

## Twenty-Fourth SPREP Meeting

17<sup>th</sup> -19<sup>th</sup> September 2013  
Apia, Samoa

### AGENDA ITEM 9.3.4: PACPLAN 2013

#### Purpose

1. To seek endorsement of the *revised Pacific Islands Regional Marine Spill Contingency Plan (PACPLAN 2013)*.

#### Background

2. The 2000 SPREP Meeting in Guam approved the *Pacific Islands Regional Marine Spill Contingency Plan (PACPLAN)*. PACPLAN provides the framework for cooperative responses to major marine spills in the Pacific islands region, including roles and responsibilities of relevant organizations, and mechanisms for accessing regional and international assistance.
3. The review of PACPLAN was an agreed activity of the “*Pacific Ocean Pollution Prevention Programme (PACPOL) Strategy and WorkPlan 2010-2014*”, approved by the 20th SPREP Meeting held at Apia, Samoa in November 2009.
4. The 11<sup>th</sup> Meeting of the Noumea Convention (COP11) in Noumea in September, 2012, endorsed the Secretariat’s PACPLAN review process. Articles 8 and 9 of the Noumea Convention Pollution Emergencies Protocol provides the legal mandate for the formulation and review of PACPLAN. Funding through the *International Maritime Organisation (IMO)* supported four (4) consultation meetings and workshops which were held in September to December 2012 hosted by the *Primary Responders* (Australia, France, New Zealand, and the United States) and the *Response Receivers* (PICTs). The comments from each of the consultation meetings were consolidated and a final PACPLAN draft was circulated for review in January 2013.

#### Contents of PACPLAN

5. PACPLAN sets up a framework for regional co-operation for response to Tier 3 marine spills. Tier 3 spills are defined as large spills that are beyond the response capability of one country or have the potential to impact on more than one country. It sets out the technical and geographical scope for a regional response, and provides the guiding principles under which any regional response should be undertaken.

6. PACPLAN allocates and defines the role of the Secretariat, Pacific island members, non-island members and industry. It prescribes a framework for the reporting of marine spill incidents and the activation of a regional response.

7. It outlines the structure of a response operation and provides operational guidelines for a regional response. PACPLAN allocates primary and secondary response responsibilities for every Pacific island member. It identifies the national and regional response capabilities within the region and provides for the implementation of a training and response exercise programme. It identifies potential financial mechanisms by which regional responses are to be financed. Finally PACPLAN prescribes a mechanism for its adoption, control and revision.

#### ***Revised PACPLAN***

8. The revised PACPLAN 2013 specifically:

- a. Provides for alignment with recent developments in international and regional conventions such as the International Convention on Oil Pollution Preparedness, Response and Co-operation 1990 (OPRC 90), the OPRC HNS Protocol, and the Noumea Convention 1986 and its associated Protocols;
- b. Provides for current economic and political circumstances (for example the close and enduring relationship between Samoa and New Zealand);
- c. Provides for restructuring and inclusion of a new section on *Public Information* in line with recent international spill incidents (MV Pacific Adventurer spill in Queensland in 2009, Macondo Blowout in the Gulf of Mexico in April 2010, and MV Rena grounding in 2011 Tauranga New Zealand), including guidance on working with community volunteers;
- d. Provides for inclusion of new attachments such as the *Claims Guide* and an *Equipment Stockpile Listing*. The Claims Guide assists claimants by outlining what claims should contain and by explaining the nature of supporting documents particularly claims for environmental and property damage and economic loss. The Equipment Stockpile contains the national and regional response capabilities within the region;
- e. Provides an updated regional oil spill risk assessment;
- f. Provides a clear guide for PACPLAN activation processes; and
- g. Supports the development of fundamental management activities in Pacific island countries and territories in order for the successful implementation of PACPLAN.

#### **Steps to be Taken by SPREP Members**

9. The maintenance and effectiveness of PACPLAN will depend to a large extent on the strengthening of national marine spill response capabilities. PACPOL has provided a template for a Marine Pollution Prevention Act that provides a legal framework for managing national marine spill response and a mechanism for the establishment of a marine spill levy. PACPOL has also provided a National Marine Spill Response Plan (NATPLAN) template, which caters for spills at Tier 1 and 2 levels. Members are requested to consider adopting both templates. These will form a firm foundation through which PACPLAN will operate.

10. The PACPLAN co-ordination and management functions are part of the SPREP Secretariat's functions as outlined in Article 21 of the Noumea Convention and Article 9 of the Pollution Emergencies Protocol.

### **Recommendations**

11. The Meeting is invited to:

- **endorse** *PACPLAN 2013* as the framework for regional oil spill and hazardous and noxious substances spill response spill response.

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8 August, 2013