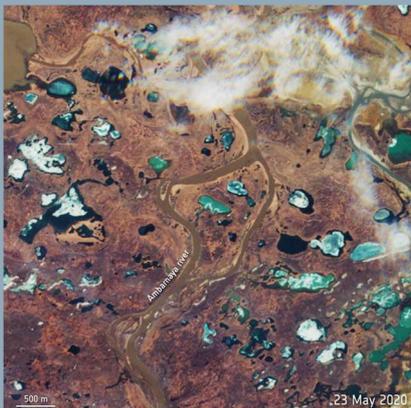


- **Where:** Russian Federation, Norilsk;
- **When:** May 29, 2020;
- **What:** CBRN Agent Released: **Chemical**;
- **Who:** Actor(s) involved: Private Corporation
- **Why:** CBRN Event: Accidental



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THE NORILSK FUEL SPILL

Keywords: oil spill – environmental damage – Climate change – Permafrost – Risk prevention plan – Response plan – Environmental risk assessment

The facts

Nornickel (until recently, Norilsk Nickel) is the world’s leading producer of refined nickel and palladium. Based in Moscow, its core production site is located in Norilsk and Talnakh, in the Siberian Federal District, above the Arctic Circle.

On 29 May 2020, a fuel tank of a Nornickel-owned power plant collapsed, releasing approximately 20,000 tonnes of diesel oil into the surrounding soil and waterways, including the Ambarnaya River and Lake Pyasino, the tributary of which – the Pyasina River – flows into the Arctic Ocean.

While clean-up efforts apparently prevented the fuel from reaching the Arctic Ocean, damage to the region’s fragile ecosystem has been extensive: even though no precise data are available yet, the Russian Government has estimated that the restoration of the affected environment will take ten years.

The Norilsk incident is considered the second worst oil spill in Russia’s modern history (the first being the 1994 Komi spill) and has been likened to the 1989 Exxon Valdez spill in Alaska.

Causes

While poor maintenance of the tank concerned is probably the primary cause of the spill, the thawing of permafrost due to climate change is being investigated as a contributing factor. Scientists have long sounded the alarm over the increasing rates of ice-melting in the permafrost. In addition to releasing high volumes of carbon dioxide and methane, the thawing of permafrost endangers houses, infrastructures and industrial plants built on once-firm foundations. This phenomenon poses evident risks for facilities dealing with CBRN materials, whose risk prevention and response plans need to take these risk factors into account. In another respect, permafrost thaw might also unlock bacteria and viruses trapped in the ice, thus heightening the risks of pandemics.

Legal response

As the facts are recent, the legal response is ongoing and likely to evolve. At the time of writing:

- Criminal prosecution has been initiated against employees of the power plant, including for failing to timely report the incident.

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- The Federal Service for Supervision of Natural Resources (*Rosprirodnadzor*, namely the federal government's environmental agency) has brought proceedings against Nor Nickel seeking compensation for environmental damage in the amount of approximately \$2 billion.
- Inspections have reportedly been undertaken by the Federal Service for Supervision of Natural Resources at facilities whose operations entail environmental risks.
- In July 2020, a law was passed amending the federal law on environmental protection and other laws and focusing on the prevention of and response to oil spills. The law, stalled since 2018, was prioritised after the Norilsk incident.

Further readings:

- [Environmental law and practice in the Russian Federation: overview](#) (Thomson Reuters, Practical Law)
- [Arctic permafrost is thawing fast. That affects us all](#) (National Geographic)

About this publication

This memo is the outcome of research carried out in the scope of the project CBRN-ITALY on International legal obligations related to Prevention, Preparedness, Response and Recovery from CBRN events and status of their implementation in Italy.

CBRN-ITALY has been funded by the Italian Ministry of Education, University and Research (MIUR) under the PRIN Programme (Progetti di Rilevante Interesse Nazionale) under grant n° 20175M8L32, with a duration of 36 months (March 2020 – February 2023). The research is carried out by four Universities: Scuola Superiore Sant'Anna, Institute of Law, Politics, Development (DIRPOLIS), Università di Bologna, Università di Firenze, Università di Torino.

The project aims at developing a common understanding of CBRN events and of actors involved (stage 1), at mapping obligations stemming from the wide range of applicable norms of International Law and European Union Law (stage 2), at exploring the implementation of applicable international obligations in Italy (stage 3) and at providing recommendations to address the gaps in the International, European and Italian legal and policy frameworks in all phases of the CBRN emergency management cycle (stage 4). The research activities are thus structured around four stages: 1. Definitions, 2. Mapping International and Regional Obligations, 3. Assessing the situation in Italy, 4. Providing recommendations.

For further information on the PRIN Project CBRN-ITALY, please visit:

<http://www.cbrn-italy.it/en>

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