

BELGIUM

SPILL NOTIFICATION POINT

Two spill notification points (Coastguard Centres):

Maritime Rescue and Coordination Centre (MRCC)
Maritiem Plein 3
B-8400 Ostend

Tel: +32 59 701 000/100
(emergencies only)
+32 59 34 10 20 (gen.)
Fax: +32 59 70 36 05
E-mail: mrcc@mrcc.be

Maritime Security Centre (MIK)
Graaf Jansdijk 1
B-8380 Zeebrugge

24 hr Tel: +32 2 443 03 50 (or 51)
Fax: +32 2 443 96 58
E-mail: mik@mil.be

COMPETENT NATIONAL AUTHORITY

Federal Public Service Environment (marine pollution)
DG Environment – Marine Environment
Place Victor Horta 40
B-1060 Brussels

Tel (office hrs): +32 2 524 99 41
24 hr Tel (via MIK): + 32 2 443 03 50/51
Fax (office hrs): +32 2 524 96 43
Fax (24hr, via MIK): +32 2 443 96 58

RESPONSE ARRANGEMENTS

Alerting procedures – role of Coastguard Centres

Two distinct Coastguard Centres have recently been established, the Maritime Rescue and Coordination Centre (MRCC Ostend), under the responsibility of the Flemish Region and the Maritime Security Centre (MIK) within the Naval Operations Command, operated by the Ministry of Defence on behalf of the federal authorities. Both centres work closely together but cover distinct fields:

1. The MRCC in Ostend has a coordinating role in the field of search and rescue and maritime safety, and acts as the operational contact point for Belgium under IMO. Upon receiving a maritime distress message of (the risk of) serious marine pollution, the MRCC will immediately inform the MIK and alert other services following procedures laid down in the national contingency plan (NCP) for the North Sea called “General Emergency and Intervention Plan (GEIP) North Sea”¹ and related operational intervention plans.
2. The MIK (within the Naval Operations Command) at Zeebrugge supports and coordinates the actions of the various competent authorities in the field of law enforcement, maritime security, environmental response, and acts on behalf of Belgium as National Contact Point under the Bonn Agreement, an international agreement by North Sea coastal states and the European Community to offer mutual assistance and cooperation in combating marine pollution. International marine pollution reports (POLREPs or flight reports) from Bonn Agreement Contracting Parties received by the MIK are passed on to the MRCC and to the various competent national authorities involved, in particular the DG Environment and the Management Unit of North Sea Mathematical Models (MUMM, OD Nature, Royal Belgian Institute for Natural Sciences).

Incident Management and Response

¹ In Dutch: “Algemeen Nood- en Interventieplan (ANIP) Noordzee”.

BELGIUM

National responsibility for dealing with marine pollution incidents at sea is a federal competency which primarily rests with the federal Minister who is in charge of marine environmental matters. In case of an environmental emergency at sea, the DG Environment (Federal Public Service Health, Food Chain Safety and Environment) will act on the Minister's behalf and will initiate and coordinate response activities.

In the case of a major incident at sea, including severe marine pollution incidents, the NCP (GEIP North Sea) is activated. The NCP stipulates the general structure of intervention and response. The NCP is independent of the type of incident or threat: it defines the organisation of a multidisciplinary intervention structure to the various emergency situations and incidents that may happen at sea and which require coordination or management from the Belgian authorities, such as maritime safety incidents, SAR and medical evacuations, and marine pollution (by oil and other harmful substances). Specific operational plans have been developed on oil pollution combating at sea and on the shoreline, and also for oiled seabirds, which form the basis for Belgium's preparedness for response to marine (oil) spills. The Governor of the Province of West-Flanders acts as overall coordinator of this NCP.

The general structure of the NCP consists of two coordinating bodies (see Fig.1):

- The Command Post Operations or CP-OPS, established at the MRCC Ostend, which ensures operational coordination and is under the operational lead of a Director of the CP-OPS, the Dir-CP-OPS (in most cases being the Nautical Director of the MRCC);
- The provincial Coordination Committee (CC-PROV), which can be established at the MRCC Ostend or at the Provincial Crisis Centre in Bruges, and which ensures overall crisis management under the coordination of the Governor of West-Flanders.

Besides containing this dual crisis structure, the NCP is also a multidisciplinary plan for the sea, in line with the general structure of emergency plans in Belgium. Each of the five disciplines (see Fig.1) consists of a functional package of intervention tasks that are executed by different services, under the operational lead of a discipline director. A specific plan has been developed for each discipline:

- D1 covers Assistance Operations at sea. The tasks and duties of D1 cover more specifically SAR-, safety- and environment (pollution response) related interventions. In the case of a large-scale accidental marine pollution event, it can be decided to create an extra 'Evaluation and Planning' cell under this discipline.
- D2 covers urgent medical interventions.
- D3 covers police interventions at sea.
- D4 covers the organisation and activation of logistical support.
- D5 deals with the communication of information and directives to the public and media in an emergency situation (PR/Media). This task is coordinated by the Governor's services.

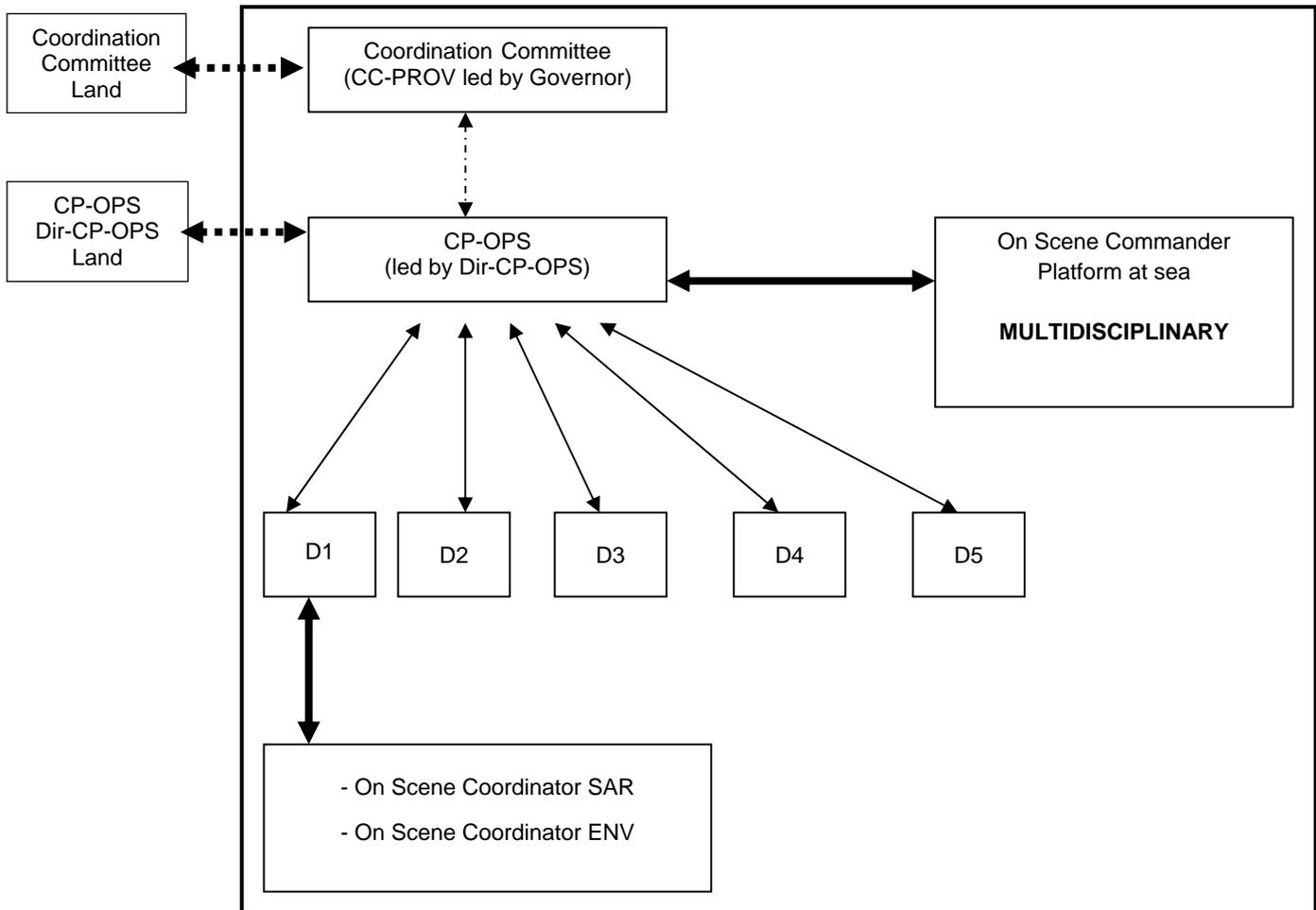
The activation of a discipline or of the operational coordination level (CP-OPS) does not automatically lead to the start-up of the crisis management level (CC-PROV). Different phases of intervention are possible depending on the scale, nature and complexity of the incident:

- A monodisciplinary intervention (only 1 discipline activated);
- A multidisciplinary intervention with activation of the operational coordination level, with CP-OPS and 2 or more disciplines activated thereunder; or
- A multidisciplinary intervention with activation of the dual crisis structure, with all activated disciplines represented within both coordinating bodies, CP-OPS and CC-PROV.

In case of a marine pollution incident, national authorities that will be activated and represented within the dual crisis structure of the NCP are, amongst others, the DG Environment, the Navy, MUMM-OD Nature, the Civil Protection, DG Shipping and various Flemish Region services. *Figure 1: Overall organisational structure as defined in the NCP (GEIP North Sea).*

General Emergency Intervention Plan "NORTH SEA"

BELGIUM



At sea, the On Scene Commander or OSC of the Ministry of Defence (Navy) ensures the multidisciplinary coordination of operations (see Fig.1), acting under the operational control and instructions of the Dir-CP-OPS and assisted by technical experts. The OSC organises coordination and communication on site and supervises the execution of instructions given by the Dir-CP-OPS. The OSC can be assisted by an 'On Scene Coordinator SAR' and an 'On Scene Coordinator ENV' for the specific coordination of SAR and pollution response operations respectively. In the case of a marine pollution scenario with a multinational response in the Belgian marine areas, the OSC fulfils the function of Supreme On-Scene Commander (SOSC), in line with Bonn Agreement procedures and arrangements.

Under the umbrella of the NCP, several additional operational sub-plans (such as Belgium's 'operational intervention plan for oil spill response') describe the more practical aspects of the operational cooperation and joint response actions in more detail. At operational level, the DG Environment owns the Belgian stockpile of pollution combating equipment and is responsible for its deployment (both mechanical recovery and dispersants). It is assisted by the MUMM-OD nature (for surveillance, scientific evaluation, modelling and monitoring, and authorisation of dispersant use), the Civil Protection² (trained response personnel and logistics for coastal protection and clean-up), the Navy (communications, trained response personnel and sea-going support) and the Flemish region (communications and sea-going support).

² The government decided in 2017 to significantly reduce the size and role of the Civil Protection in Belgium. Operational tasks such as coastal clean-up and logistic support may therefore in future be handed over to regional fire brigades.

BELGIUM

Port authorities are responsible for clean-up operations of minor pollution in their waterways and harbour basins. If a pollution incident in port threatens the adjacent coastline, the Province Governor, Civil Protection and DG Environment may also be involved. A major pollution incident in port may lead to the activation of the NCP. The shorelines are owned by the regional government (Flemish Region), but by a long-standing agreement they are managed by the coastal municipalities. Therefore, in cases of minor pollution at local level, the municipal authorities are responsible for the protection and clean-up of the shores. However, municipal authorities can call upon the assistance of the Civil Protection and the response equipment of DG Environment when the locally available resources are insufficient or inadequate for responding to the incident in an effective way.

RESPONSE POLICY

Pursuant to the provisions of the Belgian federal law on the protection of the marine areas under Belgian jurisdiction, the main strategy for oil pollution response at sea is mechanical recovery although dispersant use is also considered as a second option and may be authorised in an emergency situation, for instance if the oil is likely to significantly impact bird breeding/wintering habitats or sensitive coastal habitats and resources. Most small spillages however are left to disperse naturally, in particular when no resources are threatened. The use of dispersant in Belgian waters is only permitted when authorised by MUMM (after consideration of the advantages and disadvantages of response options – Net Environmental Benefit Analysis) and only under its control. Belgium does not have its own scheme of approval for the specific dispersant formulations which may be used but relies on those approved by the Bonn Agreement countries.

In sheltered and/or shallow coastal waters, containment of the oil using booms and mechanical recovery of the oil is clearly preferred by the Belgian authorities. On the shoreline dispersants are not used; physical removal of stranded oil is regarded as the most appropriate clean-up method.

EQUIPMENT

Government

Although the length of its coastline is very limited (65 km), Belgium is adjacent to the Strait of Dover and two major shipping lanes cross the shallow Belgian waters. The intense traffic in the narrow shipping lanes creates a serious risk for pollution mainly resulting from collisions. Recognising this marine pollution risk, the DG Environment purchased and keeps ready for deployment a comprehensive stock of pollution response equipment consisting of mechanical recovery equipment (oil booms, disc and brush skimmers with pumps, powerpacks), beach clean-up equipment, storage tanks, sorbents, and a stock of dispersants (10 m³ Slickgone NS) and dispersant spraying devices. Part of this equipment is also specific for response to an HNS pollution incident. The pollution combating equipment is kept in two stockpiles, located in the vicinity of the port of Ostend. The DG Environment is responsible for the deployment of this equipment, with seagoing support from the Navy and Flemish Region (with vessels of opportunity), logistic support from the Civil Protection, and aerial support (reconnaissance, guidance) from MUMM.

For larger spills exceeding the national response capacity, Belgium can activate the mutual assistance mechanisms of the Bonn Agreement in order to mobilise additional response means from the neighbouring countries (the Netherlands, France and the UK), and, as an EU Member State, can activate EMSA contracted response vessels via the EC's Emergency Response Coordination Centre (ERCC). Whenever possible, the responsible party representing the interests of the vessel that has caused the pollution will be requested to contract private companies in order to assist in the response to the spill (or risk of spill) under the supervision of the Belgian authorities.

Private

In the framework of North Sea emergency interventions, Belgium does not have any contracts with private companies for pollution combating equipment or vessels.

BELGIUM

PREVIOUS SPILL EXPERIENCE

In the past, Belgium had to deal with several significant accidental marine pollution events, such as the TRICOLOR incident in the Dover Strait (2002-2004), and more recently the FLINTERSTAR incident in the coastal waters of Belgium (2015-16):

- Following a collision, the ro-ro car carrier TRICOLOR sank on the spot in a shallow, densely navigated shipping lane located off Dunkirk in French waters in the immediate vicinity of the Belgian area of jurisdiction. An estimated total volume of about 500 m³ of HFO was released into the marine environment, which severely impacted the large numbers of wintering birds present in the area. From the initial collision in December 2002 until the end of the salvage works in 2004 there was a risk of marine pollution arising from the risk of collision with the wreck and the risk of further oil releases during the salvage operations to remove the wreck.
- In early October 2015, also following a collision, the general cargo vessel FLINTERSTAR sank in the shallow coastal waters of Belgium nearby the port of Zeebrugge and the entrance to the Scheldt estuary, resulting in an almost continuous oil release from the wreck which threatened Belgian and nearby Dutch and French shores. Over a 1-month period between the initial collision and the end of the oil pumping operations, an estimated volume of ca. 200 m³ of oil (HFO and MDO) was released into the sea of which ca. 55 m³ of the HFO-MDO mixture was mechanically removed from the surface by response vessels. The FLINTERSTAR wreck was removed over the summer period of 2016.

HAZARDOUS & NOXIOUS SUBSTANCES (HNS)

The competent authority for dealing with marine pollution involving HNS is the DG Environment, which can be assisted by, amongst others, the Civil Protection (in charge of trained response teams and logistical support) and MUMM (for scientific advice, environmental impact assessment, modelling and monitoring). In case of a major HNS incident at sea, the NCP (GEIP North Sea) applies and will immediately be activated, involving all competent federal and Flemish authorities. In recent years the Belgian DG Environment developed a dedicated HNS response capacity which can be used by the Civil Protection, and MUMM developed a new HNS decision support tool with an advanced 3D mathematical model that can forecast the drift, fate and behaviour of HNS spilt in the marine environment (in Greater North Sea region). Previous incidents in which Belgium got involved include the MONT-LOUIS (1984, cargo of radioactive substance UF₆), the HERALD OF FREE ENTERPRISE (1987, mixed packaged hazardous substances), EVER DECENT (1999, containers on fire, toxic gas cloud, dioxins) and MSC FLAMINIA (2012, explosion and containers on fire, with numerous harmful and hazardous HNS on board; dangerous passage of vessel through Belgian waters).

BELGIUM

CONVENTIONS

Prevention & Safety					Spill Response		Compensation						
MARPOL 73/78		Annexes III, IV, V, VI			OPRC '90	OPRC -HNS	CLC '69	CLC '76	CLC '92	Fund '92	Supp Fund	HNS	Bunker
✓	✓	✓	✓	✓	✓	✓			✓	✓	✓		✓

REGIONAL AND BILATERAL AGREEMENTS

Bonn Agreement (with countries bordering the North Sea).
 Member of the European Civil Protection Mechanism (DG ECHO).

Date of issue: April 2017

(Information updated with the kind assistance of MUMM)

Terms & Conditions

These Country & Territory Profiles are provided in good faith as a guide only and are based on information obtained from a variety of sources over a period of time. This information is subject to change and should, in each case, be independently verified before reliance is placed on it. Country & Territory Profiles may have been re-issued solely to incorporate additional or revised information under one heading only. Each Profile has therefore not necessarily been completely verified or updated as at the stated Date of Issue.

ITOPF Limited ("ITOPF") hereby excludes, to the fullest extent permitted by applicable law, any and all liability to any person, corporation or other entity for any loss, damage or expense resulting from reliance on or use of these Country & Territory Profiles.

©ITOPF Limited 2018

These Country & Territory Profiles may be reproduced by any means for non-commercial distribution without addition, deletion or amendment, provided an acknowledgement of the source is given and these Terms & Conditions are reproduced in full.

These Country & Territory Profiles may not be reproduced without the prior written permission of ITOPF either for commercial distribution or with addition, deletion or amendment.