Maritime Environmental Emergency.

The State Maritime Environmental Emergency Coordinator is to confirm in writing the Controlling Agency during a Maritime Environmental Emergency.

In a Maritime Environmental Emergency, should a Controlling Agency be deemed by the State Maritime Environmental Emergency Coordinator to be incapable of providing an adequate response, they may reassign the role of Controlling Agency.

The responsibilities of Service Providers during a response to a Maritime Environmental Emergency 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 do not have capacity or capability to fulfil their responsibility to manage the

marine transport incident effectively, or in a timely manner, or in the interest of protecting the community and the environment. The decision to assume control of the marine transport incident will be made by the nominated Controlling Agency with notification to the HMA.

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 Marine Safety, General Manager, DoT, as the relevant 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 an incident occurs 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 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 Incident Management Team with the senior DFES on-scene officer. Local response arrangements for shipboard fires are to be detailed in the relevant Incident Management Plan (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 waters, the DFES Commissioner is the HMA. The management arrangements for these land spills are detailed in the State Hazard Plan – HAZMAT.

Where a subsequent spill into State waters 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 HMA will represent the WA Government in matters pertaining to the assessment of granting of a place of refuge request during a Maritime Environmental Emergency, particularly in relation to dealings with AMSA through the Maritime Emergency Response Commander (MERCOCM).

4.2 RESPONSE ARRANGEMENTS

4.2.1 State Maritime Environment Emergency Coordinator (SMEEEC)

The Marine Safety, General Manager, DoT is the HMA for a MEE incident and is designated as the State Maritime Environmental Emergency Coordinator during an actual or impending Maritime Environmental Emergency. The State Maritime Environmental Emergency Coordinator has overall responsibility for ensuring there is an adequate response to that Maritime Environmental Emergency.

During a Maritime Environmental Emergency, the State Maritime Environmental Emergency Coordinator will provide overall strategic management of the response and executive level support and guidance to the Incident Controller.

In the event that the General Manager, Marine Safety, DoT, is not available to perform the function of the State Maritime Environmental Emergency Coordinator during a MEE incident, then that function will be designated to the Harbour Master, DoT, or the Director Waterways Safety Management, DoT.

4.2.2 Maritime Environment Emergency Coordination Centre (MEECC)

During a Level 2 or 3 Maritime Environmental Emergency, the State Maritime Environmental Emergency Coordinator will establish and operate from the Maritime Environmental Emergency Coordination Centre (MEECC).

The MEECC will be comprised of individuals able to assist the State Maritime Environmental Emergency Coordinator to provide strategic management of a Maritime Environmental Emergency and provide executive support to the Incident Controller.

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

4.2.3 Incident Controller (IC)

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

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

4.2.4 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 Maritime Environmental Emergencies, the appointment of an Incident Controller by the Controlling

Agency will be confirmed in writing by the State Maritime Environmental Emergency Coordinator to the nominated Controlling Agency.

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

4.2.5 Incident Management Team (IMT)

The Incident Management Team 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 Maritime Environmental Emergency.

The exact composition and structure of the Incident Management Team will be determined by the Incident Controller, however it will be based upon 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.

4.2.6 State Maritime Environmental Emergency Coordinator Liaison Officer (SMEECLO)

During a Maritime Environmental Emergency, the State Maritime Environmental Emergency Coordinator may deploy a Liaison Officer (SMEECLO) to the Incident Control Centre to assist effective communications between the State Maritime Environmental Emergency Coordinator and the Incident

Controller. The SMEECLO may also offer subject matter expert advice to the Incident Controller as appropriate.

In the event that a Forward Operating Base is established to respond to a Maritime Environmental Emergency, the State Maritime Environmental Emergency Coordinator may also opt to deploy an additional SMEECLO to the Forward Operating Base.

In all instances, a SMEECLO reports directly to the SMEEC.

4.2.7 Environmental Scientific Coordinator (ESC)

The Environmental Scientific Coordinator is a nominated officer from the Department of Biodiversity Conservation and Attractions (DBCA).

The Environmental Scientific Coordinator is a member of the State Maritime Environmental Emergency Response Committee (SMEERC) and may be requested during a Maritime Environmental Emergency to provide whole of government, expert environmental and scientific advice to the State Maritime Environmental Emergency Coordinator or Incident Controller.

In the performance of their duties, the Environmental Scientific Coordinator is supported by the Environmental Liaison Group (ELG). The Environmental Liaison Group is comprised of nominated individuals from a number of State Government Agencies, including the Department of Biodiversity, Conservation and Attractions, the Department of Primary Industries and Regional Development and the Department of Water and Environmental Regulation. 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 Maritime Environmental Emergency, access to the Environmental Scientific Coordinator is coordinated through the State Maritime Environmental Emergency Coordinator. The role and responsibilities of the Environmental Scientific Coordinator are further defined in the DoT OSCP.

4.2.8 Maritime Environment Emergency Incident Coordination Structure

The coordination structure for responding to a Maritime Environmental Emergency is shown in **Figure 1**.

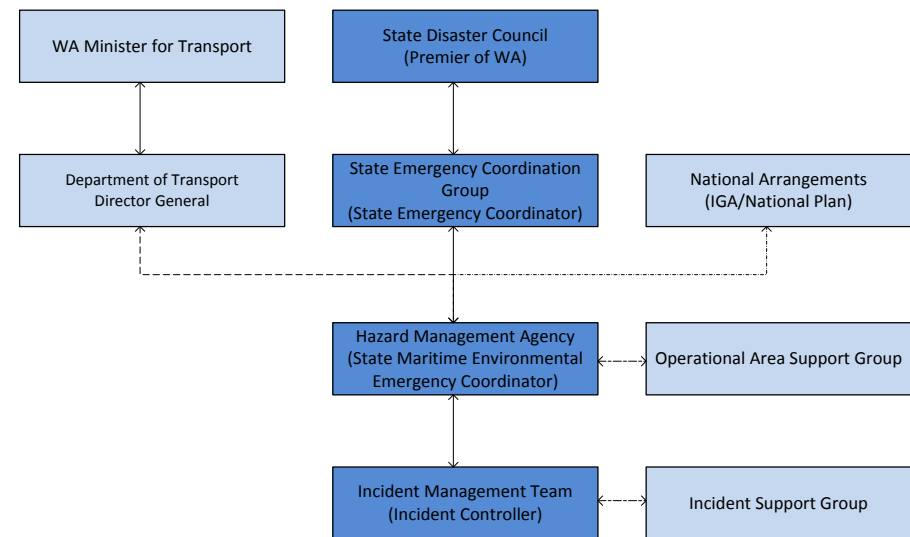


Figure 1 – Maritime Environment Emergency Response Coordination Structure

In the event of a simultaneous marine transport emergency and marine oil pollution event, the General Manager, Marine Safety, DoT, operating under the title of State Maritime Environmental Emergency Coordinator, would in effect perform the role of an Operational Area Manager (OAM) with overall responsibility for the response to two simultaneous hazard events.

In this instance, the State Maritime Environment Emergency Coordinator may appoint multiple Incident Controllers with separate Incident Management Teams or opt for a single Incident Controller with a single Incident Management Team.

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

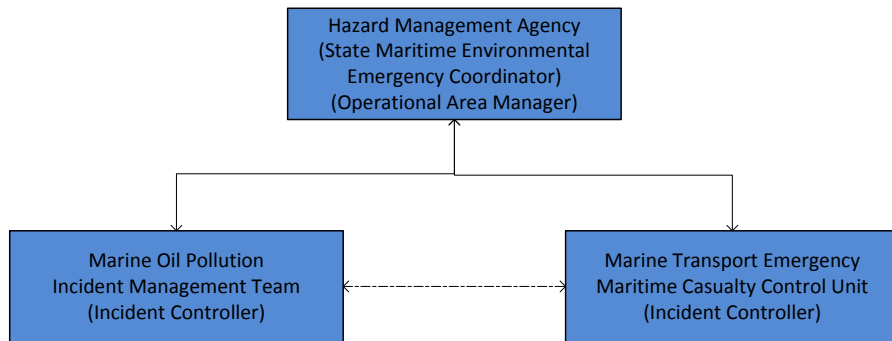


Figure 2 – Significant Simultaneous Maritime Environmental Emergency Coordination Structure

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

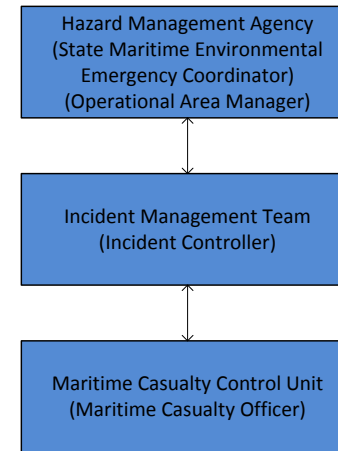


Figure 3 – Lesser Significant Simultaneous Maritime Environmental Emergency Coordination Structure

4.3 OFFSHORE PETROLEUM INCIDENTS

Level 2/3 marine oil pollution 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 Incident Management Teams established by multiple Controlling Agencies as shown in Figure 4.

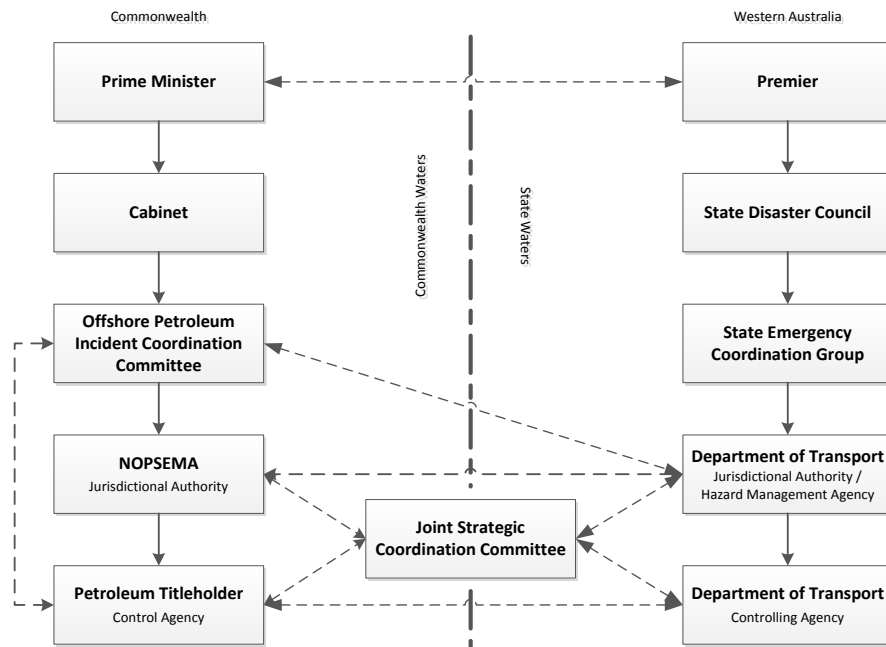


Figure 4 – Overall Control and Coordination Structure – Offshore Petroleum Cross Jurisdiction Incident

4.4 NOTIFICATIONS

Initial notification and reporting procedures for an actual or impending Maritime Environmental Emergency are to be prescribed in the relevant Port, Port Operator, Port Facility Operator, Boat Harbour Operator, Shipmaster and Petroleum Titleholder IMPs/OSCPs/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 State Maritime Environmental Emergency Coordinator as soon as reasonably practicable through the DoT Maritime Environmental Emergency Response Unit (MEER) Duty Officer via the 24-hour reporting number (08) 9480 9924.

The State Maritime Environmental Emergency Coordinator is responsible for the provision of alerts during actual or impending Maritime Environmental Emergencies to potential Controlling Agencies and Service Providers. This will be achieved through notifications to members of both the Operational Area Support Group and State Maritime Environmental Emergency Response Committee and follow up communications as required.

The State Maritime Environmental Emergency Coordinator is responsible for the notification of an actual or impending Maritime Environmental Emergency in State waters to the Director General – Transport, the Minister for Transport and 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 State Maritime Environmental Emergency Coordinator has overall responsibility for the provision of media management and public information during a Maritime Environmental Emergency.

For Level 1 Maritime Environmental Emergencies 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 State Maritime Environmental Emergency Coordinator may provide strategic guidance to the Incident Controller in this regard.

For Level 2 and Level 3 MEE incidents, the State Maritime Environmental Emergency Coordinator may require that final approvals and releases of information to the media and the Minister's office are undertaken by the State Maritime Environmental Emergency Coordinator.

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 State Maritime Environmental Emergency Coordinator 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. 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 a Maritime Environmental Emergency 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 a Comprehensive Impact Assessment (CIA) prior to concluding response activities, and providing it to members of the Incident Support Group 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 State Maritime Environmental Emergency Coordinator, before the termination of response activities to a Maritime Environmental Emergency. 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 a Maritime Environmental Emergency, 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 State Maritime Environmental Emergency Coordinator, Controlling Agency 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 State Maritime Environmental Emergency Coordinator and the impacted local government/s, when the response phase has concluded. As a part of this process, the findings of the Comprehensive Impact Assessment 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 a Maritime Environmental Emergency 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 Maritime Environmental Emergency 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 Department of Water and Environmental Regulation (DWER) administers the *Environment Protection Act 1986* and regulations for the disposal of Maritime Environmental Emergency 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 Incident Management Team, 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 to be included in the overall cost recovery process.

5.7 STATE LEVEL RECOVERY COORDINATION

The State Maritime Environmental Emergency Coordinator 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 State Maritime Environmental Emergency Coordinator in consultation with State Maritime Environmental Emergency Response Committee will provide advice and approve proposed monitoring program prior to their implementation.

5.9 COST RECOVERY

Cost recovery arrangements for Maritime Environmental Emergencies are in accordance with the 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 Maritime Environmental Emergency will be conducted in accordance with the existing maritime legislation, both Australian Government and State, as appropriate. Investigative activities of a Maritime Environmental Emergency under State legislation will be conducted by the DoT Marine Safety Investigations Unit.

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

Following a Maritime Environmental Emergency response, the HMA, 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 State Emergency Management Committee 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

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.

B1 GLOSSARY OF TERMS

Terms used throughout the series of State EM documents have the meanings given in section 3 of the EM Act and the State EM Glossary; specific definitions relevant to this Plan are listed below.

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 CO-ORDINATOR (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 Marine Safety, General Manager, DoT, is the HMA for the hazards of Marine Oil Pollution and Marine Transport Emergency.

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 causing loss of life, injury to a person or damage to the health of a person, property or the environment.

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

MARITIME ENVIRONMENTAL EMERGENCY (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 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, 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.

SHIP MASTER 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 MARITIME ENVIRONMENTAL EMERGENCY COORDINATOR Is the Marine Safety, General Manager, DoT, as the HMA for marine oil pollution and marine transport emergencies, or their nominated proxy, who has overall responsibility for ensuring an appropriate response during a Maritime Environmental Emergency.

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

AIP	Australian Institute of Petroleum	MOP	Marine Oil Pollution
AMOSC	Australian Marine Oil Spill Centre	MIMT	Maritime Incident Management Team
AMSA	Australian Maritime Safety Authority	MTE	Marine Transport Emergency
DoT OSCP	Department of Transport Oil Spill Contingency Plan	National Plan	The National Plan for Maritime Environmental Emergencies 2017
ESC	Environmental and Scientific Co-ordinator	NOPSEMA	National Offshore Petroleum Safety and Environmental Management Authority
IGA	2002 Inter-Governmental Agreement on the National Plan to Combat Pollution of the Sea by Oil and other Noxious and Hazardous Substances	NPSCC	National Plan Strategic Coordination Committee
JA	Jurisdictional Authority	NRT	National Response Team
JRCC	Joint Rescue Coordination Centre – Australia	OPEP	Oil Pollution Emergency Plan
LEMC	Local Emergency Management Committee	OSCP	Oil Spill Contingency Plan
MCCU	Maritime Casualty Control Unit	POWBONS	Pollution of Waters By Oil and Noxious Substances, 1987
MCO	Maritime Casualty Officer	RC	Recovery Committee
MEECC	Maritime Environmental Emergency Coordination Centre	SRT	State Response Team
MEER	Maritime Environmental Emergency Response	SMEEC	State Maritime Environmental Emergency Coordinator
MERCOM	Maritime Emergency Response Commander	SMEECLO	State Maritime Environmental Emergency Coordinator Liaison Officer
		SMEERC	State Maritime Environmental Emergency Response Committee

APPENDIX C RESPONSE ROLES AND RESPONSIBILITIES

The Department of Transport Marine Safety has the primary role of coordinating the response to Maritime Environmental Emergencies (MEE) (for marine oil pollution and Marine Transport Emergency) emergencies.

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 advise ○ 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"> ○ Jurisdictional Authority 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 ○ Crowd control/management ○ 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