

MANAGING INTERVENTIONS IN CASE OF SUDDEN POLLUTION IN THE ADRIATIC SEA

(March 2021)

SUMMARY

The SAO conducted a performance audit of Managing interventions in case of sudden pollution in the Adriatic Sea. In this audit we cover period from 1 January 2017 to 31 December 2019. The audit was a part of the international parallel audit involving Supreme Audit Institutions of all countries along the Adriatic coast (Albania, Bosna and Herzegovina, Italy, Montenegro, Slovenia and Croatia).

Auditees were the Ministry of the Sea, Transport and Infrastructure, Primorsko-goranska County and Splitsko-dalmatinska County.

The subject of the audit were the activities of planning, organising, handling and reporting on conducted activities of managing interventions in case of sudden pollution in the Adriatic Sea. Managing interventions in case of sudden pollution in the Adriatic Sea implies implementation of procedures and measures for forecasting, prevention, restriction and preparedness to react in case of sudden marine pollution.

The objectives of the audit were to check the legislative framework and to organise management of marine pollution interventions, to assess the effectiveness of the system when managing marine pollution interventions and to verify the actions of competent authorities in cases of marine pollution interventions.

The competent authorities participating in the implementation of the Intervention Plan for sudden marine pollution (Official Gazette 92/08) (hereinafter referred to as the National Intervention Plan) are: the Headquarter, the National Center for Coordination of Search and Rescue at Sea with its headquarters in Rijeka (hereinafter referred to as the National Centre - MRCC) and the county operational centres.

The Headquarter is the body responsible for the implementation of the procedures and measures for forecasting, preventing, limiting, preparedness for reacting according to the National Intervention Plan and the sub-regional intervention Plan for the prevention, preparedness for and response to sudden higher-scale pollution of the Adriatic Sea (hereinafter referred to as the Sub-regional plan).

The National Headquarter is the body responsible for operational functioning of Headquarter and coordination of Headquarter and county operational centres in case of sudden sea pollution in the Republic of Croatia. Its main tasks are operational activities according to the National Intervention Plan and coordinated action according to county Intervention plans. The National Centre – MRCC coordinates and operational activities are taken over by the County Operational Centre of Primorsko-goranska County for the area of Istria, Primorsko-goranske County, Ličko-senjske i Zadar County, i.e. the County Operational Centre of Splitsko-dalmatinska County for the area of Šibensko-kninske County, Splitsko-dalmatinske and Dubrovačko-neretvanske County.

County Operational Centre is the body responsible for the implementation of procedures and measures for forecasting, prevention, limiting, preparedness for and response according to the County Intervention Plan and for operational participation in the implementation of the National Intervention Plan and the Sub-regional plan.

The most important problems of environmental protection and sustainable development of the Croatian part of the Adriatic are: lack of devices for the purification of urban and industrial waste waters, sudden and operational marine pollution from maritime facilities, accidents in the transport and transshipment of oil and oil products, problem of introduction of foreign marine microorganisms and pathogens into the marine environment (ballast waters), fishing and overfishing of fish stocks and excessive construction in the coastal area.

Measures to prevent and limit the risk of marine pollution shall include: the identification, reduction and elimination of the risk of marine pollution. Reaction procedures and measures to reduce damage to the marine environment include procedures and measures related to notification and action in accordance with the National Intervention Plan and county Intervention Plans and the Sub-regional plan. The National Intervention Plan envisages the implementation of emergency measures in case of marine pollution emergencies, namely in case of oil spillage and/or oil mixture, contamination with dangerous and harmful substances and in case of an extraordinary natural event in the sea for which priority areas have been determined in the implementation of the National Intervention Plan, cessation of action and documentation on actions in accordance with the National Intervention Plan. Funds at the national level for the implementation of the National Intervention Plan are planned for the activities of the Ministry of the Sea, Transport and Infrastructure. From 2017 to 2019 The Ministry has incurred expenditures for the implementation of this plan in the amount of HRK 3,911,780.00. Expenditures for the purpose of implementing the Intervention plan for sudden marine pollution in the Primorsko-goranska County from 2017 to 2019 were realised in the amount of HRK 6,452,411.00 and in the Splitsko-dalmatinska County in the amount of HRK 4,470,617.00.

The criteria for expressing the assessment of effectiveness were:

- whether the legislative framework for the protection and preservation of the marine environment and the prevention and removal of pollution has been established
- whether the management system for interventions in case of sudden pollution of the Adriatic Sea is organised at the state level and at the county and operational levels
- whether the financing of the intervention management system for sudden pollution of the Adriatic Sea is regulated in a satisfactory manner
- whether the action of the competent authorities in the event of sudden pollution of the Adriatic Sea is effective

Based on the audit of the established facts, applying the established criteria, the SAO assessed that the Ministry of the Sea, Transport and Infrastructure, Primorsko-goranska County and Splitsko-dalmatinska County have, in accordance with the regulations, established responsible bodies (Headquarter, National Centre - MRCC and County operational centres) and are undertaking activities related to the implementation of the procedures and measures of anticipation, prevention, restriction and preparedness to react to sudden pollution of the Adriatic Sea. The Republic of Croatia has regulated normatively and organizationally the intervention management for sudden pollution of the sea, whereby it is necessary to harmonise the provisions of the National Intervention Plan with the Act on Amendments to the Maritime Code (Official Gazette 17/19).

However, certain weaknesses of the system relating to the lack of equipment and lack of qualified persons in the management of intervention in the case of sudden pollution of the Adriatic Sea with fuel in the Raška Gulf in 2018 have been identified.

It has been established that County Intervention Plans of Primorsko-goranska County and Splitsko-dalmatinska County are not activated for smaller marine and ship accidents, but the competent operational centres are successfully implementing pollution control interventions in their area and the remediation of small-scale marine pollution as well as the prevention of potential shipwrecks.

Following the above, the SAO assessed that the managing interventions in case of sudden pollution in the Adriatic Sea is **under the jurisdiction of Primorsko-goranska County and Splitsko-dalmatinska County and certain improvements are necessary, because** certain omissions have been identified which do not significantly affect the managing interventions in case of sudden pollution in the Adriatic Sea.

Managing interventions in case of sudden pollution in the Adriatic Sea under the jurisdiction **of the Ministry of the Sea, Transport and infrastructure, the SAO considers partially effective**, because the National Intervention Plan does not comply with the amendments to the Maritime Code, the Republic of Croatia does not have sufficient equipment to prevent and limit pollution of the sea of a larger extent, the education programme is not organised in such a way that there is a company or institution that implements the accredited training programme, the list of legal entities and craftsmen registered and authorised to implement intervention measures is not updated, ie removal of consequences caused by sudden pollution of the sea and coast and their equipment and assets with lists of County operational centres and the National Intervention Plan does not clearly define responsibilities and tasks of staff members.

Audit findings

The audit identified shortcomings in the area of normative regulation of protection and preservation of the marine environment, financing of managing interventions systems in case of sudden pollution of the Adriatic Sea and actions of competent authorities in case of sudden pollution of the Adriatic Sea.

16 recommendations and seven opinions related to the legislative framework, Managing interventions system and procedures and reporting on conducted operations for managing interventions in case of sudden pollution in the Adriatic Sea were given to address identified deficiencies and omissions to auditors:

- The National intervention Plan shall establish the manner and conditions of professional training and professional training programmes for participants in the implementation of procedures and measures, the manner and conditions of equipping and using material, technical and other means, the manner and conditions of implementation of procedures and measures in offshore hydrocarbon exploration and exploitation, and the manner of maintaining order and safety in interventions.

- Determine in the National intervention Plan how concessionaires of special-purpose ports and port administrations should participate in the implementation of the National intervention Plan, given that according to the provisions of the Maritime Code they are obliged to take measures without delay in order to prevent the spreading of pollution and eliminate pollution.
- Regularly update the list of legal entities and craftsmen registered and authorised to implement intervention measures (removal of consequences caused by sudden marine and coastal pollution) and their equipment and resources with lists of county operational centres.
- National Intervention Plan defines a lower range (less than 2 000 m³) of different oil into the sea for the activities of County operational centres according to County intervention plans according to needs and possibilities.
- In cooperation with the Ministry of Defence, establish the necessary equipment for the operation of the Coast Guard in the prevention and containment of marine pollution in the ZERP area and, where appropriate, in the territorial sea and inland sea waters.
- To acquire and/or rent equipment and vessels that will be available in case of sudden pollution of the smaller and larger seas.
- The National intervention Plan and County intervention plans shall prescribe a graduated action procedure and maintain a log of the course of action for all marine pollution.
- Ask County operational centres to assess the extent of sea pollution for each sudden sea pollution and publicly publish the data on the County's website.

The SAO is of the opinion that the implementation of these recommendations would bring improvements related to the harmonisation of the provisions of the National Plan of interventions with the Maritime Code, the establishment of clearer responsibilities and tasks of staff members and county operational centres, increased ability to manage large scale pollution interventions, a more harmonised register of legal entities and tradesmen and their equipment and resources, i.e. current availability and regular maintenance of equipment, engagement of experts and education of persons involved in decision-making and implementation of measures to prevent and limit marine pollution according to the program accredited by the competent authority, which would increase efficiency in managing interventions in case of sudden marine pollution in Republic of Croatia.