ARGENTINE NATIONAL CONTINGENCY PLAN

(PLANACON)

Prefectura Naval Argentina
(Argentine Coast Guard - PNA)

ORDINANCE Nr. 8-98
(ENVIRONMENT PROTECTION DIRECTION - DPMA)

BOOK 6

"REGULATION ON ENVIRONMENT PROTECTION"

Buenos Aires, November 13th, 1998.

ARGENTINE NATIONAL CONTINGENCY PLAN

TERMS FOR FILING SUPPLEMENTARY RESPONSE PLANS

HAVING CONSIDERED what is set forth by Regulatory Order No. 962/98 and what was informed by the Environment Protection Direction; and

WHEREAS:

The Republic of Argentina has approved by Act No. 24,292, the Convention on Oil Pollution Preparedness, Response and Co-operation, 1990 (OPRC/90).

Resolution No. 10 of the Conference on International Co-operation for Oil Pollution Preparedness and Response, 1990, recommends to extend the scope of application of the Convention, to include hazardous and noxious substances.

Section 6, subsection b) of the aforementioned Convention requires Member States, to include in their national pollution preparedness and response systems a national plan for contingency preparedness and response.

Moreover, Section 3 of the Convention sets forth that every Party shall require all vessels entitled to hoist their flag, companies engaged in offshore units, ports and oil handling facilities, submitted to the jurisdiction thereof, to prepare the response plans in coordination with the national system.

The foregoing is set forth in Sections 807.0101 and following of the Maritime, River and Lake Navigation Regulations (*Régimen de la Navegación Marítima, Fluvial y Lacustre*) (REGINAVE).

Regulatory Order No. 2,532/93 states that tasks regarding oil spill prevention and control in waters adjacent to the Argentine coasts and treatment and supervision actions performed or to be performed within the Argentine Maritime Jurisdiction shall bear National Interest.

NOW, THEREFORE:

THE ARGENTINE COMMANDANT (*PREFECTO NACIONAL NAVAL*)

INSTRUCTS:

SECTION 1 - That the National Contingency Plan (PLANACON) mentioned in Section 807.0103. of REGINAVE and included as Schedule1 hereto be approved.

SECTION 2 - That the schedule for the submission of the response plans supplementary to PLANACON included as Schedule 2 hereto be approved.

SECTION 3 - This Ordinance shall be in force from the business day following its publication.

SECTION 4 - Be these presents duly communicated, published and registered.

Buenos Aires, September 3rd, 1998.

Jorge Humberto Maggi
Rear Admiral (*Prefecto General*)
Commandant (*Prefecto Nacional Naval*)

SCHEDULE 1

NATIONAL SYSTEM ON PREPAREDNESS AND RESPONSE TO POLLUTION BY OIL AND OTHER HAZARDOUS AND NOXIOUS SUBSTANCES

ARGENTINE NATIONAL CONTINGENCY PLAN (PLANACON)

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CHAPTER 1

INTRODUCTION

Both international and national experience regarding water and shoreline pollution of seas, rivers and lakes caused by incidents involving vessels, naval crafts, oil exploration and exploitation platforms, ports, monobuoys, oil transfer terminals, etc., recommend to apply, as soon as practicable, proper measures to be successful in spill neutralization operations.

Meeting this need is directly related to the development of an efficient organization allowing to apply prompt decision making pursuant to applicable opinions and techniques, and the execution of efficient operations with available means for the purpose of protecting human life, the local ecosystem, economic and socially valuable facilities and aquatic facilities, whether recreational or of economic content, including fishery.

The Argentine National Constitution, as amended by the General Constitutional Congress on August 22nd, 1994, states in Chapter 2 (New Rights and Guarantees), Section 41, that: "All inhabitants are entitled to a sound and balanced environment, proper for human development and for productive activities to meet present and future needs; and have the duty to preserve the environment. Environmental damage shall give rise to the obligation to recompose, according to law". And it further adds that: "Authorities shall provide for the protection of this right, the rational application and use of natural resources, the preservation of natural and cultural patrimony and biological diversity, and environmental information and education". And it subsequently states that: "The national government shall pass rules containing minimum protection requirements, and the provincial governments shall be engaged in passing the necessary rules to supplement them, without altering local jurisdictions...".

Moreover, subsections 10 and 13 of Section 75 and Section 126 of the Argentine National Constitution grant the Congress the power to pass laws regarding, among other issues, navigation and maritime trade. Consequently, being pollution from ships an issue related to the navigation scope, such power shall also be included.

Additionally, within the International Maritime Organization, technical body depending on the United Nations engaged, among other tasks, in marine environment protection, International Conventions on preparedness and response to water pollution, imposing the ratifying states the application of plans to respond to spills from oil and other pollutants in the marine environment have been entered into and duly subscribed by our country.

1.1. Purpose and Objectives of the Plan.

This plan has been prepared to adjust to the requirements provided for in International Conventions, as well as to the guidelines to prepare this type of plans, published by the International Maritime Organization, including details of our own

national reality, since the lack of observance thereof may lead to the failure of the best intentions.

The purpose of the plan is to define a national system of preparedness and response to pollution by oil and other hazardous and noxious substances, resulting from the activities of vessels, naval crafts, exploration and exploitation platforms, ports, port facilities for handling oil and other hazardous and noxious substances, oil and chemical terminals, monobuoys and coastal oil pipelines, to obtain immediate and efficient reaction, as well as to coordinate efforts and means by public bodies and private companies, when facing emergencies caused by the spill of such elements.

To achieve these purposes, the following aspects shall specially be taken into account:

- Policy and responsibilities for plan execution.

- Response levels according to the type of emergency.

- Coordination with other bodies and private companies.

- Personnel training and practical exercises.

- Plan review and update.

1.2. Enforcement Authority and Scope of Application.

Article I, Chapter IV, Section 5 subsection a), item 23 of Act No. 18,398 "General Law of *Prefectura Naval Argentina*" sets forth that *Prefectura Naval Argentina* in its capacity as Police Authority in charge of Navigation Safety and Security shall "be engaged in the rules adopted to prohibit and ban the pollution of sea, river and lake waters by oil and other hazardous substances, and to verify the fulfillment thereof".

Moreover, Act No. 22,190, which constitutes the applicable legal framework as to the pollution caused by the activity of vessels and naval crafts, sets forth that ***Prefectura Naval Argentina*** **shall be its Enforcement Authority.** This task is carried out in all Argentine waterways used for **inter-jurisdictional traffic and commercial trade.**

Likewise, regulatory orders No. 1886/83 and No. 230/87 set forth the same scope of activities for *Prefectura Naval Argentina*.

Act No. 24,089, approving the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78) also sets forth that ***Prefectura Naval Argentina*** **shall be the Enforcement Authority of this Convention.**

Section 1 of Act No. 24,292 approves the International Convention on Oil Pollution, Preparedness, Response and Cooperation and Section 2 thereof also states that ***Prefectura Naval Argentina*** **shall be the Enforcement Authority of that Convention.**

Moreover, Article 6 of such Convention, ratified by our country, commits every Party to organize a national system to promptly and efficiently respond to oil pollution incidents. Item 1.b) thereof also requires the Parties to outline a national plan to prepare and respond to contingencies, which shall include the interrelations between different bodies, whether public or private, which shall take into account the guidelines prepared by the International Maritime Organization.

Additionally, Regulatory Order No. 962/98 of Act No. 24,292, among other provisions, creates a National System of Preparedness and Response to Respond to Shoreline, Maritime, River and Lake Pollution by Oil and other Hazardous and noxious substances, the administration of which shall be under *Prefectura Naval Argentina*, thus instructing it to prepare this Plan.

Pursuant to the foregoing provisions and in compliance with the legal and regulatory guidelines referred to above, *Prefectura Naval Argentina* shall be engaged in planning, developing and executing the **National Contingency Plan (PLANACON)** within the **National System of Preparedness and Response to Pollution by Oil and other Hazardous and Noxious Substances** from the activities of vessels, naval crafts, exploration and exploitation platforms, ports, port facilities for handling oil, hazardous and noxious substances, oil and chemical terminals, monobuoys and coastal oil pipelines, in all waterways of Argentina used for inter-jurisdictional traffic and commercial trade.

1.3. Definitions and abbreviations.

NAUTICAL EVENT: Any occurrence, event, incident or situation, whatever the origin thereof, causing or threatening to imminently cause an important pollution to the marine environment by oil or other polluting substances, including, among others, collision, grounding and other events in which vessels, specially oil tankers, explosions resulting from drilling activities and oil production, and failures of industrial facilities using pollutants are involved.

SPILL SERVICE CENTER (CECODECON): This is composed by the maximum responsible officers engaged in the execution of the contingency plan,

in charge of making the main decisions, who shall issue instructions to develop an appropriate response.

Pursuant to the type of pollution incident, the Center shall be Local, Area or National. At a national level, it shall be called National Spill Service Center (CENACODECON).

TECHNICAL ADVISORY COMMITTEE (CAT): Multidisciplinary group of experts of the Environment Protection Direction and of scientists, technicians and specialists from several public and private institutions, advising CECODECON Chief Officer as to the specific know-how thereof, regarding spill control measures to respond to pollution incidents. The number of members of such Committee shall be directly related to the needs and shall be convened at CECODECON Chief Officer's request.

REPORT OF EVENT OR INCIDENT: Message sent by the executive body, through shipboard or shore-based communication systems, reporting a pollution incident, or a nautical event that may give rise to a pollution incident.

SPILL: For the purposes of this Plan, spill means any discharge, leak, evacuation, pumping, run-off, emission, draining or dumping of oil or other polluting substance, which represents or may represent a threat for the marine environment, shoreline or related interests, requiring emergency measures or an immediate response.

SPILL CONTROL TEAM (DOCODECON): means a team composed by personnel trained to perform operations related to the response, control and clean-up of a pollution incident. It shall be a fast moving team, highly trained for clearly defined functions, such as boom deployment and anchorage, use of vessels and equipment collection, use of dispersants, shoreline clean-up, use of pumps, moto-generators, road tank vessels, etc.

OIL: This includes oil in all its forms, including crude oils, fuel oil, sludge and slops, oil wastes and refinery products and, without limiting the generality of such enumeration, the substances appearing both in Appendix I to Annex I of MARPOL 73/78 Convention List (List of Oils) and in Section 801.0101., subsection h.1. of REGINAVE List.

EMULSION: Dispersion of a liquid into another.

a) Emulsion of water in oil (W in Oil): It contains 30% of water and is very stable, specially if water percentage is higher.

b) Emulsion of oil in water (Oil in W): It takes place generally when petroleum dispersant is used. It is made up by a very thin oil layer of oil covering a large surface.

POLLUTION INCIDENT: Event causing a spill of any volume of oil or other polluting substance in water, requiring immediate action to eliminate or reduce the negative effects thereof on the marine environment, material goods, health or public welfare.

SERIOUS POLLUTION INCIDENT: Pollution incident that requires the deployment of important means, for which all the capacity of a country is required to respond to it. If the magnitude of the occurrence exceeds such capacity or if the resources of another country are in danger, it shall be necessary to resort to a joint action at a bilateral, regional or international level.

MEDIUM SIZE POLLUTION INCIDENT: Pollution incident that extends along a certain area exceeding local action, being enough the means available or handy of the executive body therein, without need to deploy significant means.

MINOR POLLUTION INCIDENT: Pollution incident at a certain point, which the company or local administration may successfully respond to.

ADMINISTRATION AND LOGISTICS CHIEF OFFICER (JAD): Chief officer responsible for the operation administration and logistics and for the management of expenses emerging from spill control tasks.

SPILL SERVICE CENTER CHIEF OFFICER (JECECODECON): Chief Officer responsible for coordinating and directing from the Spill Service Center, control and clean-up operations and other relevant activities deriving from a pollution incident. According to the magnitude of the emergency and the contingency plan coverage level that is applied, JECECODECON may act at a local, area or national level, being called in the latter case JENACECODECON. Every response operation against pollution, shall be performed with the direction and supervision of JECECODECON. JECOM, JERP, JEL and JAD, and, as the case may be, JEOLs shall be under the supervision thereof, up to the conclusion of the incident. In general the physical location thereof shall be the Spill Service Center (CECODECON).

COMMUNICATION CHIEF OFFICER (JECOM): Chief Officer responsible for communications in the site of the incident.

PUBLIC RELATIONS CHIEF OFFICER (JERP): Chief Officer responsible for public relations with the authorities, the community and the press media.

OPERATING CHIEF OFFICER (JEO): Operating Chief Officer designated for a certain area or for a specific operation, engaged in, and personally responsible for the personnel and means allocated thereto. According to the circumstances, CENACODECON Chief Officer may appoint more than one JEOL, delimiting the respective area of jurisdiction thereof.
In the event of a minor or a medium size incident, JEOL shall act as JECECODECON.

LEGAL CHIEF OFFICER (JEL): Chief Officer engaged in rendering advice on legal issues regarding the operations to respond to pollution, or research carried out to determine the origin of the pollution incident in order to claim for payment of the relevant expenses and indemnification, and to file the necessary evidence to apply the sanctions set forth by law. The Legal Chief Officer shall have broad knowledge of maritime laws and insurance issues and of international conventions.

TECHNICAL OFFICER ENGAGED IN SPILL CONTROL: Officer expert in spill control tasks, whose duty is to advise JECECODECON as to this issue.

ENFORCEMENT BODY: Body responsible for the national operating system organization and execution with capacity to prevent, reduce and control pollution incidents in the marine environment. This body shall supply and coordinate personnel and proper means to eliminate the threat caused by such events, and shall reduce adverse effects to the marine environment, shoreline population life quality, health and pubic welfare. In our country *Prefectura Naval Argentina* is the Enforcement Body.

INDEPENDENT SUPPORT BODIES (OREA): Any body that may be called to execute the Contingency Plan in support of the response.

NATIONAL CONTINGENCY PLAN: Structure that a country has in the event of possibility or risk of a marine environment major pollution incident. It defines institutional policies and responsibilities, it sets forth an oil spill removal organization, it provides the necessary basic information, critical areas are defined, personnel resources, operating and financial means are assigned, thus suggesting courses of action and setting forth recommendations to successfully respond to marine environment pollution.

AREA CONTINGENCY PLAN: Instrument that covers the jurisdiction of a PNA District (*Prefectura de Zona*), allowing to respond to a marine environment middle size pollution incident affecting a shoreline, sea, river or lake area of the country, when the local contingency plan response capacity is exceeded.

LOCAL CONTINGENCY PLAN: It is a practical plan covering a jurisdictional area of a PNA Dependent Office (PNA Unit (*Prefectura*) and PNA Subunit (*Subprefectura*)), allowing to respond to a marine environment minor pollution incident affecting a shoreline, sea, river or lake area of the country.

ON-SCENE CONTROLLER: Officer expert in spill control tasks, designated solely in those cases in which the responsible for pollution carries out, p*er se* or through third parties, control tasks. The duties thereof shall be to supervise the tasks carried out by that responsible or the company hired thereto, and to coordinate the acts that may emerge among those involved and PNA.

POLLUTANTS: Any substance, the introduction of which to the marine environment may cause risks for human health, damage flora, fauna and the environment living resources, affect amenities or burden the water legitimate use.

DUMP:

a) Dump shall mean:
- Any deliberate evacuation into the marine environment of wastes or other materials from boats, planes, platforms or other constructions in the marine environment.

b) Dump shall not include:
- Evacuation in the marine environment of wastes and other materials that are incidental to boats, planes, platforms or other construction operations in the marine environment and of equipment or deriving therefrom, except for the wastes and other materials transported by boats, planes, or other constructions in the marine environment, which operate for the purpose of eliminating such materials or which derive from the treatment of such wastes or other materials in boats, planes, platforms or constructions.

- The placement of materials for a purpose different from mere evacuation, provided such placement does not oppose the purposes of LDC 72 Convention.

SACRIFICE ZONE (SZ): Zone that for operating reasons and for its degree of sensitivity is chosen for the accumulation and recovery of a spill or discharge.

CHAPTER 2

PLAN ORGANIZATION AND DUTIES

To comply with the Plan purposes and objectives, there shall be a SPILL SERVICE CENTER (CECODECON) for every response level, the members of which shall be called pursuant to the circumstances and magnitude of the pollution incident.

Three response levels are set forth:

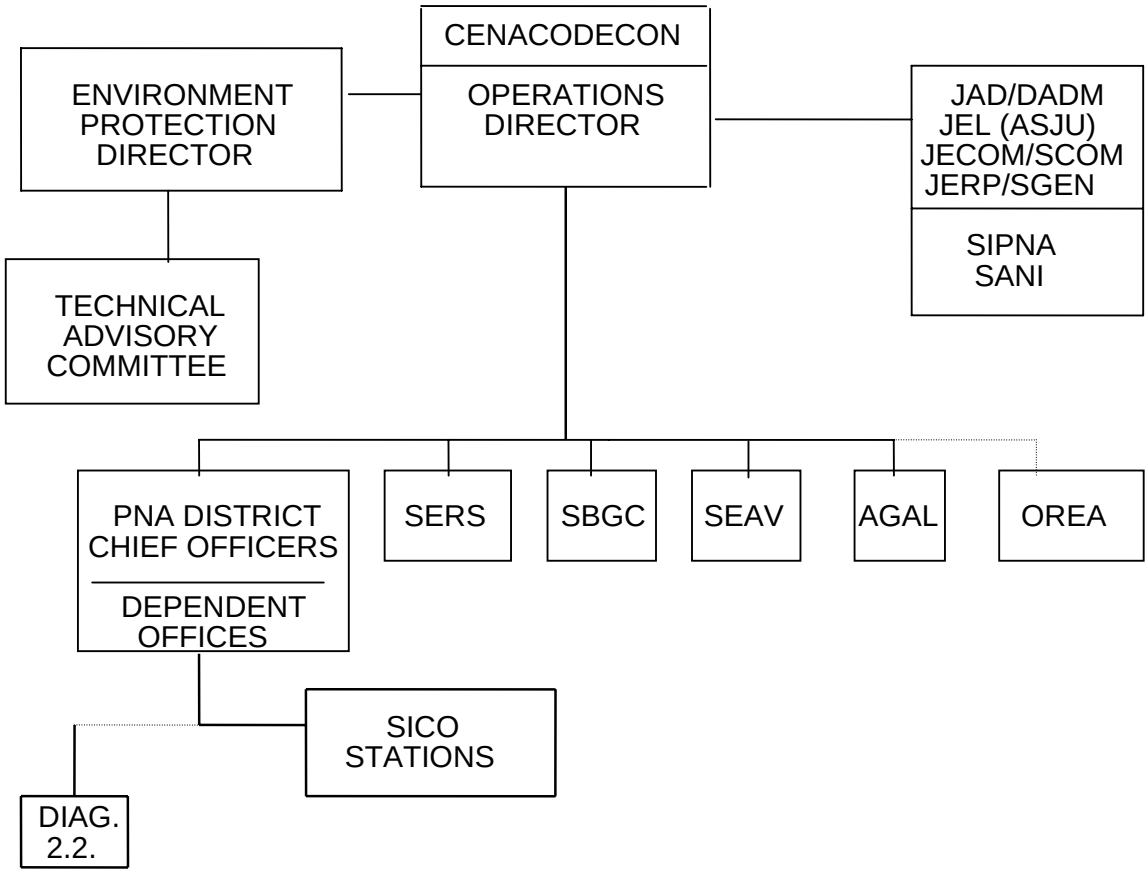
NATIONAL SPILL SERVICE CENTER (CENACODECON)

AREA SPILL SERVICE CENTER (CEZOCODECON)

LOCAL SPILL SERVICE CENTER (CELOCODECON)

Thus, items 2.1 and 2.2, include a diagram of the organizational structure that the contingency plan shall have, both at National and Area or Local Level to be executed pursuant to the required response level, as set forth in Chapter 4.

2.1. DIAGRAM OF NATIONAL RESPONSE (*Prefectura Naval Argentina*)



------ Direct subordination
++++ Functional subordination
------ Eventual incorporation

CENACODECON: National Spill Service Center.

DADM: PNA Administration Direction.

ASJU: Legal Advisory to PNA Commandant.

SCOM: PNA Communication Service.

SGEN: PNA General Secretariat.

SIPPNA: PNA Intelligence Service.

SANIPNA: PNA Health Department.

SERS: PNA Rescue, Fire Fighting and Pollution Service.

SBGC: PNA Coast Guard Patrol Ships Service.

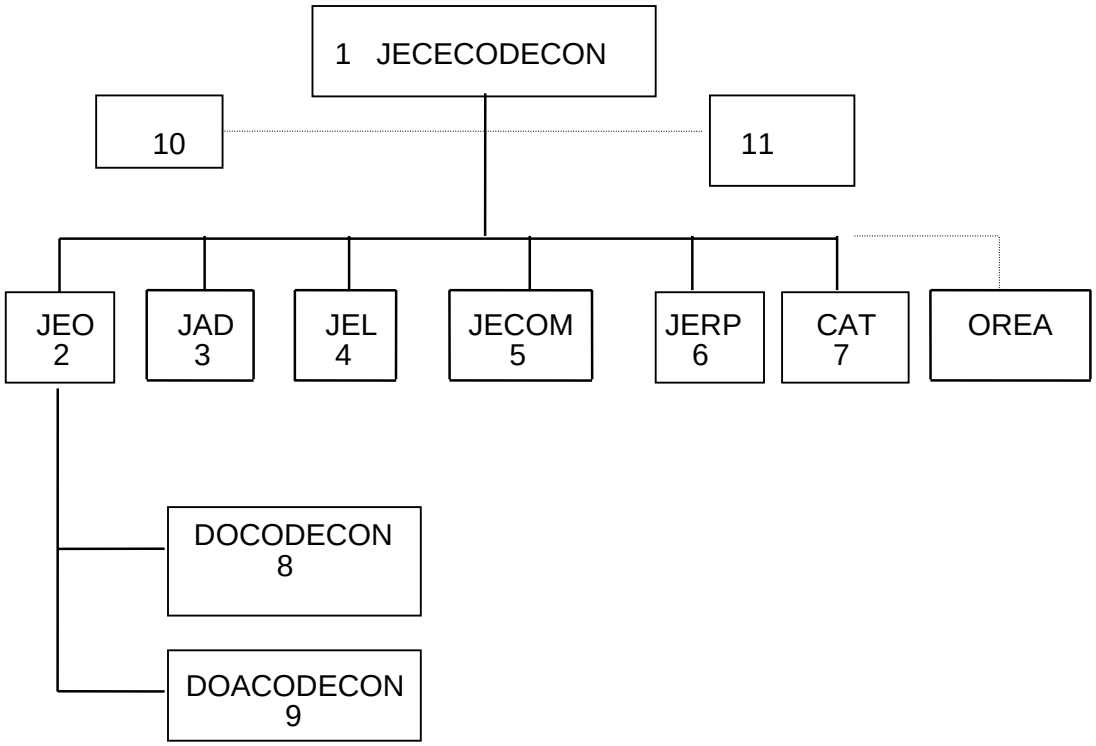
SEAV: PNA Aviation Service.

AGAL: PNA Albatros Team.

OREA (Independent Support Bodies): Customs, Immigration, National, provincial or local authorities, Non-governmental entities, etc. (To be eventually called).

SICO STATIONS: Rescue, Fire Fighting and Pollution Stations.

2.2. DIAGRAM OF AREA AND LOCAL OPERATION SERVICE CENTERS



1. Spill Service Center Chief Officer.
2. Operating Chief Officer.
3. Administration and Logistics Chief Officer.
4. Legal Chief Officer.
5. Communication and Public Relations Chief Officer.
6. Technical Advisory Committee.
7. Technical Advisory Committee.
8. Spill Control Team.
9. Spill Service Operation Support Team.
10. Spill Service Technical Officer (To be eventually appointed).
11. On-scene Controller (who shall only be appointed when that who caused the pollution assumes the spill control task).

Independent Support Bodies (OREA): Customs, Immigration, local authorities, non governmental entities, etc. (to be eventually called).

2.3. Responsible Officers: Duties.

2.3.1. SPILL SERVICE CENTER CHIEF OFFICER (JECECODECON).

At a national level, the OPERATIONS DIRECTOR is the NATIONAL SPILL SERVICE CENTER CHIEF OFFICER (JECENACO- DECON).

- For the other two response levels, such task shall be carried out by:

a) The jurisdictional DISTRICT AREA CHIEF OFFICER, at the AREA level. (JECEZOCODE- CON).

b) The jurisdictional DEPENDENT OFFICE CHIEF OFFICER, at the LOCAL level (JECELOCODE- CON).

NATIONAL SPILL SERVICE CENTER CHIEF OFFICER.

- The PNA Operations Director shall assume as NATIONAL SPILL SERVICE CHIEF OFFICER (JECENACODECON), issuing the relevant naval message to the lower levels forming part of the planning.

- He shall conduct spill control operations when, due to the magnitude of the event, Area and Local Spill Service Centers are exceeded.

- He shall call, if deemed relevant, all or a part of the Center members appointed thereby, pursuant to the magnitude and seriousness of the pollution incident.

  Eventually, if deemed relevant, he shall call any body of the institution, though not contemplated in this Plan.

- He shall call the Environment Protection Direction Technical Personnel, or through it, experts from other bodies, organizations, etc., necessary for the operation.

- He shall be in charge and shall instruct the tasks to the Institution bodies taking part in the operations.

- He shall determine response priorities and shall order the implementation of operating procedures for spill control, in consultation with the members of the National Center, and specially, with the Environment Protection Direction Advisory Committee.

- He shall decide upon the convenience to request additional help to other national and/or international bodies, if relevant.

- He shall provide immediate communication with the relevant international and national Authority.

- He shall decide to conclude operations when deemed convenient thereby.

AREA SPILL SERVICE CENTER CHIEF OFFICER.

- The PNA District Chief Officer shall assume as AREA SPILL SERVICE CENTER CHIEF OFFICER (JECEZOCODECON), issuing the relevant naval message.

- He shall conduct spill control operations, when, for the magnitude of the event, the Local Spill Control Centers are exceeded.

- He shall call, all or a part of the members of the Spill Service Center, as deemed necessary, pursuant to the magnitude and seriousness of the pollution incident.

  If deemed convenient, he may eventually call the participation of any body of the Institution set forth in this Plan.

- He shall call, through the relevant means, the Environment Protection Direction Technical Personnel and, through such Direction or directly, experts of other bodies or organizations, etc., he may deem necessary to conform the Technical Advisory Committee.

- He shall call the Independent Support Bodies set forth in the Plan deemed necessary to cooperate with operations.

- He shall conduct spill control operations within the area of responsibility thereof with own means and personnel.

- He shall determine priorities and spill control procedures to respond to the incident.

- He shall determine the way to recover pollutants and the subsequent (temporary or final) disposal thereof.

- He shall authorize the use of chemical agents to combat pollution, applying the criteria set forth by the Environment Protection Direction.

- He shall evaluate the convenience to request additional help to other Municipal or Provincial Bodies.

- He shall control the preparation of the spill evolution summary, with the chronological record of the acts developed, the progress of operations and expenses incurred, in coordination with the Administration and Logistics Chief Officer (JAD) and the Operating Chief Officer (JEO).

- He shall issue press releases, keeping public opinion informed as to facts, in coordination with the Public Relations Chief Officer (JERP), who shall act as the sole press spokesman thereof.

- He shall decide to conclude operations when he deems that the purpose thereof has been achieved.

LOCAL SPILL SERVICE CENTER.

- The PNA Jurisdictional Dependent Office Chief Officer shall assume as LOCAL SPILL CONTROL CENTER (JECELOCODECON), issuing the relevant naval message.

- He shall call all or a part of the Center members, as deemed necessary, pursuant to the magnitude and seriousness of the incident.

- He shall call the experts members of the Technical Advisory Committee deemed necessary.

- He shall coordinate the tasks of the Operating Chief Officer, who shall be directly depend on him.

  If necessary, he shall appoint several Operating Chief Officers, who shall be assigned the relevant areas of work, whether on board vessels or in the affected shoreline sectors.

- He shall keep a permanent link with the Operating Chief Officer, and thereto he shall establish the most accurate communication systems with the Communication Chief Officer advice.

- He shall determine spill priorities and control procedures to respond to the incident.

- He shall determine the way to recover pollutants and the subsequent (temporary and final) disposal thereof, according to the previous agreements with local Port Administrations or local Authorities.

- He shall authorize the use of chemical agents approved to combat pollution, applying the criteria set forth by the Environment Protection Direction.

- He shall evaluate the convenience to request additional help to other Municipal Bodies, if relevant.

- He shall control the preparation of the spill evolution summary, with the chronological record of the acts developed, the progress of operations and expenses incurred, in coordination with the Administration and Logistics Chief Officer (JAD) and the Operating Chief Officer (JEO), if relevant.

- He shall issue press releases, keeping public opinion informed as to facts, in coordination with the Public Relations Chief Officer, who shall act as the sole press spokesman thereof.

- He shall decide to conclude operations when he deems that the purpose thereof has been achieved.

2.3.2. OPERATING CHIEF OFFICER (JEO).

- He shall be designated by the Spill Service Center Chief Officer, according to the response level (National, Area or Local) that is activated and shall act under the orders thereof.

- He shall be engaged in the Spill Control Team (DOCODECON).

- He shall personally direct pollutant contention, recovery and disposal tasks, as well as shoreline clean-up and restoration tasks, and thus he shall apply the instructions issued by the Spill Service Center Chief Officer.

- He shall keep a permanent supervision of the area of operation under the responsibility thereof.

- He shall determine the scope of the tasks of every Spill Control Team, thus assigning working guidelines to every team responsible officer.

- He shall submit the requirements to the Spill Service Center Chief Officer as early as the circumstances so allow.

2.3.3. ADMINISTRATION AND LOGISTICS CHIEF OFFICER (JAD).

- He shall be under the Spill Service Center Chief Officer (JECECODECON) in the different response levels.

- He shall be responsible for operation administrative and financial control and shall keep a daily record of expenses incurred.

- He shall count on a guideline specifying funds available for expenses, possible investment lines, the accounting system to be used and the relevant account rendering.

- He shall advise JECECODECON and shall keep him permanently informed as to his acts, requesting authorization for the necessary investment and expenses, with the maximum anticipation allowed by the circumstances.

2.3.4. LEGAL CHIEF OFFICER (JEL).

- He shall depend on the Spill Service Center Chief Officer (JECECODECON) in the different response levels.

- He shall advise JECECODECON as to the relevant national and international treaties and conventions, laws, regulations and supplementary provisions to prepare deeds of agreement, and in relation to any other issue requiring his advice.

- He shall be informed as to all aspects tending to the recovery of expenses incurred, and shall provide the necessary legal basis thereto.

- If deemed relevant, he shall request, following the relevant hierarchical proceeding, the cooperation of the Commandant's Legal Advisory.

- He shall advise JECECODECON and JEO as to the management of legal relations regarding the incident.

2.3.5. COMMUNICATION CHIEF OFFICER (JECOM).

- He shall depend on the Spill Service Center Chief Officer (JECECODECON) in the different response levels.

- He shall control the distribution and the state of operation of equipment linking the Spill Service Center components and the remaining components of the oil spill removal organization, establishing proper communication systems thereto.

- He shall issue guidelines for the personnel under his direction so that the marine emergency or the pollution incident communications received by the on-duty personnel or on-duty radio-operators, is properly derived and retransmitted.

2.3.6. PUBLIC RELATIONS CHIEF OFFICER (JERP).

- He shall depend on the Spill Service Center Chief Officer (JECECODECON) in the different response levels.

- He shall be engaged in public relations with authorities, the community and the press media.

- He shall advise JECECODECON as to public information of the facts related to the pollution incident, preparing all press releases and communications to be issued. If relevant, he shall organize press conferences and shall act as the sole JECECODECON spokesman.

2.3.7. TECHNICAL ADVISORY COMMITTEE (CAT).

- This shall be made up by JECECODECON who, according to the type of pollution incident, area and goods affected, and the area characteristics, shall select and call the members deemed necessary.

- Thereto, every Area and Local Contingency Plan shall count on a list of possible CAT members, which shall include apart from the Environment Protection Direction Technical Personnel, any person who may act as advisor in case of a pollution incident in the area, including any member specially trained in some specific issue, and scientists, technicians and specialists independent or belonging to public or private organizations of the regions related to the issue.

  In the event it is impossible to individualize all the specialists of the different institutions, the name thereof shall be set forth and the possible advisory areas shall be identified. The list shall include the fastest and most secure way to find and call every possible CAT member, at every moment.

  Forthwith, and by way of mere example, there is a list of some of the areas to be taken into account when selecting possible members: environment protection, civil defense, fire fighters, customs, immigration, foreign affairs, communications, rescue, insurance, health, tourism, biology, fishery, oceanography, hydrography, meteorology, oil companies, chemical companies, etc.

  At a National level, the list of possible CAT members shall emerge from the information appearing in the Area and Local Contingency Plans, which shall include the specialists of the national governmental and non governmental bodies and entities, related to the issue.

  When the National Contingency Plan is activated, CAT shall be called by the Environment Protection Director, at the request of JECENACODECON.

- The duty thereof shall be to advise JECECODECON as to action priorities, selection of spill control procedures, determination of critical areas to be protected, etc., contributing every member the knowledge of the own training area thereof, for the purpose of achieving the best and more effective decision making to combat the event.

2.3.8. SPILL CONTROL TEAM (DOCODECON).

- This depends on JECECODECON, but acts under the direct supervision of the Operating Chief Officer.

- For the integration thereof all personnel trained in the polluting spill control techniques (boom deployment and anchorage, use of vessels and collecting equipment, dispersant application, shoreline clean-up, pumps, moto-generators, road tankers use, etc.) available in the jurisdiction shall be considered.

2.3.9. SPILL CONTROL OPERATION SUPPORT TEAM (DOACODECON).

- This depends on JECECODECON, but acts under the direct supervision of the Operating Chief Officer.

- For the integration thereof all personnel available in the jurisdiction shall be considered to render the support demanded by spill control operations.

2.3.10. SPILL CONTROL TECHNICAL OFFICER.

- His appointment shall be eventual and shall be called by JECECODECON to the immediately superior officer for Area and Local levels.

- The duties thereof as expert in spill control tasks shall be to advise JECECODECON as to such issue and to supervise the Operating Chief Officer work.

2.3.11. ON-SCENE CONTROLLER.

- His appointment shall only take place in the event that the one responsible for pollution carries out, *per se* or by third parties, spill control tasks. The duties thereof as spill control expert shall be to supervise such tasks and to coordinate the acts that may emerge among those involved and PNA.

- He shall be appointed by JECECODECON, from which he shall depend and shall continuously maintain JECECODECON informed on the news and advances of operations.

- When deemed convenient, he may request JECECODECON to appoint specialists in certain tasks, to successfully comply with the mission thereof.

2.3.12. INDEPENDENT SUPPORT BODIES (OREA).

- All public and private bodies that may cooperate in the response to a pollution incident.

  Forthwith, and by way of mere example, is a list of some of the areas to be taken into account when selecting possible bodies: environment protection, police forces, civil defense, fire fighters, customs, immigration, foreign affairs, communications, rescue, insurance, health, tourism, lodging, biology, fishery, oceanography, hydrography, meteorology, oil companies, chemical companies, navigation companies, aviation companies, ground transport companies, heavy machinery companies, safety equipment companies, labor clothes companies, etc..

- They shall be called by JECECODECON, if deemed necessary.

- In the National level, the list of independent support bodies shall emerge from the information appearing in the Area and Local Contingency Plans, to which national governmental and non-governmental organizations in relation to the Plan execution, as well as those that may eventually be called, shall be added.

CHAPTER 3

RESPONSE PREPARATION AND PLANNING

3.1. National Response Policy.

Taking into account what is set forth in the national regulation regarding the execution of measures to respond to pollution and to carry out the clean-up of national waters and the legal interpretation resulting therefrom, for the purpose of unifying the relevant criteria, the national policy to respond to such contingencies is included below:

a) Spill control operations shall be carried out by the company responsible for the incident or that appointed thereby for its execution. Thus when a situation implying the possibility or materialization of a pollution incident takes place, the activated Plan level (National, Area or Local) shall require the vessel operator, owner or the maritime agent representing them, to state under deed if he shall carry out the clean-up with own equipment and personnel or with equipment and personnel hired thereto or whether he shall not carry out the clean-up, in which case PNA shall be in charge of the clean-up, invoicing expenses as set forth in Section 15 of Act No. 22,190.

b) In the event the one responsible for pollution, *per se* or by third parties hired thereby, carries out the clean-up, PNA shall supervise the work and if this is not properly performed or if clean-up tasks evidence lack of skillfulness, PNA shall assume the conduction and/or execution of the tasks.

c) When clean-up tasks are assumed by PNA, resorting to equipment belonging to a company with which PNA has entered into an agreement, it shall serve notice thereof to that responsible for the spill, enabling expenses collection proceedings, whether the company that owns the equipment collects a separate rent therefor (in such case PNA shall certify the expense accuracy) or PNA shall be engaged in the expenses collection, being it necessary that two payment orders be issued separately.

d) When an unknown spill is detected or if the one responsible may not be identified immediately, PNA shall be engaged in spill control operations. If the responsible party is subsequently identified, PNA shall claim thereto for expenses recovery.

3.2. Planning and Coordination Structure.

For the proper fulfillment of the PURPOSE imposed, the tasks to be developed by every ORGANIZATION member shall tend to acquire the maximum practicable degree of efficiency and effort coordination.

Thus, planning is classified into the response levels that are detailed below:

When an event in which imminent risk or the possibility of a pollutant discharge to waters takes place or a contingency with pollutant effective discharge, whether of unknown or known origin takes place, and this event affects the jurisdiction of a PNA Unit, Subunit and the Subordinated Divisions and the specific human means and material available in the place are sufficient to control such situation, the **LOCAL PLAN** shall be activated.

If for the magnitude of the spill, whether for the pollution volume or for any kind of connotations, more than one Local jurisdiction is affected, or the human and material resources in the Dependent Office are not enough to control the situation, being PNA

Unit in technical and operating conditions to respond to the incident, the **AREA PLAN** shall be activated**.**

When due to the magnitude of the volume of oil spilled and to the impact in the society, the capacity at the Area level to control the crisis is exceeded, the **NATIONAL PLAN** shall be applied**.**

Due to the broad geographic coverage of the National Plan, the Response National System is based upon the information and strategies developed by the Area and Local Levels, which have prepared the supporting plans pursuant to the guidelines set forth in "Annex 15".

Moreover, the companies, which according to the provisions of the Convention on Oil Pollution Preparedness, Response and Co-operation (OPRC) shall apply a plan to respond to contingencies, shall prepare response plans to support the Local Plans, following the guidelines set forth in Annexes 16 through 20. "Annex 21" includes the guidelines for shipboard emergency plans.

When a spill of pollutant takes place in waters of national jurisdiction, but if there is the possibility that for hydro-meteorological reasons, this may extend to waters or coasts in a bordering country, the Maritime Authority of such country shall be served notice thereof.

Regarding Uruguay, the procedures already set forth in the tasks to compatibilize that both countries carry out shall be followed.

3.3. Activation of the National Response System.

Upon receiving the information of the Plan activation, the OPERATIONS DIRECTOR shall send the notice to the other Plan members which shall be incorporated thereto.

Such members may bear a permanent or transitory capacity.

3.4. Policy and Procedures to Request Support from National Bodies and Companies.

PNA has entered into several cooperation agreements with oil companies operating in our country for the purpose of setting forth the way in which the cooperation between both for spill control shall be performed.

The following list of Conventions, Supplementary Deeds and Equipment Loan Agreements is included as "Annex 1":

3.4.1. List of Conventions, Supplementary Deeds and Equipment Loan Agreements entered into by PNA and ESSO S.A.P.A.

- ESSO - PNA Cooperation Convention.

- Heli-transported Dispersant Spray System Loan Agreement No. 1.

- Heli-transported Dispersant Spray System Loan Agreement No. 2.

- Supplementary Deed to ESSO - PNA Convention for Bahía Blanca Area.

- Bahía Blanca SICO Station Loan Agreement.

- Supplementary Deed to ESSO - PNA Convention for Rosario Area.

- Rosario SICO Station Loan Agreement.

- Supplementary Deed to ESSO - PNA Convention for San Lorenzo Area.

- San Lorenzo SICO Station Loan Agreement.

- Plane-transported Dispersant Spray System Agreement for CASA C-212-300 Plane.

3.4.2. PNA - SHELL C.A.P.S.A. Cooperation Convention.

3.4.3. PNA - SIPETROL Cooperation Convention.

3.5. Link with other plans.

3.5.1. Uruguay.

Argentina and Uruguay entered into the **"Cooperation Convention on Preparedness and Response to Marine Environment Pollution Incidents by Oil and Other Harmful Substances" (Act No. 23,829)**, and subsequently both Commandants entered into a **Deed of Understanding** to compatibilize the National Contingency Plans in both countries.

This Agreement is made up by five Chapters. Chapter IV "RESPONSE TO POLLUTION INCIDENTS" thereof is fundamental from spill control operation that may occur in waters within the Treaty of the River Plate and its Waterfront and in the Treaty of Uruguay River Limits.

Consequently, if events take place in the jurisdictions set forth in the previous paragraph, the Cooperation Convention provisions shall be applied.

A copy of the **"Cooperation Convention on Preparedness and Response to Marine Environment Pollution Incidents by Oil and Other Harmful Substances"** and of the relevant **Deed of Understanding** entered into by the Argentine and the Uruguayan Commandants are attached hereto as "Annex 2".

3.6. Policy and Procedures to Request International Support and Cooperation.

The **"Cooperation Convention on Preparedness and Response to Marine Environment Pollution Incidents by Oil and Other Harmful Substances"** entered into by Argentina and Uruguay, includes the possibility of international support and cooperation in the event of spill.

In the event it shall be necessary to apply the convention, the guidelines set forth therein shall be followed.

In the event of a significant oil spill with respect to which all the personnel and equipment in the country is not sufficient to cope with the emergency, the cooperation of companies and organizations devoted to this type of work shall be requested.

There is an International Spill Service Center known as OIL SPILL SERVICE CENTER (OSSC).

Regarding this point, see Annex 22, which includes supplementary information.

3.7. Policy and Procedures to Render Cooperation to Other Countries.

The policy for rendering cooperation to other countries is determined by the conventions entered into for such purposes. This is the case of the agreement entered into with Uruguay and of the guidelines and policies that set forth the maximum levels of the Argentine foreign policy.

3.8. Training and Exercise Program.

The Plan components, in the different levels thereof, shall carry out frequent exercises on a regular basis for the purpose of familiarizing with the emergency response operating procedures.

The relevant planning shall be furnished with the ENVIRONMENT PROTECTION DIRECTION, and a technical report shall be filed upon conclusion thereof for the purpose, as the case may be, of introducing the relevant corrections thereto.

The Institutional training plan, which may be carried out in coordination and/or together with oil companies, shall be the one detailed above:

OPERATION AND COMMUNICATION PLAN:

Monthly:

> The responsible officers for the Plan levels shall instruct the Head Personnel to give academies to the Personnel forming part thereof regarding the issues related to the operation response planning.

Bi-monthly:

> The plan levels shall carry out field practical exercises with specific material, if relevant, or with oil companies in the area.
>
> Moreover, exercises in communications shall be carried out to appreciate the efficiency of the communication system applied.

Semi annually:

> Every Area level, together with the participation of the Local and National levels shall carry out an exercise in the jurisdiction thereof, simulating a pollution incident.

Annual:

> The OPERATIONS DIRECTOR shall implement an exercise involving the national means deemed relevant, national and international communications that should be applied in a real event, as well as the application of external material and personnel.

CHAPTER 4

RESPONSE OPERATIONS

4.1. General outline of the response.

4.1.1. Stages.

The Plan includes three (3) stages:

EVALUATION STAGE, exclusively of the local response level.

This stage constitutes the starting point of the Plan execution, beginning when the Dependent Office is served notice of a navigation event which may cause a spill or as a result of which a pollution incident has been caused.

Some of the members of the local community, familiarized with the navigation activity may know about this subject; others may be observers who, though not able to evaluate the event witnessed, they are capable of transmitting the information visualized for the trained personnel to decide the scope thereof.

So that JECODECONs may count on organized information that allows to evaluate the fact with some precision, until the relevant recognition is carried out, the reports on spills shall be received by on-duty personnel in the Jurisdictional Dependent Office answering telephone calls or by radio-operators engaged in the frequencies assigned to the Maritime Mobile and Shoreline Station Service; using the "Pollution incident Information Reception Guide", which form is included in “Annex 3” hereto.

The information received shall be forwarded by the communication or on-duty personnel, with URGENT character and shall be evaluated by the receiving jurisdictional Dependent Office Chief Officer, who after having analyzed the situation, shall apply the relevant PLAN stage, producing the Naval Message, as the case may be.

For the evaluation mentioned in the previous paragraph, the guidelines detailed above by way of example shall be followed:

a) Possibility to carry out observations of the slick without it being necessary to carry out any type of maneuver to respond to it.

b) If there are sensitive areas that may be affected by the pollutant.

c) If there is the possibility to attack the pollutant spilt with specific chemical products.

d) If hydro-meteorological conditions allow to carry out contention or detour maneuvers or sensitive area protection with contention boom.

e) When it is possible that the pollutant reaches the coast, the shoreline clean-up policy shall be applied in the event of pollution.

f) Knowing the characteristics of the pollutant spilt, which consequences may be foreseen on the ecosystem.

g) In the event of occurrence, with the possibility of a spill, preventive procedures to be adopted to minimize the consequences in the event such spill is produced.

ALERT STAGE, of simultaneous action for all response levels.

The implementation of the ALERT in a Dependent Office (LOCAL level) shall **automatically** imply the communication and alert in the Area and National Level.

The ALERT STAGE shall be applied when:

- There is a possibility of a pollutant discharge in water pursuant to a shipboard failure or to a navigation event (grounding, fire, collision, etc.).

- In the event of a pollution incident, the operation control does not exceed the response capacity of the responsible company, being the spill neutralization operations supervised by an On-scene Controller from the Jurisdictional Dependent Office.

- The spill evolution only demands surveillance maneuvers.

EXECUTION STAGE, of subsequent and gradual action for every response level.

The EXECUTION STAGE shall be implemented under the following circumstances:

- In the event of a pollution incident, the response capacity of the company engaged in control and/or clean-up operations is exceeded and/or when the On-scene Controller in the relevant level determines that they are not adequately applied.

- When in the event of a pollution incident, the responsible thereof does not count on equipment or trained personnel, without assuming the clean-up or hiring third parties thereto.

- In the event of a pollutant effective discharge in jurisdictional water, which for the magnitude or possible connotations thereof makes it necessary to activate the Plan.

- When a pollution is detected in the marine environment, but the origin thereof is unknown.

The Jurisdictional Dependent Office Chief Officer or the PNA District Chief Officer may request the Operations Director the necessary technical personnel to perform an assessment of the situation, and if deemed convenient, the application of the National Plan EXECUTION STAGE. The required technical personnel evaluation shall consist in the following:

a) Initial analysis on possible contingency consequences and characteristics, according to the information received.

b) First measures adopted.

c) Data related to the incident characteristics, for example, pipeline breakage, collision, grounding, characteristics of the vessels involved, tank overflow, etc.

d) Data related to pollutant spilt (product quantity and main features).

f) Equipment number and location and local affected means.

g) Human resources affected to operations.

h) Local bodies providing support.

i) Motives why the local response capacity was exceeded.

j) Evaluation on the possible consequences of the pollution incident.

k) Determining the priorities of sensitive areas protection.

l) Shoreline points where the slick may impact and estimated time for probable impacts.

m) Type of necessary assistance.

4.2. Diagram for Spill Response Decision Making. (see Annex 24).

4.3. Specific available equipment.

The **Specific available equipment** to be used in spill control operations is made up by the relevant operating means owned by *Prefectura Naval Argentina*, as well as by the equipment that may be obtained pursuant to the cooperation agreements entered into or to similar mechanisms to be applied.

Attached hereto as "Annex 4" are some guidelines provided to list the equipment owned by the Institution, national and foreign bodies or private companies, which shall form part of Area and Local plans.

These listed materials shall be taken into account for spill control operations, at all plan levels.

4.4. Criteria to apply chemical agents for slick treatment.

The criteria for chemical agents application for slick treatment shall be those set forth by the guidelines of the Environment Protection Direction, and the relevant regulations in force and effect thereto.

In using these elements, the strategies described for the supporting plans at an Area and Local level shall also be taken into account.

Attached hereto as "Annex 5", is a copy of the Environment Protection Direction guidelines and of the regulations in force and effect related thereto.

4.5. Criteria to determine critical areas, specially sensitive areas and special protection areas.

4.5.1. The criteria to determine specially sensitive areas, as well as the special protection areas in the Argentine shoreline are detailed in Annex 6.

4.5.2. The criteria to determine critical areas are detailed in Annex 7.

4.6. Methods to move human resources and material (Deployment and Withdrawal) of the Institution to a contingency area.

These shall be water, air and road means of the Institution, as well as those which may be accessed through conventions, by lease or acquisition.

The Area and Local levels, in the relevant supporting plans shall indicate and list those available in each jurisdiction.

4.7. Procedures for final disposal of pollutants collected in the operation.

In the event circumstances determine that *Prefectura Naval Argentina* has to proceed to the **final disposal of the pollutants collected in the operation,** the Operations Director shall determine the procedure to be followed (the guidelines shall emerge from the consultations of every Dependent Office Chief Officer entered into with the municipal authorities in every place, or with the companies located within the jurisdiction, which shall be complied with as part of the development of the own plan supporting the National Plan, evidencing the characteristics and location of such reservoirs or industrial facilities in the own plan thereof. Thus, it is advisable to include the issue in the cooperation convention entered into with every municipality, where the material, means and human resources with which the community may cooperate in the event of having to respond to a spill reaching the coast shall be listed.

4.8. Personal Protection and Operating Safety.

JECECODECONs shall issue the relevant guidelines regarding safety measures and the use of personal protection and operating equipment for the different tasks composing a spill control operation.

Thereto, and since every operation has its own characteristics, attached hereto as "Annex 8" is a guidance for the selection of personal protection equipment and operating safety.

CHAPTER 5

ADMINISTRATION AND LOGISTICS

5.1. Operation expenses.

5.1.1. The implementation of a Contingency Plan at a national level requires to count on economic resources as an agile and efficient tool enabling its full execution.

5.1.2. In Spill Control, as in every emergency, a rapid response criterion shall rule, and thus the application of the EXECUTION stage shall meet the following requirements:

- Support of expenses for road, water and air means; material and personnel movement, including lodging and food.

- Support of expenses for lease of material to respond to the emergency and which, for urgent reasons, may not be solved through regular bidding processes.

- Support of expenses to hire experts or personnel who are not members of the Institution, as well as personal insurance, if relevant.

5.1.3. JECECODECON shall request the superior officer to reserve the monies necessary for operation expenses. Thereto, the Message set forth in "Annex 12" shall be implemented.

5.1.4. Until a Special Fund, composed by an easily available amount of money to be used according to the emergency of the case is available for the responsible for CODECON operations, the most expeditious legal framework including the hiring deriving from such type of event is contained in Section 56, subsection d) of the Argentine Accounting Law.

This shall accelerate the proceeding as much as possible, as well as receiving or disposing of hired items or services.

5.1.5. For the affectation of budgetary credits and to dispose of the funds necessary for the emergency, the guidelines provided for in subsection e) of Section 17 of the Argentine Accounting Law shall be applied, directly supporting same with the jurisdictional budget. For the same purpose, payment orders shall be rendered to the ARGENTINE GENERAL TREASURY, up to the collection of the amounts authorized by the Argentine National Executive.

5.1.6. During the development of this Plan, the documentation of events and the strict control of expenses incurred is fundamental. The information from JEOs, documented by JAD, and the requirements approved and complied with by JECECODECON shall constitute an essential precedent to achieve the recovery of the expenses demanded by the task.

5.1.7. Thus, it is necessary that all the personnel involved, every operating unit and every machine or equipment moved, be chronologically registered on a daily basis.

Such information shall be supplied upon the end of tasks in the final pollution incident report.

5.1.8. The Rescue, Fire Fighting and Pollution Service, upon receiving the Pollution Incident Final Report shall proceed to issue the relevant invoice.

5.1.9. The invoice shall be filed for collection, through the Jurisdictional Dependent Office, to the owner of the ship or the naval craft responsible for the pollution incident or to any other person, body or company responsible for the spill.

5.2. Insurance Policies.

Vessel owners or operators under any title whatsoever, of vessels transporting oil, shall include in the plans the hiring of insurance policies for such vessels, to cover eventual damages that spills emerging therefrom may cause to the environment or to third parties.

JECECODECONs, at any level, shall provide all necessary elements for the calculation of the relevant compensation for spills caused by insured vessels to insurance agents and appraisers, without affecting the operation or investigation tasks of the relevant proceedings.

CHAPTER 6

REPORTS AND COMMUNICATIONS

6.1. Communication systems.

6.1.1. Communications emerging from the fulfillment of this Plan shall be **trustable, fast and secure** in order to enable operations.

6.1.2. Radio-communications included in the MARITIME MOBILE SERVICE shall be made in the frequencies set forth in MARITIME ORDINANCE No. 6/82 "Service of Communication for Navigation Safety and Security ".

6.1.3. Communications between PNA Coastal Stations shall be carried out through the relevant fixed Services.

6.1.4. Communications between PNA and the official bodies and/or private companies shall be canalized by available national and international systems (telephone, fax, VHF, etc.).

6.1.5. The communications not provided for herein shall be directly coordinated among correspondents, taking into account the concepts provided in item 6.1.1.

6.1.6. For spill practical exercises, all communications made shall be preceded by the word "EXERCISE".

6.2. Notifications of Pollution.

6.2.1. Notification of probable discharges.

When a situation indicating the probability of pollutant discharge, the Jurisdictional Chief Officer shall serve notice thereof as soon as practicable to the neighboring Dependent Offices that may become affected thereby, and to the Jurisdictional District PNA Office, PNA Operations Direction and PNA Environment Protection Direction, reporting the situation, and thus the message form included in Annex 9 shall be followed.

6.2.2. Notification of effective discharges.

When a situation indicating the effective discharge of a pollutant has taken place, the Jurisdictional Chief Officer shall serve notice thereof as soon as practicable to the neighboring Dependent Offices that may become affected thereby, as well as to the Jurisdictional District PNA Office, the Operations Direction and the Environment Protection Direction, reporting the spill, and thus the message form included in Annex 10 shall be followed.

6.2.3. Supplementary follow-up notifications.

Once the initial notice has been transmitted, whether for probable or effective discharges, subsequent notices at regular intervals shall be sent to update the information on the event development. Such notices shall be subsequently numbered, adding the word "FINAL" to that corresponding to the report of end of contingency.

Supplementary notifications shall follow the model of the message appearing as Annex 11 hereto.

6.2.4. Requirement Message.

In the event it is necessary to request additional equipment or personnel, as well as a budgetary item to support spill control operation costs, this shall be served notice using the message form attached hereto as Annex 12.

6.3. Final Report.

When JECECODECON deems operations concluded, within a term not exceeding 15 days, a final report shall be prepared following the guidelines set forth in Annex 13.

The purpose of this Final Report is to record all circumstances and details emerged during the execution of operations, in order to obtain the necessary conclusions to update the planning, to improve operating techniques and to carry out the estimation of operation expenses.

ANNEX 1

CONVENTIONS AND AGREEMENTS REGARDING ENVIRONMENT PROTECTION

1. COORDINACION ECOLOGICA AREA METROPOLITANA SOCIEDAD DEL ESTADO (METROPOLITAN AREA ECOLOGICAL COORDINATION, STATE COMPANY) (CEAMSE) on the recovery of Riachuelo and Dock; removal of navigation obstacles.

2. SUPPLEMENTARY AGREEMENT No. 1 TO THE CONVENTION ENTERED INTO BY PNA AND CEAMSE: on extraction, removal, reflotation or demolition of wrecked pieces sunk in Matanza-Riachuelo Basin.

3. SUPPLEMENTARY AGREEMENT No. 2 TO THE CONVENTION ENTERED INTO BY PNA AND CEAMSE: on extraction, removal, reflotation or demolition of wrecked pieces sunk in Matanza - Riachuelo Basin.

4. MUNICIPALITY OF SAN JOSE, Province of ENTRE RIOS on control of infractions to sanitary and health rules.

5. FUNDACION VIDA SILVESTRE ARGENTINA (ARGENTINE WORLD WIDE FUND) on Environment preservation in the sports nautical media and diffusion of ecological provisions.

6. PROVINCIAL BUREAU ON SANITARY WORKS OF THE PROVINCE OF SANTA FE on analysis of Paraná River water samples and pollution control.

7. FUNDACION ECOLOGICA PARA LA DEFENSA DE LA VIDA (ECOLOGICAL FUND FOR LIFE DEFENSE) (FEDEVI) on Project research and study on environmental impact caused by pollutants emission towards water courses, as well as for the determination of the most adequate legal and technical remedies for neutralization.

8. PUBLIC WORKS AND SERVICES TERRITORIAL DIRECTION OF THE PROVINCE OF TIERRA DEL FUEGO on water sample extraction of presumably polluted elements, analysis thereof, information supply and personnel training.

9. MUNICIPIO URBANO DE LA COSTA on Effect correction and recollection of oil and pollutant spills from ships, occurred in the sea.

10. ENVIRONMENT RECOVERY DIRECTION OF THE PROVINCE OF ENTRE RIOS on Prevention, correction and surveillance of pollution incidents in the waters of Uruguay, Gualeguay and Gualeguaychú Rivers.

11. MUNICIPALITY of GENERAL PUEYRREDON on Prevention, surveillance and correction of pollution incidents in the Atlantic Ocean in the coastal area of General Pueyrredón.

12. INSTITUTE OF MARINE BIOLOGY OF SAN ANTONIO OESTE on Prevention, surveillance and correction of pollution incidents in San Matías Gulf.

13. SHELL CAPSA COMPANY on Joint action Plan to respond to oil spills.

14. NATIONAL TECHNOLOGY INSTITUTE on Application of the International Convention for Safety of Lives at Sea (SOLAS) and the International Maritime Dangerous Goods Code (IMDG), to approve dangerous goods packaging to be transported by vessels.

15. AGRARIAN COUNSEL OF THE PROVINCE OF SANTA CRUZ on Prevention and surveillance of pollution incidents in water masses of provincial jurisdiction and control of infractions in provincial rivers, lakes and ponds.

16. BROMATOLOGY AND ENVIRONMENT DIRECTION OF THE PROVINCE OF ENTRE RIOS on Control of infractions to sanitary and health provincial rules.

17. MUNICIPALITY OF ELDORADO on Control of infractions to sanitary and health provincial rules.

18. MUNICIPALITY OF CONCORDIA on Control of infractions to sanitary and health provincial rules.

19. MUNICIPALITY OF COLON on Control of infractions to sanitary and health provincial rules.

20. PROVINCE OF TIERRA DEL FUEGO, ANTARCTICA AND SOUTH ATLANTIC ISLANDS on Preventive and surveillance operatives of pollution incidents in provincial waters.

21. SUPPLEMENTARY AGREEMENT: on control of nautical and sports activities and environment preservation in YEHIN Lake area.

22. ARGENTINE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT SECRETARIAT on Environment preservation, prevention and response to pollution incidents in water masses.

23. MUNICIPALITY OF GUALEGUAYCHU on Control of infractions to sanitary and health local rules.

24. MUNICIPALITY OF CONCEPCION DEL URUGUAY on Control of infractions to sanitary and health local rules.

25. MUNICIPALITY OF NECOCHEA on Prevention of and response to pollution incidents in water masses.

26. ESSO SAPA COMPANY on Prevention and response to pollution incidents in water and environment preservation.

- Supplementary Deed for BAHIA BLANCA area.
- Loan agreement for hanging bucket.
- Loan agreement for spill response systems and means for Bahía Blanca area.
- Supplementary Deed for ROSARIO area.
- Loan agreement for spill response systems and means for Rosario area.

- Supplementary Deed for SAN LORENZO area.

- Loan agreement for spill response systems and means for San Lorenzo area.

- Loan agreement for a dispersant spraying system.

27. SENASA AND LOWER URUGUAY PNA DISTRICT on Animal Sanitary Control Cooperation.

28. FUNDACION PATAGONIA NATURAL (NATURAL PATAGONIA FUND) on the Patagonia coastal area management plan, natural resources protection and marine pollution prevention.

29. FUNDACION CETHUS (CETHUS FUND) on Preservation of the marine environment along the whole maritime shoreline.

30. SOCIEDAD INTERNACIONAL PETROLERA (SIPETROL) on Prevention and response of pollution incidents in water masses.

31. PROVINCIAL WATER INSTITUTE OF CHACO (IPACH) on water extraction sample and analysis.

32. GENERAL DIRECTION OF DEVELOPMENT, ECOLOGY AND ENVIRONMENTAL CONTROL of ENTRE RIOS on Prevention and control of infractions to the provincial rules on environment preservation.

33. ENVIRONMENT POLICY SECRETARIAT OF THE PROVINCE OF BUENOS AIRES AND PNA on prevention of water pollution and other phenomenon causing fish death.

34. SANITARY WORKS PROVINCIAL DIRECTION OF THE PROVINCE OF SANTA FE on Prevention, surveillance and correction of the Parana River pollution.

35. GENERAL DIRECTION OF DEVELOPMENT, ECOLOGY AND ENVIRONMENTAL CONTROL OF THE PROVINCE OF ENTRE RIOS on Environment preservation and control of infractions to the provincial environmental rules.

36. ARGENTINE NATIONAL NATURAL RESOURCES AND SUSTAINABLE DEVELOPMENT SECRETARIAT on Environment and Argentine fishing resources protection.

37. UNIVERSIDAD NACIONAL DE LA PLATA (NATIONAL UNIVERSITY OF LA PLATA) on Technical Cooperation and assistance as to prevention and surveillance of water pollution.

38. PREFECTURA NACIONAL NAVAL DE LA REPUBLICA ORIENTAL DEL URU - GUAY (URUGUAYAN COAST GUARD). Cooperation agreement to prevent and respond to pollution events.

39. EXECUTORY COMMITTEE OF MATANZA-RIACHUELO BASIN ENVIRONMENTAL MANAGEMENT PLAN on Recovery of Matanza – Riachuelo Water Basin.

40. UNDERSECRETARIAT OF PORTS AND WATERWAYS to manage, coordinate and impulse acts within the port modernization program.

41. ARGENTINE NATIONAL DIRECTION OF RESOURCES OF THE ARGENTINE FUEL UNDERSECRETARIAT on offshore platforms and oil transfer stations control tasks.

42. MUNICIPALITY OF NEUQUEN on Environment preservation. Prevention and control of infractions against water pollution rules.

43. COMISION ADMINISTRADORA DEL RIO URUGUAY (URUGUAY RIVER MANAGEMENT COMMITTEE) on Coordination of efforts to apply procedural rules to control fish and other marine bodies death.

ANNEX 2

ARGENTINE AND URUGUAY COOPERATION CONVENTION ON PREPAREDNESS AND RESPONSE TO MARINE ENVIRONMENT POLLUTION BY OIL AND OTHER HARMFUL SUBSTANCES

CHAPTER I

GENERAL PROVISIONS

ARTICLE 1

The scope of application of this Convention shall be the marine environment included in the Treaty of the River Plate and its maritime waterfront, and in the Treaty of Uruguay River Limits.

ARTICLE 2

This Convention shall be applicable to the pollution incidents in the marine environment caused by oil from any source and harmful substances from vessels, planes, naval crafts or offshore facilities.

ARTICLE 3

The Parties shall adopt in the relevant jurisdictions proper measures for effective compliance with the rules set forth herein.

ARTICLE 4

The Parties agree on the definitions appearing in the Annex hereto, forming an integral part hereof.

CHAPTER II

PREVENTION OF POLLUTION INCIDENTS

ARTICLE 5

The Parties shall promote the reduction to the maximum extent practicable of the risk of pollution incident through acts tending to increase the safety of operations that may incidentally pollute the marine environment, pursuant to the international instruments in force and effect, and laws, regulatory orders and regulations passed thereto.

ARTICLE 6

The Parties shall act pursuant to international instruments in force and to the guidelines and recommendations of the relevant international bodies, as the case may be.

Moreover, the Parties agree not to reduce in their legislation the technical requirements in force and effect and the seriousness of the sanctions set forth for infractions.

ARTICLE 7

The Parties commit themselves to reciprocally inform each other of any rule they plan to pass as to the prevention of pollution incidents, for the purpose of setting forth compatible or equivalent rules in the relevant legislation.

CHAPTER III

MARINE ENVIRONMENT QUALITY SURVEILLANCE

ARTICLE 8

The Parties shall reveal and exchange information and shall make consultations among the relevant authorities regarding the following measures:

a) Systematic design and operation of a quality surveillance and control network of the marine environment and living organisms.
b) Setting forth alert levels for harmful substances concentration in the marine environment or in living organisms.
c) Delimitation of critical areas.

ARTICLE 9

Parties and Committees, as the case may be, shall procure that when joint campaigns are carried out, scientific studies and research related to marine environment quality and to living organisms shall take place.

ARTICLE 10

The Parties shall promote the cooperation and assistance between national and international bodies to apply the measures included in Article 8.

CHAPTER IV

RESPONSE TO POLLUTION INCIDENTS

ARTICLE 11

The Parties undertake to:

a) Set forth contingency plans at a National level, compatible among same and shall allow to supplementary use means to facilitate, if required, the joint act thereof.

b) Set forth in the purposes of the relevant contingency plans that in the event of a pollution incident:

1. Costs and expenses emerging from the development of activities and use of means, shall be reasonable to the significance of the relevant pollution incident;
2. To the extent critical areas are involved, preventive and response tasks shall be increased for preservation.

c) Agree upon guidelines and recommendations to be included in the relevant contingency plans which shall include among other elements:

1. Communications plan to be applied.
2. The way in which the alarm shall be issued to the authority responsible for the execution for each of the Parties.
3. Instructions on the procedures to which every Party shall adjust.
4. The criterion for the use of dispersants, agglutinants and gelifiers.
5. Analysis of the intervening hydro-meteorological factors in order to determine the probable evolution of the pollution incident.

d) To present to the Committees a final report of every pollution incident occurred within the environment specified in Article 1.

ARTICLE 12

Every Party shall assume the control of operations to respond to pollution incidents subject to the jurisdiction thereof, pursuant to what is set forth in the relevant Treaties in Article 1.

ARTICLE 13

In waters for common use of the River Plate, when an event originates a ship rescue operation and a pollution incident, full control of operations shall be assumed by the authority of the Party who has jurisdiction on the rescue, granting due importance to the marine environment preservation.

ARTICLE 14

The acting Party shall immediately communicate the authority of the other Party the commencement of an operation to respond to pollution incidents.

When, for any reason, the authority of such Party may not commence or continue the operations to respond to pollution incidents, this shall be immediately communicated to the authority of the other Party and it shall be required to assume the operations control, enabling proper available means.

The acting Party may require cooperation to the authority of the other Party when deemed necessary, preserving the control of operations, and at the same time shall provide available information as to its development.

The required Party shall cooperate with available proper means.

When an authority is informed on the existence of a pollution incident subject to the jurisdiction of the other Party, it shall immediately communicate this to that Party and may commence the response operations until the authority of the other Party assumes the control of operations or expressly delegates such control.

ARTICLE 15

When a pollution incident threats or directly affects the critical areas provided for in the relevant contingency plans, the non acting Party may:

a) Adopt precautionary measures deemed convenient.
b) Offer cooperation subject to the control of the acting Party.

ARTICLE 16

The Parties shall cooperate with each other and shall coordinate the performance of joint actions to respond to pollution incidents including their jurisdiction areas or exceeding the capacity of control of one of them, specially taking into account the cases in which critical areas may be involved.

ARTICLE 17

In the event of discharge or jettison of packaged harmful substances, the Parties shall cooperate to the extent practicable in the recovery thereof, for the purpose of reducing the hazard of marine environment pollution.

ARTICLE 18

The Parties shall carry out the necessary acts so that, to the greatest extent practicable, pollution caused by incidents subject to the jurisdiction thereof is not extended.

ARTICLE 19

The Parties shall procure the identification of those responsible for pollution incidents and shall provide mutual cooperation thereto.

ARTICLE 20

Every Party may request within the administrative proceeding and may file the relevant case with the courts against those responsible for a pollution incident in order to obtain the reimbursement and compensation for expenses incurred by the authority responsible for the execution of the operations to respond to pollution incidents, whether a joint action has been carried out or whether the Parties have acted separately.

When one Party has required the cooperation of the other, and this has not requested through the administrative proceeding or before the courts against that responsible to obtain the reimbursement and compensation of the expenses incurred, such expenses shall be reimbursed by the requiring Party, which may obtain repayment thereof through the administrative proceeding or before the courts against that responsible for the pollution incident.

ARTICLE 21

Every Party shall apply the sanctions provided in the legislation as to pollution regarding any infraction committed in their own jurisdiction by vessels subject to own their jurisdiction.

In the event of infraction committed in their own jurisdiction by a ship of the other Party’s flag, the Party shall be provided with the relevant elements of judgment for the corresponding sanction and shall have the ship available if captured in flagrant violation of the polluting rules.

ARTICLE 22

Every Party shall be responsible before the other for damages caused as a consequence of the marine environment pollution for the own activities thereof pursuant to what is set forth in the provisions of Article 2. In the cases in which

pollution is caused by natural persons or legal entities, responsibility shall be determined by the international instruments in force.

ARTICLE 23

The Parties shall promote a fast and diligent bordering transit of persons, equipment and material necessary to respond to pollution incidents in the marine environment.

ARTICLE 24

The Committees may:

a) Request the Parties that in every moment they shall apply the cooperation set forth in this Agreement and to coordinate the acts to respond to pollution incidents.
b) Analyze the final report for every pollution incident, suggesting the Parties the improvements deemed more convenient in the respective Contingency Plans.

CHAPTER V

FINAL PROVISIONS

ARTICLE 25

This Agreement shall not affect the rights and obligations of the Parties pursuant to the international laws or the duties of the Committees set forth in the relevant Treaties.

ARTICLE 26

This Agreement shall be in force as of the date of exchange of the relevant ratification instruments and shall cease to produce effects SIX (6) months after one of the Parties declares its intention to denounce the instrument through diplomatic proceeding.

ENTERED INTO in Buenos Aires, on this sixteenth day of the month of September of the year one thousand nine hundred and eighty seven in two original identical copies.

ANNEX 3

POLLUTION INCIDENTS INFORMATION RECEPTION GUIDE

IDENTIFICATION OF RECEIVER:

Name and last name:

Hierarchy:

Means of reception:

IDENTIFICATION OF OBSERVER:

Name and last name:

Identity Card No.:

Occupation:

CHARACTERISTICS OF POLLUTION:

- Date and time of observation:

- Physical extent of pollution (spill length and width):

- Geographic position of slick/s (Latitude, longitude or position relative to coast):

- Slick appearance and color:

  Shape of slick:

  Color: sheen, orange, dark brown.

- Appreciate if oil is viscous or light or if it is a chemical product.

IDENTIFICATION OF POINT OF ORIGIN:

If polluting origin point is known.

In the event this is known, state causes of pollution: (failures, sinking, etc.).

If relevant, inform if discharge continues or has stopped.

AREA HYDRO-METEOROLOGICAL CONDITIONS:

Wind: sector and force.

Currents: direction and approximate speed.

GRAPHIC EVIDENCE:

If photographs, films, etc. are available

ANY OTHER DATA THAT MAY HELP TO APPRECIATE THE SITUATION

ANNEX 4

GUIDELINE FOR EQUIPMENT LIST

Own means.

1. **BOOM.**

   Type.

   Design or application.

   Total length.

   Freeboard / draft.

   Unit weight.

   Supplementary additional equipment.

   Mobilization time (1).

   Required means of transport.

   Personnel necessary for handling.

   Estimated acquisition cost (2).

   Estimated daily rent (2).

2. **MANIFOLDS.**

   Types, total quantity.

   Design.

   Unit size and weight.

   Supplementary additional equipment.

   Mobilization time (1).

   Required means of transport.

   Available means of transport.

   Personnel necessary for handling.

   Estimated acquisition cost (2).

   Estimated daily rent (2).

3. **TRANSFER EQUIPMENT (LIGHTERING)**

   Pumps, total per type, capacity and weight (including energy source).

Hoses, length, diameter and weight per section.

Personnel necessary for handling / operation.

Estimated acquisition cost (2).

Estimated daily rent (2).

4. **TEMPORARY DEPOSITS**

Type, total amount, capacity.

Design or intended application.

Unit size and weight.

Supplementary additional equipment.

Mobilization time (1).

Required means of transport.

Available transport.

Personnel necessary for handling.

Estimated acquisition cost (2).

Estimated daily rent (2).

5. **VESSELS** (Specific or with CODECON system).

Type, length, breadth, draft, speed.

Crew.

CODECON personnel lodging.

Shipboard stowage capacity in cubic meters.

Operating limitations (open sea or protected waters).

Mobilization time (1).

Estimated daily rent (2).

6. **AIRCRAFTS.**

Type, fixed or rotating wing.

Cruise speed.

Autonomy.

Fuel.

Crew.

Passenger capacity.

Shipboard loading capacity in cubic meters and tons.

Operating limitations (open sea or protected areas).

Mobilization time (1).

Estimated daily rent (2).

7. **DISPERSANTS.**

Type, total stock of every type in liters.

Type of container.

Application method.

Approval data (country, availability, number).

Toxicity and efficiency data (tests and results).

Required spraying equipment.

Supply sources and mobilization time (1).

Required means of transport, unit capacity.

Available means of transport.

Estimated cost (2) per liter.

8. **FOLDING TANKS FOR DISPERSANTS.**

Total quantity per type, capacity, empty and full weight.

Shipboard fixing method.

Mobilization time (1).

Required means of transport.

Available means of transport.

Personnel necessary for handling.

Estimated acquisition cost (2).

Estimated daily rent (2).

9. **SHIPPED OR AERO-TRANSPORTED SPRAYING EQUIPMENT.**

Type and size.

Use or application.

Adequate for application of concentrates (percentage).

Mobilization time (1).

Required means of transport, unit weight.

Available means of transport.

10. **SHORELINE CLEAN-UP SPECIALIZED EQUIPMENT.**

Type.

Design or intended application.

Unit size and weight.

Supplementary additional equipment.

Mobilization time (1).

Required means of transport.

Available transport.

Personnel necessary for handling.

Estimated acquisition cost (2).

Estimated daily rent (2).

11. **COMMUNICATION EQUIPMENT.**

Shipboard equipment.

Portable equipment.

Available frequencies.

Type of emission.

Source of energy.

Estimated acquisition cost (2).

Estimated daily rent (2).

12. **ADDITIONAL EQUIPMENT.**

Working and protecting clothes for personnel (including helmets, boots, gloves, etc.).

Shovel, forks.

Resistant bags for waste storage.

Cables and Ropes.

Buoys, anchors and/or anchorage.

Machines to move soils (tractors, moto-leveler, frontal chargers, backhoe).

Transport vehicles (dump trucks, tank trucks, road tankers).

Illumination systems (generators, reflectors).

Photograph and/or video equipment.

Water pressure pumps.

Means owned by the company / body .....

1. **BOOM.**

Type.

Design or application.

Total length.

Freeboard/draft.

Unit weight.

Supplementary additional equipment.

Mobilization time (1).

Required means of transport.

Personnel necessary for handling.

Estimated acquisition cost (2).

Estimated daily rent (2).

2. **MANIFOLDS.**

Type, total quantity.

Design.

Unit size and weight.

Supplementary additional equipment.

Mobilization time (1).

Required means of transport.

Available means of transport.

Personnel necessary for handling.

Estimated acquisition cost (2).

Estimated daily rent (2).

3. **TRANSFER EQUIPMENT (LIGHTERING)**

Pumps, total per type, capacity and weight (including source of energy).

Hoses, length, diameter weight per section.

Personnel necessary for handling/operation.

Estimated acquisition cost (2).

Estimated daily rent (2).

4. **TEMPORARY DEPOSITS.**

Type, total amount, capacity.

Design or intended use.

Unit size and weight.

Supplementary additional equipment.

Mobilization time (1).

Required means of transport.

Available transport.

Personnel necessary for handling.

Estimated acquisition cost (2).

Estimated daily rent (2).

5. **VESSELS** (Specific or with CODECON system).

Type, length, breadth, draft, speed.

Crew.

CODECON personnel lodging.

Shipboard stowage capacity in cubic meters.

Operating limitations (open sea or protected waters).

Mobilization time (1).

Estimated daily rent (2).

6. **AIRCRAFTS.**

Type, fixed or rotating wing.

Cruise speed.

Autonomy.

Fuel.

Crew.

Passenger capacity.

Shipboard loading capacity in cubic meters and tons.

Operating limitations (open sea or protected areas).

Mobilization time (1).

Estimated daily rent (2).

7. **DISPERSANTS.**

Type, total stock of every type in liters.

Type of container.

Application method.

Approval data (country, availability, number).

Toxicity and efficiency data (tests and results).

Required spraying equipment.

Supply sources and mobilization time (1).

Required means of transport, unit capacity.

Available means of transport.

Estimated cost (2) per liter.

8. **FOLDING TANKS FOR DISPERSANTS.**

Total number per type, capacity, empty and full weight.

Shipboard fixing method.

Mobilization time (1).

Required means of transport.

Available means of transport.

Personnel necessary for handling.

Estimated acquisition cost (2).

Estimated daily rent (2).

9. **SHIPPED OR AERO-TRANSPORTED SPRAYING EQUIPMENT.**

Type and size.

Use or application.

Adequate for application of concentrates (percentage).

Mobilization time (1).

Required means of transport, unit weight.

Available means of transport.

10. **SHORELINE CLEAN-UP SPECIALIZED EQUIPMENT.**

Type.

Design or intended application.

Unit size and weight.

Supplementary additional equipment.

Mobilization time (1).

Required means of transport.

Available transport.

Personnel necessary for handling.

Estimated acquisition cost (2).

Estimated daily rent (2).

11. **COMMUNICATION EQUIPMENT.**

Shipboard equipment.

Portable equipment.

Available frequencies.

Type of emission.

Source of energy.

Estimated acquisition cost (2).

Estimated daily rent (2).

12. **ADDITIONAL EQUIPMENT.**

Working and protecting clothes for personnel (including helmets, boots, gloves, etc.).

Shovel, forks.

Resistant bags for waste storage.

Cables and ropes.

Buoys, anchors and/or anchorage.

Machines to move soils (tractor, moto-leveler, frontal chargers, backhoe).

Transport vehicles (dump trucks, tank trucks, road tankers).

Illumination systems. (generators, reflectors).

Photograph and/or video equipment.

Water pressure pumps.

Notes : The purpose of this guideline is to enable compilation by every CECODECON of the means existing in the area of responsibility necessary to complement those assigned by the organization itself.

The list is included by way of example and may be extended through the contribution of every person responsible for preparing the relevant supporting plans.

In all cases, the following information shall be added:

a) Data of equipment owner (Name, Company, Address, Telephone Number, Fax Number, etc.)

b) Data of (Regular and Alternate) responsible person for authorizing equipment delivery, with indications for "H 24" location.

(1) Mobilization time shall be the term included between the report of an order and the moment the equipment is dispatched or the moment the ship sets out or the airplane takes off.

(2) The cost shall be shown in Pesos and in United States Dollars, including, if possible, cost, insurance and freight (CIF condition). Otherwise, the value shall be free on board in origin (FOB).

ANNEX 5

GUIDELINES AND REGULATIONS REGARDING THE APPLICATION OF CHEMICAL PRODUCTS TO RESPOND TO OIL POLLUTION

Regarding this issue, the provisions of Sections 801.0501 and 801.0503, subsection b. of Maritime, River and Lake Navigation Regulations (REGINAVE) and Ordinance No.1/98 (DPMA – Book 6), referring to the RULES FOR THE AUTHORIZATION TO APPLY CHEMICAL PRODUCTS USED TO RESPOND TO OIL POLLUTION shall be taken into consideration.

Likewise, special consideration shall be taken regarding the provisions by the Director of Environment Protection through Written Communication (Oficio) DPMA, MP3 No. 43/98.

ANNEX 6

CRITERIA TO DETERMINE SPECIALLY SENSITIVE AREAS AND SPECIAL PROTECTION AREAS IN THE ARGENTINE SHORELINE

Item 4.4 of Resolution A.720(17) of IMO, included in Ordinance (DPMA) Book 6 No.12/98.

These criteria shall only be applicable to determine specially sensitive areas related to the examination and adoption of measures protecting such areas against damages caused by spills. For such designation, the area shall at least meet one criterion of every category of the criteria set forth below.

1. Characteristics contributing to place special importance to an area.

1.1. Ecological criteria.

1.1.1. Uniqueness: Ecosystems are unique or not very common. An area is unique when there is only one in its class.

1.1.2. Dependence: The ecological phenomena of an area depend, to a great extent, on the systems biotic structure. Those ecosystems of biotic structure frequently present a great diversity that depends on the structure of the constituting organisms. The dependence also extends to areas that include the migration roads of fish, reptiles, birds and marine mammals.

1.1.3. Representative character: The area is extremely representative of the ecological phenomena, of the type of community or habitat or of other natural characteristics. The representative character is the degree in which an area represents a type of habitat, ecological phenomenon, biological community, physiographic characteristic or other natural characteristic.

1.1.4. Diversity: The area counts on a great diversity of species or includes a varied abundance of ecosystems, habitats, communities and species. However, this criterion may not be applicable to some simplified ecosystems, and to some communities in the initial or extreme status of evolution, nor to areas exposed to destructive forces, such as the shorelines exposed to the violent action of waves.

1.1.5. Productivity: The area presents a great natural biological productivity. The production is the result of biological processes that end in the net increase of the biomass in areas of great natural productivity, such as ocean waterfronts or ascending current areas.

1.1.6. Naturalness: The area is highly natural having avoided disturbances and degradation caused by human beings.

1.1.7. Integrity: The area constitutes a biologically functional unit, *i.e.*, a viable autonomous ecological entity. The more self-sufficient the area is from the ecological standpoint, the more probable it shall be that its value may be efficiently protected.

1.1.8. Vulnerability: The area is very susceptible to degradation caused by natural phenomena or by human activities. The biotic communities of coastal habitats may present a low tolerance to the changes in environmental conditions, or they may exit next to the tolerance threshold (determined by water temperature, salinity, turbidity or deepness).

They may be exposed to natural disturbances such as storms or prolonged emersion, determining the limits of development. Other unfavorable conditions (such as pollution from domestic and industrial sources, excessive reduction of salinity and increase of turbidity caused by basin bad management) may determine if the area is going to recover, whether in whole or in part, or not from the effects of natural disturbance, or if the area shall remain totally destroyed.

1.2. Social, economic and cultural criteria.

1.2.1. Economic advantage: The area has essential importance for the exploitation of marine living resources.

1.2.2. Recreational activities: The area offers a particular interest for recreational activities and tourism.

1.2.3. Human dependence: The area is particularly important for the traditional subsistence or cultural needs of the local human population.

1.3. Scientific and pedagogic criteria.

1.3.1. Research: The area has great scientific interest.

1.3.2. Basic studies and surveillance: The area meets the appropriate basic conditions as to biota or environmental characteristics.

1.3.3. Education: The area offers the opportunity to demonstrate certain natural phenomena.

1.3.4. Historical value: The area has historical or archeological importance.

2. Factors contributing to area vulnerability.

2.1. Some oceanographic and weather factors may make an area vulnerable, or may increase its sensitivity, for example causing the concentration or retention of harmful substances in water or in area sediments, or leaving the area exposed to harmful substances. Such conditions include particular types of water circulation, such as convergence area, oceanic waterfronts, or residence prolonged time, resulting from dispersion reduced rates, a stratification for permanent or temporary density, which may lead to lack of oxygen in the bottom layers, as well as to unfavorable ice or wind conditions.

2.2. An area which environment is subject to tension produced by human activities or natural phenomena (for example, oil infiltration), may need special protection against further tensions, including those emerging from maritime activities.

3. Other considerations.

To proceed to design an area as specially sensitive and to consider which special protective measures shall be applied, the degree in which those already applied indicate the need for special protection additional measures

and the positive effects that shall be produced are taken into consideration, due to the environmental tensions emerging from other sources.

SPECIAL PROTECTION AREAS IN THE ARGENTINE SHORELINE
(Included in Ordinance (DPMA) Book 6 No. 12/98)

1. Sectors designated as Special Protection Areas are subject to the limits set forth in every case, also extending when there is no express provision as to the jurisdiction of PNA to the aquatic area considered, the vertical water column and the benthos similarly covered.

2. When, for the determination of the external limit of the aquatic areas considered, the relevant Baselines are taken as reference, specifically referring to the lines set forth in Act No. 23,968 (**). For the places where there is no predetermined baseline, the geographic accidents determining an imaginary line to which the external list shall refer are indicated.

3. Geographical coordinates of the Baselines inflection points, as well as the points taken as reference to determine the special Protection Area limits shall be taken from the relevant charts.

4. In the shoreline of the Province of Buenos Aires the following Special Protection Areas are designated:

4.1. Samborombon Bay.

Extending along the area included within Samborombon Bay creek, from the coastal strip of land to the East, up to an imaginary line parallel thereto and six (6) nautical miles therefrom; in the North, a circular sector of six (6) nautical miles of radius with center in Punta Piedras lighthouse; in the South, a circular sector of six (6) nautical miles of radius, with center in Cape San Antonio lighthouse.

4.2. San Blas Bay.

The creek of the along San Blas Bay creek from the coastal strip of land, to the East, up to a parallel line from the Baselines forming the maritime waterfront of the referred bay, six (6) nautical miles to the East therefrom; in the North, a circular sector of six (6) nautical miles of radius, with center in the North extreme of Margarita Island; in the South, a circular sector of six (6) nautical miles of radius, with center in Punta Rubia extreme.

5. In the shoreline of the Province of Río Negro, the following Special Protection Areas are designated:

5.1. Los Loros Cove.

Extending along the area included within Los Loros Cove creek from the coastal strip of land, to the South, up to a parallel line six (6) nautical miles from the imaginary line crossing Punta Mejillón extreme and to the East of the access mouth of the referred cove; in the East, a circular sector of six (6) nautical miles of radius, with center in the East extreme of the cove access mouth; in the West, a circular sector of six (6) nautical miles of radius, with center in Punta Mejillón extreme.

5.2. San Antonio Bay.

Extending along the area included within San Antonio Bay creek from the coastal strip of land to the South, up to a parallel line six (6) nautical miles from the extension of the imaginary line passing through San Matías lighthouse and Punta Villarino extreme; in the East, a circular sector of six (6) nautical miles of radius, with center in San Matias lighthouse; in the West, up to the intersection of the line considered with the coastal strip of land.

6. In the shoreline of the Province of Chubut, the following Special Protection Areas are designated:

6.1. San José Gulf.

Extending along the area included within San José Gulf creek from the coastal strip of land, to the North, up to a parallel line six (6) nautical miles from the extension of the imaginary line passing through Punta Quiroga and Almirante Brown lighthouse; in the West, a circular sector of six (6) nautical miles of radius, with center in Punta Quiroga; in the East, a circular sector of six (6) nautical miles of radius, with center in Almirante Brown lighthouse.

6.2. Golfo Nuevo.

It extends along the area included within Golfo Nuevo creek from the coastal strip of land, to the South East, up to a parallel line six (6) nautical miles from the extension of the baseline forming the maritime waterfront of the referred Gulf; to the North East, a circular sector tangent to the parallel line in the six (6) nautical miles aforementioned, with center in Morro Nuevo lighthouse; to the South West, a circular tangent to the parallel line six (6) nautical miles aforementioned, with center in Punta Ninfas lighthouse.

6.3. Punta Tombo.

Extending along the area included within three circular sectors of six (6) nautical miles of radius, with center in Punta Clara, Punta Tombo and Punta Atlas, respectively; the creeks of the bays included from the coastal strip of land to the North East and East, up to the lines tangent to those circular sectors.

6.4. Cape Dos Bahías – Bustamante Bay.

Extending along the area included within Cape Dos Bahías and Aristizabal peninsula from the coastal strip of land, to the South, up to a parallel line six (6) nautical miles from the imaginary line passing through San Gregorio lighthouse and Cape Aristizabal lighthouse; in the East, a circular sector of six (6) nautical miles of radius, with center in San Gregorio lighthouse; in the West, a circular sector of six (6) nautical miles of radius, with center in Aristizabal lighthouse.

7. In the shoreline of the Province of Santa Cruz, the following Special Protection Areas are designated:

7.1. Puerto Deseado.

It extends along the area included within Puerto Deseado Estuary creek from the coastal strip of land, in both sides and the maritime shoreline, to the East, up to a parallel line six (6) nautical miles from the imaginary line passing through Cabo Blanco lighthouse and Isla Pinguino lighthouse; in the North, a circular sector of six (6) nautical miles of radius, with center in Cabo Blanco

lighthouse; to the South, a circular sector of six (6) nautical miles of radius, with center in Isla Pinguino lighthouse.

7.2. Cape Virgins.

It extends from the coastal strip of land, to the East, through a circular sector of six (6) nautical miles of radius, with center in cape Virgins lighthouse; reaching to South West the International Limit with Chile.

8. In the shoreline of the Province of Tierra del Fuego, the following Special Protection Areas are designated:

8.1. San Sebastián Bay - Río Grande.

It extends along the coastal strip of land included within Cabo Nombre and the creek of Bahía San Sebastián, Río Grande mouth, up to Cabo Peñas, from the coastal strip of land, to the East North East, up to a parallel line six (6) nautical miles from the imaginary line passing through Cabo Nombre extreme and through Ewan River mouth; to the North, a circular sector tangent to such external line, with center in Páramo lighthouse; to the South, a circular sector tangent to such external line, with center in Cabo Peñas lighthouse.

8.2. Bahía Ushuaia - Bahía Lapataia.

Extending along the area included within Ushuaia Bay and Lapataia Bay creeks, and the segment of the shoreline corresponding to Tierra del Fuego National Park, from the coastal strip of land, to the South, up to the International Limit with Chile; in the East, the meridian of Punta San Juan buoy; in the West, the International Limit with Chile.

ANNEX 7

CRITERIA TO DETERMINE CRITICAL AREAS

These are the country maritime and river shoreline areas in which three characteristics overlap simultaneously:

- The marine or coastal resources have a high commercial, industrial, ecological or tourist value.

- Resources are sensitive to the massive presence of oil or noxious substances, *i.e.*, these may be considerably affected by a spill.

- It is a high risk area of occurrence of incidents due to the characteristics of the waterway, or for frequency of traffic.

It is important to notice that the absence of one of these factors shall cause the area not to be classified as critical area. Thus, the concepts of sensitive areas, high value areas or high risk areas shall not be mistaken with the concept of **critical area**.

These critical or priority areas by definition require special protection, since the occurrence of a spill therein may cause serious damage, which in some cases may give rise to a local catastrophe. The existence of critical areas shall be the determining factor for developing the response capacity in the event of emergency.

ANNEX 8

GUIDE FOR THE SELECTION OF PERSONAL PROTECTION EQUIPMENT AND OPERATING SAFETY

Personal protection equipment and items include all devices, accessories and garments of several designs that the worker may wear to protect against possible injuries. By definition, personal protection equipment does not eliminate risk.

An unsafe condition shall be eliminated by all means possible. However, for special works, when there is no standard protection, as in the case of spill control operations, repairs, rescue, etc., operators' protection depends entirely on the adequate selection of protection equipment and items to be applied.

A significant amount of labor accidents constantly takes place due to the lack of use or the non application of proper protection equipment or items, being it imperative that proper equipment for every type of contingency be supplied.

SELECTION AND USE

The first factor to be studied is the possibility to eliminate the hazardous conditions of the works to be carried out to determine if personal risk may disappear or, otherwise, if it may be reduced, when selecting personal protection items.

The second factor to be taken into consideration is the adequate and proper selection for the worker's protection. In this case, two aspects shall be taken into consideration, the degree of protection to be supplied to the person and if it is easy for the worker to use the equipment.

The third factor is the use by the worker, *i.e.* the operator shall be convinced of the need to use such equipment and shall know that it is important for him/her to use it. The equipment shall be comfortable and easy to use. The equipment shall not interfere with operator's normal movements and procedures when carrying out his/her tasks.

When appropriate protection means are used, the risk is reduced to a minimum. In fact, even visitors are supplied with personal protection items. Consequently, in the work places applying basic safety measures, the items to be used are delivered to workers, after an explanation of the reason why and the way in which they should use equipment, and consequently, the use of equipment becomes a habitual practice.

When a worker is supplied personal protection equipment for the first time, it is necessary to provide a clear and reasoned explanation on the use and benefits thereof, to avoid any resistance to their use.

EYE PROTECTION

Despite the fact that the eyes have been supplied a natural defense and that in many processes and operations the use of eye protection is mandatory, statistics still show that eye accidents represent more than 5% of all accidents.

These accidents may be prevented by known and relatively cheap means.

The principal type of the eye and face protecting equipment may be classified as follows:

A) GOGGLES.

B) FACE PROTECTORS.

C) MASKS FOR WELDERS.

D) HOODS FOR GENERAL HEAD PROTECTION.

HAND PROTECTION

The most commonly applied protectors for hand protection are gloves. These are made of different materials to cover the several work requirements. Thus, the glove appropriate for the task to be carried out shall be carefully selected, since, in a spill, operators may be in touch with pollutants as well as with machinery for which hand protection is necessary.

FOOT PROTECTION

Protection shoes for workers shall protect feet according to work requirements. There are several types of shoes manufactured under certain specifications. These types are:

A) GENERAL PROTECTION SHOES.

B) PROTECTION SHOES FOR CHEMICAL SUBSTANCES.

C) CASTING SHOES.

D) SHOES FOR ELECTRICITY WORKS.

E) ANTI-SPARK SHOES.

F) CONDUCTOR SHOES.

The general protecting shoes are the basic safety shoes. Several styles, ranging from the rough working shoes to the elegant low heel shoes for street-wear are manufactured. All these shoes have steel anti-impact protection toecap.

EAR PROTECTION

When the noise level in a working post or area exceeds the safety margin set forth and in any case, when it is over 90 dB (A) (90 decibels scale A), such as compressors, generators, etc., the use of individual items or devices for ear protection shall be mandatory, without prejudice of the general insulating and sound-proofing measures to be applied.

LIFE-JACKET PROTECTION DEVICES

Activities regarding spill control, cause the personnel engaged in executing tasks to carry out an important percentage of their work on board vessels of several characteristics, quays, different coasts, with the necessary risk of water fall.

Thus, operators carrying out the activities aforementioned shall permanently wear a life-jacket device allowing the person to float, and also guaranteeing that the mouth and nose remain outside water, in the event of unconsciousness.

Thus, the element that being approved by the Institution pursuant to the regulations in force shall comply with the requirements aforementioned and allow proper comfort and movement to develop spill control tasks.

ANNEX 9

FORM OF NOTIFICATION OF PROBABLE DISCHARGE

PRECEDENCE: O – P – R GROUP DATE TIME (GFH):_____ ZEV
(Acknowledge Conformity)

PROMOTER: (Jurisdictional Dependent Office or PNA District).
EXECUTIVE: DPMAPNA (Environment Protection Direction) -
DIOPPNA (Operations Direction) - (as the case may be, PNA District and Adjacent Dependent Offices).

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1. **Date and time of event (GFH/month) that motivated the information.**
2. **Incident that motivated the communication (collision, fire, grounding, etc.), including, as the case may be, name of ship, facility, loading buoy, etc.**
3. **Position: Latitude and Longitude – mark and distance to known site.**
4. **Fuel type and amount stored in site.**
5. **Pollutant type and amount that may be spilled.**
6. **Brief indication on the failures observed that may have caused pollution spill.**
7. **Brief information on hydro-meteorological conditions.**
8. **Detail of contacts with ship owner/operator/agent.**
9. **Any other relevant information.**

ANNEX 10

FORM OF NOTIFICATION OF EFFECTIVE DISCHARGE

PRECEDENCE: O – P – R GROUP DATE TIME (GFH):_____ ZEV

PROMOTER: (Jurisdictional Dependent Office or PNA District)

EXECUTIVE: DPMAPNA (Environment Protection Direction) -
DIOPPNA (Operations Direction) - (as the case may be, PNA District and Adjacent Dependent Offices).

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10. Date and time of event (GFH/month) that motivated the information.

11. Incident that motivated the communication (collision, fire, grounding, etc.), including, as the case may be, name of ship, facility, loading buoy, etc.

12. Position where spill started (Latitude and Longitude – mark and distance to known site).

13. Fuel type and amount stored in the site.

14. Amount of pollutant spilled.

15. Circumstances that caused the spill.

16. Characteristics of spill (Type and amount of slicks).

17. Brief information on hydro-meteorological conditions.

18. Spill drift (direction and speed).

19. Forecast of coastal impact including estimated date and time.

20. Type and characteristics of the coast where the impact is estimated to occur.

21. Observer's identity and vessels in the area.

22. Executed action.

23. Photographs or samples.

24. Name of other countries that were duly served notice.

25. Detail of contacts with vessel owner / operator / agent.

26. Any other relevant information.

ANNEX 11

FORM OF SUPPLEMENTARY FOLLOW-UP NOTIFICATION

PRECEDENCE: O – P – R GROUP DATE TIME (GFH):_____ ZEV

PROMOTER: (Jurisdictional Dependent Office or PNA District)

EXECUTIVE: DPMAPNA (Environment Protection Direction) -
DIOPPNA (Operations Direction) - (as the case may be, PNA District and Adjacent Dependent Offices).

Supplementary Notification of Message for probable / effective discharge No. (subsequent numbers).

27. Date and time of event .....

28. Brief indication of the last events that have taken place, including if there still is a possibility of effective discharge.

29. If it has been controlled and which measures are being applied.

30. If an oil spill has taken place, include the following data regarding the slick caused:

Shape, approximate size (length and width), approximate thickness, color of slick (brown, brownish, with sheen, etc.).

31. If the slick has been divided, indicate number of new slicks that have been formed.

32. Current hydro-meteorological conditions (winds, tides, sea conditions, etc.)

33. Additional information: Any other relevant data.

ANNEX 12

FORM OF REQUIREMENT MESSAGE

PRECEDENCE: O – P – R GROUP DATE TIME (GFH):_____ ZEV

PROMOTER: (Jurisdictional Dependent Office or PNA District)

EXECUTIVE: DIOPPNA (Operations Direction) -
DPMAPNA (Environment Protection Direction).

Requirement emerged from Naval Message GFH (Group Date Time): (causing the emergency).

1. **Date and time.**
2. **Required assistance: Any information on the requirement of requested means and personnel.**
3. **Prior coordination for means delivery.**
4. **Request moneys to cope with expenses.**

ANNEX 13

FORM OF POLLUTION INCIDENT FINAL REPORT

PREFECTURA NAVAL ARGENTINA (PNA) No.: /
Letter:

(Place, date).

PURPOSE: Pollution incident final
Report ("name of incident").

TO THE OPERATIONS DIRECTOR.
THE ENVIRONMENT PROTECTION DIRECTOR.
PNA DISTRICT CHIEF OFFICER (If relevant).
CHIEF OFFICER OF THE RESCUE, FIRE FIGHTING AND POLLUTION SERVICE.

1. IDENTIFICATION OF THE ELEMENT THAT CAUSED THE POLLUTION:

In the event of ship or naval craft:

Type: _____ Flag: _____ Registration No./TR: _____

Name: _____ Ballast Tonnage: _____

Ship owner and/or: _____

Maritime Agent: _____

2. DETAIL OF POLLUTION INCIDENT:

Date and time: (GFH (group-date-time) /month/year) Place: _____

Latitude:_____ Longitude:_____

Kilometers in river:_____

Cause of spill:_____

Type of pollutant:_____

3. ACTIONS TO CONTROL SPILL:

(Chronological summary, on a daily basis, of tasks, including the description of techniques and methods applied in the different areas in relation to the circumstances existing during incident).

4. POLLUTING DAMAGES CAUSED BY SPILL:

(Description of losses of properties and goods affected by the incident based upon the claims received or checked by PNA personnel).

5. PLACES AFFECTED BY SPILL:

(Description of affected area submitted by chart or map of the area, with photographs or videos).

6. DETAIL OF EXPENSES INCURRED IN CODECON TASK:

(Daily or weekly summary, including):

Personnel number and hierarchy.

Equipment and materials applied.

Ships, planes and vehicles applied.

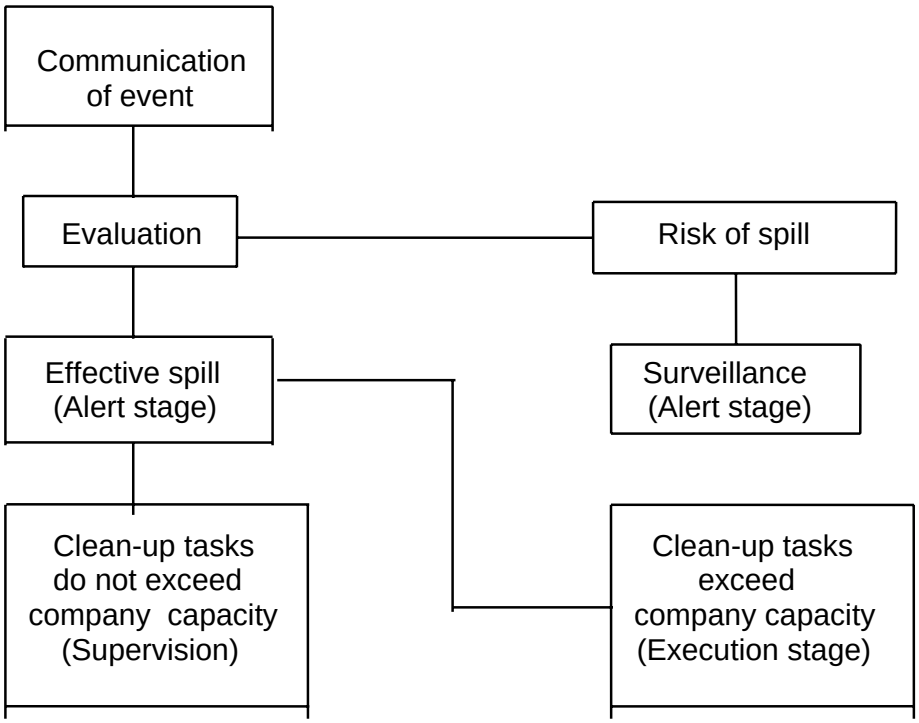
7. CONCLUSIONS OF INCIDENT AND OF OPERATIONS.

_____

JECECODECON

ANNEX 14

DIAGRAM OF ACTIVATION AND EXECUTION OF RESPONSE OPERATIONS



Note: If the Jurisdictional Dependent Office response capacity is exceeded, the **AREA LEVEL** shall be activated, with a diagram similar to this one. The same shall occur regarding the **NATIONAL LEVEL.**

ANNEX 15

GUIDELINES TO PREPARE AREA AND LOCAL SUPPORTING PLANS

The National Response System shall be based upon the information and strategy set forth in Local Plans.

The jurisdictional Dependent Offices shall prepare their respective Local Plans based upon these guidelines.

PNA Districts shall prepare Area Plans.

These plans shall include the information obtained from Local Plans. PNA Districts shall develop a response strategy to cope with the contingencies occurring in their jurisdiction.

ANNEX 15 – TABLE OF CONTENTS

11.1. Specialized response team.

11.2. Specialized rescue team.

CHAPTER 12: Directory of local resources.

CHAPTER 13: Specially sensitive areas, special protection areas and critical areas.

13.1. Determination of specially sensitive areas, special protection areas and critical areas within the jurisdiction.

13.2. Establishing priorities to be protected.

CHAPTER 14: Response strategy with mechanical means.

CHAPTER 15: Non-mechanical response strategy.

CHAPTER 16: Transport, storage and elimination of polluted wastes.

CHAPTER 17: Public Relations and relations with the media.

CHAPTER 18: Private companies contingency plans.

CHAPTER 19: Demobilization and end of operations.

CHAPTER 20: Municipal or provincial regulations and/or provisions regarding this issue.

CHAPTER 1

INTRODUCTION

1.1. Purpose and objectives of the Plan.

The purpose and objectives of the Plan are the same as those of the National Plan.

1.2. Enforcement Authority and scope of application.

Reference is made to the same legal scope mentioned in item 1.2. of the National Plan, adapting it to the local level.

The geographic jurisdiction extending along the jurisdiction of the Site developing the Plan shall be incorporated to these concepts, together with a jurisdictional map or sketch.

1.3. Definitions and abbreviations.

The definitions and abbreviations appearing in the local planning shall be the same as those appearing in the National Plan, being able to incorporate other definitions and abbreviations deemed necessary for the Local Plan developed by the Jurisdictional Dependent Office.

CHAPTER 2

RESPONSE POLICY

This Chapter shall set forth the same response policy as the National one, since such is the policy for spill response adopted by the Institution.

CHAPTER 3

PLAN ORGANIZATION AND DUTIES

3.1. Diagram of Local Response.

The diagram of local response based upon the model described in the National Plan shall be developed.

3.2. Responsible Officers.

This item shall describe the duties to be complied with at local level by every work position within the operation scope, detailed below, including those who shall fill every position, taking into account Officers and Petty Officers constituting the Local Spill Control Center (CELOCODECON), conforming the Dependent Office personnel.

- Spill Service Center Chief Officer.

- Operating Chief Officer.

- Administrative Chief Officer.

- Legal Chief Officer.

- Communication Chief Officer.

- Spill Control Personnel.

- Support Personnel for Spill Control Operations.

- Technical Advisory Committee.

- Spill Control Technical Officer.

- On-scene Operations Coordinator.

CHAPTER 4

TRAINING

Taking into account the provisions of the National Contingency Plan, the members of the Organization, in this case at the local level, shall prepare an annual schedule of training activities (academies, courses, workshops, exercises, etc.), to be carried out in coordination and/or together with oil companies, non governmental entities, hospitals, fire brigades, etc., operating within the jurisdiction, which shall be annually filed as of January 20th to the Environment Protection Direction, for approval thereof.

CHAPTER 5

EVALUATION OF THE AREA OF RESPONSIBILITY

5.1. Area of responsibility.

Based upon the Local Plan geographic coverage area, any illustrative element suitable to determine operating measures to be applied in the event of emergency shall be specified and attached.

Illustrative elements that may be attached:

1. Illustrative map of the jurisdiction. This shall include:

- Types of coast. (Rocks or masterpieces, flagstones or cobbles, sand or sludge).

- Coast access roads.

- Location of facilities of the Institution within the jurisdiction.

- Drinking and industrial water inlets.

- Nautical clubs and marines.

- Recreational beaches.

- Camping places.

- Any other relevant information.

2. Illustrative sketch with access roads to the jurisdiction, planes and helicopter runways, hospitals, equipment warehouses, etc..

3. Illustrative photos of the jurisdiction that may be useful to appreciate the situation, as well as water inlets, types of coasts, port facilities, nautical clubs, etc.

For more clarification, in the event a huge amount of data is to be included, two or more sketches or maps may be attached.

5.2. Background of spills in the jurisdiction.

The frequency and volume of spills occurred within the jurisdiction, as well as the type of pollutants spilled shall be included in this item.

5.3. Analysis of risk of spills in the jurisdiction and preparation of spill hypothesis.

Taking into account the normal operation in the jurisdiction, an analysis of risk of spill shall be carried out, covering the possible scenarios. For example: oil loading terminals, lightening maneuvers, etc.

With these data and the seasonal weather conditions of the site, predominant winds and existing currents, the probable fate of slicks may be estimated.

Information regarding the type of oil managed in the area and transported therein is included.

In the cases in which operating ship loading capacity, as well as land storage tank capacity may be known, the maximum amounts to be discharged to water may be estimated.

CHAPTER 6

HEALTH AND SAFETY POLICY

6.1. Public Health and Safety.

Regarding third parties' health that may be affected by spills, the evacuation procedure of injured persons to assistance centers shall be detailed.

Thereto, it is necessary to count in the plan on data referring to hospital/s in the area capable of meeting this need.

These data shall include:

Name of hospital, address, telephone number, type of assistance to be supplied, capacity for confinement, available ambulances and any other relevant information.

In Jurisdictions operating with dangerous goods, information on available operating capacity to act in this type of emergency shall be researched with the local fire fighter team (specific equipment and trained personnel).

Likewise, research shall be carried out to know if local medical services are trained to assist the victims affected by these substances or products, in the event of an accident involving injuries.

6.2. Health and personal safety in operations.

Detail safety measures to be applied in the area of operations, as well as personal protection elements to be supplied to the personnel in operation.

CHAPTER 7

LOCAL AGREEMENTS TO BE APPLIED

This Chapter shall include all agreements entered into by the Institution with entities, associations, companies, etc. in the local level, related to the issues dealt with in this plan.

Likewise, a synthesis on the issue dealt with in every cited agreement, and the data necessary to enforce the agreement if necessary, for example, first and last names, telephone numbers, etc. of contacts.

CHAPTER 8

NOTIFICATIONS

8.1. Institutional Notifications.

These are set forth in the National Plan.

The formats of the Naval Messages corresponding to the notification of probable discharge, effective discharge, spill follow-up, pollution incidents requirements and final report shall be attached to the Local Plan.

8.2. Local level notifications.

A model of Style Written Notice to serve notice, if relevant, of the news to the local authorities (Mayor, other municipal authorities, federal courts, etc.) shall also be attached.

CHAPTER 9

COMMAND POST

9.1. Policy and procedures to establish the command post.

JECECODECON shall determine the most adequate place to establish the command post, taking into account in a first stage that proximity to the area of operations is fundamental. However, it shall also be taken into consideration that an effective command post shall include all or the majority of the requirements set forth below:

Adequate building: Broad rooms for working tables, adequate facilities for services such as bathrooms, kitchens, bedrooms, etc.

Communications: telephone and fax line, VHF communication equipment and other systems expected to be used.

Accesses: Facility to access the command post under any meteorological situation and for any type of vehicles.

9.2. Personnel.

List of personnel appointed for the event in the relevant plans, individualizing the officer by hierarchy, first and last name and assigned responsibility.

CHAPTER 10

OPERATION MANAGEMENT

10.1. Procedure to finance operations.

The National Plan shall set forth the procedures to finance operations.

A control system and a record of the expenses emerging from the operation shall be developed.

CHAPTER 11

SPECIAL FORCES IN THE JURISDICTION

Data corresponding to the following points shall be cited, if available in the jurisdiction:

11.1. Specialized response team.

11.2. Specialized rescue team.

CHAPTER 12

DIRECTORY OF LOCAL RESOURCES

A directory including address, telephone and fax number, etc. of the following entities, associations and companies shall be prepared:

- Fire brigade.

- Police.

- Hospitals.
- Port authorities.
- Tow companies.
- Laboratories.
- Water inlets.
- Ecologist groups.
- Plane rental
- Road transport companies and any kind of vehicle rental.
- Weather services.
- Press media.
- Volunteer organizations.
- Responsible officers in local emergencies.
- Shipping companies located in the area.
- Companies using road tankers or vacuum trucks.
- Public transport companies and machine rental.
- Hotels, inns, boarding houses, canteens, etc.

CHAPTER 13

SPECIALLY SENSITIVE AREAS, SPECIAL PROTECTION AREAS AND CRITICAL AREAS

13.1. Determination of specially sensitive areas, special protection areas and critical areas within the jurisdiction.

The determination shall be carried out following the guidelines of Annex 7 and 8 of PLANACON.

13.2. Establishing priorities to be protected.

CHAPTER 14

RESPONSE STRATEGY WITH MECHANICAL MEANS

Taking into account human and material means (specific equipment to respond to pollution) existing in the jurisdiction, the spill response procedure shall be developed.

CHAPTER 15

NON-MECHANICAL RESPONSE STRATEGY

In the event it shall be proper to attack the slick with other operating non-mechanical procedures (specific equipment to respond to pollution) the way in which the response to spill is to be performed shall be detailed.

In the event of operating with chemical agents (dispersants), the following shall be carried out:

- Determining the criteria considered to select the use of chemical agents for the treatment of the slick.

- Detailing the criteria to be implemented in the jurisdiction, pursuant to the guidelines set forth, as to the notices for product use.

CHAPTER 16

TRANSPORT, STORAGE AND ELIMINATION OF POLLUTED WASTES

Set forth procedures to be applied for temporary storage and final disposal of collected material.

In the event there is in the area a company devoted to this type of work, set forth the service cost and procedure (for example: cost per ton of disposed oil wastes, including transport costs, etc.).

CHAPTER 17

PUBLIC RELATIONS AND RELATIONS WITH THE MEDIA

Detail a list (including telephone number, fax number and persons to be contacted) of the local media of communication, which shall be taken into consideration in the event of contingency.

CHAPTER 18

PRIVATE COMPANIES CONTINGENCY PLANS

Enumerate the response plans of private companies operating in the jurisdiction.

A copy of the plans shall be kept in the Jurisdictional Dependent Office for consultation.

CHAPTER 19

DEMOBILIZATION AND END OF OPERATIONS

Although it is important to put an end to an operation when it is no longer effective or when the desired clean-up level has been reached, it is difficult to estimate a term thereof in the Contingency Plan.

Thus, it shall be noted in the Plan that to adopt the decision to end operations, the following measures shall be adopted:

- Proper clean-up level for every area.
- Communication with all interested parties.
- Equipment dismantle and transport to a certain place for clean-up, maintenance, reposition of the materials used, repairs and replacement of damaged goods.
- Repair and clean-up of the points used for temporary storage.
- Preparation of the Pollution Incident Final Report provided for in “Annex 14" of the National Contingency Plan.

CHAPTER 20

MUNICIPAL OR PROVINCIAL REGULATIONS AND/OR PROVISIONS REGARDING THIS ISSUE

All regulations, whether municipal or provincial, directly related to environmental protection issues, which are of interest for the application of this Plan shall be listed.

ANNEX 16

GUIDELINES TO PREPARE RESPONSE PLANS FOR COMPANIES ENGAGED IN HANDLING FACILITIES FOR OIL, OTHER HAZARDOUS AND NOXIOUS SUBSTANCES

These guidelines have been prepared to cooperate in the elaboration of response plans in the event of pollution by oil and other hazardous and noxious substances of companies engaged in facilities for handling these polluting elements.

The Plan shall be filed in a folder with removable pages, to enable its modification and update. The folder shall have numbered divisions to enable the quick location of the different Sections and Annexes.

The pages shall be subsequently numbered in every page, and shall include the month and year of their presentation (For example: Page No. /April, 1998). When a page is left blank, this shall also be numbered. Every time an amendment is made involving a page, the month and year in which this was made shall be added (For example, Page No. 3/April, 1998). If the amendment also implies an addition of new pages, for the purpose of not changing the numbers of all the remaining pages, the new pages shall bear the same number as the one modified, adding the word “bis”, plus one number as from the second page added (If, for example, page No. 3 is

modified and 3 more pages are included thereafter, the number of these pages shall be: Page 3 bis/April, 1998; Page 3 bis 1/April, 1998; Page 3 bis 2/April, 1998). Likewise, this new numbering shall be set forth in the General Table of Contents.

The Plan shall be worded in Spanish, and shall be of easy application.

The plans, as well as their subsequent amendments, shall be filed for approval with the Environment Protection Direction of *Prefectura Naval Argentina* (PNA), located at Avenida Madero 235 - Edificio Guardacostas (PNA Headquarters) – 4th Floor – City of Buenos Aires -(Zip Code 1106).

The Plan shall follow the guidelines set forth in this Annex, which includes for guidance purposes the unavoidable elements (information) to be contained therein, as detailed below.

The first pages of the Plan shall include:

- A front page including the name of the port or company, its geographic location, its main characteristics and information on the owners.
- A form to record Approvals (pursuant to the form set forth in Annex 25 of PLANACON).
- A form to record Amendments thereto (pursuant to the form provided for in Annex 25 of PLANACON).
- General Table of Contents.

List of essential elements that the Plan shall contain:

SECTION 1: INTRODUCTION.

1.1. Company policy for environment preservation.

1.2. Purpose and objectives of the Plan.

1.3. Scope of Plan and coverage.

1.4. Glossary and definitions.

SECTION 2: PLAN ORGANIZATION AND DUTIES.

2.1. Diagram of Response.

2.2. Duties and responsibilities.

2.3. Response levels.

SECTION 3: RESPONSE PLANNING AND PREPARATION.

3.1. Analysis of risk of spill.

3.2. Localization, segregation and characteristics of places to store oil, other hazardous and noxious substances.

3.3. Link with the Official Response System.

3.4. Link with other (national and regional) Response Systems.

3.5. Activation of the company response system.

3.6. Policy and procedure to request cooperation of national entities and companies.

3.7. Policy and procedure to request international cooperation.

3.8. Procedures applied for the prevention of fire and navigation safety.

3.9. Procedures applied for pollution prevention in routine operations and occurrences.

SECTION 4: RESPONSE OPERATIONS.

4.1. General configuration of response to overcome the risks described in item 3.1.

4.2. Available equipment (possibility to use the company own or third parties' equipment).

In the event the company counts on additional cooperation (companies devoted to rescue and/or spill control), all technical data thereof shall be included and the type of agreement entered into thereby, conforming the service shall be included.

4.3. In the event of companies operating with oil, determine the "Criteria and policies applied to use chemical agents for slick treatment ".

4.4. Techniques to forecast spill drift.

(In the case of chemical products, detail the different behaviors of pollutant, according to its characteristics. For example: if it floats / sinks / is miscible in water, etc).

4.5. Determination of resources that may be affected.

4.6. Description of the operating measures applied in every response level.

4.7. Method for moving personnel and equipment within the Plan coverage area.

4.8. Procedure for final disposal of pollutants collected in the operation.

4.9. Procedures implemented for the safety of the community (In the event of chemical product spill, detail the different procedures to be carried out according to the type of pollutant with which operations are performed and the nearby inhabited centers from the place of the incident).

4.10. Personal protection and operating safety.

SECTION 5: COMMUNICATIONS.

5.1. Communication system and links.

SECTION 6: NOTIFICATIONS AND REPORTS.

6.1. Stated notification form to evaluate and classify the emergency.

6.2. Forms of notification and consultation with the relevant Authorities.

SECTION 7: ADMINISTRATION AND LOGISTICS.

7.1. Supply chain to obtain human means and specific and non-specific equipment.

7.2. Procedure to move personnel and equipment to the place of the incident.

SECTION 8: TRAINING AND EXERCISES.

8.1. Training and exercise programs set forth to guarantee that response measures are efficiently performed.

SECTION 9: PUBLIC INFORMATION.

ANNEXES:

The following data shall be included as Annexes:

- Illustrative sketches of coverage area.
- Characteristics of pollutants applied.
- Agreements entered into.
- Information on chemical products to be used for spill treatment (in case of oil).
- Any other relevant information.

ANNEX 17

GUIDELINES TO PREPARE RESPONSE PLANS FOR COMPANIES ENGAGED IN MONOBUOYS AND COASTAL AND UNDERWATER OIL PIPELINES

These guidelines have been prepared to cooperate in the elaboration of response plans in the event of pollution by oil and other hazardous and noxious substances for companies engaged in monobuoys and coastal and underwater oil pipelines.

The Plan shall be filed in a folder with removable pages, to enable its modification and update. The folder shall have numbered divisions to enable the quick location of the different Sections and Annexes.

The pages shall be subsequently numbered in every page, and shall include month and year of their presentation (For example: Page No. /April, 1998). When a page is left blank, this shall also be numbered. Every time an amendment is made involving a page, the month and year in which this was made shall be added (For example, Page No. 3/April, 1998). If the amendment also implies an addition of new pages, for the purpose of not changing the numbers of all the remaining pages, the new pages shall bear the same number as the one modified, adding the word “bis”, plus one number as from the second page added (If, for example, page No. 3 is modified and 3 more pages are included after, the numbers of these pages shall be: Page 3 bis/April, 1998; Page 3 bis 1/April, 1998; Page 3 bis 2/April, 1998). Likewise, this new numbering shall be set forth in the General Table of Contents.

The Plan shall be worded in Spanish, and shall be of easy application.

The plans, as well as their subsequent amendments shall be filed for approval with the Environment Protection Direction of *Prefectura Naval Argentina* (PNA), located at Avenida Madero 235 - Edificio Guardacostas (PNA Headquarters) – 4th Floor – City of Buenos Aires -(Zip Code 1106).

The Plan shall follow the guidelines set forth in this Annex, which includes for guidance purposes the unavoidable elements (information) to be contained therein, as detailed below.

The first pages of the Plan shall include:

- A front page including the name of the buoy and/or coastal or underwater oil pipeline, its geographic location, its main characteristics and information on the owners.

- A form to record Approvals (pursuant to the form set forth in Annex 25 of PLANACON).

- A form to record Amendments thereto (pursuant to the form provided for in Annex 25 of PLANACON).

- General Table of Contents.

List of essential elements that the Plan shall contain:

SECTION 1: INTRODUCTION.

1.1. Policy for environment preservation of company engaged in buoy and coastal or underwater oil pipeline exploitation.

1.2. Purpose and objectives of the Plan.

1.3. Scope of Plan and coverage.

1.4. Glossary and definitions.

SECTION 2: PLAN ORGANIZATION AND DUTIES.

2.1. Diagram of company organization.

2.2. Diagram of response.

2.3. Duties and responsibilities.

2.4. Response levels.

2.5. Preventive equipment (personnel and devices) to immediately take action in the event of spill, applied during ship operations in monobuoys .

(Detail number of personnel and media deployed to intervene in an emergency during ship operations, as well as the place of location of this type of response).

SECTION 3: RESPONSE PLANNING AND PREPARATION.

3.1. Analysis of risk of spill.

3.2. Link with the Official Response System.

3.3. Link with other (national and regional) Response Systems

3.4. Activation of the company response system.

3.5. Policy and procedure to request cooperation of national entities and companies.

3.6. Policy and procedure to request cooperation of international bodies and entities.

3.7. Procedures applied for the prevention of fire.

3.8. Procedures applied for pollution prevention in routine operations and occurrences.

SECTION 4: RESPONSE OPERATIONS.

4.1. General configuration of response to overcome the risks described in item 3.1.

4.2. Available equipment (possibility to use the company own or third parties' equipment).

In the event the company counts on additional cooperation (companies devoted to rescue and/or spill control), all technical data thereof and the type of agreement entered into thereby conforming the service shall be included.

4.3. In the event of companies operating with oil, determine the “Criteria and policies applied to use chemical agents for slick treatment ".

4.4. Techniques to forecast spill drift.

(In the event of chemical products, detail the different behaviors of pollutant, according to its characteristics).

4.5. Determination of resources that may be affected.

4.6. Description of the operating measures applied in every response level.

4.7. Procedure for final disposal of pollutants collected in the operation.

4.8. Procedures implemented for the safety of the community.

4.9. Personal protection and operating safety.

SECTION 5: COMMUNICATIONS.

5.1. Communication system and links.

SECTION 6: NOTIFICATIONS AND REPORTS.

6.1. Stated notification form to evaluate and classify the emergency.

6.2. Formats of notification and consultation with the relevant Authorities.

SECTION 7: ADMINISTRATION AND LOGISTICS.

7.1. Supply chain to obtain human means and specific and non-specific equipment.

7.2. Procedure to move personnel and equipment to the place of the incident.

SECTION 8: TRAINING AND EXERCISES.

8.1. Training and exercise programs set forth to guarantee that response measures are efficiently performed.

SECTION 9: PUBLIC INFORMATION.

ANNEXES:

The following data shall be included as Annexes:

- Illustrative sketches of coverage area.
- Characteristics of applied pollutants.
- Agreements entered into.
- Pipeline technical features.
- Technical features of pumping system safety measures.
- Any other relevant information.

ANNEX 18

GUIDELINES FOR PREPARING RESPONSE PLANS BY OIL TANK VESSELS' OWNERS OR OPERATORS

Article 1. Purpose.

The purpose of this Annex is to establish requirements for preparing and complying with response plans for spills caused by oil tank vessels, with or without self-propulsion, transporting and/or operating with oil, noxious liquid substances and other hazardous substances, which spill response may be produced by the means required herein. The planning criteria applied herein are intended for use in response development of the Response Plan of Argentine or foreign Vessels' Owners and Operators and the identification of the resources necessary to respond to the oil spill scenarios prescribed during the planning processes. The development of this response plan allows the vessel's owner or operator and the vessel's crew to respond to a spill caused by oil, noxious substances or hazardous substances. The specific criteria for response resources and their arrival times are based upon a set of assumptions that may not exist during an actual spill incident.

Article 2. Applicability.

1. Except as provided in subsection 3 of this Article, this Annex applies to each vessel with or without propulsion, of Argentine or foreign flag, included those storage floating units and production, storage and discharge floating facilities built or adapted to carry and/or to operate with oil in bulk, animal fat, vegetable oil, other non-petroleum oil, or hazardous and noxious substances, as cargo or cargo residues, which response may be produced by the means required in this Annex and which navigates or operates in waters of Argentine jurisdiction.

2. This Annex also applies to the vessels and units above described, which engage in oil lightening operations or which are operating or navigating in the Contiguous Zone and Argentine Exclusive Economic Zone, pursuant to the provisions of Articles 33 subsection b) and 56 subsection b) iii) of the United Convention on the Law of the Sea (CONVEMAR), approved by Act 24,543, with oil in bulk, animal fat, vegetable oil, non-petroleum oil, or hazardous and noxious substances, which response to spill may be produced with the means required in this Annex.

3. This Article shall not apply to the following ships:

   3.1. Military vessels defined in Section 29 of the United Convention on the Law of the Sea (CONVEMAR), approved by Act 24,543, when no commercial operations are carried out.

   3.2. Police vessels defined in Section 3 hereof, when being in the same circumstances as those of the previous subsection.

3.3. Vessels that although constructed or adapted to carry oil in bulk, animal fat, vegetable oil, other non-petroleum oil, hazardous and noxious substances, as cargo or cargo residue, are not operating with, storing or transporting them.

3.4. Dedicated response vessels when conducting response operations.

3.5. The vessels of "opportunity", defined in Article 3 hereof, when conducting response operations.

3.6. "Offshore supply" vessels as defined in Article 3 hereof.

3.7. Foreign flag vessels engaged in innocent passage and/or in-transit passage, pursuant to the provisions set forth in Sections 17, 18 19 y 38 of the United Convention on the Law of the Sea (CONVEMAR), approved by Act 24,543.

3.8. Tank vessels carrying hazardous and noxious substances in international maritime navigation, until SNPP-2000 protocol of OPRC-90 Convention shall be in force internationally and shall be incorporated to the Argentine applicable law.

Article 3. Definitions.

For the purposes of this Annex the following definitions shall rule:

1. VEGETABLE OIL means oil deriving from plant seeds, dry fruits, fruit or plants not specifically identified elsewhere in this Annex. Non-petroleum or animal fat byproducts shall not be considered.

2. RESPONSE ACTIVITY means the containment and removal of oil from the water and shorelines, the temporary storage and disposal of recovered oil, or the taking of other actions as necessary to minimize or mitigate damage to public health or the environment.

3. INLAND WATERS mean bodies of water confined within the inland area, including waters within the inland sea baseline and which are part of the internal waters of a country. Lakes, higher volume port areas and bays are excluded herefrom.

4. NAVIGABLE WATERS mean seas, rivers, lakes, canals and other waters within the country that are used for inter-jurisdictional traffic and trade. The term also includes the places defined in Section 4 of CHAPTER III "Scope of action" of Act No. 18,398 (General Law of *Prefectura Naval Argentina*).

5. LOCAL PNA UNIT JURISDICTIONAL SCOPE means the divisions of PNA scope of action in the different operating Dependent Offices, such as PNA Sub-units, PNA Units and PNA Districts.

6. SUBSTANTIAL THREAT OF A DISCHARGE means any incident involving a vessel that may create a significant risk of discharge of cargo oil. Such incidents include,

but are not limited to, grounding, stranding, collision, hull damage, fire, explosion, loss of propulsion, on-deck spills, or other similar occurrences.

7. SPECIFIC GEOGRAPHIC AREA: (See Local PNA Unit Jurisdictional Scope).

8. OFFSHORE AREA means the area beyond the outer boundary of the territorial sea, extending seaward to twenty four (24) nautical miles, from the base lines set forth in Section 1 of Act No. 23,968.

9. NEARSHORE AREA means the area extending seaward twelve (12) nautical miles from the base lines set forth in Section 1 of Act No. 23,968.

10. PORT AREAS AND HIGHER VOLUME PORT AREAS mean the following areas, including any area within the 24 nautical miles from specific port entrance:

    10.1 Port of Formosa.
    10.2 Ports of Paraná River.
    10.3 Ports of the River Plate.
    10.4 Port of Concepción del Uruguay.
    10.5 Port of Mar del Plata.
    10.6 Port of Quequén.
    10.7 Port of Necochea.
    10.8 Port of Bahía Blanca.
    10.9 Puerto Rosales.
    10.10 Port of San Antonio Oeste.
    10.11 Puerto Madryn.
    10.12 Port of Comodoro Rivadavia.
    10.13 Port of Caleta Córdoba.
    10.14 Port of Caleta Olivia.
    10.15 Port of Caleta Paula.
    10.16 Puerto Deseado.
    10.17 Santa Cruz Port.
    10.18 Río Gallegos Port.
    10.19 Area of Magallanes Strait.
    10.20 Cullen River.
    10.21 San Sebastián Bay.
    10.22 Port of Río Grande.
    10.23 Port of Ushuaia.
    10.24 Any other port that in the future PNA may designate.

11. VESSEL OF OPPORTUNITY means a vessel engaged in spill response activities that is normally and substantially involved in activities other than spill response and not a vessel carrying oil.

12. DEDICATED RESPONSE VESSEL means a vessel of which the service is limited exclusively to oil and hazardous and noxious substances spill response-related activities, including spill recovery and transport, tanker escorting, deployment of spill response equipment, supplies and personnel, and spill response-related training, testing, exercises and research.

13. POLICE VESSEL means any vessel belonging to the Security or Police Forces from a country carrying the external signs of the vessels of such bodies of that nationality, under the command of an official duly appointed by the government of that country, which name appears in the relevant roll of officials or an equivalent thereto, and which personnel is subject to the discipline of the regular security or police forces.

14. OFFSHORE SUPPLY VESSEL means a motor vessel regularly transporting products, supplies, people apart from crew, or exploration, exploitation or production of minerals or energy resources support equipment in open sea.

15. TANKER means a self-propelled tank vessel constructed or adapted primarily to carry hazardous material in bulk in the cargo spaces.

16. VESSEL CARRYING OIL means all vessels, except response dedicated vessels, carrying oil in bulk as cargo or cargo residue pursuant to a Certificate of Oil Pollution Prevention.

17. CARGO: means oil that is transported and off-loaded at a destination by a vessel. It does not include:

    17.1 Oil carried in integral tanks, marine portable tanks, or independent tanks to be used by machinery, helicopters, and boats carried aboard the vessel, or for use by helicopters that are directly supporting the vessel's primary operations; or

    17.2 Oil transferred from a towing vessel to a vessel in its tow to operate installed machinery, other than the propulsion plant.

18. BULK means any volume of oil carried in an integral tank of the vessel and oil transferred to or from a marine portable tank or independent tank while on board a vessel.

19. ADVERSE WEATHER means the weather conditions that will be considered when identifying response systems and equipment in a response plan for the applicable operating environment. Factors to consider include, but are not limited to, significant wave height, ice, temperature, weather-related visibility, and currents within the jurisdiction of the local PNA unit in which the systems or equipment are intended to operate.

20. CONTRACTS OR OTHER APPROVED MEANS include:

    1) A written contractual agreement between a vessel owner or operator and an oil spill removal organization. The agreement must identify and ensure the availability of specified personnel and equipment required under this annex within specified geographic areas.

2) Certification by vessel owner or operator that the specified personnel and equipment required under this annex are owned, operated, or under the direct control of the vessel owner or operator and are available within stipulated response time in the specified geographic areas.

3) Active membership in a local spill removal organization that has identified specified personnel and equipment required under this Annex that are available to respond to a discharge within stipulated response time in the specified geographic areas.

4) A document which:

   i) Agrees between vessel owners or operators of different companies, the equivalent considerations of personnel, equipment and services capable of being supplied by each of the intervening parties within stipulated response times in the specific geographic area.

   ii) Agrees between vessel owners or operators and those responsible for facilities, personnel, equipment and services, within the area of jurisdiction of the latter, and are available within stipulated response times in the specified geographic areas.

   iii) Sets out the parties' acknowledgment to mutually commit the resources in the event of a response.

   iv) Sets forth that personnel, equipment and services shall be located in the territory of the Republic of Argentina.

   v) Permits *Prefectura Naval Argentina* (PNA) to verify the availability of the identified response resources through tests, inspections and exercises; and,

   vi) Is referenced in the response plan.

21. SPECIFIC GRAVITY means the ratio of the mass of a given volume of liquid at 15 °C (60 degrees F), to the mass of an equal volume of pure water at the same temperature.

22. AVERAGE MOST PROBABLE DISCHARGE means a discharge of up to 10m3 of the cargo from the vessel during cargo oil transfer to or from the vessel.

23. OIL SPILL REMOVAL ORGANIZATION means those companies that render services to third parties engaged in controlling spills by oil and other hazardous and noxious substances, which authorization, registration and renewal of registration shall meet the requirements set forth in the regulations set forth by PNA and in the guidelines set forth in Appendix A hereto.

24. RESPONSE LEVEL means the combination of the required response resources and the times within which the resources must arrive on scene. Levels are applied in the following categories:

    24.1 Higher volume port areas;

    24.2 Lakes;

    24.3 Rivers;

    24.4 Canals;

    24.5 Nearshore areas;

    24.6 Offshore areas; and,

    24.7 Oceans.

25. RESPONSE LEVEL 1 means the response level in which local immediately available resources are involved in the facilities for small spills, commonly caused during loading, offloading or storage for vessel consumption.

26. RESPONSE LEVEL 2 means the response level in which local available resources and if necessary national resources are involved for moderate spills, commonly caused by a minor marine accident, a tanker operation or an oil pipeline accident.

27. RESPONSE LEVEL 3 means the response level in which local, national and, if necessary, international available resources are involved, for huge spills from a source of generation of oil.

28. ANIMAL FAT means a non-petroleum oil, lube oil or fat derived from animals and not specifically identified elsewhere herein.

29. SPILL MANAGEMENT TEAM means the personnel, identified in the organization staff structure identified in the response plan to manage the application of the referred plan.

30. NON-PERSISTENT OR GROUP 1 OIL means petroleum-based oil that, at the time of shipment, consists of hydrocarbon fractions:

    30.1 At least 50 % of which by volume, distill at a temperature of 340º C; and,

    30.2 At least 95 % of which by volume, distill at a temperature of 370º C.

31. PERSISTENT OIL means a petroleum-based oil that does not meet the distillation criteria for a non-persistent oil. For the purposes hereof, persistent oils are further classified based on specific gravity as follows:

31.1. Group II – specific gravity of less than 0.85.

31.2. Group III – specific gravity equal to or greater than 0.85 or less than 0.95.

31.3. Group IV – specific gravity equal to or greater than 0.95 and less or equal to 1.0.

31.4. Group V – specific gravity greater than 1.0.

32. PETROLEUM OIL means petroleum in any form including crude oil, fuel oil, mineral oil, sludge, oil refuse (wastes) and refined products.

33. QUALIFIED INDIVIDUAL AND ALTERNATE QUALIFIED INDIVIDUAL means a representative of shore-based representative of a vessel owner or operator who meets the requirements set forth in Article 7 hereof.

34. LOCAL PNA ZONE means the areas in which *Prefectura Naval Argentina* (PNA) divides its jurisdiction into different operating Dependent Offices such as PNA Sub-units, PNA Units and PNA Districts.

35. LAKES means those navigable lakes where *Prefectura Naval Argentina* exercises its jurisdiction.

36. MAXIMUM EXTENT PRACTICABLE means the planned capability to respond to a worst case discharge in adverse weather, as contained in a response plan that meets the criteria of this annex, or in a specific plan approved by *Prefectura Naval Argentina*.

37. MAXIMUM MOST PROBA BLE DISCHARGE means a discharge of:

- 400 m3 of oil from a vessel with an oil cargo capacity equal to or greater than 4,000 m3; or

- 10% of the vessel's oil cargo capacity with a capacity of less than 4,000 m3.

38. OCEAN means the area measured from twenty four (24) nautical miles up to two hundred (200) nautical miles, from the base lines set forth in Section 1 of Act No. 23,968.

39. OPERATING IN COMPLIANCE WITH THE PLAN means operating in compliance with the provisions of this Annex, including ensuring the availability of he response resources by contract or other approved means and conducting the necessary training and exercises.

40. COMMERCIAL OPERATIONS means every and all activities carried out to obtain profits.

41. RESPONSE ORGANIZATION means all response resources set forth by those responsible for pollution generation, by the agreements of cooperation entered into by them and those private ones that are in turn responsible for pollution generation, and/or by agreement between the former and spill removal organizations, all authorized by *Prefectura Naval Argentina*. Thereto, there shall not be other response organizations than those mentioned above.

42. OTHER NON-PETROLEUM OIL means an oil of any kind that is not a petroleum oil, an animal fat, or a vegetable oil.

43. WORST CASE DISCHARGE means a discharge in adverse weather conditions of a vessel's entire oil cargo.

44. RESPONSE PLAN includes those plans specified in Section 807.0106. of the Maritime, River and Lake Navigation Regulations (REGINAVE), including those described in this annex.

45. OWNER OR VESSEL OWNER means any person holding legal or equitable title to a vessel as owner or operator. In the case where a certificate of documentation has been issued, the owner or operator is the person or persons whose name or names appear on the vessel's certificate of documentation provided, however, that where a certificate of documentation has been issued in the name of a president or secretary of an incorporated company, such incorporated company is the owner. For the purposes hereof, the representative of the owner or operator, shall be that who evidences enough power to comply with the provisions of this annex.

46. RESPONSE RESOURCES means the personnel, equipment, supplies and other capability necessary to perform the response activities identified in a response plan.

47. OIL FIELD WASTE means non-pumpable drilling fluids with possible trace amounts of metal and oil.

48. RIVERS AND CANALS mean bodies of water confined within the inland area, including intracoastal waterways and other waterways artificially created for navigation.

49. ON-SCENE COORDINATOR means the Official pre-designated by *Prefectura Naval Argentina* to coordinate and verify operations at the scene of an oil or hazardous substance discharge as prescribed in the National Contingency Plan for every determined area.

50. EXCLUSIVE ECONOMIC ZONE means the zone contiguous to the territorial sea of the Republic of Argentina, extending to a distance of up 200 nautical miles from the baseline for which the breadth of the territorial sea is measured.

Article 4. Procedures to file the plan, approval, acceptance requirements or alternative criteria for planning.

1. The vessel owner or operator of an Argentine or foreign vessel to which this Annex is applied shall file in two copies a response plan in Spanish, with the Environment Protection Direction of *Prefectura Naval Argentina*. The plan shall be filed within a term not less than 30 days before the vessel enters waters of Argentine jurisdiction.

2. The Argentine or foreign owner or operator shall include in the presentation an affidavit setting forth that the plan of the filed vessel plan meets the requirements of this Annex, and that the vessel or vessels covered by the plan are vessels transporting oil, unmanned barges transporting oil, or vessels or barges transporting animal fat, vegetable oil or other non petroleum oils and/or noxious substances, etc.

3. If *Prefectura Naval Argentina* determines that the plan meets all the requirements of this Annex, it shall serve notice of such situation to the owner or operator, indicating that an inspection shall be requested within the dates set forth by this Authority, under warning of deeming same not presented and subject to the sanctions set forth by Section 807.9901 of REGINAVE. Once the plan is approved, it shall have a validity of 5 years from the date of approval, subject to the renewals set forth by this Authority, pursuant to Article 10 hereof.

4. If *Prefectura Naval Argentina* revises the plan and determines that same does not meet all the requirements, it shall serve notice to the owner or operator of the deficiencies thereof. The owner or operator shall consequently newly file the revised plan, or the parts corrected thereby, within the dates specified in the notice, under warning of deeming same not filed and subject to the sanctions set forth in Section 807.9901 of REGINAVE.

5. The filing of the plan shall be in a folder with removable pages to enable its amendment and update. The folder shall have numbered divisions to enable the quick location of the different sections and annexes. The pages shall be subsequently numbered in every page, and shall include the month and year of filing (For example: Page No. /January, 2003). When a page is left blank, it shall also be numbered.

Article 5. Procedures to review the plan, new analysis and amendments.

1. The response plan shall be annually reviewed by the owner or operator.

1.1. This review shall be carried out within a term not exceeding the anniversary date of the plan approval by *Prefectura Naval Argentina*.

1.2. The owner or operator shall file any amendment with *Prefectura Naval Argentina* for information or approval purposes. The pages to be amended shall be filed together with the Amendment Form and the Approval Form of the plan or plans. Every time an amendment is made involving a page, the month and year in which this is made shall be added to the number. When the amendment

also implies an addition of new pages for the purpose of not changing the numbers of all the subsequent pages, the new pages shall bear the same number as the one amended, adding the word “bis”, plus one number as from the second page added (If, for example, page No. 3 is modified and 3 more pages are included after, the numbers of these pages shall be: Page 3 bis/January, 2003; Page 3 bis 1/ January, 2003 and subsequently thereafter). Likewise, this new numbering shall be set forth in the General Table of Contents.

1.3. Any amendment to the plan shall be included in the Form of Amendments. Then, the personnel having approved such amendments shall record the amendment approval in the Form of Approvals. The fulfillment of the annual revision by the owner or operator shall also be registered in the relevant record.

2. The owner or operator of a vessel covered by this Annex shall file again the complete plan with Prefectura Naval Argentine in the following circumstances:

2.1. Three months before the end of the approval term of 5 years; and,

2.2. Every time a change of vessel owner or operator takes place, having a new affidavit to be filed thereby or by the legal representative of the vessel owner or operator, pursuant to the provisions of Article 4.2.

3. The reviews and amendments of an approved response plan shall be filed for approval with the vessel owner or operator in the event of:

3.1. A change in the vessel owner or operator or other member being part in the plan.

3.2. A change in the vessel area of operations not covered by a previously approved plan. A vessel may operate in an area not covered in a plan previously approved under the written consent of *Prefectura Naval Argentina*, provided a new specific geographic appendix and the certification required by Section 6, 3) are filed for approval by the vessel owner or operator.

3.3. A significant change in the vessel structure affecting the information included in the response plan.

3.4. A change in the type of oil transported aboard (group of oils affecting the required response resources).

3.5. A change in the identification of the response organization.

3.6. An important change in the vessel emergency response procedures.

3.7. A change in the qualified individual or individuals.

3.8. The incorporation of one or more vessels to its plan. This change shall include the vessel specific appendix required hereby and the owner or operator’s affidavit required by Section 4 b); or,

3.9. Any other significant change affecting the application of the plan. In case of doubt by the owner or operator, *Prefectura Naval Argentina* shall be consulted.

4. *Prefectura Naval Argentina* may require an owner or operator to review a response plan at any moment, if it is determined that the response plan does not meet the requirements of this Annex. *Prefectura Naval Argentina* shall serve written notice to the vessel owner or operator of any deficiency and operating restriction. The deficiencies or corrections shall be made within the specified term, otherwise, the plan shall be declared invalid and any oil storage, transfer, handling, transport or lightening in areas within the Argentine jurisdiction, shall be subject to the sanctions set forth in Section 807.9901 of REGINAVE.

Article 6: Operating restrictions and provisional operating authorizations.

1. Vessels subject to this Annex may not perform the following functions, unless operating in compliance with a plan approved under Article 4 thereof:

1.1. Handling, storing or transporting oil, hazardous and noxious substances on the navigable waters, Contiguous Areas or Economic Exclusive Zone of the Republic of Argentina; or

1.2. Transferring oil in any other port or place under the jurisdiction of the Republic of Argentina.

2. Notwithstanding the requirements of paragraph 1 above, a vessel may continue to handle, store, transport, transfer or lighter oil for a period of six months after the date of submission of a response plan pending approval, if the vessel owner or operator has received the written authorization of *Prefectura Naval Argentina* to continue operating.

3. To receive this authorization, the vessel owner or operator must certify in writing to *Prefectura Naval Argentina* the availability of response resources necessary to respond to the maximum extent practicable to a worst case discharge, or substantial threat of a discharge from the vessel.

4. With respect to paragraph 2) hereof, a vessel may not continue to handle, store, transport, transfer or lighter oil, if:

4.1. *Prefectura Naval Argentina* determines after the granting of the authorization that the response resources identified in the plan, or the response organizations identified in the vessel plan do not meet the requirements of this Annex.

4.2. The contracts or other approved means filed have lost their validity or technical or operating aspects are not met.

4.3. The vessel is not operating in compliance with the submitted plan; or,

4.4. The term of its authorization expires.

5. An owner or operator of a vessel which does not navigate on a regular basis in one or more geographic specific areas not covered by the response plan, making an exceptional voyage may be authorized for such voyage. To be authorized, the vessel owner or operator shall obtain the written authorization of *Prefectura Naval Argentina* prior to the vessel's entry into Prefectura zone, that:

5.1. A response plan meeting the requirements hereof (except for the applicable geographic specific appendixes), or a shipboard oil pollution emergency plan approved by the flag state that meets the requirements of Regulation 26 of Annex I to MARPOL 73/78 is available.

5.2. The response plan is aboard the vessel.

5.3. The vessel owner or operator has identified and informed the vessel master and the relevant PNA unit of the designated qualified individual prior to the vessel's entry, mentioned in Article 7 hereof; and,

5.4. The vessel owner or operator has identified and ensured the availability, through contracts or other approved means, of the necessary response resources to respond to the maximum extent practicable to a worst case discharge or substantial threat of a discharge from the vessel.

6. If thereafter, the owner or operator decides to carry out navigation or operation on a regular basis in waters of Argentine jurisdiction, it shall adapt to the other guidelines of this Annex.

Article 7: Qualified individual and alternate qualified individual.

1. The response plan must identify a qualified individual and at least one alternate qualified individual who meet the requirements of this section. The qualified individual or alternate qualified individual must be available on a 24-hour basis.

2. The qualified individual and alternate must:

2.1. Speak fluent Spanish and the working language of the vessel crew it is going to represent.

2.2. Be located in the Republic of Argentina.

2.3. Be familiar with the implementation of the vessel response plan; and,

2.4. Be trained in the responsibilities of the qualified individual under the response plan.

2.5. Be solely assigned in a specific geographic area where the vessel shall navigate. Without prejudice of the foregoing, where two or more different

geographic areas are close, *Prefectura Naval Argentina*, after an evaluation, may authorize that only one qualified individual be assigned in such areas.

3. The owner or operator shall provide each qualified individual and alternate qualified individual identified in the plan with a document designating them as qualified individuals and specifying their full authority to:

   3.1. Activate and engage in contracting with oil spill removal organization(s) and other resources identified in the plan.

   3.2. Act as a liaison with the on-scene coordinator and supervisor.

   3.3. Obligate funds required to carry out response activities.

4. The owner or operator of a vessel may designate an oil spill removal organization to fulfill the role of the qualified individual and alternate qualified individual. The organization must then identify a qualified individual and at least one alternate qualified individual who meet the requirements of this Article. The vessel owner or operator is required to list in the response plan the response organization, the person identified as qualified individual, and the person or persons identified as alternate qualified individual(s).

5. The qualified individual is not responsible for:

   5.1. The adequacy of the response plan prepared by the owner or operator; or

   5.2. Contracting or obligating funds for response resources, beyond the full authority contained in their designation from the owner or operator of the vessel.

Article 8: General response plan requirements.

1. The plan must cover all geographic areas of the Republic of Argentina in which the vessel intends to handle, store, or transport oil, hazardous and noxious substances, including port areas and offshore traffic areas.

2. The plan must be written in Spanish and, if applicable, in a language that is understood by the crew members with responsibilities under the plan.

3. A vessel response plan must be divided into the following sections:

SECTION 1: INTRODUCTION AND GENERAL INFORMATION.

This section of the response plan must include the following information:

1. The vessel's name, country of registry, call sign, official number, and IMO international number, if applicable. If the plan covers multiple vessels, this information must be provided for each vessel.

2. In the case of barges covered by the plan, a list of the barges, with the same data as in paragraph 1.

3. The name, address, and procedures for contacting the vessel or barge owner or operator on a 24 –hour basis.

4. A list of PNA zones covered by the plan where the vessel or vessels or barges intend to handle, store or transport oil.

5. A table of content or index of sufficient detail to permit personnel with responsibilities under the response plan to locate the specific sections of the plan; and,

6. A record of change of pages to record information on the plan reviews, updates or revisions.

7. A page for approvals and a page for amendments.

SECTION 2: NOTIFICATION PROCEDURES.

This section of the response plan must include the following information:

1. A checklist with all notifications, including telephone or other contact numbers in order of priority to be made by shipboard or shore-based personnel and the information required for those notifications.

2. Identification of the person(s) to be notified of a discharge or substantial threat of a discharge of oil. If the notifications vary due to vessel location, the persons to be notified must also be identified in a geographic specific appendix. This section must separately identify:

    2.1. The qualified individual(s) or organizations(s) to be notified by shipboard personnel.

    2.2. The qualified individuals or organizations to be notified by shore-based personnel.

3. The procedures for notifying the qualified individual(s) designated by the vessel’s owner or operator.

4. Description of the primary and, if available, secondary communications methods by which the notification will be made.

5. The information that is to be provided in the initial and any follow-up notifications required in this section.

6. The initial notification may be submitted in accordance with IMO Resolution A648 (16) “General Principles for Ship Reporting Systems and Ship Reporting Requirements”. It must include at least the following information:

A) Vessel (or barge) name, country of registry, call sign, and IMO official number (if any).
B) Date and time of the incident.
C) Location of the incident.
D) Course, speed, and intended track of vessel (or barge towing vessel).
E) Radio frequencies maintained by vessel (or towing vessel).
F) Date and time of next report.
G)Type and quantity of oil on board.
H) Nature and detail of defects, deficiencies, and damage (e.g. collision, grounding, hold failure, etc.).
I) Details of pollution, including time of discharge or threat of a discharge.
J) Weather and sea conditions on scene.
K) Ship (o barge) size and type.
L) Actions taken or planned by persons on scene.
M) Current conditions of vessel (or barge), and
N) Number and details of crew.

7. After the transmission of the initial condition, as much as possible of the following information shall be reported:

A) Additional details on the type of cargo on board.
Additional details on the condition of the vessel (or barge) and ability to transfer cargo, ballast and fuel.
B) Additional details on the quantity, extent and movement of the pollution and whether the discharge is continuing.
C) Any changes in the on-scene weather conditions.
D) Actions being taken with regard to the discharge and the movement of the ship (or barge).

8. Identification of the person(s) to be notified of a vessel casualty potentially affecting the seaworthiness of a vessel, and the information to be provided by the vessel’s crew to shore-based personnel to facilitate the assessment of damage, stability and stress.

SECTION 3: SHIPBOARD SPILL MITIGATION PROCEDURES.

This section of the response plan must include the following information:

1. Procedures for the crew to mitigate or prevent any discharge or substantial threat of a discharge of oil resulting from operational activities of the vessel (or barges), associated with internal or external cargo transfers. The responsibilities of vessel (or towing vessel) personnel should be identified by job title. These procedures must address personnel actions in the event of a:

A) Transfer system leak.

B) Tank overflow, or
C) Suspected cargo tank or hull leak.

2. Procedures for the crew to mitigate or prevent any discharge or substantial threat of a discharge in the event of the following casualties or emergencies:

A) Grounding or stranding.
B) Collision.
C) Explosion or fire, or both.
D) Hull failure.
E) Excessive list.
F) Equipment failure (e.g., main propulsion, steering gear, etc.) (for vessels only).

3. Procedures for the crew to deploy discharge contention equipment as required under Appendix A hereto.

4. The procedures for internal transfers of cargo in an emergency.

5. The procedures for ship-to-ship (or barge-to-barge) transfer of cargo in an emergency.

6. The form and content of the ship-to-ship transfer procedures must be consistent with the transfer guide, published by the Oil Companies International Marine Forum (OCIMF).

7. The procedures must identify the response resources necessary to carry out transfers, including:

A) Fendering equipment.
B) Connection equipment and transfer hoses.
C) Portable pumps and ancillary equipment.
D) Lightening and mooring masters.
E) Vessel and barge brokers.

8. Reference may be made to a separate oil transfer procedure and lightening plan carried out aboard the vessel (or barge), provided that the safety considerations are summarized in the response plan.

9. The location of all relevant equipment must be identified, if not aboard the vessel.

10. The procedures and arrangements for emergency towing, including the rigging and operation of any emergency towing equipment, as set forth in Appendix A to this Annex.

11. The location, crew responsibilities and procedures for use of shipboard equipment which may be carried to prevent or mitigate an oil discharge.

12. The crew responsibilities, for record keeping of the activities of oil discharge control operations.

13. The crew's responsibilities to initiate a response and supervise shore-based response resources.

14. Damage stability and hull stress considerations when performing shipboard mitigation measures. This section must identify and describe:

    A) Activities in which the crew is trained and qualified to execute absent shore-based support and advice.

    B) The information to be collected by the vessel's crew to facilitate shore-based assistance.

15. Location of vessel (or barge) plan necessary to perform salvage, stability and hull stress assessment. A copy of this plan must be maintained ashore by either the vessel owner or operator or the vessel's recognized classification society unless the vessel has prearranged for a shore-based damage stability and residual strength calculation program with the vessel's baselines strength and stability characteristics pre-entered. The response plan must indicate the shore location and 24-hour access procedures of the calculation program or the following plans:

    A) General arrangement plan.
    B) Midship section plan.
    C) Lines plan or table of offsets.
    D) Tank tables.
    E) Load line assignment.
    F) Light ship characteristics.

16. The plan must identify the shore location and 24-hour access procedures for the computerized, shore based damage stability and residual structural strength calculation programs.

SECTION 4: SHORE-BASED RESPONSE ACTIVITIES.

This section of the response plan must include the following information:

1. The qualified individual's responsibilities and authorities, including immediate communication with *Prefectura Naval Argentina* and notification of the oil spill removal organization identified in the plan.

2. If applicable, procedures for transferring responsibility for direction response activities from vessel personnel to the shore-based spill management team.

3. The procedures for coordinating the actions of the vessel owner or operator or qualified individual with the pre-designated JECECODECON, responsible for overseeing or directing those actions.

4. The organizational structure that will be used to manage the response actions. This structure must include the following functional areas and must further include information for key components within each functional area:

   A) Command and control.
   B) Public information.
   C) Safety.
   D) Liaison with governmental agencies.
   E) Spill response operations.
   F) Planning.
   G) Logistics support.
   H) Finance.

5. The responsibilities of, duties of, and functional job descriptions for each oil spill management team position, within the organizational structure identified in paragraph 4. above.

SECTION 5: LIST OF CONTACTS.

This section of the response plan must include the following information:

1. The name, location and 24-hour contact information for the following key individuals and organizations must be included in this section of the response plan or, if more appropriate, in a geographic-specific appendix and referenced in this section of the response plan:

   1.1. Vessel (or barge) owner or operator.

   1.2. Qualified individual or alternate qualified individual for the vessel's area of operation.

   1.3. Applicable insurance representatives or supervisors for the vessel's (or barge) area of operation.

   1.4. The vessel's (or barge's) local maritime agent(s) for that area of operations.

   1.5. Personnel of the response organization to notify for activation of the response system for the three spill scenarios identified in section 9, paragraph 2.3, for the vessel's (or barge's) area of operations.

   1.6. Persons within the identified response organization to notify for activating the organization to provide:

   A) The required emergency lightening, applicable to the type of service of the vessel (or barge).
   B) The required salvage and fire fighting, applicable to the type of service of the vessel (or barge).

2. Person to be notified, for activation of the spill management team for the spill response scenario identified in section 9, paragraph 2.3, for the vessel's (or barge's) area of operations.

SECTION 6: TRAINING PROCEDURES.

This section of the response plan must address the training procedures and programs of the vessel owner or operator to meet the requirements of Article 9.

SECTION 7: EXERCISE PROGRAMS.

This section of the response plan must address the exercise programs to be carried out by the vessel owner or operator to meet the requirements of Article 9.

SECTION 8: PLAN REVIEW AND UPDATE.

This section of the response plan must set forth update, review, amendment and modification procedures, including:

1. The procedures to be followed by the vessel owner or operator to meet the requirements of Article 5, and

2. The procedures to be followed for any post-discharge review of the plan to evaluate and validate its effectiveness.

SECTION 9: GEOGRAPHIC APPENDICES FOR EACH PNA ZONE IN WHICH A VESSEL OPERATES.

A geographic-specific appendix must be included for each PNA zone where the vessel operates. The geographic-specific appendix must include the area identified for each PNA identified zone. The appendix must include the following information or identify the location of such information within the plan:

1. A list of the geographic areas (port areas, rivers, lakes and canals, nearshore, offshore and open ocean areas) in which the vessel intends to handle, store, or transport oil within the applicable PNA zone.

2. The volume and group of oil on which the required level of response resources are calculated.

    2.1. Required PNA notifications applicable to the geographic areas in which a vessel operates.

    2.2. Identification of the qualified individuals.

    2.3. Oil spill removal organization identified and ensured available through contract or other approved means, and the spill management team to respond to the following spill scenarios.

A) Average most probable discharge.
B) Maximum most probable discharge.
C) Worst case discharge.

3. The organization(s) identified to meet the requirements of paragraph 5 hereof must be capable of providing the equipment and supplies necessary to meet the requirements of this annex, and sources of trained personnel to continue operation of the spill management team and staff in charge of operations, identified by the response organization(s) during the 7 days.

4. The appendix must list the response resources and related information.

5. The appendix must also separately list the companies identified to provide the salvage, vessel fire fighting, lightening, and if applicable, dispersant capabilities required herein.

SECTION 10: APPENDIX FOR VESSEL-SPECIFIC INFORMATION OF THE VESSEL(S) COVERED BY THE PLAN.

This section must include for each vessel covered by the plan the following information:

1. List of the vessel's characteristics:

1.1. List of the vessel's principal characteristics.

1.2. Capacities of all cargo, fuel, lube oil, ballast, and fresh water tanks.

1.3. The total volume and cargo groups of oil cargo that would be involved in:

a) Maximum most probable discharge.
b) Worst case discharge.

1.4. Diagram showing location of all tanks.

1.5. General arrangement plan (to be maintained separately aboard the vessel, providing the response plan identifies the location).

1.6. Midship section plan (to be maintained separately aboard the vessel, providing the response plan identifies the location).

1.7. Cargo and fuel piping diagrams and pumping plan (to be maintained separately aboard the vessel, providing the response plan identifies the location).

1.8. Damage stability data (to be maintained separately aboard the vessel, providing the response plan identifies the location).

1.9. Location of cargo and fuel stowage plan for vessel (normally maintained separately aboard the vessel providing the response plan identifies the location).

1.10. Location of information on the name, physical and chemical characteristics, health and safety hazards, and spill and fire fighting procedures for the oil cargo aboard the vessel. This information shall be maintained separately, providing the response plan identifies the location.

2. Vessel owner or operator with multiple ships may file only one plan for every class of vessel (e.g. manned tank vessels, unmanned tank barges, or vessels or barges transporting animal fat, vegetable oil or other non-petroleum oil, noxious liquid substances, etc.), with a separate geographic-specific appendix for the vessel covered by the plan and a geographic-specific appendix for every specific geographic area in which the vessels shall operate.

3. The information contained in the response plan shall be pursuant to:

3.1. The area Local Contingency Plan in force with validity of 6 months prior to the date the response plan is filed; or

3.2. The most recent PLANACON.

4. Filed and approved copies of the response plan shall be available as set forth below:

4.1. The owner or operator of all vessels, except for unmanned barges, shall ensure that a copy in Spanish and a copy in the crew working language and the approval by *Prefectura Naval Argentina* or an authenticated copy thereof, are maintained aboard the vessel. If applicable, additional copies of the required plan sections shall be in a language understood by the crew members with responsibilities under the plan and maintained onboard the vessel.

4.2. The owner or operator of all unmanned tank barges shall ensure that a copy in Spanish and a copy in the crew working language and the approval by *Prefectura Naval Argentina* or an authenticated copy thereof, be maintained on board the barge or, otherwise in the towing vessel.

4.3. The vessel owner or operator shall maintain a copy of the complete plan and shall ensure that every person identified as a qualified individual and an alternate qualified individual have a copy of the same characteristics.

SECTION 11: ONBOARD NOTIFICATION CHECKLIST AND EMERGENCY PROCEDURES (FOR TANK BARGES ONLY).

This section of the plan shall set forth the responsibilities of the personnel in charge of the barge, or otherwise in the towing vessel. It shall also include:

1. Emergency telephone numbers of the PNA area where the barge operates.

2. Name and procedure to contact owner or operator.

3. Name and procedure to contact the qualified individual.

4. List of information to be supplied by personnel.

5. A list of the responsibilities and actions to be taken by the personnel, taking into account the procedures to moor or anchor the barge.

6. The information contained in Section 3.

Article 9. Training.

1. A response plan submitted to meet the requirements of Article 8 must identify the training to be provided to persons having responsibilities under the plan, including members of the vessel or barge and/or towing vessel crew, the qualified individual and the spill management team. The training program must differentiate between that training provided to vessel personnel and that training provided to shore-based personnel.

2. The vessel owner or operator shall ensure the maintenance of records sufficient to document this training and make them available for the inspections required by *Prefectura Naval Argentina*. Records must be maintained for 3 years following completion of training, identifying the location of training records, which must be:

   2.1. On board the vessel.
   2.2. With the qualified individual, or
   2.3. With the spill management team.

3. The vessel owner or operator may identify equivalent work experience which fulfills specific training requirements.

4. The vessel owner or operator shall ensure that any oil spill removal organization identified in a response plan to meet the requirements of this part maintains records sufficient to document training for the organization’s personnel.

5. A training plan may be prepared in accordance with training elements for oil response to satisfy the requirements of this section.

6. The vessel owner or operator shall comply with the following training:

6.1. Qualified individual notification exercises, which must be conducted every four months.
6.2. Emergency procedures exercises, which must be conducted every four months.
6.3. Shore-based spill management team tabletop exercises, which must be conducted annually.
6.4. Oil spill removal organization equipment deployment exercises, which must be conducted annually.

Article 10. Inspections.

1. To verify the requirements of Articles 8 and 9, the owner or operator of a vessel shall comply with the inspections required thereto by *Prefectura Naval Argentina*. Such inspections may be announced or unannounced:

   1.1. Initial inspection.
   1.2. Annual renewal inspections.
   1.3. Extraordinary inspections, when deemed relevant by *Prefectura Naval Argentina*.

2. Such inspections shall consist in tabletop exercises simulating a real practice, in which all personnel with responsibilities under the plan shall be involved. The exercise of the spill response organization equipment deployment shall also be verified. The owners or operators who have ensured the response by contracts or other means approved by a spill removal organization approved and qualified by *Prefectura Naval Argentina* shall be exempted from such exercise.

Article 11. Additional response plan requirements.

This Article sets forth the spill response planning requirements for the owner or operator of the units specified in Article 2, operating in the special protection areas set forth by Ordinance No.12-98 (DPMA - BOOK 6) and all others to be created hereafter by *Prefectura Naval Argentina*.

1. The owner or operator of a vessel subject to this Article shall include the following requirements in the geographic-specific appendix required in this Annex.

2. The response plan must include the identification of a spill response organization that shall:

   2.1. Perform response activities.

   2.2. Provide oil spill removal and containment training, including training in the operation of prepositioned equipment, for personnel, including local residents that may be affected.

2.3. Consist of sufficient number of trained personnel with the necessary technical skills to remove, to the maximum extent practicable, a worst case discharge or a discharge of 10,000 cubic meters of oil, whichever is greater.

3. The response plan must identify an inspection and a certification program for the prepositioned response equipment required in Article 12 that must provide for:

3.1. Annual equipment inspection in accordance with the manufacturer's recommended procedures, to include:

3.1.1. Start-up and running under load of all electrical motors, pumps, power packs, air compressors, internal combustion engines and oil recovery devices; and

3.1.2. Removal of no less than one-third of required boom from storage annually, such that all boom will have been removed and examined within a period of three years;

3.1.3. Records of equipment tests and inspection; and

3.1.4. Certification that the equipment is on-site and in good operating condition and that required tests and inspections have been performed.

4. The response plan must identify and give the location of the prepositioned response equipment required in Article 12, including the make, model and effective daily recovery rate of each oil recovery resource.

5. All records required by this section must be available for inspection by *Prefectura Naval Argentina* and must be maintained for a period of at least 3 years.

Article 12. Requirements for prepositioned response equipment.

1. The owner or operator of a tanker subject to this Article shall provide the following prepositioned response equipment, located within Special Protection Areas set forth by Ordinance No.12/98 (DPMA BOOK 6) and any other that may hereafter be set forth by *Prefectura Naval Argentina*.

1.1. On-water recovery equipment with a minimum effective daily recovery capacity of 10,000 cubic meters, capable of being on scene and operating within 10 hours of notification of discharge.
1.2. Additional on-water recovery capacity of at least 10,000 cubic meters, capable of being on scene and operating within 10 hours of notification of discharge.
1.3. On-water oil recovery devices and storage equipment located in communities and at strategic locations.
1.4. Boom appropriate for the specific locations where the vessel operates.

1.5. Sufficient boats to deploy boom and sorbents.
1.6. Sorbents, including boom, sweeps, pads, blankets, drums and plastic buckets.
1.7. Personnel protective clothing and equipment.
1.8. Survival equipment.
1.9. First aid supplies.
1.10. Buckets, shovels, and various other tools.
1.11. Decontamination equipment.
1.12. Shoreline clean-up equipment.
1.13. Mooring equipment.
1.14. Anchorage buoys at appropriate locations to facilitate the positioning of defensive boom; and
1.15. Other appropriate removal equipment.

2. A salvage company with appropriate experience and equipment capable of operating within 10 hours of notification of spill.

3. For tankers subject to this Article, the following response times must be used in determining the on-scene arrival, for the response resources set forth in items 1.5 through 1.15) hereof:

Tier 1	Tier 2	Tier 3
12 hours	24 hours	36 hours

Appendix A to Annex 18 of Ordinance No.8/98 (DPMA - BOOK 6). Determining and evaluating required response resources for vessel response plans.

1. Purpose.

1. The purpose of this appendix is to describe the procedures for identifying response resources to meet the requirements of Annex 18 of this Ordinance. These guidelines will be used by the vessel owner or operator in preparing the response plan and by *Prefectura Naval Argentina* to review the proper equipment.

2. Equipment Operability and Readiness.

1. All equipment identified in a response plan must be capable of operating in the conditions expected in the geographic area in which a vessel operates. These conditions vary widely based upon the location and season. Therefore, it is difficult

to identify a single stockpile of response equipment that will function effectively in every geographic area.

2. Vessels storing, handling or transporting oil in more than one specific geographic area, as indicated in Table 1 must identify equipment capable of successfully functioning in each operating environment. For example, vessels moving from the ocean to a river port must identify appropriate equipment designed to meet the criteria for transiting oceans, inland waterways, rivers and canals. This equipment may be designed to operate in all of these specific geographic areas or, more likely, different equipment may be designed for use in each area.

3. Table 1 of this appendix lists the operating criteria for response resources. All equipment necessary to sustain or support a response operation in a geographic area must be designed to function in the same conditions. For example: boats which deploy or support skimmers or boom must be capable of being safely operated in the significant wave heights listed for the applicable operating area. *Prefectura Naval Argentina* may require documentation that the boom identified in a response plan meets the criteria of Table 1 of this appendix. In the event the documentation is lacking, *Prefectura Naval Argentina* may require that the boom be examined to demonstrate that it meets the aforementioned criteria. Testing must be in accordance with ASTM F 715 testing standard for barrier tension membrane materials or any other test approved by PNA.

4. A vessel owner or operator must refer to the applicable area plan to determine if ice, debris, weather-related visibility are significant in evaluating the operability of equipment. The emergency plan will also identify the average temperature ranges expected in a geographic area in which a vessel operates. All equipment identified in a response plan must be designed to operate within those conditions or ranges.

5. The requirements hereof establish the response resource mobilization and response times. The location that the vessel operates farthest from the storage location of the response resources must be used to determine whether the resources are capable of arriving on scene within the time required. A vessel owner or operator shall include the time for notification, mobilization and travel time of resources identified to meet the average most probable discharge, maximum most probable discharge and the worst case discharge requirements in one tier.

6. The vessel owner or operator shall list the location, quantity and manufacturer's make and model, unless the oil spill removal organization providing the specific resources have been acknowledged by *Prefectura Naval Argentina*. This appendix determines the effective daily recovery capacity, which shall be included in the plan. The overall boom height (freeboard and draft) must be included. A vessel owner or operator is responsible for ensuring that identified boom has compatible connectors.

7. It shall be taken into account in all cases that oil storage capacity equals twice the recovery rate.

3. Determining Response Resources for the Average Most Probable Discharge.

1. A vessel owner or operator shall identify and ensure, by contract or other approved means, that sufficient response resources are available to respond to an average probable discharge of 10 cubic meters in the area of oil transfer involving a vessel that carries oil. The equipment must be designed to function in the operating environment in the area of oil transfer. These resources must include:

   1.1. Containment boom in a quantity equal to twice the length of the largest vessel involved in the transfer capable of being deployed within one hour of the detection of a spill at the site of oil transfer operations. If the transfer operation is more than 12 miles from shore, the containment boom must be deployed within one hour plus the travel time from the nearest shoreline at a speed of five knots.

   1.2. Oil recovery devices with an effective daily recovery capacity of 10 cubic meters available and adequately operating at the transfer site within two hours of the detection of an oil discharge. In the event the incident takes place more than 12 miles from shore, the recovery devices shall be available within 2 hours plus the travel time.

   1.3. The oil storage capacity equals twice the recovery rate.

4. Determining Response Resources Required for the Maximum Most Probable Discharge.

1. A vessel owner or operator shall identify and ensure by contract or other approved means, that sufficient response resources are available to respond to discharges up to the maximum most probable discharge volume for that vessel. The resources should be capable of containing and collecting 400m3 of oil from a vessel with a cargo capacity equal to or more than 4,000 m3, or 10% of the vessel cargo capacity with a capacity less than 4,000 m3. All equipment identified must be designed to operate in the applicable operating environment specified in Table 1 of this Appendix.

2. Oil recovery devices necessary, located within the specific times for the applicable level response, shall be included in the list in the following table.

Higher volume port areas, Nearshore areas, inland areas, Lakes	12 hours
Offshore areas	24 hours

Open ocean, plus travel time from shore	24 hours + travel time

3. Because rapid control, containment and removal of oil is critical to reduce spill impact, the effective daily recovery capacity for oil recovery equipment must equal 50% of the planning volume applicable for the vessel as determined in this Appendix. The effective daily recovery capacity for oil recovery equipment identified in the plan must be determined.

4. In addition to the oil recovery capacity, owner or operator must identify in the response plan and ensure though contracts or other approved means, the sufficient quantity of boom available to arrive within the required response times for oil containment and collection and for protection of shoreline areas. While the regulation does not set required quantities of boom for oil collection and containment, owner or operator must identify and ensure in the plan, through contract or other approved means, the availability of the boom identified in the plan for this purpose.

5. It shall be taken into account that oil storage capacity equals twice the recovery rate.

6. The following is an example of maximum most probable discharge volume planning calculation for equipment identification in a higher volume port area:

7. The vessel cargo capacity is 1,600 cubic meters. The planning volume is 10% or 160 cubic meters. The effective daily recovery capacity must be 50% of the planning volume, *i.e.* 80 cubic meters per day. The availability of oil recover equipment to meet this capacity will be calculated using the procedures in this appendix. Temporary storage capacity available on scene must equal twice the daily recovery rate. In this example, 160 daily cubic meters. This example constitutes the information vessel owner or operator will use to identify and ensure the availability, through contract or other approved means, of the required response resources. Owner or operator will also need to identify the amount of boom available for use.

5. Determining Required Response Resources for the Worst Case Discharge to the Maximum Extent Practicable.

1. Owner or operator shall identify and ensure, through contract or other approved means, that sufficient response resources are available to be used in response to the worst case discharge of oil to the maximum extent practicable. This appendix describes the method to determine the required response resources.

2. Oil spill recovery devices identified to meet the applicable worst case discharge planning must be located such that they can arrive to the scene of a discharge

within the times specified for the applicable response tiers listed in the table below.

Higher volume port areas, Nearshore areas, inland areas, Lakes	60 hours
Offshore areas	72 hours
Open ocean, plus travel time from shore	72 hours + travel time

3. The effective daily recovery capacity for the recovery devices identified in a response plan must be determined using the criteria set forth in item 7) hereof. A vessel owner or operator shall identify the storage locations of all equipment used to fulfill the requirements.

4. When selecting response resources necessary to meet the Response Plan requirements, the owner or operator must ensure that a portion of those resources are capable of being used in shore protection activities in shallow water. The following percentages of the on-water response equipment identified for the applicable geographic area must be capable of operating in waters of 1.80 m or less depth:

    4.1. Ocean – none.
    4.2. Offshore areas – 10 %.
    4.3. Port areas and higher volume areas, nearshore areas, inland areas, lakes – 20%.

2.1. In addition to temporary collection and storage equipment, the owner or operator must identify the Response Plan and ensure the availability, through contract or other approved means that sufficient quantities of boom arrive on scene within the response times for oil containment and collection. The specific quantity of boom required for collection and containment, will depend on the specific collection equipment and strategies applied. Table 2 hereof lists the minimum amount of additional boom required that the owner or operator must identify in the Response Plan.

2.2. Owner or operator must also identify, through contract or other approved means, the availability of a response organization capable of responding to a shoreline clean-up operation involving the calculated volume of oil and emulsified oil that might impact the affected shoreline. The volume of oil that must be planned for is calculated through the application of factors contained in Tables 3 and 4 hereof. The volume calculated from these tables is intended to assist the owner or operator in selecting a response organization with sufficient resources. This

planning volume is not used explicitly to determine a required amount of equipment and personnel.

8. It shall be taken into account in all cases that oil storage capacity equals twice the recovery rate.

6. Determining the Response Resources for Vessels Transporting Animal Fat, Vegetable or other Non-petroleum Oil.

1. A vessel owner or operator transporting animal fats and vegetable oil or other non petroleum oil, must provide information in the plan that identifies:

1.1. Procedures and strategies for responding to a worst case discharge of animal fat or vegetal oil to the maximum extent practicable; and
1.2. Sources of equipment and supplies necessary to contain, recover and mitigate such a discharge.

2. A vessel owner or operator must ensure that any equipment identified in a response plan is capable of operating in the conditions expected in the geographic area in which the vessel operates using the criteria in Table 1 of Appendix A hereto. When evaluating the operability of equipment, owner or operator must consider limitations that are identified in the National Contingency Plan for PNA zones in which the vessel operates, including:

2.1. Ice conditions.
2.2. Debris.
2.3. Temperature ranges; and,
2.4. Weather-related visibility.

3.A vessel owner or operator must identify and ensure that response resources are available through contract or other approved means and that the identified equipment include:

3.1. Containment boom, sorbent boom, or other methods for containing oil floating on the surface or to protect shorelines from impact.
3.2. Oil recovery devices appropriate for the type of animal fat or vegetable oil transported; and
3.3. Other appropriate equipment necessary to respond to a discharge involving the type of animal fat or oil transported.

4. Response resources identified in a response plan under paragraph 3) hereof, must be capable of arriving on scene within the response times from the time a spill is discovered, as follows:

	Tier 1	Tier 2	Tier 3
Port areas and higher volume Port areas, Nearshore areas,	12 hours	36 hours	60 hours

Inland areas, Lakes			
Offshore areas	24 hours	48 hours	72 hours
Open ocean	24 hours + travel time	48 hours + travel time	72 Hours + travel time

5. The owner or operator must identify the following response resources in the response plan and must ensure their availability:

   5.1. A salvage company with appropriate experience and equipment.
   5.2. A company with vessels with fire-fighting capacity that shall respond to occurrences in the area in which the vessel is operating.

6. A vessel owner or operator must identify and ensure the following resources in the response plan:

   6.1. Fendering equipment.
   6.2. Transfer hoses and connection equipment; and,
   6.3. Portable pumps and ancillary equipment necessary to the largest discharge cargo tanks of a vessel in 24 hours of continuous operation.

7. Response resources identified in paragraph 6), must be capable of reaching the location in which the vessel is and operating within the following times:

   Higher volume port areas, nearshore areas, inland areas and lakes - 12 hours.
   7.1. Offshore areas - 18 hours.
   7.2. Oceans - 36 hours.

8. The owner or operator of a vessel operating in areas that meet the requirements for use of dispersants may request a credit for up to 25% of the recovery capacity of animal fat, vegetable oil or non-petroleum oil for the response tier for a worst case discharge. To receive this credit, the owner or operator must identify in the plan and ensure, through contract or other approved means, the availability of dispersants and the necessary resources to apply such dispersants and to monitor their effectiveness. The extent of the credit for dispersants will be based on the volumes of dispersant available to sustain operations at the manufacturer's recommended dosage rates. Resources identified for plan credit should be capable of being on scene within 12 hours of a discovery of a discharge. Identification of these resources does not imply that dispersants shall be authorized for use. Such use shall also adjust to the provisions of Ordinance No.1/98. (DPMA Book 6) and the Contingency Plans of the relevant PNA zones.

9. Oil storage capacity equals twice the recovery rate.

7. Determining Effective Daily Recovery Capacity for Oil Recovery Equipment.

1. Oil recovery equipment identified by an owner or operator, must be identified by manufacturer, model, and effective daily recovery capacity. These rates must be used to meet the applicable planning criteria for the average most probable discharge, maximum most probable discharge and worst case discharge to the maximum extent practicable.

2. For the purposes of determining the effective daily recovery capacity of oil recovery equipment, the following method shall be applied. This method considers potential limitations due to available daylight, weather, sea state, and percentage of emulsified oil in the recovered material.

   2.1. The following formula must be used to calculate the effective daily recovery capacity:

   $$R = T \times DLH \times E$$

   R: Equipment effective daily recovery capacity in m3.
   T: Throughout rate in m3 per hour, informed by equipment manufacturer.
   DLH: Amount of daylight hours. For the purposes of calculation 10 hours shall be considered.
   E: Efficiency factor, 0.8 shall be considered.

   2.2. For those devices in which the pump limits the throughout of liquid, this rate will be calculated using the pump capacity.

   2.3. For belt or mop devices, the throughout rate will be calculated using the data provided by manufacturer as to the equipment nominal capacity of the identifying plate.

   2.4. Owners or operators including oil recovery devices without data as to the manufacturer's throughout rate shall provide information to support an alternative method of calculation.

3. The determination of the effective daily recovery capacity shall be carried out by *Prefectura Naval Argentina*. Equipment manufacturer or oil spill removal organizations may submit required information on behalf of multiple owners or operators.

8. Calculating Planning Volume.

1. Owner or operator shall plan a response for an oil worst case discharge. The planning for on-water recovery must take into account a loss of some oil to the environment due to evaporation, emulsification and potential for deposit of some oil in the shoreline.

2. The following procedures must be used to calculate the planning volume used by the owner or operator for determining required on water recovery capacity:

   2.1. The following must be determined: Total volume of oil carried; the appropriate group for the type of oil carried (persistent group II, III y IV) or non-persistent (group I) and the geographic area(s) in which the vessel operates. For vessels transporting different oil groups, each group shall be calculated separately. This information is to be used with Table 3 hereof to determine the percentages of the total volume to be used for removal capacity planning. This table divides the volume into three categories: oil lost to the environment, oil deposited on the shoreline and oil available for on-water recovery.

   2.2. The on-water oil recovery volume must be adjusted using the appropriate emulsification factor found on Table 4 hereof.

   2.3. The adjusted volume is multiplied by the on-water oil recovery resource mobilization factor found in Table 5 hereof from the appropriate operating area and response tier to determine the total recovery capacity in cubic meters per day.

   2.4. The resulting on-water recovery capacity, in cubic meters per day for each level must be used to identify response resources necessary to sustain operations in the applicable geographic area. The equipment must be able of sustaining operations for the time specified in Table 3 hereof. Owner or operator must identify and ensure the availability, through contract or other approved means of sufficient oil spill recovery equipment to provide the effective daily oil recovery capacity required. For vessels transporting oil from different groups, the effective daily recovery capacity shall be calculated for each group and shall be added before applying the coverage.

3. The following procedures must be used to calculate the planning volume for identifying the shoreline clean-up capacity:

   3.1 The following must be determined: Total volume of oil; the appropriate group for the type of oil (persistent group II, III y IV) or non-persistent (group I) and the geographic area(s) in which the vessel operates. For vessels transporting different oil groups, each group shall be calculated separately. This information is to be used with Table 3 hereof to determine the percentages of the total volume to be used for shoreline clean-up resources planning.

   3.2 The planning volume for shoreline clean-up must be adjusted using the same procedure as described herein.

   3.3 The resulting volume will be used to identify a oil spill removal organization with the appropriate shoreline clean-up capacity.

4. The following is an example of the procedures described above:

A vessel with a 15,000 cubic meters capacity of oil, of 0.96 specific gravity, will move from a higher volume port area to another area. The vessel's route will be 70 miles from shore.

Cargo carried: 15,000 m3. Group IV oil, emulsification factor (from Table 4 hereof) = 1.4 Areas transited: inland, nearshore, offshore, open ocean.

Plan % on-water recovery (from Table 3 hereof)
Inland areas 50 %
Nearshore area 50 %
Offshore area 40 %
Open ocean 20 %
Plan % oil onshore recovery (from Table 3 hereof)
Inland areas 70 %
Nearshore area 70 %
Offshore area 30 %
Open ocean 30 %

General formula to determine planning volume:
(Planning volume) = (Capacity) x (% from Table 3 hereof) x (emulsification factor from Table 4 hereof)

Planning volume for on-water recovery:
Inland areas: 15,000 m3 x 0.5 x 1.4 =10,500 m3
Nearshore area: 15,000 x 0.5 x 1.4 =10,500 m3
Offshore area: 15,000 x 0.4 x 1.4 = 8,400 m3
Open ocean: 15,000 x0,2 x 1.4 = 4,200 m3

Owner or operator must contract with a response resource capable of managing 10,500 m3 shoreline clean-up in those areas where the vessel comes closer than 50 miles to shore.

Determining required resources for on-water oil recovery for each level using mobilization factors: (on-water recovery requirements in cubic meters per day) = (on-water planning volume as calculated above) x (mobilization factor from Table 5 hereof).

	TIER 1	TIER 2	TIER 3
Inland/nearshore areas: 10,500 x	0.15	0.25	0.40
Offshore area: 8,400 x	0.10	0.165	0.21
Open ocean: 4,200 x	0.06	0.10	0.12

Equals (cubic meters per day) =			
Inland/nearshore areas	1,575 m3	2,625 m3	4,200 m3
Offshore area	840 m3	1,386 m3	1,764 m3
Open ocean	252 m3	420 m3	504 m3

Since the requirements for Tier 1 for inland and nearshore areas exceed the caps, the vessel owner or operator would only need to contract for 1,500 cubic meters per day as set forth in Table 6. No additional equipment would be required for the resources required by Tier 3, since they do not reach the capacities determined for Tier 3.

10% of on-water recovery capability for offshore, and 20% of the capability for inland and nearshore areas for all levels, must be capable of operating in water with a depth of 1.80 meters or less.

The vessel owner or operator would also be required to comply with the quantity of boom identified in Table 2 hereof, for the areas in which the vessel operates.

9. Determining the Availability of Non-mechanical Response Methods.

1. The response plan for a vessel carrying persistent oil (Group II or III) as a primary cargo that operates in area meeting the requirements for dispersant use may access credit up to 25% of the recovery capacity in that area. To receive credit, owner or operator must identify the plan and ensure through contract or other approved means, the availability of dispersants and of the necessary resources to properly apply these agents and to monitor the effectiveness of such dispersants. The extent of the credit shall be based upon the volumes of dispersants available to maintain operations in the quantities recommended for manufacturers. For response plan credit, these resources must be capable of being on scene within 12 hours of the discovery of a discharge.

2. Identification of such resources does not imply that dispersants shall be authorized for use. Such use shall also be adjusted to the provisions of Ordinance No.1/98 (DPMA - Book 6) and the Contingency Plans of the relevant PNA zones.

3. To receive credit against any required on-water collection capacity, the response plan must identify the location of dispersant stockpiles, methods of transporting to a shoreside staging area and appropriate vessel or aircraft to apply the dispersant and monitor its effectiveness at the scene of discharge.

4. Dispersant application equipment identified in a response plan must be identified and located such that it may be mobilized to the contingency area to meet time requirements. Operations for dispersant application must be capable of being carried out in a term not exceeding 3 days.

    4.1. The following example sets forth that for a spill of 1,500 cubic meters, out of which 25% credit obtained is 375 cubic meters for Tier 1 would require the vessel owner or operator to demonstrate the ability to treat 375 cubic meters per day of oil at the dosage rate recommended for the dispersant to be used. Assuming a dosage rate of 10:1, the plan would need to show stockpiles and sources of 125 cubic meters of dispersant that would be available on scene at a rate of 12.5 cubic meters per day and the ability to apply this dispersant at the daily rate for 3 days in the area in which the vessel operates. Similar data would need to be provided for any additional credit against Tier 2 or 3 resources.

5. In addition to the equipment and supplies required, a vessel owner or operator shall identify the availability of a source of support to conduct the monitoring and post-use effectiveness evaluation required for every local and area contingency plan.

10. Additional Equipment Necessary to Sustain Response Operations.

1. A vessel owner or operator is responsible for ensuring that sufficient number of trained personnel, boats, aerial spotting aircraft, sorbent materials, boom anchoring materials, and other resources are available to sustain response operations to completion. All such equipment must be suitable for use with the primary equipment identified in the Response Plan. A vessel owner or operator is not required to list these resources in the Response Plan, but shall certify their availability.

2. A vessel owner or operator shall evaluate the availability of adequate temporary storage capacity to sustain the effective daily recovery capacities from equipment identified in the plan. Because of the inefficiencies of oil spill recovery devices, the response plan must identify daily storage capacity equivalent to twice the effective daily recovery capacity required on scene. This temporary storage capacity may be reduced if a vessel owner or operator can demonstrate that the efficiencies of the oil recovery devices, may decant water or there is available alternative temporary storage in the area the vessel will operate.

3. The vessel owner or operator shall ensure that their plan includes the capability to arrange for final disposal of recovered oil.

Table 1. Response Resource Operating Criteria
(oil recovery devices)

Operating environment	Wave height (centimeters)	Sea State
Rivers and canals	31	1
Inland areas	90	2
Lakes	120	2-3
Offshore areas, nearshore open ocean	180	3-4

	Boom			
	Use			
Boom Property	Rivers And Canals	Inland Areas	Lakes	Offshore areas, Nearshore areas, Open Oceans
Sea state	1	2	2 - 3	3 - 4
Boom height	15 - 60 cm	60-100 cm	60 - 100 cm	60 - 100 cm
Reserve buoyancy To weight ratio	2:1	2:1	2:1	3:1 a 4:1
Total tensile strength, lbs.	4,500	15 – 20,000	15 – 20,000	+ 20,000
Skirt Fabric Tensile Strength, lbs.	200	300	300	500
Skirt Fabric Tear Strength, Lbs.	100	100	100	125

1- Oil recovery devices and boom must be at least capable of operating in wave heights exceeding the values listed in Table 1 for each operating environment.

2- Equipment identified as capable of operating in waters of 1.80 meters or less of depth are exempted from the wave height planning requirement.

Table 2. Shoreline protection requirements

	Boom	Availability hours	
Location	Ensured by Contract (meters)	Higher volume Port areas	Other areas

	Persistent oil		
Ocean Offshore areas	4,500 m	24	48
Nearshore area / lakes	9,000 m	12	24
Rivers and canals	7,500 m	12	24
	Non-persistent oil		
Ocean Offshore areas Nearshore areas / Inland Areas / Lakes	3,000 m	12	24
Rivers and canals	4,500 m	12	24

Table 3. Removal resources planning Table

Spill Location	Rivers and canals			Nearshore areas Inland areas / lakes		
Sustainability of on-water oil recovery	3 days			4 days		
Oil Group	% Natural Dissipation	% Recovered Floating oil	% Oil on shore	% Natural dissipation	% Recovered floating oil	% Oil on shore
I Non-Persistent Oil	80	10	10	80	20	10
II Light Crude	40	15	45	50	50	30
III Medium Crude and Fuels	20	15	65	30	50	50
IV Heavy Crudes And Fuels	5	20	75	10	50	70

Table 3. Removal resources planning Table (cont.)

Spill Location	Offshore areas			Ocean		
Sustainability Of on-water oil recovery	6 days			10 days		
Oil Group	% Natural dissipation	% Recovered Floating oil	% Oil on shore	% Natural dissipation	% Recovered floating oil	% Oil on shore

I Non-Persistent Oil	95	/	/	100	/	/
II Light Crude	75	25	5	90	10	/
III Medium Crude and Fuels	60	40	20	75	20	/
IV Heavy Crudes And Fuels	50	40	30	50	20	/

Table 4. Emulsification factors for Oil Cargo Groups	
Non-persistent oil Group I	1.0
Persistent oil Group II	1.8
Group III	2.0
Group IV	1.4

Table 5. On water oil recovery resource mobilization factors			
Area	Tier 1	Tier 2	Tier 3
Rivers and canals	0.30	0.40	0.60
Nearshore area / Inland areas/ Lakes	0.15	0.25	0.40
Offshore areas	0.10	0.165	0.21
Ocean	0.06	0.10	0.12

Note: These mobilization factors are for total resources mobilized, not incremental resources.

Table 6. Response capability Caps by geographic area			
Area	Tier 1	Tier 2	Tier 3
All except Rivers, Canals and Lakes	1,600 m3 x day	3,500 m3 x day	7,000 m3 x day
Lakes	800 m3 x day	1,700 m3 x day	3,500 m3 x day
Rivers and Canals	300 m3 x day	500 m3 x day	1,000 m3 x day

ANNEX 19

GUIDELINES FOR PREPARING RESPONSE PLANS FOR COMPANIES IN CHARGE OF PORTS

These guidelines have been prepared to cooperate in the elaboration of response plans in the event of pollution by oil and other hazardous and noxious substances for companies in charge of ports.

The Plan shall be filed in a folder with removable pages, to enable its modification and update. The folder shall have numbered divisions to enable the quick location of the different Sections and Annexes.

The pages shall be subsequently numbered in every page, and shall include the month and year of their presentation (For example: Page No. /April, 1998). When a page is left blank, this shall also be numbered. Every time an amendment is made involving a page, the month and year in which this was made shall be added (For example, Page No. 3/April, 1998). If the amendment also implies an addition of new pages, for the purpose of not changing the numbers of all the remaining pages, the new pages shall bear the same number as the one modified, adding the word “bis”, plus one number as from the second page added (If, for example, page No. 3 is modified and 3 more pages are included after, the numbers of these pages shall be: Page 3 bis/April, 1998; Page 3 bis 1/April, 1998; Page 3 bis 2/April, 1998). Likewise, this new numbering shall be set forth in the General Table of Contents.

The Plan shall be worded in Spanish, and shall be of easy application.

The plans, as well as their subsequent amendments shall be filed for approval with the Environment Protection Direction of *Prefectura Naval Argentina* (PNA), located at Avenida Madero 235 - Edificio Guardacostas (PNA Headquarters) – 4th Floor – City of Buenos Aires -(Zip Code 1106).

The Plan shall follow the guidelines set forth in this Annex, which includes for guidance purposes the unavoidable elements (information) to be contained therein, as detailed below.

The first pages of the Plan shall include:

- A front page including the name of the port, its geographic location, its main characteristics and information on port owners, commercial operators and concessionaires.
- A form to record Approvals (pursuant to the form set forth in Annex 25 of PLANACON).
- A form to record Amendments thereto (pursuant to the form provided for in Annex 25 of PLANACON).
- General Table of Contents.

List of essential elements that the Plan shall contain:

SECTION 1: INTRODUCTION.

1.1. Port concessionaire policy for environment preservation.

1.2. Purpose and objectives of the Plan.

1.3. Scope of Plan and coverage.

1.4. Glossary and definitions.

SECTION 2: PLAN ORGANIZATION AND DUTIES.

2.1. Diagram of concessionaire organization

2.2. Duties and responsibilities.

2.3. Response levels.

SECTION 3: RESPONSE PLANNING AND PREPARATION.

3.1. Analysis of risk of spill.

3.2. Localization, segregation and characteristics of places to store oil, other hazardous and noxious substances (dangerous goods).

3.3. Link with the Official Response System.

3.4. Policy and procedure to request cooperation of national entities and companies.

3.5. Procedures applied for the prevention of fire and navigation safety.

3.6. Procedures applied for pollution prevention in routine operations and occurrences.

SECTION 4: RESPONSE OPERATIONS.

4.1. General configuration of response to overcome the risks described in item 3.1.

4.2. Available equipment (possibility to use the company own or third parties' equipment).

In the event the company counts on additional cooperation (companies devoted to rescue and/or spill control), all technical data thereof and the type of agreement entered into thereby conforming the service shall be included.

4.3. Techniques to forecast spill drift.

(In the case of chemical products, detail the different behaviors of pollutant, according to its characteristics).

4.4. Determination of resources that may be affected.

4.5. Description of the operating measures applied in every response level.

4.6. Procedure for final disposal of pollutants collected in the operation.

4.7. Procedures implemented for the safety of the community (In the event of chemical product spill, detail the different procedures to be carried out according to the type

of pollutant with which operations are performed and the nearby inhabited centers from the place of the incident).

4.8. Personal protection and operating safety.

SECTION 5: COMMUNICATIONS.

5.1. Communication system and links.

SECTION 6: NOTIFICATIONS AND REPORTS.

6.1. Stated notification form to evaluate and classify the emergency.

6.2. Forms of notification and consultation with the relevant Authorities.

SECTION 7: ADMINISTRATION AND LOGISTICS.

7.1. Supply chain to obtain human means and specific and non-specific equipment.

7.2. Procedure to move personnel and equipment to the place of the incident.

SECTION 8: TRAINING AND EXERCISES.

8.1. Training and exercise programs set forth to guarantee that response measures are efficiently performed.

SECTION 9: PUBLIC INFORMATION.

ANNEXES:

The following data shall be included as Annexes:

- Illustrative sketches of coverage area.
- Characteristics of applied pollutants.
- Agreements entered into.
- Any other relevant information.

ANNEX 20

GUIDELINES FOR PREPARING RESPONSE PLANS FOR COMPANIES IN CHARGE OF OFFSHORE UNITS DEVOTED TO OIL EXPLORATION AND EXPLOITATION OPERATIONS

These guidelines have been prepared to cooperate in the elaboration of response plans in the event of pollution by oil and other hazardous and noxious substances for companies in charge of offshore units devoted to oil exploration and exploitation operations.

The Plan shall be filed in a folder with removable pages, to enable its modification and update. The folder shall have numbered divisions to enable the quick location of the different Sections and Annexes.

The pages shall be subsequently numbered in every page, and shall include the month and year of their presentation (For example: Page No. /April, 1998). When a page is left blank, this shall also be numbered. Every time an amendment is made involving a page, the month and year in which this was made shall be added (For example, Page No. 3/April, 1998). If the amendment also implies an addition of new pages, for the purpose of not changing the numbers of all the remaining pages, the new pages shall bear the same number as the one modified, adding the word “bis”, plus one number as from the second page added (If, for example, page No. 3 is modified and 3 more pages are included after, the numbers of these pages shall be: Page 3 bis/April, 1998; Page 3 bis 1/April, 1998; Page 3 bis 2/April, 1998). Likewise, this new numbering shall be set forth in the General Table of Contents.

The Plan shall be worded in Spanish, and shall be of easy application.

The plans, as well as their subsequent amendments shall be filed for approval with the Environment Protection Direction of *Prefectura Naval Argentina* (PNA), located at Avenida Madero 235 - Edificio Guardacostas (PNA Headquarters) – 4th Floor – City of Buenos Aires -(Zip Code 1106).

The Plan shall follow the guidelines set forth in this Annex, which includes for guidance purposes the unavoidable elements (information) to be contained therein, as detailed below.

The first pages of the Plan shall include:

- A front page including the name of the unit and area of exploration and exploitation, its geographic location, its main characteristics and information on the company that owns the unit.

- A form to record Approvals (pursuant to the form set forth in Annex 25 of PLANACON).

- A form to record Amendments thereto (pursuant to the form provided for in Annex 25 of PLANACON).

- General Table of Contents.

List of essential elements that the Plan shall contain:

CHAPTER 1: INTRODUCTION.

1.1. Company environment preservation and safety policy.

1.2. Purpose and objectives of the Plan.

1.3. Scope of Plan and coverage.

1.4. Glossary and definitions.

CHAPTER 2: RISK ANALYSIS.

CHAPTER 3: OIL SPILL RESPONSE PLAN.

SECTION 1: INTRODUCTION.

1.1. Environment preservation policy and way in which the company shall act in the event of spill.

1.2. Purpose and objectives of the Plan.

1.3. Scope of Plan and coverage.

1.4. Glossary and definitions.

SECTION 2: PLAN ORGANIZATION AND DUTIES.

2.1. Diagram of response organization.

2.2. Duties and responsibilities.

2.3. Response levels in the event of spill in the unit.

SECTION 3: RESPONSE PLANNING AND PREPARATION.

3.1. Analysis of risk of spill.

3.2. Link with the Official Response System.

3.3. Link with other (national and regional) Response Systems.

3.4. Activation of the company response system.

3.5. Policy and procedure to request cooperation of national entities and companies.

3.6. Policy and procedure to request international cooperation.

3.7. Procedures applied for fire prevention.

3.8. Procedures applied for pollution prevention in routine operations and occurrences.

SECTION 4: RESPONSE OPERATIONS.

4.1. General configuration of response to overcome the risks described in item 3.1.

4.2. Available equipment (possibility to use the company own or third parties' equipment).

Information on available means such as support boats, planes, specific and non-specific equipment shall be included.

The time such means shall take to be in the area of operations shall also be included.

4.3. Criteria and policies applied to use chemical agents.

4.4. Techniques to forecast spill drift.

4.5. Determination of resources that may be affected.

4.6. Description of the operating measures applied in every response level.

4.7. Procedures for shoreline clean-up, pursuant to the spill drift forecast.

4.8. Procedure for final disposal of pollutants collected in the operation.

4.9. Personal protection and operating safety.

SECTION 5: COMMUNICATIONS.

5.1. Communication system and links.

SECTION 6: NOTIFICATIONS AND REPORTS.

6.1. Stated notification form to evaluate and classify the emergency.

6.2. Form of notification and consultation with the relevant Authorities.

SECTION 7: ADMINISTRATION AND LOGISTICS.

7.1. Supply chain to obtain human means and specific and non-specific equipment.

7.2. Procedure to move personnel and equipment to the place of the incident.

SECTION 8: TRAINING AND EXERCISES.

8.1. Training and exercise programs set forth to guarantee that response measures are efficiently performed.

SECTION 9: Public Information.

ANNEXES:

The following data shall be included as Annexes:

- Illustrative sketches of coverage area.
- Characteristics of applied pollutants.

- Agreements entered into.
- Information on chemical products to be used for spill treatment.
- Technical features of support planes and ships
- Features of unit support vessels.
- Any other relevant information.

ANNEX 21

GUIDELINES FOR PREPARING SHIPBOARD EMERGENCY PLANS IN THE EVENT OF POLLUTION BY OIL OR OTHER HAZARDOUS AND NOXIOUS SUBSTANCES

These guidelines have been prepared to cooperate in the elaboration of shipboard response plans in the event of pollution by oil, other hazardous and noxious substances.

The Plan shall be filed in a folder with removable pages, to enable its modification and update. The folder shall have numbered divisions to enable the quick location of the different Sections and Annexes.

The pages shall be subsequently numbered in every page, and shall include the month and year of their presentation (For example: Page No. /April, 1998). When a page is left blank, this shall also be numbered. Every time an amendment is made involving a page, the month and year in which this was made shall be added (For example, Page No. 3/April, 1998). If the amendment also implies an addition of new pages, for the purpose of not changing the numbers of all the remaining pages, the new pages shall bear the same number as the one modified, adding the word “bis”, plus one number as from the second page added (If, for example, page No. 3 is modified and 3 more pages are included after, the numbers of these pages shall be: Page 3 bis/April, 1998; Page 3 bis 1/April, 1998; Page 3 bis 2/April, 1998). Likewise, this new numbering shall be set forth in the General Table of Contents.

The Plan shall be worded in Spanish, and in the vessel crew working language. If the Master or the Officials are changed and this implies a change in the language, a version of the Plan in the new language shall be prepared.

The Plan shall be a simple document easy to apply. It is advisable to use the organizational charts or checklists for a quick orientation on the measures to be adopted if an event takes place, thus enabling decision making in an emergency, in which situation the personnel shall be under great pressure.

The plans, as well as the subsequent amendments to the mandatory sections shall be filed in Spanish for approval with the Environment Protection Direction of *Prefectura Naval Argentina* (PNA), located at Avenida Madero 235 - Edificio Guardacostas (PNA Headquarters) – 4th Floor – City of Buenos Aires -(Zip Code 1106).

The Plan shall follow the guidelines set forth in this Annex, which includes for guidance purposes the requirements deemed indispensable. These guidelines have been developed pursuant to Act No. 24,292 and to Regulatory Order No. 962/98 and MEPC Resolution 54(32), including 4 Initial Sections with mandatory provisions plus a 5th Section including non mandatory additional information, in which the vessel operator may include all the data deemed relevant.

The first pages of the Plan shall include:

- A front page including vessel name and registration number.
- A form to record Approvals (pursuant to the form set forth in Annex 25 of PLANACON).

- A form to record Amendments thereto, pursuant to the form provided for in Annex 25 of PLANACON.

- General Table of Contents.

- Vessel characteristics and information on vessel's owner

Introduction.

Pursuant to the provisions of MEPC Resolution 54(32), all shipboard oil pollution emergency plans shall contain the following introductory text:

INTRODUCTION

1. This Plan is written in accordance with the requirements of regulation 26 of Annex I of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto.

2. The purpose of the Plan is to provide guidance to the master and officers on board the ship with respect to the steps to be taken when a pollution incident has occurred or is likely to occur.

3. The Plan contains all information and operational instructions required by the Guidelines. The appendices contain names, telephone, telex numbers, etc., of all contacts referenced in the Plan, as well as other reference material.

4. This Plan shall be approved by the Administration (*Prefectura Naval Argentina*) and, except as provided below, no alteration or revision shall be made to any part of it without the prior approval of *Prefectura Naval Argentina*.

5. Changes to Section 5 and the appendices will not be required to be approved by *Prefectura Naval Argentina*. The appendices should be maintained up to date by the owners, operators and agents.

As to the Sections that shall compose the plan, the following shall be taken into consideration:

MANDATORY PROVISIONS

This section provides guidance to ensure that the mandatory provisions of Regulation 26 of Annex I of the Convention are met, which provides that the plan shall consist at least of the following sections:

SECTION 1: Preamble.

This section should contain an explanation of the purpose and use of the Plan and indicate how the shipboard Plan relates to other shore-based plans.

SECTION 2: Reporting Requirements.

Section 8 and Protocol I of MARPOL 73/78 require that the nearest Coastal State be served notice of actual or probable discharges. The purpose of this requirement is to enable Coastal States to be informed without delay of any incident giving rise to pollution, or threat of pollution, of the marine environment, as well as of assistance and salvage measures, so that appropriate action may be taken.

The reporting procedure to be followed by the Master after a pollution incident by oil, is based upon the guidelines adopted by the International Maritime Organization through (Resolution A.648(16): **General principles for ship reporting systems and ship reporting requirements, including guidelines for reporting incidents involving dangerous goods, harmful substances and/or marine pollutants.**

2.1. When to report.

2.1.1. Probable Discharges.

The relevant report shall be issued when on board situations that may lead to presume the possibility of an oil discharge take place.

(Note: Report to the Coastal State shall be issued following the form included in Appendix 1 hereof).

2.1.2. Effective Discharges.

The relevant report shall be issued every time an oil discharge takes place.

(Note: Report to the Coastal State shall be issued following the form included in Appendix 2 hereof).

2.1.3. Supplementary follow-up notification:

Once the initial notification has been transmitted, whether for probable or effective discharges, the ship command shall send subsequent notifications to the same persons to be served notice as stated for the initial notification, at intervals of six (6) hours, to maintain them informed on the development of the incidents. These notifications shall be subsequently numbered, adding the word "FINAL" to the one corresponding to the information on the end of the contingency.

(Note: The supplementary notification shall be prepared following the form included in Appendix 3 hereto).

The alphabetical order followed in the form of messages described is similar to that of the "General Principles for ship reporting systems and ship reporting requirements, including guidelines for reporting incidents involving dangerous goods, harmful substances and/or marine pollutants", adopted by the International Maritime Organization by Resolution A.648(16).

The characters that appear in the forms of messages are those used in the event they are sent by telegraph or telephone. These do not follow a full alphabetical sequence, since some of the characters are destined to information required in other notification formats.

2.2. Approximate quantification of discharge.

For the purpose of estimating response resources for the contingency, it is important that the information included in the initial reports of effective or probable discharges, shall include the volume of oil discharged or threaten to be discharged.

2.3. Who to contact.

This Section shall provide the user the information detailed below, which shall be compiled in the Annexes to the Plan.

2.3.1. Coastal State contacts.

2.3.2. Port contacts.

2.3.3. Ship interest contacts.

SECTION 3: Steps to Control Discharges.

This section should provide guidance to the Master on how to control discharges that may take place in different situations.

The measures to be adopted in every case, shall provide who shall be the person responsible on board and which the functions corresponding to every member of the crew involved shall be, thus avoiding any confusion during the emergency.

This section of the plan shall vary widely from ship to ship. Differences in ship type, construction, cargo, tank distribution, equipment, manning, route, etc. may result in shifting emphasis being placed on various aspects of this section.

3.1. Operational Spills.

As preventive measures, surveillance tasks to be carried out to avoid pollution during ship operations, as well as those specifically determined to timely detect possible leakage that may occur during loading and unloading operations shall be included.

Measures to be adopted to combat operational spills (pipe breakage, hull failures, tank overflow, etc.) shall be detailed.

To clearly establish the functions of every crew member and to enable decision making, responsibilities shall be assigned to those in charge of operational spill prevention and control.

3.2. Spills resulting from casualties.

This section should contain ship-specific and company-specific information concerning actions to be taken to address the following casualty scenarios (grounding, fire/explosion, collision, hull failure, excessive list, etc.).

The responsibilities of every crew member, in the event of casualty, shall be clearly assigned.

In addition to what was exposed in items 3.1 and 3.2., the Plan shall provide the Master with guidance concerning:

- Priority actions.

- Stability and stress considerations, clearly indicating who has to be in contact with the Master to obtain the necessary information, in the event the necessary calculations are beyond the possibilities thereof.

3.3. Lightening.

Should the ship sustain extensive structural damage, it may be necessary to transfer all or part of the cargo to another ship. The plan should provide guidance on procedures to be followed for ship-to-ship transfer of cargo.

3.4. Emergency tow.

This item shall specify the characteristics and location on board of towing devices in the event they are needed.

3.5. Plans.

For a better understanding of the maneuvers described in the spill prevention and response plans, the ship specific plans, diagrams, drawings and details, such as general arrangement, cargo diagram, general engine room arrangement, stripping system, etc. shall be added.

SECTION 4: National and Local Coordination.

Quick, efficient coordination between the ship and the local Administration becomes vital in mitigating the effects of a pollution incident.

Dependent on the ship's trade, this Section should include information and guidance to assist the Master with organizing a response to the incident.

4.1. Response equipment.

Ships, according to their characteristics and possible needs shall at least carry on board devices to control an oil spill that may take place on deck, specifying type, number, location on board and considerations on the use thereof.

4.2. Proper protection clothing for personnel in charge of spill control operations.

Ships, according to their characteristics and possible needs shall keep on board at least personal protection clothing to be used by the personnel in charge of spill control operations, specifying type, number, location on board and considerations on how to use them.

4.3. Rules to use chemical products.

When it is decided to keep chemical products on board to combat pollution, their use shall be approved and authorized by *Prefectura Naval Argentina*, in the event of ships carrying out a national navigation, or by the relevant Maritime Authority in the other cases, having to maintain on board the necessary devices and systems for correct application thereof in the marine environment, pursuant to the requirements determined for every product.

NON-MANDATORY PROVISIONS

SECTION 5: Additional Information.

In addition to the mandatory provisions, the plan shall include additional information on:

- Plan review procedures.
- Training and drill procedures.
- Public Affairs (Guidance for the master in dealing with the distribution of information to the news media).
- Any other information deemed relevant.

APPENDIX 1

FORM OF NOTIFICATION OF PROBABLE DISCHARGE

AA. Ship name, call sign, flag.....

BB. Date and time of event.....

CC. Position (latitude and longitude).....

DD. Delay, distance to land mark.....

EE. Course..... FF. Speed (in knots).....

LL. Projected way.....

MM. Radio-electric stations listened.....

NN. Date and time of next notification.....

PP. Type and quantity of cargo/fuel on board.....

.....

OO. Brief indication of defects / deficiencies / failures.....

RR. Brief indication of possible pollution, estimating oil discharge that may be caused.....

SS. Brief information on weather conditions and sea state .....

TT. Contacts with vessel owner / operator / maritime agent.....

UU. Characteristics of vessel.....

XX. Additional information: Details of event, need for external assistance, adopted measures, crew number, sanitary condition of crew, miscellaneous, etc.

APPENDIX 2

FORM OF NOTIFICATION OF EFFECTIVE DISCHARGE

AA. Ship name, call sign, flag.....

BB. Date and time of event.....

CC. Position (latitude and longitude).....

DD. Delay, distance to land mark.....

EE. Course..... FF. Speed (in knots).....

LL. Projected way.....

MM. Radio-electric stations listened.....

NN. Date and time of next notification.....

PP. Type and quantity of cargo/fuel on board.....

.....

OO. Brief indication of defects / deficiencies / failures.....

RR. Brief indication of possible pollution, estimating oil discharge that may be caused.....

SS. Brief information on weather conditions and sea state .....

TT. Contacts with vessel owner / operator / maritime agent.....

UU. Characteristics of vessel.....

XX. Additional information: Details of event, need for external assistance, adopted measures, crew number, sanitary condition of crew, miscellaneous, etc.

APPENDIX 3

FORM OF SUPPLEMENTARY FOLLOW-UP NOTIFICATION

Supplementary Notification No. .....

AA. Ship name, call sign, flag.....

BB. Date and time of event.....

CC. Position (latitude and longitude).....

EE. Current Course..... FF. Speed (in knots).....

NN. Date and time of next notification.....

RR. Brief indication of possible events produced, indicating if the discharge or probability of discharge continues and indicating which measures are being adopted.....

If a spill has taken place, indicate current data referring to the slick caused: Shape, size, thickness, color, etc.

SS. Brief information on weather conditions and sea state .....

XX. Additional information: changes to what was previously informed.

ANNEX 22

SUPPLEMENTARY INFORMATION ON POLICIES AND PROCEDURES TO REQUEST INTERNATIONAL COOPERATION

There is an International Spill Service Center called OIL SPILL SERVICE CENTRE (OSSC).

This Center is located in Southampton, United Kingdom, and has been classified by the U.S. Coast Guard as Oil Spill Removal Organization -OSRO- complying with the requirements of United States OPA 90.

Therefore, and as information for such incident, the identifying data of the OIL SPILL SERVICE CENTRE (OSSC) are detailed:

OIL SPILL SERVICE CENTRE

Address: Lower William Street - Northan, Southampton S01 1QE – United Kingdom

Tel: + 44 0703 331551

Fax: + 44 0703331972

ANNEX 23

POLLUTION BY OIL

Regulatory Order No. 962/98

Passed on 08/14/98

Published in Argentine Official Gazette No. 28,962 on 08/20/98

BUENOS AIRES,

HAVING ANALYZED Acts No. 18,398, 20,405, 22,190 and 24,292, Regulatory Orders No. 1886, dated July 27th, 1983 and No. 230, dated February 19th, 1987, and

WHEREAS:

Act No. 24,292 approves the International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990, the MINISTRY OF DEFENSE, through PREFECTURA NAVAL ARGENTINA, is appointed enforcement authority for such Convention.

Section 9 of Regulatory Order No. 660, dated June 24th, 1996 set forth the transfer of PREFECTURA NAVAL ARGENTINA to the scope of the MINISTRY OF INTERNAL AFFAIRS. Consequently, it shall be understood that this shall hereafter bear the quality that Act No. 24,292 granted to the MINISTRY OF DEFENSE.

The text of that International Convention poses a series of obligations on the parties which shall be regulated for full application thereof.

Incidents of pollution by oil and other hazardous and noxious substances from ships, offshore units, ports and facilities for handling oil, hazardous and noxious substances represent a threat for the marine environment that shall be controlled

quickly and efficiently, in order to reduce to a minimum the damages that may derive from such incidents.

The GENERAL BUREAU OF LEGAL ISSUES of the MINISTRY OF INTERNAL AFFAIRS has taken the relevant intervention.

This provision is passed pursuant to the powers conferred by Section 3 of Act No. 24,292 and Section 99, subsections 1 and 2 of the ARGENTINE NATIONAL CONSTITUTION.

Thus,

THE PRESIDENT OF THE REPUBLIC OF ARGENTINA

RESOLVES:

SECTION 1 .- The MINISTRY OF INTERNAL AFFAIRS, through PREFECTURA NAVAL ARGENTINA as enforcement authority shall implement the fulfillment of the duties, or the eventual coordination with other private authorities or entities, emerging from the International Convention on Oil Pollution, Preparedness, Response and Co-operation, 1990, approved by Act No. 24,292.

SECTION 2 .- The National System of Preparedness and Response against Shoreline, Maritime, River and Lake Pollution by Oil and other Hazardous and noxious substances, to be administered by PREFECTURA NAVAL ARGENTINA is created hereby.

SECTION 3 .- Entities depending on the National Public Administration, autarchic entities, State companies and companies with State majority shareholding, shall be obliged to render cooperation to PREFECTURA NAVAL ARGENTINA, at the request thereof, in order to fulfill the provisions of these presents. If applicable,

authorization shall be requested to the Government of the City of Buenos Aires and to the Governments of the Provinces whose cooperation may be necessary.

SECTION 4 .- In use of the attributions conferred to the ARGENTINE NATIONAL EXECUTIVE by Acts No. 24,292 and 20,405, the discharges of oil, other hazardous and noxious substances from oil handling port facilities, oil terminals, monobuoys and oil pipelines are included in the system set forth hereby. Thereto, operators of such services shall have the same type of responsibility provided by law for vessel owners and operators and the fines set forth in the Maritime, River and Lake Navigation Regulations (REGINAVE) for banned discharges shall be applicable thereto.

Offshore units engaged in oil exploration and exploitation that cause discharges, apart from the provisions of the Maritime, River and Lake Navigation Regulations (REGINAVE) regarding their behavior as vessels, shall take part in the system of Act No. 22,190 in relation to Sections 6 (water clean-up), 14 (payment of clean-up expenses), 15 (invoices issued are documents granting right to execution by summary proceeding) and 16 (bond granting for clean-up expenses), being under the relevant body the contraventional and punitive aspects thereof.

SECTION 5 .- Be the set of rules entitled “SYSTEM OF PREPAREDNESS AND RESPONSE FOR POLLUTION BY OIL, OTHER HAZARDOUS AND NOXIOUS SUBSTANCES” incorporated to the Maritime, River and Lake Navigation Regulations (REGINAVE) as Chapter 7 of Article 8, attached hereto as Annex I.

SECTION 6 .- PREFECTURA NAVAL ARGENTINA be empowered to pass clarification and supplementary rules for the better application of the system set forth hereby.

SECTION 7 .- Be these presents communicated, published and passed to the ARGENTINE NATIONAL OFFICIAL RECORD BUREAU and filed.

ANNEX I

CHAPTER 7

SYSTEM OF PREPAREDNESS AND RESPONSE TO POLLUTION BY OIL AND OTHER HAZARDOUS AND NOXIOUS SUBSTANCES

SECTION 1

GENERAL PROVISIONS

807.0101. **Competent national enforcement authority.**

Be PREFECTURA NAVAL ARGENTINA appointed competent national authority responsible for preparing and responding to pollution by oil and other hazardous and noxious substances, including the constitution thereof as national contact point for the reception and transmission of the oil pollution notifications set forth in Section 4 of the International Convention on Oil Pollution, Preparedness, Response and Cooperation, 1990.

807.0102. **Assistance.**

Be the authority mentioned in the previous section empowered to request external assistance from third parties to the Convention or to decide to render assistance thereto (Section 7).

807.0103. **National Contingency Plan.**

PREFECTURA NAVAL ARGENTINA shall prepare a National Plan of Preparedness and Response to Contingencies to be approved by Ordinance (Section 5, subsection a), subsection 2. of Act No. 18,398) and shall provide a mechanism for regular update. The publication of such Ordinance in the Informative Gazette for the Navy shall imply the insertion of the plan in the National System for Preparedness and Response to Pollution by Oil and other Hazardous and Noxious Substances.

807.0104. **Authorization.**

Be PREFECTURA NAVAL ARGENTINA authorized to enter into cooperation agreements with oil and shipping sectors, port authorities and other relevant entities in order to enable a better achievement of the objectives set forth in item 2 of Section 6 of the Convention.

807.0105. **International Cooperation.**

Be PREFECTURA NAVAL ARGENTINA entrusted to coordinate with the relevant authorities the effective compliance with the provisions of item 3, subsections a) and b) of Section 7 of the Convention approved by Act No. 24,292.

807.0106. **Response Plans.**

Vessels hoisting the Argentine flag, operators, owners or forwarders of oil and chemical tankers under any title whatsoever, offshore units engaged in oil exploration and exploitation, ports, port facilities handling oil, other hazardous and noxious substances, oil and chemical terminals, monobuoys and coastal and underwater oil pipelines shall count on response plans in the event of pollution by oil and other hazardous and noxious substances. Such plans shall include, as unavoidable requirement for approval by PREFECTURA NAVAL ARGENTINA, minimum equipment at the satisfaction thereof.

PREFECTURA NAVAL ARGENTINA shall determine the forms, requirements to be complied with and the terms to file such plans for approval.

It is mandatory that vessels carry on board approved response plans, which shall be kept in proper conservation conditions.

SECTION 2

807.0107. **Discharge Operating System.**

Discharge of oil and mixtures of oil which content exceeds FIFTEEN (15) parts per million (p.p.m.) and of other hazardous and noxious substances in any proportion is forbidden, except for the provisions of Chapter 6 of Article 8 of REGINAVE, to waters of Argentine jurisdiction (Sections 2, 3, 4 and 5 of Act No. 23,968).

807.0108. **Duty to Report.**

The masters of Argentine vessels navigating in free waters or anchored in foreign waters, shall report to the nearest waterfront state regarding discharges of oil or mixtures of oil and other hazardous and noxious substances, whether own or belonging to third parties, observed thereby.

Operators of ports, oil exploration and exploitation offshore units, port facilities handling oil, oil terminals, monobuoys and oil pipelines, shall inform PREFECTURA NAVAL ARGENTINA regarding discharges of oil or oil mixtures and other hazardous and noxious substances incurred thereby.

SECTION 99

SANCTIONS

807.9901: **Lack of Submission of Response Plans.**

Those obliged to submit the relevant response plans for approval by PREFECTURA NAVAL ARGENTINA who do not submit them within the terms set forth thereby or who do not keep the plans on board in proper conservation conditions after approval shall be subject to a fine ranging from EIGHTY PESOS ($ 80.-) to EIGHTY THOUSAND PESOS ($ 80,000.-). Without prejudice of the foregoing, PREFECTURA NAVAL ARGENTINA shall set forth the prohibition to navigate for non-complying vessels and shall advice the qualifying authority to temporarily suspend the other operators aforementioned, measure to be complied with in the shortest term possible.

807.9902. **Forbidden Discharges.**

Operators of ports, port facilities handling oil and other hazardous and noxious substances, oil and chemical terminals, monobuoys and oil pipelines, those responsible for discharges to water of oil or oil mixtures and other hazardous and noxious substances, whether for fraud or negligence and beyond the limits authorized by the regulation, shall be subject to a fine ranging from EIGHTY PESOS ($ 80.-) to EIGHTY THOUSAND PESOS ($ 80,000.-). If the discharge is due to deficiencies in the facilities, representing a risk for the marine environment, PREFECTURA NAVAL ARGENTINA shall require the preventive suspension of operations, immediately informing such situation to the qualifying authority.

807.9903. **Duty to Inform.**

Owners, operators or charterers of Argentine flag vessels navigating in free waters or anchored in foreign waters who do not comply with the duty of informing the nearest waterfront state discharges of oil or oil mixtures and other hazardous and noxious substances, whether own or belonging to third parties shall be subject to a fine ranging

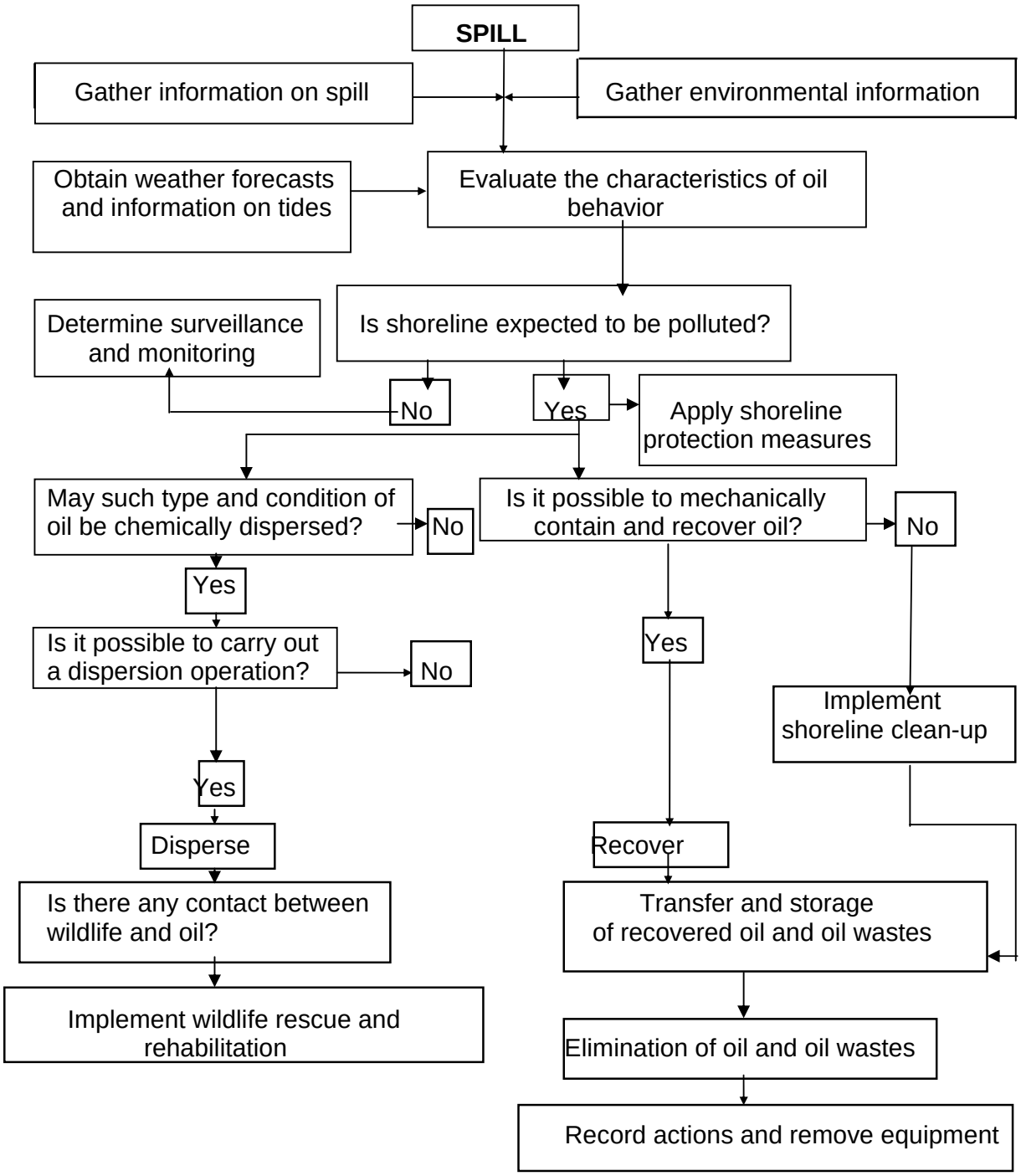
from EIGHTY PESOS ($ 80.-) to EIGHTY THOUSAND PESOS ($ 80,000.-). The same fine shall also be applied to the operators of offshore units in oil exploration or exploitation operations, port facilities handling oil and other hazardous and noxious substances, oil and chemical terminals, monobuoys and oil pipelines, if same do not inform PREFECTURA NAVAL ARGENTINA discharges of oil or oil mixtures and other hazardous and noxious substances incurred thereby or for falsifying such information.

807.9904. **Shared Responsibility.**

Shipboard crew responsible for any infraction provided for in the previous Sections shall be applied the sanctions provided for in Section 599.0101 of REGINAVE.

ANNEX 24

DIAGRAM FOR SPILL RESPONSE DECISION MAKING



ANNEX 25

FORM OF APPROVALS

FORM OF AMENDMENTS

FORM OF APPROVALS

RECORD OF APPROVALS

PLAN APPROVAL

..... Approved by.....
(Place and date) (Authorizing Officer)

APPROVAL OF AMENDMENT No.:

..... Approved by.....
(Place and date) (Authorizing Officer)

APPROVAL OF AMENDMENT No.:

..... Approved by.....
(Place and date) (Authorizing Officer)

APPROVAL OF AMENDMENT No.:

..... Approved by.....
(Place and date) (Authorizing Officer)

FORM OF AMENDMENTS

AMENDMENT No.	ENFORCEMENT DATE	NAME OF RESPONSIBLE OFFICER	POSITION OF RESPONSIBLE OFFICER

SCHEDULE 2

RESPONSE PLAN ENFORCEMENT TERMS SET FORTH IN THE ARGENTINE NATIONAL CONTINGENCY PLAN

The purpose of this Schedule is to detail the filing, approval and enforcement terms for the Response Plans that vessels hoisting the Argentine Flag, vessel operators, owners or forwarders of oil or chemical tankers under any title whatsoever, offshore units engaged in oil exploration and exploitation operations, ports, port facilities for handling oil and other hazardous and noxious substances, oil and chemical terminals, monobuoys, coastal and underwater oil pipelines shall have.

1. INTRODUCTION.

This Schedule includes the necessary information and guidelines to comply in due time and form with the provisions set forth in the relevant annexes to the National Contingency Plan.

Response Plans shall be analyzed and, as the case may be, approved by the Environment Protection Direction of *Prefectura Naval Argentina* (PNA), located at Avenida Madero 235 - Edificio Guardacostas (Guardacostas Building) – 4th Floor – City of Buenos Aires - (Zip Code 1106).

Thereto, the Plan shall be filed by note of the applying company with PNA Mesa General de Entradas y Salidas (Office for Filing General Proceedings), located at Avenida Madero 235 - Edificio Guardacostas - Planta Baja (Ground Floor), Office 29 – City of Buenos Aires - (Zip Code 1106).

For Plan approval and for the subsequent enforcement thereof, two well defined stages shall be complied with. The first shall be the analysis of the documentation filed (body of the Plan), and in the event of satisfactory result, the second stage shall commence. This second stage shall consist in an inspection and survey by the Technical Personnel of the Institution that shall adjust to the regulations for PNA inspections and surveys and shall include a practical exercise, demonstrative of the implemented operating strategies and of the means available to act in a real emergency situation.

Thus, once the proceeding has been filed and for the purposes of completion thereof, the interested party shall carry out the relevant coordination with the Environment Protection Direction.

It is an unavoidable condition for the plan approval that the guidelines set forth in the National Contingency Plan be complied with.

Response Plans spontaneously filed with this Maritime Authority, approved before the enforcement of these regulations shall expire as of the date this Ordinance is published. The plans which approval is no longer due, and those under analysis with the Environment Protection Direction shall be withdrawn by the interested parties to be adjusted to the new regulations.

Shipboard Response Plans filed by vessels performing international navigation and approved by this Maritime Authority shall keep such condition, since the preparation thereof responds to the Guidelines of Annex 21 to the National Contingency Plan.

2. TERMS FOR THE ENFORCEMENT OF THE RESPONSE PLAN.

2.1. Ships of Argentine flag, units included in Regulatory Orders No. 1,772/91, 1,493/92, 343/97 and 1,091/97 and all those vessels to be incorporated hereafter in any form entitled to be considered as of Argentine flag, of gross tonnage equal to or over 150 units shall have a Shipboard Response Plan in the event of Pollution by Oil or by Hazardous and Noxious Substances, pursuant to the Guidelines set forth in Annex 21 to the National Contingency Plan.

2.1.1. The Response Plans mentioned in item 2.1. shall be in force and effect as of June 30th, 1999, having to file by March 31st, 1999 the technical elements of judgment (body of the plan) in two copies for analysis thereof and, as the case may be, to arrange for the relevant inspection.

2.1.2. All remarks made to shipboard response plans shall be cured by the interested parties within fifteen (15) days of having been served notice thereof.

2.2. Vessel operators, owners or forwarders under any title whatsoever of oil and chemical tankers shall count on a Response Plan to Respond to Oil Pollution and Pollution caused by other Hazardous and Noxious Substances, pursuant to the Guidelines set forth in Annex 18 to the National Contingency Plan.

2.2.1. The Response Plans mentioned in item 2.2. shall be in force as of October 29th, 1999, having to file before July 30th, 1999 the technical elements of judgment (body of the plan) in two copies for analysis thereof and, as the case may be, to arrange for the relevant inspection.

2.2.2. All remarks made to the Response Plans mentioned in item 2.2. shall be cured by the interested parties within thirty (30) days of having been served notice thereof.

2.3. Offshore units engaged in oil exploration and exploitation operations, companies engaged in monobuoys and coastal and underwater oil pipelines shall have a Response Plan to Respond to Pollution by Oil and by other Hazardous and Noxious Substances, pursuant to the Guidelines set forth in Annexes 20 and 17, respectively, to the National Contingency Plan.

2.3.1. The Response Plans mentioned in item 2.3. shall be in force as of August 31st, 1999, having to file by May 28th, 1999 the technical elements of judgment (body of

the plan) in two copies for analysis thereof and, as the case may be, to arrange for the relevant inspection.

2.3.2. All remarks made to the Response Plans mentioned in item 2.3., shall be cured by the interested parties within thirty (30) days of having been served notice.

2.4. Companies engaged in port facilities handling oil and other hazardous and noxious substances and companies engaged in ports shall count on a Response Plan to Respond to Pollution by Oil and by other Hazardous and Noxious Substances pursuant to the Guidelines set forth in Annexes 16 and 19, respectively, to the National Contingency Plan.

2.4.1. The Response Plans mentioned in item 2.4. shall be in force as of November 30th, 1999, having to file by June 30th the elements of judgment (body of the plan) in three copies for analysis thereof and, as the case may be, to arrange for the relevant inspection.

2.4.2. All remarks made to the Response Plans mentioned in item 2.4., shall be cured by the interested parties within thirty (30) days of having been served notice thereof.

3. RESPONSE PLANS TERM AND RENEWAL

3.1. All the Response Plans mentioned herein, except for those included in item 2.1., which have their own regulation system, shall be in force for five (5) years, being subject to an annual renewal that shall include a spill practical training exercise and neutralization.