

***HELCOM Response Manual Volume III  
“Response to Pollution Incidents on the shore”***

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## Response to pollution incidents on the shore

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## 1. INTRODUCTION

### 1.1 Definition of response on the shore

Response on the shore is defined as response to pollution incidents on the shore, involving oil and other harmful substances, and covers:

- response operations carried out from land or smaller boats/tugs which are under the same command as operations on the shore
- clean-up of pollution on the shore
- oiled wildlife response in the above mentioned areas

### 1.2 Legal basis of this Manual

The cooperation in combating spillages of oil and other harmful substances in the Baltic Sea area is based on the Helsinki Convention of 1992 which is an international treaty ratified by Denmark, the European Community, Estonia, Finland, , Germany, Latvia, Lithuania, Poland, the Russian Federation and Sweden. The Articles 13 and 14 as well as the Regulations included in Annex VII of the Convention cover explicitly Response to pollution incidents.

Annex VII, Regulation 11 of the Helsinki Convention indicates that the Convention and the regulation of Annex VII are detailed by the principles and rules included in the **HELCOM Response Manual** (in the Convention named as “Manual on Co-operation in Combatting Marine Pollution”), adopted and updated by the competent HELCOM Group (currently HELCOM RESPONSE).

This Volume III of the HELCOM Response Manual is part of the Manual referred to in Helsinki Convention Annex VII Reg. 11 and covers international cooperation on combating spillages of oil and other harmful substances on the shore, as defined under 1.1.

### 1.3 Relationship to other volumes of the HELCOM Response Manual

A separate Volume III of the HELCOM Response Manual is needed as response to pollution incidents on the shore differ from pollution incident response at sea. Response on the shore often involves a more complex network of national and local authorities, contractors and possibly volunteers and are commonly much longer in terms of duration.

However, Volume I of the HELCOM Response Manual includes details on response co-operation at sea as well as general arrangements like National Contact Points, reporting procedures, oil sampling, financial aspects and procedures for requesting and providing assistance which can also be used for response on the shore. Volume II covers combating spillages of other harmful substances which might also be of interest for response on the shore.

## 2. CONTINGENCY PLANNING

The Contracting Parties should set up or integrate structures for response on the shore at appropriate levels of its existing emergency command, control and coordination structure. Besides facilitating national response operations, such structures facilitate requesting and receiving international assistance [international emergency support] from other Contracting Parties in the field of response on the shore.

The Contracting Parties should plan how the international assistance in shore response is integrated in the national response structure and should pay special attention to the following aspects:

- Identifying all pollution response actors and making them aware of their responsibilities in shore response actions which include international assistance.
- Considering international aspects when carrying out SCAT (Shoreline Cleanup Assessment Techniques) activities and defining the need and methods for clean-up (specific to shore types), which in turn define the equipment and expertise needed.
- Preparation of country briefings/factsheets to inform the assisting Parties on the national regulations concerning health and safety aspects, legal rights and restrictions that concern the responders, national organizational structure.
- Identifying liaison officers able to communicate with the assisting Party personnel in a language known to them.
- Consider, as appropriate, international cooperation and resources needed for oiled wildlife response.

### 3. JOINT COMBATING OPERATIONS FOR RESPONSE ON THE SHORE

#### 3.1 Request for international assistance

Request for assistance from a Contracting Party (requesting Party) shall be made (c.f. HELCOM Response Manual Vol. 1, Chapter 9 Financial Aspects) by the competent authority of that Party and addressed to the competent authority of another Contracting Party (assisting Party). Request shall be made using the POLREP format.

This applies to combating operations in cases of spillage of oil or other harmful substances at sea and on the shore, as well as resulting oiled wildlife response operations.

If an offer for shore response assistance is accepted the **competent authority** of the requesting Party shall:

- inform the competent authority of the assisting Party on the tasks of the units of the assisting Party.
- keep close contact with the command organizations of the assisting parties in order to secure that assisting Party units can be integrated in the response structure of the requesting Party.

#### 3.2 International response operation

The command structure for response operations at sea, described in HELCOM Response Manual Volume 1 might differ from the command structure for response operations on the shore. Due to this the parties shall inform each other of relevant command structures for response operations on the shore.

The requesting Party shall, inter alia:

- ensure that contingents of units of the assisting and requesting Party may operate under the same command, if so agreed;
- give administrative, logistic and other necessary support to assisting Party units;
- give clearly defined tasks and
- keep the assisting Party well-informed of the overall situation

The assisting Party is entitled to send liaison officers. The assisting units shall be led by a team leader. The team leaders of the assisting Party and the liaison officer shall keep each other well informed on the teams' tasks and their progress. Additional information about the integration of liaison officers can be found in HELCOM Response Manual Volume 1, Chapter 5.

The requesting Party has to provide means for communication between the competent authority of the assisting Party, the liaison officers and the units.

If the assistance is rendered in the form of equipment or units not operationally self-contained, it is the responsibility of the Response Commander to integrate the equipment or units in the combating operation.

When operating in border areas, the competent authorities of the bordering countries shall exchange information and strive to agree on priority of operations.

#### **4. ADMINISTRATIVE AND ORGANISATIONAL ASPECTS**

##### **4.1 Transfrontier movement of vehicles, personnel and equipment**

International border crossing and custom formalities could cause inconvenient delays in an emergency situation and tend to differ from one state to another. Possible remedies include:

- The requesting Party should make all appropriate efforts to facilitate trans-frontier movements in an emergency situation and should send a liaison officer to meet the assisting Party units at the agreed border crossing station. This liaison officer should be able to communicate with the assisting Party's personnel in a common language.
- Information about national traffic regulations should be given to the assisting Party at the border when necessary.
- The imposition of traffic fees on assisting Party's vehicles should be covered by the requesting Party. Alternatively such costs could be a component of the later reimbursement by the assisting Party.
- If a Contracting Party to the Helsinki Convention is a transit State, it shall use its best endeavours to facilitate the passage of equipment through its territory without delay.
- The requesting Party should, when necessary and possible, exempt assisting Party personnel from visa regulations and immigration inspection. Where visa regulations and immigration inspection cannot be waived, the requesting Party should expedite the necessary formalities at the appropriate point of entry.

##### **4.2 Customs matters**

The customs authorities should take part in the preparation of contingency plans for cross-border assistance in order to advice on solutions to problems of formalities in both the dispatch and receipt of assistance; where possible, documents should be prepared in advance. As well as customs documents, detailed lists of goods to be transported could be prepared before the response operation begins.

A mutual assistance network should be established so that there is a customs correspondent in each country who can be contacted by his opposite number in another country to facilitate operations.

Temporary importation means that goods may be used without payment of duty or VAT under certain conditions, if they are re-exported afterwards in the same state as they were in at import. Custom supervision ends when the equipment is totally destroyed or irretrievably lost.

##### **4.3 Conditions of work for assisting party**

The requesting Party has to ensure that all personnel under its command, including assisting Party personnel, are aware of relevant legislation. It is the responsibility of the team leader of the assisting Party to ensure that the personnel under its command comply also with the national rules of the assisting Party. The respective authorities of the requesting Party are responsible for informing the team leader of the assisting Party about relevant health and safety regulations. Personnel from the assisting Party have to obey their own national health

and safety regulations as well as those of the requesting Party. For operating equipment of the modules/teams, the main responsibility lies with the modules/teams themselves.

The requesting Party should be responsible for, and take appropriate measures, to address the safety and security of personnel of the assisting teams and modules and of the locations, facilities, means of transport, equipment and goods used in connection with the international assistance provided.

#### **4.4 Insurance of assisting party personnel**

The insurance of Government personnel and employees of private firms under contract to Government are the responsibility of the assisting Party. These costs may be claimed from the requesting Party. The insurance of contracted personnel from private companies acting independently are not the responsibility of any other Parties involved in the combating operation.

#### **4.5 Civil liability for injuries or damage to assisting party**

Disputes over injuries or damages shall be settled according to the rules of civil liability. Responsibility for the payment of costs will rest with the requesting Party except in cases of ill intent, grave fault or gross negligence by assisting Party.

The requesting Party should always be informed when a dispute involving the assisting Party is to be settled before a court of law. Where this is within the territory of the requesting Party, the latter should help the assisting Party or person concerned.

#### **4.6 Accommodation, transport and meals**

It is the responsibility of the requesting Party to arrange accommodation, transport and meals for assisting personnel when necessary or required.

#### **4.7 Medical treatment**

The requesting Party shall always make provision for the medical treatment of personnel of the assisting Party when necessary or required.

#### **4.8 Equipment and repairs**

The requesting Party shall help the assisting Party to the best of its ability with such maintenance and repairs of equipment that cannot be carried out by personnel of the assisting Party.

### **5. OILED WILDLIFE RESPONSE**

In accordance with HELCOM Recommendation 31E/6, Contracting Parties shall develop integrated oiled wildlife response plans and apply the guidelines attached to that recommendation. To facilitate cross-border assistance in oiled wildlife response, it is recommended that Contracting Parties designate an authority responsible for oiled wildlife response.

Contracting Parties should, in accordance with the guidelines on wildlife response planning, make an assessment of the limits of national capacity in relation to different incident scenarios; define tiered response levels and list resources required from abroad in a Tier-3 response (including response management assistance, animal care assistance, mobile response units and/or specialized equipment).

The requesting Party is responsible for the response costs of the assisting Party. Oiled wildlife response can be included in international compensation claims.

In addition, Contracting Parties should facilitate the cross-border movement of oiled wildlife responders, experts and oiled animals when appropriate, and as detailed in HELCOM Response Manual Volume I, chapter 11.

## **6. EXERCISES**

### **6.1 Background**

Regular operational marine pollution exercises, like HELCOM BALEX DELTA, have been carried out as part of the HELCOM work since 1970s and have contributed to the high level of preparedness and response capacity in the region. Traditionally these exercise activities conducted within HELCOM have been focusing on marine response issues and activities performed at sea with sea based oil recovery resources and vessels.

Most oil spill accidents, however, also result in contamination on the shore. The large number of organisations and the different duties they have in different countries make cross-border cooperation much more complex for response on the shore than for at sea response. In particular for potential large scale spills, contamination on the shore may involve hundreds of kilometers of shoreline.

As highlighted in the introduction, pollution incidents on the shore may also lead to situations when the national preparedness resources and organisations cannot cope with the response needs only by their own resources. For these scenarios it is essential that effective mechanisms for cross-border international cooperation for pollution incidents on the shore are well established and ready to operate efficiently. In order to achieve this it is necessary to conduct common exercises on the shore.

The basis for the HELCOM BALEX exercises on the shore is found in BSAP Rec. 28E/12, stating that: "Every sub-region should have adequate equipment and trained personnel to protect the coast, especially vulnerable habitats and areas (Baltic Sea Protected Areas, BSPAs) and to ensure immediate and appropriate action on shore. Response capacity on the shore should be addressed and arranged in its complexity within sub regional agreements between adjacent Contracting Parties. Such agreements are aimed at ensuring fast and sharp reaction when a second and/or third tier or transboundary pollution accident has occurred."

Future exercises in the BALEX series should specify whether the exercise is conducted at sea or on shore. This is added to the existing exercise types described in the HELCOM Response Manual Vol I. A BALEX DELTA could be either a "DELTA shore", "DELTA sea" or a "DELTA combined" exercise, where the last refers to a situation where both an at sea and an on shore component are implemented in the same DELTA exercise.

There are three general exercise methods for BALEX exercises on the shore and these can be mixed or performed separately:

- Table top/seminar
- Simulation exercise
- Field exercise

## 6.2 Participating organisations

The HELCOM Response Group should decide on the BALEX exercises on the shore and completed exercises should be reported to the Group.

Response exercises on the shore are organised at different levels of complexity, different number of participating Parties, participants and observers. Examples of levels are:

- Multilateral (Baltic regional) cross-border exercise
- Bilateral cross-border exercises
- National exercises
- Sub-national exercises
- Local exercises

Wildlife protection and rehabilitation are important components in response planning and operations on the shore. Most countries' volunteer organisations have an important role in this area. Volunteers represent an important resource for response and clean-up on the shore and should be considered in the planning process.

## 6.3 Frequency and regularity of exercises

The Contracting Parties shall within the HELCOM Response Group determine the need for, appropriate time and frequency of the exercises at the respective level. HELCOM BALEX exercises on the shore can also be integrated and coordinated with other HELCOM exercises.

At least one international (multi- or bilateral) exercise on the shore should be conducted every year in the Baltic Sea area. Exercises at national or local level should be conducted prior to international exercises and whenever the Contracting Party identifies a need for exercising.

## 6.4 Focus areas

A number of focus areas for HELCOM exercises on the shore are identified and listed from a to d below. These are based on experience from other exercises or real incidents and it may be relevant to select one or more areas as the main focus of the cross-border exercise.

### *Focus area a) Command structure*

The command structure exercising can be arranged on the basis of gradually escalating severity of the spill scenario and follow a chronological chain starting from, and including alarm exercise, from local level, to regional, to national and to international level.

Due to the large number of involved organisations and their respective mandates, exercises should focus on:

- System and incident command
- Environment protection and waste management
- Allocation of resources
- Information internal and external

Decision support tools for environmental sensitivity and resource allocation mapping as well spill drift and spreading forecast models are useful in table top exercise mode.

### *Focus area b) Communication and coordination of response resources*

The communication links between governmental organisations in different countries, between regional and local operational organisations and between NGOs and the response

command, are essential for efficient response and include many different land-land and land-sea links. Establishment of contacts and communication channels may prevent language difficulties and other obstacles for rapid assistance with technical equipment and personnel. Different mechanisms for requests for assistance and allocation of international resources can be trained and tested.

*Focus area c) Response operations on the shore*

Material and equipment for response on the shore are not frequently used in real spill situations and regular exercising is therefore important. Simulation of oil is difficult for exercises on the shore and there is no adequate substitute for real oil for exercises and demonstration of equipment.

*Focus area d) Oiled wildlife response*

Oiled wildlife management is often an urgent and labour intensive part of response on the shore. A number of dedicated NGOs have established resources and networks of expertise and educated volunteers. Such an exercise provides a forum for important exercising together with and under the management of professional rescue services and environmental protection authorities.

## **6.5 Planning and execution**

General outlines for planning are stated in the 10.5 chapter "Planning and evaluation of HELCOM BALEX DELTA exercise" (HELCOM Response Manual vol. 1.)

Exercises should be planned as a project with well-defined boundaries. Usage of a project management model is recommended.

Several things should be clarified before starting the actual exercise planning, such as:

- mandate
- budget
- resources
- project group/roles for planning, execution and evaluation
- timeframes/duration

The planning needs to be based on aim and objectives for the exercise. These need to be defined with care initially in the process. The objectives should also be carefully designed and adjusted to fit the participant organisations needs.

An Exercise Evaluation Team (EET) also needs to be established at the start of the project as an integral part of the planning process according to chapter 10.5 (HELCOM Response Manual vol. 1.) The evaluation of the exercise provides input both for improvement of the response operation and for improvement of future exercises, which should be used for further updating of the exercise chapter in the response manual.

As the limitations are defined, it is appropriate to choose exercise method. At this point it is also relevant to start discussing the scenario. It is recommended to use relevant literature as support in conducting an exercise.