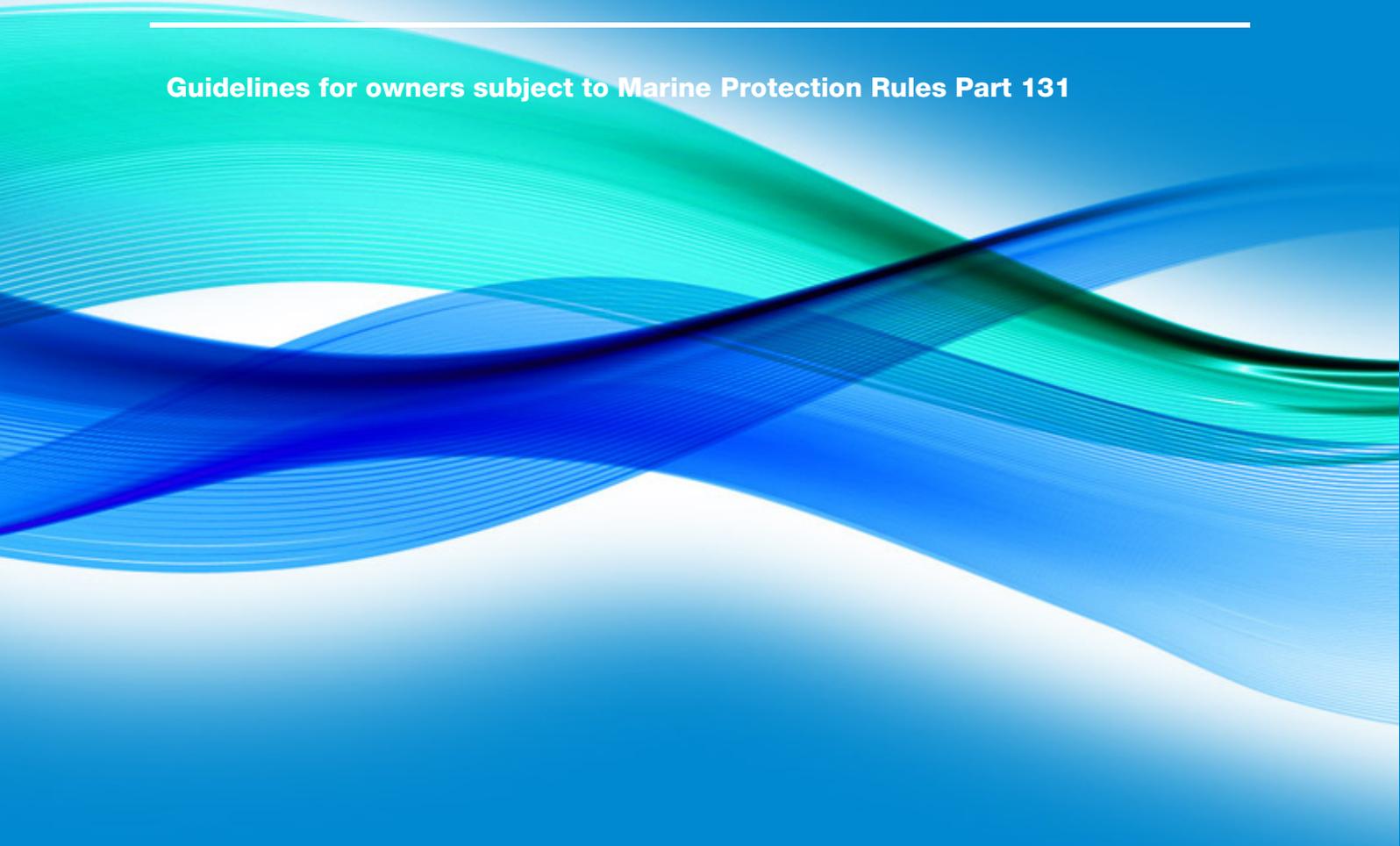


Oil spill contingency plans for offshore installations

Guidelines for owners subject to Marine Protection Rules Part 131



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Last updated: June 2020

This document is uncontrolled if printed. Please refer to the Maritime New Zealand website for the latest version.

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1. Purpose of these guidelines

These guidelines are for owners of offshore installations that are subject to the requirements of Marine Protection Rules Part 131: Offshore Installations – Oil Spill Contingency Plans and Oil Pollution Prevention Certification (Part 131).

The definition of owner in Part 131 is broad and includes permit operator and incorporated and unincorporated joint ventures. Part 131 must be referred to for the full definition.

Offshore installations are defined in Part 131 as:

- any artificial structure (including a floating structure that is not a ship) used or intended to be used in or on, or anchored or attached to, the seabed for the purpose of the exploration for, or the exploitation or associated processing of, any mineral, oil or gas:
- for the purposes of rules 131.21 to 131.29, 131.41 and 131.42, a pipeline permanently attached to an offshore installation.

The guidelines aim to help owners understand expectations of them in areas where the rules leave certain matters to the Director's discretion or administrative elaboration. Owners should read the guidelines as an aid to achieving compliance with specific areas of the rules, not as a comprehensive guide to compliance with all aspects of Part 131.

The examples in the guidelines refer to the oil and gas sector, the only currently existing offshore activities covered by Part 131. Examples aside, however, the guidelines are equally applicable to installations involved in other mineral exploitation or processing. Any owners of offshore installations involved in these latter activities should contact Maritime NZ for advice on the application of Part 131 to their operations.

Note that wherever these guidelines refer to contacting, reporting to (other than through WebEOC), providing documents to, or obtaining approval from the Director or Maritime NZ, you should use the email address MPR131@maritimenz.govt.nz for that purpose.

As at the date of these guidelines, there is no advisory circular for Part 131.

Disclaimer

These guidelines provide information and explanations about the requirements set out in the maritime rules, but are not a substitute for the rules themselves, which are the law.

maritimenz.govt.nz/rules

2. Background

Part 131 came into force on 31 October 2015. It revoked Part 200: Offshore Installation – Discharges, concerned with offshore installations discharge management plans (DMPs). Approved DMPs incorporated provision for oil spill contingency plans, regulated chemical discharges from ‘controlled’ installations (those located in the Exclusive Economic Zone (EEZ) and extended continental shelf), and for all installations that were required to comply with MARPOL Annex I requirements for oil pollution prevention certification.

From this date, operational discharges of harmful substances (chemicals and oil content of produced water discharges) formerly covered by the marine protection rules came under the regime of marine discharge consents granted and overseen by the Environmental Protection Authority under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 as amended, and associated regulations.

Part 131 is restricted to oil spill contingency plans (incorporating well control contingency plans), MARPOL Annex I oil pollution prevention certification, and, in the case of installations inside the outer limits of the territorial sea, certain MARPOL Annex I (machinery space oily wastes) and Annex V (garbage) operational requirements.

Note that approval of an oil spill contingency plan will only be granted if the Director is satisfied the applicant has the ability to implement it, taking into account the financial resources available to the applicant and any cover for first party claims that the applicant has [as operator] under any contract of insurance or other financial security (see rule 131.24).

3. Rules, schedules and other matters

3.1 Spill reporting (rule 131.41)

Any discharge of oil exceeding the limits specified by the installation's marine discharge consent must be reported to Maritime NZ as an oil spill.

The owner or operator must follow the procedure and use the form for reporting in the approved plan. One notification option is via WebEOC. Guidance on this procedure is set out in the annex to this document.

The owner or operator must report spills of harmful substances other than oil to the Environmental Protection Authority, not to Maritime NZ. The Environmental Protection Authority may share that information with Maritime NZ.

3.2 Consultation (rule 131.23)

Before the Director approves a plan, evidence is required that the owner or operator has carried out meaningful consultation with affected and interested parties in the vicinity of the installation for the purpose of identifying the location and resources at risk of environmental damage in the event of an oil spill. This consultation is distinct from any consultation that may have been required under other marine management regimes.

There should be a genuine dialogue between the owner and the parties. The owner should convey a clear statement of the proposed operation, and the relevant risks, at a level of detail that allows the parties to make intelligent and useful responses. This dialogue may take place by mail, email, or in private and public meetings.

The vicinity should be thought of as the area in which parties interests are likely to be affected by an operational size spill – for example, in the case of an FPSO, the loss of one tank; for a pipeline, a discharge resulting from loss of pipe containment. Interested and affected parties include all those located within the geographic limits of the trajectory of the worst-case operational spill in this area.

The geographic limits in these cases are distinct from the limits of the trajectory of a worst case spill as a result of a loss of well control.

The Director will accept a matrix format summary as evidence of consultation provided it shows: the organisations/groups consulted; contact persons; the date of meetings; a summary of the location and resources identified by consultees as at risk in the event of a spill; and the owner's response. The owner should identify any sections of the oil spill contingency plan that set out actions aimed at addressing consultees' concerns.

The owner should ensure that the summary of consultation is clear and specific. General expressions such as 'area of cultural significance' or 'ecologically sensitive or significant site' should be avoided, and specific descriptions should be provided - for example: 'traditional food gathering for identified species' in the first case, and 'breeding site for identified endangered species' in the second.

The information on consultation that an owner submits with an application for approval of a plan is not part of the plan itself.

3. Rules, schedules and other matters (continued)

3.3 Plan supplied to Director and regional on-scene commander (rule 131.25)

The Director has determined that the owner must format the electronic version of the approved plan as a PDF with: one volume consolidating the oil spill contingency plan; one volume consolidating the well control contingency plan (if applicable to the installation); and one volume containing all additional information.

The owner must provide copies of the approved plan to the Director and regional on-scene commander (with a copy of the Director's approval) as soon as practicable prior to operations commencing.

3.4 Plan modification (rule 131.26)

The owner of an installation must obtain the Director's approval for plan modifications where oil spill risk changes as a result of alteration to the installation or change to its operation. Additionally, in plan modifications the owner must ensure that the spill scenarios and response capability outlined in the plan remain appropriate to the risk of an oil spill from the installation after any such alteration or change.

3.5 Training (rule 131.28)

While not identified in the schedule to Part 131 as a required part of a plan's contents, the Director expects an application for plan approval to include the following information on personnel training:

- the criteria used to assess competence
- the number of trained personnel and the standard to which each person is trained
- a description of how the competency standards (and the number of personnel) relate to the response options selected by the owner.

The Director will consider imposing conditions on the approval of the marine protection document if there are any concerns about the adequacy of the owner's training arrangements. As provided for under section 396 of the MTA, the Director may exercise the power to audit the training provision at an early stage in the life of an approved plan.

The information on training that an owner submits with an application for approval of a plan is not part of the plan itself.

3.6 Plan exercises and tests (rule 131.29)

The owner must present the annual exercise programme to the Director.

The exercise programme does not form part of the plan itself and the owner is not required to submit the programme at the time of applying for plan approval.

3. Rules, schedules and other matters (continued)

3.7 Risk identification and assessment (Schedule to Part 131, clause 1)

An owner identifying and assessing an installation's oil spill risk should:

- ensure the plan recognises that 'spudding' a well in a different location is considered to be a change of installation location, whether the installation is fixed or mobile (clause 1(a))
- consider all likely sources of a spill, including accidents within WorkSafe jurisdiction, such as helicopter crashes and refueling events. Maritime NZ compliance audits will take this wide perspective in examining hazard registers (clause 1(a)(b)(ii))
- base the description of the likely fate of spilled oil on worst-case operational spills (loss of one FPSO tank and pipeline breach) and two worst-case scenarios involving loss of well control. The well control section of the plan is to take into account the Maritime NZ well control contingency plan guidance note (revised version issued October 2015, clause 1(f))
- describe the potential environmental, social, and economic receptors that would be impacted by a worst case operational spill where this information is not available in regional plans – as in the case of an installation in the EEZ, or in a region where the regional plan lacks such detail. The information on receptors should include a map with an appropriate scale and presentation that would be useful in a response
- ensure information used in risk identification and assessment, such as oil properties and weather data, is relevant to contemporary operations, and any historic data has been assessed and verified as still accurate for this purpose.

The plan for an installation, whether producing oil (including condensates¹), or undertaking exploration should include dispersant testing results. In the case of an exploration installation, the owner should test dispersants on the nearest proxy oil from an adjacent or similar field, or indicate in the plan that that testing has been carried out previously and confirm that the results are considered relevant to the exploration activity.

A testing laboratory with dispersant testing on its schedule of accreditation should generally undertake the testing. However, laboratory testing may not be required in all cases and an owner may choose to discuss their installation's testing requirements with Maritime NZ.

When conducting oil spill risk identification and assessment, an owner should consider the hazards while applying an environmental protection perspective to arrangements that may be subject to other marine management regimes (such as hoses used in FPSO offtake operations, pipelines, and well control measures, which are all subject to WorkSafe NZ-administered safety requirements). Additional control measures may be required to ensure a high level of marine environment protection as the hazards may have a risk ranking that is lower than is appropriate if they are only considered from a safety perspective.

¹ Given possible use of subsea dispersal as part of the execution of a well control contingency plan.

3. Rules, schedules and other matters (continued)

The Director will generally be satisfied where an installation's plan refers to a company risk control measure (subject to verification at audit) based on a national, international or industry-recognised standard. In the case of a control measure that does not reference a standard, the procedure should generally be described in the application and incorporated within the plan.

3.8 Well control contingency plan

A well control contingency plan should be developed as part the oil spill contingency plan in all cases where the operator's risk identification and assessment identifies activities that may lead to a loss of well control resulting in the release of hydrocarbons into the marine environment.

The operator, as the party responsible for stopping the release of hydrocarbons at its source, must demonstrate that it has prepared for a worst-case scenario and that it has the means to resolve the situation, no matter how unlikely it might be.

For more detailed guidance on developing a well control contingency plan, refer to 'Well Control Contingency Plan Guidance Note' (version 2, 2 December 2015), which can be found on Maritime NZ's website by performing a key word search using the words 'spill contingency plans'.

3.9 Response procedures (Schedule, subclause (2)(3))

A plan must:

- recognise the overlap with the WorkSafe NZ safety case requirements, make clear the overriding priority of safety of life over oil spill response, and address any safety risk arising specifically from response action – for example, handling of dispersants (Schedule, subclause 2(3)(a))
- include a logical sequence for response actions, their aim, key decision points, and their inputs. (The aim should be for the plan to provide a decision-making framework for appropriately trained and qualified personnel (Schedule, subclause 2(3)(b)))
- focus on tier 1 response capability, including maintaining an appropriate 'first strike' (immediate response) capability and the ability to assist if there is an escalation to a tier 2 or tier 3 response (*see below)
- identify the actions the owner will take to support a tier 3 response to a spill from their installation
- cover all the personnel involved in a response, not just those on board the installation (Schedule, subclause 2(3)(f))
- include records of what equipment is available, and who is qualified to deploy and maintain it. (Maritime NZ will carry out compliance audits to establish this aspect of the owner's procedures, and will dig deeper into the matters covered depending on the availability and quality of records (Schedule, subclause 2(3)(g))).

3. Rules, schedules and other matters (continued)

*The owner must have access to response equipment commensurate with the oil spill risk and have arrangements in place with response providers at both ends of the spill response scale (subclause 3(3)(c)). At the upper end, this includes supporting Maritime NZ to: implement the strategies in the cone of response model for tier 3 oil spills (pages 43-45, New Zealand Marine Oil Spill Response Strategy 2018-22); and maintain a high level of response capability according to the Maritime NZ response capability matrix (pages 36-37, Maritime NZ Statement of Intent 2018-2022).

3.10 Other

For guidance on other matters, please contact Maritime NZ. This includes, but is not limited to:

Rule

- 131.42 Event reporting
- 131.62 Submit IOPPC survey
- 131.63 Application for IOPPC issue, renewal or endorsement
- 131.65 Notification of failure to meet IOPPC standards
- 131.85 Approval of oil residue (sludge) tank arrangements
- 131.86 Approval of form of oil record book
- 131.86 Oil record book submissions.

Annex: Guidance on oil spill notification using WebEOC

Notification of offshore oil spills

In the event of an incident, ALL oil spill notifications need to be phoned through to the Rescue Coordination Centre (RCCNZ) - Phone: 04 577 8030 or 0508 472 269.

Spill notification forms need to be completed online in the Maritime NZ information management system – WebEOC.

When the online form has been saved, this is automatically emailed to the Oil Spill Duty Officer, who may contact the organisation submitting the form for further details.

Login details

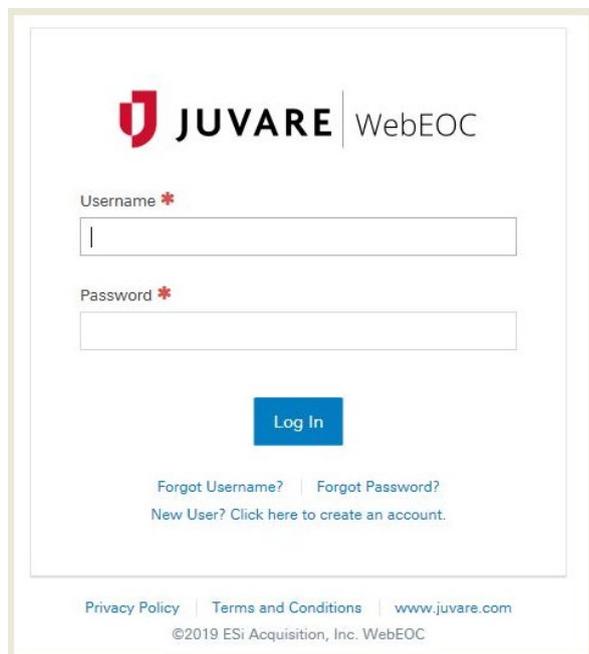
To log into WebEOC, use the following URL address: <https://webeoc.maritimenz.govt.nz/eoc7/>

(If you are a new user, contact: WebEoc.Administrator@maritimenz.govt.nz to set up a username and password).

User name and passwords

Enter your user name: *Username*

Enter your password. *Password*



JUVARE | WebEOC

Username *

Password *

Log In

[Forgot Username?](#) [Forgot Password?](#)

[New User? Click here to create an account.](#)

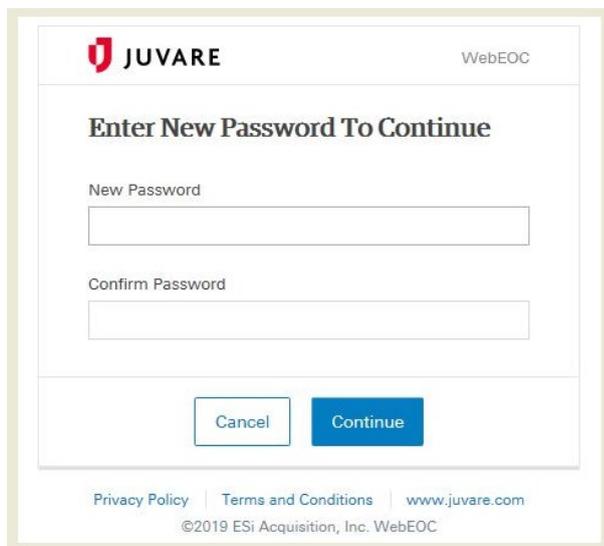
[Privacy Policy](#) | [Terms and Conditions](#) | www.juvar.com

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Because your organization has a generic login, you will be unable to use the 'Forgot Username/Password' function. If you lock yourself out or have forgotten your user details, please email the Marine Pollution Response Service at: WebEoc.Administrator@maritimenz.govt.nz

Password expiry

On occasion your password will expire and you will be prompted to enter a new password:



The screenshot shows a web interface for JUVARE WebEOC. At the top left is the JUVARE logo, and at the top right is the text 'WebEOC'. The main heading is 'Enter New Password To Continue'. Below this are two input fields: 'New Password' and 'Confirm Password'. At the bottom of the form are two buttons: 'Cancel' and 'Continue'. At the very bottom of the page, there are links for 'Privacy Policy', 'Terms and Conditions', and 'www.juvare.com', along with a copyright notice: '©2019 ESI Acquisition, Inc. WebEOC'.

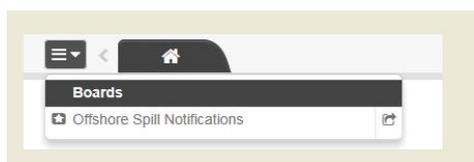
Passwords need to be at least five characters long and include both letters and numbers. You cannot choose a new password that is similar to your old password.

Choosing a position and incident

As you are only using WebEOC for incident notifications, you will only have one 'position' and it does not matter which incident you choose.

Completing the notification form

Once you have entered past the 'position' and 'incident' screen, you will see under 'Boards 'Offshore Spill Notifications' that you can click to open the notification form.



After you have opened the form, select 'Add New Incident/Spill'.

Complete the form with as much information as possible.

You can attach supporting documents and or photos, but you must save the notification form first.

Then use the  'View detail' button to review the notification and add supporting documentation if required.

Once the notification has been saved, this is automatically emailed to the Oil Spill Duty Officer.