
STATUTORY INSTRUMENTS

1987 No. 37

The Dangerous Substances in Harbour Areas Regulations 1987

PART VII

EMERGENCY ARRANGEMENTS AND UNTOWARD INCIDENTS

Preparation of emergency plans by harbour authorities

26.—(1) A harbour authority shall, before dangerous substances are handled in the harbour or harbour area, prepare and keep up to date, after consulting the emergency services and any other body which appears to it to be appropriate, an effective emergency plan for dealing with emergencies which involve, affect or could affect dangerous substances that are brought into or are handled in the harbour or harbour area as the case may be.

(2) Port users and berth operators shall if requested by the harbour authority co-operate with the harbour authority in preparing its plan.

(3) A harbour authority shall notify the contents of its plan to those responsible for putting it into effect.

(4) Until 1st December 1987 it shall be a sufficient compliance with paragraph (1) if the harbour authority prepares its emergency plan in accordance with that paragraph by that date.

Emergency arrangements at berths

27.—(1) The berth operator shall ensure that at all times when a vessel loading, carrying or unloading a dangerous substance is at the berth and at any other time when there are risks from dangerous substances—

- (a) means of rapid communication with the emergency services are available; and
- (b) adequate means of escape from that berth are provided for use in an emergency.

(2) Subject to paragraph (5), as soon as practicable after the berthing of a vessel which is carrying or is to be loaded with any dangerous substance, and before the loading or unloading of that substance begins, the berth operator shall notify the master of that vessel of emergency arrangements at the berth and the means by which the alarm can be raised, and shall provide him with a written notice of the signals to be used in an emergency and of the arrangements for summoning the emergency services.

(3) The operator of any berth where any dangerous substance is being loaded on board or unloaded from a vessel in bulk or where any such substance is stored in bulk before loading or after unloading, shall ensure that such information is immediately available to the emergency services as will enable them to know—

- (a) the identity, quantity and location of each such substance which is for the time being on the berth; and
- (b) the nature of the dangers to which each such substance may give rise and the emergency action that should be taken.

(4) Subject to paragraph (5), the operator of any berth where any dangerous substance other than in bulk is being loaded on board or unloaded from a vessel or where any such substance is stored before loading or after unloading, shall ensure that such information is immediately available to the emergency services as will enable them to know the identity, quantity and location of each such substance which is for the time being on the berth.

(5) Paragraphs (2) and (4) shall apply to any quantity of explosives and to 25 kilograms or more of one or more dangerous substances.

Untoward incidents

28.—(1) In this regulation, “untoward incident” means an incident involving or threatening the containment of a dangerous substance which might, irrespective of where such incident occurs, create in the harbour or harbour area a risk of serious personal injury or a risk to the safety of a vessel.

(2) The master of a vessel carrying a dangerous substance shall immediately inform the harbour master and, if the vessel is at a berth, the berth operator of any untoward incident which occurs or has occurred on the vessel.

(3) The berth operator shall immediately inform the harbour master and the master of any vessel at the berth of any untoward incident which occurs on the berth.

(4) Where an untoward incident occurs during the operation of handling a dangerous substance, the person having control of that operation shall stop the operation as soon as it is safe to do so and shall immediately report the incident to the harbour master, to the operator of any berth and the master of any vessel which might be affected by the incident and, where appropriate, the emergency services.

(5) Where an operation has been stopped in accordance with paragraph (4), it shall not be resumed until such corrective measures have been taken as make it safe to resume the operation and the harbour master has authorised resumption of the operation.