

# KENYA

## SPILL NOTIFICATION POINT

Regional Maritime Rescue Coordination Centre (RMRCC)	Tel: +254 412131100 (24hrs) +254737719414, VHF 12
Director General Kenya Maritime Authority P.O. Box 95076 MOMBASA KENYA	Tel: +254 202381204 +254 202381203 +254724319344 info@kma.go.ke
For spills within the port report to:	
Harbour Master Kenya Ports Authority (KPA) Port of Mombasa Kenya	Tel: +254 11 311409 +254 11 471 590 (a/hrs) +254 11 311867 Tlx: 21243 DIRKPA KE

Masters or other persons in charge of vessels, or other observers, should report without delay any sightings of oil on the surface of the waters of Kenya. Within the Port area, the observer should notify immediately the KPA and then KMA RMRCC. For any other location in the marine and navigable waters of Kenya, the KMA-RMRCC should receive the first notification.

## COMPETENT NATIONAL AUTHORITY

Kenya Maritime Authority is the Competent National Oil Spill Authority.

## RESPONSE ARRANGEMENTS

The Kenya Maritime Authority Act 2006 designates Kenya Maritime Authority (KMA) as the competent oil spill authority charged with a responsibility to develop, co-ordinate and manage a national oil spill contingency plan for both coastal and inland waters. KMA is the lead agency responding to spills in marine and navigable waters of Kenya, and thus for the activation of the National Oil Spill Contingency Plan.

The plan delineates responsibilities for preparing and responding to spills in the marine environment and navigable waters of Kenya. It is designed to provide the members of the National Incident Management Team (National-IMT) with the information needed to respond to spills of national significance in a safe, rapid, effective, and efficient manner.

The Plan recognises three levels of potential oil spill incidents within Kenyan territorial water. Tier 1 is an accidental discharge occurring at or near a facility, or in a port and with low or localised impacts to which local or in-house response capability is adequate. A Tier 1 response would be expected to be handled by the party responsible for the spill (RP); KMA would provide guidance and monitoring. KMA would respond where no responsible party is identified or capable of adequate response.

Tier 2 is a medium-sized spill that results from a non-routine event. Significant impacts are possible and external (other counties, companies, or cross jurisdictional resources) support for adequate spill response is required. A Tier 2 incident implies at least partial activation of this Marine-NCP. For Tier 2 incidents the response would be handled both by the responsible party and KMA in coordination with other appropriate government agencies.

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Tier 3 is a large spill that results from a non-routine event and requires substantial resources and support from national or world-wide spill sources to mitigate effects perceived to be wide reaching, i.e., of national or international significance. In addition to the national criteria, any spill that threatens a neighbouring state is a Tier 3 incident. A Tier 3 incident implies full activation of this Marine-NCP and potentially the National Disaster Management Plan (NDMP).

The Plan identifies resources at risk, assesses the level of risk involved, and provides guidelines for shoreline clean-up depending on the type of shoreline contaminated. It provides actions to be taken in the event of a spill; roles and responsibilities of various actors; the lines of communication to ensure coordination of effort; and a directory of equipment, contractors, suppliers, experts and maps of sensitive areas.

Oil companies in Kenya have come together and formed the Oil Spill Mutual Aid Group (OSMAG), establishing preparedness and response capacity to its members in Tier 2 spills. The association has more than 150 members comprising oil marketers, oil pipeline operators and oil producers. The organisation operates with and integrates the members' efforts with relevant government parties and maintains links with concerned local, national, regional, international, and private organisations. Each member of the group has an obligation to always maintain an oil spill safety plan, and to keep oil spill response equipment in good usable condition.

## DISPERSANT USE POLICY

Kenya Maritime Authority has developed the dispersant use policy for Kenya. The policy provides guidance for authorisation and approval of the use of chemical dispersants, for the purpose of responding to oil spills in the coastal waters of Kenya, as a means of reducing the overall impact of such spills on coastal habitats and marine fauna and flora. The policy covers the marine waters off the coasts of Kenya, extending seaward of the high-water line to the outermost extent of the Exclusive Economic Zone (EEZ).

## EQUIPMENT

Kenya has a stockpile of equipment owned by Kenya Ports Authority and Oil Spill Mutual Aid Group. The equipment is stationed at the Pollution Control Center at the port, with minimal equipment stored at the oil terminals. The equipment available in the country is suitable for up to Tier 2 level of preparedness.

## PREVIOUS SPILL EXPERIENCE

The most noticeable pollution incident involved the puncture of a shore tank in 1988, spilling 5,000 tonnes of fuel oil into a mangrove creek. In 2005, the single hulled vessel MT RATNA SHALLINI, punctured its hull whilst berthing at Kipevu Oil Terminal. A total of 300 mt of Murban crude oil spilled in the marine environment. Since then, there have been some small operational spills witnessed within the Port of Mombasa and Mbaraki Wharf.

## 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
✓	✓	✓	✓	✓	✓				✓	✓			✓

\* not yet in force



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## REGIONAL AND BILATERAL ARRANGEMENTS

Kenya is a party to Nairobi Convention and its Emergency Protocol that requires countries to initiate, both individually and jointly, the actions required in order to respond effectively to accidental marine pollution. In an effort to implement the Emergency Protocol, the Nairobi Convention member states are currently developing a Regional Contingency Plan to guide oil spill response in the region.

In 2011, countries in the Western Indian Ocean Region (mainly Comoros, France, Kenya, Madagascar, Mauritius, Mozambique, Seychelles, South Africa and Tanzania) in the presence of IMO, UNEP, IALA, SAIHC, IOC, SAMSA and the World Bank signed an Agreement for the establishment of a Regional Coordination Centre for preparedness for and response to oil and hazardous and noxious substances pollution in the Western Indian Ocean region.

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