

## ISCO & THE ISCO NEWSLETTER

The ISCO Newsletter is published weekly by the International Spill Control Organisation, a not-for-profit organisation supported by members in 45 countries. ISCO has Consultative Status at IMO, Observer Status at IOPC Funds and is dedicated to raising worldwide preparedness and co-operation in response to oil and chemical spills, promoting technical development and professional competency, and to providing a focus for making the knowledge and experience of spill control professionals available to IMO, UNEP, EC and other organisations.

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The 4<sup>th</sup> Conference and Exhibition

**Oil Spill Response Workshop (OSRW 2014)**

18-19 November, 2014 Beijing China



## International news

### EUROPE: EMSA WORKSHOP ON HNS RESPONSE

#### A Report on the Workshop received from ITOPF



October 7 - On 1st and 2nd October, ITOPF was pleased to participate in the EMSA (European Maritime Safety Agency) HNS workshop, held at EMSA headquarters in Lisbon and chaired by Berndt Bluhm, Head of Unit, Pollution Response at EMSA.

A total of 28 delegates from EU Member States were present as well as nine representatives from industry (BASF, DOW Chemicals, CEDRE, CEFIC, Braemar Howells, ISU (International Salvage Union) and ITOPF).

The workshop aimed to highlight the key challenges for HNS response from the point of view of the national government agencies, the chemical and salvage industries and R&D institutions. The workshop was also an opportunity for the various delegations to exchange information on recent developments in the field of HNS incident response in their respective countries, as well as progress with on-going projects, such as ARCOPOL, BE AWARE and MAR-ICE Network. The workshop also sought to familiarise the participants with the information services in place, such as MAR-ICE, and to understand their value and limitations.

The workshop centred around a table top exercise with two realistic scenarios run in parallel (one container ship and one bulk carrier) which enabled Member States to evaluate how prepared they are for a significant HNS spill and to take their findings back to their respective government organisations. [Read more](#)

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## International news (continued)

### HELCOM TG HNS MANUAL 2 - 2014 MEETING AT EMSA

The Second Meeting of HELCOM TG HNS MANUAL took place 2- 3. October 2014, at EMSA premises, Lisbon. The Meeting was organized back to back with the EMSA HNS workshop 1.-2. October 2014. The Meeting was attended by participants from EMSA, Finland, Germany, Poland, and the HELCOM Secretariat.

The Meeting welcomed the following commitments to further input by the participants to be circulated to the group and the secretariat by end of October 2014 and to be submitted to the HELCOM RESPONSE 19-2014 (25-27.11.2014, Riga, Latvia):

- EMSA to provide a further worked chapter on information sources
- Germany to provide a chapter on initial measures and risk assessment
- Germany and Finland to provide a first draft of the Scenario A1 incorporating the decision-tree approach of Chemical Spill Response Manual (Risks, Response, from Weird Koops and Marieke Zeinstra (NHL University of Applied Sciences, the Netherlands), published October 2011 ([http://www.spillresponse.nl/index.php/Main\\_Page](http://www.spillresponse.nl/index.php/Main_Page))
- Germany and Finland to provide a revised list of scenarios to be used in the manual
- Secretariat to provide input on the introductory chapter.

[Read the complete meeting report](#)

**Note from editor:** The referenced Chemical Spill Response Manual authored by Dr Wierd Koops, Hon.FISCO and Marieke Zeinstra was the subject of a two-page review in Issue 318 (23 January 2012) of the ISCO Newsletter – "Not only is the manual available on-line but it is also interactive, allowing logged-in users to make additions and changes as well as make use of dynamic formulae by changing the values of variables and being able to immediately see the effects on the result".

Readers with an interest in HNS Incident Response are recommended to have a closer look at the Chemical Spill Response Manual. You can access it at [http://www.spillresponse.nl/index.php/Main\\_Page](http://www.spillresponse.nl/index.php/Main_Page)

## International news (continued)

### SYRIA DECLARES NEW CHEMICAL WEAPONS FACILITIES

The joint UN-OPCW mission removed or destroyed all 1,300 tonnes of Syria's declared toxic agents



The joint operation by the UN and Organisation for the Prohibition of Chemical Weapons (OPCW) **declared last week** that it had completed its mandate, after removing or destroying all 1,180 tonnes of declared toxic agents and precursor chemicals.

However, it said it would continue to deal with the destruction of chemical weapon production facilities inside Syria and "the clarification of certain aspects of the Syrian initial declaration" made when it signed the Chemical Weapons Convention (CWC) last October.

The dismantling of Syria's 12 declared chemical weapons facilities is expected to begin this month, and the first should be destroyed by the end of November. [BBC News](#) [Read more](#)

## Incident reports from around the world (continued)

### BAHAMAS: OIL SPILL IN WATERS OFF NEW PROVIDENCE, BAHAMAS



October 4 - The following is a statement by Hon. Kenred Dorsett, Minister of the Environment and Housing: The Government is aware of an oil spill in waters on the south western end of New Providence, near to Stuarts Cove and Albany. Government officials were on site at Stuarts Cove and Albany to assess the extent of the oil spill and its impact. *The Bahamas Weekly* [Read more](#)

October 6 - **Another Oil Spill Confirmed, Government Launches Probe:** Save The Bays Director Fred Smith yesterday accused the government of pandering to the United Nations on the environment instead of effectively mitigating oil pollution after another spill was confirmed in the Clifton area. In a statement released on Saturday, Environment Minister Kenred Dorsett said international consultants are expected to arrive in New Providence today to investigate the latest spill, its source and advise on mitigation and remediation. *Tribune 242* [Read more](#)

### VIETNAM: VIETNAMESE OIL TANKER VANISHES



Picture: MT Sunrise 689 (c) MarineTraffic.com

October 6 - A Vietnamese oil tanker with 18 crewmembers on board went missing while sailing to central Vietnam from Singapore, according to various media reports. The Sunrise 689, owned by Haiphong Fisheries Shipbuilding Joint Stock Co., went missing less than an hour after leaving a Singapore port on Thursday, October 2, confirmed

an official with the Vietnam Maritime Administration. The vessel was carrying 5,226 metric tons of oil products and was scheduled to arrive at its destination on Sunday. *The Maritime Executive* [Read more](#)

October 9 - **Pirates Release Vietnamese Tanker, Crew Injured in Attack:** Pirates that captured a Vietnamese oil tanker last week after it left Singapore have released the vessel, the company that owns the ship said on Thursday. Two of the tanker's 18 crew have been injured and the pirates took part of its cargo of more than 5,000 tonnes of gas oil, said Nguyen Vu Diep, a manager at the Haiphong Sea Product Shipbuilding Co. *gCaptain* [Read more](#)

### USA: RESPONSE CREWS CONTINUE CLEAN UP OF OIL SPILL IN HAWAII WATERS

October 6 - Response crews continued Monday to work on cleaning up a spill of oily water from the ocean off Barbers Point Harbor in West Oahu, following the spill of a mix of ship fuel and water the day before from a loading buoy anchored offshore from Hawaii Independent Energy.

The thick part of the sheen is now about one-tenth of a square mile in size compared to three-quarters of a square mile yesterday, Hawaii Independent Energy officials said Monday. *Pacific Business News* [Read more](#)

### UK: OIL RIG EVACUATED AFTER SHIP CARRYING RADIOACTIVE WASTE DRIFTS

Picture: The ship at anchor close to the entrance to the Cromarty Firth

October 8 - An oil platform has been evacuated after a ship carrying radioactive material caught fire and began drifting in the Moray Firth.

The MV Parida was transporting a cargo of cemented radioactive waste when a fire broke out in a funnel. The blaze was extinguished, but 52 workers were taken from the Beatrice platform by helicopter as a precaution.

By 22:00 on Wednesday, the ship had been towed to a "secure pier" at the Port of Cromarty Firth. Its 15 crew were not harmed during the fire and it was understood the cargo was not damaged. *BBC News* [Read more](#) [Thanks to Don Johnston of ISCO Industry Partner, DG & Hazmat Group]



## Incident reports from around the world (continued)

### CANADA: CANADIAN TOWN EVACUATED AFTER TRAIN CARRYING DANGEROUS GOODS CATCHES FIRE



Photo: A Canadian National Railway Company train that derailed near Clair, Saskatchewan, and was carrying dangerous goods catches fire. Photograph: Wadena News/Reuters

October 8 - A Canadian National Railway Company freight train carrying dangerous goods has derailed in central Saskatchewan in Canada and has caught fire.

The Saskatchewan government said Tuesday the derailment happened near the small community of Clair, which is being evacuated. Provincial officials said hazardous materials crews were en route. CN spokesman Jim Feeny said the fire is coming from petroleum distillate, which spilled from two of the derailed cars. *The Guardian* [Read more](#) [Thanks to Don Johnston of ISCO Industry Partner, DG & Hazmat Group]

### PAKISTAN: ISLAMABAD AIRPORT CLOSED AFTER OIL SPILL ON RUNWAY

October 11 - The Benazir International Airport was closed for over an hour for flights following an oil spill on the runway. The oil spill took place after a failure in the hydraulic system of a Pakistan International Airlines (PIA) Boeing-747. *GeoTV* [Read more](#)

### CANADA: 15,000 LITRES OF CRUDE OIL SPILLED AT LÉVIS REFINERY

Quebec's environment ministry says 15,000 litres of crude oil have been spilled from a tank at the Jean-Gaulin refinery in Lévis. The ministry put out a statement Saturday afternoon saying Urgence-Environnement is on the scene of the spill at the plant, which is owned by Valero Energy.

"The measures necessary to ensure the safety of people, and protection of the environment have been implemented," said the statement from the Ministry of Sustainable Development, Environment and the Fight against Climate Change. *CBC News* [Read more](#)

## Other news reports from around the world

### NEWS REPORTS FROM USA

#### October 4 - Proposed oil train regulations receive 145,000+ public comments

The Obama administration has received over 145,000 personal and public comments submitted by citizens groups addressing two proposed rules about the safety of oil trains and the efficacy of emergency response, according to a recent report from EarthJustice.

The public commentary was very critical of the proposed Department of Transportation regulations. Interest groups such as EarthJustice, Sierra Club, Oil Change International, ForestEthics and the Natural Resources Defense Council also submitted detailed comments calling for prompt steps to be taken to improve the safety of oil trains. *EaglefordTexac.com* [Read more](#) [Thanks to Don Johnston of ISCO Industry Partner, DG & Hazmat Group]

#### October 6 - Workgroup Formed to Advance Sunken Oil Capabilities



The American Petroleum Institute has commissioned a team of senior oil spill response and marine salvage experts to identify and document best practices and alternative technologies with the potential to more effectively identify and recover sunken oil. The team also plans to develop a standard guide for oil spill responders faced with the challenging task of locating and recovering sunken oil.

Dr. Jacqueline Michel, president of Research Planning, Inc., is the project manager for the API Workgroup. Mark Ploen, president of Quali Tech Environmental, and Jim Elliott, vice president of T&T Salvage, both serve as technical experts on the team. The team members have previously led several submerged oil recovery projects and recently were invited to speak at the International Forum on Group V (Heavy) Oils.

The workgroup team is seeking industry input by mid-November 2014. Individuals and companies desiring to provide input on this study should contact Jacqui Michel at [jmichel@researchplanning.com](mailto:jmichel@researchplanning.com), Jim Elliott at [jim.elliott@ttsalvage.com](mailto:jim.elliott@ttsalvage.com) or Mark Ploen at [MarkP@QualiTechCo.com](mailto:MarkP@QualiTechCo.com) *The Maritime Executive* [Read more](#)

## NEWS REPORTS FROM USA (Continued)

### October 8 - CSB Recommends Safety Improvements to U.S. Department of Transportation Emergency Response Guidebook Widely Used by Firefighters; DOT Urged to Clarify How Responders Deal with Chemical Accidents at Fixed Facilities as Well as Those on Rails and Roads

The U.S. Chemical Safety Board (CSB) is recommending critical safety improvements to the widely-used Emergency Response Guidebook published by the U.S. Department of Transportation (DOT) for emergency responders to use when confronting chemical fires, explosions and releases of hazardous materials.

The CSB noted that while the manual is provided for responders to use in transportation incidents, CSB investigators have found over the years that the guidebook is often used by emergency responders – firefighters, medical technicians and police officers -- dealing with chemical accidents at fixed facilities. However, the CSB found some of the directions given in the manual are vague. The CSB document specifically cited guidebook changes needed for handling ammonium nitrate fires such as the one that led to a massive explosion at a fertilizer storage facility in West, Texas last year.

The CSB recommendations are contained in a seven-page response to a formal Request for Information (RFI) the transportation department issued as it seeks comment on a proposed revision issued on August 29, 2014, an edition scheduled for public release in 2016. The current guidebook was released in 2012. The guidebook – jointly produced with Canada and Mexico and in use in those countries as well – is used across the country by emergency responders who can quickly look up correct responses to a myriad of chemical accidents. The department's website states that "DOT's goal is to place an ERG in every emergency service vehicle nationwide." *Chemical Safety Board* [Read more](#)

### October 8 - Railroads sue California over new crude oil rules



*Photo: Virginia emergency responders learn about the different types of railroad tank cars in a safety class at a CSX yard in Richmond, Va., on Oct. 3, 2014. About 66 first responders, including firefighters, participated in the daylong event. CSX has brought its "Safety Train" this year to communities in states where it hauls large volumes of crude oil. (Curtis Tate/McClatchy)*

California's two major railroad companies have filed suit in federal court challenging a state law requiring railroads to come up with an oil spill prevention and response plan.

The lawsuit, filed Tuesday in the U.S. District Court in Sacramento, contends federal laws largely prohibit states from imposing safety rules on railroads such as the ones California began imposing July 1 of this year. The plaintiffs in the matter are the Union Pacific Railroad, the BNSF and the Association of American Railroads.

The lawsuit targets sections of a law, SB 861, that require railroads transporting crude oil to participate in a state program that assures financing to clean up crude oil spills. It also requires the railroads to obtain a "certificate of financial responsibility" from the state as proof they have enough money to cover oil spill damages. *The Sacramento Bee* [Read more](#) [Thanks to Mike Rancilio, ISCO]

### October 9 - Coast Guard, NOAA sign Fleet Plan Agreement

*Coast Guard Vice Adm. Charles Michel, deputy commandant for operations, and NOAA Vice Adm. Michael Devany, deputy under secretary for operations, sign the Fleet Plan Agreement letter of promulgation at U.S. Coast Guard Headquarters, Washington, D.C. Oct. 8, 2014. Photo provided by NOAA.*



Senior leaders from the Coast Guard and the National Oceanic and Atmospheric Administration signed a Fleet Plan and Officer Exchange memorandum of understanding Wednesday at a ceremony at U.S. Coast Guard Headquarters. Coast Guard Vice Adm. Charles Michel, deputy commandant for operations, and NOAA Vice Adm. Michael Devany, deputy under secretary for operations, were the signing officials for the joint letter of promulgation. The Coast Guard and NOAA have collaborated for more than 200 years. The Fleet Plan supplements the Cooperative Maritime Strategy agreement that was signed in February, 2013, and establishes a course of action to guide cooperation in the operation and maintenance of marine and aviation platforms. - See more at:

<http://coastguard.dodlive.mil/2014/10/coast-guard-noaa-sign-fleet-plan-agreement/#sthash.eWkfOlop.dpuf>

## Other news reports from around the world (continued)

### NEWS REPORTS FROM CANADA

#### October 7 – Nova Scotia introduces law pegging offshore oil spill liability at \$1B

Companies operating in Nova Scotia's offshore would face a liability of up to \$1 billion for the costs of cleaning up spills and compensation when they are not at fault under provincial legislation introduced today.

The liability cap for drilling and production companies is now \$30 million. The change to the cap mirrors one announced by the federal government in June 2013. *CTV News* [Read more](#)

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#### October 11 - BC Supreme Court Stresses "Polluter Pays" in Awarding Damages for Remediation of Contaminated Site

The BC Supreme Court recently clarified several principles under the Environmental Management Act relating to liability for remediation costs for contaminated sites. In *Jl Properties Inc v PPG Architectural Coatings Canada Inc*, 2014 BCSC 1619, the Court ordered a former landowner, who was also the historical polluter, to compensate the current owner for \$4.75 million in reclamation costs incurred to remove contaminants caused by the former owner's industrial activities. The case is significant not only due to the size of the award, but also because it sends a strong signal that the Court will interpret the Act in a manner which gives full effect to the "polluter pays" principle. *Mondaq* [Read more](#) (Registration required)

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### NEWS REPORTS FROM AUSTRALIA

#### October 9 – Roads and Maritime Services ready for marine pollution incident in the harbour

Marine pollution response equipment used by Roads and Maritime Services to protect the NSW coastline in the event of a pollution incident has received a boost with \$170,000 in new equipment delivered this week.

The new marine equipment installed in Coffs Harbour includes new booms to contain substances on the surface of the water, sorbent materials, anchor kits, pumps and temporary waste storage units for recovered oil and other substances.

"Roads and Maritime Services has the responsibility for responding to marine pollution incidents for about two thirds of the NSW coastline, including the north and south coasts," RMS Director Angus Mitchell said. *The Coffs Coast Advocate* [Read more](#)

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## People in the news

### STAFF CHANGES AT ITOPF

ITOPF has recruited four new Technical Advisers who'll be joining the team over the next three months.

**David Campion** will join in November. David has a master's degree in tropical coastal management. He has previously worked in fisheries and coral conservation and most recently was Group Director for Corporate Social Responsibility for a hotel group in the Maldives, Thailand and Vietnam.

In December we will be joined by **Jessika Fuessel** and **Anne Réglain**. Jessika has a PhD in biogeochemistry and has recently been working as a postdoctoral researcher in the Department of Bio-Geosphere Interactions in Bremen, Germany.

Anne has a master's degree and has previously worked for an NGO in Vietnam drawing up a feasibility report for the development of an eco-island resort. For the last two years she has been the Total secondee to IMO's Regional Activity Centre for the Caribbean, REMPEITC.

**Romain Chancerel** will be starting at ITOPF early in the New Year. Romain has an MSc in engineering in the coastal environment and is currently working for the United Nations Environment Programme as an Assistant to the Co-ordinator of the Abidjan Convention. He has previously worked at IPIECA and OSRL.

Other staff news: - **Dr Henk Renken**, a Technical Adviser since 2009, left ITOPF in October to join BP as an Oil Spill Preparedness and Response (OSPR) Senior Technology Advisor.

During his time at ITOPF, Henk attended almost 20 incidents. These included the MSC CHITRA, a spill of heavy fuel oil and containers in India, and the grounding of the cruise ship COSTA CONCORDIA, where he provided advice to the shipowner and Italian authorities on pollution-related issues. He also presented at numerous training courses and seminars and was part of the ITOPF Arctic Working Group.

ITOPF wishes Henk well in his new position and looks forward to working together on collaborative projects in the future.

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### NEW ZEALAND: NEW BAY COMMANDER IN CHARGE OF OIL SPILLS

The Bay of Plenty has appointed a new regional oil spill on-scene commander to manage oil spills in its waters.

Regional Council Senior Pollution Prevention officer Adrian Heays has been appointed to the position after gaining qualifications from Maritime New Zealand. The role was previously managed by staff from Waikato Regional Council.

Regional Council Deputy Chief Executive Eddie Grogan said the Regional Commander's role focuses on oil spill prevention, planning, preparedness and responding to regional level or Tier II oil spills. *Bay of Plenty Times* [Read more](#)

## ISCO News

### THE EDUCATIONAL ROLE OF THE ISCO NEWSLETTER

The ISCO Newsletter has in the past published excellent serialised articles on such matters as inland spill response, aerial observation of oil spills, in-situ burning, etc. by respected experts including Dr Merv Fingas and Mark Francis. Your editor is currently looking for more interesting articles of this kind. If you think you can help, please get in touch. [john.mcmurtrie@spillcontrol.org](mailto:john.mcmurtrie@spillcontrol.org)

Disseminating news about new technical developments is of value to our community. Corporate Members and others are invited to contribute articles.

You editor is also interested to receive interesting case histories for publication. Dealing with spill events often requires an innovative approach and you are invited to share your experience

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### SUPPORT THE CONTINUING PUBLICATION OF THE ISCO NEWSLETTER

If you find the Newsletter interesting and useful, you please help support its continuation by becoming a member. There are lots of positive advantages in joining this organisation which has a worldwide membership in 45 countries –

- Being part of a worldwide community of professionals who share a common interest.
- Receiving ISCO's weekly newsletter keeping you up-to-date on events, developing technologies, new legislation and other matters of mutual interest.
- Identifying opportunities for providing new products and services needed in domestic and overseas markets.
- Practical help in building incident response capacity and competence enhancement.
- Through ISCO, having a voice in the drafting of new legislation that will affect our area of interest.
- Opportunity to participate in ISCO work groups developing new ideas and projects.
- Through the International Offers of Assistance initiative opportunities to have a role in the response to very large oil spill events.
- Networking with other members, sharing experiences, discussing problems and helping find good solutions.
- Free listing in ISCO's International Directory of Supplies and Services with your entry hyperlinked to your own website.
- Identify opportunities to develop alliances and technical partnerships with other members as a means of fast-tracking response capacity building.
- The right to display the ISCO logo on your headed notepaper, brochures, etc. to denote that you are part of an international organisation dedicated to improving worldwide co-operation and preparedness.

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### CONTRIBUTING NEWS STORIES FOR THE ISCO NEWSLETTER

The Editor very much appreciates receiving links for news stories, especially from areas of the world where it is difficult to find English language reports. If you come across something that will be of interest to the international spill response community, please send it to the editor at [info@spillcontrol.org](mailto:info@spillcontrol.org) All contributions will be acknowledged

## LESSONS LEARNED FROM LATIN AMERICA: FORTY YEARS AGO - THE METULA INCIDENT



An article contributed by ISCO Member, Carlos Sagrera, MISCO.

### PART 3 – RESPONSE, ENVIRONMENTAL IMPACT AND COMPENSATION

The author has specialised in prevention and control of onshore and offshore spills in Latin America for 20 years. He is a retired LCDR (Uruguayan Navy, 1992) and graduated from the Chilean Naval Polytechnic Academy (1978).

### Response and Environmental Impact

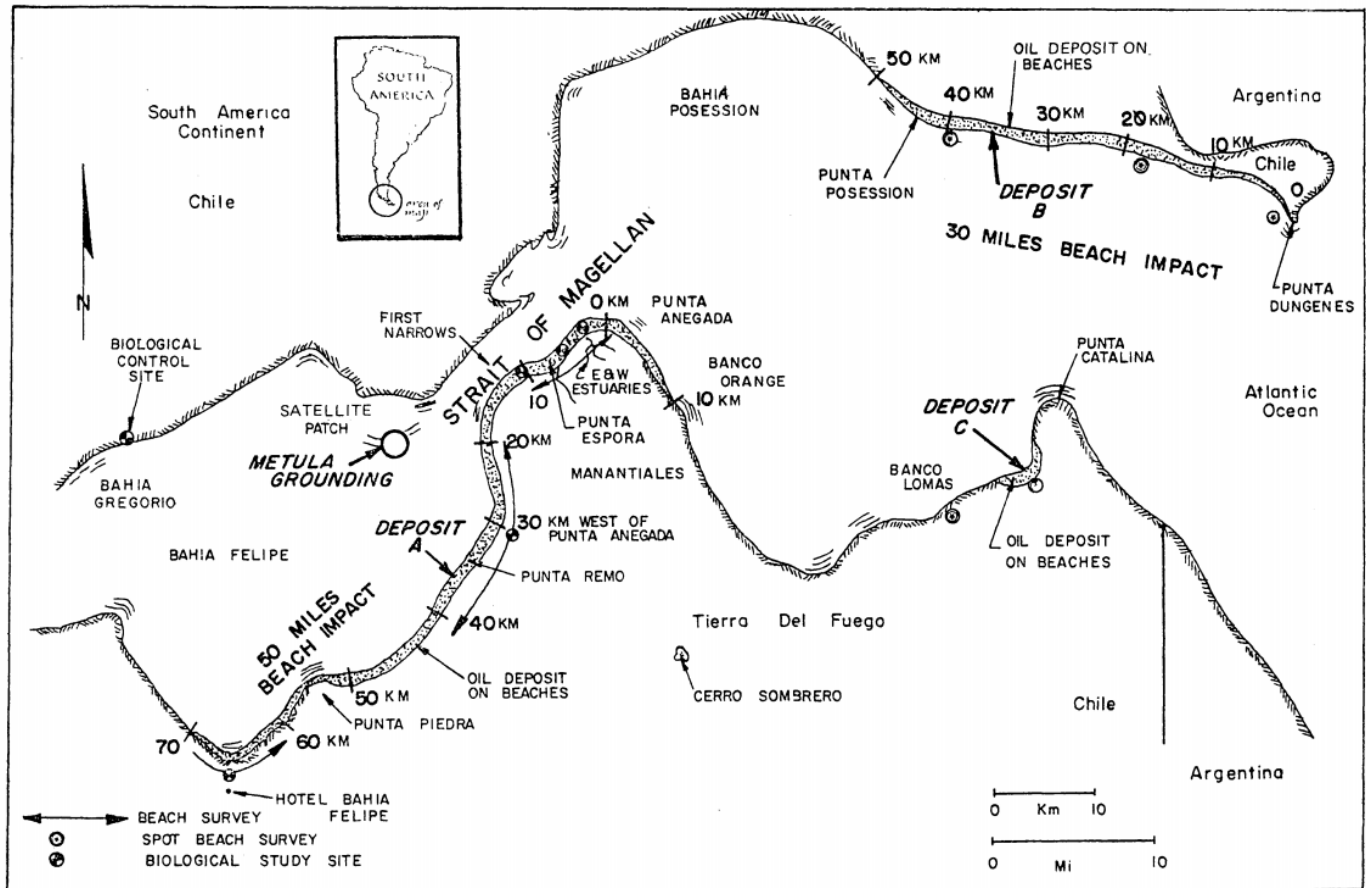


Figure 1. Site of *Metula* grounding and the associated oil-impacted beaches, according to field survey made in January 1975

The environmental consequences and damage to the ecosystem are detailed in papers compiled in several investigations, which can be found in the Proceedings of IOSC events made in the years following the incident.<sup>25</sup> We specially highlight Hann's works and scientific descriptions, the only ones written immediately after the event.<sup>26</sup> There were more than 2,500 square kilometres affected in the Strait area, both to the North and to the South of the Strait, on Tierra del Fuego's coast, with a total 270 km of coast affected to varying degrees. Reports are highly revealing about the state of the coast, and research papers highlight that years later there was petrification of oil layers in the more affected areas. In short, even today parts of the coast are literally asphalted. Those initial reports already accounted for marine and coastal wildlife mortality. They pointed out possible future effects on the migration of certain types of penguins and impacts to intertidal ecosystems.

Lack of proper scientific technology in Chile led to the first samples collected by experts to be sent for analysis to Coast Guard laboratories in Connecticut (U.S.) one month after the incident. Afterwards, the Chilean Navy took its own samples to be channelled internally and most probably with protocols developed with support from the Instituto de la Patagonia and national universities that were involved in the event.<sup>27</sup>

### References

25 <http://ioscproceedings.org/>

26 Hann, Roy W. Jr. (1977) Fate of Oil from the Supertanker *Metula*. International Oil Spill Conference Proceedings: March 1977, Vol. 1977, Nbr.1, pp. 465-468. <http://ioscproceedings.org/doi/pdf/10.7901/2169-3358-1977-1-465>

27 However, let it be recorded that we were not able confirm this with our research sources in Chile.



The reports also mentioned the following important issue: while it was possible to perform cleanup actions on the coast, it would be very difficult and expensive because of location, climate, ground, and tidal differences, as well as the staff and equipment logistics required. There was also complete uncertainty as to the amount of oil spilled, its environmental impact, and thus, which area had to be cleaned up. The possibility that the impact of cleanup actions would worsen the situation was not ruled out. A legal battle (with its implications about aids to navigation and Chilean pilots in the incident) took place alongside unanswered questions about financing.<sup>28</sup> However, the reports concluded that, if the decision was made to clean up the site, the narrows and the western area of the Strait had to be prioritized. The initial statement of the external experts would be crucial for the Chilean authorities when making the final decision on the best response strategy to implement under the circumstances. The authorities decided that the best strategy would be to monitor and assess the spill; in the author's opinion, all those directly involved agreed. Recognized strategies such as containment and recovery were not applicable due to the state of the sea and the lack of appropriate equipment for those conditions. The use of dispersants was discarded for logistical reasons rather than for their efficiency. The general belief in those days was that existing dispersants were effective. The problem was that the dosage required was 1-to-10 and those amounts were not feasible, even globally. Those were different times. However, the issue of sea coast treatment was more debatable. That issue was the result of an incipient NEBA without today's scientific rigour. It was undoubtedly called by the circumstances, but it supported the decisions taken by the authorities.

The environmental assessment performed after the incident by Canada's Emergencies Science and Technology Section considered the long-term natural elimination of oil spilled during this incident, which had no coast treatment whatsoever.<sup>29</sup> Nevertheless, according to scientific reports at the time, nowadays the incident would certainly qualify as an ecological disaster.<sup>30</sup>

### Compensation

Once again, we must not lose perspective: it was the mid-70s, a time when the first environmental movements and pressure were emerging in developed countries, in the form of "green" parties. IMCO had just been able to adopt a new environmental agreement for vessels under its 1973 MARPOL Convention, which under Annex I would specifically regulate the prevention of pollution by oil from operational measures as well as from accidental discharges.<sup>31</sup>

Moreover, the important International Convention on Civil Liability for Oil Pollution Damage (CLC), adopted in 1969, would enter into force in 1975, probably due to the influence of its ratification by several countries due to many major incidents in those years—among them, the Jacob Maersk incident in Portuguese waters in 1975. Neither Chile nor Argentina were within the first countries that ratified the CLC. To date, Chile has ratified the 1992 CLC, but not the 1992 FUND Convention.

The Convention that would work in this case would be the private TOVALOP scheme, created in 1969 and parallel to IMO's CLC, which represented shipowners and charterers of supertankers such as Metula and were, in most cases, oil companies or their subsidiaries. TOVALOP was managed by ITOF, which sought to consolidate its roles. Its initial compensation limits were considered very low from the start: US\$100 per ton of gross tonnage and a US\$10 million maximum limit per incident. Taking into account only the spill, this would have totalled approximately US\$5 million in the case of Metula.<sup>32</sup> Another private scheme in place was CRISTAL, in force since 1971. However, CRISTAL did not apply to this event because ENAP, the owner of the cargo, did not subscribe to the agreement—neither did the remaining Latin American national oil companies (NOC). The compensation amount stated by the latter was triple the amount established by TOVALOP. Metula was chartered by SIM, an international oil company (IOC), which was registered with TOVALOP; therefore, TOVALOP would compensate Chile for the damage caused by the spill. There is a clear difference between compensation amounts due to Chile's lack of foresight. This would have also been the case had there been a similar incident in any other country in Latin America, because processes for ratifying IMO conventions are very slow in the region—the reasons exceed the scope of this paper, but should be worked out by regional organizations.

On 4 November, Chilean authorities reached an agreement with Shell Tankers B.V. Rotterdam for the latter to compensate the costs incurred as a result of the incident.<sup>33</sup> The agreement provided for:

- US\$36,185 for costs associated with refloating VLCC Metula and monitoring the environmental damage identified so far.
- US\$250,000 for costs related to paying the U.S. Coast Guard for its role in unloading and refloating the tanker.
- US\$25,000 towards two scholarships for members of Instituto de la Patagonia in Punta Arenas, to study ecological damage assessment and oil pollution control in the UK.

One last clause established a waiver to any further claims by either party. Although nowadays US\$311,185 would be worth five times as much, the amount sounds meagre considering the damage sustained.<sup>34</sup> At the time, the price for an oil barrel was US\$13.<sup>35</sup>

### References

28 <http://www.gpo.gov/fdsys/pkg/CZIC-td195-p4-g86-1976/html/CZIC-td195-p4-g86-1976.htm>

29 Humphrey B. & Owens E. H. - EE-107 Report – Environment Canada – Environmental Protection Directorate, Dec. 1988 – page 109 [file:///C:/Users/multimax/Downloads/120AK%20\(2\).PDF](file:///C:/Users/multimax/Downloads/120AK%20(2).PDF)  
<http://www.sciencedirect.com/science/article/pii/S0025326X07003098>

30 <http://www.gpo.gov/fdsys/pkg/CZIC-td195-p4-g86-1976/html/CZIC-td195-p4-g86-1976.htm>

31 [http://www.imo.org/About/Conventions/ListOfConventions/Pages/International-Convention-for-the-Prevention-of-Pollution-from-Ships-\(MARPOL\).aspx](http://www.imo.org/About/Conventions/ListOfConventions/Pages/International-Convention-for-the-Prevention-of-Pollution-from-Ships-(MARPOL).aspx)

32 <file:///C:/Users/multimax/Downloads/Thesis%20final%20Hui%20Wang.pdf>

<http://www.sciencedirect.com/science/article/pii/S0025326X07003098>

33 <http://www.gpo.gov/fdsys/pkg/CZIC-td195-p4-g86-1976/html/CZIC-td195-p4-g86-1976.htm>

34 <http://www.dollartimes.com/inflation/inflation.php?amount=1&year=1974>

35 <http://www.wtrg.com/prices.htm>

## Contributed article (continued)

One cannot view these figures in today's light without considering the circumstances that originated them. The query that may arise is as to why the compensation agreement was signed so quickly—within three months of the incident—when there could still be instances of appeal after the incident was investigated, as well as potential claims for environmental damage after serious scientific research was carried out—the results of which were available several months later. In those times, Chilean law allowed for filing a claim for damages within up to two years after an incident.<sup>36</sup>

### References

36 Schwarz, Jorge – Ibid. page 119

**The concluding part of this article will appear in next week's ISCO Newsletter**

## Publications

### IOPC FUNDS: NEW EDITION BROCHURE ON THE 2010 HNS CONVENTION NOW AVAILABLE

October 6 - A new edition of the IOPC Funds' brochure on the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea (2010 HNS Convention) is now available in English to download from the [publications](#) page.

This brochure summarises what Hazardous and Noxious Substances (HNS) are and how the Convention works, including the damage covered, the financing of the HNS Fund, the reporting requirements and the requirements for entry into force. Hard copies of the English brochure are available on request via the [publications](#) page. French and Spanish versions will be made available in November.

Further information on the HNS Convention and the 2010 HNS Protocol can be found at [www.hnsconvention.org](http://www.hnsconvention.org).

### USA: WHEN THE CLOCK IS TICKING: NOAA CREATES GUIDELINES FOR COLLECTING TIME-SENSITIVE DATA DURING ARCTIC OIL SPILLS

September 30 – From Dr Sarah Allan of NOAA - The risk of an oil spill in the Alaskan Arctic looms large. This far-off region's rapid changes and growing ship traffic, oil and gas development, and industrial activity are upping those chances for an accident. When [Shell's Arctic drilling rig Kulluk grounded](#) on a remote island in the Gulf of Alaska in stormy seas in December 2012, the United States received a glimpse of what an Arctic oil spill response might entail. While no fuel spilled, the *Kulluk* highlighted the need to have a science plan ready in case we needed to study the environmental impacts of an oil spill in the even more remote Arctic waters to the north. Fortunately, that was exactly what we were working on.

Soon, the NOAA Office of Response and Restoration's Assessment and Restoration Division will be releasing a series of sampling guidelines for collecting high-priority, time-sensitive, ephemeral data in the Arctic to support [Natural Resource Damage Assessment](#) (NRDA) and other oil spill science. These guidelines improve our readiness to respond to an oil spill in the Alaskan Arctic. They help ensure we collect the appropriate data, especially immediately during or after a spill, to support a damage assessment and help the coastal environment bounce back. NOAA [Read more](#)

## Links for recent issues of other publications

[ASME EED EHS Newsletter](#)

[Bow Wave](#)

[Cedre Newsletter](#)

[The Essential Hazmat News](#)

[USA EPA Tech Direct](#)

[USA EPA Tech News & Trends](#)

[Technology Innovation News Survey](#)

[Intertanko Weekly News](#)

[CROIERG Enews](#)

[IMO Publishing News](#)

[IMO News Magazine](#)

[Pollution Online Newsletter](#)

[EMSA Newsletter](#)

[JOIFF "The Catalyst"](#)

[Environmental Technology Online](#)

[OCIMF Newsletter](#)

[IPIECA eNews](#)

[WMU Newsletter](#)

[AMSA Aboard](#)

[Sea Alarm Foundation Newsletter](#)

[Regenesis Remediation News](#)

News and commentary on HSE issues from George Holliday

Sam Ignarski's Ezine on Marine & Transport Matters

News from Cedre in Brittany, France

Alliance of Hazardous Materials Professionals

Remediation of contaminated soil and groundwater

Contaminated site clean-up information

From US EPA - Contaminated site decontamination

International news for the oil tanker community

Canberra & Regions Oil Industry Emergency Response Group

New and forthcoming IMO publications

News from the International Maritime Organization

News for prevention & control professionals

News from the European Maritime Safety Agency

Int'l Organisation for Industrial Hazard Management

Environmental Monitoring, Testing & Analysis

News from the Oil Companies International Marine Forum

Int'l Petroleum Industry Environmental Conservation Assoc'n

From the World Maritime University in Malmo, Sweden

News from the Australian Maritime Safety Authority

News from the Sea Alarm Wildlife Protection Organisation

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## Events

### ALGERIA: NATIONAL TRAINING COURSE ON PREPAREDNESS FOR OIL-POLLUTED SHORELINE CLEANUP AND OILED WILDLIFE RESPONSE

Within the framework of the Integrated Technical Cooperation Programme (ITCP) of the International Maritime Organization (IMO), the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) in co-operation with the Ministry of Spatial Planning and Environment (MATE) of the Algerian Government, is organizing the National Training Course on Preparedness for Oil-Polluted Shoreline Cleanup and Oiled Wildlife Response, to be held in Alger, Algeria, between 27 and 29 October 2014.

The main objectives of this event is to train trainers on oil spill voluntary management, oil-polluted shoreline cleanup and oiled wildlife response to strengthen local cooperation and establish a group of trainers able to disseminate the acquired knowledge at the local or regional level. Educational materials developed in the framework of the project "Preparedness for Oil-polluted Shoreline cleanup and Oiled Wildlife interventions"– (POSOW) (<http://www.posow.org/documentation>) will be made available to the participants.

The draft programme will be posted on the "News & Events" page of the REMPEC website ([www.rempec.org](http://www.rempec.org)) under "Forthcoming Meetings and Activities".

### USA: NAMEPA'S ANNUAL CONFERENCE IN NEW YORK

The theme of this year's NAMEPA (North American Marine Environment Protection Association) Annual Conference, 'Marine Environment Protection: Evolution or Revolution?', reflects both the revolutionary challenges (new Emission Control Area (ECA) requirements, fuel sourcing, and partnerships) and evolutionary changes (updates in emergency response, regulations, and risk management) in the maritime industry. The conference will be held on October 29th aboard the Hornblower Infinity at Pier 40 in New York, NY beginning at 0800. *The Maritime Executive* [Read more](#)

## Company News

### ISCO CORPORATE MEMBER, KOSEQ LAUNCHES THE COMPACT 502



*Photo: Compact 502 knuckle boom crane lowers the sweeping arm into the water*

Koseq the Dutch inventor of the rigid sweeping arm and manufacturer of oil spill recovery equipment, introduces the Compact 502. We invite you to go 'live' and join our demonstration on Tuesday 14 October. Let's meet at 13h in Vlaardingem.

The ingenious all-in-one Compact 502 has been designed following the increasing demand for faster oil spill preparedness and actual recovery.

The Compact 502 is the latest innovation from Koseq. It is a containerised, self-deploying oil spill recovery system that is built around the 5m-long compact rigid sweeping arm for quick intervention during oil spill recovery operations.

The 20ft container possesses among the compact rigid sweeping arm a hydraulic marine knuckle boom crane, a diesel-driven hydraulic power pack and an operator console. The compactness of the system enables the oil spill responder to transport the complete system to the vessel of opportunity (VOO) to start operations immediately.

Please subscribe at [design@koseq.com](mailto:design@koseq.com) and get the full programme.

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