

Organizing fire service in port and industrial areas

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Mutual Aid fire service

By Kees Kappetijn and Philip Stohr

The care for fire safety and emergency services in the Netherlands is roughly shaped like this: the government provides basic fire service, special risks are covered by the corporate fire brigades of the companies causing those special risks, and the preparation for disaster management is handled by the government and the companies together. But does this strict division provide the best organizational preparation to incidents and calamities, when this preparation is done separately? Port and industrial areas are increasingly working according to Mutual Aid systems. Organizational concepts for government and businesses. Basically: joint responsibility, joint organization, joint governance, joint payment.

In June of this year, public and private partners of the Chemiepark in Delfzijl agreed to jointly organize the fire and emergency services around the Chemiepark. Regardless of whether the nature of an incident scenario is more industrial or general, regardless of whether it takes place on or off site. Safety Authority Groningen, the Delfzijl municipality and the companies under COMAH-legislation want the emergency response to come from one organization. An organization for which they are jointly responsible. The execution is handed over to a private specialist. The safety mutual aid: new and weird or tried and tested?

Who is responsible for fire care?

The responsibilities for the organization of operational capacities for fire services can be derived from the Safety Authority Act 2010 (Wvr). One important distinction is that between basic fire service and corporate fire service. Based on article 25 SAA, the Safety Authority is responsible for upholding the basic fire service. The operational firefighting package consist of 4 target areas: fighting and

controlling fires, performing rescue services, reconnaissance and disinfection of incidents involving hazardous materials, and rescue during incidents in surface water.

However, when an incident or fire can pose “an unusual threat to the public safety”, the Safety Authority can mandate the company that poses this unusual threat to uphold a special and local, on site fire brigade. In practice, this often concerns large industrial facilities with a so called BRZO-status (Dutch Seveso implementation, international also known as COMAH). The corporate fire brigade is to cover the non-daily high-risk cases with a local operational capacity. This corporate fire brigade is the company’s responsibility.

If incident types have it in them to surpass even the standard of unusual risk to the public safety, the Safety Authority and the company will jointly organize the preparation to such disaster scenarios. This could be by purchasing extra or special means, or by drafting specific plans or protocols and developing specialized expertise.

Models for organizing (corporate) fire care

Basic fire service and corporate fire service are inherently split responsibilities, wherein the Safety Authority provides the basic fire service, and every separate facility provides its special corporate fire service. However, it is entirely possible for multiple companies to organize the corporate fire service in a designated area. If the availability of often specialized capacities and expertise and a quick turnout time can be secured, this can be an attractive option.

What's interesting now is to think one step further: the possibility of jointly organizing basic and corporate fire services through a Public Private Partnership (PPP). There are multiple variants for such a firefighting PPP, both more and less intensive. There are three basic models. It is possible for the Safety Authority to come to an agreement with one or more companies to also provide fire services for a designated public area in addition to their own site. Reversely, it is also possible for a facility to come to an agreement with the Safety Authority wherein the Safety Authority provides the corporate fire services for them. In an extended variant, government and businesses can establish a new legal entity to provide both the basic and the corporate fire services for a designated area.

Do it yourself or outsourcing?

Aside from the different basic models of organizing basic and corporate fire services through a PPP, the question rises whether the execution of that fire care should be done by the entities themselves or by a specialized service provider (outsourcing). Whether outsourcing is a good option in a specific situation is very dependent on a few variables that can locally differ heavily in meaning and effect. What works in Rotterdam, does not or only slightly work in Sittard-Geleen. What's important in Amsterdam is not so much so in Moerdijk. The rules in Delfzijl are different in Terneuzen etc. it is good to know that these are mostly non-legal arguments. Dutch and

European legislation barely restrict outsourcing operational firefighting tasks to a private service provider. The variables to weigh are all qualitative and administrative in nature and can thus be filled in locally. A frame of reference has been developed which gives attention to the local dynamics yet also objectivizes the considerations slightly.

Fire service and PPP: internationally very common. The use of PPP-constructions with fire services is anything but an exception in the Netherlands. Various port and industrial areas work with PPP-organizations. One can think of the port area of Moerdijk, Chemelot in Limburg, and the railyard Kijfhoek in Zwijndrecht, the research location with the nuclear reactor in Petten, and the anti-tank fire PPP in the port of Amsterdam. And then there are still a handful of special PPP's, like the national PII (Platform Industrial Incident control).

The best-known example of a firefighting PPP in the Netherlands is the Joint Fire Brigade in the port of Rotterdam. Since 1998, the government with over 60 companies has called a public legal entity into being to provide both the basic and the corporate fire services in the designated area. Both the government and the companies have a seat in the board of the Joint Fire Brigade.

Another important PPP is of a more recent date: 2013 in Moerdijk, established at a faster rate due to the fire at Chemiepack in 2011. Safety Authority, municipality and companies found themselves in a PPP-version in which the Safety Authority controls both the public and the industrial fire service. Here, as is different from Rotterdam, there is no separate legal entity. Instead, the partners found themselves in a model of joint governance with execution by the Safety Authority.

Are the Netherlands unique in this field? No and yes. Under the term of Mutual Aid, there are more such cooperations around the world for the organization of fire services in port and industrial areas. Grangemouth as large

industrial complex in Scotland is one example, the industrial cluster in the Houston port area called CIMA is another. And where Amsterdam has the AYMA (Amsterdam Ymond Mutual Aid), Sweden has done that on a national scale. In that sense the Netherlands are not unique. It is unique in the sense that public and private stakeholders actually jointly take responsibility for the performance of a PPP-organization: strong together, govern together, but fragile together. If it goes wrong once, then we'll all be trialed.

Organizing cooperations in PPP-form in port and industrial areas (national and international) is a specialty of the bureau. Because preparation pays of, always.
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Meaning for Delfzijl

The stakeholders in Delfzijl have declared the intention of starting a firefighting PPP. The Chemiepark has always had a corporate fire brigade. A number of Seveso-companies on the Chemiepark has since been appointed and are now checking the corporate fire brigade against the most recent article 31-assignment. The Safety Authorities and the municipality have the problem of a relatively long turnout time for firefighters and ER to the site of the Chemiepark. So private and public stakeholders both have responsibilities and needs. Coupled to the awareness of not immediately calling each other "mister inspector" or "gold-digger", here too there is a good base for a firefighting PPP. The law provides no obstacles; the positive effects are outright nameable. It is all down to the will of the partners to make something of it. And with a range of examples, a PPP-construction in Delfzijl should be nothing but a success.

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