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# NATIONAL CONTINGENCY PLAN

Emergency preparedness for actual or  
threatened acute pollution in Norway

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2015



KYSTVERKET

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## 2015

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## Foreword

The national contingency plan for acute pollution plays an important part in the coordinatory role of the Norwegian Coastal Administration (NCA). It is important for our partners, and acts as an overarching framework for their own contingency plans. A national contingency plan is also an international requirement under the international convention on oil pollution preparedness, response and cooperation (OPRC) from the International Maritime Organisation (IMO), which Norway has ratified.

Coordination authority has been delegated to us pursuant to the Norwegian Pollution Control Act, and we aim – in collaboration with a number of other agencies, institutions and centres of expertise – to ensure that incidents involving acute pollution are handled in the best possible manner for the environment.

The national contingency plan builds on the lessons learnt by us and our partners from the most recent government responses to acute pollution, which have highlighted the need to provide an overarching framework for each sector's own contingency plan. This document is the first version of the national contingency plan and provides a concise description of the structure of emergency preparedness in Norway and the responsibilities and authority of the most important players in the event of an undesirable incident involving acute pollution.

Our thanks go everyone who has contributed to the preparation of this plan and for their patience during the process from proposals to publication. We look forward to the operationalisation of the plan through its implementation and through references to it in other plans, and to its use during exercises and responses. Furthermore, we will make provision for ensuring that lessons learnt from applying the plan during exercises and responses result in necessary amendments and supplements.

We wish you every success in applying and complying with the plan.

Horten, April 2015

Kirsti L. Slotsvik  
*Director general*  
NCA

Johan Marius Ly  
*Director of emergency preparedness*  
NCA

# 1. INTRODUCTION

## 1.1 Background

Norway has ratified the UN Convention on the Law of the Sea (Unclos) and consequently has an obligation to ensure optimum protection of the marine environment. It has also ratified the OPRC and its protocol on preparedness, response and cooperation for pollution incidents by hazardous and noxious substances (OPRC-HNS). Pursuant to the OPRC, states must establish national contingency plans for managing incidents involving oil or hazardous and noxious substances (HNS) which may threaten the marine environment.

Saving human life will always be the top priority in any incident. Once life and health have been safeguarded, a key task will be to

minimise damage to the marine and terrestrial environments.

Those responsible for activities which could cause acute pollution must ensure the necessary emergency preparedness is in place to prevent, detect, halt, remove and limit the impact of pollution. Local authorities must put in place the necessary preparedness measures for minor incidents of acute pollution which might occur or have adverse effects within their boundaries, and which are not covered by private measures. Central government is responsible for preparedness against more substantial cases of acute pollution not covered by local authority plans.

## 1.2 Purpose of the plan

Authority has been delegated to the NCA to ensure the best possible coordination of operational emergency preparedness for acute pollution in a national system. See section 43, subsection 3 of the Pollution Control Act.

This plan has been drawn up as part of the fulfilment of that duty.

It does not establish any new duties for the agencies mentioned, but facilitates fulfilment of their responsibility to establish their own plans for ensuring they can contribute to the NCA's coordinated emergency preparedness for acute pollution.

Contingency plans drawn up by land-based industry, operators on the Norwegian continental shelf (NCS), local authorities (port authorities and fire brigades), regional committees to combat acute pollution (IUAs), and regional and central government authorities should back up this national contingency plan.

Emergency preparedness plans for individual industrial companies and petroleum installations as well as plans for responding within a local authority describe how to respond in the specific area. They must also describe how the parties can collaborate to reduce the adverse effects of acute pollution.

## 1.3 Basis

The legal basis for emergency preparedness against actual or threatened acute pollution is provided by the following statutes.

The Pollution Control Act and associated regulations (including the HSE regulations for petroleum activities) and individual decisions (including contingency requirements).

Harbour Act.

Svalbard Environmental Protection Act.

See «Lovdata» at <https://lovdata.no/>.

A well-functioning emergency preparedness

system requires that the personnel involved have received adequate training. The national training curriculum on emergency preparedness for acute pollution must be used to meet this requirement satisfactorily. Players who provide training based on the curriculum must be approved by the NCA. Training and exercises will be important in ensuring that those involved understand their responsibilities and authority in the event of such incidents. The NCA conducts regular training and exercises to ensure that those with responsibilities and roles in the national emergency preparedness system understand them clearly.



## 2. GEOGRAPHIC SCOPE AND RESPONSIBILITY

### 2.1 Geographic area of responsibility

The national contingency plan covers all actual or threatened incidents on land, in Norwegian territorial waters out to 12 nautical miles from the coast and in Norway's exclusive economic zone out to 200 nautical miles/its boundaries. In Svalbard, the duty to respond rests with the governor, while the NCA is the pollution control authority.

The map above shows the area of responsibility.

Norway has signed agreements with its neigh-

bours and with international organisations on bilateral and multilateral cooperation. The NCA has the authority to follow up and address Norway's obligations pursuant to these international agreements. It will also notify neighbouring countries about any acute pollution which may threaten their waters or coasts. In addition, the NCA is responsible for coordinating assistance from/to other countries.

Appendix B provides an overview of bilateral and multilateral agreements.

### 2.2 Responsibility

#### 2.2.1 Mainland Norway

##### Private sector emergency preparedness

Those pursuing activities which could cause acute pollution must ensure the necessary emergency preparedness to prevent, detect, stop, remove and minimise the impact of such incidents. See section 40 of the Pollution Control Act. Enterprises have an independent responsibility to plan, dimension and lead responses to acute pollution caused by their acti-

vities. These measures must be based on such considerations as environmental risk. Private enterprises also have a duty to respond and to render assistance. The Norwegian Environment Agency (NEA) specifies further requirements for emergency preparedness by private enterprise for acute pollution, and audits compliance with these.

## Local authority emergency preparedness

Pursuant to section 43 of the Pollution Control Act, local authorities are responsible for establishing emergency preparedness for minor cases of acute pollution which could occur and have adverse effects within their boundaries, and which are not covered by private-sector measures. The NEA specifies requirements for local authority emergency preparedness for acute pollution, and audits compliance. Local

authorities have established IUAs. They have a duty to respond and, when ordered to do so by the NCA, to assist national emergency response. Many IUAs with coastlines have signed agreements with the Norwegian Clean Seas Association for Operating Companies (Nofo) on assistance when they must respond to acute oil spills from petroleum activities.

## Central government emergency preparedness

The central government has a duty to ensure emergency preparedness for major acute pollution incidents not covered by local authority or private-sector plans drawn up pursuant to sections 43 and 40-42 of the Pollution Control Act respectively.

This duty applies to all acute pollution from such sources as ships, shipwrecks and unknown polluters. It includes monitoring the capacity of responsible polluters to deal with their own spills. That also covers operators in the petroleum industry.

The Pollution Control Act specifies that local authorities must ensure the necessary emergency preparedness for minor acute pollution incidents which could occur or have adverse effects within their boundaries, and which are not met by private measures pursuant to sections 40-42 of the Act.

As far as possible, the pollution control aut-

hority must ensure that private-sector, local authority and central government emergency preparedness is coordinated in a national system. This plan forms an important part of that system.

Pursuant to section 46, subsection 3 of the Pollution Control Act, the NCA can assume full or partial command of an incident response. Should the central government take over a response in the petroleum sector, its leadership will be based on the operator's established incident command. The NCA would in the event supplement the established incident command with such personnel as are required. It will establish an incident command in line with the ELS, which is the Norwegian version of the incident command system model. When a risk of significant damage from pollution exists, the NCA can order, on behalf of central government, everyone to make equipment and personnel available for combating the accident.



### 2.2.2 Svalbard

Government emergency preparedness for acute pollution in Svalbard covers spills at sea as well as protection against leaks, spills from tank farms and other discharges on land.

In addition, enterprises which handle oil

products and other chemicals in Svalbard and vessels sailing in its waters have an independent responsibility to establish emergency preparedness against acute pollution.



### 3. NOTIFICATION OF ACUTE POLLUTION

Pursuant to section 39 of the Pollution Control Act, the party responsible for a case of actual or threatened acute pollution is under an obligation to notify it.

This obligation is described in more detail in the regulations concerning notification of acute pollution or the danger of acute pollution.

The following rules apply pursuant to these regulations.

A vessel must notify one of the joint rescue coordination centres (JRCCs) or the nearest coast radio station.

These have their own instructions which describe who they should notify in turn.

The operator of a petroleum installation must immediately notify the Petroleum Safety Authority Norway (PSA).

The PSA will ensure that the NCA and others are notified. Less serious incidents must be reported to the PSA by the next working day.

Aircraft must notify the Notice to Airmen (Notam) office.

The Notam office will notify the NCA, which in turn will notify relevant agencies which need to be informed about the aircraft observation.

Spills from land-based operations must be reported to the fire brigade/emergency services by calling 110.

Specific instructions have been drawn up for emergency service operators, including who they should notify.

Where Svalbard is concerned, the obligation to notify is governed by section 70, subsection 3 of the Svalbard Environmental Protection Act, and by the cooperation agreement between the governor of Svalbard and the NCA.

The petroleum industry's obligation to notify is governed by the section 29 of the management regulations.

The NCA has its own emergency response system for receiving and following up notifications.

See chapter 7 for information on the regulations and obligations related to international notification.



## 4. GENERAL INFORMATION ON THE DUTY TO RESPOND

The Pollution Control Act specifies requirements for the various players with a duty to

respond. A short description of these follows below..

### 4.1 Private-sector response

Pursuant to section 46, subsection 1 of the Pollution Control Act, the responsible polluter has a duty to respond to actual or threatened acute pollution. The measures implemented must help to prevent the pollution from occurring or to halt, remove or minimise damage and nuisance caused by the pollution. The duty to respond extends beyond the responsible polluter's obligation to ensure the necessary emergency preparedness for their own operations, and remains in place even if the local authority or central government assumes command of the response.

In the event of an acute accident at a company or within a specific geographic area which is related to an enterprise or could be affected by an acute discharge, the company/operator

must itself take the necessary steps to halt, contain or mitigate the effects of the spill so that damage to the environment is minimised. Should the incident be larger than the responsible polluter can reasonably be expected to deal with, it can request assistance from the local authority. In such cases, the local authority must be recompensed by the polluter for the costs it incurs in preventing and minimising pollution.

Offshore operators have entered into agreements through Nofo with most coastal local authorities concerning assistance if a spill from petroleum operations threatens or reaches land.

## 4.2 Local authority response

If the responsible polluter is unknown or fails to respond, the local authority has a duty to take action. That basically involves initiating a response to all incidents within its boundaries which the responsible polluter cannot reasonably be expected to cope with.

This also applies to acute pollution which occurs outside the local authority's boundaries, but which could have harmful effects within its boundaries.

The duty to take action covers measures which are reasonably proportionate to the damage and nuisance to be averted.

Where minor incidents are concerned, the local authority can take action on its own account or draw on agreements with the relevant IUA in order to fulfil its obligation to be prepared for and respond to emergencies.

The local authority's duty to respond is specified in section 45, subsection 2 of the Pollution Control Act.

Where the local authority deals with the spill itself, the lead local authority in the IUA can as-

sist with advice on the response and with equipment/personnel at the scene. This is confined to assistance for the local authority where the incident has occurred, which is responsible for the whole response. The size and complexity of local authority responses can vary in relation to the individual authority's goals for its emergency response, its expertise and the resources at its disposal. The head of the fire brigade or their deputy normally acts as the incident commander until the police or the IUA takes over. Where minor incidents are concerned, local authorities are expected to take command from the moment an incident is notified and during the various response phases.

With larger and more complicated incidents, the IUA – in consultation with the local authority concerned – can assume command of the response. This can be done either by the IUA constituting itself or by the host local authority taking action on its behalf. The incident command for such cases must also be defined in more detail in the IUA's emergency preparedness plan.

## 4.3 Central government responses

In the event of major incidents involving actual or threatened acute pollution, the NCA, acting on behalf of central government, can assume full or partial command of the response to the incident. See section 46, subsection 3 of the Pollution Control Act. This will be done when private-sector or local authority measures are inadequate or when the responsible polluter fails to take action.

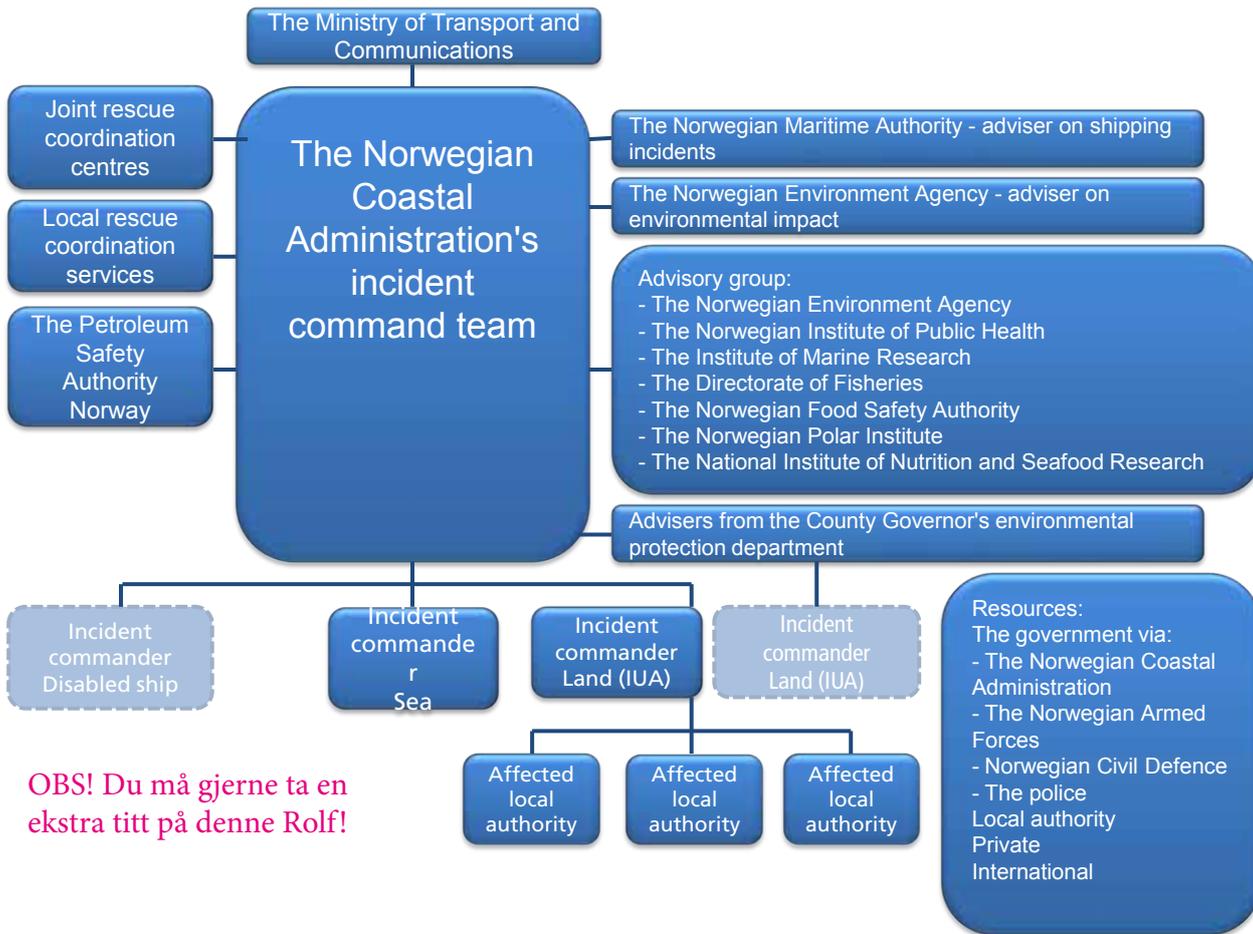
The NCA will assume command of a response by providing notification in writing to the responsible polluter (assuming they have been identified) and to the affected local authority(ies)/IUA. Even if the NCA assumes command, the responsible polluter (company/enterprise) and the local authority/IUA response organisations are expected to continue their efforts in accordance with their own emergency response plans, and with plans and orders from the NCA.

In the event of a central government response, local authorities/IUAs report to the NCA's incident command.

The NCA's incident command will incorporate representatives from the responsible polluter, insurance company(ies), advisers – such as personnel from the county governor's office, the Norwegian Maritime Authority (NMA) and so forth – and other bodies. One or more representatives from the IUA are also expected to be present with the incident command. This ensures that the incident command has access to people with local knowledge and that the IUA can exert real influence on the measures initiated.

To meet the challenges presented by serious acute pollution incidents, the NCA has established an advisory group which can safeguard technical and unified environmental priorities.

Further information on central government responses is provided by the NCA's administrative guidelines and its guide to the ELS (in Norwegian only).



OBS! Du må gjerne ta en ekstra titt på denne Rolf!

Outline of the organisation of central government responses and the NCA's collaboration with the various agencies and institutions involved in such efforts.

#### 4.4 Government agencies and other organisations - responsibilities and tasks

Responsibilities and duties related to emergency preparedness for acute pollution are described in the Pollution Control Act.

The NEA establishes requirements for emergency preparedness related to acute pollution by local authorities and private enterprise. It also supervises compliance with the requirements.

Appendix A provides a brief description of the authority and responsibilities of the most relevant players in relation to incidents which may result in or have caused acute pollution.



## 5. MOBILISATION AND RESPONSES

### 5.1 Organisation of responses to acute pollution in general

Responses to actual or threatened acute pollution are organised in accordance with the ELS model. The NCA, the Directorate for Civil Protection and Emergency Planning (DSB) and

the NEA have published guidelines for the ELS, which are available (in Norwegian only) from the DSB's website at <http://www.dsb.no>.

### 5.2 Actual or threatened acute pollution from shipping

#### 5.2.1 Threat of acute pollution

The owner of a ship bears the primary responsibility for preventing spills to the marine environment and for initiating damage limitation measures when pollution occurs or threatens.

Ships sailing in Norway's exclusive economic zone or territorial waters are covered by vessel traffic monitoring systems, and possible deviations from their course will be noted. Monitoring concentrates primarily on traffic which represents a risk. Vessels and areas to which this applies are outlined in specific regulations.

If a vessel is close to land or near installations on the NCS, measures must be initiated to prevent it going aground or drifting towards oil or gas facilities. Such conditions could present a threat to life and health and for acute pollution. The master of the vessel has a duty to take action to prevent acute pollution, including

obtaining the necessary assistance.

If the vessel is in Norway's territorial waters (up to 12 nautical miles from the coast), if a risk exists that it might run aground and if the master has not taken the necessary action, the NCA can order it to accept assistance. Such help may be provided by commercial tugs which enter into a contract with the owner or by vessels from Norway's national emergency towing scheme.

Once the towline has been taken aboard, the vessel will be conducted to a berth or a port of refuge. Specific procedures are followed to determine which port of refuge should be used in order to ensure that the various players are involved in the decision.

An overview of relevant ports of refuge is avail-

lable on the NCA's website under the coastal information map.

The final decision on the port of refuge to be used is taken by the NCS on the basis of the decision-making process mentioned above. Authority to determine which port of refuge will be used is delegated to the director of emergency response in the NCA, and has been

delegated on to the duty officer in the emergency response department. If possible, the latter will discuss the decision on the port of refuge to be used with the director of emergency response, the director general of the NCA or their deputies before implementing it.

## 5.2.2 Acute pollution related to accidents with ships

A number of national, regional and local agencies and organisations have a responsibility to take action in the event of acute pollution caused by shipping. Some have a primary duty to minimise the effects of a marine accident, while others are responsible for specific measures or assignments if pollution threatens sea areas and the coast.

Measures to minimise damage to the natural environment are initiated in parallel with the action taken by the Norwegian government to save human life. The latter operations are led by the local rescue coordination centre in the relevant police district or by a JRCC.

The responsible polluter is basically responsible for acting to minimise damage, but local authority or central government emergency response organisations can also initiate measures if such incidents occur.

Responses to acute pollution caused by shipping accidents which involve small vessels and which fall within the scope of local government emergency preparedness will be led by the local authority/IUA. Private-sector emergency preparedness organisations have a duty to assist local authority responses. Central government can also provide support in the form of equipment and advisers.

Responses to acute pollution caused by shipping accidents which involve large vessels and which exceed the scope of local government emergency preparedness will normally be led by the NCA on behalf of the central government. It will take command of the response in accordance with its own contingency plan. In the event of a central government response, local authority emergency organisations are expected to continue their work under the leadership of the NCA in line with the duty to assist as specified in the Pollution Control Act.

The responsible polluter is also obliged to initiate measures after central government has assumed command.

When central government takes charge of the response, private-sector emergency organisations have a duty to assist at the request of the NCA. A number of national and regional agencies and players will also contribute in their area of responsibility – treating oil-contaminated wildlife, for example, providing information about environmentally vulnerable areas or fishery resources, or providing resources.

Appendix A describes the roles and responsibilities of the most important national and regional government agencies and public bodies which may become involved in these types of incidents.

## 5.3 Actual or threatened acute pollution from the offshore industry

### 5.3.1 Threat of acute pollution

Conditions which pose a threat of acute pollution must be notified to the PSA, which will pass this on to the NCA pursuant to the cooperation agreement between these agencies. Once contact has been established between

them, they will reach agreement on further follow-up. The PSA's role and responsibilities are described in Appendix A.

On the basis of its delegated authority, the

NCA will contact the responsible operator to obtain information about the position and plans to prevent acute pollution. Such plans will also be requested should matters develop into a pollution incident.

The NCA and the PSA will maintain a dialogue

to ensure that the NCA is well informed about the environmental threat involved. As part of its supervisory role, the NCA will also have to consider whether the central government should assume command of the pollution response.



### 5.3.2 Acute pollution from petroleum activities

If pollution has been caused by offshore petroleum activities, the NCA will be notified by the PSA and contact will be established between these agencies.

The NCA will get in touch with the responsible operator to learn about the position and about the operator's plans for minimising the impact of the acute pollution. When oil spills occur from petroleum activities, the responsible operator will normally mobilise Nofo to take charge of the pollution clean-up on its behalf. Information about emergency preparedness by the operator companies against acute pollution is provided on Nofo's website.

In such circumstances, the NCA will have a supervisory role which involves ensuring that the measures taken by the responsible polluter (operator) are relevant and adequate. The NCA will either initiate the necessary monitoring itself or ensure that this is done by the responsible polluter. Its purpose is to obtain an overview of the damage, including the spread of the pollution and areas which may be at particular risk.

The NCA will determine, on the basis of the responsible polluter's action plan and the PSA's assessment of the incident's likely course, whether the measures being taken or proposed are appropriate and adequate in relation to the incident's potential for harm. One consequence is that the operator must submit its action plan to the NCA within the legal deadline of two hours.

Section 7, subsection 4 of the Pollution Control Act empowers the NCA to impose requirements on the responsible polluter.

The NCA can also assist the operator pursuant to the agreements entered into between the NCA and Nofo. In order to maintain its supervisory function, the NCA does not usually provide such support in the form of senior personnel but primarily as materials and equipment operators.

Investigations or evaluations may be conducted in the wake of accidents in the petroleum industry. These will normally be carried out in close cooperation with the PSA and the NEA.

### 5.3.3 Government assumption of command for extreme pollution incidents

In many cases, an extreme acute pollution incident will comprise various types of crises, such as fire/explosion, matters of life and health, and reputational and socio-economic impacts. The NCA and the oil industry have established a “bridging document” which describes roles and responsibilities in the event of extreme pollution. These are incidents arising from operations on the NCS where the NCA assumes full or partial command of the incident response pursuant to section 46, subsection 3 of the Pollution Control Act.

Assuming full or partial command does not affect the operator’s responsibility for its own emergency response, for the incident itself or

for its consequences.

Regardless of the scope of the incident and the response to it, the operator will generally establish an incident command. A possible decision to assume command will be based on an assessment of specified criteria.

Notification that the government is assuming command will be given in writing.

Government assumption of command for a response to a petroleum-related incident will be based on and reinforce the operator’s established incident command. The NCA will also establish its own incident command in line with the Norwegian ELS model

## 5.4 Acute pollution from land-based operations or port areas

### 5.4.1 Land-based activities

Actual or threatened acute pollution from land-based activities could involve, for example:

- acute spills from a company not subject to special requirements for emergency preparedness to deal with acute pollution
- acute spills from an enterprise subject to requirements for emergency preparedness to deal with acute pollution
- acute spills from farming
- acute spills from buried oil tanks
- acute spills from transport operations (road, rail).

If the spill is caused by a company which has not received special emergency preparedness requirements from the NEA, the local authority/IUA response organisations will normally mobilise to limit the adverse effects. Should further measures be required, the company itself is expected to deal with this – by hiring in the necessary expertise, for example. The NCA can also order companies to implement follow-up measures.

Actual or threatened acute spills from companies subject to emergency preparedness

requirements from the NEA are expected to deal with such incidents themselves. They can request local authority/IUA assistance, and can be ordered by the local authority to make available equipment and personnel included in their emergency response plan pursuant to sections 40-42 of the Pollution Control Act.

Through the risk analysis which forms the basis for their emergency preparedness, each local authority/IUA will have defined the incidents these measures are dimensioned for. In most cases, the incidents listed above will be dealt with by the local authority/IUA response organisations or by the responsible polluter.

The NCA will monitor the response of the responsible polluter and/or the local authority/IUA. This involves requesting a report on the action taken and a plan for limiting the damage. The NCA will often issue an order to the responsible polluter. Requesting an environmental impact assessment of the pollution will be appropriate in that context.

Although the government could assume command of the response in some cases of acute pollution from land-based operations, this would be the exception to the rule.

## 5.4.2 Ports

The port authority is responsible on behalf of the local authority for ensuring that its facilities are operated in a way which prevents acute pollution, and for ensuring that effective emergency preparedness is in place to deal with accidents in its operations.

If acute pollution occurs in a port and the source is unknown, it will normally be dealt with by the local authority/IUA response organisation.

The latter will also act when the source is

known and is a vessel. Ordering the responsible party to take action will be considered by the NCA. The responsible party can then enter into an agreement with the local authority response organisation or with a relevant company which can take action to limit damage.

The NCA will supervise the response to such incidents.



## 5.4.3 Transport accidents on land

Accidents related to transport operations (a road tanker overturning, vehicles colliding and so forth) are defined as incidents to be dealt with by the local authority emergency response organisation.

The local fire brigade will normally respond and take immediate action. If more resources are needed, the local authority will draw on personnel and materials from the relevant IUA.

Accidents related to rail transport will be dealt with in the same way as road incidents.

A national advisory service for road and rail accidents involving chemicals allows emergency response personnel to obtain specialist advice and help quickly. Accidents must be reported by calling the 110 emergency number. The NCA will supervise if necessary.

## 5.5 Emergency preparedness for chemical, biological, radiological and nuclear (CBRN) incidents

The DSB is responsible – in collaboration with relevant players from the civilian sector, including health authorities, and with the military authorities – for drawing up a national strategy on emergency preparedness for CBRN incidents. This is being developed in two parts, with the first describing the current status of preventive measures and emergency response resources and capacities related to CBRN accidents. The second part will comprise

supporting documentation which provides a broad range of background information, and a brief and clearly formulated document which presents Norway's policy in this area.

A national CBRN strategy is intended to provide guidelines for collaboration between government agencies and other players in the CBRN area with respect to preventive, emergency response and restitution measures.



## 6. EDUCATION, TRAINING AND EXERCISES

### 6.1 Education and training

A well-functioning emergency response assumes that personnel involved have received adequate training. Norway has drawn up a national training curriculum for responding to acute pollution, which is intended to functi-

on as a template for all training in this area regardless of the provider. A coordinated and quality-assured content for all such training is intended to help strengthen national emergency preparedness.

### 6.2 Exercises

Exercises are important in ensuring that everyone involved understands their responsibilities and authority in relation to this type of incident. Everyone with such obligations is expected to conduct regular exercises to ensure that responsibilities and roles in the national emergency preparedness system are discharged in a satisfactory manner.

The NCA conducts major national exercises every year to help ensure good coordination of emergency responses to acute pollution. Norway also arranges and participates in international exercises to ensure good coordination and assistance at this level.



## 7. INTERNATIONAL ASSISTANCE AND COOPERATION

One of Norway's obligations following its ratification of the OPRC convention is to draw up and maintain a national contingency plan for managing acute pollution of the marine environment. That also includes bilateral or multilateral agreements on notification and assistance from neighbouring countries.

The latter in this context are Sweden, Denmark including Greenland and the Faroe Islands, Iceland, all nations around the North Sea, Russia, and other countries bordering the Arctic.

Regular notification exercises are conducted to ensure that everyone involved has the right contact information at all times. Annual exercises are also staged to test collaboration between response units at sea and communication between the staffs in the various countries.

Norway has cooperation agreements with all of its neighbours, and can also request assistance through the EU.

A host nation support system has been established to ensure that possible assistance from other countries is managed in a satisfactory manner. Those who provide assistance to Norway are followed up from the moment they cross the border until the assignment has been terminated. An EU document on host nation support guidelines has been further developed by the DSB into a set of Norwegian guidelines. The NCA has established routines for incidents involving acute pollution which accord with these guidelines.

A brief description of the agreements can be found in appendix B.

# NATIONAL CONTINGENCY PLAN

Emergency preparedness for acute pollution or  
a threat of acute pollution in Norway

2015

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## APPENDICES

## **APPENDIX A: roles and responsibilities of the most important central and regional government agencies and public-sector organisations**

An overview of primary duties, legal authority, duties in the event of acute pollution and collaboration with other agencies is provided below for the following agencies/organisations:

- Police
- Norwegian armed forces
- Norwegian Environment Agency
- Directorate of Fisheries
- Norwegian Maritime Authority
- Norwegian Radiation Protection Authority
- Petroleum Safety Authority Norway
- Norwegian Food Safety Authority
- Norwegian Institute of Public Health
- Institute of Marine Research
- Norwegian Polar Institute
- County governors
- Governor of Svalbard
- National Institute of Nutrition and Seafood Research
- Accident Investigation Board Norway

### Primary duties

Should acute pollution arise in connection with an incident which also involves a rescue operation where human life and health are in immediate danger, the latter will take priority under the command of the local police rescue service and/or the JRCC. The general rule is that the JRCC leads rescue operations at sea and the local rescue service is in charge of those on land.

The response to acute pollution will be conducted in close collaboration with the JRCC and the police.

The police also have a duty to take necessary action to avert danger and limit damage in the event of other accidents and disasters. Until command is assumed by another government authority, the

police will organise and coordinate assistance efforts. This could also be relevant with regard to acute pollution in the early stages of an incident. In addition comes the duty to conduct an investigation pursuant to the Criminal Procedure Act, prosecution instructions, police instructions and circular 3/1999 from the Director of Public Prosecutions.

The police also have a responsibility to assist other public authorities. They can discharge necessary policing functions so that another government authority is able to do its job in relation to the incident.

### Legal authority

Section 27, subsection 1 of the Police Act provides the legal authority for the rescue service, while section 27, subsection 3 authorises intervention on behalf of other government agencies where necessary.

Other police responsibilities are governed primarily by the Police Act as well as by other statutes and instructions.

### Duties in the event of acute pollution

- Lead rescue operations on land and assist such activities at sea by undertaking relevant assignments.
- Organise and coordinate response efforts until the responsible pollution control authority assumes command.
- In the event of incidents which only involve

acute pollution, police duties will normally involve assisting other government agencies which have the primary responsibility. Police assistance may be required in such cases to impose compulsory measures, implement evacuations, safeguard public order and the like.

- Investigations.

### Collaboration with other agencies in the event of acute pollution

The police must be able to collaborate with all government agencies which could have responsibilities related to the specific incident, such as local authorities and the NCA.

## Norwegian Armed Forces

### Primary duties

The armed forces have nine defined duties:

- preventing war
- defending against serious threats, assaults and attacks
- averting and dealing with episodes and crises
- surveillance and intelligence
- upholding Norwegian sovereignty
- exercising authority in specific areas
- participating in multinational crisis management
- contributing to international cooperation
- contributing to civil protection.

### Legal authority

Proposition no 55 to the Storting (1994-1995) specified that the armed forces should be given the authority to respond to incidents in order to stabilise the position, and is issued by virtue of and governed by such provisions as Unclos and cooperation agreements between the armed forces, the NCA and the Norwegian Coast Guard. This was to be achieved by concentrating all central government resources in the Organisation for Coastal Preparedness (Kybal), where the various armed forces command headquarters are authorised to initiate and lead responses not being handled by the JRCCs or the NEA. The rescue coordination

centres are only responsible for saving life. The NCA has been the primary authority in the event of accidents posing a threat of acute pollution since 1 January 2003.

At present, the armed forces have cooperation agreements with many agencies in the coastal zone, and the Coast Guard Act also authorises them to act on behalf of a number of agencies. All agencies are quick to call on the armed forces – primarily the Coast Guard – as an important resource, and this has helped to build up expertise and the quality of the services delivered.

### Duties in the event of acute pollution

If required, defence headquarters should independently initiate measures through the armed forces own Kybal in order to prevent accidents from occurring if possible, or to limit the damage if they cannot be averted. Command responsibility for the response will rest with defence headquarters until the NCA reports that it is ready to take over.

The response and leadership in the event of pollution incidents is described in detail in the Kybal plan, and no further description will be provided here. In addition, the armed forces will support responses to acute pollution initiated by the NCA under the existing agreements.

### Collaboration with other agencies in the event of acute pollution

The armed forces and the NCA signed an overall

collaboration agreement in 2011.

### Other matters

The armed forces headquarters is staffed on a round-the-clock basis, with several separate maritime functions on call to lead current military operations and monitor Norwegian waters.

Resources from the armed forces are continuously present and will, in many cases, offer the best available response. Apart from the ability of the coastal radar chain and maritime patrol aircraft to monitor the sea, mention can be made of

naval vessels to support damaged ships and the emergency response organisations of the other agencies involved. The joint armed forces headquarters (FOH) and the NCA have established a good collaboration and interact on a daily basis in areas related to maritime safety.

### Primary duties

The NEA's primary duties are to reduce greenhouse gas emissions, manage the natural environment in Norway and prevent pollution. Its most important functions are to obtain and disseminate

environmental information, exercise administrative authority, manage and advise at regional and local levels, provide specialist advice and participate in international environmental work.

### Legal authority

The NEA administers a number of statutes and their associated regulations, including:

- the Pollution Control Act, including permits and emergency preparedness requirements
- pollution regulations (in particular chapter 18 on tank storage of hazardous chemicals and waste, chapter 19 on the composition and use of dispersants and shoreline cleaning agents in combating oil spills, and chapter 22 on dredging and dumping at sea and in waterways)
- waste regulations (in particular chapter 11 on hazardous waste)
- health, safety and environmental (HSE) regulations for petroleum activities
- the Svalbard Environmental Protection Act
- the Nature Diversity Act
- the Wildlife Act
- regulations on the capture and collection of wildlife for scientific or other special purposes.

### Duties in the event of acute pollution

- Environmental adviser to the NCA during and after an acute incident which could involve acute pollution.
- Participating in central government responses at the NCA's incident command as a specialist adviser with environmental expertise and overviews of vulnerable areas.
- Membership of the NCA's advisory group.
- Contributing agreed emergency response resources from the Norwegian Nature Inspectorate.
- Making decisions on treatment, prevention and putting down of oil-contaminated sea-birds and wildlife.
- Ensuring the availability of information on vulnerable areas in map form.
- Following up enterprises it regulates in the event of acute pollution, and emergency preparedness for acute pollution by local authorities.
- Proposing priorities for geographic areas and environmental assets.
- Making proposals on the strategy for cleaning methods and measures.
- Making proposals on surveys required to identify the scope of pollution and its harmful effects.
- Coordinating its own resources and those of the county governor's office during a response.
- Communicating the effects of acute pollution on the natural environment to the general public, in cooperation with the NCA.
- Where required, organising local personnel at the incident scene.

### Collaboration with other agencies

- Collaboration with the agencies represented in the advisory group and with the county governor's office.
- Collaboration with such agencies as the DSB and the PSA when setting requirements and conducting supervision.

### Other matters

A cooperation agreement has been entered into between the NEA and the NCA, including an assistance agreement between the NCA and the

Norwegian Nature Inspectorate (dated 17 March 2014).

### Primary duties

The Directorate of Fisheries is the responsible authority for managing the following crises:

- harmful algae and jellyfish
- beached marine mammals (authorities with secondary responsibility: the NCA and the Norwegian Food Safety Authority)
- escaped farmed fish.

In addition, the directorate actively participates in emergency preparedness within the following areas:

- acute pollution (responsible authority: the NCA)
- nuclear incidents/radioactivity (responsible authority: the Norwegian Radiation Protection Authority)

### Legal authority

Section 16, Aquaculture Act.  
Section 7, aquaculture operations regulations.

Section 21, Marine Resources Act.

### Duties in the event of acute pollution

- Notifying the incident command through the directorate's Fisheries Monitoring Centre (FMC Norway) – open around the clock, phone 03415 (international number: +47 3303 4808).
- The emergency preparedness portal on its website (notification plan, response plan, appendices, address list and advice).
- Special adviser on emergency preparedness at its offices in Fredrikstad
- Map/register of all aquaculture installations on the website shows such information as vulnerable biomass in real-time (as an integral part of the project). Localisation of aquaculture installations (Stak).
- Identification and presentation of coastal fisheries data.
- Manual for dealing with oil-contaminated wildlife/marine mammals in collaboration with the NEA, the Norwegian Food Safety Authority and the NCA.
- Membership of the advisory group for acute pollution.

### Collaboration with other agencies in the event of acute pollution

- NCA
- Norwegian Food Safety Authority
- DSB
- Norwegian Joint Headquarters (armed forces)/ maritime operations department/Norwegian Coast Guard
- Institute of Marine Research
- National Institute of Nutrition and Seafood Research (Nifes)
- Nofima Mat AS
- NEA
- Nansen Environmental and Remote Sensing Centre (Nansen Centre)
- Norwegian School of Veterinary Science
- Norwegian Institute for Water Research (Niva)
- Norwegian Polar Institute
- Sintef Fisheries and Aquaculture
- NMA
- Norwegian Nature Inspectorate (SNO)
- Norwegian Radiation Protection Authority/ crisis committee
- Export Committee for Fish
- Norwegian Seafood Federation (FHL)
- Norwegian Fishermen's Association
- Norwegian Water Resources and Energy Directorate (NVE)

### Primary duties

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The NMA supervises ships registered in Norway and foreign ships in Norwegian waters pursuant to the provisions of the Ship Safety and Security Act.

This supervision is intended to check compliance with requirements specified in or derived from the legislation. The NMA normally exercises such supervision in the wake of an incident, and this can lead to an improvement order.

Fines pursuant to chapter 9 of the Ship Safety and Security Act may be levied after maritime incidents

and serious work accidents. Safety and security reports may be issued if important lessons need to be shared with other players.

In addition, the NMA seeks to identify the potential for improving its regulations.

The NMA also receives reports about maritime accidents. Information on the form and acquired during audits is systemised and structured in the accident database and utilised by a large number of users, both internal and external.

### Legal authority

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Act no 9 of 16 February 2007 relating to Ship Safety and Security (Ship Safety and Security Act)

Regulations no 744 of 27 June 2008 (accidents at sea and the duty to notify and report these).

### Duties in the event of acute pollution

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If the NMA receives a report of actual or threatened acute pollution, the NMA's duty officer and the local police are notified immediately. Providing the resources are available, the NMA will dispatch one or more inspectors as quickly as possible to the vessel to conduct an audit, damage survey or port state inspection.

In the event of identified or suspected pollution from a ship, the NMA can take samples from its cargo, lubricating oil and bunker tanks.

The NMA will consider detaining a vessel involved in or suspected of causing pollution until a bank guarantee is provided. This is intended to ensure payment of a possible penalty or fine. The NMA is also responsible for checking insurance policies and the like, pursuant to two international conventions – no 1 of 27 November 1992 on civil liability for oil pollution damage and no 1 of 23 March 2001 on civil liability for bunker oil pollution damage (the bunkers convention).

### Collaboration with other agencies in the event of acute pollution

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The NMA will assist the NCA in accordance with

an agreement entered into on 21 January 2006.

## Norwegian Radiation Protection Authority

### Primary duties

The Norwegian Radiation Protection Authority is the national regulator for radiation protection and nuclear safety. It is responsible for enforcing the

Radiation Protection Act, the Nuclear Energy Act, parts of the Pollution Control Act and associated regulations.

### Legal authority

- Act no 36 of 12 May 2000 relating to radiation protection and the use of radiation (Radiation Protection Act) and associated regulations.
- Royal decree of 17 February 2006 on nuclear preparedness – national and regional organisation.
- Act no 28 of 12 May 1972 relating to nuclear energy activities (Nuclear Energy Act) (applies to nuclear installations, including nuclear-pro-
- Act no 6 of 13 March 1981 concerning protection against pollution and waste (Pollution Control Act). See the regulations on implementing the Pollution Control Act with regard to radioactive contamination and waste (no 1394 of 1 November 2010).
- Delegation of authority dated 30 December 2010 pursuant to the Pollution Control Act.

### Duties in the event of acute pollution

The Norwegian Radiation Protection Authority has nationwide responsibility for nuclear preparedness as the chair and secretariat of the crisis committee for nuclear preparedness pursuant to the royal decree of 17 February 2006, and is the national and international notification point for nuclear

incidents. It must assist and support the crisis committee with technical expertise, acquisition of information, position assessments, collating measurement results and so forth, and is affiliated to national and international networks for measuring radioactivity.

### Collaboration with other agencies in the event of acute pollution

The Norwegian Radiation Protection Authority collaborates with a number of agencies and government authorities in the event of acute pollution. This interaction complies with the provisions in the royal decree of 17 February 2006 on nuclear preparedness – national and regional organisation.

The authority and the NCA are working on a cooperation agreement covering matters which fall within both their areas of responsibility. In addition, the document of 12 October 2007 on the division of responsibilities for nuclear preparedness and rescue operations deals with collaboration between the JRCCs and the crisis committee/ Norwegian Radiation Protection Authority. This

document provides guidelines on the division of responsibilities between the various players who might be involved in dealing with nuclear incidents which also involve rescue operations.

The county governor's office is the crisis committee's regional arm and will help to ensure, through facilitation and guidance, that regional and local agencies establish the necessary sub-plans as part of a coordinated plan. The NCA entered into a collaboration agreement with the Norwegian Radiation Protection Authority in 2013.

## Petroleum Safety Authority Norway

### Primary duties

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The PSA is an independent government regulator with responsibility for technical and operational safety, including emergency preparedness and the working environment, in all phases of petroleum operations – including planning, engineering,

construction, utilisation and possible later removal. The PSA's safety concept covers the prevention of undesirable incidents, including those which could result in acute spills.

### Legal authority

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Authority is delegated to the PSA in part through the provisions of the Petroleum Act and the Working Environment Act. See also the Crown Prince

Regent's decree of 19 December 2003 on the establishment of the Petroleum Safety Authority Norway, etc.

### Duties in the event of acute pollution

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Containing spills at source. Forwarding notification to relevant government authorities/agencies,

including the NCA and the NEA, for incidents offshore.

### Collaboration with other agencies in the event of acute pollution

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Collaborates with relevant government authorities/agencies, including the NCA and the NEA.

Regulated through agreements with the individual agency.

### Primary duties

The Norwegian Food Safety Authority administers the regulations relating to food safety (including potable water) and animal health and welfare. Discharges of undesirable substances, including radioactive materials, from such sources as

industry, mining, transport accidents and natural disasters can cause pollution of the air, soil, sea and fresh water, and affect food safety as well as animal health and welfare.

### Legal authority

- Act no 124 of 19 December 2003 relating to food production and food safety, etc (Food Act).
- Act no 97 of 19 June 2009 relating to animal

welfare (Animal Welfare Act).

These two statutes confer broad authority to ensure that food is healthy and safe and to safeguard animal health and welfare.

### Duties in the event of acute pollution

- Limiting the scope of an incident by notifying the responsible parties.
- Evaluating an incident and its associated health risks, including assessing harmful substances, level of pollution, pollution of potable water sources, absorption by plants and animals, and significance for public health.
- Advising other agencies on their response, including the use of the authority's network of specialist institutions.
- Mapping conditions, including taking sampling and measuring.
- Informing enterprises/users/the general public or seeing to it that enterprises provide such information
  - on health risks, damage limitation and measures adopted
  - advice to enterprises on production and to the general public on fishing/hunting/harvesting for their own consumption

- communication with markets outside Norway, especially concerning fish.

- Measures in the form of orders concerning such matters as sales prohibitions, restrictions on harvesting or grazing, and compulsory slaughtering. Orders to safeguard animal welfare.
- Assessing the risk of spreading contagious animal and plant diseases by moving equipment during responses – spreading fish diseases when relocating oil spill recovery equipment, for example.
- Setting requirements for or providing advice on area restoration.
- Oil-contaminated game: assessing possible measures such as rounding up, rehabilitation or putting down in cooperation with the NEA. Ensuring that measures taken comply with animal welfare requirements.
- Membership of the NCA's advisory group

### Collaboration with other agencies in the event of acute pollution

Relevant agencies for collaboration and the authority's specialist institutions in various areas.

- Conditions of significance for public health: primary healthcare, the Norwegian Institute of Public Health (NIPH).
- Potable water: local authority engineering departments, waterworks, primary healthcare, the NIPH.
- Seafood: the National Institute of Nutrition and Seafood Research (Nifes), the NIPH and the Directorate of Fisheries (food safety), the Institute of Marine Research (animal welfare),

and the Norwegian Veterinary Institute (fish health).

- Health and welfare of land animals: the Norwegian Veterinary Institute
- Vegetable production, production of animal feed or grazing: the NEA, local authorities, the Norwegian Institute for Agricultural and Environmental Research (Bioforsk) and the Norwegian Veterinary Institute.
- Oil-contaminated game: the NCA, the NEA (Directorate for Nature Management) – described in a memo dated 31 May 2010.

### Primary duties

As a national centre of expertise, the NIPH is responsible for advising local and central health authorities on the health risks associated with exposure to harmful substances in the environment. In most cases, the NIPH's ongoing advisory and investigative assignments involve assessing

exposure to low doses over time, as well as the combined effects of different types of exposures. However, the institute has also come to acquire a clearer responsibility for assisting responses to acute environmental incidents by assessing possible health effects.

### Legal authority

The NIPH's responsibility with regard to environmental medicine was formalised in the Public Health Act, which came into force on 1 January 2012. This statute provides the legal basis for requiring that environmental incidents or outbreaks of diseases which could be caused by environmental factors are reported to the NIPH.

Section 25, subsection 4 of the Public Health Act states:

«In connection with exposure to environmental factors which are injurious to health, the NIPH will assist local authorities, county councils, county governors and other government institutions, health personnel and the population to ensure that the health of the population is protected.»

Section 28 (emergency preparedness), subsection 3 of the Public Health Act states:

«The ministry may issue regulations which prescribe more detailed provisions relating to local authority emergency preparedness to protect health from environmental conditions, and to the duty of local authorities, health undertakings and health personnel to notify the NIPH of environmental incidents or suspicions of a disease outbreak related to exposure to environmental factors which are injurious to health. The regulations can also include detailed provisions on the duties of and the division of responsibility between local authorities, county councils and central government health authorities with regard to protecting the health of the population.»

Regulations relating to the Public Health Act are being drawn up by the Ministry of Health and Care Services, and a consultation process was due to begin in 2014.

### Duties in the event of acute pollution

The NIPH's chemical preparedness includes assisting the health authorities and primary health services in the event of chemical accidents and acute pollution. It seeks to respond rapidly after an acute incident to secure the best possible basis for assessing health risks and preventive measures. The Norwegian Poison Information Centre became part of the NIPH from 1 January 2015, reinforcing the institute's expertise on acute chemical toxicity. A round-the-clock helpline at the Poison Information Centre can also function as a notification point for the NIPH in the event of an

acute environmental incident.

Local authorities can be assisted by the NIPH in following up the potential health effects of exposure to chemicals on the general public over time. The institute has special expertise in analysing samples of human tissues (blood, urine and so forth) for environmental toxins and can assist with analyses of certain chemicals in such samples, as well as advising on which investigations or tests should be conducted with the general population during a follow-up period.

### Collaboration with other agencies in the event of acute pollution

The NIPH is responsible for ensuring efficient collaboration with chief local authority medical officers and local/regional health services, and for providing expertise on risk assessment and communication related to possible health risks to people. Effective collaboration with the NCA and the NEA is important for securing an overview of the position. Speedy access to information about

the types of chemicals and specific substances involved will be crucial for the NIPH, along with data from the analysis of environmental samples which can provide a picture of exposure levels for the local population, both immediately and over time. A positive and close dialogue with the Norwegian Directorate of Health is also essential for good and effective preparedness.

### Primary duties

Research on, monitoring and advice concerning the marine ecosystem and aquaculture.

Study the environment and biology of the sea and the coast.

Adviser to the Ministry of Trade, Industry and Fisheries, the Directorate of Fisheries, the Norwegian Food Safety Authority, other government

authorities, the fishing and aquaculture industries, and other commercial enterprises on matters pertaining to managing the biological resources and environment of the sea and the coast.

Communicating and making available data and research results to government, industries and society.

### Legal authority

Subordinate to the Ministry of Trade, Industry and Fisheries.

Agreement with the NCA on environmental investigations.

### Duties in the event of acute pollution

Assisting the NCA with technical advice during all major incidents involving acute pollution of the marine environment through membership of the advisory group.

Responsible for coordinating environmental surveys after major incidents involving acute pollution of the Norwegian coast and sea areas, and presenting proposals for a comprehensive environmental survey programme to the NCA.

In close cooperation with the NCA, the Institute of Marine Research will be responsible for:

- coordinating fieldwork by the different players who participate in environmental surveys
- selecting and entering into contracts with possible subcontractors

- coordinating and selecting sampling locations where appropriate
- staging the necessary clarification and technical meetings with the various research organisations
- reporting to the NCA on progress with and financing within the specified parameters, and on important results from the environmental surveys as soon as they become available
- ensuring that final reports are presented by the contractual deadline and in the agreed format
- taking part in and addressing meetings where the results from interim or final environmental surveys are to be presented.

### Primary duties

The Norwegian Polar Institute is a directorate subordinate to the Ministry of Climate and Environment, and serves as the government's adviser on Polar issues. It is also the administrative authority for the Norwegian sector of Antarctica.

The institute's activities centre on environmental management requirements in the Polar regions.

Together with environmental collaboration in the Barents Sea region, research on the climate, long-distance transport of pollutants, the effects of pollution on the environment and biodiversity, and the conduct of topographical surveys are important aspects of its work. The institute is the administrative authority for all Norwegian activities in Antarctica.

### Legal authority

The Norwegian Polar Institute is subordinate to the Ministry of Climate and Environment, and

its instructions and budgets are specified in the ministry's annual letter of allocation.

### Administration and advice

One of the institute's main tasks is to act as adviser to the government on the management of issues relating to the Polar environment. The Norwegian government's goal is for Svalbard to be one of the world's best-managed wilderness

areas. The institute participates in the work of achieving this objective. As Norway's executive environmental authority in Antarctica, it must be contacted in advance by everyone planning activities in that continent.

### Research and monitoring

The Norwegian Polar Institute conducts research on biodiversity, geology, the climate and environmental toxins in the far north of the NCS and the Polar regions, and contributes to national and regional scientific programmes on these topics. It makes important contributions to international climate research, and is an active point of contact for international scientists. Research in and monitoring of the Polar regions play an important role in understanding global environmental changes and their effects. Better mapping and understanding of the climate and the environment enable Norway to improve administration of national territories and resources. Through the

project on environmental monitoring of Svalbard and Jan Mayen (MOSJ), the institute collects and processes data concerning factors affecting the environment in these islands and on the condition of their natural environment and cultural heritage sites. Its research enhances knowledge about the conservation areas in Svalbard, which helps to improve their administration and protection. The data are interpreted to describe environmental developments, and the results form the basis for advising the government on the need for measures, and for research or improved monitoring. The MOSJ project covers the atmosphere, land area and waters around Svalbard and Jan Mayen.

### Operations and logistics

The Norwegian Polar Institute equips and organises major expeditions to both Polar regions, owns the RV Lance research vessel, and runs the Sverdrup and Zeppelin stations for atmospheric research and monitoring at Ny-Ålesund in Svalbard as well as the Troll research station and Tor field station in Antarctica. Research in the Polar regions is demanding, not least where logistics are concerned. Great distances, the cold climate and a general lack of infrastructure make heavy

demands on the transport system, equipment, and safety. Nowhere is this more evident than in Antarctica. The institute has built up a significant support system for procurement, transport, staffing, training, and operational and technical activities related to the station there, and has organised regular expeditions to Antarctica since 1976. The Norwegian Antarctic Research Expeditions (Nare) organisation provides a framework which facilitates all government-funded Antarctic research.

### Mapping and naming

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The Norwegian Polar Institute is the national mapping agency for the Polar regions, including non-commercial geological surveys. It publishes maps in both digital and printed formats. The institute is the official body for determining place names in Norway's Polar territories. That includes designations in Svalbard (including Bear Island),

Jan Mayen and the surrounding waters, and in Queen Maud Land, Bouvet Island, Peter I Island and the surrounding waters. They are approved by the institute's naming committee. It is worth noting that place names in Norway's Polar regions are consistently spelt in New Norwegian (Nynorsk).

### Duties in the event of acute pollution

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The Norwegian Polar Institute has the following duties in the event of acute pollution:

- provide input about the natural environment in Svalbard and other Polar regions

- participate in the national advisory group for prioritising responses in the event of acute spills.

### Collaboration with other agencies in the event of acute pollution

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The Norwegian Polar Institute's primary partners in the event of acute oil spills are the NCA, the governor of Svalbard and the NEA. The institute will be notified by the NCA and assist responses

by providing knowledge of and expertise about the natural environment in the areas covered by its mandate.

## County governors

### Duties in the event of acute pollution

The county governor is the central government's representative in each county, and responsible for following up decisions, goals and guidelines determined by the Storting (parliament) and the Cabinet. They also provides an important link between the local authorities and central government.

A county governor discharges various administrative functions on behalf of the ministries. They also exercise control over the activities of local authorities and are the appellate jurisdiction for many decisions taken by local councils.

### Legal authority

No authority is delegated to county governors by chapter 6 of the Pollution Control Act on acute pollution.

They also receive annual official assignments from the Ministry of Justice and Public Security, with a general order to conduct emergency preparedness inspections in one-quarter of the local authorities in their county.

The legal basis for the supervision of local authority civil protection and emergency preparedness activities by the county governor includes the Act on local authority emergency preparedness, civil protection measures and civil defence (Civil Protection Act), as amended with effect from 1 January 2010. This assigns responsibility for coordination and planning concerning peacetime crises to the local authorities.

County governors have no responsibility for coordinating responses to acute pollution.

The royal decree of 18 April 2008 (the emergency preparedness instruction) specifies that the county governor must coordinate and supervise all emergency preparedness work in their county.

The authority for county governors to conduct supervision and to pursue preventive preparedness work is specified and emphasised in such documents as Report no 17 to the Storting (2001-2002), Recommendation no 9 to the Storting (2002-2003), Report no 39 to the Storting (2003-2004) and Recommendation no 49 to the Storting (2004-2005), and Report no 22 to the Storting (2007-2008).

### Duties in the event of acute pollution

- Advice relating to environmental priorities, vulnerable resources, and waste management.
- Together with the emergency preparedness region, establishing an overview of:
  - suitable locations, reception sites and landfills for temporary storage of contaminated materials from an acute pollution response
  - avoiding further pollution.
- Supervising and possibly establishing require-

ments if authority is delegated in specific cases to the county governor by agreement with the NEA.

- Supervising and possibly establishing response requirements for minor acute pollution incidents if authority in such individual cases is delegated to the county governor by agreement with the NCA.
- Assisting the NCA and/or the IUA with personnel who possess environmental expertise in the event of undesirable incidents involving acute pollution.

### Collaboration with other agencies in the event of acute pollution

Participate by agreement in central government and IUA exercises and emergency preparedness meetings.

The county governor functions as a link between central government and local authorities.

### Other matters

The county governor will ensure that the needs of IUAs for systemised, prioritised and mapped information on environmental resources at sea and

on land are met during a response. Participate in exercises and emergency preparedness meetings.

## Governor of Svalbard

### Primary duties

The governor is responsible for emergency preparedness to deal with acute pollution within the territorial waters (12 nautical miles) around the Svalbard archipelago with the exception of Bear Island, where responsibility rests with the NCA. The latter is also responsible beyond the 12-nautical-mile limit.

Pursuant to section 70, subsection 4 of the Svalbard Environmental Protection Act, the NCA is the responsible authority in the event of actual or threatened acute pollution. Nevertheless, the governor will always bear operational responsibility and support the initial response to a spill. In individual cases, the Svalbard Environmental Protection Act permits the NCA to delegate authority to the governor, and it does so for the vast majority of acute pollution incidents.

If an incident escalates beyond the point where the individual responder can cope with it, and if the emergency preparedness measures of the committee for the prevention of acute pollution (UA Svalbard) and depot resources are insufficient, the NCA will initiate and lead a government response.

Pursuant to an agreement with the NCA, the governor maintains a round-the-clock emergency line, and all cases of acute pollution must be reported to the governor's office without delay. As the police authority, the governor is also responsible for securing evidence (taking samples) and investigating/prosecuting violations of the Svalbard Environmental Protection Act – including cases of acute pollution.

### Legal authority

Section 70, Svalbard Environmental Protection

Act.

### Duties in the event of acute pollution

The UA Svalbard has been established to tackle acute pollution incidents in the islands. The governor chairs this body and commands responses to acute pollution until the NCA possibly takes over.

All instances of acute pollution must be reported to the governor, who notifies the NCA in turn. If the NCA delegates responsibility for the incident,

the governor decides whether to initiate a response. He or she then notifies the depot commander/deputy commander, who mobilises the depot personnel.

Operational responsibility for initiating measures rests with the governor if the party responsible for the acute pollution is unable to handle it.

### Collaboration with other agencies in the event of acute pollution

The UA Svalbard is mobilised for an acute pollution response and serves as an advisory committee for the governor.

This body consists of representatives for the governor of Svalbard, Store Norske, Longyearbyen Lokalstyre Bydrift KF, Avinor AS, Kings Bay AS and LNS Spitsbergen AS. With the exception of the governor, these are the enterprises which have been ordered by the NEA to meet emergency preparedness requirements (section 70, Svalbard

Environmental Protection Act).

The governor has also entered into agreements with these enterprises on contributing personnel to the depot force. These agreements ensure that personnel are available to operate the NCA's equipment at the Longyearbyen depot should acute pollution occur. Under the agreements, people must be available to participate in a response for up to 10 days.

### Other matters

The contingency plan for acute pollution in Svalbard can be downloaded from the governor's

website.

### Primary duties

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Nifes is responsible for assisting the Ministry of Fisheries and Coastal Affairs, the Norwegian Food Safety Authority, the NCA and the Directorate of

Fisheries with advice on and analysis of various types of seafood in order to assess food safety in an area suffering from acute pollution.

### Legal authority

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Nifes' roles with regard to acute pollution are defined in Proposition no 15 to the Storting (2010-2011) for the Ministry of Fisheries and Coastal Affairs and in its letter of allocation for 2011. The latter states that the institute will "provide

research-based administrative support to the Norwegian government authorities which forms the best possible basis for risk assessment of seafood safety, dietary advice, and establishing regulations nationally and internationally".

### Duties in the event of acute pollution

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- participating in post-incident surveys by making proposals on sampling and analysis
- assessing results in relation to food safety
- advising the Norwegian Food Safety Authority, the NCA and the Directorate of Fisheries
- membership of the NCA's advisory group.

### Collaboration with other agencies in the event of acute pollution

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The NCA, the Norwegian Food Safety Authority, the Directorate of Fisheries, the Institute of Marine

Research and the Ministry of Fisheries and Coastal Affairs.

## Accident Investigation Board Norway

### Primary duties

The Accident Investigation Board Norway (AIBN) is an agency subordinate to the Ministry of Transport and Communications. Its job is to investigate accidents and incidents in civil aviation and in rail, road and maritime transport. The aim is to improve

safety in the transport sector.

Its duties include helping to enhance maritime safety by conducting independent investigations of accidents at sea.

### Legal authority

The AIBN investigates accidents at sea within the framework specified in chapter 18, section II on investigation of marine accidents in Act no 39 of

24 June 1994 relating to shipping (Norwegian Maritime Code), associated regulations, and international legal obligations accepted by Norway.

### Duties in the event of acute pollution

The AIBN has no duties directly related to pollution, but significant acute pollution associated with

an accident at sea may make an investigation of the incident mandatory.

### Collaboration with other agencies in the event of acute pollution

Incidents involving vessels which have caused significant acute pollution could be investigated by the AIBN. Collaboration between the board and operational players with responsibilities and duties related to the vessel may be necessary for conducting necessary investigations on board. These

players could typically include the NCA, the NMA, the Norwegian Navy represented by the Norwegian Coast Guard, the police, and local authority/IUA players.

## APPENDIX B: INTERNATIONAL AGREEMENTS

### Oil pollution response convention (OPRC)

The official name of this agreement is the international convention on oil pollution preparedness, response and cooperation.

It was signed in 1990 under the auspices of the International Maritime Organisation (IMO). Norway is a party to it.

The convention covers all oil pollution at sea. Signatories undertake to establish a national system for oil spill preparedness and response in accordance with specified minimum criteria, and to collaborate on research, development, technical assistance, notification and response in order to prevent and combat oil pollution. The convention

assumes that the IMO will take responsibility over time for information activities, education, technical support and other assistance. Signatories are also required to seek bilateral or multilateral agreements on emergency preparedness and response to oil pollution.

In 2012, Norway also ratified the protocol on preparedness, response and cooperation to pollution incidents by hazardous and noxious substances (HNS) of 2000, also known as the OPRC-HNS protocol.

*The following agreements are available via the NCA's website.*

### Copenhagen agreement

Nordic cooperation on combating marine pollution is based on the Copenhagen agreement of 1971. This originally covered Denmark, Finland, Norway and Sweden, but was renegotiated in 1993 when Iceland joined. The agreement was also expanded to cover harmful substances other than oil.

Its official name is the agreement between Denmark, Finland, Iceland, Norway and Sweden concerning cooperation in combating pollution of the sea by oil or other harmful substances.

Greenland and the Faroe Islands were incorporated in the agreement in 1998 as part of the Danish delegation.

An annual plenary meeting is held under the agreement. A working group also meets once or twice a year.

Regional exercises are conducted annually within the framework of the Copenhagen agreement. Norway takes part in these with Sweden and Denmark under the regional agreement covering the Oslo Fjord, Skagerrak and the Kattegat.

### Bonn agreement

All the countries bordering the North Sea have signed an agreement on mutual notification, assistance and environmental monitoring to minimise acute oil and chemical pollution in these waters.

The agreement followed the Torrey Canyon shipwreck in 1967, when this oil tanker ran aground on Britain's south-west coast. It was signed in 1969 in Bonn by Belgium, Denmark, France, Germany, the Netherlands, Norway, Sweden and the UK. The official name is the agreement for cooperation in dealing with pollution of the North Sea by oil and other harmful substances.

It was revised in 1983, when the EU also became a party to the agreement. Cooperation on aerial

surveillance was incorporated in 1987. Ireland acceded to the agreement in 2010. The first Bonn agreement ministerial meeting was held in the same year.

Work under the Bonn agreement is governed by a ministerial declaration, through which the Bonn agreement action plan has been approved.

The contracting parties to the agreement hold an annual meeting. In addition, the working group on operational, technical and scientific questions concerning counter pollution activities (Otsopa) meets once a year.

## Norway-Russia agreement

Norway and Russia cooperate in a number of areas, including notification of and assistance with acute pollution in the Barents Sea, and signed an agreement on mutual notification, exercises and combating acute oil spills in these waters in 1994.

A joint contingency plan was also drawn up under the agreement to describe how collaboration would be conducted in terms of both meetings and incidents.

Two meetings are normally held each year under the agreement. One deals with planning for the annual Barents exercise, which is conducted with the JRC for northern Norway and other Norwegian players. The other meeting covers such matters as sharing lessons learnt from exercises and actual incidents, new oil spill recovery technology, and updating the joint contingency plan.

## Norbit plan (cooperation between Norway and the UK)

The Ministry of Climate and Environment in Norway and the Department of Trade and Industry in the UK signed the Norbrit plan in 1983. It applies to an area 50 nautical miles wide on either side of the UK-Norwegian boundary in the North Sea southwards from the 62nd parallel. The agree-

ment was re-signed in 2010 by the Ministry of Fisheries and Coastal Affairs in Norway and UK Department of Transport. No fixed meetings take place under the plan. Annual exercises between the two countries are planned as a result of the re-signing.

## Agreement on cooperation on marine oil pollution, preparedness and response in the Arctic

The purpose of this agreement is to strengthen cooperation, coordination and mutual assistance between the signatories on oil spill preparedness and response in the Arctic in order to protect the marine environment.

It applies to all oil pollution incidents which occur in or may pose a threat to a sea area over which a party to the agreement exercises sovereignty, sovereign rights or jurisdiction. That applies to the relevant state's internal waters, territorial waters, exclusive economic zones and continental shelf, as determined by international law. The parties to the agreement and its southern limits are as follows:

**Canada** – sea areas above 60° N.

**Denmark** – sea areas above the southern boundary of Greenland's exclusive economic zone and the Faroese fishery zone.

**Finland** – sea areas above 63° 30' N.

**Iceland** – sea areas above the southern boundary of Iceland's exclusive economic zone.

**Norway** – sea areas above the Arctic Circle.

**Russian Federation** – sea areas beyond the coastlines of the White, Barents, Kara, Laptev, East Siberian and Chukchi Seas, and the mouths of rivers flowing into these seas on the seaward side of the baseline from which the width of the territorial waters is measured.

**Sweden** – sea areas above 63° 30' N.

**USA** – sea areas on the seaward side of the coastal baseline from the border between the USA and Canada in the Beaufort Sea along the north side of mainland Alaska to the Aleutian Islands, above 24 nautical miles south of the Aleutian Islands, and in the Bering Sea east of the boundary of the USA's exclusive economic zone.

## EU crisis assistance for acute pollution

Norway can request assistance from the EU pursuant to the European Economic Area (EEA) agreement in the event of such incidents as acute oil pollution. Through the European Maritime Safety Agency (Emsa), the EU has entered into

agreements with a number of vessels which can also provide help during oil accidents. Requests for assistance are made through the EU's emergency response centre (ERC) in Brussels.







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