
Oil Spill Preparedness & Response Regulatory Awareness

OEUK HSE Conference
8 February 2024


Department for
Business, Energy
& Industrial Strategy



Offshore Petroleum Regulator
for Environment & Decommissioning

- Integrity
- OPRC, Licencing Regulations & SEMS
- Regulated Entities - Responsible Persons & Licensees
- OPEPs / Guidance & NCP interface
- Exercises
- IOPER – Oil Spill Working Group
- Potential Developments



Regulations – Response Plans

The Merchant Shipping (Oil Pollution Preparedness, Response and Co-operation Convention) Regulations 1998 (as amended)

- Reg 4(1) – every Responsible Person (RP) shall have an OPEP.
- Reg 4(9) – RPs to maintain equipment and expertise and ensure availability.
- Reg 4(9) - undertake exercises...including interaction with the National Contingency Plan.
- Sch 2(c) – training personnel in duties...co-ordinating training with the NCP.

The Offshore Installations (Offshore Safety Directive) (Safety Case etc) Regulations 2015

- Sch 3(5)& (6) – emergency planning / response and limitation of damage to the environment as part of the SEMS.
- Sch 6(21) & Sch7(17) - description of internal emergency response arrangements...arrangements for responding to an oil pollution event and how these emergency response arrangements will be consistent with the external emergency response plan.



Response Plans – EMS / Operator Appointments

Operator Appointments (Appendix C)

Licensees must confirm that the proposed operator(s) have a relevant SEMS (or a commitment to have such systems in place). Guidance links out to OSPAR 2003/5:

OSPAR recommendation 2003/5

All operators controlling the operation of offshore installations on the UKCS should have in place an EMS that is designed to achieve:

- a) The environmental goals of the **prevention and elimination of pollution** from offshore sources and of the **protection and conservation of the maritime area** against other adverse effects of offshore activities;
- b) Continual improvement in environmental performance



Regulations – Liabilities & Limiting MAH consequences

The Offshore Petroleum Licensing (Offshore Safety Directive) Regulations 2015

Obligations on the **Offshore Licensee**:

9 In respect of an offshore licence, an offshore licensee must

(a) for the duration of offshore petroleum operations—

- (i) make adequate provision to **cover liabilities which potentially derive from those operations**; and
- (ii) **maintain sufficient capacity to meet all the financial obligations which may result from any liability** for offshore petroleum operations carried out by operators appointed by or in respect of it;

(d) take all reasonable steps to ensure that operators meet the 2013 Directive operator requirements in relation to the offshore petroleum operations in respect of which they are appointed. i.e. **Preventing Major Accidents and Limiting the consequences of such accidents**



Responsible Person

- Installation operator, well operator, NPI Owner
 - Responsible for the pollution response & must hold a relevant OPEP;
 - Must implement it's OPEP in the event of an oil pollution incident;
 - Maintain equipment and expertise relevant to the OPEP;
 - Ensure that such equipment and expertise is available for use at all times;
 - Make such equipment and expertise available to the authorities responsible for the execution of the National Contingency Plan.
-
- NPI Owner will only deal with Tier 1 incident using local resource.
 - Installation or Well Operator holds the Tier 2/3 OPEP & will have responsibility to liaise with Govt in accordance with NCP



Licensee(s)

- Holds the offshore licence
- Appoints the installation / well operator
- Retains requirement for financial liabilities from operations they undertake or undertaken on their behalf.
- Financial liability for well control, clean-up costs and legal liability to third parties (Seepage and Pollution, Clean-up and Contamination insurance including coverage for pollution remediation and compensation).
- Needs to ensure that appointed operator has capacity to meet 2013 Directive operator requirements.



OPEP Regime:

- OPEPs - legally required emergency response documents which facilitate the implementation of a robust and effective response to an oil pollution incident and minimise the impact on the marine environment.
- OPRED OPEPs Guidance sets out when an OPEP is required, responsibility for submission, regulatory review periods, OPEP content – Response strategies / resources, worst case modelling, training / exercising etc
- OPEPs must interface with the UK NCP....

Guidance Notes for Preparing Oil Pollution Emergency Plans

For Offshore Oil and Gas Installations and
Relevant Oil Handling Facilities

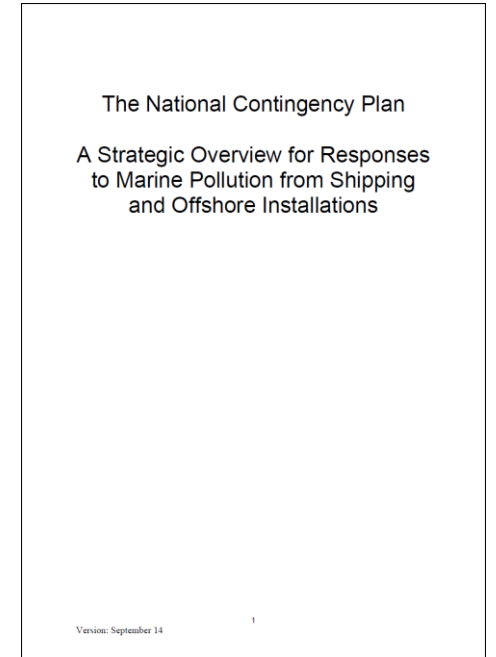
June 2022



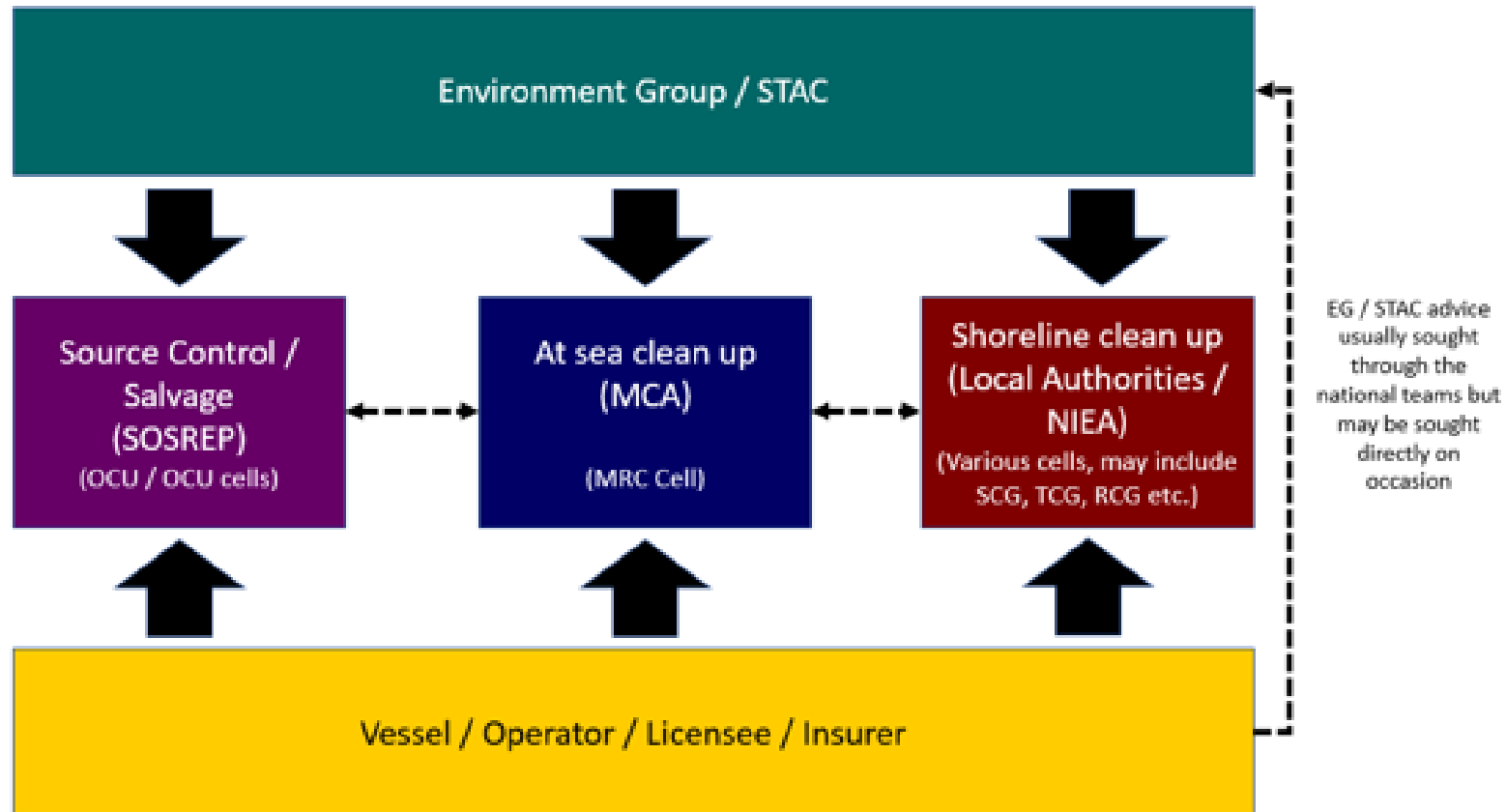
Government Response

The NCP sets out:

- the arrangements for dealing with pollution, or the threat of pollution, from ships and offshore installations
- the responsibilities of the Department for Transport, the Department for Energy Security & Net Zero, the Maritime and Coastguard Agency, harbour authorities, offshore installation operators and other bodies with relevant functions.



National Contingency Plan



Current minimum exercise requirements

- Offshore OPEP Exercises – 1 exercise per shift, per year, per OPEP
- Onshore OPEP Exercises – 1 per year
- Tier 3 Exercises – Within 12M of first tier 2/3 OPEP approval then every 3 years
- Tier 3 workshop – All RPs not required to undertake Tier 3 Exercises. Every 3 years.
- Deployment of counter pollution response equipment – 3 years
- NCP Exercises – Every 18M alternating between Offshore Oil & Gas and Shipping scenarios



IOPER – Oil Spill Working Group

Purpose:

Provide IOPER member regulators a forum to share national approaches and experiences and foster improvements in offshore oil pollution preparedness and response.

Objectives:

Improved engagement and collaboration between IOPER member regulators and with key industry representatives

Promoting and driving continual improvement in preparedness globally for a significant offshore oil pollution incident

Promoting international good practice on environmental management

Information sharing for regulators to keep stakeholders and the community informed of preparedness and response measures in place to mitigate risk



IOPER – Oil Spill Working Group

Guiding Principles - Oil Spill Response Preparedness: Testing and Exercising -
Testing effectiveness of response controls.

Guiding Principles for Regulators implementing a regime for oil spill exercises as undertaken by RPs:

- Exercise Development
- Exercise Objectives
- Exercise Format
- Exercise Frequency
- Resource Allocation
- Exercise Recommendations



Potential Developments

- Application of regime to decommissioning / decommissioned installations
- Inspection of Oil Spill Preparedness arrangements – alongside exercises
- Oil Spill Response Exercise regime
- Application of regime to offshore installations involved in CCUS & Offshore Hydrogen operations

Engagement – Feedback - Improvement

