

ANNEX 8

**RESOLUTION MEPC.86(44)
adopted on 13 March 2000**

**AMENDMENTS TO THE GUIDELINES FOR THE DEVELOPMENT OF
SHIPBOARD OIL POLLUTION EMERGENCY PLANS**

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38(a) of the Convention on the International Maritime Organization concerning the function of the Committee,

NOTING that regulation 26 of Annex I and regulation 16 of Annex II of MARPOL 73/78 require ships to carry a shipboard oil pollution emergency plan, a shipboard marine pollution emergency plan for noxious liquid substances and/or a shipboard marine pollution emergency plan in accordance with the Guidelines developed by the Organization,

RECOGNIZING the need for amending the Guidelines for the development of shipboard oil pollution emergency plans to ensure uniform application of these regulations,

HAVING CONSIDERED at its thirty-second session proposals for the Guidelines for the development of shipboard oil pollution emergency plans and at its forty-fourth session further proposals for the Guidelines for the development of shipboard marine pollution emergency plans for oil and/or noxious liquid substances and the amendments to the Guidelines for the development of shipboard oil pollution emergency plans,

1. ADOPTS the amendments to the Guidelines for the development of the shipboard oil pollution emergency plans, the text of which is set out in the annex to the present resolution;
2. URGES Governments to ensure that the shipboard oil pollution emergency plans are developed in accordance with these Guidelines, as amended, when approving them under the provisions of amended regulation 26 of Annex I of MARPOL 73/78, pending its entry into force.

ANNEX

**AMENDMENTS TO THE GUIDELINES FOR THE DEVELOPMENT OF
SHIPBOARD OIL POLLUTION EMERGENCY PLANS**

- 1 Replace PREFACE by FOREWORD to read:

“

FOREWORD

The International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78) is a principal instrument established by IMO for preventing marine pollution. Regulation 26 of Annex I of this Convention requires that every oil tanker of 150 tons gross tonnage and above and every ship other than an oil tanker of 400 tons gross tonnage and above shall carry on board a shipboard oil pollution emergency plan approved by the Administration. It is pertinent to note that MARPOL 73/78 was amended to include the above-mentioned regulation 26 of Annex I as a consequence of article 3(1)(a) of the International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990 (OPRC Convention). This Convention contains a requirement that certain ships have on board a shipboard oil pollution emergency plan. The shipboard plan required under regulation 26 of Annex I of MARPOL 73/78 is the same shipboard oil pollution emergency plan that is required under article 3(1)(a) of the OPRC Convention.

Regulation 16 of Annex II of the Convention requires that every ship of 150 tons gross tonnage and above certified to carry noxious liquid substances in bulk shall carry on board a shipboard marine pollution emergency plan for noxious liquid substances approved by the Administration. A shipboard marine pollution emergency plan for noxious liquid substances should be combined with a shipboard oil pollution emergency plan since most of their contents are the same and only one combined plan on board is more practical than two separate plans in case of an emergency. In this case the title of such a combined plan should be “Shipboard marine pollution emergency plan” in order to distinguish it from a shipboard marine emergency plan for noxious liquid substances and a shipboard oil pollution emergency plan. Both regulation 26 of Annex I and regulation 16 of Annex II require that the plans be in accordance with guidelines developed by IMO.

The Marine Environment Protection Committee (MEPC) at its thirty-second session adopted Guidelines for the development of shipboard oil pollution emergency plans under cover of resolution MEPC.54(32) to meet the requirements of regulation 26 of Annex I.

The MEPC at its [forty-fourth] session prepared Guidelines for the development of shipboard marine pollution emergency plans to meet requirements of regulation 26 of Annex I and/or regulation 16 of Annex II on the basis of the Guidelines for oil. As a result of this review, the amendments to the Guidelines for the development of shipboard oil pollution emergency plans were also prepared by the MEPC at the same session to ensure uniform application of these regulations and guidelines.

It is also pertinent to note that shipboard oil pollution emergency plans which have already been approved by the Administration for oil tankers of 150 tons gross tonnage and above and ships other than oil tankers of 400 tons gross tonnage and above in accordance with the Guidelines for the development of shipboard oil pollution emergency plans adopted by resolution MEPC.54 (32) need not be modified in accordance with either these Guidelines or the Guidelines for the development of shipboard marine pollution emergency plans for oil and/or noxious liquid substances adopted by resolution MEPC.85(44).

Under the provisions of article 5 of the 1973 MARPOL Convention, a ship is required to hold a certificate in accordance with the provisions of regulations and, while in the ports or offshore terminals under the jurisdiction of a Party, is subject to inspection by officers duly authorized by that Party. In this context, the carriage of a shipboard oil pollution emergency plan should also be subject to such inspection.

These Guidelines contain information for the preparation of shipboard oil pollution emergency plans.

The main objectives of these Guidelines are:

- to assist ship owners in preparing shipboard oil pollution emergency plans in conformance with the cited regulations; and
- to assist Governments in developing and enacting domestic laws which give force to and implement the cited regulations.

In the interest of uniformity, Governments are requested to refer to these Guidelines when preparing appropriate national regulations.”

2 Paragraph 1.4, the last sentence is amended to read:

“Effective planning ensures that the necessary actions are taken in a structured, logical, safe and timely manner.”

3 Paragraph 1.4.4, the first sentence is amended to read:

“The Plan envisioned by regulation 26 of Annex I of the Convention is intended to be a simple document.”

4 Paragraph 1.4.4, the last sentence is amended to read:

“If such information is relevant, it should be kept in annexes where it will not dilute the ability of ship's personnel to locate operative parts of the Plan.”

5 Paragraph 1.4.6, the second and the third sentences are amended to read:

"It must therefore be available in a working language or languages understood by the master and officers. A change in the master and officers which brings about an attendant change in their working language or languages understood would require the issuance of the Plan in the new languages. ”

6 The following new paragraph 1.4.7 should be added after paragraph 1.4.6:

"1.4.7 The Plan should clearly underline the following :

"Without interfering with shipowners' liability, some coastal States consider that it is their responsibility to define techniques and means to be taken against an oil pollution incident and approve such operations which might cause further pollution, i.e., lightening. States are in general entitled to do so under the International Convention relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969 (Intervention Convention) ."

7 Paragraphs 2.3.1.1.1 is amended to read:

.1 a discharge of oil above the permitted level for whatever reason including those for the purpose of securing the safety of the ship or saving life at sea; or

8 Paragraph 2.4.3.1 is amended to read:

"2.4.3.1 In order to expedite response and minimize damage from a pollution incident, it is essential that appropriate coastal States should be notified without delay. This process is begun with the initial report required by article 8 and Protocol I of the Convention. Guidelines for making this report are provided in section 2.3."

9 Paragraph 2.5.2.1, the first sentence is amended to read:

“The Plan should outline the procedures for safe removal of oil spilled and contained on deck.”

10 Paragraph 2.5.2.2 is amended to read:

".2 Spills resulting from casualties: Casualties should be treated in the Plan as a separate section. The Plan should include various checklists or other means which will ensure that the master considers all appropriate factors when addressing the specific casualty⁹. These checklists must be tailored to the specific ship and to the specific product or product types. In addition to the checklists, specific personnel assignments for anticipated tasks must be identified. Reference to existing fire control plans and muster lists is sufficient to identify personnel responsibilities. The following are examples of casualties which should be considered:

.2.1 grounding;

.2.2 fire/explosion;

.2.3 collision (with fixed or moving object);

.2.4 hull failure;

⁹ Reference is made to the International Safety Management (ISM) Code, Section 8.

- .2.5 excessive list;
- .2.6 containment system failure;
- .2.7 submerged/foundered;
- .2.8 wrecked/stranded;
- .2.9 hazardous vapour release.”

11 Paragraph 2.5.3 is amended to read:

“2.5.3 In addition to the checklists and personnel duty assignments mentioned in 2.5.2, the Plan should provide the master with guidance concerning priority actions, stability and stress considerations, lightening and mitigating activities.”

12 Paragraph 2.5.3.1.1 , the second and third sentences are amended to read:

“In casualties involving spills, immediate consideration should be given to measures aimed at preventing fire, personnel exposure to toxic vapours, and explosion, such as altering course so that the ship is upwind of the spilled cargo, shutting down non-essential air intakes, etc. If the ship is aground, and cannot therefore manoeuvre, all possible sources of ignition should be eliminated and action should be taken to prevent toxic vapours or flammable vapours entering accommodation and engine-room spaces” (see paragraph 1.4.7).

13 Paragraph 2.5.3.1.2, the second sentence is amended to read:

“A visual inspection should be carried out and all cargo tanks, bunker tanks, and other compartments should be sounded.”

14 Paragraph 2.5.3.2 is amended to read:

"2.5.3.2 Stability and strength considerations: Great care in casualty response must be taken to consider stability and strength when taking actions to mitigate the spillage of oil or to free the ship if aground. The Plan should provide the master with detailed guidance to ensure that these aspects are properly considered. Nothing in this section shall be construed as creating a requirement for damage stability plans or calculations beyond those required by relevant international conventions.

- .1 Internal transfers should be undertaken only with a full appreciation of the likely impact on the ship's overall longitudinal strength and stability. When the damage sustained is extensive, the impact of internal transfers on stress and stability may be impossible for the ship to assess. Contact may have to be made with the owner or operator or other entity in order that information can be provided so that damage stability and damage longitudinal strength assessments may be made. These could be made within the head office technical departments. In other cases, classification societies or independent organizations may need to be contacted. The Plan should clearly indicate who the master should contact in order to gain access to these facilities.

- .2 Where appropriate, the Plan should provide a list of information required for making damage stability and damage longitudinal strength assessments."
- 15 Paragraph 2.5.3.3, "(see paragraph 1.4.7)" should be added at the end of the paragraph.
- 16 After paragraph 2.5.3.3, add a new paragraph 2.5.3.4 to read:
- "2.5.3.4 Mitigating activities: When the safety of both the ship and personnel has been addressed, the master can initiate mitigating activities according to the guidance given by the plan. The plan should address such aspects as:
- .1 assessment and monitoring requirements;
- .2 personnel protection issues:
- .2.1 protective equipment; and
- .2.2 threats to health and safety
- .3 containment and other response techniques (e.g. dispersing, absorbing,);
- .4 isolation procedures;
- .5 decontamination of personnel; and
- .6 disposal of removed oil and clean-up materials."
- 17 Paragraph 2.6, "(see paragraph 1.4.7)" should be added at the end of the paragraph.
- 18 Paragraph 3.3, "(see paragraph 1.4.7)" should be added at the end of the paragraph.
- 19 Renumber paragraphs 3.4, 3.5, 3.6 and 3.7 as 3.7, 3.8, 3.9 and 3.10 respectively, and add three new paragraphs after paragraph 3.3, to read:
- "3.4 Shoreside Spill Response Co-ordinator or Qualified Individual: Guidance for the master for requesting and co-ordinating initial response actions with the person responsible for mobilizing shoreside response personnel and equipment.
- 3.5 Some coastal States require ships to have contracts with "response contractors" when ships enter into such States' ports. When ships sail toward such States, it is recommended that response resources (personnel and equipment) and capabilities are identified in advance for each potential port State. In other States, in particular, those referred to in paragraph 1.4.7, such requirements do not exist in general.
- 3.6 Planning Standards: To facilitate forethought about the amount of response resources which should be requested, possible scenarios should be analysed and accordingly planned for (see paragraph 1.4.7)."

20 After new paragraph 3.10, add a new paragraph 3.11 to read:

"3.11 Salvage: The plan should contain information on what the crew's responsibilities are in a casualty where a vessel is partially or fully disabled, and what constitutes dangerous conditions. A decision process should be outlined in the plan that will aid the master in determining when salvage assistance should be obtained. The decision process should include, but not be limited to the following:

- .1 Nearest land or hazard to navigation;
- .2 Vessel's set and drift;
- .3 Location and time of impact with hazard based on vessel's set and drift;
- .4 Estimated time of casualty repair; and
- .5 Determination of the nearest capable assistance and its response time (i.e. or tug assistance, the time it will take to get on scene and secure the tow). When a casualty occurs to a vessel underway that reduces its manoeuvrability, the master needs to determine his window of opportunity considering the response time of assistance, regardless of the estimated time of repair. It would not be prudent to hesitate in calling for assistance when the time needed to repair something goes beyond the window of opportunity. "

21 Appendix I (Additional references for the development of shipboard oil pollution emergency plans). The ISBN number of "Manual on Oil Pollution, Section II" should be "92 801 1330 5".

22 Appendix II (Example of format for shipboard oil pollution emergency plan), section 3, (Step to control discharge), paragraph 3.2 is amended to read:

“3.2 Spills resulting from casualties

This section should contain ship-specific and company-specific information concerning actions to be taken to address, as a minimum, the following casualty scenarios: grounding, fire/explosion, collision (with fixed or moving object), hull failure, excessive list, containment system failure, submerged/foundered, wrecked/stranded, hazardous vapour release (see section 2.5.2.2 of the Guidelines). This section should also provide guidance on priority actions to be taken (see Section 2.5 of the Guidelines). Consideration should be given to providing some of the necessary information in the form of checklists/flowcharts where considered applicable. An example of presentation of information relating to response activities and personnel responsibilities is given in table 2 below:”

23 “Shipboard oil pollution emergency plan summary flow chart” is amended to read:

SHIPBOARD OIL POLLUTION EMERGENCY PLAN
Summary flow chart

This flow diagram is an outline of the course of action that shipboard personnel should follow in responding to an oil pollution emergency based on the guidelines published by the Organization. This diagram is not exhaustive and should not be used as a sole reference in response. Consideration should be given for inclusion of specific references to the Plan. The steps are designed to assist ship personnel in actions to stop or minimize the discharge of oil and mitigate its effects. These steps fall into two main categories - reporting and action.


