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Introduction

This document has been prepared by the Chair of the Response Working Group, Sweden, Finland, Denmark and the Secretariat. For the remaining part of this document, the submitters are referred to as the “small group”.

The Response Working Group will be leading the implementation of some of the actions in the updated Baltic Sea Action Plan (BSAP), which is expected to be adopted by the HELCOM Ministerial Meeting on 20 October 2021. In particular, one of the actions of relevance for the Response Working Group is related to risk of oil and hazardous or noxious substances (HNS) spills analysis, as follows:

Conduct a feasibility study by 2022 for, and as appropriate, undertake a risk analysis for oil and hazardous and noxious substances (HNS) pollution of the marine environment in the Baltic Sea area by 2025.

Background

One of the actions in the 2007 BSAP was to conduct an analysis of the risk for oil and HNS spills in the Baltic Sea. The risk analysis was to become known as the BRISK and was finalized in 2012.

BRISK was based on traffic data from 2007/2008 and its' validity ended by the end of 2020. Hence the HELCOM area is without a risk analysis for oil and HNS spills covering the present and the future.

RESPONSE 26-2019 (June 2019, Warsaw, Poland) addressed the lack of a risk analysis and proposed a new risk analysis on the draft list of response related BSAP actions.

RESPONSE 27-2020 (February 2020, Vejle, Denmark) endorsed the need for a new analysis but the format or settings for such analysis were not discussed in detail.

RESPONSE 28-2020 (November 2020) and RESPONSE 28A-2021 (March 2021) were held as online meetings. As it was preferred to discuss risk in a broader perspective at an online meeting in connection to the upcoming risk analysis, it was agreed to postpone the discussion on risk until RESPONSE 29-2021.

RESPONSE 29-2021 is now to be conducted as an online meeting. Although the ambition to postpone risk discussions until the Working Group can meet physically, the target years set in the BSAP action makes it necessary to have the initial discussions at RESPONSE 29-2021. The discussions at this Meeting will aim at a common understanding of the process leading to recommendations on first part of the action, namely to produce a feasibility study.

Roadmap

The primary objective of the feasibility study is to clarify whether a new strategic risk analysis is required, preferred or can be omitted. The feasibility study should also justify the needs and scope for a potential risk analysis project and provide a clear picture of the plan, objective, goals and a concrete vision of the outcome of the project. This information can subsequently be utilized also in the future drafting of a full project proposal.

The process of the feasibility study is not defined beforehand. It will be based on the discussions at RESPONSE 29-2021 and adapted along the way if necessary.

RESPONSE 29-2021

As a minimum, the discussions during RESPONSE 29-2021 should indicate whether the small group should continue as a leading-coordinating body for the work until the feasibility study is completed and presented to HELCOM Heads of Delegation. The decision will affect how the workload related to the study will be placed. Even with delegation of work to the small group the workload for the Response Working Group will be considerable and is expected to extend through RESPONSE 30-2022 and RESPONSE 31-2022 with a full meeting day as a minimum. Extra travel beyond that is likely avoidable.

RESPONSE 29-2021 should also have an initial discussion on whether the Contracting Parties deem a risk analysis necessary, its purpose and duration/validity.

RESPONSE 29-2021 should also provide an initial indication of whether there is a broad national will to allocate funding for risk analysis or whether external funding should be sourced. Financing will affect the number of parameters for a risk analysis, should the analysis be recommended by the Response Working Group

RESPONSE 30-2022

At the moment it is anticipated that RESPONSE 30-2022 should include a thematic day with dialogue meeting(s) where consultants within risk analysis present their concept and what thereby could be achieved. A significant workload is needed in preparation of such an event. Hence it is paramount that RESPONSE 29-2021 decides on how to organize the work towards presenting the feasibility study to Heads of Delegation. The preparatory workload includes identifying capable consultants and provides guidance for the consultants on their presentations.

The thematic day is aimed to be the foundation for discussions and decision on whether a risk analysis is needed or not and on drafting the feasibility study. Before deciding, the Response Working Group needs to know, what can be offered and achieved.

Risk analysis project

If full national funding of a risk analysis project is not available from HELCOM Contracting Parties, a viable option would be to apply for funding through an international or regional funding mechanism. In order to meet the target year 2025 set out in the BSAP action, the aim should be to submit a project proposal to an appropriate project call (e.g. DG ECHO) in 2023. This would enable such a project to start in early 2024, with an anticipated length of two years.

As conducting the risk analysis would inevitably require substantial input from a specialist company, consideration needs to be given to the financing of such work. Sub-contracting a consultant company is one option, but likely a complicated and limiting one due to tender procedures and certain limitations with regard to the percentage of a project's budget which can be used for sub-contracting. It is also possible to have such a private company as an affiliated entity or even a full project beneficiary. If EU funding is applied for, validation of the company according to EU procedures would be required, but this option would provide more flexibility regarding the funding percentage needed for the actual risk analysis work, as well as better possibilities of including a company in the preparatory work for the project proposal.

Action requested

The Meeting is invited to:

- consider the information provided;
- agree on a way forward to conduct a feasibility study;
- agree to allocate a full working day on developing the feasibility study at RESPONSE 30-2022; and
- discuss other matters related to the feasibility study and potential full risk analysis project.