

PREFACE

1.1. INTRODUCTION

This National Oil Spill Contingency Plan (Short title: NOSCP) has been prepared to relate at all levels to the Caribbean Island Oil Pollution Preparedness Response and Cooperation (OPRC) Plan – hereafter referred to as The Caribbean Plan. It also includes all aspects of oil spills on land. The Figure 1 below shows a Concession Map of Trinidad and Tobago showing the areas licensed to operators and the open areas for which this plan covers.

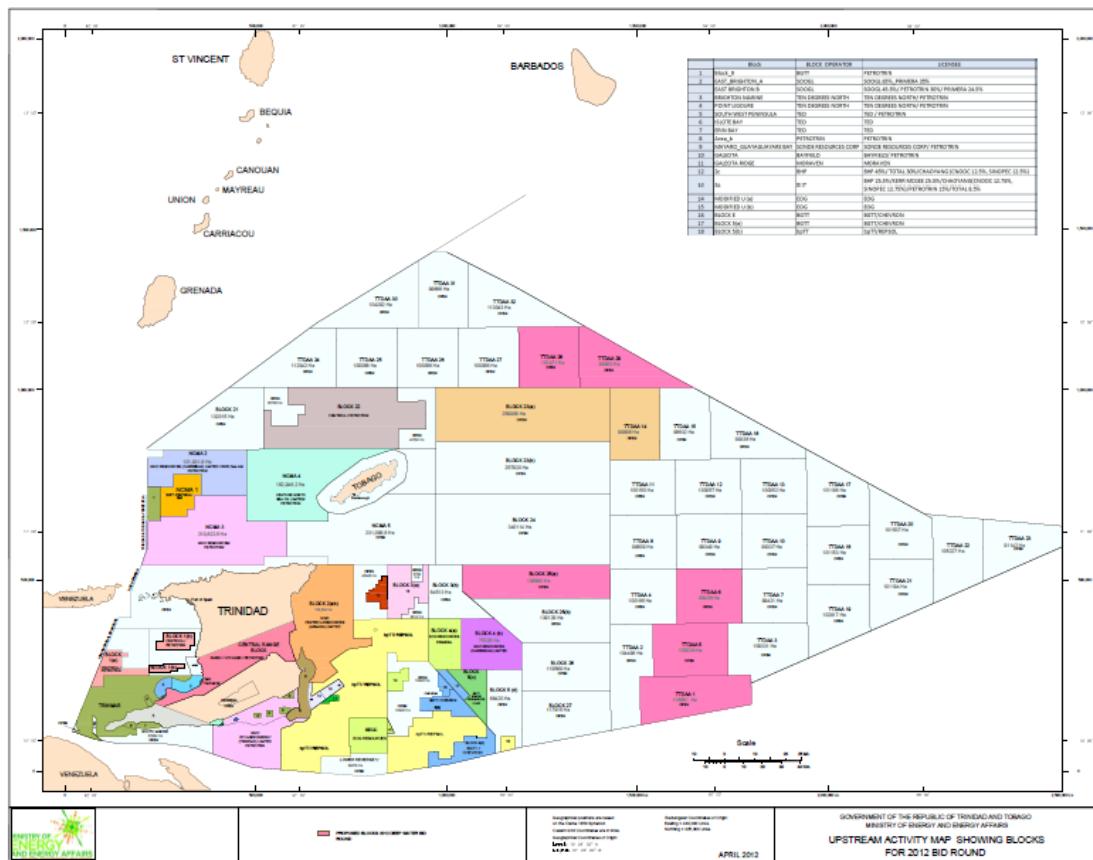


Figure 1: Concession Map of Trinidad and Tobago April 2012

The Caribbean Plan is designed to enhance an individual territory's ability to respond to a spill that is beyond its own capability and thereby establish the principle of mutual assistance.

The principle of Tiered or Level Response (See Fig. 2) applies, whereby:

- **Tier One Spills** are oil spills where in-house response capability is adequate. Impacts are low and in-house clean-up response is mandated. Tier 1 is site-specific and includes most shore-side industry with oil transfer sites, offshore installations, pipelines and all vessels from which a spill of oil is possible. Commercial ships are required to have a shipboard

oil pollution emergency plan (SOPEP). All operators are expected to be able to provide a full response to incidents on their sites.

- **Tier Two Spills** are small or medium-sized spills where significant impacts are possible and area or national support for adequate spill response is required. Inter alia oil and gas operators, oil and condensate-handling and transport facilities and vessels owners operating in Trinidad and Tobago's EEZ must maintain in addition to a Tier 1 clean-up response capacity, a Tier 2 response capability by subscription to a dedicated Tier 2 Oil Spill Response Organization (OSRO) resident in Trinidad and Tobago to handle spills that cannot be handled by in-house Tier 1 capabilities. The Tier 2 OSRO must be able to respond to a spill 24-hours a day, 7 days a week and must immediately mobilize upon notification of an oil spill.
- **Tier Three Spills** are normally large spills requiring substantial resources and support from regional or international oil spill co-operatives to mitigate effects perceived to be wide-reaching, i.e., of national or international significance. Oil and Gas operators that are in the business of oil and gas production and shipping of crude oil shall be required to obtain membership with a suitable Tier 3 oil spill equipment cooperative that can mobilize equipment into the country within at least 24 - 48 hours. The basis of operator plans for handling Tier 3 spills shall be based on the Worst Case Discharge as defined in the Glossary.

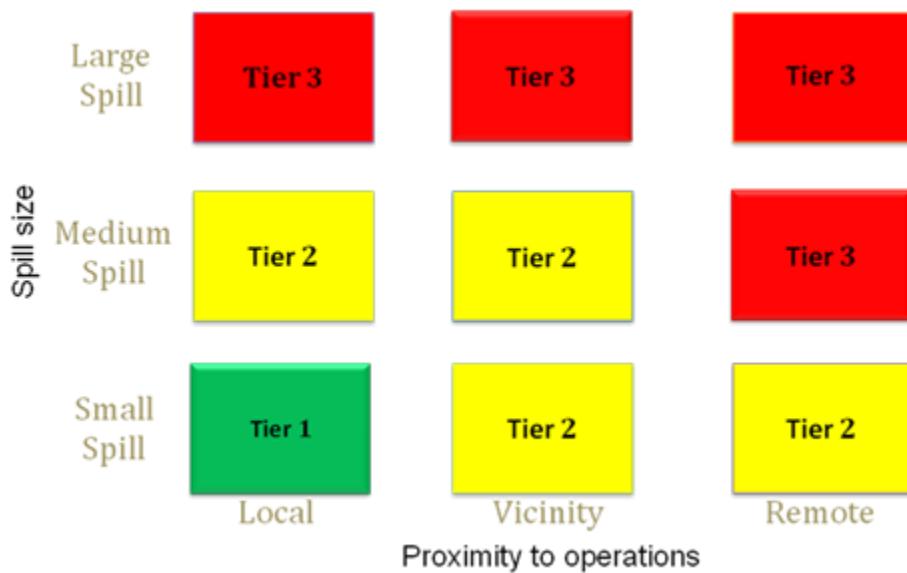


Figure 2: Tiers Defined (Source: IPIECA)

Tiers 1, 2 and 3 oil spill response capacity will be defined in terms of type of spill based on a risk assessment conducted or approved by the MEEA.

The plan does not in any way relieve authorities and agencies of their day-to-day operational and environmental responsibilities within the areas of their jurisdiction. All oil and gas operators that fall with the brackets as per Table 1 will be required to possess or have immediate and unimpeded access to Tier 2 level equipment in Trinidad and Tobago at all times. In addition, all oil and gas operators must put arrangements in place to access Tier 3 level equipment mobilized within 24-48 hours of request.

Categories for size of spill shall be defined for marine pollution in Table 1 to order to indicate which entities are required to possess equipment, personnel and external arrangements, as a minimum, based on the potential spill size and also to assist in determination of the response mechanism and alerting procedures. **All operators must possess the ability to access in country equipment and personnel for handling a medium-sized spill.** This will be accomplished by a co-operative mechanism. Allowance will be made for the existence of more than one cooperative.

	Small Spill	Medium Spill	Large Spill
<ul style="list-style-type: none"> • Bunkering/Ship-to-ship Transfers • Upsteam oil and gas operators • Refineries, etc. 	\leq AMPD (the lesser of 50 bbls or AMPD)	$>$ AMPD – 10% WCD (the greater of 700 bbls or 10% WCD)	10% WCD – WCD (>700 bbls or $>10\%$ WCD whichever is greater)

Table 1: Production or Handling-based Oil Spill Size System for Minimum Equipment Planning

1.2. PURPOSE AND OBJECTIVE

The purpose of the contingency plan is to delineate responsibilities for the operational response to terrestrial and marine emergencies, which could result in oil spills and cause damage to Trinidad and Tobago's economy.

The central objective of all countermeasures operations will be to minimize the threat to human health and terrestrial and marine ecosystems *inter alia* seabirds, marine life, fisheries, ecologically sensitive zones, all beaches, forests, agriculture, inland water courses, water intakes, groundwater reservoirs as well as other economically relevant facilities and amenities at risk. Preservation of human life will be paramount to any decision-making process and response.

Procedures will be established that ensure local, national and regional co-operation involving contingency planning, prevention, control and clean-up. The National Plan will be the basis and guide for the development of all facility and terminal oil spill plans.

1.3. SCOPE

To ensure a timely and effective response to spills, or the threat of an oil spill, this Plan:

- Establishes reporting, alerting and assessment systems;

- b) Identifies the chain of command and related responsibilities, including the competent national authority and the national oil spill response organization;
- c) Establishes an “Oil Spill” Records and Information Management System
- d) Establishes an incident reporting procedure;
- e) Identifies the size of spill which can be dealt with at the national level;
- f) Identifies high risk areas and likely sources of oil spills;
- g) Identifies ecologically sensitive zones, vulnerable resources at risk and priorities for protection;
- h) Identifies oil spill equipment, logistic support facilities and communication capabilities available within Trinidad and Tobago;
- i) Identifies external sources of expert advice and equipment and establishes procedures for contacting them and assisting in their entry and departure from Trinidad and Tobago;
- j) Establishes and maintains collaboration with experts in the field of oil spill planning and response
- k) Identifies Trinidad and Tobago's power of Intervention;
- l) Explains the problems to be faced with an oil spill and appropriate response techniques;
- m) Identifies storage facilities for recovered oil as well as disposal methods;
- n) Establishes a dispersant application policy and a list of approved dispersants.
- o) Establishes an in-situ burning policy.

This Plan addresses the geographical area bounded by the Exclusive Economic Zone including the coastal and territorial waters of Trinidad and Tobago. Its response management approach will also be effective for spills of oil or other deleterious petroleum products on land and in any aquatic environment inland.

1.4. STATEMENT OF AUTHORITY

The Ministry of Energy and Energy Affairs (MEEA) is authorized to regulate and manage spills caused by licensees according to the Petroleum Act and Regulations.

The Environmental Management Act, Chapter 35:05, authorizes the EMA or the designated environmental officers to enforce the law with management of the environment.

The Territorial Sea Act and Archipelagic Water and EEZ Act are mechanisms to enforce the law with respect to enforcement by the Trinidad and Tobago Coast Guard, Customs, Fisheries Division, Police or Harbour Master within the EEZ of Trinidad and Tobago.

These and other laws under which participating agencies function in order to ensure that the land and marine areas are protected against oil pollution are as follows:

Laws	Applicable Sections
Oil Pollution of Territorial Waters Act 37:03 1951	3, 4
The Territorial Sea Act 1969	6A
Continental Shelf Act 1969	7
Petroleum Act 1969	Part III, 29 (1) (h), (j)
Petroleum Regulation 1970	42 (2) (c), (d), (i), (j), (k), (l), (m); 43 (r), (s)
Disaster Measures Act 16:50 1978	2, 3, 4
Archipelagic Waters and Exclusive Economic Zone Act 1986	28, 30, 32
Environmental Management Act 35:05 2000 and Applicable Rules – CEC Rules	24, 25, 53, 55, 61 and 70(1) as it relates to
OSH Act (as amended) 2004	As it relates to an industrial establishment

Table 2: Laws Applicable to Oil Spill Planning and Response

There are also applicable policies that provide guidance and direction on emergency management, for instance:

Policies	Applicable Sections
National Environmental Policy	Section 4.8 (d) and Section 4.10
National Tourism Policy	Permits required for access to particular sites
National Biodiversity Strategy and Action Plan 2001	Provide guidance on priorities for protection
National Policy and Programme on Wetland Conservation for Trinidad & Tobago (2002)	To manage the threats to wetlands and requires protection, management and restoration of wetlands in order to sustain and enhance their ecological and socio-economic values and function.

Table 3: Laws Applicable to Oil Spill Planning and Response

2. MITIGATION – MANAGEMENT STRUCTURE FOR NOSCP

2.1. LEAD AGENCY

The Lead Agency is the organization in charge of initiating and receiving information directly from the Lead Agencies of other States and Territories. This organization is in charge of coordination between public institutions, private interests and international authorities for oil spills in Trinidad and Tobago.

In Trinidad and Tobago, the Lead Agency is the Ministry of Energy and Energy Affairs (MEEA).

The Incident Command Team (ICT) will be activated when there is a threat of pollution to Trinidad and Tobago. This group will include representatives from the Ministry of Energy & Energy Affairs (MEEA), the Environmental Management Authority (EMA), Maritime Service Division of the Ministry of Works and Transport (MSD/MOT), agencies of the Ministry of National Security (MNS) e.g. TTCA and TTAG, the Tobago House of Assembly (THA) and Municipal Corporations where applicable and the Responsible Party (RP). The response organizations will utilize the Incident Command System (ICS).

Other persons and organizations may be co-opted as appropriate and as desired by the MEEA. The role of the MEEA is primarily to direct the TTCA otherwise referred to as the Government's Response Agency, but also includes planning, preparedness, monitoring, response operations and ensuring that other agencies play an appropriate part in supporting any action.

The Incident Commander from the Lead Agency (MEEA) will normally be in overall charge of operations and will chair the ICT. This person will be designated as the National Controller (NC) and will draw on the expertise of the relevant agencies that participate in a supporting role during a spill incident and will be advised on maritime matters by the MSD and the MNS. Two Deputy National Controllers and an Assistant Deputy Controller will also be designated to fulfil the functions of the National Controller and Deputy Controllers respectively when unavailable. A Standing Cabinet-Appointed Committee comprising members from the agencies involved in the Command Staff and other relevant agencies will manage the NOSCP under the guidance of the National Controller. Details of all relevant personnel with office and home telephone numbers are included in Appendix A.

Support, at the operational level, will be provided by the Ministry of National Security (MNS). Resources will be co-opted as necessary and all oil spill cleaning tasks will involve resources through the Tier 2 OSRO, the Ministry of National Security, the Regional Corporations, and the Ministry of Works and Infrastructure (MOWI).

The responsibilities of NOSCP Controller and the Committee are as follows:

Category	Responsibility
1. Equipment requirements	<i>Ensure a minimum level of pre-positioned oil spill combating equipment commensurate with the risk involved, and programmes for its use;</i>
2. Exercises	<i>Ensure a programme of exercises for oil pollution response organizations and training of relevant personnel;</i>
3. Oil Spill Plans	<i>Ensure that there are detailed plans and communication capabilities which are continuously available to an oil pollution incident;</i>
4. Co-ordination Arrangements	<i>Ensure that there are arrangements to co-ordinate the response to an oil pollution incident with, if appropriate, the capabilities to mobilize the necessary resources.</i>
5. Foreign Affairs,	<i>Co-operate and provide advisory services, technical support and equipment for the purpose of responding to a serious oil pollution incident, upon the request</i>

Immigration and Customs	<i>of any State Party affected or likely to be affected</i>
	<i>Request assistance for Tier 3 spills from foreign organisations</i>
	<i>Facilitate the arrival and utilization in, and departure from, its territory of ships, aircraft and other modes of transport engaged in responding to an oil pollution incident or transporting personnel, cargoes, materials and equipment required to deal with such an incident;</i>
	<i>Facilitate the expeditious movement into, through, and out of Trinidad and Tobago of personnel, cargoes, materials and equipment referred to in (7) below.</i>
6. Research and Development, Technology transfer and Training	<i>Engage directly or through other competent international organizations in the promotion and exchange of results of research and development programmes relating to the enhancement of the state-of-the-art of oil pollution preparedness and response, including technologies and techniques for surveillance, containment, recovery, dispersion, clean-up and otherwise minimizing or mitigating the effects of oil pollution, and for restoration.</i>
	<i>Establish directly or through other competent international organizations, the necessary links between research institutions of Trinidad and Tobago and those of other State Parties.</i>
	<i>Promote directly or through other competent international organizations, the holding on a regular basis of international symposia on relevant subjects, including technological advances in oil pollution combating techniques and equipment.</i>
	<i>Encourage directly or through other competent international organizations, the development of standards for compatible oil pollution combating techniques and equipment.</i>
	<i>The National Controller shall, where appropriate, directly or through international bodies, as appropriate, in respect of oil pollution preparedness and response, provide support for those State Parties which request technical assistance—</i> <ul style="list-style-type: none"> • <i>to train personnel;</i> • <i>to ensure the availability of relevant technology, equipment and facilities;</i> • <i>to facilitate other measures and arrangements to prepare for and respond to oil pollution incidents; and</i> • <i>to initiate joint research and development programmes.</i>
	<i>Co-operate in the transfer of technology in respect of oil pollution preparedness and response.</i>
Category	Responsibility
7. Bilateral and Multi-lateral Plans	<i>Establish and maintain bilateral or multilateral agreements for oil pollution preparedness and response</i>

Table 4: Responsibilities of National Controller

The Standing Committee will include but not be limited to the following agencies and organizations represented by a senior decision-maker of these GoRTT organizations: MEEA, EMA, ODPM, MSD, TTG, TTAG, MOFA, IMA, MFP (Fisheries Division), OSHA, NPMC and PETROTRIN.

2.2. LEAD AGENCY ROLES AND RESPONSIBILITIES

The Lead Agency is responsible for the following main functions under the Incident Command System (ICS). This plan is developed to utilize the Incident Command System (ICS) and hence uses the ICS terminology. It is expected that the ICS Forms would be used during a Tier 2 or Tier3 response.

Figure 3 below shows the basic ICS organizational chart with the Incident Commander, the Command Staff and the four major Sections comprising Operations, Logistics, Planning and Finance all headed by Section Chiefs.

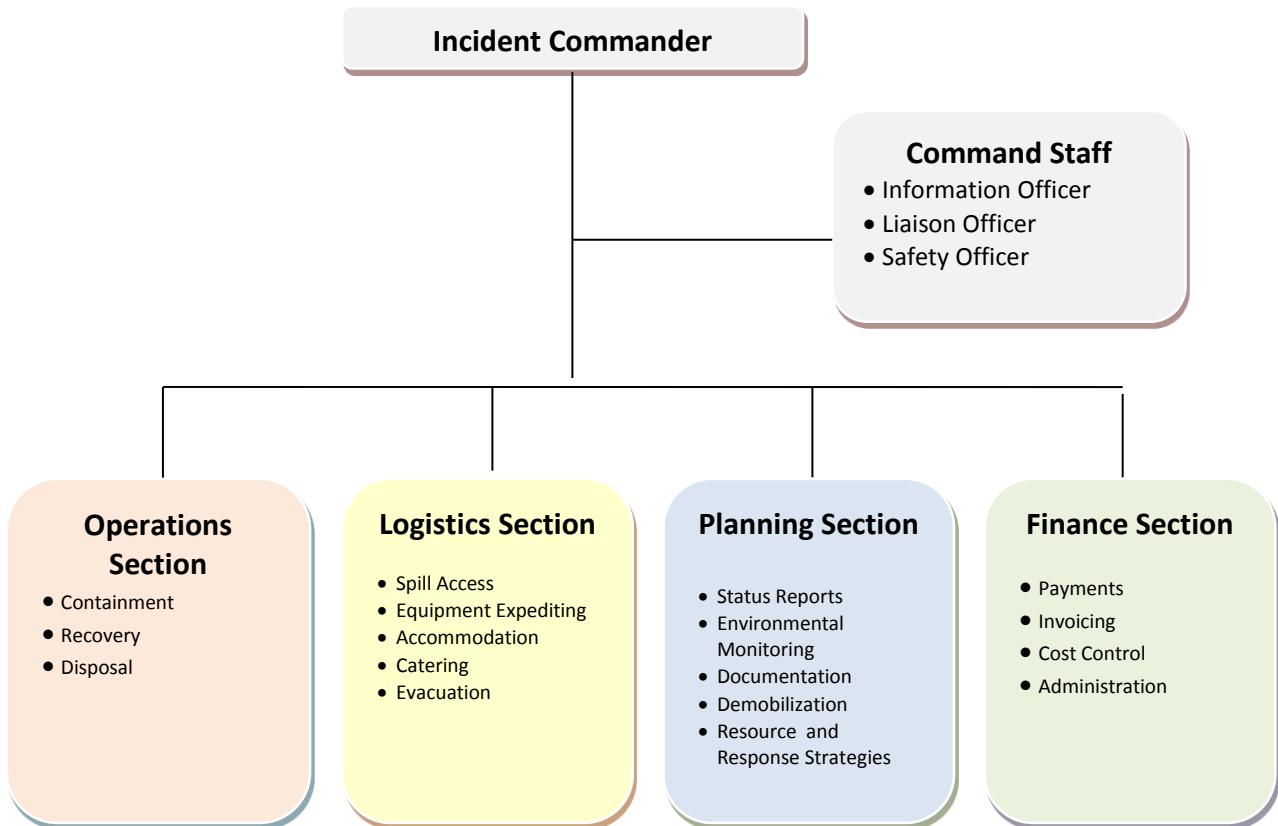


Figure 3: Incident Command System Basic Structure

Incident Commander

The Incident Commander has the overall responsibility for the response operations and must assemble the spill response team (including specialists if required).

- The Incident Commander for a Tier 1 incident is the **Responsible Party (RP)** or the TTCG for mystery spills.
- The Incident Commander of a Tier 2 incident will utilize the unified command between the Responsible Party, MEEA, and TTCG/TTAG/TTR.

- c) The Incident Commander of a Tier 3 incident will utilize unified command among the Incident Commanders from the **MEEA** (or RP if known) supported by the **MSD, TTCG, TTFS, IMA and EMA**, as applicable. The Incident Commander from the MEEA will be the National Controller or his deputy.

Information Officer

The Information Officer is responsible for developing and releasing information about the incident to the news media, to incident personnel, and to other appropriate agencies and organizations. Only one Information Officer will be assigned for each incident, including incidents operating under Unified Command and multi-jurisdictional incidents. The Information Officer may have assistants, as necessary, and the assistants may also represent assisting agencies or jurisdictions. This function shall be fulfilled by officers from the Communications Specialists in the **MEEA** supported by the **EMA** and **ODPM** for T2 or T3. See Appendix G for essential information on Public Relations.

Safety Officer

The Safety Officer is responsible for monitoring and assessing hazardous and unsafe situations and developing measures to assure personnel safety. The Safety Officer will correct unsafe acts or conditions through the regular line of authority, although the Safety Officer may exercise emergency authority to prevent or stop unsafe acts when immediate action is required. The Safety Officer maintains awareness of active and developing situations, ensures the Site Safety and Health Plan is prepared and implemented, and includes safety messages in each Incident Action Plan. Only one Safety Officer will be assigned for each incident, including incidents operating under Unified Command and multi-jurisdiction incidents. The Safety Officer may have assistants, as necessary, and the assistants may also represent assisting agencies or jurisdictions. This function is to be provided by the **OSHA** (or RP) supported by TTFS, and MEEA for Tier 2 and Tier 3.

Liaison Officer

Incidents that are multi-jurisdictional, or involve several agencies, may require the establishment of the Liaison Officer position on the Command Staff. The Liaison Officer is the point of contact for the assisting and cooperating Agency Representatives and stakeholder groups. Only one Liaison Officer will be assigned for each incident, including incidents operating under Unified Command and multi-jurisdiction incidents. The Liaison Officer may have assistants, as necessary, and the assistants may also represent assisting agencies or jurisdictions. The **MEEA** shall fulfil this responsibility.

Operations Section Chief

The **Operations Section Chief** - (OSC), a member of the General Staff within ICS, is responsible for the management of all operations directly applicable to the primary mission.

The OPS activates and supervises organization elements in accordance with the Incident Action Plan (IAP) and directs its execution. The OPS also directs the preparation of Unit

operational plans, requests or releases of resources, makes expedient changes to the IAP, as necessary; and reports such to the Incident Command (IC). The major responsibilities of the Operations Section Chief are:

- a) Review Common Responsibilities
- b) Develop operations portion of IAP.
- c) Brief and assign Operations Section personnel in accordance with the IAP.
- d) Supervise Operations Section.
- e) Determine need and request additional resources.
- f) Review suggested list of resources to be released and initiate recommendation for release of resources.
- g) Assemble and disassemble strike teams assigned to the Operations Section.
- h) Report information about special activities, events, and occurrences to the IC.
- i) Respond to resource requests in support of Natural Resource Damage Assessment (NRDAR) activities.
- j) Maintain Unit/Activity Log (ICS Form 214).

The Operations Section Chief role will be fulfilled by the **MEEA** supported by the **TTCG** and **TTAG**. Further details on this function and the participants can be found in Appendix D and the ICS Operational Guide prepared by OSRL.

Planning Section Chief

The Planning Section Chief - (PSC), a member of the General Staff within ICS, is responsible for the collection, evaluation, dissemination and use of information about the development of the incident and the status of resources. Information is needed to:

- a) Understand the current situation
- b) Predict the probable course of incident events; and
- c) Prepare alternative strategies for the incident.

The Planning Section Chief is responsible for collecting, evaluating, and disseminating the tactical information related to the incident, and for preparing and documenting Incident Action Plans (IAP's). Further details on this function and the participants can be found in Appendix D and the ICS Operational Guide prepared by OSRL.

This function shall be fulfilled by the **MEEA** (or RP) and assisted by **EMA**, **IMA**, **MSD**, and **TTCG**.

Logistics Section Chief

The **Logistics Section Chief** - (LSC), a member of the General Staff within ICS, is responsible for providing facilities, services, and material in support of the incident. The LSC participates in the development and implementation of the Incident Action Plan (IAP) and activates and supervises the Branches and Units within the Logistics Section.

The Logistics Section Chief coordinates communications and equipment, personnel and supply movements in a large spill. The LSC activates a mobile command centre and ensures that its operational needs are met. Duties also include the following:

- a) Spill access
- b) Equipment expediting
- c) Accommodation
- d) Catering
- e) Evacuation
- f) Field Coordination and Communications (summon equipment, maintain field communications equipment, coordinate logistic support)
- g) Arrange for technical and repair services

This function shall be fulfilled by the **MEEA** (or RP). Further details on this function and the participants can be found in Appendix D and the ICS Operational Guide prepared by OSRL.

Finance Section Chief

The **Finance and Administrative** Staff is responsible for all financial, administrative, and cost analysis aspects of the incident.

The Finance Section Chief facilitates financial and other resources, arranges payments and controls invoicing. Ensures on-site cost and recovery accounting, and a chronological record is kept of spill control events. Further details on this function and the participants can be found in Appendix D and the ICS Operational Guide prepared by OSRL.

This function shall be fulfilled by the **MEEA** (or RP) and assisted by **EMA** and **MSD**.

2.3. RESPONSE ORGANIZATION

The responsibilities of the Response Organization are defined within ICS and can be found on the fema.gov website.

Appendix D shows the assignments of agencies to all the functions within ICS.

2.4. OPERATIONS CENTRE

The primary and alternate GORTT Emergency Operations Centres in the event of an emergency are provided as follows:

Operation Centre	Location	Type of Centre
ODPM	Tacarigua	NEOC
MEEA	Port-of-Spain	Primary
MEEA	La Romain	Alternate
Petrotrin	Pointe-a-Pierre	Alternate

Table 3: Operations Centres in Trinidad and Tobago

The primary centres will be staffed as necessary and will provide the command and control facility for the entire oil spill operation.

Appendix F provides more information on the Incident or Emergency Command Posts or Centres.

2.5. SUPPORT AGENCIES AND COMPANIES

The support agencies and companies provide technical and advisory assistance to the Lead Agency in the areas of planning, emergency services, infrastructure and social services. (These resources can be drawn from public institutions, private enterprise, oil and gas companies, and NGOs).

International Agencies can also be utilized to provide expert advice, equipment and personnel.

Brief descriptions of the roles of support agencies are included in Appendix A.

2.6. INTERAGENCY AGREEMENTS

Where possible, agreements with the relevant Government Agencies shall be documented in order to obtain the necessary assistance for oil spill preparedness and response.

The agreements that currently exist are the following:

Agreements	Year
Bilateral Oil Spill Contingency Plan between Trinidad and Tobago and Venezuela	1989
MOU between the EMA and various GORTT Ministries and other agencies	1996

Table 4: Intra-agency and Inter-governmental Agreements

Trinidad and Tobago is signatory to the following International Maritime Conventions:

International Conventions	Signatory
Cartagena Convention 1983	1986
Oil Spill Protocol 1983	1986
International Convention for the Prevention of Pollution from Ships (MARPOL) 73/78	2000
Oil Spill Preparedness Response and Co-operation Convention (OPRC) 1990	2000
Civil Liability Convention (CLC) 1992	2000
International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (FUND) 1992	2000

Table 5: International Conventions which Trinidad and Tobago is a Signatory

3. PREPAREDNESS

3.1. ASSUMPTIONS

In the event of a major oil spill in the terrestrial and marine environment, the following assumptions are made:

- a) The first priority will be safety and preservation of life of persons and personnel.
- b) Early detection mechanism shall be utilized to determine source and size of the spill and to mount an early response to the spill in the EEZ of Trinidad and Tobago.
- c) In the event of extensive oil impacts, a substantial logistical task would be required to organize and sustain the deployment of cleanup personnel and equipment.
- d) The mounting of a labour-intensive and protracted cleaning operation would quickly absorb the available labour force so that external reinforcement of equipment and personnel would almost certainly be required as a contingency.
- e) It is likely that Trinidad and Tobago will be able to dispose of all of the oily residue and waste within Trinidad and Tobago.

For major marine spills, it is recognized that at-sea operations and shoreline protection especially sensitive areas will be the priority and precautionary shoreline treatment operations will be undertaken. For major terrestrial spills it is recognized that watercourses, adjacent communities, agricultural and sensitive areas will be the priority for protection. This plan focuses on the provision of equipment and human resources within the country. This plan also recognizes that external aid will be utilized early when it has been established by the National Controller that local capabilities may be exhausted or unable to deal with problem at hand.

Smaller amounts of oil resulting from minor incidents should be manageable by local resources. Oil pollution from illegal discharges that frequently occur in both the onshore and offshore environment is a considerable nuisance and should be handled using a local capability in the first instance. However in the offshore environment it is recognized that major illegal discharges may require international assistance due to the potential impacts.

Due to the proximity of Venezuela and the fact that a threat to one country may pose a danger to another, a good working relationship as well as updating and maintenance of the Bilateral Plan must be fostered between the authorities of the involved countries with each Contingency Plan being held by the other. A similar arrangement shall be established with other neighbouring countries based on dispersion modelling.

3.2. LOCAL AND FACILITY PLANS

All local oil and gas operators, downstream energy-sector based operators, bunkering, storage and pipeline operators that require approvals from the MEEA and MSD must submit oil spill contingency plans to the MEEA and MSD as applicable as a minimum every 2 years. The local plan should be consistent with and be coordinated with other response plans (national and regional). All local plans are required to be in ICS format. The MEEA will ensure that local Plans are compliant. The EMA may also have requirements as per the CEC Rules which are binding on operators as applicable. The minimum standard for Auditing Oil Spill Plans will be the *Audit Guide for the Assessment of Emergency Response Plans and Emergency Management Systems Document* and the *Readiness Evaluation/Excel Tool for Oil Spills (RETOS)* as developed by ARPEL.

MARPOL 73/78 Regulation requires that every oil tanker of 150 tons gross tonnage and above and every other ship other than an oil tanker of 400 tons gross tonnage and above shall carry on-board a Shipboard Oil Pollution Emergency Plan (SOPEP) approved by the Flag State. The SOPEP must be in accordance with guidelines developed by IMO and should also include, as a minimum, the following information in the event of an oil pollution incident:

- a) Reporting procedure
- b) List of authorities to be contacted
- c) Detailed description of the action to be taken immediately by persons onboard to reduce or control the discharge of oil
- d) Procedures and point of contact on the ship for coordinating shipboard activities with national and local authorities in combating the pollution.

3.3. RISK ASSESSMENT

Upstream and downstream energy-sector based organizations, marine traffic, especially oil-tankers, large cruise-liners and cargo vessels in transit through coastal waters, present the risk of major oil pollution from collision, fire, explosion and grounding. Lesser, but nevertheless serious, pollution is caused by vessels pumping out their bilges or otherwise illegally discharging oil. Pipelines, refineries, road tank wagons, gas stations, and oil handling facilities also pose a threat to both marine and inland environments.

Risk scenarios resulting from normal oil industry and shipping operations in areas under the jurisdiction of Trinidad and Tobago, as well as those outside our jurisdiction likely to affect us, must be identified. The NOSCP will outline a response capability, in co-operation with industry, to cover these operations. Operators shall perform risk assessments for their operations to determine the type and quantity of equipment required, response measures and limitations. Based on this risk assessment they must also effectively deal with the Tier 1 spill so that the Average Most Probable Discharge (AMPD) has minimal or no impact on the

shoreline or marine life. Resources at risk as a result of operations must be identified and mechanisms for protection must be outlined.

A risk assessment must be conducted every two years by the MEEA in conjunction with EMA and OSHA. These assessments must also consider risks of oil spills to and from neighbouring countries.

Operation facilities that pose a potential medium to high risk of oil spill incidents in Trinidad and Tobago are shown in a map in Appendix P. The tanker routes within the Wider Caribbean Region are also shown in a map in Appendix P.

Trajectory modelling and sensitivity mapping on a GIS platform must be incorporated as part of the risk assessment process. This applies to all oil spill contingency plans. These must be used to develop credible scenarios for all oil spill drills.

The Caribbean Plan Chapter 11 expands on the threat throughout the Caribbean Region. The risk of spills in Trinidad and Tobago is summarized in Appendix P according to the primary activities that could lead to accidental discharges. See also Appendix O for sensitive areas mapping that exists currently.

3.4. TRAINING AND EXERCISES

A training matrix outlining the minimum training requirement for personnel and agencies involved in oil spill preparedness and response in Trinidad and Tobago is presented in Appendix Q. Training will be coordinated and administered through the agency where the National Controller resides.

The National Controller will arrange with the TTGCG for periodic exercises to ensure that reporting, alerting and communication systems function effectively and that those personnel assigned specific tasks under this plan are familiar with them.

The mobilization and deployment of equipment, personnel and materials to ensure availability and performance should be exercised. Additionally training programs for shoreline clean-up personnel and the Control and Command Teams will be developed.

Type of Exercise	Minimum Frequency under Area Responder System	Minimum Frequency under Tier 2 OSRO System
Function testing of dispersant spraying equipment	Quarterly	Quarterly
Offshore deployment of dispersant spraying equipment	1 per year	2 per year per OSRO
Offshore limited scale deployment of equipment	1 per year per operator	1 per year per OSRO
Offshore full scale deployment of oil recovery	1 per 2-year cycle per operator	1 every 2 years per OSRO
Table-top exercise	1 per year per operations centre	4 per year per OSRO
New production operations after approval of response plan	Within 12 months	Within 12 months
Table-top Bilateral drills with neighbouring countries where there are Bilateral Plans	1 per 2-year cycle	1 per 2-year cycle

Table 6: Frequencies of Exercises

Table top exercises will be held at least annually that includes multiple agencies in Trinidad and Tobago. Exercises with neighbouring countries should be held every two years to test response plans and the coordination of planning and operations.

Invitations must be sent to the relevant GORTT agencies including the MEEA, EMA, TTCG, ODPM, TTFS and OSHA to observe and/or participate in all of these events as required. See Appendix Q for more information.

3.5. USE OF DISPERSANTS

It is the position of GORTT that use of dispersants using the following parameters will cause no significant environmental harm from such use. It is the policy of GORTT that when combating spilled oil within its territorial seas, the Incident Commander as authorized by the Lead Agency, may use dispersants under the following conditions:

- a) The area of application is not less than one nautical mile from any shoreline, nor closer than three nautical miles up-current from important marine fisheries or coral reef ecosystems which are less than 20 feet from the water's surface;
- b) The water depth should exceed 10 meters (30 feet) in the area in which the dispersant will be applied;
- c) The method of application is one recommended by the manufacturer;
- d) The rate of application is as recommended by the manufacturer;
- e) The dispersants exhibiting low toxicity; and

- f) The MEEA with assistance from the TTCG, MSD and MNS will notify potentially affected downstream Island States and/or Territories whenever dispersant use is intended to be conducted beyond its territorial seas.

The MEEA will be responsible for the approval of the use of dispersants in Trinidad and Tobago waters in accordance with the criteria agreed for the Region unless there are special overriding considerations at the time. It must be noted, however, that for chemical dispersants to be effective, they must be applied on fresh oil in order to maximize the limited window of opportunity for their use – often within 24-48 hours following a spill. This window of opportunity may be expanded in some cases to 72-96 hours depending on the oil type and dispersant to be used. Dispersants must not be used in sensitive areas as determined by the **MEEA, EMA and Fisheries Division**.

It is further emphasized that only licensed and approved dispersants are permitted. This does not include commercial detergents - which must never be applied. As an added feature, for approved dispersants, the onus is on each operator to demonstrate that their dispersants can function effectively within the environments and oils on which it would likely be utilized. This must be determined by small-scale real-life exercises and verified by the MEEA.

The criteria for the use of chemical dispersants in the Caribbean Region are established in the Caribbean Island OPRC Plan Chapter 10 (see also Appendix M).

The decision-tree flowchart for dispersant use is as follows:

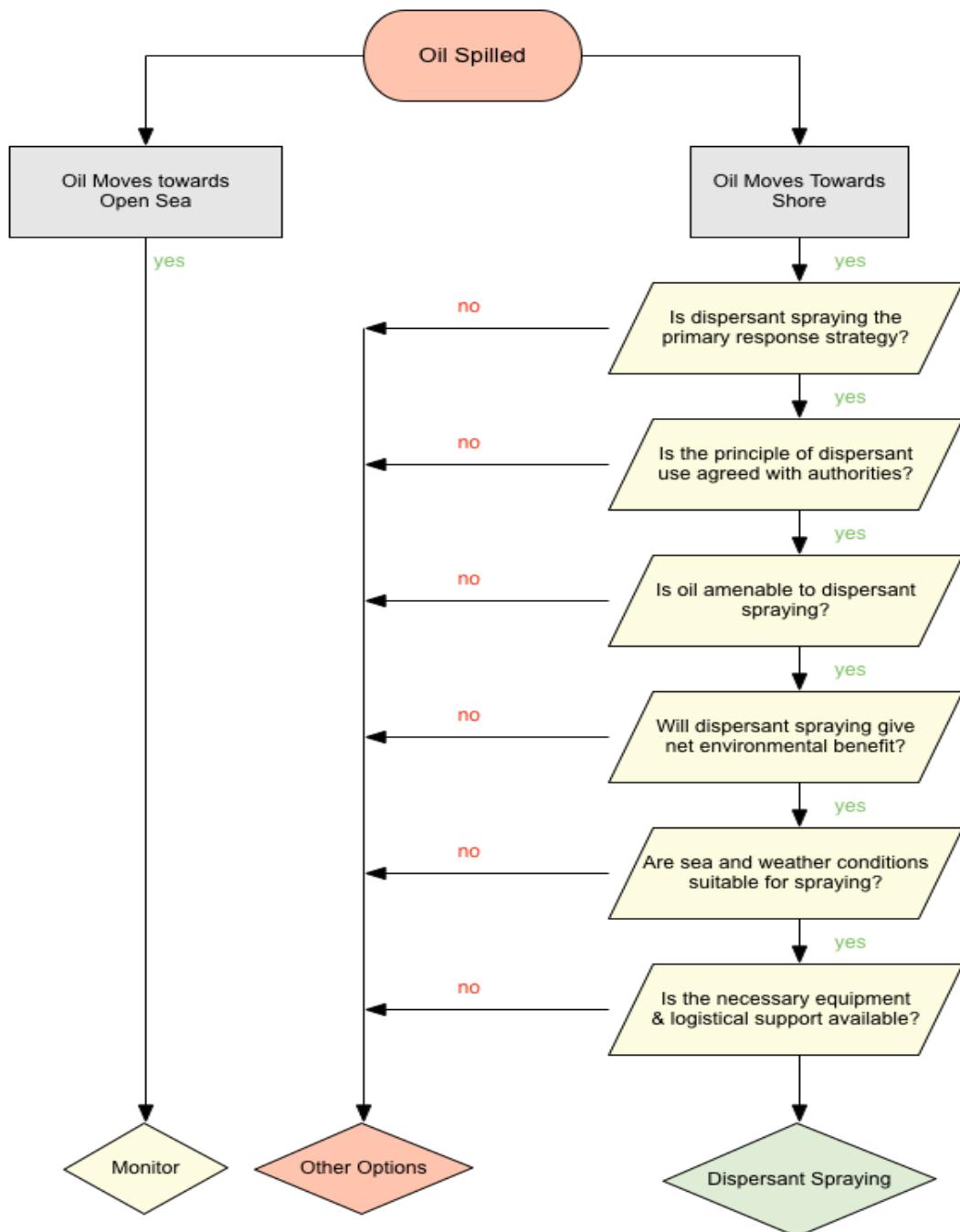


Figure 4: Dispersant Use Decision-tree

3.6. IN-SITU BURNING

Criteria for in-situ burning in the Caribbean Region are established in the Caribbean Island OPRC Plan Chapter 10.

The TTFS, Forestry Division and the EMA will be responsible for the approval of in-situ burning in Trinidad and Tobago in accordance with the criteria agreed for the Region unless there are special overriding considerations at the time. It must be noted, however, that for in-situ burning to be safe and effective, it must occur on fresh oil in order to maximize the limited window of opportunity – often within 24-48 hours following a spill. Safety concerns with regard to the fire and smoke plume must also be considered, and must not occur closer than 12 miles from any adjacent Island State or Territory.

It is further emphasized that only approved equipment comprised of fire-resistant booms and igniters are permitted.

ARPEL's In-situ Burning Guidelines entitled "A Guide to In-situ Burning of Spills" provides additional information with respect to conducting these procedures. See Appendix N for further details.

3.7. ILLEGAL DISCHARGES

If an illegal discharge takes place within a port area of Trinidad and Tobago, the Harbour Master will advise the Director of Maritime Services (DMS) who will consider whether prosecution action is appropriate under the International Convention for Prevention of Pollution from Ships, MARPOL 73/78, and/or local laws and regulations.

If a foreign ship discharges oil while passing through the territorial waters of Trinidad and Tobago, the TTCCG will advise the MSD who will report the incident to the Flag State of the vessel concerned along with any photographs or evidence and request that the matter be investigated further.

In event of a terrestrial oil spill, the MEEA and the EMA will take the lead in the determination of the appropriate actions to be taken including the collection of the samples.

A fingerprinting database will be maintained by the IMA for centralized national archiving purposes and for making comparisons of oil for matching purposes and for purposes of identification of the Responsible Party and for possible prosecution. Suitable alternate laboratories for conducting the testing of samples will also be identified as a contingency in the event that the primary laboratory is not available. These alternative laboratories will provide other testing methodologies besides GC-MS technique used by the IMA to increase the robustness of the matching protocols.

All parties responsible for spilling oil of 1 gallon and more or if a visible sheen on water is created must report immediately such incidents to the EMA and to the MEEA (if the party is an oil, gas or petrochemical operator). In addition, these parties must report such incidents

on the Initial Notification Form in Appendix B and present monthly oil spill statistical data to these agencies as proscribed by the EMA and MEEA.

3.8 LEGAL DISCHARGES

The possible need to discharge oil to save a ship and/or personnel is recognized in the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78), a convention in force for 78 nations, including the United States. On the other hand, U.S. statutes impose penalties for oil discharges into the sea that the convention would permit. Thus, the Oil Pollution Act of 1990 (OPA 90) dictates a strict liability standard for damage from oil spills and establishes criminal sanctions for spillers. It also reaffirms states' rights to set their own rules concerning ship-source oil pollution.

The Legislation of Trinidad and Tobago, if it does speak to permitting emergency lightering into the environment should address this concern; and issue strict liability and penalties for such oil spill discharges as obtains in the United States on a per volume basis yet providing legal protection for the individual making or directing this discharge if lightering is the option of last resort.

The difficulty and subjective nature of decisions related to purposeful jettisoning of hydrocarbons demands standard, objective decision-making criteria. Such criteria could help expedite a process that inevitably involves multiple decision makers and special interests. The following criteria are provided as fundamental conditions that must exist before any oil is jettisoned:

- Time pressures demand immediate action.
- Deliberate discharge of the proposed amount of oil is likely to save the ship and the remaining cargo.
- All other salvage options, such as internal cargo transfer and lightering (bunkering), have been exhausted or considered and rejected.
- Failure to jettison is likely to lead to loss of the ship and release of the remaining cargo. The principal issue is likely to be whether the ship will break up in bad weather, so information is needed concerning tides, currents, and approaching storms.

The advisement to permit and report emergency lightering or jettisoning of oil rests in the domain of the **MSD** and **EMA**. Currently the legal discharge issue needs to be addressed.

3.9 INTERVENTION

The MSD will monitor all actions by a damaged vessel or rig, will carefully assess any salvage agreement between the master of the Vessel and any Salvage Company, and will be prepared at all times to intervene under the proposed Shipping (Marine Pollution) Act (presently a Bill). The MSD can use this power to give direction when:

- a) An accident has occurred either to or in a ship;

b) In the opinion MSD, action is urgently required to prevent or reduce oil pollution or the risk of oil pollution on a large scale to Trinidad and Tobago or in the waters thereof. Directions in this respect will relate to either the ship or its cargo and should preferably be in writing. Once action is taken, the MSD can arrange for other persons or agencies to act on its behalf. Further details on Intervention are in the Caribbean Island OPRC Plan.

4. RESPONSE

4.1 HEALTH AND SAFETY

Personnel health and safety are prime considerations during an incident response when safety issues can be more complex than those during regular industry duties. As an example, an oil spill recovery on a watercourse involves boat operations where personnel can potentially be exposed to toxic and flammable hazards.

The first imperative of an oil spill response must be spill prevention and measures must be instituted to mitigate the potential for a spill. If a spill incident occurs, safety of life is the highest priority and should never be compromised regardless of the environmental imperative.

A Site Safety and Health Plan shall be prepared and implemented for all responder work sites. Appropriate personal protective equipment (PPE) must be worn by all responders in accordance the potential risks as determined from a risk assessment.

All chemicals used shall be approved by the MEEA and handled in accordance with the instructions of their corresponding Material Data Safety Sheet (MSDS).

Night operations shall be avoided unless there is sufficient light to work safely.

Contingency plans shall state the health and safety precautions and any company specific procedures. This includes the need to identify information and procedures on:

- a) Toxicology
- b) Fire and explosion hazards / risk
- c) Operations safety guidelines
- d) Personal protective equipment
- e) Site security
- f) Personnel safety responsibilities

The OSH Agency shall provide direction with respect to the safety measures and use of suitable personal protective equipment for the different component tasks of a response operation.

More detailed information on safety can be sourced from the IPIECA Report Series, Volume 11 “Oil Spill Responder Safety Guide”.

4.2. ALERTING SYSTEMS

Following notification (verbal and/or initial reporting), the Incident Commander from the MEEA will activate the Emergency Operations Centre and the personnel designated to staff the Centre positions should report for duty. Once the significance of the incident has been confirmed, the MEEA will activate the NOSCP. The Incident Commander who has overall responsibility for implementation of the Plan will also contact external agencies such as the CCA and others as appropriate through the appropriate member, or failing this, through the National Oil Company, PETROTRIN. The International Maritime Organization (IMO) Regional Consultants in Curacao will also be informed as necessary in accordance with the Caribbean Island OPRC Plan.

See Appendix B for the initial reporting form and instructions, Appendix C for the International Reporting Form, Appendix D for the Mechanisms in Place for Tiered Response and Roles and Assignments in ICS, Appendix E for the spill notification/alerting sequence, and ICS Form 203 for the filling out of personnel for ICS functions.

4.3. SPILL ASSESSMENT AND SURVEILLANCE

Initial confirmation will be made by the TTG using information gained by observation by aircraft, surface vessel, remote sensing and satellite and an assessment as to the threat to Trinidad and Tobago will be made by the TTG who will report directly to the MEEA.

The MEEA and the IMA will arrange for surveillance of the oil slick and, by use of meteorological (provided by the Metrological Office), hydrographic data (from the IMA), or other means, predict its probable movement.

If the assessment shows that another state is likely to be threatened, the MOFA, TTG and the MSD will inform that state through their counterpart agencies.

For routine surveillance, all pilots of aircraft and masters of ships and vessels must be instructed by the Civil Aviation Authority (CAA) and MSD respectively to report any sightings of oil in the sea for immediate onward transmission to the MEEA, EMA and the TTG.

Instruction on aerial surveillance is included in the Caribbean Island OPRC Plan. Further information on Surveillance options and capabilities can be found in Appendix H.

4.4 SAMPLING AND FINGERPRINTING

Sampling of oil for fingerprinting analysis (to determine the source of the oil spill) will be done by trained personnel in accordance with the sampling procedures established by the IMA called the — Oil Spill Sampling Manual published in January 2004 or any revisions that supersede this document. Sampling will also be done to determine the area contaminated which may involve water, sediment and biological sampling. Laboratory analyses for samples collected will be provided by the Institute of Marine Affairs (IMA), CARIRI, UWI

St, Augustine Chemistry Dept and any other competent laboratory using standard or established procedures.

The IMA and CARIRI shall be the agencies to assist with the establishment a National Fingerprinting Database for Trinidad and Tobago based on liquid hydrocarbons from oil, gas and petrochemical operations and imported and exported crude oil, in the first instance.

The sampling procedure will also include the collection of sufficient samples so that one set can be provided to the responsible party.

The TTG will assist in the collection of samples in conjunction with the MEEA and the EMA especially with respect to marine spills.

4.5. CLEANUP RESPONSE DECISION AND OPERATIONS

The Incident Command Team (ICT) will meet under the Chairmanship of the MEEA when summoned. It will implement the National Plan and will also consider the following matters:

- a) Mobilize personnel, equipment and materials from internal and, if necessary, external resources.
- b) The desirability of engaging external expertise to advise on oil spill cleanup, and the related measures needed to deploy external resources into and within the territory;
- c) The possible prevention or reduction of outflow of oil at source;
- d) If marine or coastal resources are threatened, whether it is practicable to mount any at-sea response, with or without external aid, and whether sensitive shoreline areas need to be protected by the deployment of booms;
- e) If beaches have been, or are likely to be affected, determine cleanup priorities and direct resources accordingly;

To assist in making these decisions, Appendix O indicates ecologically sensitive zones as the priority areas for cleanup. Appendix I lists locally available resources. Appendix L gives spill response and cleanup strategies. Appendix J gives External Sources of Equipment and Advice.

4.6. CLEANUP AND DISPOSAL OF RECOVERED OIL

Clean up and disposal will be dependent on a number of factors, for example, by the characteristics of the environment (e.g. sandy beach, rocky beach, estuary, mangrove, recreational facilities); by species; by accessibility; by type and volume of spilt material; by equipment available and by human resource availability. A Natural Resource Damage Assessment must be carried out by the EMA and supported by the IMA, MEEA, MFP,

WASA and the RP to determine the extent of the impact of the oil spill which will inform the best clean-up strategies and methodologies.

The philosophy that will be adopted for the handling of waste is waste hierarchy where the following obtains:

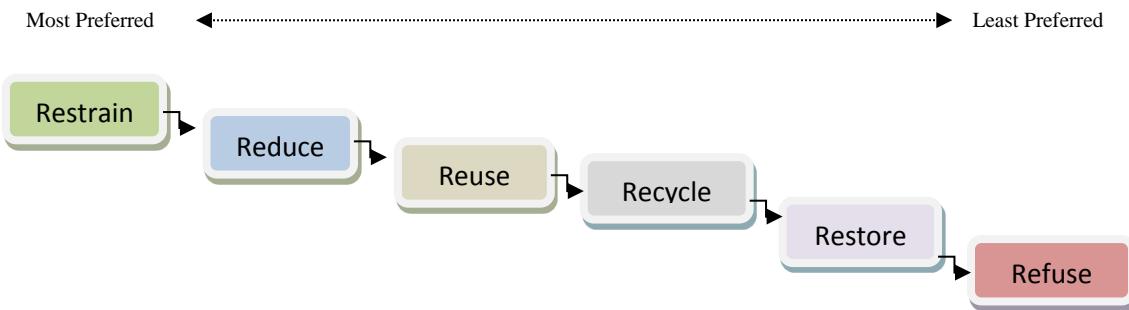


Figure 5: Waste Management Hierarchy

Waste Terminology	Definition
Restrain	Restrain or prevent the use of hazardous chemicals when can, this in turn will prevent harsh environmental effects.
Reduce	Reduce impacts on the Environment
Reuse	Reuse waste generated in the same project
Recycle	Recycle wastes that are unused for another project.
Restore	Restore the biodiversity of the affected area
Refuse	Safe disposal of waste to landfill

Table 7: Waste Hierarchy Terminology Explained

As indicated by Figure 5, restraint from producing waste is the most desirable option while Refuse (disposal) is the least desirable option. Oil and water mixtures have the option of treatment by re-processing, separation and emulsion breaking or a combination of treatment methods. Oil mixed with sediment has the option of treatment by re-processing, stabilization, bioremediation, sediment washing, landfill (for the sediment) and thermal treatment. Oil and organic debris have the option of treatment by stabilization, bioremediation, and thermal treatment. Oil contaminated PPE/equipment have the option of treatment by landfill or thermal treatment. The EMA and the MEEA will be the ultimate authorities in determination of the fate of all waste. See Appendix T for standards for bioremediation, effluent discharge and waste reuse and recovery.

The cleanup will be conducted by workers mobilized by the Tier 2 OSROs/RP/TTCG. Appeals may be made for volunteer groups to assist from qualified and recognized NGO's. Tarred sand will be removed with appropriate equipment coordinated by the Tier 2 Base and safely transported to a designated disposal or remediation site. Non-oil stained debris can be managed by SWMCOL. Oil contaminated soil or sand can be placed in temporary storage cells at on-site locations as designated by the Planning Section Chief and then transported safety to an EMA-approved bioremediation site for in-situ remediation or incineration. The

standards for effluent discharge and soil remediation is provided in Appendix Q. Any liquid oil recovered will have to be placed in containers, treated by a competent contractor and then forwarded to a waste oil collection system for recovery through a refining process or other similar system e.g. Petrotrin's refinery. A separate detailed document called "Waste Management Plan for Oil Spills in Trinidad and Tobago" will be the guidelines used for Waste Management for National Oil Spills.

4.7. HANDLING OF EXTERNAL RESOURCES

The handling of external reinforcements of personnel and equipment may impose considerable strain on Trinidad and Tobago's internal arrangements. The following salient points deserve mention here:

- a) Aircraft likely to be deployed are a side-loading Jet Cargo Aircraft which may be an extended DC-8 or a Boeing 767-200F for transport.
- b) Aircraft usage of airports at Piarco and Crown Point will certainly be required for landing and unloading of certain aircraft and, for fuelling of all aircraft;
- c) Availability and deployment of marine crafts;
- d) Seaport docking and cargo handling facilities and, where necessary, water transport;
- e) Immigration, Health and Customs arrangements are required to be in place for bringing into the country emergency equipment and personnel rapidly.

4.8. TECHNICAL ADVICE AND RESOURCES FROM OUTSIDE OF THE COUNTRY

In the event of a spill being determined to be beyond the resources of the Region and recognizing the need for speedy deployment of reinforcements, the following reporting procedures have been established:

- a) Report details direct to MEEA and TTGCG
- b) MEEA and/or TTGCG will then
 - (i) Contact the relevant operator to engage the services of their Tier 3 equipment provider (e.g. CCA) to provide the necessary equipment. In the event that the spill cannot be assigned to a responsible party, the national oil company, Petrotrin will be required to contact their Tier 3 provider to assist, under their direction, at the expense of the MEEA, with the necessary equipment and technical advice.
 - (ii) Depending on that advice, approach with a request for third party access to cleanup facilities, trained personnel and air deployment using dedicated aircraft.

- (iii) If the oil spill is from a damaged tanker all ‘reasonable’ costs incurred in the cleanup will be reimbursed by the Civil Liability Convention (CLC) and the International Oil Pollution Compensation Fund.

Appendix A has a list of international service providers who may be useful in the event of a spill or prior to a spill.

4.9. PUBLIC RELATIONS

Effective public relations are an integral part of any oil spill cleanup operation. In the event of spillage, the National Controller in collaboration with the MEEA, EMA, TTCG, ODPM and the RP will make coordinated arrangements for an experienced public relations officer to disseminate pertinent information to the public and the media to ensure that those who need to know have a full and timely appreciation of the incident and of the actions taken and progress made during the response.

Appendix G addresses the mechanism provided for addressing this important issue.

5. RECOVERY

5.1. RESTORATION AND REHABILITATION

Once cleanup operations are completed, it may be necessary to restore affected areas. The degree of restoration will be determined by the MEEA and the EMA using the appropriate local or internationally accepted standards for remediation. In the event the spill is from a vessel, the International Tanker Owners Pollution Federation (ITOPF), the P&I Club of the spilling vessel and the IOPC Fund must be engaged at an early stage to ensure that restoration plans are in keeping with the IOPC Fund Guidelines.

Consideration will be given, as necessary, to replacing contaminated beach sand, replanting mangrove, marsh and sea grass beds, and restocking aqua-cultural projects.

In areas identified as having high environmental sensitivity, consideration will be given to establishing a monitoring program to determine the long-term effects on flora and fauna.

Concerning oiled wildlife rehabilitation, recovery and interment, the following system will be followed:

- Oiled wildlife shall be designated for rehabilitation by the Wildlife Section of the Forestry Division
- All oiled wildlife designated for rehabilitation shall be sent for treatment to a registered rehabilitation centre. The only registered centre in Trinidad and Tobago is the Wildlife Orphanage and Rehabilitation Centre (WORC). See Appendix A for their contact details.

Oiled wildlife rehabilitation will be coordinated by an established and recognized registered NGO, e.g. Wildlife Orphanage and Rehabilitation Centre (WORC), the Zoological Society of Trinidad and Tobago and the Reptile Conservation Centre of Trinidad and Tobago (see Service Contact List in Appendix A).

An operation will be terminated by the NC when it becomes ineffective or when the desired level of cleanup has been achieved based on established clean-up standards.

The Incident Commander will therefore:

- Liaise with all interested parties regarding the conduct of the operation and the level of cleanliness appropriate to each location.
- Stand down equipment and order its removal to an appropriate location for cleaning and maintenance.
- Ensure that temporary storage sites are restored and other work areas are tidied up. On completion of the foregoing, through utilisation of the relevant Section Chief, he will:

- Ensure all relevant documentation is completed.
- Prepare final information bulletin.
- Ensure that consumed materials are reordered and that damaged equipment is repaired or replaced.
- Consolidate costs; regularize accounting procedures; prepare financial report.
- Prepare a formal detailed report (to include time and date of termination).
- Address claims for cleanup costs and pollution damage.

5.2. SALVAGE

Following some serious incidents, part of the decommissioning process may involve the removal of damaged facilities e.g. rigs or vessels which will be under the supervision of the MSD and TTG. The facility-owner will be required to engage salvors to deal with the casualty.

The initial salvage options may include firefighting, counter-flooding, internal transfers, other actions to stabilise the facility or vessel, and perhaps emergency towing to bring the casualty to calmer waters or a safe haven for marine incidents.

Further detail regarding Salvage is provided in Appendix S.

5.3. SPECIAL DEEPWATER REQUIREMENTS

As a result of past sub-sea spill events from oil and gas wells, and the challenges associated with responding to such spills, a special section, Appendix U, was developed to attempt to address concerns associated with such a response.

It is recognised that when the oil reaches the surface when there is a sub-sea spill, surface response strategies will obtain. Some of the areas of concern that must be addressed in terms of a response for deepwater fall within these categories:

- ROV Requirements
- Sub-sea Dispersant Application and Chemical Management
- Vessel Response Requirements
- Additional Rig Requirement and Response Time Requirements
- Disposal Options

6. REPORTING, COMMUNICATION, LEGAL AND FINANCE

6.1. REPORTING SYSTEMS

Upon notification of a marine oil spill, the TTGCG, which is usually the initial contact point, shall immediately notify the Lead Agency (MEEA), who will in turn alert relevant support agencies. The initial notification form is found in Appendix B. The format for the subsequent more detailed follow-up report - CARIBPOLREP- is contained in the Caribbean OPRC Plan (See Appendix C).

For a land oil spill the initial contact points shall be the MEEA and the EMA.

Reporting of all oil spills, whether the responsible party or not, is a mandatory requirement under international conventions (see below) with similar requirements also reflected or to be reflected in national regulations. It is a requirement under this Plan.

6.2. VESSEL REPORTING

Ship Masters

Masters or other persons in charge of vessels shall report, without delay, any sightings of oil on the surface of the water to the nearest coastal Island State or Territory as required by Article 4, Oil Pollution Reporting Procedures, Section (10) (a) of the International Convention on Oil Pollution Preparedness Response and Co-operation, 1990 (OPRC).

Ship Owner

Most ships masters are obliged by an applicable regulation (under the law of an Island State or Territory, derived from international conventions to which the government is Party) to notify the nearest State or Territory of a marine pollution emergency that has arisen. In the case of Trinidad and Tobago, the report shall be made to the Director, MSD. Normally this obligation will fall upon the master of the ship, but if the ship has been abandoned, or if the master's report is incomplete, then the obligation on the ship owner to make a report may arise. The obligation to report, which parties to MARPOL 73/78 undertake to implement in their internal law for ships registered in their territory, is contained in Protocol I of that Convention.

6.3. NOTIFICATION OF THE FLAG STATE

Under article 5(3) of MARPOL 73/78, the flag State is entitled to receive notification if any other State party denies the ship entry to its ports or offshore terminals or takes any action against the ship for the reason that it does not comply with MARPOL 73/78.

Under article 6 of MARPOL 73/78, the flag State must cooperate with other Parties in the detection of violations and the enforcement of the provisions of the Convention; if presented with evidence of a violation, the flag State must investigate the matter and, if satisfied that

there is sufficient available evidence for proceedings to be brought for a violation, it must instigate such proceedings.

6.4. COMMUNICATIONS

In the event of an oil spill, the MEEA will be the primary Co-ordination Centre. All information from the site of the spill and impacted areas will be fed into the communication system by ship-to-shore/shore-to-ship VHF or satellite phone or other available means. If the spill reaches the coastline, a field site would be set up to feed information into the Control Centre. Each Strike Team will be responsible for coordinating information to be fed into the Centre. Appendix H provides more information on the communications arrangements.

6.5. COMPENSATION

The 1992 Protocol of the International Convention and Civil Liability for Oil Pollution damage (the “CLC”) once enforced makes the owner of a ship carrying cargo of persistent oil in bulk strictly liable for any pollution damage in the area of Trinidad and Tobago including the territorial waters, seabed, shores, beaches and ecology thereof.

The liability extends to post-spillage prevention and cleanup costs. Trinidad and Tobago does not have to prove that the ship was in any way at fault in causing the pollution.

In cases where the costs of cleanup exceed the limited liability of the owner of the ship, Trinidad and Tobago may make a claim to the International Oil Pollution Compensation Fund in accordance with the 1992 Protocol of the Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage.

It should be noted that none of these compensation schemes applies to legal discharges. However, applicable local legislation will be required to be in place to address legal discharges.

Further details on cost recovery schemes are presented in Chapter 8 of the Caribbean Plan. See Appendix R for more details on the compensation regimes.

The compensation scheme for terrestrial oil spills and for marine spills outside of the CLC and Fund Conventions will be adopted for Trinidad and Tobago as outlined in a separate document.

6.6. RECORD KEEPING AND PREPARATION OF CLAIMS

In order that financial claims may be processed with minimum delay, it is essential that accurate records are maintained for each cleanup location and include details of all actions taken; the reason for such action; personnel and equipment deployed; and consumable materials used. All meetings must be documented and receipts of purchases preserved for future reference and for preparation of claims. The ICT will have overall responsibility for

ensuring that these very important records are maintained. The ICS Standard Forms will be used for record-keeping.

6.7. POST-INCIDENT REPORTS

Following resolution of the oil spill and termination of the response for a particular incident, the support agencies involved will be responsible for submission of an After Action Report to the Incident Commander not later than three days following closing of the response. The Incident Commander and the Response Agency shall be jointly responsible for submission of a comprehensive After Action Report, incorporating reports from all responsible agencies within 7 days of closing the particular response.

Subsequently, the MEEA will submit the final report to the Permanent Secretary/Minister, for their approval.