



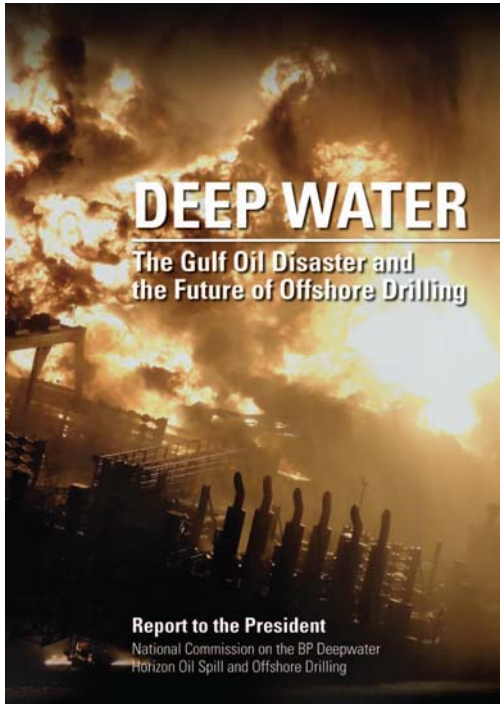
ISCO NEWSLETTER

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Email info@spillcontrol.org Web <http://www.spillcontrol.org>

USA: OIL SPILL COMMISSION LANDMARK REPORT ON GULF DISASTER PROPOSES URGENT REFORM OF INDUSTRY AND GOVERNMENT PRACTICES TO OVERHAUL U.S. OFFSHORE DRILLING SAFETY



You can now download and read the full text of the report at: https://s3.amazonaws.com/pdf_final/DEEPWATER_ReporttothePresident_FINAL.pdf (16.76 MB)

The recommendations made in the report can be accessed at: https://s3.amazonaws.com/pdf_final/OSC_Deep_Water_Summary_Recommendations_FINAL.pdf (7.68 MB)

"Definitive Investigation Finds Gulf Disaster was Preventable; Similar Future Disasters Likely Without Action by Congress, Administration, and Industry"

"Growing U.S. Dependence on Domestic Offshore Oil Makes Reform a National Priority; Independent Government Safety Agency and Industry Safety Institute Both Needed"

January 11, 2011 - The Presidentially-appointed Oil Spill Commission today released its landmark, definitive report, *Deep Water: The Gulf Oil Disaster and the Future of Offshore Drilling*, on the causes and consequences of the BP Deepwater Horizon disaster, and proposed comprehensive reforms of both government and industry practices to overhaul the U.S. approach to drilling safety and greatly reduce the chances of a similar, large scale disaster in the future.

"Our investigation shows that a series of specific and preventable human and engineering failures were the immediate causes of the disaster," said Commission Co-Chair William K. Reilly. "But, in fact, this disaster was almost the inevitable result of years of industry and government complacency and lack of attention to safety. This was indisputably the case with BP, Transocean, and Halliburton, as well as the government agency charged with regulating offshore drilling—the former Minerals Management Service. As drilling pushes into ever deeper and riskier waters where more of America's oil lies, only systemic reforms of both government and industry will prevent a similar, future disaster."

The key recommendations are as follows -

1. Congress and the Administration should create an independent safety agency within the Department of the Interior, headed by an official shielded from political interference by a fixed term (as we do with other critical, non-political positions like the Director of the Federal Bureau of Investigation), and with energy and engineering experience and expertise, with enforcement authority to oversee all aspects of offshore drilling safety (including both operational and occupational safety).
2. U.S. offshore drilling regulations and enforcement practices should be the most advanced in the world. Existing conventional or "baseline" safety regulations in the U.S. should be expanded to address all features essential to well safety, and should be updated and enhanced to ensure safer drilling in all U.S. offshore operations—including drilling in deeper waters and less well-known geologic areas. These new regulations should be, at a minimum, at least as stringent as those regulations in peer oil-producing nations (such as Norway and the United Kingdom). Moreover, the U.S. should lead an international effort to develop global best practices for safety that can be adopted and applied worldwide.
3. These new, updated regulations should be supplemented by a "risk-based" regulatory approach in the U.S. that requires all offshore drilling companies to demonstrate that they have thoroughly evaluated all of the risks associated with drilling a *particular* well (or other operation), and are prepared to address any and all risks pertaining to that well. This type of "risk-based" regulatory approach has long-since been adopted in both Norway and the United Kingdom.
4. Broader consultations among federal agencies, including the Coast Guard and the National Oceanic and Atmospheric Administration (NOAA), prior to leasing and exploration will help identify and address risks. In particular, Congress should amend the Outer Continental Shelf Lands Act to provide the NOAA with a more formal consultation role relating to environmental protection in Interior leasing decisions.
5. Congress and Interior should enhance environmental protection review by creating a distinct environmental science office within Interior headed by a chief scientist with specified environmental protection review responsibilities.

6. Scientific and technical research in all areas related to offshore drilling needs to be accelerated. Better scientific and technical information is essential to making informed decisions about risk before exploration or drilling commence.

7. Adequate and predictable funding for regulatory oversight is essential for these reforms to be effective and to meet the challenges of ensuring offshore safety and environmental protection—precisely what Congress envisioned when the offshore leasing laws were originally enacted. Budgets for the regulatory agencies that oversee offshore drilling should come directly from fees paid by the companies that are being granted access to a publicly-owned resource. Funding sources could include a regulatory fee on new and existing leases or an increase in the inspection fees already collected by the Department of the Interior.

8. Industry should be required to demonstrate how their processes and procedures will better manage risk to achieve safer outcomes. After exploration has begun, industry should be required to constantly update its risk management plans to reflect actual experience. Norway and other North Sea regimes are examples of such a risk-based approach to government safety and oversight.

9. Drilling operators should be financially responsible for the consequences of failure. The current \$75 million cap on liability for offshore facility accidents is totally inadequate and places the economic risk on the backs of the victims and the taxpayers. The cap should be raised significantly to place the burden of catastrophic failure on those who will gain the economic rewards, and to compensate innocent victims. Provisions can be made to ease the burden on small-scale operators, for example including mechanisms for sharing risk such as insurance pools.

10. The oil and gas industry must adopt a culture of safety. Today, each company has its own view of what constitutes “safe operations.” Much as the aviation, chemical, and nuclear power industries have done in response to disasters, the oil and gas industry must move towards developing a notion of safety as a collective responsibility, with a focused commitment to continuous improvement and a zero failure rate.

11. The oil and gas industry should establish a “Safety Institute.” Similar to organizations in other high-risk industries, such as the Institute of Nuclear Power Operations, this would be an industry-sponsored entity aimed at developing, adopting, and enforcing standards of excellence to ensure continuous improvement in safety and operational integrity offshore.

12. Spill response planning by both government and industry must improve. Industry spill response plans must provide realistic assessments of response capability, including well containment. Government review of those plans must be rigorous and involve all federal agencies with responsibilities for oil spill response. The federal government must do a better job of integrating state and local officials into spill planning and training exercises. Industry needs to develop, and government needs to incentivize, the next generation of more effective response technologies.

13. The government must develop in-house expertise to effectively oversee well-containment operations and to accurately estimate flow rates following a blowout. Industry must be required to develop well-containment technologies that are rapidly deployable and must demonstrate their effectiveness in deepwater.

14. The penalties paid by BP and other parties responsible for the oil spill should be primarily devoted to Gulf restoration. The Gulf will continue to be under stress as energy development continues. Congress should dedicate 80 percent of any Clean Water Act civil and criminal penalties to long-term restoration of the Gulf of Mexico in partnership with the states.

15. Greater attention should be given to new tools, like coastal and marine spatial planning and ocean observation systems, to improve environmental protection, management of OCS activities, and ecosystem restoration efforts in marine environments.

UK: STEP CHANGE IN SAFETY COMMITS TO 50 PER CENT REDUCTION IN OIL AND GAS LEAKS

In a move to drive further reductions in the number of accidental hydrocarbon releases in the UK oil and gas industry, companies have committed jointly to cut leaks on their offshore installations by 50 per cent over the next three years.

As a result of unremitting efforts by the industry working collaboratively through Step Change in Safety, the UK’s flagship offshore safety initiative, the number of accidental hydrocarbon releases has already almost halved since 1997. Industry-wide workshops, the sharing of best practice on asset integrity, and the development and use of toolkits and guidance documents led to an early period of sustained year-on-year reductions. However, in recent years, this progress appears to have stalled and the industry is keen to kick-start a further downward push on the statistics.

While the new 50 per cent reduction target has been agreed by the UK offshore oil and gas industry as a whole, Step Change in Safety has asked the managing directors of its member companies to build this reduction target into their business plans. Read more: <http://www.oilandgasuk.co.uk/news/news.cfm/newsid/577>

ENVIRONMENT CANADA MOTHBALLS CUTTING-EDGE TECHNOLOGY

Environment Canada has mothballed some of the world’s most advanced equipment for dealing with oil spills, tracking submarines and monitoring Arctic sea ice.

Even as the auditor general’s office chides the government for taking an antiquated, piecemeal approach to dealing with oil spills, officials have let their state-of-the-art technology languish in a hangar on the outskirts of Ottawa, former staffers say. At issue are two airplanes equipped with lasers, radar technology and other remote-sensing tools that have been developed by Canadian researchers over three decades. They haven’t

flown for a year, and in September last year Environment Canada quietly shut down the program that oversaw the planes.

“Environment Canada did an analysis and determined that it was more cost effective for us to lease the aircraft we need in order to do this kind of work rather than to own and manage our own planes,” a spokesman for the department said in an email response to questions. “There are other commercially available planes and equipment.”

The mothballed planes are old, but it’s not the planes themselves that are important for the government’s monitoring of the environment, former staffers say. Rather, it’s the equipment inside the planes. “It’s not the planes. It’s the instruments that are in them,” said Merv Fingas, who ran the program until he retired in 2006.

Fingas is concerned, too, that without maintaining the technology housed in the two planes, Canada won’t be prepared to handle a major oil spill one day. The DC3 can detect and identify oil during the day as well as the night, on land and in the water — unlike other instruments that only work in the day and can’t positively identify oil, and don’t work well over land.

Research and development also allowed researchers to use the DC3 to measure the thickness of an oil spill — a discovery that Fingas says would have been the “Holy Grail” of oil cleanups had it been properly funded and commercialized.

There’s no question that if the equipment contained in the two planes were going to be made useful, more funding would be required, the former government officials say. But Fingas points out that when he was running the program, it was self-financing. Deals worked out with other departments or foreign governments who needed the technology paid for most of the research and development. Read the complete text of this article at: <http://www.thestar.com/news/canada/article/920698--environment-canada-mothballs-cutting-edge-technology>

GERMANY: VESSEL LADEN WITH SULPHURIC ACID SINKS IN RIVER RHINE



A boat carrying 2,400 tons of sulfuric acid from the chemical company [BASF](#) capsized in Germany’s Rhine River at 5 a.m. today, Jan. 13. Rescuers are searching the river for two missing men who are part of the ship’s four-man crew.

At this point, “to our knowledge no acid leaked into the river,” from the stainless steel double-hulled tanker called the *Waldorf*, Robert Baack, the chief operating officer for [Lehnkering](#), the company managing the shipping, said in a statement. The capsizing happened, “for as yet unexplained reasons,” he noted.

River levels are higher than normal due to recent melting of large quantities of snow that fell over the past month, and the accident occurred at a narrow point in the river which is known to have strong currents, according to AFP, the French press agency. The boat was carrying the sulfuric acid from Ludwigshafen, in southern Germany to Antwerp, Belgium, says Ursula von Stetten, a BASF spokeswoman. Read more: <http://pubs.acs.org/cen/news/89/i03/8903news8.html>

INDIA: MUMBAI GETS COUNTRY’S FIRST POLLUTION-CONTROL SHIP

The Prongs Reef lighthouse was once again abuzz with the Indian Coast Guard deploying its first-ever pollution control vessel – ICGS Samudra Prahari – after MT Sikander Singh collided with MV Cheeru, and an oil spill was reported on Saturday morning. A host of state and central government agencies, too, swung into action with their tugs and vessels. But, unlike the August 2010 incident, when MV Chitra collided with MV Khalijia resulting in a major oil spill, the MT Sikander Singh and MV Cheeru collision was simulated.

The exercise was part of the national level pollution response project – NATPOLREX – III. The key point of reference for the exercise was the August 2010 spill that saw oil spread across four districts in Maharashtra causing extensive damage to both flora and fauna. Read more: <http://www.hindustantimes.com/Mumbai-gets-country-s-first-pollution-control-ship/Article1-650940.aspx#>

EVENTS

For more comprehensive information on upcoming events & training courses click [HERE](#) and select “Events”

AUSTRIA: SPE EUROPEAN HEALTH, SAFETY AND ENVIRONMENTAL CONFERENCE IN OIL AND GAS EXPLORATION AND PRODUCTION

22 - 24 February 2011 Vienna Marriott Hotel, Vienna, Austria: The theme for this conference is “HSE Performance Across Europe – From Mature Assets to New Frontiers”. This theme reflects the challenges and range of environments within the European E&P sector. Efforts are being made to better understand the

performance and how to best learn from leading companies. The conference aims to provide a unique opportunity for professionals to share experience with their colleagues, and to build a fruitful dialogue with the stakeholders. The SPE community seeks a wide and diverse range of contributors. <http://www.ipieca.org/event/20100519/spe-european-health-safety-and-environmental-conference-oil-and-gas-exploration-and-p>

UAE, DUBAI: INTEGRATED ALL HAZARD EMERGENCY RESPONSE AND MANAGEMENT FOR THE REGIONAL OIL, GAS & SHIPPING INDUSTRIES

RECSO Training Course 23rd & 24th February 2011, Towers Rotana Hotel, Sheikh Zayed Road, Dubai, United Arab Emirates. Syllabus: □ What is Emergency Response? □ Contingency Planning □ Risk Assessments □ Fate of Spilled Oil □ Effects of Hazardous Substances □ Effects of Emergencies on the Environment □ Response to Emergencies □ Tactical Response Options for Oil Spills, Hazardous Material Releases, Fires, Marine and Land Transport Emergencies, Medical Emergencies and Security Incidents □ Emergency Response Policies □ Case Studies. The course introduces the theories and principles. – More info : <http://www.recso.org/default.htm>

UK: HAZMAT EVENT 2011

Birmingham, February 14-16 - The two-day conference draws on the knowledge and experience of a range of hazmat professionals and industry leaders, as well as that of NCEC's own emergency responders. Hazmat Event topics include: Hazardous materials response; Chemical exposure and monitoring; Emergency planning; Developments in legislation; Future technologies; Practical case studies. This Hazmat Event is the perfect opportunity to gain a wider understanding of these issues, and more importantly, practical ways to address them. More info at: <http://the-ncec.com/hazmat-event/>

UK: HAZMAT DAY AT THE FIRE SERVICE COLLEGE

An Open Day for Sharing Best Practice in Hazardous Materials Management Monday 8th February 2011. This one day event presenting a fantastic opportunity to view our unique Incident Ground facilities and to observe first hand practical HazMat scenarios, staged in a realistic and challenging environment. The open day programme has been designed to focus on the issues facing those involved with HazMat response and also provides an ideal opportunity to network with colleagues, specialist chemists and experienced hazmat training instructors. More info: http://www.ukspill.org/upcoming-events.php?subaction=showfull&id=1294933467&archive=&start_from=&ucat=3&

AUSTRALIA: EMERGENCY RESPONDERS TO ROAD TANKER INCIDENTS TRAINING

The dates for the Stage 1 CROIERG TISC Training Course (Emergency Responders to Road Tanker Incidents) for the first half of 2011 are: 4-6 April, 16-18 May, 13-15 June. Courses to be held at the TISC Training Complex, Sutton Road, Majura ACT Near Queanbeyan. All enquiries to: - TISC Ph. 02 6297 7187 Email office@suttonroad.com.au

PUBLICATIONS

IMO: MANUAL ON OIL POLLUTION, SECTION V, 2009 FRENCH EDITION

<http://www.imo.org/Publications/Pages/JustPublished.aspx>

CORMACK'S COLUMN



In this issue of the ISCO Newsletter we are printing the ninth part of a paper contributed by Dr Douglas Cormack.

Dr Douglas Cormack is an Honorary Member of ISCO. As the former Chief Scientist at the British Government's Marine Pollution Control Unit and head of the UK's first government agency, the Warren Spring Laboratory, Douglas is a well known and highly respected figure in the spill response community. He is the Chairman and a founder member of the International Spill Accreditation Association.

HARMONISATION OF TECHNOLOGY AND MARINE ENVIRONMENT (PART NINE)

Governmental involvement in safety at sea and incident response is widespread and well-established, though progress is always a matter of technological knowledge and not of socio-political belief. Thus, progress ran from wind- to engine-propulsion through load-lines, collision-avoidance and life-saving to marine pollution prevention and response. As to pollution, Warren Spring Laboratory (WSL) initially investigated prospects for minimising operational oil-discharges from ships by shipboard oil-water separators and for removing such pollution from amenity shorelines by dispersant application. Nonetheless, belief-based governmental extension of such small-scale knowledge-based shoreline cleaning to the release of total cargo in the *Torrey Canyon Incident* of 1967 gave rise to the anti-dispersant and pro-recovery beliefs which continue to suppress knowledge of both (c.f. articles 1-4) and to the belief-based fear of HNS which can be dispelled only by knowledge (c.f. articles 5-8).

However, having been selected to head a newly constituted division dedicated to oil and chemical pollution quantification, prevention and response at WSL in October 1974, and having thereafter made significant knowledge-based progress through my R&D programme², I considered knowledge to be triumphing over belief as I was later to define these terms¹. Thus, when in 1979, the UK government indicated its intention to create a Marine Pollution Control Unit (MPCU) to augment the WSL ship-borne dispersant-spraying arrangements of 1972 with the new techniques and equipment developed and reality-validated¹ by my division since late 1974, I proposed that the said division be the new unit. This proposal would have merged our R&D programmes and our collective operational experience of all previous UK incidents and many elsewhere from 1967 with our collective experience of providing international training courses at home and abroad since 1974. However, in making this proposal, I knew that it could not of itself provide a permanent knowledge-based spillage response capability, given the inevitable redeployment of staff which would follow the foreseeable completion of our R&D programmes. In any case, the new unit was established in the marine survey and coastguard division at departmental headquarters which itself was subject to the staff redeployments normal to government service.

Thus, having accepted the invitation to join the new MPCU as its 'chief scientist' my tentative conclusion that knowledge would triumph over belief was soon replaced by knowledge that belief would remain paramount. Indeed, the use of 'control' rather than 'response' in its title was a clue to the nature of the new unit. Thus, it soon became clear that the contingency plan which the unit would write would not describe how knowledge would be maintained for use in future contingencies; that, instead, it would list the names and telephone numbers of so-called interested-parties for discussion of beliefs (opinions) as to the action/inaction to be taken in particular incidents as they arose; and that while such a list could be a useful annex/appendix to a plan, it would not of itself be a plan such as a knowledge-based expert would have written for maintenance of knowledge within a response unit regardless of staff changes. Indeed, it was written by a non-specialist administrator and appears to have been paralleled/copied by all administrations since.

Thus, in light of observed inadequacy in governmental oil spill response and fear of chemicals in general, we must consider why such knowledge-omitting documents were/are written, and why/how they must/can be corrected. In doing so we must recognise that our welfare depends on harmonisation of technology and environment through knowledge; and that this requires reality-validation or reality-refutation¹ of the environmentalist beliefs which cause disharmony between knowledge-based industry and belief-based industry, regulators, politicians and public.

1 The *Rational Trinity: Imagination, Belief and Knowledge*, D.Cormack, Bright Pen 2010 available at www.authorsonline.co.uk

2 *Response to Oil and Chemical Marine Pollution*, D. Cormack, Applied Science Publishers, 1983.

3 *Response to Marine Oil Pollution - Review and Assessment*, Douglas Cormack, Kluwer Academic Publishers, 1999.

ISCO NOTICES

TRAINING CALENDAR

Work on updating the international calendar of scheduled training courses continues. If you are an organiser of scheduled training courses, please review listed courses – go to <http://www.spillcontrol.org> click on **EVENTS** then **Training**

Please send any necessary corrections and details of new courses to ISCO at info@spillcontrol.org ISCO is particularly anxious to expand the listing of courses available to members of our community who are interested in building capacity to respond to Homeland Defence / CBRN type incidents – for example, decontamination work following on floods, chemical and biological contamination incidents.

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