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No. 977
**DECREE ON COMBATING OIL
POLLUTION ON LAND**
December 20, 1974

Section 1

The following definitions are used in this Decree:

- 1) *oily mixture* means every mixture that contains so much oil that it causes an obvious threat of oil pollution on entering the soil or water;
- 2) *oily waste* means oil-stained soil, sludge and waste which contains the amount of oil referred to in subparagraph 1; and
- 3) *waste oil* means oil that has been in use or is unfit for use.

The Act on Combating Oil Pollution on Land (378/74) is herein called the Oil Pollution on Land Act.

Section 2

A party storing oil as referred to in section 4, paragraph 2, of the Oil Pollution on Land Act is obliged to keep absorbent or other similar material suitable for oil combating, and the tools and materials needed to combat oil pollution, at the storage site; the quantities needed depend on local conditions. If the storage site is situated where an oil spill from the storage facilities may reach a water course, there must be a sufficient amount of oil booms that can be used to prevent the spread of oil on the water course.

The owner of storage facilities as referred to in this section shall ensure that the storage staff are familiar with the oil spill alarm system and know the places that the local authorities have approved as the collection and disposal sites for oily mixtures, waste oil and oily waste.

Section 3

If the quantity of oil at one and the same storage site is 1,000,000 litres or more, the party storing the oil must also have a contingency plan for how combating of oil pollution is arranged at said storage site. This plan shall state the person responsible for response action, the persons familiar with combating oil pollution and where they can be reached, the oil-combating equipment and materials available and, when necessary, a place where oil can be placed temporarily if it has to be removed quickly after a spill has occurred. The water and environment district and the local authority must be informed of the planned arrangement for response action without delay.

Section 4

If the location or size of the storage facilities, the nature of the operations, or the placement and protection of the tanks is such that the storage facilities cause an exceptionally high risk of oil pollution, the storage owner shall be required to maintain a higher state of preparedness for combating oil pollution than is provided in sections 2 and 3, if so required by the water and environment district.

Section 5 (10.6.1988/510)

The oil-combating plan referred to in section 5 of the Oil Pollution on Land Act shall include the following information:

- 1) data on the official body that, in accordance with section 5, paragraph 2, of the Oil Pollution on Land Act, has been nominated as responsible for arranging oil combating within the local authority's area, data on the operational commander nominated by the local authority and data on the duty of other local authorities and administrative bodies to participate in combating oil pollution;
- 2) data on the cooperation agreement, as referred to in section 5, paragraph 3, of the Oil Pollution on Land Act, that the local authority has made on combating oil pollution jointly with another local authority or storer of oil, and information on any other cooperation that may have been agreed on regarding combating oil pollution between local authorities within the same cooperation region for joint fire and rescue operations;
- 3) a description of the necessary oil-combating equipment, materials and chemicals and other equipment and materials suitable for combating of oil damage, such as transportation equipment, communications devices, machinery, tools and service materials, data on how they are stored and maintained and information on which of the above-mentioned equipment and materials are already available;
- 4) an estimate of the annual acquisition costs of oil-combating materials, the cost of maintaining and storing oil-combating equipment and materials, other costs of maintaining combat readiness and training costs during the next five years (operating costs);
- 5) plans for acquiring additional and supplementary oil-combating equipment and for building storerooms for oil-combating equipment and materials and handling facilities for oily combat waste during the next five years (acquisition costs);
- 6) plans on how to arrange and manage the combating of oil pollution and how to form, equip and maintain combat units, and data on alarm and communications systems;
- 7) a plan for the collection, transport, storage, disposal and other treatment of oily combat waste and on other follow-up oil-combating action;

- 8) a plan on how to arrange training and exercises;
- 9) data on facilities posing a threat of oil pollution within the local authority's area, such as industrial plants, power plants and other similar facilities which refine, use or store large quantities of oil;
- 10) data on any major groundwater areas within the local authority in which underground oil tanks must be inspected at regular intervals in accordance with section 1a of the Oil Pollution on Land Act; and
- 11) data on groundwater areas other than those mentioned in subparagraph 10 above, and catchment areas, beaches, natural reserves and other areas requiring special protection.

If the oil-combating equipment, materials or other acquisitions mentioned in the oil-combating plan are not meant to be used only for combating oil pollution, the plan must contain an estimate of the extent to which the acquisition will be used for combating oil pollution (*oil-combating utilization rate*).

If the local authority also prepares a plan on combating oil pollution from ships as referred to in section 12 of the Act on the Prevention of Oil Pollution from Ships, such plan and the plan referred to in paragraph 1 must be combined to form a single *municipal oil-combating contingency plan*.

The National Board of Waters and the Environment will issue more detailed instructions on how to prepare a municipal contingency plan.

Section 6 (10.6.1988/510)

Following its approval by the local council, the municipal contingency plan must be sent in five copies to the regional water and environment district for ratification.

If necessary, the water and environment district must request the relevant provincial government to issue an opinion on the municipal contingency plan.

If the plan includes a single acquisition of oil-combating equipment the cost of which exceeds FIM 500,000 and for which the local authority cannot be compensated at its full value by the Oil Pollution Compensation Fund without advance approval from the Oil Pollution Compensation Fund board of management, as stipulated in section 5, paragraph 4, of the Oil Pollution on Land Act and in section 5, paragraph 2, of the Act on the Oil Pollution Compensation Fund, the water and environment district shall request the board of management to give advance approval before the plan is ratified. (22.12.1989/1292)

The water and environment district shall inform the Oil Pollution Compensation Fund board of management, the National Board of Waters and the Environment and the relevant provincial government of the ratified plan.

Section 7

An oil-combating plan that is based on cooperation between neighbouring local authorities or with storers of oil must take account of local and regional conditions and pay special attention to any cost savings that may be achieved, while ensuring that combat readiness is not weakened by the arrangement.

Section 8 (10.6.1988/510)

For the oil-combating plan referred to in section 5, paragraph 1, the local authority shall review the parts on the operating costs in subparagraph 4 and those on the acquisition costs in subparagraph 5 at least once every four years. If this revision results in any changes in the plan, these shall be handled, whenever applicable, in accordance with the provisions issued on the plan and its handling.

Local oil pollution combating authorities shall see to it that the part of the plan concerning the arrangement of response action, as referred to in section 5, paragraph 1, subparagraph 6, is reviewed at regular intervals to correspond to any changes that have taken place in the circumstances. This review shall not be submitted for ratification, though the competent authorities shall send it to the water and environment district and to the provincial government for their information.

Section 9

Local authorities must keep a separate record of fuel oil tanks under 100,000 litres in volume located in major groundwater areas. Any changes occurring in the record must be reported annually to the water and environment district.

Section 10

The water and environment district must keep a record of the equipment and materials available for combating oil pollution within its area of jurisdiction, if the equipment and materials are in the possession or under the management of State authorities and are not included in municipal oil-combating plans.

Section 11 (10.6.1988/510)

More detailed regulations on the application of this Decree will be issued by the Ministry of the Environment.

Section 12

This Decree comes into force on January 1, 1975.

Provisions on entry into force of Decree amendments:

1. Decree **10.6.1988/510** came into force on July 1, 1988.

The provisions on municipal oil-combating contingency plans have been applied to plans drawn up by local authorities since September 1, 1988.

Local authorities shall prepare the estimate of operating costs referred to in section 5, paragraph 1, subparagraph 4, and the acquisition plan, referred to in subparagraph 5, for the subsequent five years by July 1, 1992 at the latest.

2. Decree **22.12.1989/1292** came into force on January 1, 1990.

In the case of an acquisition mentioned in a municipal oil-combating contingency plan ratified before this Decree comes into effect and ordered after it comes into effect, local authorities can put in a request for the advance approval referred to in section 5, paragraph 2, of the Act on the Oil Pollution Compensation Fund direct to the Oil Pollution Compensation Fund board of management.