

Annex A.



*Ministry of*  
*Ecological Transition*

**EMERGENCY RESPONSE PLAN FOR THE  
DEFENSE OF THE SEA AND COASTAL AREAS  
FROM POLLUTION BY OIL AND OTHER  
HAZARDOUS AND NOXIOUS SUBSTANCES**





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## 1. ACRONYMS

**ARPA:** Agenzia Regionale per la Protezione Ambientale - Regional Environmental Protection Agency  
**CCAM:** Centro di Coordinamento Ambientale Marino istituito presso la Direzione Marittima - Marine Environmental Coordination Centre established at the Maritime Directorate  
**CCNA:** Centro di Controllo Nazionale Ambiente del Corpo delle Capitanerie di Porto, Guardia Costiera - National Environment Control Centre of the Harbour Master and Coast Guard Corps  
**CECIS:** Common Emergency Communication and Information System (DG ECHO – European Commission)  
**CG:** Coast Guard  
**COEMM:** Centro Operativo Emergenze Marittime del Dipartimento della Protezione Civile - Civil Protection Department Maritime Emergency Operations Centre  
**COGECAP:** Comando Generale delle Capitanerie di Porto – Guardia Costiera – Harbour Masters Corp Coast Guard  
**COIMAR:** Coordinamento Operativo Inquinamenti in mare del MiTE - Operational Coordination of Pollution at Sea of the MiTE  
**CONGUARCOST:** Centro Operativo Nazionale della Guardia Costiera - Coast Guard National Operations Centre  
**CP:** Capitaneria di Porto – Harbour Master  
**DG PNM:** Direzione Generale Patrimonio Naturalistico e Mare del MiTE - MiTE Directorate General for Nature Heritage and the Sea  
**DiAG:** Dipartimento Amministrazione Generale, Pianificazione e Patrimonio Naturale del MiTE - MiTE Department of General Administration, Planning and Natural Heritage  
**DGP:** Civil Protection Department  
**EEZ:** Exclusive Economic Zone  
**EMSA:** European Maritime Safety Agency  
**EPZ:** Ecological Protection Zone  
**HNS:** Hazardous and Noxious Substances  
**IMO:** International Maritime Organisation  
**IOPCF:** International Oil Pollution Compensation Funds  
**ITOPF:** International Tanker Owners Pollution Federation Limited  
**ISPRA:** Istituto Superiore per la Protezione e la Ricerca Ambientale - Institute for Environmental Protection and Research  
**LAB CG:** Coast Guard Environmental Analysis Laboratory  
**MATM:** Ministero dell’Ambiente e della Tutela del Territorio e del Mare - Ministry for Environment, Land and Sea Protection  
**MIMS:** Ministero delle Infrastrutture e della Mobilità Sostenibili - Ministry of Sustainable Infrastructure and Mobility  
**MiSE:** Ministero dello Sviluppo Economico - Ministry of Economic Development  
**MiTE:** Ministero della Transizione Ecologica – Ministry of Ecological Transition  
**MPA:** Marine Protected Area  
**MRCC:** Maritime Rescue Coordination Centre  
**MRSC:** Maritime Rescue Sub Centre  
**NCA:** National Competent Authority  
**OSC:** On-Scene Coordinator  
**POL:** Piano Operativo di Pronto Intervento Locale - Local Emergency Response Operational Plan  
**POLFAC:** POLLution FACilities



**POLINF:** POLLution INFormation

**POLLEX:** POLLution EXercise

**POLREP:** POLLution REPort System

**POLWARN:** POLLution WARNing

**RAM:** Marine Environmental Department of the Harbor Masters Corp – Coast Guard

**RAMOGE:** International agreement whose name refers to the 3 coastal areas of jurisdiction: France (Saint Raphaël), Monaco (MONaco) and Italy (GENoa)

**REMPEC:** Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea

**SAR:** Search and Rescue

**SCI:** Site of Community Importance

**SITREP:** Situation Report

**SNPA:** Sistema Nazionale di Protezione Ambientale - National System for Environmental Protection

**SPA:** Special Protection Area

**VTMIS:** Vessel Traffic Management and Information System

**VV.F.:** National Fire Brigade.



## 2. INTRODUCTION

In relation to the provisions of articles 10, 11, and 12 of Law no. 31 of December 1982, no. 979 and 2 of D.P.R. 27 May 1978, no. 504, and pursuant to subsequent regulatory arrangements, the Ministry of Ecological Transition – Directorate General for Natural Heritage and the Sea (MiTE – DG PNM) is the authority responsible for organising the emergency response to protect the sea and coastal areas from pollution or the risk of pollution caused by marine accidents and for directing environmental clean-up activities at sea during emergencies.

In accordance with the aforementioned legislation, the "Emergency action plan for the protection of the sea and coastal areas from accidental pollution by oil and other harmful substances" was adopted by the ministerial decree of 29 January 2013.

Recent regulatory developments necessitated a revision of the plan under the new name *"Emergency response plan for the protection of the sea and coastal areas from pollution by oil and other hazardous and noxious substances"*.

Italian activities in response to marine and coastal pollution by oil and other hazardous and noxious substances (hereafter referred to as HNS) are organised into three management levels, corresponding to three levels of planning. Tier 1 – mild or moderately severe pollution – is regulated by the Local Operational Plans (POLs) of Harbour Master Offices and (in the case of pollution involving multiple compartments) by the coordination plans of Maritime Directorates. Tier 2, or severe, pollution is regulated in this plan (MiTE Plan). Finally, Tier 3, or very severe pollution, is regulated by the National Plan of the Civil Protection Department (DCP plan).

Regarding the activities carried out under this Plan, it is understood that Search And Rescue (SAR) operations, for the protection of human life at sea, have priority over any other type of intervention.

When pollution reaches the coast, corresponding activities are managed at the local and peripheral levels by the bodies of the national civil protection service, as established by the DCP plan. They act in close cooperation with the authorities involved in the emergency at sea.

The present plan was drawn up by the working group established by Decree Matt\_0063246 of 11 June 2021 of the former Directorate-General for the Sea and Coastal Areas. In addition to the staff of the aforementioned MiTE Directorate, personnel from the Marine Environmental Department (RAM) of the Harbour Masters Corp – Coast Guard, Harbour Masters General Command – Coast Guard (COGECAP), the Civil Protection Department (DCP) and the Institute for Environmental Protection and Research (ISPRA) also took part.



## 3. PURPOSE AND SCOPE OF THE PLAN

### 3.1 Purpose of the plan

The purpose of the MiTE Plan is to define organisational measures at the central and peripheral levels in response to Tier 1 events (which are largely managed by the Local Harbour Master Offices on the basis of their local Contingency Plan) and coordinate the operational activities of the all involved authorities by a Tier 2 marine pollution or in imminent danger of oil and/or HNS spills at sea, applying pollution containment, reduction and elimination measures.<sup>1,2</sup> The plan also describes Tier 3 emergencies (managed by the Civil Protection Department's antipollution plan), as well as activities that take place under international agreements.

The implementation of the MiTE Plan takes place in continuity with and subsidiary to the actions already implemented by the POLs, as well as other local plans (e.g. the external emergency plans of prefectures<sup>3</sup>, plant/facility security plans, port fire prevention monographs, municipal civil protection emergency plans, etc.) and, when appropriate, the Coordination Plans of Maritime Directorates.

All of these activities aim to ensure that the severity of pollution – both current and possible – is adequately addressed through a clear, structured, coordinated and effective organisation with the aim of containing, reducing and minimising impacts on the marine ecosystem.

The present Plan governs the coordination of the authorities and facilities concerned and the organisational measures to be taken to enable Harbour Master Office Heads to effectively direct operations under Tiers 1 and 2 (Chapters 5.2 and 5.3). It also describes the administrative and economic and financial aspects of debt recognition that are necessary to pay for the services performed by antipollution vessels not covered by an agreement between the ministry and the private entity winner of the European tender; and/or if there is no agreement in place; and the recovery of claims owed for antipollution activities carried out by the MiTE, as well as the adoption of measures relating to any damage or imminent threat of environmental damage that may be produced (Chapter 5.9).

### 3.2 Scope of the MiTE Plan

The present Plan applies within waters under Italian jurisdiction, between the coast and the external limit of the Ecological Protection Zones (EPZ)<sup>4</sup> and Exclusive Economic Zone (EEZ)<sup>5</sup>, as well as on the high seas, in order to take the necessary measures to prevent, mitigate or eliminate serious and imminent risks to the coastline or

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<sup>1</sup> Art. 10 and 11 of Law no. 979, 1982 and art. 3 of the 1990 OPRC Convention.

<sup>2</sup> Emergency Protocol of the Barcelona Convention "Protocol Concerning Cooperation in Preventing Pollution from Ships and, in cases of Emergency, Combating Pollution of the Mediterranean Sea"

<sup>3</sup> Pursuant to D. L. no 105/2015.

<sup>4</sup> Law no. 61/2006

<sup>5</sup> Law no. 91/2021



related interest, which might result from the pollution of marine waters by oil and/or HNS following a marine accident or events related to such an accident which appear likely to have serious and harmful consequences.<sup>6</sup>

The provisions on the obligation to report marine accidents and the reception of ships in need of assistance within the Italian SAR region remain unaffected<sup>7</sup>.

## 4. PREVENTION ACTIVITIES

### 4.1 Prevention and monitoring

The numerous activities put in place by the MiTE and the Harbour Masters Corp - Coast Guard to prevent accidents and spills from any source and to discourage and combat illegal polluting activities are implemented through constant monitoring, integrated between the different components of the national antipollution system, paying special attention to sensitive and most-at-risk areas (Annex 5). The MiTE acquires and makes available the antipollution units, equipment and materials that constitute the national antipollution stockpiles of the state, within the limits of the financial resources available to it.

The MiTE exclusively entrusts to the Harbour Master Corps - Coast Guard, as the competent authority:<sup>8</sup>

- the direction of maritime surveillance activities to prevent the pollution of marine waters by oil and HNS within waters under national jurisdiction (inland maritime waters, territorial waters, EPZ and EEZ), with particular attention to Marine Protected Areas (Annex 5), as well as to detect violations of the rules to protect against pollution and ensure the proper management of waste from ships, at sea and in ports;
- monitoring of maritime traffic to prevent maritime accidents and cooperating in the identification and interception of ships responsible for pollution events, as well as checking for other sources of accidental pollution, including from land (e.g. industrial plants and drivers).

The Harbour Master Corps – Coast Guard ensures the above activities, both in the context of institutional priorities and in convention with the MiTE, through:

- the Coast Guard National Operations Centre (CONGUARCOST), which carries out the functions of the National Maritime Rescue Coordination Centre (MRCC) and National Competent Authority (NCA) in relation to the Vessel Traffic Management and Information System (VTMIS) integrated monitoring system;
- the National Environment Control Centre (CCNA) established at the headquarters of the Harbour Masters Corp;

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<sup>6</sup> Art. 2 of DPR 27 May 1978, no. 504 and art. I of the Brussels Convention of 1969, ratified with L. no. 85/1977 on intervention on the high seas

<sup>7</sup> Art. 17, 19, 20, 20 Bis and 20 Ter and Annex IV of D. lgs no. 196 of 19 August 2005.

<sup>8</sup> Applicable regulations: art. 11, 12 and 23 of Law no. 979/1982, art. 2, 7, 8, 9 et seq. of D. Lgs no. 196/2005, art. 135 and 195 of D. Lgs. no. 152/2006, art. 12 of D. Lgs. no. 202/2007, art. 7 of Law no. 239/1998, paragraph 7 of art. 19 of Law no. 394 of 6 December 1991, art. 20 of Law no. 179/2002.





- the Control of the Maritime Directorates – Maritime Rescue Sub Centers (MRSC), of the Harbour Masters and their dependent Maritime Offices;
- Marine Environmental Coordination Centers established at the Maritime Directorates (CCAM),

as well as through the activity of all territorial commands and operational units of the Environmental Operational Police Units established at the Harbour Master Offices;

- the aerial component for the detection of marine pollution, including through the aid of sensors for remote sensing of the environment;
- the naval component, using units of various classes (coastal and high seas);
- the Corps' Diving Unit component;
- the environmental C.F. (CP) Natale De Grazia Environmental Analysis Laboratory (LAB CG), in mobile and traditional arrangements.

CONGUARCOST carries out an integrated satellite, sea and air surveillance service on behalf of MiTE to monitor possible pollution from offshore oil platforms.

Further activities to prevent industrial accidents and spills and to discourage illicit pollution activities arise from legislation governing control of major-accident hazards involving dangerous substances;<sup>9</sup> the Integrated Environmental Authorisation;<sup>10</sup> and the 23 January 2017 Decree.<sup>11</sup>

Each year, as part of the Italian-French-Monegasque activities of the RAMOGE agreement, air and naval vessels are employed to monitor and prevent illegal dumping by ships. The CP-CG and MiTE are actively involved in such efforts.

RAM provides technical and operational support to MiTE and informs COGECAP of guidelines issued by the Minister.<sup>12</sup>

The objective of the Committee for the Safety of Sea Operations<sup>13</sup> – composed of the MiTE, the General Command of the Harbour Masters Corps – Coast Guard, Navy, the National Fire Brigade, and ISPRA – is to ensure the safety of offshore oil and gas operations through prevention.

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<sup>9</sup> Dlg. 26 June 2015, no. 105 "Implementation of Directive 2012/18/EU on the control of major-accident hazards involving dangerous substances" (a.k.a. "Seveso III Directive") which applies to "plants" in which one or more facilities house hazardous substances, including common or related infrastructure or activities (see art. 3 paragraph a).

<sup>10</sup> Title III-bis "Integrated Environmental Authorisation" of Part II of Dlg. 152/2006 and subsequent modifications and additions, which applies to facilities that carry out activities cited in Annex VIII to Part II of Dlg. 152/2006 and subsequent modifications and additions.

<sup>11</sup> 23 January 2017 Decree "Definition of the equipment and stocks to respond to marine oil pollution, which must be housed in designated land deposits and on drilling rigs, production platforms, and their support vessels".

<sup>12</sup> Art. 20 of Law no. 179 of 31 July 2002 (Establishment of the Marine Environmental Department) and art. 11 of the "Regulation of the Organisation of the Ministry for Environment, Land and Sea Protection", approved by D.P.C.M. 17 June 2019, no. 97, modified by D.P.C.M. 6 November 2019, no. 138.

<sup>13</sup> The Committee for the Safety of Operations at Sea (commonly known as the Offshore Committee), established by Legislative Decree no. 145 of 18 August 2015, adopting Directive 2013/30/EU, is based at the Ministry of Economic Development and divided into non-general management level offices (UNMIG Sections) at the DG-ISSEG Directorate General for Infrastructure and Security of Energy and Geomining Systems (availing of the MiTE, pursuant to D.L. 22/2021).



## 4.2 Places of refuge - Acceptance of ships in need of assistance

Under the Local Operational Plan, each Harbour Master Office Head identifies the procedures to be adopted to evaluate the access of a ship requiring assistance to a suitable area of refuge,<sup>14, 15</sup> if identified in its waters, and exercises other powers conferred by law.

The Maritime Director acts as a liaison among the dependent Harbour Master Offices in order to standardise, within the framework of the guidelines issued by the MiTE, the procedures implemented to receive ships requiring assistance.

## 4.3 Sources of pollution reports

In the event of any damage to or incident affecting equipment which may damage the marine environment, seaboard, coast or related interests through oil or HNS spills, the ship commander or owner or individual in charge of a vessel or facility in the EEZ, EPZ, territorial waters, inland sea waters or on land must inform the Maritime Authority nearest to the site of the accident without delay and take all measures possible at the moment to avoid further damage and eliminate the harmful effects already produced.

Information about current or possible marine pollution by oil or HNS may also be received by the CONGUARCOST, Harbour Master or COIMAR from other sources (e.g. from ships or aircraft in transit or from a coastal and offshore facility, from another coastal state, from satellite observation producing an automatic pollution report, from the CG's air and sea vessels, from antipollution vessels during patrol activities, from private individuals).

When the CONGUARCOST, Harbour Master or COIMAR are alerted to oil or HNS pollution or any situation liable to cause water or coastal pollution, they promptly inform the central and peripheral authorities concerned using Annex 1-A (POLWARN) of the POLREP reporting system (Annex 1), see para. 5.1 Alert Stage.

# 5. EMERGENCY MANAGEMENT

## 5.1 Alerting

Under the present plan, the alert phase begins as soon as COIMAR is notified, through the official transmission channels communicated to the relevant entities by DG PNM, of marine pollution or the possible risk of marine pollution by oil or HNS.

The implementation of the MiTE Plan takes place in continuity with and subsidiary to the actions already

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<sup>14</sup> Directive 2002/59/EC (establishing a Community vessel traffic monitoring and information system), as amended by Directive 2009/17/EC.

<sup>15</sup> IMO Resolution A.949(23) "Guidelines on places of Refuge for ships in need of assistance".



implemented by the POLs and, when appropriate, of the Maritime Directorate Coordination Plans. It applies until the emergency can no longer be addressed by the means and facilities provided for in these plans.

## 5.2 Tier 1 Emergency – mild- or medium-severity pollution

Given their magnitude and/or extent and/or type of pollutant, mild- or medium-severity pollution – or possible instances of such – can be managed using locally available personnel and equipment. It does not represent an immediate and substantial threat to the marine environment and coast and poses no risk to human health or socioeconomic activities.

This pollution results in a Tier 1 emergency, regulated by the Harbour Master Offices' Local Operational Plans (POLs).

The Harbour Master Office Head exercises <sup>16</sup> strategic and operational direction of operations in inland waters, territorial waters, the EPZ and EEZ within its area of responsibility, implementing the provisions of the POL or, when necessary in the case of pollution involving several compartments, in the Coordination Plan of the Maritime Directorate to which they belong. They issue an immediate -formal warning<sup>17</sup> to the owner or commander of the vessel or mean responsible or to the manager of the shore-based and/or offshore facility if known (Annex 3).

Tier 1 emergencies include, for example, small/medium-sized spills of light hydrocarbon (e.g. diesel) spills that occur in ports or offshore and pose no risk to human health, marine and coastal ecosystems and socioeconomic activities.

### 5.2.1 Tier 1 organisations involved and decision-making process

In their area of jurisdiction, the Harbour Master Office Head is responsible for emergency management, enacting all necessary measures to prevent, reduce, contain and/or minimise marine pollution. The Harbour Master Office Head thus has the authority to undertake the following actions:

- acquire and verify any information needed to provide the fullest possible picture of the situation, informing and updating the relevant central and local authorities in a timely manner using (primarily) the POLREP reporting system described in Annex 1;
- assume strategic and operational direction of response operations based on available information and subsequent assessments, including through the use of vessel traffic monitoring systems;
- issue an immediate formal warning to the owner and commander of the vessel or mean responsible or the facility manager (Annex 3);
- set up a Coordination and Control Centre with the local institutions involved, providing information to COIMAR, CONGUARCOST and RAM;
- inform COIMAR if anti-pollution vehicles are unavailable and ask – including through unofficial channels

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<sup>16</sup> Pursuant to art. 11 of Law no. 979 of 31 December 1982.

<sup>17</sup> Art. 12, Law no. 979 of 31 December 1982



- to define strategic guidelines for emergency resolution;
- employ Coast Guard units and vehicles available in the Harbour Master Office, as well as those provided for in the Coordination Plan of the Maritime Directorate they belong to;
  - employ units in agreement with MiTE – DG PNM, with the prior authorisation of MiTE obtained through unofficial channels if needed;
  - employ – in the special case of situations when MiTE vehicles are inadequate or unavailable, and with the prior approval of the aforementioned ministry, including through unofficial channels – units available upon payment in their area of jurisdiction or readily available in other Compartments, giving precedence to those belonging to other public administrations, when equally suitable;
  - employ, after communicating to the MiTE, including through informal channels, vehicles provided by other authorities with charges to be borne by them, possibly identified in the POLs;
  - designate the “On-Scene Commander” (O.S.C.) (Annex 2), responsible for operations at sea;
  - request CONGUARCOST, as appropriate, to intervene and deploy other Coast Guard vessels and aircraft and – when available and always via CONGUARCOST – vessels and aircraft belonging to other state bodies;
  - ask the Maritime Director and/or CONGUARCOST to send any of the Corps’ human and instrumental resources that it considers indispensable;
  - request authorisation from MiTE – DG PNM to use non-inert or dispersant absorbent products, to be chosen from those recognised as suitable by the aforementioned Ministry (Annex 4);
  - request technical and scientific support from other institutions and authorities in the area (ARPA-SNPA, Port Chemist, etc.);
  - exercise, in the area of jurisdiction, the other powers assigned by law.<sup>18</sup>

### 5.3 Local Emergency, Tier 2 – severe pollution

Severe or potentially severe marine pollution that due to its magnitude and/or extent and/or type of pollutant, poses a serious threat to the coast or endangers areas of high intrinsic value (Annex 5) and/or that cannot be managed by locally available personnel and equipment. This entails the declaration of a local emergency by the Harbour Master Office Head.<sup>19</sup> This includes pollution requiring additional local, regional, state or international assistance and resources.

Intervention in the case of Tier 2 pollution scenarios, even possible ones, is regulated by the present plan with regard to both the choice of operational strategies and their management.

This tier also includes pollution managed under international agreements (Chapter 5.5) and pollution that by extension and/or entity involves multiple Harbour Master Offices until the declaration of a national emergency.

Examples of possible Tier 2 emergency scenarios include the discharge of significant quantities of hydrocarbons from a ship during a voyage, due to an accident (grounding/collision/etc.), which could reach the coast and jeopardise areas of high intrinsic value (Annex 5) or specific protected species, as well as fishing and fishery

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<sup>18</sup> Regulatory references: art. 17, 19 and from 20 to 20c of D.Lgs. no. 196/2005.

<sup>19</sup> See paragraph 2 of art. 11 of Law no. 979 of 31 December 1982.



activities in the area and, in general, any other type of activity linked to any legitimate use of marine resources. Spills managed under RAMOGEPol are also included.

### 5.3.1 Organisations involved and decision-making process

In Tier 2, the Harbour Master Office Head is responsible in his area of jurisdiction for the actions implemented in Tier 1 and for the additional actions of:

- declaring a Local Emergency and immediately notifying COIMAR using the format described in Annex 6 as well as informing the Maritime Director (if different), Civil Protection Department, local Prefecture and local authorities concerned;
- directing operations based on the present plan, POL and, when appropriate, the Maritime Directorate coordination plan;
- in the event of pollution reaching or threatening the coast, conducting operations at sea in synergy with the measures provided for in the Provincial Civil Protection Plans;
- based on the evolution of events, reassessing the emergency tier with COIMAR at any time.

In Tier 2, the MiTE is responsible for:

- the strategic direction of maritime defense activities against oil pollution and HNS in the waters under national jurisdiction, especially in the EEZ and EPZ,<sup>20</sup> according to the procedures established in the present plan; the operational management of the Harbour Master Office Heads with jurisdiction over each area and, when appropriate, of the higher-level Maritime Director, shall remain unaffected;
- the authorization to operate anti-pollution craft in agreement with the MiTE, including when these are deployed outside the Harbour Master Office where pollution or danger of pollution is occurring;
- the authorization or provision to use vehicles and systems not covered by a specific agreement with the MiTE, including at the request of the Harbour Master Office Head;
- authorisations for vehicles, equipment and personnel operations under debt recognition arrangements;
- the authorisation to operate ships belonging to private individuals or other state administrations;
- the request/making available of antipollution vessels from foreign countries in accordance with international agreements;
- the request for antipollution vehicles, materials and specialised personnel from EMSA through CECIS and from REMPEC;
- the authorisation of the use of non-inert absorbent products<sup>21</sup> and dispersants;<sup>22</sup>
- the completion of administrative procedures, including those based on on-site activities and surveys, relating to claims for compensation of damages under the International Convention on Civil Liability for Oil Pollution Damage (CLC, 1969), International Convention on the Establishment of an

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<sup>20</sup> Pursuant to Law 239/1998.

<sup>21</sup> D.D. 31/03/2009 (G.U. no. 114 of 19/5/2009) as amended by D.D. 13/03/2013 (G.U. no. 84 of 10/04/2013) and subsequent modifications and integrations.

<sup>22</sup> D.D. 25/02/2011 (G.U. no. 74 of 31/03/2011) and subsequent modifications and integrations.



International Fund for Compensation for Oil Pollution Damage (Fund, 1971) and its protocols, and the International Convention on Civil Liability for Oil Pollution Damage (Bunker Oil, 2001);

- the evaluation and authorisation of the use of equipment stockpiles;
- the proposal to declare a national emergency to the President of the Council of Ministers;
- the implementation of the coordination provided for in the present plan through the relevant DG PNM, which makes use of the technical and operational support of RAM and ISPRA, as well as experts from other dependent or affiliated authorities, when deemed necessary for the optimal achievement of objectives;
- the implementation, where deemed opportune, of an emergency Coordination Committee;
- the implementation of the RAMOGEPol Plan and other existing international agreements.

ISPRA provides technical and scientific support to the MiTE and other institutions engaged with environmental issues. This support consists in making scientific and technical knowledge available in a timely manner for actions to combat marine pollution, including through field inspections and inspections;

- provide policymakers with environmental knowledge and data to guide pollution strategies;
- allow decisions to be taken concerning the possible use of clean-up products, taking due account of the ecological and socioeconomic characteristics of the affected area;
- monitor the evolution of events, with particular regard to the behaviour and fate of pollutants in the marine and coastal environment;
- coordinate the activities of the competent regional agencies belonging to SNPA.

CONGUARCOST authorises, including at the request of MiTE, the use of the Corps' assets for related environmental data collection activities and performs the following functions and tasks:

- provide the Maritime Director or Harbour Master Office Head with all possible assistance, including:
  - deploying and utilizing the Corps' aerial assets for reconnaissance of the area;
  - using the Corps' naval, underwater and land craft that are not immediately available to the Harbour Master Office Head;
- presenting COIMAR with the operational needs expressed by the Harbour Master Office Head or Maritime Director, or those assessed at headquarters, aimed at requesting appropriate air and sea equipment from other state administrations;
- designating, after consulting COIMAR, the Maritime Authority for the operational management of response activities in waters involving several Harbour Master Offices (see Annex 7);
- designating, after consulting COIMAR, the Maritime Authority for the operational management of response activities in waters outside the jurisdiction of the Harbour Master Office;
- implementing emergency measures using its own facilities and procedures in order to monitor developments in peripheral clean-up operations, in particular by:
  - developing operational proposals for environmental emergency management to support the Harbour Master Office Head and/or Maritime Directorate that directs/coordinates operations and authorises the dispatch of the Corps' air, sea and land vessels;
  - proposing the use of air and sea craft to COIMAR;
  - keeping the MiTE informed about the progress of operations.



The Maritime Director is responsible for:

- drawing up and implementing, based on the POLs of the Harbour Master Offices employed, a Maritime Directorate “coordination plan” for its area of jurisdiction which coordinates the operations carried out by the Harbour Master Office Heads in cases where pollution affects multiple compartments within its Maritime Zone;
- redeploying the antipollution units and vehicles at their direct disposal at the request of the dependent Harbour Master Office Heads;
- dispatching additional human and instrumental resources at the request of the Harbour Master Office Heads;
- liaising with the competent Harbour Master;<sup>23</sup>
- when designated by CONGUARCOST, by means of the message in Annex 7, taking on the operational direction of an emergency occurring in an area spanning multiple Harbour Master Offices or more than one Maritime Zones.

The Prefect, in agreement with the Harbour Master Office Head, takes action to prepare and enact, when necessary, all measures to safeguard the threatened stretches of coastline based on the specific Provincial Plan and in agreement with the mayors concerned by the emergency. This is part of the CPD Plan’s architecture and is implemented in conjunction and coordination with the present MiTE Plan, with the support of the Harbour Master Office Head.

The Coordination Committee for the emergency is activated, if necessary, by MiTE – DG PNM and may meet primarily at the National Coast Guard Operations Centre or elsewhere (including remotely). It is chaired by the Director-General of MiTE – DG PNM, or their delegate, and consists of representatives of:

- COGECAP – Department III;
- Civil Protection Department;
- Head of the Harbour Master Office concerned, or their delegate;
- Institute for Environmental Protection and Research (ISPRA);
- RAM.

The Committee may be supplemented, on a case-by-case, *ratione materiae* basis, by:

- a representative of other Directorates-General of the MiTE, after consulting the Department of General Administration, Planning and Natural Heritage (DiAG);
- a representative of the Ministry of the Interior – Fire Brigade Department;
- representatives or experts from other bodies, public research institutes, and associations;
- additional experts from the private sector.

The Committee shall have the following tasks:

- issue directives to the Maritime Authorities to establish and maintain the “environmental safety” of ships and wrecks that may cause pollution at sea and to address dangerous situations, referred to in art.

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<sup>23</sup> See paragraph 3 of article 20 of D.Lgs. no. 196/2005



11 and 12 of Law no. 979 of 31 December 1982;

- issue directives and instructions for the cleaning and restoration of sea and coastal waters and for the disposal of any recovered materials;
- establish criteria and methods to subsequently ascertain damage to the seabed, water column and surface;
- develop economic and financial support measures to be centrally implemented to support local actions (debt recognition, compensation of damages, etc.);
- inform the Minister of MiTE and the press regarding the progress of operations, in consultation with DiAG.

#### 5.4 National Emergency, Tier 3 – very severe pollution

Very severe or potentially very severe pollution entails the declaration of a national emergency due to the magnitude and/or extent and/or type of pollutant. This includes pollution that requires additional state or international assistance and resources.

Due to their size or severity, such situations demand the deployment of extraordinary resources, including when such an event is imminent, through the declaration of a state of national emergency.<sup>24</sup> Tier 3 emergencies are therefore gravely serious scenarios, in which the resources employed by the Harbour Master Office Head, COGECAP and the MiTE are insufficient to address pollution and thus a national emergency must be declared.

Tier 3 emergencies include, for example, explosions onboard an oil tanker, which result in the leakage of large quantities of hydrocarbons that contaminate lengthy stretches of the peninsula's coastline.

Activities in the case of Tier 3 pollution scenarios, even possible ones, are regulated by the CPD Plan and normally extend Tier 2 emergency activity.

##### 5.4.1 Tier 3 organisations involved and decision-making process

If the emergency cannot be dealt with by the means available to the MiTE, the Minister of Ecological Transition asks the President of the Council of Ministers to declare a national emergency.<sup>25</sup>

Subject to legal requirements, the Council of Ministers determines a state of emergency of national importance.<sup>26</sup>

Following the determination of a state of national emergency, the Civil Protection Department coordinates the activities of the forces committed at the national, territorial and peripheral levels to combat oil or HNS pollution by applying the CPD Plan.

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<sup>24</sup> Regulatory references: art. 23 and 24 of D.Lgs. no. 1 of 2 January 2018, "Civil Protection Code", art. 11, paragraph 4 of Law no. 979 of 31 December 1982, with the consequent application of Law no. 225 of 24 February 1992 and subsequent modifications and additions

<sup>25</sup> Pursuant to art. 11, paragraph 4, of Law no. 979 of 31 December 1982

<sup>26</sup> Pursuant to art. 24, paragraph 1 and paragraph 8 of D.Lgs. no. 1/2018 ("Civil Protection Code")





This coordination also may occur when such an event is imminent through the convening of the National Civil Protection Operational Committee.<sup>27</sup>

## 5.5 Emergencies in compliance with international agreements

Italy addresses emergencies falling under the jurisdiction of international agreements as Tier 2 MiTE emergencies.

The MiTE is the national authority responsible for requesting and/or providing assistance to other countries with which international agreements on cooperation and combating marine pollution by oil and HNS are in force, such as RAMOGE. The areas of operation, jurisdictions and operational procedures of the agreements are governed by specific Emergency Plans (e.g. RAMOGEPol, Annex 8).

### 5.5.1 Entities involved and decision-making process in the event of the activation of international agreements

The authorities responsible and decision-making process for emergency management in an internationally protected area refer to the relevant Coordination Plans under their respective agreements (e.g. RAMOGEPol, whose references are provided in Annex 8 to the present plan).

## 5.6 Waste management

Clean-up at sea involves the removal of polluting products that generate liquid waste and, in many cases, solid waste as well.

Liquid waste consists mainly of mixtures of hydrocarbons or HNS, dispersed or emulsified with seawater in differing percentages (depending on collection methods, as well). It is contained in the designated storage boxes, known as “rec oil”, of the ship’s antipollution unit.

Solid waste may consist of:

- the pollutant itself (oil or HNS), including in lump form;<sup>28</sup>
- floating debris already in the sea or produced as a result of a marine accident and contaminated by the pollutant;
- the materials and equipment used for the recovery or containment of pollutants;<sup>29</sup> or the personal protective equipment of operators.

Once the polluting product’s behaviour in the sea has been ascertained and applicable techniques have been evaluated, taking into consideration marine weather conditions, the ship commander – in agreement with the competent Maritime Authority – implements all necessary activities to contain and remove polluting

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<sup>27</sup> Art. 14 of D.Lgs. 1/2018 “Civil Protection Code”

<sup>28</sup> Exemple: tarballs

<sup>29</sup> Ex. oil-absorbent sweeps or sheets, inert absorbent residues, etc.



products.

The removed polluting products, as well as materials and equipment contaminated during collection operations that cannot be reused,<sup>30</sup> are managed in accordance with national waste legislation,<sup>31</sup> taking into account the guidance provided by the Maritime or Port Authority in order to facilitate waste collection and management activities.

## 5.7 Conclusion of the emergencies

At the end of the emergency, a message terminating it (POLINF “FINAL” Annex 1-B) is sent by the Harbour Master Office Head to all actors actively involved in emergency management.

## 5.8 Exploiting the lessons learned

At the end of each emergency, at least Tier 2 ones, the MiTE collects reports on the activities carried out by all public actors actively involved in the fight against pollution and produces a summary report containing both the strengths and weaknesses encountered. This summary report is sent to stakeholders to identify any corrective actions to be taken and how they can be implemented.

A joint debriefing may be organised, when deemed appropriate, to identify any suggestions for improvement or corrective actions to be applied in the future.

For statistical purposes, information on ships that have caused an emergency situation is entered into the EMSA SafeSeaNet data collection system.

## 5.9 Administrative and economic-financial aspects

### 5.9.1 Debt recognition procedures

Where the MiTE authorises – under the relevant conditions and subject to the necessary assessments – the use of vehicles and/or equipment not covered by an agreement and/or when no agreement is in place, payment will be made for services rendered through debt recognition procedures.

In order to ensure that procedures are performed correctly, the MiTE must carry out an autonomous assessment and possible authorisation of the operation and use of the aforementioned resources as well as submit a request to the competent Maritime Authority accompanied by its own assessments of the validity, effectiveness, convenience, etc. of the services and services to be acquired.

At the end of the operation, the Maritime Authority drafts a special report on the activities carried out and certifies the proper performance of these. In particular, it affixes a stamp attesting to cost fairness.

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<sup>30</sup> Such as oil-absorbent sweeps or sheets

<sup>31</sup> Part IV of Legislative Decree no. 152 of 3 April 2006



Once the above documentation has been obtained and further checks carried out, the MiTE launches the debt recognition procedure and use of financial resources, reserving the right to only partially recognise the amounts requested based on the conformity checks carried out.

### 5.9.2. Claim recovery and environmental damage

At the conclusion of the pollution operation authorised by the MiTE, it carries out investigative procedures to recover the amounts due for activities carried out by the vehicles previously authorised to operate and adopts measures relating to the damage or imminent threat of environmental damage that may have been caused.

Specifically, the MiTE obtains from the competent Maritime Authority the documentation needed to reconstruct the accident, identify those responsible and investigate insurance policies. It ascertains the amount due to the authority or organisation (if any) that carried out antipollution services. Finally, ISPRA provides the MiTE with a quantification of the environmental damage.

At the end of the investigation, the MiTE recovers the amount due for anti-pollution activities, including preventative ones, from the owner/commander/insurance company of the mean or facility that caused the accident.<sup>32</sup> This occurs out of court or, if needed, by initiating appropriate legal proceedings through the state attorney.

The request for payment is also forwarded to the Company (if any, and if the necessary requirements are met) that insured the mean or installation at the time of the accident.

When pollution results in damage or an imminent threat of environmental damage, the MiTE also implements the actions provided for in D.Lgs. no. 152/2006 (Environmental Code) to obtain compensation from those responsible.

Furthermore, if the conditions are met, the MiTE initiates the procedures for claims for compensation under the International Convention on Civil Liability for Oil Pollution Damage (CLC, 1969), International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (Fund, 1971) and its protocols, and the International Convention on Civil Liability for Bunker Oil Pollution Damage (Bunker Oil, 2001).

The above-mentioned international conventions provide for a procedure regulated by the International Oil Pollution Compensation Funds (IOPC Funds), as described in the manuals produced by the Institute ([www.iopcfunds.org](http://www.iopcfunds.org)).

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<sup>32</sup> In accordance with the combined provisions of art. 12 of Law no. 979 of 31 December 1982 and art. 1, paragraph 1101 of Law no. 296 of 27 December 2006 (Finance Act 2007)



## 6. HYDROCARBON POLLUTION

### 6.1 Possible scenarios and types of emergencies

Marine pollution by hydrocarbons arises for operational reasons, either accidental or voluntary, from a variety of known or unknown sources including ships, oil extraction and refinement facilities, submarine pipelines, industrial fuel tanks, etc. The hydrocarbon may spill directly into the sea; be carried to the sea by rivers, canals and pipelines; or reach the sea after seeping into coastal ground.

The causes of pollution (operational, accidental or voluntary), its origin, and whether the source is known or unknown are variables that influence the timing of antipollution activities, response strategies, judicial police activities carried out to prosecute any individuals liable, and subsequent debt collection.

Other variables, however, determine the emergency tier with greater stringency:

- the physical-chemical characteristics of the product (the most important, from an operational point of view, are generally density, viscosity and pour point) which determine persistence, toxicity and behaviour at sea;
- the quantity spilt;
- consideration of the area from both an environmental (presence of MPAs, SCI, SAC, SPA, high-value naturalistic areas as well as the nesting areas of protected species, etc.) and socioeconomic point of view (mussel farming, fisheries, high-value tourist destinations, desalinators, where seawater is drawn for cooling of industrial installations, etc.);
- distance from the coast, which limits the vehicles that can intervene by determining response times at sea and on the coast itself;
- marine weather conditions, which determine the ageing (weathering) processes of the product in the sea, altering its behaviour and the intervention techniques;
- the hydrology of the area concerned (rivers, channels discharging into the sea, etc.);
- whether the pollution event is gradual (leaking pipes or wreckage, etc.) or limited and massive in nature, with no further spillage expected;
- the time of year (given the same area impacted, the seasonal variability has a decisive impact on both the environmental and socioeconomic impacts).

### 6.2 Operational procedures

In the fight against oil spills at sea, the actions that best guarantee—in line with the precautionary principle—the environmental and socioeconomic protection of resources at risk are the reduction/elimination of the sources of the spill, containment, and mechanical collection of the pollutant. These actions tend to limit the area affected and possible impact on the coast while minimising the quantities of products that, inevitably, remain in the sea.

Special equipment is used for containment at sea: floating barriers or oil sweeps, which are deployed by the specialised personnel of anti-pollution ships with the aid of mechanical arms and/or small support boats for the correct dynamic positioning in the sea. Collection involves mechanical devices called skimmers (with dropping technology, disk oil, sweeping arms, etc.) or absorbent materials (inert and non-



inert) never packaged in bulk, but always packed in the form of sweeps/cushions/pom-poms/sheets etc. In some cases, due to the product's high viscosity, harvesting may also be carried out using nets or other manual collection means.

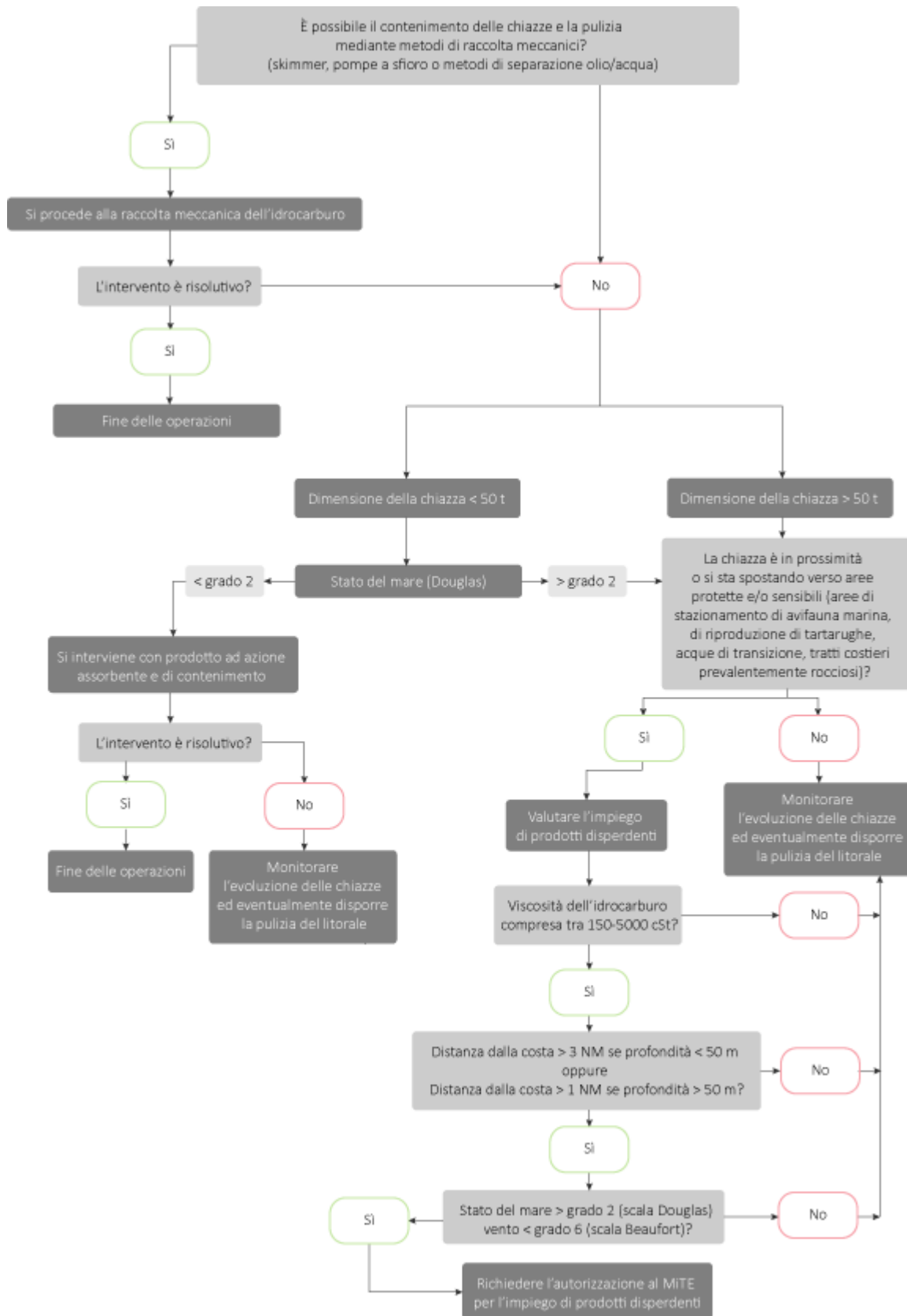
In addition to the characteristics of the spilt product and marine weather conditions, the operational capacities of individual antipollution units depend on the vessel's technical characteristics (shore or deep sea navigation ability, etc.), materials and vehicles available, working time and the storage capacity of the recovered material.

There are other methods of intervention which do not, however, respect the principle of eliminating/reducing the pollutant in the environment. They must be carefully assessed on a case-by-case basis by field experts (e.g. dispersion, in-situ burning, capping, etc.) and approved by the MiTE.

Another operational procedure is to disperse hydrocarbons from the sea's surface into the water column using products with a dispersant action. They interact with the hydrocarbons chemically, performing a surfactant function that fosters the disintegration of particles along the water column but, as a result, prevents their recovery. In Italy, products with a dispersant action are used only as a last resort, when all the other systems of intervention are inapplicable and/or have failed.

In particular, it should be noted that the use of non-inert absorbent products and dispersants (previously subjected to the MiTE approval process, ex DD 25/02/2011) (Annex 4) must be expressly authorised in advance by the MiTE's COIMAR in advance to assess their necessity and effectiveness in the specific case at hand. While the MiTE's decision always depends on the specific scenario, its assessment is based on a flowchart that supports the decision-making process in choosing the best intervention strategies, taking into account:

- the size of the slick;
- marine weather conditions;
- type of area involved and/or threatened;
- the density of the hydrocarbon and its kinematic viscosity, referring to the spilt, not undiluted, product (weathering processes are also considered and thus the time window of the intervention must also be evaluated);
- the depth of the seabed and distance from the coast;
- the impossibility of intervening with other systems.



Decision chart for the choice of the best intervention strategies (from operational procedures adopted by Italy under RAMOGEPO)

The operational procedures of multiple naval units are coordinated by an OSC, who receives guidance on the intervention strategy from the Harbour Master Office Head, in contact and consultation with the MiTE, with the support of ISPRA and RAM.



For more detailed information on the techniques to be used in combating oil pollution at sea, please refer to the “Journal of Environmental Emergencies at Sea n. 1 Oil spills in the sea: Estimation of environmental consequences and assessment of types of intervention”, published by ISPRA and MITE (Annex 9).

## 7. HNS POLLUTION

### 7.1 General information and relevant legislation

This plan may also be activated in the event of spills of other dangerous and noxious polluting substances. The definition of hazardous and noxious substances (HNS) considered in the present plan is that adopted by the Protocol to the Barcelona Convention, “Protocol Concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea”<sup>33</sup> which defines HNS substances as “any substance other than oil which, if introduced into the marine environment, is likely to create hazards to human health, to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the sea”.<sup>34</sup> Under this approach, the definition includes such products as coal, cement, crude minerals, grains and vegetable oils.

In Annex A to Law 979/82 “Substances harmful to the marine environment whose discharge by merchant shipping in the Italian territorial sea is prohibited”, some of the dangerous and harmful substances considered in this chapter are included. Considering the age of that Annex and that new substances are always being transported by sea, the list of HNS to be considered is contained in Chapter 3 of the International Maritime Dangerous Goods Code (IMDG) for those carried in packages and in Chapter 17 of the International Code for the construction and equipment of ships carrying dangerous chemicals in bulk (IBC) for bulk goods, as well as those provisionally authorised in the lists of MEPC.2/circ..

(<https://www.imo.org/en/OurWork/Environment/Pages/ChemicalsReportingForms.aspx>).

In the case of HNS, intervention procedures must be assessed by experienced personnel on a case-by-case basis according to the characteristics of the spilled product, given the large number and different types of HNS handled and their differing behaviour and fate – given their chemical and physical characteristics – upon release into the environment.

Thus sea operations are closely linked to knowledge of the characteristics of individual products and how they interact with each other and with the physical, chemical and ecological context in which the spill occurred. The mode of transportation (in bulk, packages or containers) also impacts their fate at sea. Similarly, the ability to respond locally to different types of HNS, depending on the vehicles and equipment available and identified in the POLs of Harbour Master Offices, is of paramount importance.

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<sup>33</sup> Protocol Concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of The Mediterranean Sea (<https://unep.org/unepmap/who-we-are/contracting-parties/emergency-protocol-prevention-and-emergency-protocol/>)

<sup>34</sup> Art. 1, point c) of the Protocol: “Hazardous and noxious substances means any substance other than oil which, if introduced into the marine environment, is likely to create hazards to human health, to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the sea”.



The Harbour Master POLs must also potentially account for the substances normally transported in their area of competence, Terminal Operation Plans, Port Police and Security Regulations, Fire Plans and/or External Emergency Plans.

Only for those HNS which are comparable to hydrocarbons in terms of their behaviour in a marine environment due to similarities in insolubility, viscosity, density and non-reactivity can the spill be dealt with as described in Chapter 6.

## 7.2 Possible scenarios and types of emergencies

As with incidents involving oil tankers, the main causes of accidents in HNS maritime transport are collisions, grounding, fires, explosions, structural damage, adverse marine weather conditions and operational accidents. As with hydrocarbons, HNS spills in the sea may also originate from other sources than ships, including platforms/pipelines; discharge from the coast (industry, rail or road accidents; leakage from coastal infrastructure). The source may be known or unknown.

The response to pollution at sea by HNS is generally more complex than for oil spills, in both the preparatory stages of the response and field intervention stage. Corrosive, explosive, toxic and/or reactive substances can be spilt and lead to the formation of toxic clouds and vapours that spread through the atmosphere. At sea, the numerous types of HNS have different behaviours and fates: they may dissolve but also float on the surface or in the water column, spread and disperse by currents and turbulence, or even sink and settle on the seabed. Note that it is not uncommon for the spill to involve multiple substances, including hydrocarbons. Compared to pollution at sea involving oil-based hydrocarbons, the release of HNS has two other important characteristics:

- the quantities of pollutants involved are generally lower;
- the risk to human health is often significantly greater. Special attention should therefore be paid to protecting the personnel involved in the intervention and the population at risk.

The tier of emergency and the measures to be implemented vary based on the following considerations:

- the chemical and physical characteristics of the product(s) and any interaction between them;
- quantities spilt;
- characteristics of the source (ship, plant, pipeline, etc.);
- details of the accident (dynamics, location, conditions of danger to the crew, etc.);
- housing/stowage of the product(s) on board and the transport system (in packages, bulk, under pressure, etc.);
- characteristics of the marine and/or coastal area impacted or threatened;
- marine weather conditions;
- the appropriate resources available for the response effort (personnel, materials, personal protective equipment, vehicles).





### 7.3 HNS operational procedures

Based on the quantities of HNS moved within their area of jurisdiction and possible coastal sources (industries, infrastructure, etc.), the Harbour Master Office Head includes in the POL:

- general operational guidance, considering that the leakage of HNS into the sea may be characterised by extreme danger, with possibilities including explosions, fires and toxic fumes and concentrations, in the form of gaseous clouds (in air) or diluted mixtures (in water) may impact vast areas. The adoption of special measures to protect human health and the environment is a priority;
- operational recommendations of a specific nature taking into account routes, any other identified coastal sources, forecasts contained in other emergency plans (if any), and available resources, vehicles and equipment, in order to identify the most appropriate type of intervention.

Specifically, the following resources may be employed for these purposes:

locally:

- available technical information (SDS, labelling, etc.) indicating the risk classifications and the physical and chemical characteristics of the products;
- port chemists;
- the provincial command of the fire brigade;
- the competent regional environmental protection agency – SNPA;
- research institutes and universities operating in the area of jurisdiction;
- representatives of HNS-producing companies ;
- other institutions or professionals identified for this purpose, including on the basis of local geographical and production characteristics.

centrally:

- the MiTE's national databases;
- human and instrumental resources of the Harbour Master Corps – Coast Guard (ex. medical analysis laboratories and mathematical models, etc.);
- National Fire Brigade
- ISPRA-SNPA;
- the international databases of EMSA and REMPEC (MIDSIS TROCS 4.0);
- EMSA'S MAR-ICE system;
- the guidelines available on the institutional websites of EMSA, REMPEC and ISPRA (SINAnet, <http://www.sinanet.isprambiente.it>).

With all the information available, the following actions should be considered when planning operations:

- take all appropriate precautions to protect the safety of the intervention teams and operators, who must strictly observe the relevant safety rules;
- ensure the safety of all those who may be hit or even threatened by toxic and/or explosive clouds, vapours and fumes;
- eliminate/block leakage of the pollutant;



- define and safely contain polluted areas and the spillage of products;
- contain/remove/neutralise HNS spilt into the environment;
- prohibit/restrict navigation and any other activity in the area impacted by the accident and/or in the area likely to be impacted by the event (water collection for desalinators or other industrial use);
- take measures to prohibit all fishing and fishing-related activities in areas where the products float, dissolve or sink, even in part;
- conduct frequent environmental samples in the sectors concerned (air, water, *biota*, seabed, coast).

For possible HNS recovery activities, it is crucial to identify – based on the information provided by expert personnel for the spilt substance(s) – the entities (public or private, national or international) that, given the abilities demonstrated by activities already previously out, provide the greatest guarantee of a good result and the safety of the staff employed. The choice must also be made taking into account the recommendations of national (MiTE, Fire Brigade, COGECAP, ISPRA) and local authorities (ARPA, Port Authority, Port Chemist).

For further information on the operational arrangements to be followed in the event of a maritime accident involving HNS, please refer to the manuals and links in Annex 9, in particular:

- “Journal of Environmental Emergencies at Sea no. 3 Chemical pollution by HNS (Hazardous and Noxious Substances) in the sea”, published by ISPRA and MiTE;
- “Marine HNS Response Manual”, published by ITOPF, CEDRE and ISPRA as part of the WEST MOPoCo project co-financed by the European Commission – DG-ECHO.

## 8. AVAILABLE EQUIPMENT

For activities to combat and prevent oil and HNS pollution, the national pollution response system consists of the vessels, materials and/or equipment:

- made available by the MiTE through a special convention, if it exists;
- belonging to the Coast Guard and Navy.

The MiTE’s national anti-pollution system may also be supplemented by vehicles, equipment and materials:

- from other government administrations;
- EMSA;
- countries that are signatories to international agreements;
- privately owned, requisitioned by the Harbour Master Office Head;
- of the concessionaires that manage oil platforms.

### 8.1 Vehicles and facilities available to the MiTE

The MiTE’s national anti-pollution system is ensured by the support provided by the winner of a European call for tenders, which guarantees the MiTE an affiliated service that includes naval vessels, trained personnel and warehouses for the storage of equipment and materials.

The service consists of fully equipped offshore and coastal units, some of which may be used in patrol programs of, for example, oil platforms and marine litter collection. Others remain in their ports of deployment



throughout the country, at the disposal of the MiTE 24/7 for 365 days per year. (Annex 11)

The deployment of antipollution units is decided on the basis of the technical and operational characteristics of the anti-pollution units, port logistics, as well as the Oil Spill Index prepared by ISPRA based on maritime traffic data provided by COGECAP and the vulnerability of the national coasts from both an environmental and socioeconomic point of view. RAM and COGECAP also participate in assessments for the deployment of pollution control units, as defined by COIMAR.

The MiTE can identify additional ways and procedures for supporting the Harbour Master Office Heads to make antipollution vehicles and resources available, as permitted by law. (e.g. use of specialised units in debt recognition).<sup>35</sup>

## 9. COMMUNICATION AND EXTERNAL RELATIONS

### 9.1 Communication

Communication is a key issue in the case of environmental risk, whether for minor or moderate-level pollution or severe or very severe pollution. External communication procedures are therefore evaluated as a function of the extent of the hazard, significance of the event and type of impact on the sea, coastal areas and ecosystems in general.

External communications must be clear, precise, concise and consistent, avoiding as far as possible difficult-to-understand technical terms, and must be managed by a single source of information - the institution in charge, spokesperson, press office director - in order to avoid the overlap of contradictory, confusing or incomplete information, including on social media.

Coordination among the various stakeholders involved in the operation is essential for effective and consistent communication. In addition, regular reporting is required, not only during the most critical stages of the emergency but also in subsequent ones, in order to ensure the continuity and completeness of information about the event. Partnership with other stakeholders – including law enforcement agencies, the judiciary, state bodies, local authorities, environmental associations and citizens' committees – should be taken into account in communicating risk in order to avoid misleading news.

### 9.2 Media Relations

The institution's spokesperson also communicates officially through press conferences and releases. For Tier 1 events, the competent authority to communicate with the media is the Harbour Master Office Head or their delegate; for Tier 2, it is the MiTE (which may delegate or use COGECAP or representatives of the Harbour Master Office concerned by the event). For Tier 3, it is designated by the DCP.

Experts from research organisations involved in the operation may provide scientific advice agreed upon in advance with the head of operations and the head of communication/external relations. In order to ensure the

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<sup>35</sup> See art. 10 et seq. Law no. 979 of 31 December 1982



completeness of information about the event, the information provided to the press should be enriched with photos, videos, data and graphics.

It is important to plan a targeted communication strategy, tailoring it from time to time to new contingencies. Good communication can contribute to more effective emergency management.

## 10. EXERCISES AND TRAINING

### 10.1 Exercises

The organisation and periodic execution of marine oil and HNS anti-pollution exercises are essential to verifying:

- the emergency alert system;
- the effectiveness of the POLs, the present plan and the anti-pollution plans of international agreements;
- the coordination of intervention and rescue units;
- the effectiveness of communication;
- the preparation and coordination of the institutions involved;
- the operational readiness and professionalism of the crews;
- the efficiency and effectiveness of the vehicles, technology and equipment used.

Each of the fleet's anti-pollution units with an agreement with the MiTE must periodically conduct a technical exercise at sea to check the functioning of vehicles and equipment under the supervision of the territorially competent Maritime Authority, which shall, at the end of the operations, transmit the report to COIMAR. These exercises do not provide for the application of the POL or the present plan.

During the yearly POLLEX exercises – developed by COGECAP on behalf of the MiTE, with the support of RAM – every Harbour Master Office (or Maritime Directorate when more than one Harbour Master Office is involved) organises complex exercises<sup>36</sup> to enact the POLs and/or this plan. The exercises engage the vehicles and personnel of the institutions and administrations provided for in Chapters 5.2 and 5.3 (Tier 1 and 2 emergencies).

International exercises aimed at improving the coordination of responses among countries with different emergency planning and management are of particular importance.

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<sup>36</sup> The exercises known by the acronym POLLEX are complex anti-pollution operations, in which personnel from the participating Harbour Master – Coast Guard join in with naval units of the affiliated company, which operates on behalf of the MiTE. On this occasion, military personnel from the participating Harbour Master or Maritime Directorate board the affiliated mean and, together with the military personnel on COGECAP vessels, simulate polluting events to verify the proper functioning of the anti-pollution equipment and emergency preparedness of the crews.

Various scenarios of impending danger – such as the emergency ditching of an aircraft off the coast and resulting leakage of aircraft fuel – are periodically simulated to test the operational readiness and response to such events of all stakeholders. In fact, in addition to the Coast Guard, the Air Force, Carabinieri, Finance Police, Local Police, Civil Protection, ISPRA, ARPA-SNPA, Red Cross and (occasionally) volunteer associations often participate as well. Dealing with scenarios parallel to that of the complex exercise requires the organisation of complex services for sea rescue, ground management and coastal environment protection, to be activated as the emergency evolves. It thus requires constant monitoring, by means of periodic exercises, of the level of operational readiness of the competent authorities and the actual response capacity of anti-pollution resources.



Italy (MiTE) and France alternately organise a complex anti-pollution exercise each year under the RAMOGE agreement. The exercise entails the deployment of the aircraft and naval assets of the RAMOGEPol signatory countries to verify the agreement.

In the complex national and international exercises organised by the MiTE or CONGUARCOST, the participation of local authorities, the CPD and, when deemed appropriate, international bodies that can play a role in major emergency response activities – such as EMSA, REMPEC, and IOPC Funds – is advantageous. External observers, including from third-party countries, may be involved to encourage the exchange of the good practices and information needed for cooperation and the fight against oil and HNS pollution.

In certain cases, the parties may agree to carry out the exercises without employing vehicles, concentrating exclusively on reporting systems and tabletop exercises to coordinate and verify the efficiency of communication channels.

The MiTE also participates with its own RAM and/or ISPRA staff in marine pollution exercises organised at the European level by EMSA and at the Mediterranean level by REMPEC.

## 10.2 Training

The MiTE organises training and refresher courses for its personnel and the civil and military staff of other authorities and administrations involved in the management of antipollution emergencies. It also encourages participation in the training and refresher courses of national and international organisations.

To support training efforts, the MiTE has commissioned ISPRA to publish the “Journal of Environmental Emergencies at Sea”, which explores in-depth the various aspects of an oil or HNS spill in the sea. These journals are to be considered national guidelines for operational responses at sea caused by these products. References are provided in Annex 9.

## 11. LANGUAGE, REVIEW AND AMENDMENTS

The present plan is drafted in Italian and English and published, following its approval, in the Official Gazette of the Italian Republic and on the MiTE website.

Revision of the present plan is subject to regular review at least every five years by DG PNM and through the establishment of a working group comprised of competent authorities and administrations. The results of each review conclude in the drafting of an act motivating any changes to the plan or its invariance.

DG PNM reserves the right to move up such a review if deemed necessary.

In the interval between revisions, when deemed necessary by DG PNM – including on the advice of the authority involved in drafting the current plan – updates to the plan may be made, after obtaining the



opinion of any entity responsible for the subject of the amendment.

The revised/updated version will be sent to all entities in the working group set up for the latest revision of the MiTE Plan and circulated to the Harbour Master Offices via RAM. This updated version, simultaneously translated into English, is sent to EMSA and REMPEC and published in both languages on the MiTE website.

Any update to the Annexes, where non-substantial formal and technical amendments are subsequently introduced, will be published exclusively on the MiTE website. DG PNM will inform all stakeholders of the updated Annexes to the present plan.

## 12. DEFINITIONS

**HIGH SEAS:** Open seas, specifically those that do not fall under any national jurisdiction (Montego Bay Convention, 1982)

**AREA OF COMPETENCE OF THE HARBOUR MASTER OFFICE HEAD:** Area enclosing ports, natural harbours, coastal areas and territorial seas laterally, between the boundaries of the Harbour Master Office, and externally, in a 12-mile range from the baseline. This so-called area of competence extends beyond the aforementioned limit to the Ecological Protection Zone (EPZ) established pursuant to Law no. 61 of 8 February 2006, in which Maritime Authorities retain responsibility for supervision, ascertaining infringements and applying the penalties provided for in accordance with the combined provisions of articles 4 and 5 of the above-cited DPR 209/2011, based on the provisions of the legislative decrees no. 202 of 6 November 2007, implementing Directive 2005/35/EC; and no. 205 of 9 November 2007, implementing Directive 2005/33/EC.

**MARINE PROTECTED AREAS:** areas established pursuant to laws no. 979/82 and 394/91; they consist of marine environments, waters, seabed and coastal stretches that are of significant interest due to their natural, geomorphological, physical and biochemical characteristics, particularly in terms of marine and coastal flora and fauna; and to their scientific, ecological, cultural, educational and economic importance. They can also be constituted by a marine environment with significant historical, archaeological, environmental and cultural value.

**DESIGNATED MARITIME AUTHORITY:** the Harbour Master Office Head or Maritime Director to whom is delegated the operational direction and coordination of activities in response to oil or HNS pollution in the sea. They are appointed by COGECAP – CONGUARCOST in consultation with the MiTE (Annex 7).

**HARBOUR MASTER OFFICE HEAD:** Authority defined by art. 16 et seq. of the Code of Navigation and charged with carrying out the tasks laid down in Law no. 979 of 31 December 1982 and as the competent authority for the reception of ships requiring assistance pursuant to art. 20 of D. Lgs no. 196 of 19 August 2005, as amended by D. Lgs no. 18 of 16 February 2011.



**CAPPING:** a technique used to cover a sunken pollutant with an inert, waterproofing material that prevents or reduces its contact with the marine environment.

**NATIONAL MARITIME RESCUE COORDINATION CENTER (MRCC):** Centre charged with ensuring the effective organisation of search and rescue services and coordinating search and rescue operations in a search and rescue area.

**MARITIME RESCUE SUB CENTRE (MRSC):** A centre that is subordinate and complementary to the national rescue coordination centre, in accordance with the specific provisions of the responsible authorities.

**NATIONAL CIVIL PROTECTION OPERATIONAL COMMITTEE:** a joint body convened by the Head of the Civil Protection Department to ensure the coordination of the interventions of members and operational structures of the national service in the event of emergencies of national importance and natural or man-made disasters, including impending ones. The Operational Committee is introduced in article 14 of Dlgs n.1/2018, the Civil Protection Code, and regulated by decree by the President of the Council of Ministers.

**COMMON EMERGENCY COMMUNICATION AND INFORMATION SYSTEM (CECIS):** IT platform allowing for the communication and exchange of information between the ERCC and the national points of contact of member states.

**PORT CHEMIST:** professional authorised to work in the port sector, mainly to assist the shipbuilding and maritime transport industries by carrying out inspections aimed at preventatively assessing the risks associated with repair and maintenance work to be carried out onboard ships and with the transport of goods.

**CONTAINMENT:** operation carried out by arranging floating barriers or spinnaker pole-barrier complexes, aimed at containing the contamination slick and facilitating subsequent removal operations.

**COAST:** for the purposes of this plan, the section of territorial land where, by tidal, skid or storm action, polluting product spilt into the sea may arrive.

**ENVIRONMENTAL DAMAGE:** any significant and measurable deterioration, direct or indirect, of a natural resource or the utility ensured by it, as specified in art. 300 of D. Lgs 152/2006.

**MARITIME DIRECTOR:** authority responsible for the maritime area, as provided for in articles 16 et seq. of the Navigation Code.

**OPERATIONAL DIRECTION:** the authority delegated to deploy the forces assigned to defend against oil or HNS pollution in a specific area of intervention (e.g. at sea, on land, specified territorial area, etc.).

**STRATEGIC DIRECTION:** the unified conduct of all activities, at the central level, on land and at sea, aimed at protecting against oil or HNS pollution.



**COMPLEX EXERCISE:** an exercise involving authorities and forces in the field that depend on a number of public and private, national and international actors by involving people and means in real-world scenarios in order to test the emergency procedures provided for in plans as well as the coordination and communication among the actors involved.

**EUROPEAN RESPONSE AND COORDINATION CENTER (ERCC):** Emergency Response Coordination Centre, under the Union Civil Protection Mechanism.

**HAZARDOUS AND NOXIOUS SUBSTANCES (HNS);** Any substance other than oil which, if introduced into the marine environment, is likely to create hazards to human health, to harm living resources and marine life, to damage amenities or to interfere with other legitimate uses of the sea. (ex art. 1 Protocol on cooperation in the prevention of pollution from ships and, in the event of a critical situation, in combating pollution of the Mediterranean Sea. Official Gazette no. L 261 of 06/08/2004, p. 0041 – 0046).

**FACILITY:** fixed or mobile structure, or a combination of structures permanently interconnected by bridges or other structures, used for or connected to offshore oil and gas activities. Facilities include mobile oil platforms only when these are stationary at sea for drilling, production or other activities related to offshore oil and gas operations;

**IN-SITU BURNING:** a technique that involves the voluntary combustion of floating hydrocarbons to remove the pollutant from the sea surface.

**MARINE POLLUTION:** direct or indirect introduction by humans of substances or energy into the marine environment that causes such harmful effects as damage to living resources; risks to human health; obstacles to maritime activities, including fishing; deterioration of water quality for seawater use and loss of attractions (SOURCE: Group of Experts on the Scientific Aspects of Marine Pollution – GESAMP).

**PLACE OF REFUGE:** a port or part of it or other protected anchorage or mooring place or other sheltered area selected to accommodate a ship in need of assistance.

**SHIP IN NEED of ASSISTANCE:** ship in a situation which could lead to its shipwreck or to danger to the environment or navigation (subject to the provisions of the SAR Convention on the rescue of persons).

**ON-SCENE COORDINATOR (OSC):** the commander of the military unit, or from other state bodies or administrations, to whom the Harbour Master Office Head or designated Maritime Authority delegates responsibility for the tactical direction of operations at sea.

**CPD PLAN:** National emergency response plan to protect the sea and coasts from pollution by oil or other dangerous and noxious substances; drafted by the Civil Protection Department, 2022 Edition

**MiTE Plan:** Emergency response plan to protect the sea and coasts from pollution by oil and other dangerous and noxious substances; drafted by the Ministry of Ecological Transition – MiTE, 2022 Edition.





**LOCAL OPERATIONAL PLAN (POL):** Operational plan for local emergency responses to pollution drawn up, in agreement with the local authorities/bodies concerned, and adopted by the Harbour Master Office Head in accordance with the provisions of Law no. 979 of 31 December 1982 and the guidance of the MITE DG PNM.

**SHIP REPORTING:** data stream used to provide, collect or exchange information through radio services to provide data for a variety of purposes, including search and rescue, ship traffic services, weather forecasting and prevention of marine pollution, as defined in IMO Resolution A851(20).

**REMOVAL:** operation that can be performed either mechanically (by means of a skimmer) or manually (using absorbent materials). In the case of vessel lightening, the extraction of hydrocarbons from the tanks of other units is carried out using suction pumps.

**VESSEL TRAFFIC MANAGEMENT AND INFORMATION SYSTEM (VTMIS):** integrated system of monitoring and managing maritime traffic and emergencies at sea at the disposal of competent authorities as defined in point (n) of paragraph 1 of art. 2 of Dlgs no. 196/2005.

**WEATHERING:** the term refers to the discharge of hydrocarbons into the sea and refers to the ageing process induced by physical, chemical and environmental agents, which manifests itself in a change in the chemical composition and volume of spilt products (for further information: ISPRA Journal No. 5 The assessment of coastal contamination following oil spills, Annex 9).

**COASTAL AREA:** area of sea adjacent to the coast, where anti-pollution vessels and marine vehicles appropriate for containment and mechanical recovery operations can operate.

**EXCLUSIVE ECONOMIC ZONE (EEZ):** sea zone surrounding and adjacent to the territorial sea, which can extend up to 200 miles from the baselines from which the width of the territorial sea is measured, as defined in the United Nations Convention on the Law of the Sea, enacted in Italy by Law no. 91 of 14 June 2021.

**MARITIME ZONE:** administrative subdivision of the Italian coast; this is the area of competence of the Maritime Directorate, a peripheral office of the Ministry of Infrastructure and Transportation headed by the Maritime Director.

**ECOLOGICAL PROTECTION AREA (EPZ):** areas of particular sensitivity within the area of sea stretching from the outer boundary of the territorial sea to the limits determined on the basis of agreements with the states concerned, as defined by the United Nations Convention on the Law of the Sea (UNCLOS), enacted in Italy by Law no. 61 of 8 February 2006 (Annex 10).



## 13. ANNEXES

**Annex 1** - POLREP (1-A, 1-B, 1-C)

**Annex 2** - Designation of the On-scene Coordinator (O.s.C.)

**Annex 3** - Injunction form for the owner or commander of the vessel or plant responsible

**Annex 4** - Authorised non-inert and dispersant absorbent products

**Annex 5** - Areas of high intrinsic value

**Annex 6** - Declaration of local emergency format (Tier 2)

**Annex 7** - Appointment of designated Maritime Authority

**Annex 8** - Extract of the annexes to the RAMOGEPol Emergency Plan of the RAMOGE International Agreement

**Annex 9** - ISpra emergency at sea journals and the Marine HNS Response Manual

**Annex 10** - Map of Italian EPZs

**Annex 11** - Map of affiliated units

**Annex 12** – Contacts.