



Post Spill Monitoring and Impact Assessment in Marine Waters (Northern Ireland)

The Decision Making and Funding Process

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Introduction

The Premiam (Pollution Response in Emergencies: Marine Impact Assessment and Monitoring) project was initiated to strengthen both the use of applied science and co-ordination of post spill monitoring activities in UK marine waters.

The project represents an ongoing collaboration across all the main UK government stakeholders and is providing a focus through which the necessary improvements to science and organisation are being realised. A key deliverable under the project that is facilitating this is an overarching set of monitoring guidelines detailing the scientific principles and approaches that should be applied following a marine incident. These guidelines provide the agreed principles and practices under which marine monitoring in UK waters will be conducted (the guidelines can be downloaded at <http://cefas.defra.gov.uk/premiam/guidelines>). In addition, the Premiam project is delivering a mechanism for the co-ordination and management of post spill monitoring activities.

While a primary driver for the Premiam partners has been the appropriate application of sound, quality science to post spill monitoring this can only be fully realised if it is part of an effective management and co-ordination process fully integrated with national plans (e.g. the National Contingency Plan). The ultimate effectiveness of the monitoring programme might be determined by how well the current or baseline status of the threatened environment is established so that subsequent damage and recovery can be properly assessed. Therefore, as equally important to deploying the right methodologies is the necessity to deploy them promptly, within hours, before an impact may have occurred.

In order to facilitate the promptness in monitoring initiation the decision making process for the mobilisation of initial sampling and analysis needs to be straight forward with clear responsibilities identified. In addition, it needs to be recognised that any initial mobilisation, sampling or analysis will incur costs and therefore pre-considered mechanism for funding this initial activity is essential.

A programme of marine monitoring for a significant incident can be extremely complex as it may need to co-ordinate many service contributors and take account of an ever changing scenario. Therefore, under the auspices of the Premium group it is recommended that, for significant incidents, a Premium Monitoring Co-ordination Cell (PMCC) is formed, more often than not on a completely virtual basis. The role of the PMCC is outlined in this guidance as well as its important links to the standing environment group (SEG) process.

This guidance is the result of a series of workshop/meeting(s) involving the key UK government bodies with responsibilities for i) taking the decision to initiate/continue/cease monitoring activities, and ii) funding monitoring activities. It aims to detail the decision making and funding process with respect to post-spill monitoring and how that process is managed and developed as the incident proceeds. As such it forms a deliverable from the Premium group aimed at clarifying and improving post-spill monitoring processes across the UK.

Premium Monitoring Co-ordination Cell (PMCC)

The Premium Monitoring Co-ordination Cell will be the group responsible for the overall conduct and integrated co-ordination of monitoring and impact assessment activities following a marine incident. In this respect it provides a distinct but complementary role to an Environment Group (EG).

Its specific responsibilities will include:

- The initiation and development of a co-ordinated monitoring programme in line with the Premium post-spill monitoring guidelines.
- The formation and management of a 'monitoring team' (selected from the Premium network of service providers) to undertake the monitoring activities.
- The maintenance of strong communication links to any formed environment group (EG) and other response cells as necessary.
- The management and maintenance of financial and expenditure records pertaining to any monitoring activities (including liaison with and payment of any sub-contractors used).
- Overseeing the generation and publication of reports as necessary. These will include i) regular/routine updates for Premium partner organisations and the EG (and potentially the media), and ii) interim and final monitoring and impact assessment reports.

The initial PMCC will be formed within minutes/hours of an incident as a result of key individuals being informed through the already established emergency response notification procedures (e.g. POLREPs etc.). The formation of the PMCC will be the responsibility of the pre-identified chairs and/or deputy chairs. The chairs and deputy chairs will be drawn from

the organisations with primary responsibility for overseeing marine monitoring in the UK; Cefas and Environment Agency (England and Wales), Marine Scotland (Scotland) and the Northern Ireland DoE Marine Environment Division.

The membership of the PMCC will be driven by the nature of the incident, including geographic position, and the nature of the resources that form the focus of the monitoring activity (e.g. fisheries, food, conservation, amenities etc. Government stakeholder ‘evidence needs and statutory requirements’ will be the main driver in the design of the monitoring programme – see Annex 1). The membership will also evolve as the group move from considering initial to ongoing to cessation of activities.

PMCC Membership

Permanent members (England & Wales)

Cefas (will act as Chair or Deputy Chair)

Environment Agency (will act as Chair or Deputy Chair)

NB: It is probable that Cefas or EA will also supply the ‘Premium representative’ on the EG. The PMCC chair will nominate that person in consultation with the appropriate EG chair.

Permanent members (Northern Ireland)

DoE (NI) Marine Environment Division (will act as Chair and liason with DoE-led Shoreline Response Centre)

AgriFood & Biosciences Institute - AFBI (may act as Deputy Chair)

Department of Agriculture & Rural Development – DARD (may act as Deputy Chair)

Loughs Agency (Foyle and Carlingford)

Other potential members

Food Standards Agency (where focus of monitoring is food/human health issues)

DCAL (where focus is migratory fisheries)

Maritime and Coastguard Agency (where focus is effectiveness/impacts of counter pollution and clean-up activity)

Local Government Authority (Shoreline response in Northern Ireland is managed by NIEA. However, in a major incident, local authorities will wish to be kept informed about monitoring of any contaminated local amenities).

The initial (0-96 hours) membership of the PMCC will be managed by the PMCC chair in consultation as necessary. As any incident evolves input to the PMCC might be sought from a wide range of potential organisations and individuals including; Public Health Agency, identified scientific or local experts, industry representatives, suppliers of significant effort into the monitoring programme, RSPB, local wildlife associations etc.

Links with the Environment Group

It will be essential for the PMCC to have strong communication links with the Environment Group. This is because the expert environmental advice being generated by the EG(NI) will provide key input to the development and evolution of the monitoring programme. The Premium process will act as a fast and effective route through which the EG's recommendations, with respect to monitoring, can be actioned. Furthermore, the EG(NI) will need to have prompt and effective feedback from the outputs of the monitoring programme in order to inform and update their advice.

To facilitate this relationship and the flow of advice and information between the groups a Premium representative will form part of the EG(NI) membership. It will be their specific role to facilitate the links and flow of information between the groups (a schematic of the group links is shown in Figure 1).

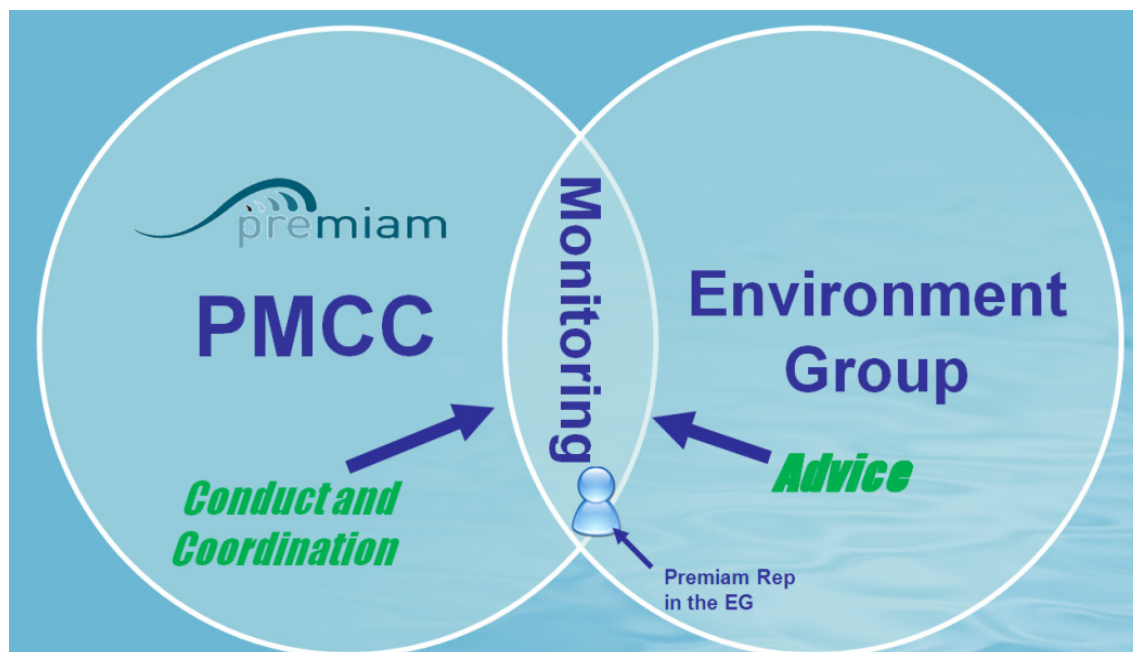


Figure 1. The integrated relationship between the PMCC and EG.

Monitoring Phases

Initial Response Phase (0-96 Hours)

Decision to initiate monitoring activity

In order to facilitate the prompt and effective decision to initiate monitoring (which may need to be taken within minutes to allow baseline samples to be collected) the responsibility for making the initial decision will be delegated to the PMCC chair (on behalf of the responsible authorities). In order to ensure that an effective and prompt decision is made it is necessary to invest this responsibility in a previously identified individual. However, in the vast majority of cases it is anticipated that the PMCC chair will be able to make this decision after necessary consultation (e.g. with the EG(NI) chair and other government authorities).

Funding

The decision to initiate monitoring activity would be taken on the understanding that appropriate funding would be forthcoming to cover necessary costs. In Northern Ireland, initial and longer term funding would be the responsibility of the lead Government Departments - DOE.

Management and Co-ordination

Initial management and co-ordination will be overseen by the PMCC chair using input and support from the EG(NI) and other PMCC members as necessary.

Ongoing Phase (96 hours onwards)

Decision to maintain/expand/reduce activity

If an incident requires continuation of monitoring activity beyond the first few days a more consultative procedure for decision making can be initiated. The overall decision making process will continue to be overseen and managed by the PMCC chair but it is anticipated that time will allow full consultation with the other PMCC members, the EG(NI) chair and other monitoring funders.

Funding

If a decision has been made and supported that requires extended (e.g. weeks) or significantly expanded monitoring activity it is assumed that additional funding sources would be identified as required. The potential need for an extended/expanded

environmental monitoring programme will be communicated to potential funding authorities by the PMCC chair as early as possible.

For significantly extended monitoring programmes where a polluter has been identified, cost recovery may also be sought under the 'polluter pays principle'.

Management and Co-ordination

Overall co-ordination of any extended environmental monitoring programme will continue to be undertaken through the PMCC. However, any ongoing programme will be professionally managed on a project basis with full planning and will include identification and tracking of deliverables to time, quality and budget.

Where a programme extends/expands to necessitate management as described above a suitably experienced and qualified project manager will be appointed. This will most likely not be the PMCC chair or any existing member of the PMCC. When appointed, the project manager will automatically become a member of the PMCC. They will be responsible for the maintenance of project plans and the tracking of delivery to time, quality and budget. They will also provide financial updates and information to the PMCC and funders as well as providing projections for potential future spend requirements.

Monitoring Cessation Phase

Decision to cease activity

It is a primary aim of the Premium process to deliver high quality but cost-effective monitoring and impact assessment processes. This can be delivered by ensuring full integration and co-ordination of the activities so that unnecessary activity is cut out, duplication of activity is minimised and quality, through adherence to the Premium guidelines, is maximised.

The decision to cease monitoring activity will be considered and made as part of the PMCC responsibilities (with full consideration of any EG(NI) recommendations). If any complex monitoring programme it is likely that cessation of activities will be a phased process but it will be a principle of the PMCC to not extend any monitoring activity beyond that which is necessary. Specific monitoring activities will not be completely ceased until all government stakeholder evidence needs and statutory requirements are fully met (see Annex 1).

Funding

Any residual financial issues following cessation of a monitoring programme will be handled by the project manager.

Final Reporting

Once a monitoring programme has ceased a final monitoring report, covering all issues as required by government stakeholders, will be prepared. Its production will be overseen by the PMCC chair (or delegated as necessary) and its timely delivery tracked by the project manager.

Annexes

Annex 1. Evidence Needs and Statutory Requirements for Government Departments/Agencies

Department of Environment Northern Ireland Marine Environment Division & NIEA

NIEA is the leading public body for protecting and improving the environment in Northern Ireland. **Marine Environment Division** has been carved from NIEA to concentrate on developing and delivering marine policy and legislation and to promote, protect and sustain our coastal waters. The Division is also responsible for implementing EC, International and National legislation.

In the event of a significant Marine pollution incident, Marine Division and NIEA will seek to prevent/control and monitor the input of pollutants to the environment. The main priorities during the response and recovery phases of an incident are to:

- prevent or minimise the impact of the incident;
- investigate the cause of the incident and consider enforcement action, and;
- seek remediation, clean-up or restoration of the environment.

Department of Agriculture and Rural Development (DARD)

The Department of Agriculture and Rural Development (DARD) aims to promote sustainable economic growth and the development of the countryside in Northern Ireland. The Department assists the competitive development of the agri-food, fishing and forestry sectors of the Northern Ireland economy, having regard for the need of the consumers, the welfare of animals and the conservation and enhancement of the environment.

DARD has responsibility for food, farming, and environmental policy and the development of the rural sector in Northern Ireland. It provides a business development service for farmers and growers, and a veterinary service with administration of animal health and welfare. It is responsible to the Department of the Environment, Food and Rural Affairs (Defra) in Great Britain for the administration in Northern Ireland of schemes affecting the whole of the United Kingdom. The Department also oversees the application of European Union agricultural and rural development policy to Northern Ireland.

Agri Food and Biosciences Institute (AFBI)

The Agri-Food & Bioscience Institute was created on 1st April 2006 as an amalgamation of the Department of Agriculture and Rural Development (DARD) Science Service and the Agricultural Research Institute of Northern Ireland (ARINI). AFBI is a DARD Non-Departmental Public Body (NDPB) and employs approximately 800 people. AFBI carries out high technology research and development, statutory monitoring, analytical, and diagnostic testing functions for DARD and other Government departments, public bodies and commercial companies.

AFBI provides scientific support to DARD and other government departments and agencies in managing the impact of animal and plant health, food and environmental emergencies. The Fisheries and Aquatic Ecosystem Branch of AFBI is the largest marine science provider in Northern Ireland and represents DARD on the Marine Pollution Emergency Environment Group in addition to providing wider technical support. DARD Fisheries Division has the statutory responsibility for the protection and sustainable development of sea fisheries and aquaculture. DARD will advise on seasonal sensitivities and any potential protective measures that can be implemented for commercial fisheries interests, and in the event of an oil spill DARD-FD will also advise NIEA WMU on the use of dispersants. DARD's role is defined in the MCA stop notices at:

http://www.dft.gov.uk/mca/stop_2_09_eg_july_2009.pdf and
http://www.dft.gov.uk/mca/stop_3_src_sept_09-5.pdf.

Maritime and Coastguard Agency (MCA)

The Maritime and Coastguard Agency (MCA) is the competent U.K. authority that responds to pollution from shipping and offshore installations. The MCA is regularly called upon to react to a wide range of maritime incidents and have developed a comprehensive response procedure to deal with any emergency at sea that causes pollution, or threatens to cause pollution. The “National Contingency Plan for Marine Pollution from Shipping and Offshore Installations” (NCP), which is currently under review was published in January 2000 and sets out revised command and control procedures for incident response following Lord Donaldson’s Review of Salvage and Intervention and their Command and Control. These procedures have built-in thresholds to allow for flexibility of response to different degrees of incident.

The MCA runs and participates in many maritime exercises each year to ensure the operational readiness of its staff and equipment. The CPR Branch organises a series of training courses for local authorities to prepare their personnel to respond to shoreline pollution. The Oil Pollution, Contingency Planning and Response Course is run four times a year at key locations around the UK. These courses are aimed at Emergency Planning Officers within local authorities and cover all aspects of spill response from the local authorities’ perspective. CPR also runs eight two-day courses in Oil Spill Response, aimed at local authority Beachmasters, which are hosted by local authorities. Both courses are accredited by the Nautical Institute. MCA also run Decision Making in Oil Spill Response Courses to prepare the statutory nature conservation agencies, the environmental regulators and the Government fisheries departments for their role in the Environment Group set up in response to a maritime incident.

Food Standards Agency (FSA)

- Evidence relating to actual or potential threats to the safety of food or animal feed that could require intervention to protect consumers.
- Evidence of impact on fish and shell fish farms
- Evidence of impact on seaweed beds harvested for animal feed, fertilizer, human consumption