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[Skip to main content](#)

[GOV.UK](#)

## Navigation menu

[Menu](#) Menu

Search GOV.UK × [Search GOV.UK](#)

## Services and information

- [Benefits](#)
- [Births, death, marriages and care](#)
- [Business and self-employed](#)
- [Childcare and parenting](#)
- [Citizenship and living in the UK](#)
- [Crime, justice and the law](#)
- [Disabled people](#)
- [Driving and transport](#)
- [Education and learning](#)
- [Employing people](#)
- [Environment and countryside](#)
- [Housing and local services](#)
- [Money and tax](#)
- [Passports, travel and living abroad](#)
- [Visas and immigration](#)
- [Working, jobs and pensions](#)

## Government activity

- [Departments](#)

Departments, agencies and public bodies

- [News](#)

News stories, speeches, letters and notices

- [Guidance and regulation](#)

Detailed guidance, regulations and rules

- [Research and statistics](#)

Reports, analysis and official statistics

- [Policy papers and consultations](#)

Consultations and strategy

- [Transparency](#)

Data, Freedom of Information releases and corporate reports

## Search

Search GOV.UK

Search

1. [Home](#)
2. [Environment](#)
3. [Climate change and energy](#)

Guidance

# Oil and gas: offshore environmental legislation

Environmental regulations and guidance on offshore oil and gas exploration and production, offshore gas unloading and storage and offshore carbon dioxide storage activities

From:

[Department for Energy Security and Net Zero, Offshore Petroleum Regulator for Environment and Decommissioning](#) and [Department for Business, Energy & Industrial Strategy](#)

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Get emails about this page

## Contents

1. [Conservation of Offshore Marine Habitats and Species Regulations 2017](#)
2. [Control of Mercury \(Enforcement\) Regulations 2017](#)
3. [Energy Act 2008 \(Consequential Modifications\) \(Offshore Environmental Protection\) Order 2010](#)

4. [Energy Act 2008, Part 4A Consent to Locate](#)
5. [Energy Savings Opportunity Scheme 2014](#)
6. [Environmental Assessment of Plans and Programmes Regulations 2004](#)
7. [Fluorinated Greenhouse Gases Regulations 2015](#)
8. [Food and Environment Protection Act 1985, Part II Deposits in the Sea](#)
9. [Greenhouse Gases Emissions Trading Scheme \(ETS\)](#)
10. [Marine and Coastal Access Act 2009](#)
11. [Marine Strategy Regulations 2010](#)
12. [Merchant Shipping \(Oil Pollution Preparedness, Response Co-operation Convention\) Regulations 1998](#)
13. [Offshore Chemicals Regulations 2002 \(as amended\)](#)
14. [Offshore Combustion Installations \(Pollution Prevention and Control\) Regulations 2013 \(as amended\)](#)
15. [Offshore Installations \(Emergency Pollution Control\) Regulations 2002](#)
16. [Offshore Oil and Gas Exploration, Production, Unloading and Storage \(Environmental Impact Assessment\) Regulations 2020](#)
17. [Offshore Petroleum Activities \(Conservation of Habitats\) Regulations 2001 \(as amended\)](#)
18. [Offshore Petroleum Activities \(Oil Pollution Prevention and Control\) Regulations 2005 \(as amended\)](#)
19. [Offshore Petroleum Licensing \(Offshore Safety Directive\) Regulations 2015](#)
20. [Ozone-Depleting Substances Regulations 2015](#)
21. [REACH Enforcement Regulations 2008](#)
22. [Oil and Gas: fees and charges](#)

Print this page

## **Conservation of Offshore Marine Habitats and Species Regulations 2017**

Whilst the Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended) set down the obligations for the assessment of the impact of offshore oil and gas activities (including gas and carbon dioxide unloading and storage activities) on habitats and species protected under Council Directive 2009/147/EC (the codified version of the Birds Directive) and Council Directive 92/43/EEC (the Habitats Directive), the Conservation of Offshore Marine Habitats and Species Regulations 2017 are the governing legislation for implementation of a number of the other requirements contained in the Directives. The Regulations apply to the “offshore area” outside UK territorial waters, i.e. the area greater than 12 nautical miles from the landward baseline of the territorial sea, and are commonly referred to as the Defra Offshore Habitats Regulations.

The Conservation of Offshore Marine Habitats and Species Regulations 2017 consolidate the provisions contained in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 and subsequent amending instruments, and make minor modifications reflecting changes to related legislation. The Regulations include provisions for the designation and protection of areas that host important habitats and species in the offshore marine area. Once designated, these sites are called Special Areas of Conservation (SACs), for the protection of certain habitats and marine species; and Special Protection Areas (SPAs), for the protection of certain wild bird species. The Regulations also implement assessment obligations for marine industry activities other than offshore oil and gas; introduce a licensing system for any marine activities that could kill or injure protected species, or could deliberately disturb protected species in such a way as to be likely to impair their ability to survive, breed, or rear or nurture their young, or in the case of

animals of a hibernating or migratory species, to hibernate or migrate; or could significantly affect the local distribution or abundance of that species. The Regulations also include provisions requiring competent authorities to take steps to preserve and re-establish a sufficient diversity and area of habitat for wild birds and also impose a duty upon them to use all reasonable endeavours to avoid pollution or deterioration of wild bird habitat. The Regulations also include provisions relating to a number of offences that aim to prevent environmentally damaging activities.

The most important provisions of the regulations in relation to environmental submissions to the Department are contained in Part 5, which provides powers to issue licences for specific activities that could result in the injury or disturbance of European Protected Species (EPS injury or disturbance licences) and the potential to issue wild birds licences (providing certain licensing tests are met).

Part 3 of the Conservation of Offshore Marine Habitats & Species Regulations 2017, and in particular regulation 40, gives protection to wild birds, their eggs and nests in UK offshore waters. This means that certain activities may be restricted or prohibited at specific times of the year (and will depend on the species of wild bird that may be present and/or in the geographical area). OPRED therefore strongly advise that industry consider whether the presence of wild birds may affect their proposed activities, including decommissioning and plug and abandonment activities (for example, rig mobilisation). In some cases, there may be potential to make an application for a wild birds licence under regulation 55 (providing certain licensing tests are met). All environmental applications made to the Department, including Environmental Appraisals and Environmental Assessment Justifications, should include baseline information on relevant bird species and populations (and details of protected sites, as appropriate) and assess the effects of the proposed activities, accordingly.

The Department is working on advice and information on the protection of wild birds, their eggs and nests in UK offshore waters for industry and this will be published in due course. In the meantime, the Department is working closely with industry on specific cases. Please contact the appropriate OPRED Environmental Manager who will assist with any queries.

Casework to date has indicated that black-legged kittiwakes are the predominant bird species exploiting nesting opportunities on offshore installations (typically those in lighthouse mode prior to dismantlement). It is also recognised that gathering nesting bird data for offshore installations is challenging. As a first step OPRED asked the Joint Nature Conservation Committee (JNCC) to provide an advice note on kittiwake survey methods for offshore installations and this is now available in the guidance section below (with the associated recording forms available as a separate Word document). It should be noted that this advice note is JNCC advice at this time (March 2021). It is recognised that the survey methods need full testing offshore and where necessary updates will be considered based on feedback provided. Industry should consider their specific circumstances and discuss potential survey plans as they are being developed with the appropriate OPRED Environmental Manager, particularly if there are any proposed changes from the JNCC advised kittiwake survey methods or if survey methods for other bird species are being considered.

JNCC have also provided OPRED with a signposting document containing information and resources for black-legged kittiwakes that should be used by industry in the relevant environmental applications. The inclusion of other, more recent evidence is also encouraged in applications. The kittiwake signposting document is available in the guidance section below.

## **Regulations**

- [The Conservation of Offshore Marine Habitats and Species Regulations 2017](#)

## Guidance

- [The Conservation of Offshore Marine Habitats and Species Regulations 2017](#)
- [Contributing to a Marine Protected Area Network](#)
- [Draft Guidance on the protection of marine European Protected Species from Injury and disturbance \(for the marine area in England and Wales and the UK offshore marine area\)](#) (PDF, 1.45 MB, 120 pages)
- [Seabird Survey Methods for Offshore Installations: Black-legged kittiwakes \(JNCC Advice Note, March 2021\)](#) (PDF, 1.28 MB, 25 pages)
- [Offshore installation seabird survey recording forms](#) (MS Word Document, 44.6 KB)
- [Black-legged kittiwakes information and resources signposting](#) (PDF, 122 KB, 3 pages)

## Other Useful Information

- Relevant general information in relation to environmental sensitivities and conservation issues can be found in the entries for the Offshore Petroleum Production and Pipe-lines (Assessment of Environmental Effects) Regulations 1999 and the Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001.
- Information relating to marine nature conservation and wildlife licensing for internal and territorial waters adjacent to Northern Ireland can be found [here](#)
- Information relating to marine nature conservation and wildlife licensing for internal and territorial waters adjacent to Scotland can be found [here](#) and [here](#)
- Information relating to marine nature conservation and wildlife licensing for internal and territorial waters adjacent to Wales can be found [here](#)

## Applications and determinations

- Applications for EPS injury or disturbance licences for activities in waters adjacent to England or in the offshore area adjacent to Northern Ireland, Scotland and Wales are submitted and processed via the [UK Energy Portal](#)
- Applications can be submitted via a standalone application MAT (SA), where the survey is not linked with any other activity requiring a UK Energy Portal application, or via a Subsidiary Application Templates (SAT) if the survey is linked to another activity, e.g. a relevant geological survey application MAT (GS).
- Interested parties can review records of [EPS injury or disturbance licence applications, and any relevant decisions made under the Defra Offshore Habitats Regulations](#)
- EPS / disturbance licensing for activities in internal or territorial waters adjacent to Northern Ireland, Scotland and Wales is the responsibility of the relevant devolved administration, and potential applicants should contact the relevant licensing body.

## Reporting requirements

EPS injury or disturbance licences are currently only required for acoustic surveys where the Joint Nature Conservation Committee (JNCC) or another Statutory Nature Conservation Body has advised that the applicant for a consent for a geological survey must also obtain an EPS injury or disturbance licence. Under such circumstances, the reporting requirements detailed in the survey consent are sufficient to additionally cover the EPS injury or disturbance licence requirements, and there are no additional reporting requirements.

## Project reports

Habitats Regulations Assessments undertaken by the Department for acoustic geological surveys are detailed in the entry for the Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001, and the assessments relating to EPS will include injury or disturbance assessments.

For further information please contact the Business Support Team by e mail at [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk) or please contact your assigned Environmental Manager

## **Control of Mercury (Enforcement) Regulations 2017**

EU Regulation 2017/852 was adopted by Member States on 17 May 2017 to enable ratification of the United Nations' Minamata Convention on Mercury.

As an EU Regulation its provisions are directly applicable in UK law by The Control of Mercury (Enforcement) Regulations 2017 and apply (as appropriate) to all offshore installations that carry out activities such as oil and gas production, and gas and carbon dioxide unloading/storage.

It is important to note that OPRED is not the competent authority for these Regulations for offshore oil and gas installations however OPRED may provide assistance to the competent authorities (Environment Agency and Scottish Environment Protection Agency). This assistance will include seeking information from installation operators relating to mercury waste generated on offshore installations and, if requested by the competent authorities, inspect offshore installations to investigate any alleged contraventions of the Regulations.

The information available on this website only provides guidance on the provisions of the Regulations where OPRED provides assistance to competent authorities specific to the offshore oil and gas industry. Readers should consult the relevant competent authorities (SEPA and EA) websites for additional information such as the competent authorities approach to enforcement and offences.

### **Regulations**

- [The Control of Mercury \(Enforcement\) Regulations 2017](#)

### **Guidance**

- [Offshore Industry Guidance on the EU Mercury Legislation](#) (PDF, 161 KB, 12 pages)

### **Other Useful Information**

- [Environment Agency enforcement approach](#)
- [SEPA enforcement policy](#)

## **Energy Act 2008 (Consequential Modifications) (Offshore Environmental Protection) Order 2010**

The Energy Act 2008 makes provision under Part 1, Chapter 2 for the regulation of gas importation and storage through a licensing and enforcement regime for combustible gas. The Offshore Gas Storage and Unloading (Licensing) Regulations 2009, made under Part 1 of the Energy Act 2008, came into force on the 13 November 2009.

The Energy Act 2008 also makes provision under Part 1, Chapter 3 for the regulation of the storage of carbon dioxide (with a view to its permanent disposal or as an interim measure prior to its permanent disposal), through a licensing and enforcement regime. The Storage of Carbon Dioxide (Licensing etc.) Regulations 2010, made under Part 1 of the Energy Act 2008, came into force on the 01 October 2010.

Following enactment of the Energy Act 2008 (Consequential Modifications) (Offshore Environmental Protection) Order 2010, which came into force on 01 July 2010, the provisions of the following regulations now also apply to gas unloading and storage, and carbon dioxide storage as they do to oil and gas activities.

- The Offshore Petroleum Production and Pipelines (Assessment of Environmental Effects) Regulations 1999 (as amended)
- The Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended)
- The Offshore Marine Conservation (Natural Habitats, & c.) Regulations 2007 (as amended)
- The Offshore Combustion Installations (Prevention and Control of Pollution) Regulations 2001 (as amended)
- The Offshore Installations (Emergency Pollution Control) Regulations 2002 (as amended)
- The Offshore Chemical Regulations 2002 (as amended)
- The Greenhouse Gas Emissions Trading Scheme Regulations 2005 (as amended)
- The Offshore Petroleum Activities (Oil Pollution Prevention and Control) Regulations 2005 (as amended)
- The REACH Enforcement Regulations 2008 (as amended)
- The Fluorinated Greenhouse Gases Regulations 2009 (as amended)

This extension is, however, subject to geographical limitations to reflect the different devolution settlements relating to offshore activities.

For further information please contact the Business Support Team by email at [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk) or please contact your assigned Environmental Manager.

## **The Order**

- [The Energy Act 2008 \(Consequential Modifications\) \(Offshore Environmental Protection\) Order 2010](#)

## **Energy Act 2008, Part 4A Consent to Locate**

The Department assumed responsibility for administration of Section 34 of the Coast Protection Act 1949 (CPA) in relation to offshore oil and gas operations on behalf of the Department for Transport (DfT) in October 2005.

In April 2011, the Consent to Locate (CtL) provisions of Section 34 of the CPA were incorporated into the Marine and Coastal Access Act 2009 (MCAA). The MCAA provided a regulatory framework for a new marine licensing regime that included consideration of works that could be detrimental to safe navigation.

Although the MCAA licensing regime applies to a number of offshore oil and gas operations, including the disturbance of the seabed and deposit and removal of substances or articles during

the course of decommissioning operations, Section 77 of the MCAA excludes the vast majority of offshore oil and gas operations and carbon dioxide storage operations controlled under the Petroleum Act 1998 (PA) or the Energy Act 2008 (EA).

To maintain the navigational provisions for these excluded operations, Section 314 of the MCAA created a new Part 4A of the EA, transferring the provisions of Section 34 of the CPA to the EA and transferring regulatory competence from DfT to DECC (now the Department for Business, Energy and Industrial Strategy, Offshore Petroleum Regulator for Environment and Decommissioning (OPRED)).

The granting of a CtL to an individual or organisation by the Secretary of State under Part 4A of the EA allows the installation of an offshore structure or the carrying out of offshore operations providing they are undertaken in accordance with the consent conditions. It allows the Department to require the provision of navigational markings that are considered appropriate for the proposed structure or operations.

Separate requirements relating to the clear identification of installations are included in the Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995.

## **Legislation**

- [Part 4A of the Energy Act 2008](#)
- [Marine and Coastal Access Act 2009, Section 77](#)
- [Offshore Installations and Pipeline Works \(Management and Administration\) Regulations 1995](#)

## **Guidance**

The Department revised the procedures that were in place under the CPA, to ensure that the consenting process under Part 4A of the EA reflected the specific requirements of the operations that are covered by the MCAA exclusion. The revision accounted for requirements set out in Part 4A of the EA and the development of offshore practices that were not envisaged when the CPA was drafted. It also took account of the views of the bodies consulted on navigational matters.

The new consenting process was subject to consultation, and copies of the consultation document and the Department's response are attached below.

- [Consultation Document](#) (PDF, 563 KB, 50 pages)
- [DECC response to consultation document](#) (PDF, 234 KB, 29 pages)

Detailed guidance is currently being developed to replace the consultation documentation. It will address comments received further to the consultation, and issues that have been identified since the implementation of the EA regime.

Pending publication of the guidance, if you require additional information please contact the Business Support Team by e-mail at [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk) or contact your assigned Environmental Manager.

## **Other useful information**



The General Lighthouse Authorities (GLAs) responsible for navigational safety matters in UK waters are Trinity House (TH), the Northern Lighthouse Board (NLB) and the Commissioner of Irish Lights (CIL).

- [Trinity House](#)
- [Northern Lighthouse Board](#)
- [Commissioner of Irish Lights](#)
- [General Lighthouse Authority Areas](#) (PDF, 277 KB, 1 page)

Navigational marking requirements are detailed in a Standard Marking Schedule (SMS) attached to the consents, and are based on international standards, recommendations and guidelines produced by the International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA, previously known as the International Association of Lighthouse Authorities).

- [Standard Marking Schedule](#) (PDF, 38.6 KB, 4 pages)
- [International Association of Marine Aids to Navigation and Lighthouse Authorities](#)

The SMS and the conditions attached to the consents are currently being reviewed, and the above document will be replaced when the new schedule proposals have been agreed with relevant navigational consultees.

## **Applications and determinations**

Applications for a CtL are submitted to and processed via the [UK Energy Portal](#), including the completion of any relevant consultations and the issuing of the Department's decision.

Applications submitted to the Department and the associated decisions made by the Department can be viewed at on the GOV.UK website at Oil and Gas: submissions and determinations:

- [Oil and gas: environmental submissions and determinations – Energy Act Part 4a, Consent to Locate](#)

Information relating to application types is contained in the following document:

- [Guidance on Consent to Locate Application Types](#) (PDF, 15.7 KB, 1 page)

## **Reporting**

A PON10 is used to report a non-compliance with the conditions of a Consent to Locate or any other breach of the applicable Energy Act Part 4A Regulations.

You must submit a PON10:

- Immediately and within 1 hour if any part of the Works and associated infrastructure is wrecked or damaged or goes adrift
- Immediately and within 1 hour if all Aids to Navigation are non-operational
- Immediately and within 1 hour if the nominal range of either the main or secondary white lights is less than 10 nautical miles
- Within 24 hours if any element of the aids to navigation are operating on secondary power because of a primary power systems failure

- Within 24 hours of detection of any non-compliance relating to the consent conditions including the requirements set out in the Marking Schedule

The PON10 must be submitted via IRS in accordance with the IRS Guidance document (which can be found [here](#)). Where access to IRS is unavailable the PON10 form, available below, must be sent to OPRED and the UK Hydrographic Office. Reports should also be copied to the Maritime and Coastguard Agency (MCA), Kingfisher at Seafish and the relevant General Lighthouse Authority and fishermen's representative body.

- [PON10 Reporting Form , Updated February 2019](#) (MS Word Document, 42.4 KB)

For further information please contact the Business Support Team by e-mail at [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk) or contact your assigned Environmental Manager.

## Energy Savings Opportunity Scheme 2014

The Energy Savings Opportunity Scheme Regulations (ESOS) 2014 has been introduced to implement Article 8 of the [Energy Efficiency Directive 2012/27/EU](#). ESOS is a mandatory energy assessment and energy saving identification scheme applicable to the offshore oil and gas industry sector.

The scheme requires an audit to be undertaken once every four years to identify cost-effective energy efficiency measures. Phase 2 commenced on 6 December 2015, with the qualification date for participants of 31 December 2018, and the compliance date of 5 December 2019. Compliance must be notified to the Scheme Administrator (Environment Agency) using the online notification system.

### Regulations

- [Energy Savings Opportunity Scheme 2014](#)
- [The Energy Savings Opportunity Scheme \(Amendment\) Regulations \(2015\)](#)

### Guidance

OPRED guidance is specific for the offshore oil and gas industry sector and should a scheme participant require guidance for onshore industries please refer to the [Environment Agency's guidance](#).

- [ESOS guidance notes for the offshore oil and gas industry \(September 2019\)](#) (PDF, 703 KB, 66 pages)

### Reporting Requirements

The online notification system will be available for scheme participants to notify completion of the required audit. It is the scheme participant's responsibility to ensure compliance with the ESOS Regulations and to submit their notification by the required deadline. Please see Appendix A of the OPRED guidance for information relating to completing the notification form.

### Late notification submissions for Phase I compliance

If scheme participants are unable to meet a compliance deadline, this should be recorded in advance of the deadline using the online form, explaining why the compliance deadline will be missed and when you expect to be compliant. Participants should also hold a record of the action taken to date to achieve compliance, including details of the appointment of a lead assessor, and retain a copy of the late notification submission, as they may be requested to provide the evidence pack to confirm that they are working towards compliance.

Scheme participants that qualify who do not notify a delay in compliance will be in breach of the ESOS Regulations and will risk enforcement action.

For further information please contact the Business Support Team by email at [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk) or please contact your assigned Environmental Manager.

## **Environmental Assessment of Plans and Programmes Regulations 2004**

The Environmental Assessment of Plans and Programmes Regulations 2004 implements the European Strategic Environmental Assessment (SEA) Directive (2001/42/EC). Although the Directive was not incorporated into UK law until 2004, SEAs have been carried out since 1999 in accordance with its requirements.

- [Offshore Energy Strategic Environmental Assessment \(SEA\): An overview of the SEA process](#)

## **Fluorinated Greenhouse Gases Regulations 2015**

The F Gas Regulations aim to protect the environment by reducing emissions of F-Gases (i.e. hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulphur hexafluoride (SF6)) from refrigeration, air conditioning units, high voltage switchgear, heat pumps and fire-protection systems, through the establishment of rules on, amongst other things, the containment, use, recovery and destruction of F-Gases.

Some of the various implementing acts which were established pursuant to the F-Gases Regulation (EC) No. 842/2006 have subsequently been replaced by new delegated or implementing acts adopted by the Commission in accordance with Regulation (EU) No. 517/2014. Any implementing acts which have not been replaced will remain in force and continue to apply unless and until repealed by new delegated or implementing acts adopted by the Commission pursuant to Regulation (EU) No. 517/2014. The Fluorinated Greenhouse Gases Regulations 2015 (SI 2015 / 310) as amended by the Fluorinated Greenhouse Gases (Amendment) Regulations 2018 (SI 2018 / 98) and The Fluorinated Greenhouse Gases Regulations (Northern Ireland) 2015 (SI 2015 / 425) as amended by the Fluorinated Greenhouse Gases (Amendment) Regulations (Northern Ireland) 2018 (SI 2018 / 206) came into force in 2018.

OPRED has produced a guidance document for the offshore oil and gas industry on the obligations of the F-Gases Regulation (EU) No. 517/2014 which can be accessed below. This guidance document is currently under review and will be updated to include the 2018 Regulations, Integrated Reporting System notification requirements and other updates.

Defra has also published detailed guidance which can be accessed below.

## Regulations

- [F-Gases Regulation \(EU\) No. 517/2014](#) (PDF, 958 KB, 36 pages)
- [F Gas Regulations 2018](#) (PDF, 58.5 KB, 5 pages)

## Guidance

- [F-Gas Guidance Oct 2016](#) (PDF, 222 KB, 23 pages)
- [Reporting form for the EU F-Gases](#) (MS Word Document, 32.3 KB)
- [F gas: guidance for users, producers and traders](#)

## Reporting

You should submit an F-Gas NCN via IRS, in accordance with the IRS Guidance document (which can be found [here](#)) to report any potential, or actual instances of, non-compliance with the obligations of the F-Gas regulatory regime. You must submit a notification within 2 working days of the non-compliance being identified.

Where access to IRS is unavailable the Reporting form for the EU F-Gases form, available above, must be sent to OPRED.

## Food and Environment Protection Act 1985, Part II Deposits in the Sea

The Food and Environmental Protection Act (FEPA), Part II Deposits in the Sea, covered the deposit of substances or articles in the sea or under the seabed. Following the introduction of the Marine and Coastal Access Act (MCAA) on 6 April 2011, FEPA Part II was dis-applied in English and Welsh waters and offshore waters adjacent to Scotland. However, it was retained in Scottish territorial waters to provide licensing powers in relation to reserved offshore energy activities that are the responsibility of the Offshore Petroleum Regulator for Environment and Decommissioning (OPRED). This was necessary because:

- MCAA does not apply in territorial and internal waters adjacent to Scotland;
- the licensing provisions of the Marine (Scotland) Act 2010, which apply in territorial and internal waters adjacent to Scotland, are devolved and are not available to OPRED; and
- OPRED is the licensing authority for reserved offshore energy activities outside Scottish Controlled Waters. For offshore energy activities within Scottish controlled waters (0-3 nm); the Scottish Government is the licensing authority and the Marine (Scotland) Act is the relevant controlling legislation.

## Regulations

- [The Food and Environment Protection Act 1985](#)

## Guidance

A FEPA Part II licence is only required for the deposit of substances or articles in the sea or under the seabed in relevant areas of the territorial sea adjacent to Scotland. FEPA Part II does not cover the removal of any substance or object from the seabed or the disturbance of the seabed.

Guidance in relation to the MCAA marine licensing regime as it applies to offshore energy activities that are the responsibility of OPRED is currently being developed and will include guidance in relation to activities where it may be necessary to obtain a FEPA Part II licence.

## **Applications and determinations**

Applications for a FEPA Part II licence should be made using the Marine Licence SAT on the [UK Energy Portal](#)

For offshore energy activities in Scottish controlled waters, please contact the [Marine Scotland, Licensing Operations Team](#)

Interested parties can review records relating to applications and decisions made under FEPA Part II at the [Oil and gas: environmental submissions and determinations](#) page

## **Reporting requirements**

- Deposit returns requested by the Environmental Management Team for activities covered by a FEPA Part II Licence should be made using the [MCAA Marine Licence Returns Form](#) (MS Excel Spreadsheet, 87.5 KB), and should be submitted by email to [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk).
- In future the return form will be migrated to the EEMS reporting system and accessed via the UK Energy Portal.

For further information please contact the Business Support Team by email at [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk) or please contact your assigned Environmental Manager.

## **Greenhouse Gases Emissions Trading Scheme (ETS)**

The EU ETS is the largest multi-country, multi-sector greenhouse gas emissions trading system in the world and is central to the EU meeting its 20% emissions reduction target by 2020. In the UK, it is a key part of ensuring that we comply with the legally binding 5-year carbon budgets by reducing our emissions below 1990 levels to at least 35% in 2020 and by 80% in 2050, as set out in the Climate Change Act 2008. It is a Europe-wide cap and trade scheme, which started in 2005.

In the UK, the revised EU ETS Directive is implemented by the Greenhouse Gas Emissions Trading System Regulations 2012 (the Regulations) which established Phase III from 01 January 2013.

Under the Regulations, any operator that carries out a ‘regulated activity’ (as per Annex I of the EU ETS Directive), that emit specified greenhouse gases (CO<sub>2</sub> for offshore installations) must have a permit. The only Annex 1 Activities that are relevant to offshore installations are combustion installations with a maximum rated thermal input exceeding 20 megawatts. For the purpose of these regulations, an installation comprises any ‘stationary technical unit’ where one or more Annex 1 activity is carried out.

The EU ETS has four operational phases:

- Phase I (1 January 2005 to 31 December 2007) was an initial learning by doing phase and is now complete.

- Phase II (1 January 2008 to 31 December 2012) included revised monitoring and reporting rules, more stringent emissions caps and additional combustion sources. This phase is now complete.
- Phase III of the EU ETS is the current phase and runs from 1 January 2013 to 31 December 2020. The current phase of the EU ETS builds upon the previous two phases and is significantly revised to make a greater contribution to tackling climate change including: an EU-wide cap on the number of available allowances and an increase in auctioning of those allowances.  
The EU cap will reduce the number of available allowances by 1.74% each year, delivering an overall reduction of 21% below 2005 verified emissions by 2020. The trajectory calculated from the mid-point of Phase II and will describe a declining cap from 2013 onwards. The Phase also brings harmonised EU allocation methodologies.
- Phase IV is currently being prepared and will run from 1 January 2021 until 31 December 2030. The EU's overall greenhouse gas emissions reduction target for 2030 for the sectors covered by the EU ETS must reduce their emissions by 43% compared to 2005 levels.

## **Carbon leakage**

Carbon leakage is a term used to describe the prospect of an increase in global greenhouse gas emissions when production or investment is moved outside of the EU because they are unable to pass on the cost increases resulting from the EU ETS to their customers without significant loss of market share. Within Phase III, the sector is exposed to carbon leakage and therefore operators are eligible to receive 100% of the free allocation of allowances up to the sectors benchmark.

The Carbon Leakage List has been revised in preparation for Phase IV. The revised list has resulted in the extraction of gas (including condensate) losing carbon leakage status and these will therefore now receive 30% of their benchmark allocation for free, starting in 2021 and remaining fixed until 2026 and thereafter reducing annually to 0% by 2030 (i.e. full auctioning). There remains no change to the extraction of oil.

## **National Implementation Measures (NIMs) for Phase IV**

In preparation for Phase IV, baseline data (2014-2018) was collected to form the basis of a free allocation in the first allocation period of 2021-2025. An application for a free allocation had to be submitted via ETSWAP by 30th June 2019 and include the baseline data template, monitoring methodology plan and verification report as well as any supporting documents. Installations that were not operational within the baseline period but were operational before 30 June 2019 are still required to submit the data.

The offshore guidance for the NIMs baseline data collection and a FAQs was produced to assist in the completion of the templates. OPRED also provided guidance via an industry workshop. Failure to meet the submission timing means the installation is no longer eligible for a free allocation for the first period.

The following documents/templates are to be used for Phase IV baseline NIMS data collection:

- [Offshore guidance and FAQs for NIMs baseline data collection](#) (PDF, 218 KB, 12 pages)
- [Installation identifiers in completing Annual Activity Level changes](#) (MS Excel Spreadsheet, 14.5 KB)
- [NIMs baseline data collection template](#) (MS Excel Spreadsheet, 2.89 MB)
- [Monitoring Methodology Plan \(MMP\) Template](#) (MS Excel Spreadsheet, 580 KB)



- [Verification Report template](#) (MS Excel Spreadsheet, 118 KB)

Following the decision of the UK to withdraw from the EU, changes are anticipated to the ETS. Updates will be made to this page throughout the change process.

## Regulations

- [Directive 2003/87/EC](#) - establishing a scheme for greenhouse gas emission allowance trading
- [Directive 2009/29/EC](#) - amending directive 2003/87/EC to improve and extend the greenhouse gas emission allowance trading scheme (accounts for Phase III)
- [Directive \(EU\) 2018/410](#) - amending Directive 2003/87/EC to enhance cost-effective emission reduction and low carbon investments (accounts for Phase IV changes).
- [Consolidated version of the Directive 2003/87/EC](#) - which includes changes from 2004-2018.
- [Greenhouse Gas Emissions Trading Scheme Regulations 2012 \(as amended\)](#) - domestic legislation for Phase III.
- [2011/278/EU: Commission Decision](#) - of 27 April 2011 determining transitional Union-wide rules for harmonised free allocation of emission allowances pursuant to Article 10a of Directive 2003/87/EC of the European Parliament and of the Council.
- [Commission Decision 2011/278/EU](#) - determining transitional Union-wide rules for harmonised free allocation of emission allowances pursuant to Article 10a of Directive 2003/87/EC. Phase III allocation rules.
- [Commission Implementing Regulation \(EU\) 2018/2066](#) - the Monitoring and Reporting Regulations (MRR) which amends Commission Regulation (EU) 601/2012.
- [Commission Implementing Regulation \(EU\) 2018/2067](#) - the Accreditation and Verification Regulations (AVR), accounts for Phase IV changes and came into force on 1st January 2019. This Regulation repeals Commission Regulation 600/2012.
- [Commission Delegated Regulation \(EU\) 2019/331](#) - “The Free Allocation Regulation” for Phase IV.
- [Commission Decision 2014/746/EU](#) - list of sectors and subsectors which are deemed to be exposed to a significant risk of carbon leakage, for the period 2015 to 2019.
- [Commission Notice Preliminary Carbon Leakage List, 2021-2030](#) (PDF, 490 KB, 9 pages) - The proposed preliminary list has been adopted and is currently awaiting approval from the European Council and European Parliament.

## Guidance/publications

- General Monitoring and Reporting Guidance for Phase III Monitoring and Reporting
- [UK National Implementation Measures](#) - (NIMs): published by BEIS policy and provides allocation data (including changes) as agreed with the European Commission for UK installations.
- [NACE code Revision 2](#) (PDF, 2.91 MB, 369 pages)
- [Commission Guidance Documents](#) - on Monitoring, Reporting and Verification of EU ETS emissions as well as useful quick guides for operators of stationary installations, competent authorities and verifiers. Relevant guidance documents: allocation methodologies (GD1 and 2), data collection (GD3), verification (GD4) and carbon leakage (GD5), new entrants and enclosures for changes to allocations (GD7).
- [OPRED Change in Activity Notification Form](#) (MS Word Document, 39 KB)
- [Guidance on Partial Cessation/Recovery from Partial Cessation](#) (PDF, 422 KB, 23 pages)
- [OPRED position published on offshore site visits by verifiers during the Coronavirus Outbreak 2020](#) (PDF, 113 KB, 1 page)

## Phase IV specific guidance

- [General Guidance to the allocation methodology \(GD1\)](#) (PDF, 733 KB, 37 pages)
- [Guidance on determining the allocation at installation level \(GD2\)](#) (PDF, 1.54 MB, 50 pages)
- [Data collection guidance \(GD3\)](#) (PDF, 4.92 MB, 83 pages)
- [Verification of FAR baseline data reports and validation of monitoring methodology plans \(GD4\)](#) (PDF, 2.02 MB, 68 pages)
- [Guidance on monitoring and reporting in relation to the free allocation rules \(GD5\)](#) (PDF, 1.09 MB, 104 pages)
- [Waste gases and process emissions sub-installation \(GD8\)](#) (PDF, 1.19 MB, 36 pages)
- [Monitoring Methodology Plan Draft Interim Guidance](#) (PDF, 294 KB, 15 pages)
- [Unreasonable Costs Tool](#) (MS Excel Spreadsheet, 4.26 MB)

Other relevant guidance will be added when published by the European Commission in due course.

## Application and determinations - Phase III Permits

Applications for a permit must be submitted, via the online Emissions Trading System Workflow Automated Process (ETSWAP), for all qualifying installations. Applications must include details of all the relevant activities specified in Annex 1 of the Directive and include details of any directly associated activities.

ETSWAP is an electronic workflow and messaging system that allows regulators, operators and verifiers to manage EU ETS permitting, improvement planning, notifications, permit variations, annual emissions reporting, verification, and enforcement. It replaced most of the previously available forms and templates for EU ETS except for the templates of New Entrants and Enclosures, frequency of sampling and cost benefit analysis which are external templates found on the [EU Commission website](#) to be completed and subsequently uploaded into ETSWAP.

- [ETSWAP industry user guidance](#) (PDF, 704 KB, 18 pages)

## EU Emissions Trading Scheme Phase III reporting requirements

The following table shows the commitments for the normal EU ETS process throughout the year. The monitoring period runs from 1st January to 31st December each year.

Date	Responsibility	Activity
28th February	Union Administrator / Competent Authority	Allocation of allowances for free (if applicable) into the Operator's account in the Registry
31st March	Verifier	Complete verification and issue emission report to Operator
31st March	Operator	Submit verified emission report to the Competent Authority via ETSWAP
March – May	Competent Authority	Review of emissions reports
30th April	Operator	Surrender allowances (amount corresponding to annual reportable emissions) in the Registry.
30th June	Operator	Submit Verifier and Annual (if applicable) Improvement report to the Competent Authority via ETSWAP



<b>Date</b>	<b>Responsibility</b>	<b>Activity</b>
July - August	Competent Authority	Review improvement reports
31st December	Operator	Submit information to the Competent Authority via ETSWAP about changes to the installation's capacity, activity level and operation (see additional information under Reporting below).

The majority of the above is completed within the ETSWAP system and reminders are sent to Operators to ensure compliance. However, the forms regarding changes in activity and partial cessations are completed out with the ETSWAP system and uploaded when complete.

## **Reporting**

Annual Emissions Reports (AERs) and Verifier and annual improvement reports require to be submitted by the dates outlined in the above table.

In addition, the Regulations require that operators must notify the Department of changes in activity levels, or a sub-installation's capacity or a planned change in capacity which occurred during the year. Where there have been no changes in activity level, a return is still required to be completed to confirm that there have been no changes.

The OPRED change in activity notification form and the New Entrants & Closures template (NE&C template - see Commission template below, if required) must be submitted and uploaded as part of the submission in ETSWAP before 2359 on 31st December annually, completing separate forms for each EU-ETS Permit held. This is a mandatory deadline as stipulated within the Regulations and failure to notify the Department would be regarded as a non-compliance and any free allocations could be withheld. The information provided will be assessed and the Department will inform the operator of any anticipated changes to allowances. All submissions received will be collated and forwarded to the Commission for the final determination of allowances.

Please see the guidance above for following links for guidance on filling in the relevant forms.

## **European Commission forms/templates**

The reporting application template for New Entrant Reserve (NER), Significant Capacity Reductions / Extensions (SCR / SCE), cessations and partial cessations has been designed by the EU Commission for ALL operational changes to a free allocation. As they are not sector specific, there are several pages that are irrelevant for the offshore industry. Please do NOT try to modify this form.

There is a significant amount of guidance within the form and you are advised to carefully read and follow the relevant instructions within Tab B: 'Guidelines and conditions', and within the subsequent pages. You are specifically advised NOT to 'cut and paste' information as this will lead to unintended modifications within formulae.

- [New Entrance and Closures Spreadsheet](#) (MS Excel Spreadsheet, 2.23 MB)
- [Verification opinion statement](#) (MS Excel Spreadsheet, 77.5 KB)

## **Non-compliance**

The EU ETS Directive requires Member States to put in place a system of penalties which is effective, proportionate and dissuasive but the nature of the penalties is largely left to Member State discretion (except for the penalty for failure to surrender sufficient allowances in certain circumstances).

The Greenhouse Gas Emissions Trading System Regulations 2012 set out the civil penalties to which a person is liable if they do not comply with the EU ETS. OPRED has produced the guidance below for the offshore oil and gas industry detailing the Department's approach to enforcement and sanctions as well as the process for appeals which relate to Phase III.

- [UK ETS Civil Penalties Guidance Document](#) (PDF, 244 KB, 17 pages)
- [EU Emissions Trading System - Civil Sanctions Guidance to Industry](#) (PDF, 277 KB, 20 pages)
- [EUETS Civil Penalties Details](#) (MS Excel Spreadsheet, 16.9 KB)
- [EU Emissions Trading System – Appeals Guidance](#) (PDF, 425 KB, 19 pages)

## **Charging Scheme**

Please see the oil and gas [fees and charges guidance and Regulations](#).

## **Other information**

Further information can be found at the following sites

- [The EU Emissions Trading System \(EU ETS\) European Commission Website](#)
- [EU-ETS Phase III Offshore site visits letter](#) (PDF, 287 KB, 2 pages)
- [Metering guidance for offshore oil and gas production facilities](#) (PDF, 168 KB, 25 pages)

If you have any comments or queries, please contact the Business Support Team at [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk) or your assigned Environmental Manager.

## **Marine and Coastal Access Act 2009**

The principle elements of the Marine and Coastal Access Act (MCAA) 2009 established and transferred a number of marine functions to the Marine Management Organisation (MMO), and introduced provisions relating to Marine Planning, Marine Conservation Zones, Marine Licensing and a number of fisheries-related measures.

### **Marine Licensing**

Part 4 of MCAA details the provisions relating to marine licensing. The regime replaces and extends the provisions of The Food and Environment Protection Act 1985, Part II Deposits in the Sea, and marine licences are required for the following activities:

- To deposit any substance or object within the UK marine licensing area, either in the sea or on or under the sea bed;
- To scuttle any vessel or floating container in the UK marine licensing area;
- To construct, alter or improve any works within the UK marine licensing area either in or over the sea, or on or under the sea bed;
- To use a vehicle, vessel, aircraft, marine structure or floating container to remove any substance or object from the sea bed within the UK marine licensing area;

- To carry out any form of dredging within the UK marine licensing area (whether or not involving the removal of any material from the sea or sea bed);
- To deposit or use any explosive substance or article within the UK marine licensing area either in the sea or on or under the sea bed; and
- To incinerate any substance or object on any vehicle, vessel, marine structure or floating container in the UK marine licensing area.

Section 77 of the Act specifically excludes offshore energy activities relating to oil and gas exploration and production, gas unloading and storage, and carbon dioxide storage from the marine licensing provisions, where the activities fall into the following categories:

- Anything done in the course of carrying on an activity for which a licence under section 3 of the Petroleum Act 1998 (c. 17) or section 2 of the Petroleum (Production) Act 1934 (c. 36) (licences to search for and get petroleum) is required;
- Anything done for the purpose of constructing or maintaining a pipeline as respects any part of which an authorisation (within the meaning of Part 3 of the Petroleum Act 1998) is in force;
- Anything done for the purpose of establishing or maintaining an offshore installation (within the meaning of Part 4 of the Petroleum Act 1998 (c. 17)); and
- Anything done in the course of carrying on an activity for which a licence under section 4 or 18 of the Energy Act 2008 (c. 32) is required (gas unloading, storage and recovery, and carbon dioxide storage), with the exception of activities where there is devolved competence.

Additional exemptions from the marine licensing provisions are contained in the Marine Licensing (Exempted Activities) Order 2011 (as amended).

As a consequence of the exclusions and exemptions, most offshore energy activities that are the responsibility of the Offshore Petroleum Regulator for Environment and Decommissioning (OPRED) are not subject to the MCAA marine licensing regime. However, the exclusions do not apply to activities that do not fall into the categories detailed above, and the most significant activities that aren't excluded are any licensable activities relating to decommissioning operations and the use of explosives for ordnance clearance or during decommissioning.

Where there is a licensing requirement, OPRED is the licensing authority for reserved offshore energy activities, acting on behalf of the Secretary of State.

## Regulations

- [Marine and Coastal Access Act 2009](#)
- [The Marine Licensing \(Exempted Activities\) Order 2011](#)
- [The Marine Licensing \(Exempted Activities\) \(Amendment\) Order 2013](#)
- [The Marine Licensing \(Exempted Activities\) \(Amendment\) Order 2019](#)

## Guidance

- Guidance in relation to the marine licensing regime as it applies to offshore energy activities that are the responsibility of OPRED is currently being developed and will be uploaded here as soon as it is available.
- [Guidance on decommissioning debris surveys and seabed clearance verification.](#) (PDF, 123 KB, 4 pages)

## Applications and determinations

- Applications for a marine licence are submitted and processed via the [UK Energy Portal](#).
- Applications can be submitted via a standalone (SA) Master Application Template (MAT), where the proposals are not linked with any other activity requiring a UK Energy Portal application, or via a Subsidiary Application Template (SAT) if the proposals are linked to another activity, e.g. a relevant decommissioning MAT (DCA).
- Interested parties can [review records of marine licence applications and any relevant decisions under the Marine and Coastal Access Act \(MCAA\) entry](#)

## Reporting requirements

- Returns requested by the Environmental Management Team for deposit, removal or seabed disturbance activities covered by a marine licence should be made using this form: [MCAA Marine Licence Returns Form](#) (MS Excel Spreadsheet, 87.5 KB), and should be submitted by email to [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk).
- In future the return form will be migrated to the EEMS reporting system and accessed via the UK Energy Portal.

## Project Reports

- [The Use and Environmental Impact of Explosives in Decommissioning of Wells and Facilities](#) (PDF, 4.07 MB, 118 pages)

## Marine Planning

Part 3 of MCAA introduced a new system of marine management, comprising the UK Marine Policy Statement and the production of a number of marine plans. The Marine Management Organisation (MMO) has delegated responsibility to prepare plans for English waters, and marine planning is currently being developed via regional marine plans. The Devolved Administrations of Wales, Scotland and Northern Ireland are currently developing national marine plans, and Scotland's National Marine Plan will also be supplemented by eleven regional plans.

## Guidance

- Further information on marine planning, including links to relevant UK and national documents and guidance on how the plans should be addressed in environmental applications, is contained in [Update on Marine Planning in the UK - Guidance Note to Operators - Offshore Oil and Gas Sector Aug 2018](#) (PDF, 194 KB, 11 pages)
- Interactive planning tools which include online maps showing the distribution of human activities and natural resources have been developed for England, Scotland, Wales and Northern Ireland and can be accessed using the following links:
  - [Marine Management Organisation Marine Information System](#)
  - [Marine Scotland MAPS](#)
  - [Welsh Marine Planning Portal](#)
  - [Northern Ireland Marine Mapviewer](#)

For further information in relation to both marine licensing and marine planning please contact the Business Support Team by email at [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk) or contact your assigned Environmental Manager.

# Marine Strategy Regulations 2010

Directive 2008/56/EC of the European Parliament and Council establishes a framework for community action in the field of marine environmental policy, and is commonly known as the Marine Strategy Framework Directive. The Directive was adopted in June 2008, with the aim of protecting the marine environment across Europe, and it is the environmental component of Europe's Integrated Maritime Policy.

The Directive sets a target of "Good Environmental Status" which must be achieved in EU marine waters by 2020. Following the first cycle of management which ends in 2020, new programmes of measures will be set on a six-yearly basis. The Commission has produced a set of detailed criteria and methodological standards to help Member States implement the Marine Directive, which were revised in 2017 and led to the Commission Decision on Good Environmental Status (GES). Annex II of the Directive was also amended in 2017 to better link ecosystem components, anthropogenic pressures and impacts on the marine environment with the MSFD's 11 'Descriptors' and with the new Decision on Good Environmental Status (GES).

The Marine Strategy Regulations 2010 transposed the requirements of the Marine Strategy Framework Directive 2008/56/EC into UK law in July 2010. The regulations established a high-level legal framework to ensure that the obligations which the Directive places on the UK are assigned to a competent authority, and that those competent authorities are given the necessary powers to implement measures to achieve or maintain good environmental status in the marine environment by 2020. The Regulations did not set out exactly how this would be achieved and much of the detail about how the UK will implement the Directive have been developed since the regulations came into force. The statutory instrument includes provisions covering the following key issues:

- the geographical scope of the legislation - the area over which the UK Marine Strategy will apply;
- the bodies that will be responsible for implementing the Directive in different parts of the UK's marine waters (i.e. which bodies will act as competent authorities for the Directive) and puts duties on those bodies to deliver each of the Directive's requirements to the required timetable;
- appropriate provisions to ensure that the UK Government and each of the Devolved Administrations work together effectively to implement the Directive in a consistent and co-ordinated way across the UK;
- appropriate provisions to ensure that all public authorities which take decisions or carry out activities affecting the marine environment will be required to play an appropriate role in ensuring that the requirements of this Directive are delivered; and
- provisions to ensure that interested parties and members of the public are consulted at all key stages in the implementation of the Directive.

## Regulations

- [The Marine Strategy Framework Directive \(Directive 2008/56/EC\)](#)
- [Commission Decision \(EU\) 2017/848 of 17 May 2017 laying down criteria and methodological standards on good environmental status of marine waters and specifications and standardised methods for monitoring and assessment, and repealing Decision 2010/477/EU](#)
- [Commission Directive \(EU\) 2017/845 of 17 May 2017 amending Directive 2008/56/EC of the European Parliament and of the Council as regards the indicative lists of elements to be taken into account for the preparation of marine strategies \(Annex III amendment\)](#)

- [Marine Strategy Regulations 2010](#)

## Guidance

- [European Commission guidance on the MSFD](#)
- Defra [marine environment policy document](#), which includes Appendix 2, Implementing the Marine Strategy Framework Directive.

## Reporting requirements

The UK target for Good Environmental Status (GES) for impulsive noise (Descriptor 11) is being facilitated through the establishment of a Marine Noise Registry (MNR). The Registry has been developed by Defra and the Joint Nature Conservation Committee (JNCC), in conjunction with other Government Departments and the Devolved Administrations (DAs), and records human activities in UK seas that produce loud, low to medium frequency (10Hz – 10kHz) impulsive noise. The MNR forms part of the UK's programme of measures which is set out in Part 3 of its Marine Strategy.

Underwater noise from human activities can affect marine organisms, from invertebrates to fish to marine mammals, in a variety of ways, from initiating avoidance, to masking sounds used to communicate and find food, to physical injury and even to mortality. Understanding when and where noisy activities take place will therefore help to define a baseline level for impulsive noise in UK waters and will inform research on the impacts of noise, particularly on vulnerable species like cetaceans.

Human activities covered by the MNR include impact pile driving, geophysical surveys (seismic, sub bottom profiling and multi-beam echo-sounders), military sonar, some acoustic deterrent devices and explosive use. Data is collected on the proposed location and date of relevant activities during the planning stages, and on the final location and date after the activity has been completed. The MNR also collects, where available, sound source data including maximum hammer energy maximum airgun volume, equipment frequency, sound pressure levels, sound exposure levels and explosive TNT equivalents.

Where possible, data is extracted from current consenting processes, or is separately provided by developers using a simple online form. Provision of the data is mandatory in some cases and voluntary in others, depending on the type of activity and whether there are any relevant consenting procedures. An integrated data capture system is currently being developed to link the UK Energy Portal Environmental Tracking System (PETS) to the MNR, which will enable oil and gas geological survey application and returns data to be automatically populated.

Maps will be produced annually showing the spread of activities in 'pulse block days' (the number of days within the specified period when impulsive noise has been generated within individual UK oil and gas licensing blocks). Data in the Registry are also fed into a Europe-wide registry through the Oslo and Paris Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR).

- [The Marine Noise Registry \(MNR\)](#)
- [Further information in relation to the MNR](#)
- [EU Monitoring Guidance for Underwater Noise in European Seas, prepared by the MSFD Technical Subgroup on Underwater Noise](#)
- [MNR output maps](#)



For further information please contact the Business Support Team by email at [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk) or please contact your assigned Environmental Manager

## **Merchant Shipping (Oil Pollution Preparedness, Response Co-operation Convention) Regulations 1998**

Every offshore installation that presents a risk of oil pollution must have an approved Oil Pollution Emergency Plan (OPEP) setting out arrangements for responding to incidents that cause marine pollution by oil. The OPEP must be prepared, submitted and implemented in accordance with the OPRC Regulations and the Department's "Guidance Notes for Preparing Oil Pollution Emergency Plans".

### **Regulations**

- [The Merchant Shipping \(Oil Pollution Preparedness, Response Co-operation Convention\) Regulations 1998](#)
- [The Merchant Shipping \(Oil Pollution Preparedness, Response Co-operation Convention\) \(Amendment\) Regulations 2015](#)

### **Guidance**

- [OPEP Guidance - Rev 7 - June 2022](#) (PDF, 791 KB, 83 pages)
- [The Regulation of Oil Spill Treatment Products in the UK](#) (PDF, 261 KB, 8 pages)

### **Other Useful Information**

#### **Pollution Response in Emergencies Marine Impact Assessment and Monitoring**

The [PREMIAM website](#) gives guidance and sets standards for post-spill environmental marine monitoring and is intended to act as a guide and resource for UK government agencies advising incident Environment Groups, industries with the potential to cause marine pollution, and the wider UK monitoring community. For further information please contact the Business Support Team at [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk) (<mailto:OPRED@energysecurity.gov.uk>)

## **Offshore Chemicals Regulations 2002 (as amended)**

In 2000, the Convention for the Protection of the Marine Environment of the North-East Atlantic (the OSPAR Convention) adopted Decision 2000/2 on a Harmonised Mandatory Control System for the Use and Discharge of Offshore Chemicals (commonly call the OSPAR HMCS). The Decision was subsequently amended by Decision 2005/1 on a Harmonised Mandatory Control System for the Use and Reduction of the Discharge of Offshore Chemicals, and is supported by a number of additional OSPAR decisions, recommendations and agreements relating to the use and discharge of offshore chemicals:

- OSPAR Decision 2000/3 on the Use of Organic-Phase Drilling Fluids (OPF) and the Discharge of OPF-Contaminated Cuttings
- OSPAR Recommendation 2005/2 OSPAR Recommendation 2005/2 on Environmental Goals for the Discharge by the Offshore Industry of Chemicals that Are, or Contain Added Substances, Listed in the OSPAR 2004 List of Chemicals for Priority Action

- OSPAR Recommendation 2006/3 on Environmental Goals for the Discharge by the Offshore Industry of Chemicals that Are, or Which Contain Substances Identified as Candidates for Substitution
- OSPAR Recommendation 2010/3 on a Harmonised Offshore Chemical Notification Format (HOCNF)
- OSPAR Recommendation 2014/17 amending OSPAR Recommendation 2010/3 on a Harmonised Offshore Chemical Notification Format (HOCNF)
- OSPAR Recommendation 2017/1 on a Harmonised Pre-screening Scheme for Offshore Chemicals
- Further Guidance on the Assessment of the Toxicity of Substances under the Harmonised Pre-Screening Scheme of OSPAR Recommendation 2000/4 (Agreement reference number 2002-4)
- Common Interpretation on which Chemicals are Covered and not Covered by the Harmonised Mandatory Control System under OSPAR Decision 2000/2 (Agreement reference number 2002-6)
- OSPAR Guidelines for Toxicity Testing of Substances and Preparations Used and Discharged Offshore (Agreement reference number 2005-12)
- OSPAR Guidelines for Completing the Harmonised Offshore Chemical Notification Format (HOCNF) (Agreement reference number 2012/05)
- OSPAR List of Substances Used and Discharged Offshore which Are Considered to Pose Little or No Risk to the Environment (PLONOR) (Agreement reference number 2013-06)

Copies of the relevant Decisions, Recommendations and Agreements can be found on the [OSPAR website](#).

The Offshore Chemicals Regulations 2002 (“OCR”) implemented the original OSPAR HMCS Decision and were amended by the Offshore Chemicals (Amendment) Regulations 2011. The Regulations were also amended in 2005, 2010, 2016 and 2017 by:

- The Offshore Petroleum Activities (Oil Pollution Prevention and Control) Regulations 2005, which introduced provisions relating to enforcement and prohibition notices.
- Article 6 of The Energy Act 2008 (Consequential Modifications) (Offshore Environmental Protection) Order 2010, which applied the provisions to offshore combustible gas and carbon dioxide unloading and storage operations (in addition to oil and gas operations).
- The Energy (Transfer of Functions, Consequential Amendments and Revocation) Regulations 2016, which introduced provisions recognising the functions undertaken by the Oil and Gas Authority and a requirement to review the regulations.
- The Pollution Prevention and Control (Fees) (Miscellaneous Amendments) Regulations 2017, which introduced a general amendment in relation to fee charging powers.

The regulations require offshore operators to apply for permits for the use and/or discharge of chemicals in the course of all relevant offshore energy activities, including well operations, production operations, pipeline operations, and decommissioning operations.

The 2011 Amendment Regulations extended the provisions to take enforcement action in the event of any unintentional offshore chemical release, and also:

- extended the information-gathering powers so that information can be obtained from a wider range of persons and in relation to a wider range of incidents;
- simplified the process for varying permits or transferring them to other operators; and



- more closely aligned the regulations with the Offshore Petroleum (Oil Pollution Prevention and Control) Regulations 2005 (as amended)

## Regulations

- [Offshore Chemical Regulations 2002](#)
- [Offshore Chemicals \(Amendment\) Regulations 2011](#)
- [Unofficial consolidated version of the regulations incorporating amendments](#) (PDF, 129 KB, 15 pages)
- [The Offshore Chemicals and Offshore Petroleum Activities \(Oil Pollution Prevention and Control\) \(Coronavirus\) \(Amendment\) Regulations 2020](#)

## Guidance

- [Guidance \(March 2011\)](#) (PDF, 497 KB, 53 pages)
- [Offshore chemical regulations FAQ's](#) (MS Word Document, 977 KB)
- [Well Intervention Guidance](#) (PDF, 75 KB, 2 pages)
- [Supplementary Guidance on the Offshore Chemicals and Offshore Petroleum Activities \(Oil Pollution Prevention and Control\) \(Coronavirus\) \(Amendment\) Regulations 2020](#) (PDF, 149 KB, 1 page)

The OCR Guidance is currently being updated and a revised copy will be issued in due course.

## Applications and Determinations

Applications for a chemical permit should be submitted via the [UK Energy Portal](#) Environmental Tracking System (PETS). Subsidiary Application Templates (SATs) for chemical permits can be made under the following Master Application Templates (MATs), depending on the nature of the proposed operation - Drilling Operations (DRA), Pipeline Operations (PLA), Production Operations (PRA), Well Intervention Operations (WIA) and Decommissioning Operations (DCA). Operators should email [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk) if they require further information about PETS.

Interested parties can review records relating to applications and decisions made under the Offshore Chemicals Regulations (OCR) at the [Oil and Gas: environmental submissions and determinations page](#)

## Reporting requirements

Chemical returns. Chemical use and discharge returns for approvals issued through PETS, including returns relating to the discharge of hydrocarbon chemicals and substitute hydrocarbon chemicals, should be made using the appropriate Environmental Emissions Monitoring System (EEMS) reporting form.

OSPAR Candidates for Substitution. OPRED is required to submit regular implementation reports to the OSPAR Offshore Industry Committee (OIC) in relation to the discharge of chemicals listed in the OSPAR 2004 List of Chemicals for Priority Action and the discharge of chemicals that are identified as Candidates for Substitution. To inform the implementation reports, operators are required to submit annual reports to OPRED detailing the use and discharge of these chemicals during drilling, production, work-over / intervention, pipeline and decommissioning operations, supported by a Technical Justification Report (TJR) for all of the chemicals that are still being used and/or discharged on the UKCS. OPRED will send out

documents relating to the reporting requirements every year, and current versions of the documents are available below:

- [Substitution chemical annual reporting letter \(updated Dec 2023\)](#) (PDF, 157 KB, 5 pages)
- [PRA spreadsheet \(updated Dec 2023\)](#) (MS Excel Spreadsheet, 62.3 KB)
- [WIA, DRA, PLA and DCA spreadsheet \(updated Dec 2023\)](#) (MS Excel Spreadsheet, 65.5 KB)
- [Technical Justification Spreadsheet 2023](#) (MS Excel Spreadsheet, 144 KB)

You should submit an OCR NCN via IRS in accordance with the IRS Guidance document (which can be found [here](#)) to report any non-compliance with Permit Conditions, any chemical discharge made without an approved Permit being in place or any other breach of the applicable OCR. You must submit an OCR NCN within 2 working days of the non-compliance being identified.

Where access to IRS is unavailable the OCR non-compliance notification form, available below, must be sent to OPRED.

- [OCR non-compliance notification form](#) (MS Word Document, 65.2 KB)
- [Guidance on the OCR non-compliance notification form](#) (MS Word Document, 131 KB)

For further information please contact the Business Support Team by email at [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk) or please contact your assigned Environmental Manager.

## **Offshore Combustion Installations (Pollution Prevention and Control) Regulations 2013 (as amended)**

The Offshore (PPC) Regulations 2013 are amended by the Offshore Combustion Installations (Pollution Prevention and Control) (Amendment) Regulations 2018. These regulations transpose the relevant provisions of the Industrial Emissions Directive 2010/75/EU (“the IED”) in respect to specific atmospheric pollutants from combustion installations (with a thermal capacity rating  $\geq 50$  MW) on offshore platforms undertaking activities involving oil and gas production and gas and carbon dioxide unloading and storage.

The Offshore Combustion Installations (Pollution Prevention and Control) (Amendment) Regulations 2018 came in to force on 18 July 2018. The purpose of this regulation is to transpose Chapter III of Directive 2010/75/EU on the limitation of certain pollutant emissions into the air from large combustion plant and to transpose Directive 2015/2193/EU Medium Combustion Plant Directive (MCPD) on the limitation of certain pollutant emissions into the air from medium combustion plant. The instrument widens the scope of the 2013 Regulations to require permits for both large and medium combustion plant to regulate emissions and protect air quality.

The [explanatory memorandum](#) fully describes the scope and other aspects associated with the Offshore (PPC) Regulations 2013. The Offshore (PPC) Regulations 2013 apply to those offshore combustion installations where a permit for their use is applied for and granted after 19 May 2013 - please note important points under the ‘Guidance’ heading below.

The [explanatory memorandum](#) to the Offshore (PPC) (Amendment) Regulations 2018 fully describes the amendments to the 2013 regulations.

## Regulations

- [The Offshore Combustion Installations \(Pollution Prevention and Control\) Regulations 2013](#)
- [The Offshore Combustion Installations \(Pollution Prevention and Control\) \(Amendment\) Regulations 2018](#)

The 2013 Regulations include a statutory duty to undertake a Post Implementation Review and publish the report by 19 May 2018, 5 years after the Regulations came in to force. The review is published here:

- [The Offshore Combustion Installations \(Pollution Prevention and Control\) Regulations 2013 - Post Implementation Review](#) (PDF, 81.4 KB, 4 pages)

## Offshore PPC Guidance

The following Offshore Pollution Prevention and Control (PPC) Guidance is directed at any operator of a 'relevant platform' who may be involved in offshore hydrocarbon oil and gas production, gas unloading and storage operations or Carbon Dioxide (CO<sub>2</sub>) storage and unloading operations who have qualifying combustion plant regulated under the Offshore Combustion Installations (Pollution Prevention and Control) Regulations 2013 (as amended)

- [Offshore Pollution Prevention and Control \(PPC\) Guidance](#) (PDF, 2.07 MB, 88 pages)
- [MCP Frequently Asked Questions](#) (PDF, 160 KB, 4 pages)

## Offshore Emissions Monitoring

The following Offshore Emissions Monitoring guidance is to be used for compliance purposes for 2022 and for each calendar year going forwards. For Medium and Large Combustion Plant the guidance should be read in conjunction with the monitoring plan template.

- [PPC Offshore Emissions Monitoring Guidance Rev4](#) (PDF, 435 KB, 44 pages)

The following Monitoring plan template is to be used for emissions monitoring of Medium and Large Combustion Plant.

- [PPC Monitoring plan template](#) (MS Excel Spreadsheet, 48 KB)

A reminder that the Department expects monitoring plans to be submitted by 30 September 2022, with annual emissions monitoring of qualifying LCPs to be undertaken before the end of 2022.

## Additional guidance for the Large Combustion Plant (BAT-AEL and Derogation)

The Offshore Combustion Installations (Prevention and Control of Pollution) Regulations 2013 (as amended) transposed the requirements of the Industrial Emissions Directive (IED).

Large combustion plant are required to use the best available techniques (BAT). The BAT associated emission levels (BAT-AEL) are set out in the LCP BREF and are mandatory unless derogation from those BAT-AEL is justified.

The purpose of this guidance is to provide information to assist and support the operators and to provide an overview of the derogation process. This guidance will be updated from time to time to keep it up to date and to provide clarification. The clarifications may be incorporated into frequently asked questions (FAQs).

- [Guidance for Large Combustion Plant BAT-AEL and Derogation](#) (PDF, 521 KB, 27 pages)
- [PPC Permit Variation - Letter to Industry 08.07.2020](#) (PDF, 63.4 KB, 2 pages)
- [PPC LCP: Pro-forma to Request a Derogation](#) (MS Word Document, 61.9 KB)

## **CBA Tool Supplementary Guidance for the Large Combustion Plant (LCP) Derogation**

Where an Offshore Combustion Installation PPC permit holder, with Open Cycle Gas Turbine classed as LCP, needs to make a request for derogation from the BAT-AELs, this process must involve an assessment to demonstrate the disproportionality of the costs and benefits of complying with the BAT-AEL. This requires that a cost benefit analysis (CBA) is the basis of the quantitative assessment and must be used in requests for derogation. We advise that the CBA tool developed by The Department for Environment, Food & Rural Affairs (DEFRA) and the Environment Agency (EA) should be used [Industrial Emissions Directive derogation: cost-benefit analysis tool](#)

The purpose of this guidance is to supplement the IED derogation CBA tool user guide published by the Environment Agency and should be used in conjunction with that guidance.

- [CBA Tool User Aid](#) (PDF, 1.18 MB, 16 pages)

(Updated to refer to 2020 damage costs)

## **Graphics and diagrams**

The following graphics and diagrams are referred to in the guidance document:

### **IPPC flowchart**

- [IPPC flow chart: combustion plant](#) (MS PowerPoint Presentation, 45 KB)

## **Project reports**

- [Large Combustion Plant Stack monitoring industry letter](#) (PDF, 73.2 KB, 1 page)
- [Guidance on energy assessment methodology](#) (PDF, 138 KB, 18 pages)

## **Applications**

Details of current and previous applications can be found on the [Oil and gas: environmental submissions and determinations](#) page.

## **Reporting requirements**

You should submit a PPC NCN via IRS in accordance with the IRS Guidance document (which can be found [here](#)) to report any non-compliance with Permit Conditions, any emission of a

relevant polluting substance made without an approved Permit being in place or any other breach of the applicable PPC Regulations. You must submit an PPC NCN within 2 working days of the non-compliance being identified.

Where access to IRS is unavailable the Reporting form for any PPC non-compliance notification form, available from the [Environmental alerts and incident reporting webpage](#), must be downloaded, completed, and sent to OPRED.

For further information please contact the Business Support Team by email at [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk) or please contact your assigned Environmental Manager.

## **Environmental Inspection Plans 2014 onwards**

- [Environmental Inspection Plan 2018](#) (PDF, 270 KB, 3 pages)
- [Environmental Inspection Plan 2017](#) (PDF, 96 KB, 3 pages)
- [Environmental Inspection Plan 2016](#) (PDF, 168 KB, 3 pages)
- [Environmental Inspection Plan 2015](#) (PDF, 83.5 KB, 3 pages)
- [Environmental Inspection Plan 2014](#) (PDF, 161 KB, 3 pages)

## **PPC Inspection Letters Issued**

- [PPC Inspection Letters Issued in 2021](#) (MS Excel Spreadsheet, 12.4 KB)
- [PPC Inspection Letters Issued in 2020](#) (MS Excel Spreadsheet, 18.6 KB)
- [PPC Inspection Letters issued in 2019](#) (MS Excel Spreadsheet, 19.6 KB)
- [PPC Inspection Letters Issued in 2018](#) (MS Excel Spreadsheet, 11.3 KB)
- [PPC Inspection Letters Issued in 2017](#) (MS Excel Spreadsheet, 11.3 KB)
- [PPC Inspection Letters Issued in 2016 \(Updated April 2017\)](#) (PDF, 110 KB, 1 page)
- [PPC Inspection Letters Issued in 2014 and 2015](#) (PDF, 126 KB, 2 pages)

Please email [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk) should you have any queries relating to these letters, or wish more information.

## **Offshore Installations (Emergency Pollution Control) Regulations 2002**

These Regulations provide powers to the Secretary of State to prevent and reduce pollution, and the risk of pollution, following an accident involving an offshore installation where:

- there may be significant pollution
- an operator is failing or has failed to implement effective control and preventative operations.

The Secretary of State's role is to monitor, and if necessary intervene, in the event of a threatened or actual pollution incident in connection with an offshore installation.

## **Regulations**

[The Offshore Installations \(Emergency Pollutions Control\) Regulations 2002](#)

## **Guidance**

- [Guidance Notes July 2016](#) (PDF, 291 KB, 12 pages)

## **Offshore Oil and Gas Exploration, Production, Unloading and Storage (Environmental Impact Assessment) Regulations 2020**

The Offshore Oil and Gas Exploration, Production, Unloading and Storage (Environmental Impact Assessment) Regulations 2020 (“the 2020 EIA Regulations”) transpose EU Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (“the EIA Directive”), as amended by EU Directive 2014/52/EU. The 2020 EIA Regulations applies to activities related to proposed offshore oil and gas exploration and production, gas unloading and storage, and storage of carbon dioxide (“offshore projects”). The 2020 EIA Regulations makes provision for the Secretary of State’s consideration of the environmental impacts of proposed offshore projects when deciding whether to agree to the grant of consent for such projects.

The 2020 EIA Regulations replaces the Offshore Petroleum Production and Pipelines (Assessment of Environmental Effects) Regulations 1999 (as amended) (“the 1999 EIA Regulations”), except that the 1999 Regulations will continue to apply for some limited transitional provisions. The 1999 EIA Regulations have not been revoked as they were amended by the Pipelines, Petroleum, Electricity Works and Oil Stocking (Miscellaneous Amendments) (EU Exit) Regulations 2018 (S.I. 2018/1325) (“the 2018 EU Exit Regulations”) which came into effect at the end of the Transition Period. The 2018 EU Exit Regulations correct deficiencies arising from the withdrawal of the UK from the EU and will amend the 1999 EIA Regulations in so far as they continue to apply for transitional purposes.

### **Regulations**

- [The Offshore Oil and Gas Exploration, Production, Unloading and Storage \(Environmental Impact Assessment\) Regulations 2020](#)

### **Guidance**

Please find re-published guidance below. OPRED intend to replace and publish new guidance in September 2021. Should you have any questions, please contact [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk) in the first instance.

- [The Offshore Oil and Gas Exploration, Production, Unloading and Storage \(Environmental Impact Assessment\) Regulations 2020 – A Guide](#) (PDF, 2.11 MB, 85 pages)
- [Schedule 3 Notification](#) (MS Word Document, 67.7 KB)
- [Environmental Statement Details Template: Required as a Preface to all ES Submissions](#) (MS Word Document, 33.7 KB)
- [EIA Summary of Project Template](#) (MS Word Document, 39.2 KB)

### **Applications and determinations**

- Environmental Statements (ESs) can be submitted in electronic or hard copy format to the Business Support Team. However during times of coronavirus restrictions linked to attending the workplace, we would ask that submissions are made by electronic means



only. Developers should email [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk) to confirm the submission requirements.

- Applications for Screening Directions to confirm that an ES is not required should be submitted via the UK Energy Portal Environmental Tracking System (PETS), and developers should email [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk) if they require further information about PETS.
- Interested parties can view EIA documentation and decisions, and screening directions given under the 2020 EIA Regulations at [Oil and gas: environmental submissions and determinations](#).

## Reporting requirements

- Authorised deposit returns for approvals issued through PETS should be made using the appropriate Environmental Emissions Monitoring System (EEMS) reporting form.
- Deposit returns requested by the Environmental Management Team for activities covered by Schedule 3 projects should be made using this [Form](#) (MS Excel Spreadsheet, 28.5 KB), and should be submitted by email to [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk).

## Environmentally sensitive areas

- [Environmentally Sensitive Areas](#) (MS Word Document, 150 KB)
- [JNCC UK Marine Protected Area \(MPA\) Mapper](#)
- [Quadrant/Block Specific Issues](#) (PDF, 1.63 MB, 175 pages)
- [Seabird Oil Sensitivity Index](#) (MS Excel Spreadsheet, 4.29 MB)

## Project reports

- [A Review of Environmental Statements Produced for Offshore Oil and Gas Developments](#) (PDF, 196 KB, 10 pages)
- [Quality review of environmental statements for offshore petroleum production and pipeline developments](#) (PDF, 546 KB, 70 pages)
- [Quality Review of Offshore Petroleum Development Environmental Statements Against the EIA directive](#) (PDF, 464 KB, 50 pages)
- [Assessment of adverse non-pollution effects for offshore petroleum production and pipeline developments](#) (PDF, 234 KB, 20 pages)

For further information please contact the Business Support Team by email at [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk) or please contact your assigned Environmental Manager.

## Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended)

Council Directive 79/409/EEC on the protection of wild birds, commonly known as the Birds Directive, was adopted in 1979, and aims to protect all wild birds and their most important habitats across the EU. Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, commonly known as the Habitats Directive, was adopted 13 years later in 1992. It introduces very similar measures but extends the protection to around 1000 other rare, threatened or endemic species of wild animals and plants, often collectively referred to as species of European importance. It also, for the first time, introduced protection for some 230 rare or important habitat types. The Birds Directive was subsequently amended by Directive 2009/147/EC, a codified version of the original directive.

Together, the Birds and Habitats Directives provide a strong legislative framework to protect the EU's most vulnerable species and habitat types across their entire natural range within the EU, irrespective of political or administrative boundaries. The overall objective of the two directives is to ensure that the species and habitat types they protect are maintained at, or restored to, a favourable conservation status throughout their natural range within the EU. They therefore not only aim to halt any decline, but also aim to ensure that the qualifying species and habitats recover sufficiently to enable them to flourish over the long-term.

The Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 implemented the main provisions of the directives as they applied to offshore oil and gas activities, and were amended in 2007, 2010 and 2017 by:

- The Offshore Petroleum Activities (Conservation of Habitats) (Amendment) Regulations 2007 which amended and extended a number of provisions in the 2001 regulations.
- Article 3 of the Energy Act 2008 (Consequential Modifications) (Offshore Environmental Protection) Order 2010 (the "2010 Order") which applied the provisions to offshore combustible gas and carbon dioxide unloading and storage operations (in addition to oil and gas production activities).
- Part four of the Offshore Petroleum Production and Pipe-lines (Environmental Impact Assessment and other Miscellaneous Provisions) (Amendment) Regulations 2017 which introduced provisions relating to the review of existing decisions.

The most important provisions of the regulations in relation to environmental submissions to the Department are:

Regulation 4 which requires the issue of consent for geological surveys relating to offshore oil and gas operations and offshore combustible gas and carbon dioxide unloading and storage operations undertaken in the UKCS.

Regulation 5 which requires that, before the grant of any licence, consent, authorisation or approval involving a proposed activity that is likely to have a significant effect on a relevant protected site, whether individually or in combination with any other plan or project, the Secretary of State must make an appropriate assessment (a Habitats Regulation Assessment) of the implications for the site in view of the site's conservation objectives. The Department is therefore required to undertake a likely significant effects assessment, or 'screening' exercise, and/or a more in-depth, 'appropriate assessment', and this can significantly delay the determination of a submission.

## **Regulations**

- [Offshore Petroleum Activities \(Conservation of Habitats\) Regulations 2001](#)
- [Offshore Petroleum Activities \(Conservation of Habitats\) \(Amendment\) Regulations 2007](#)
- [The Energy Act 2008 \(Consequential Modifications\) \(Offshore Environmental Protection\) Order 2010](#)
- [The Offshore Petroleum Production and Pipe-lines \(Environmental Impact Assessment and other Miscellaneous Provisions\) \(Amendment\) Regulations 2017](#)

## **Guidance**



- [European Commission guidance on the ‘Assessment of plans and projects significantly affecting Natura 2000 sites \(Methodological guidance on the provisions of Article 6\(3\) and \(4\) of the Habitats Directive 92/43/EEC\)](#)
- Marine Geological Survey Guidance is currently being progressed and new guidance will be published in due course. For further information please contact the Business Support Team by e mail at [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk) or please contact your assigned Environmental Manager.
- [Geological Survey Notification Guidance](#) (PDF, 130 KB, 1 page)
- Guidance on the Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended) is currently being progressed and new guidance will be published in due course. For further information please contact the Business Support Team by e mail at [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk) or please contact your assigned Environmental Manager.
- [JNCC guidelines for minimising the risk of injury to marine mammals from geophysical surveys \(seismic survey guidelines\) 2017](#)
- [Statutory nature conservation agency protocol for minimising the risk of injury to marine mammals from piling noise 2010](#)
- [JNCC guidelines for minimising the risk of disturbance and injury to marine mammals whilst using explosives 2021](#)

## **SNCB Noise Guidance**

The Guidance for assessing the significance of noise disturbance against Conservation Objectives of harbour porpoise Special Area's of Conservation (SAC) has now been published. The Harbour Porpoise Noise Guidance and associated documents are the culmination of years of interagency work and stakeholder discussion on an approach to noise management in harbour porpoise SACs in England, Wales and Northern Ireland. The Offshore Petroleum Regulator for Environment and Decommissioning (OPRED) consulted relevant Stakeholders on the guidance earlier this year. OPRED and all three agencies, the Joint Nature Conservation Committee, Natural England and Department of Agriculture, Environment and Rural Affairs are grateful for the comments received during the consultation. Alongside the Harbour Porpoise Noise Guidance, background to the advice on noise management within harbour porpoise SACs and the Statutory Nature Conservation Bodies (SNCB's) response to consultation comments has also been published.

Guidance for assessing the significance of noise disturbance against Conservation Objectives of harbour porpoise SACs [SAC Noise Guidance 2020](#) (PDF, 419 KB, 14 pages)

Background to the advice on noise management within harbour porpoise SACs [Background to the advice on noise management within harbour porpoise SACs](#) (PDF, 229 KB, 6 pages)

Consultation Report: Harbour porpoise SACs noise guidance [Final Consultation Report June 2020](#) (PDF, 748 KB, 88 pages)

OPRED are closely engaging with the SNCB's, the relevant Southern North Sea (SNS) Regulators and Defra officials on implementation of the guidance.

OPRED believe that it is appropriate for this guidance to apply to specific activities, namely piling and unexploded ordnance detonation.

For proposed geological survey activities which may impact the SNS SAC area, it is advised that operators contact OPRED at the earliest opportunity. Proposed survey activities planning to use

seismic operations will most likely be subject to an Appropriate Assessment (AA) and will be required to assess the significance of noise disturbance against Conservation Objectives of harbour porpoise SACs as part of the application process. It will also provide transparency of information to aid other regulators in their consideration of activities.

Further guidance will be provided to applicants regarding the information required to inform an Appropriate Assessment.

Where industry has activity planned (e.g. seismic, piling, use of explosives etc.) with the potential to impact the SNS SAC for harbour porpoise or any of the harbour porpoise SAC sites, OPRED advice is to contact the appropriate OPRED Environmental Manager who will assist with any queries. With respect to the SNS SAC, the summer season is our primary concern, and it is important that OPRED be notified of activities at the earliest opportunity, even those that are speculative in which applications have not yet been submitted.

SAC Noise Management Regulators Working Group (formerly the SNS Regulators Working Group) – Since February 2019, OPRED, along with the relevant SNS Regulators and the SNCB's have, and continue to work together on the implications of the guidance. The primary consideration is cumulative impact, and the thresholds set out in the guidance. To aid understanding of potential cumulative impacts of operations, the working group has developed an activity tracker which provides information on current and future operations in the SNS SAC area. The tracker provides information on applications that have been submitted for activities in the area and shall be published and updated as necessary. This is to provide clear evidence of activities showing potential overlap and informing cumulative impact assessments. Further to this, the work of the group has evolved since its establishment and updated terms of reference can be found below.

Mitigating significant cumulative impacts has only been possible through effective engagement with OPRED, other Regulators and the offshore industry. It is anticipated that the publication of this tracker will strengthen the cumulative impact assessment process. To facilitate this it is important to understand in detail the timeframe of operations, and how they overlap with other potential activities, and for this reason, it is important to engage with the relevant regulatory authority. For oil and gas activities, operators should approach their OPRED Environmental Manager.

- [SNS Activity Tracker](#) (MS Excel Spreadsheet, 122 KB)
- [SAC Noise Management Regulators WG Terms of Reference](#) (PDF, 160 KB, 3 pages)
- [SNS RWG Terms of Reference](#) (PDF, 96.5 KB, 2 pages)
- [SNS RWG Communications \(February 2021\)](#) (PDF, 72.8 KB, 2 pages)
- [SAC Noise Management Working Group Communications \(May 2023\)](#) (PDF, 199 KB, 4 pages)

## **Other Useful Information**

- [The EU Habitats and Birds Directives](#)
- [Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora](#)
- [Council Directive 2009/147/EC on the conservation of wild birds \(codified version\)](#)

## **Applications and determinations**

- Applications for geological surveys, or notifications of proposed marine surveys which does not require consent are submitted and processed via the [UK Energy Portal](#)
- Applications or notifications can be submitted via a standalone (SA) Master Application Template (MAT), where the survey is not linked with any other activity requiring a UK Energy Portal application, or via a Subsidiary Application Templates (SAT) if the survey is linked to another activity, e.g. a relevant drilling MAT (DRA).
- Interested parties can review records of geological survey applications and marine survey notification submissions, and any relevant decisions made under the [Habitats Regulations](#)
- A list of Habitats Regulations Assessments undertaken by the Department can be found on: [HRA Spreadsheet](#) (MS Excel Spreadsheet, 81.3 KB)
- Copies of specific appropriate assessments that may be of interest to operators can be found below:
  - [PA Resources, 2D Seismic Survey blocks 17/4b, 17/3, 11/28 and 11/29: Record of Appropriate Assessment](#) (PDF, 8.89 MB, 73 pages)
  - [Caithness Petroleum, Seismic Survey Programme, Braemore, Forse, Berriedale and Helmsdale Prospects and Burrigill Site Survey: Record of Appropriate Assessment](#) (PDF, 8.63 MB, 74 pages)
  - [ConocoPhillips \(U.K.\) Limited, Viking and LOGGS Phase 1 Decommissioning and Strategic Review of Proposed Further Decommissioning at Viking and LOGGS: Record of Habitats Regulations Assessment](#) (PDF, 11.7 MB, 89 pages)
  - [Dogger Bank SAC Oil and Gas Decommissioning Strategic HRA: Record of Habitats Regulations Assessment](#) (PDF, 7.69 MB, 74 pages)
  - [Corallian Energy Limited, Colter Appraisal Well 98/11-E: Record of Habitats Regulations Assessment](#) (PDF, 565 KB, 24 pages)
  - [Spectrum GEO Limited, 3D Seismic Survey in Quadrants 36, 37, 42 and 43: Record of Habitats Regulations Assessment](#) (PDF, 14.9 MB, 87 pages)
  - [Chrysaor Decommissioning LDP2 to LDP5](#) (PDF, 13.1 MB, 131 pages)
  - [GX Technology / ION Geophysical Corporation Southern North Sea 3D Seismic Survey: Record of Habitats Regulations Assessment](#) (PDF, 18.3 MB, 103 pages)
  - [Premier Oil - Tolmount Pile-driving: Record of Habitats Regulations Assessment](#) (PDF, 2.99 MB, 68 pages)
  - [BP - Endurance Field - Integrated Site Survey - Record of Habitats Regulations Assessment](#) (PDF, 8.95 MB, 81 pages)
  - [Tullow - Seabed Clearance Campaign: Horne and Wren, Orwell, Cameron Revised Works - Record of Habitats Regulations Assessment](#) (PDF, 6.59 MB, 65 pages)
  - [ION \(GX Technology EAME Ltd/GX Technology Corporation\) Southern North Sea Seismic Survey 2021 - Record of Habitats Regulations Assessment](#) (PDF, 11.7 MB, 94 pages)
  - [Spirit Energy A Fields \(Ann A4, Ann, Alison, Audrey, Saturn \(Annabel\)\) and Ensign Decommissioning - Record of Habitat Regulations Assessment](#) (PDF, 16.9 MB, 123 pages)
  - [ION \(GX Technology EAME Ltd/GX Technology Corporation\) MNSH Phase 2B Seismic Survey September 2021: Record of Habitats Regulations Assessment](#) (PDF, 14.4 MB, 87 pages)
  - [BP Greater NEP 3D Towed-streamer: Record of Habitats Regulation Assessment](#) (PDF, 8.95 MB, 69 pages)
  - [Eni Hewett Seismic Survey HRA](#) (PDF, 1.12 MB, 69 pages)
  - [One Dyas Crosgan Appraisal well HRA](#) (PDF, 1.03 MB, 58 pages)
  - [Somerville and Anning Marine Survey HRA - Rev 1.0](#) (PDF, 1.67 MB, 65 pages)
  - [BP - Endurance Field - Integrated Site Survey - Record of Habitats Regulations Assessment](#) (PDF, 8.95 MB, 81 pages)

- [BP - BC41 Survey - Appropriate Assessment](#) (PDF, 1.97 MB, 58 pages)

## Reporting requirements

- It is a condition of all environmental approvals relating to activities such as seismic surveys, the use of explosives, piling etc., that a close out report is submitted following completion of the activities.
- Close-out reports must be made directly through the [UK Marine Noise Registry](#). It should be noted that the requirement to submit close-out reports to the Department or Schlumberger Integrated Solutions is no longer necessary. Further guidance can be found in the [Note to Industry - Marine Noise Registry and Close out reporting for seismic, explosive and piling activity](#) (PDF, 185 KB, 3 pages)
- Site survey data must be reported directly to Marine Environmental Data and Information Network (MEDIN) using the form available on MEDIN website at: [https://medin.org.uk/medin/sites/medin/files/documents/MEDIN\\_submit\\_site\\_survey\\_BGS.xlsx](https://medin.org.uk/medin/sites/medin/files/documents/MEDIN_submit_site_survey_BGS.xlsx) which Operators can use to input the information directly rather than complete the close-out form.
- Where it is a condition of the geological survey consent that a Marine Mammal Observer (MMO) and/or a Passive Acoustic Monitoring (PAM) operative is provided for the survey, a MMO report must also be submitted to the Department following completion of the survey, and copied to the Joint Nature Conservation Committee (JNCC). Copies of the relevant forms and guidance, and summary reports of MMO observations, can be found on the [JNCC website](#)

## Project reports

- [Subcotech R&D Project - Effects of noise on the marine environment](#) (MS PowerPoint Presentation, 5.76 MB)
- [Review and Assessment of Underwater Sound Produced from Oil and Gas Activities and Potential Reporting Requirements under the Marine Strategy Framework Directive, July 2011](#) (PDF, 1.63 MB, 72 pages)
- Moray Firth Study – this was a three year project undertaken by Aberdeen University on behalf of the Department, with co-funding from the Scottish Government, Collaborative Offshore Wind Research into the Environment (COWRIE) and Oil & Gas UK, to assess the potential impact of oil and gas seismic survey operations on cetaceans in the Moray Firth. Relevant reports relating to the study and the associated seismic surveys can be found below:
  - [Final Study Report - November 2013](#) (PDF, 4.64 MB, 144 pages)
  - [Annex II: Underwater Noise Propagation Modelling and Estimate of Impact Zones for Seismic Operations in the Moray Firth](#) (PDF, 1.28 MB, 62 pages)
  - [2D Seismic Survey in the Moray Firth: Review of Noise Impact Studies and Re-assessment of Acoustic Impacts](#) (PDF, 993 KB, 57 pages)
  - [PA Resources, 2D Seismic Survey blocks 17/4b, 17/3, 11/28 and 11/29: Record of Appropriate Assessment](#) (PDF, 8.89 MB, 73 pages)
  - [Caithness Petroleum, Seismic Survey Programme, Braemore, Forse, Berriedale and Helmsdale Prospects and Burrigill Site Survey: Record of Appropriate Assessment](#) (PDF, 8.63 MB, 74 pages)
  - [PA Resources, 2D Seismic Survey Blocks 17/4b, 17/3, 11/28, 11/29: Marine Mammal Observations and Passive Acoustic Monitoring Report](#) (PDF, 8.49 MB, 91 pages)
  - [PA Resources, 2D Seismic Survey Blocks 17/4b, 17/3, 11/28, 11/29: MMO Record Spreadsheet](#) (MS Excel Spreadsheet, 2.1 MB)

- [Caithness Petroleum, Seismic Survey Programme, Braemore, Forse, Berriedale and Helmsdale Prospects and Burringill Site Survey: MMO Report and Record Spreadsheet](#) (PDF, 4.38 MB, 105 pages)
- University of Aberdeen staff involved in the project have also published a number of scientific papers relating to the study: Williamson, L.D., Brookes, K.L., Scott, B.E., Graham, I.M. & Thompson, P.M. (2017) Diurnal variation in harbour porpoise detection - potential implications for management. Marine Ecology Progress Series 570:223-232
- Williamson, L.D., Brookes, K.L., Scott, B.E., Graham, I.M., Bradbury, G., Hammond, P.S. & Thompson, P.M. (2016) Echolocation detections and digital video surveys provide reliable estimates of the relative density of harbour porpoises. Methods in Ecology and Evolution. DOI: 10.1111/2041-210X.12538
- Thompson, P.M., Brookes, K.L. & Cordes, L.S. (2014) Integrating passive acoustic and visual data to model spatial patterns of occurrence in coastal dolphins ICES J. Mar. Sci., DOI:10.1093/icesjms/fsu110
- Pirotta, E., Brookes, K.L., Graham, I.M. & Thompson, P.M. (2014) Variation in harbour porpoise activity in response to seismic survey noise. Biology Letters, 10: 20131090
- Thompson, P.M., Brookes, K.L., Graham, I.M., Barton, T.R., Needham, K., Bradbury, G. & Merchant, N.D. (2013) Short-term disturbance by a commercial two-dimensional seismic survey does not lead to long-term displacement of harbour porpoises. Proceedings of the Royal Society, B. 280: 20132001. DOI: 10.1098/rspb.2013.2001
- Brookes, K.L., Bailey, H. & Thompson, P.M. (2013) Predictions from harbor porpoise habitat association models are confirmed by long-term passive acoustic monitoring. J. Acoust. Soc. Am., 134: 2523-2533
- A full list of the publications of the University of Aberdeen's Cromarty Lighthouse Field Station is available using this [link](#)
- [Technical Note: Review of rock and other protective material use in offshore oil and gas operations in the UK Continental Shelf](#) (PDF, 3.78 MB, 52 pages)

For further information please contact the Business Support Team by e mail at [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk) or please contact your assigned Environmental Manager.

## **Offshore Petroleum Activities (Oil Pollution Prevention and Control) Regulations 2005 (as amended)**

In 2001, the Convention for the Protection of the Marine Environment of the North-East Atlantic (the OSPAR Convention) adopted Recommendation 2001/1 for the Management of Produced Water from Offshore Installations. The Recommendation aims to prevent and eliminate pollution by oil and other substances caused by discharges of produced water into the sea. The Recommendation supplemented the controls on the use and discharge of chemicals established by OSPAR Decision 2000/2 on a Harmonised Mandatory Control System for the Use and Reduction of the Discharge of Offshore Chemicals. The Recommendation was amended by further Recommendations in 2006 and 2011.

- OSPAR Recommendation 2001/1 for the Management of Produced Water from Offshore Installations
- OSPAR Recommendation 2006/4 amending Recommendation 2001/1
- OSPAR Recommendation 2011/8 amending Recommendation 2001/1



Copies of OSPAR Decisions, Recommendations and Agreements can be found on the [OSPAR website](#).

The Offshore Petroleum Activities (Oil Pollution Prevention and Control) Regulations 2005 (“OPPC”) implement the OSPAR Recommendation and were amended by the Offshore Petroleum Activities (Oil Pollution Prevention and Control) (Amendment) Regulations 2011. The Regulations were also amended in 2010, 2016 and 2017 by:

- Article 9 of The Energy Act 2008 (Consequential Modifications) (Offshore Environmental Protection) Order 2010, which applied the provisions to offshore combustible gas and carbon dioxide unloading and storage operations (in addition to oil and gas operations).
- The Energy (Transfer of Functions, Consequential Amendments and Revocation) Regulations 2016, which introduced provisions recognising the functions undertaken by the Oil and Gas Authority and a requirement to review the regulations.
- The Pollution Prevention and Control (Fees) (Miscellaneous Amendments) Regulations 2017, which introduced a general amendment in relation to fee charging powers.

The regulations prohibit the discharge of oil to sea from offshore oil and gas installations other than in accordance with the terms and conditions of a permit, and require offshore operators to apply for permits for all planned discharges of oil in the course of all relevant offshore energy activities, including well operations, production operations, pipeline operations, and decommissioning operations.

The Offshore Petroleum Activities (Oil Pollution Prevention and Control) (Amendment) Regulations 2011 introduced the concept of a ‘release’ to cover all unintentional spills, leaks or non-operational discharges, in alignment with the definition contained in the Offshore Chemical (Amendment) Regulations 2011, and also:

- introduced a new definition of ‘offshore installation’ to encompass all pipelines, some of which were not previously covered by the OPPC regulations;
- extended information-gathering powers so that information can be obtained from a wider range of persons and in relation to a wider range of incidents;
- provided additional powers for appointed inspectors to take appropriate enforcement action in relation to releases or potential releases of oil; and
- simplified the process for varying permits or transferring them to other operators.

## **Regulations**

- [Offshore Petroleum Activities \(Oil Pollution Prevention and Control\) Regulations 2005](#)
- [Offshore Petroleum Activities \(Oil Pollution Prevention and Control\) \(Amendment\) Regulations 2011](#)
- [Unofficial consolidated version of the regulations incorporating all amendments](#) (PDF, 122 KB, 14 pages)
- [The Offshore Chemicals and Offshore Petroleum Activities \(Oil Pollution Prevention and Control\) \(Coronavirus\) \(Amendment\) Regulations 2020](#)

## **Guidance**

- [OPPC Guidance Notes](#) (PDF, 548 KB, 68 pages)
- [OPPC Applications Frequently Asked Questions - \(updated 12/03/14\)](#) (PDF, 218 KB, 3 pages)

- [Methodology for the Sampling and Analysis of Produced Water and other Hydrocarbon Discharges](#) (PDF, 646 KB, 84 pages)
- [Summary of Amendments to the Methodology Document](#) (MS Word Document, 36.6 KB)

## Other Useful Information

The Dispersed Oil in Produced Water Trading Scheme was developed to reduce the quantity of dispersed oil discharged from offshore oil and gas installations, in response to an OSPAR initiative. It was eventually cancelled following consultation, with the approval of the Secretary of State for Business Enterprise and Regulatory Reform. However, background information in relation to the scheme is available via the [National Archives](#)

## Applications and determinations

Applications for an oil discharge permit should be submitted via the [UK Energy Portal](#) Environmental Tracking System (PETS). Subsidiary Application Templates (SATs) for oil discharge permits can be made under the following Master Application Templates (MATs), depending on the nature of the proposed operation - Drilling Operations (DRA), Pipeline Operations (PLA), Production Operations (PRA), Well Intervention Operations (WIA) and Decommissioning Operations (DCA). Operators should email [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk) if they require further information about PETS.

Interested parties can review records relating to applications and decisions made under The Offshore Petroleum Activities (Oil Pollution Prevention and Control) Regulations 2005 (OPPC) at the [Oil and gas: environmental submissions and determinations page](#).

## Reporting requirements

Oil discharge returns. Oil discharge returns for approvals issued through PETS should be made using the appropriate Environmental Emissions Monitoring System (EEMS) reporting form.

A summary of oil discharges in produced water during the period 2006 to 2016 is contained in the following table:

- [Produced water discharges containing oil \(2006-16\)](#) (PDF, 47.5 KB, 1 page)

You should submit a OPPC NCN via IRS in accordance with the IRS Guidance document (which can be found [here](#)) to report any non-compliance with Permit or Standard Industry Conditions, any oil discharge made without an approved Permit being in place or any other breach of the applicable OPPC Regulations.

You must submit an OPPC NCN:

- Within 6 hours of identification of a non-compliance with a maximum load limit, or non-compliant discharge of more than 1 tonne in any 12 hour period from any source
- Within 2 working days of any other non-compliance being identified

If the non-compliance is ongoing you must update the OPPC NCN every 24 hours, or as directed by an OPRED inspector.

Where access to IRS is unavailable the Reporting form for the OPPC non-compliance notification form, available below, must be sent to OPRED.

- [OPPC non-compliance notification form](#) (MS Word Document, 67.3 KB)
- [Guidance on OPPC non-compliance notification form](#) (MS Word Document, 89 KB)

For further information please contact the Business Support Team by email at [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk) or please contact your assigned Environmental Inspector

## **Offshore Petroleum Licensing (Offshore Safety Directive) Regulations 2015**

The Offshore Petroleum Licensing (Offshore Safety Directive) Regulations 2015 (“the OPL Regulations 2015”) transpose the relevant provisions of Directive 2013/30/EU (“the Offshore Safety Directive”) in regard to the grant and transfer of offshore licences; the appointment of operators by offshore licensees and their capacity to undertake operations; and obligations on the offshore licensee including financial liability provisions.

The financial liability provisions included within the OPL Regulations 2015 replace the systems and processes OPRED put in place following the Gulf of Mexico incident in 2010. Licensees are required to provide relevant information to the Competent Authority (Offshore Safety Directive Regulator) on request relating to financial provisions in place to cover liabilities which potentially derive from offshore petroleum operations carried out by operators appointed by the licensees. The guidelines on how the minimum level of liability provision is determined and how relevant information is to be provided to OPRED (who acts on behalf of the Competent Authority for this matter) is detailed within Oil & Gas UK Financial Liability Provision Guidelines for Offshore Petroleum Operations. The guidance aims to assist licensees in fulfilling their obligations under the OPL Regulations 2015, in making adequate financial provision to cover liabilities potentially deriving from offshore petroleum operations carried out on their behalf by operators.

These guidelines have been agreed with OPRED, and confirm that a declaration of liability provision is required to cover platform production / development wells, remote production / development wells, offshore installations including FSUs, FSOs and FPSOs and decommissioning operations; and that a demonstration of liability provision is required for the drilling of exploration, appraisal, remote subsea development and pre-drilled platform development wells, and for the re-entry of abandoned Phase 1 and Phase 2 exploration or appraisal wells. Declarations or demonstrations of financial liability provisions must be made in accordance with these Guidelines.

### **Regulations**

- [The Offshore Petroleum Licensing \(Offshore Safety Directive\) Regulations 2015](#)

### **Guidance**

- [Liability Provision Guidelines for Offshore Petroleum Operations - Issue 1](#)

### **Other Useful Information**



The Oil and Gas Authority (Licensing Authority) is responsible for the grant and transfer of offshore licences under the OPL Regulations 2015 and for the appointment of operators by offshore licensees. Information regarding the grant and transfer of offshore licences and the appointment of operators by offshore licensees can be found at the OGA website:

<https://www.ogauthority.co.uk/licensing-consents/overview/>

<https://www.ogauthority.co.uk/licensing-consents/licensing-system/offshore-safety-directive/>

## **Ozone-Depleting Substances Regulations 2015**

The Ozone-Depleting Substances Regulations 2015 has applied since 1 January 2010 and recasts/repeals ODS Regulation (EC) No. 2037/2000 - prohibits and controls the production and use of ozone depleting substances thereby reducing atmospheric emissions of these substances in line with the Montreal Protocol (an international agreement to combat the threat of damage posed to the ozone layer by ozone depleting substances). In particular, the EU ODS Regulation concerns the control of emissions from refrigeration systems, air-conditioning units, fire-protection systems and heat pumps.

In September 2010, Commission Regulation (EU) No.744/2010 which replaces Annex VI to the EU ODS Regulation entered into force. Regulation (EU) No. 744/2010 sets out the permitted critical uses of halons as well as the timeframes for their phasing out. Under the revised Annex VI, for oil, gas and petro-chemical facilities the critical use exemptions for halons applied to new fire-protection systems (FPS) until 31 December 2010 and will apply to FPS that existed prior to 31 December 2010 until 31 December 2020. With regards to offshore installations, the exemption in respect to existing FPS relates to all occupied and unoccupied spaces where flammable liquid or gas could be released.

On 7 March 2015, the 2015 ODS Regulations entered into force. The 2015 ODS Regulations prescribe the offences and penalties for non-compliance with the regulatory requirements. The 2015 ODS Regulations cover offshore installations involved in oil and gas, carbon capture and storage and gas unloading and storage activities. OPRED has produced a guidance document for the offshore oil and gas industry on the obligations of the EU ODS Regulations.

### **Regulations**

- [Ozone Depleting Substances \(ODS\) Regulation \(EC\) No. 1005/2009 Commission Regulation \(EU\) No. 744/2010](#) (PDF, 754 KB, 7 pages)

### **Guidance**

- [Guidance on the Environmental Protection \(Controls on Ozone-Depleting Substances\) Regulations 2011](#) (PDF, 310 KB, 21 pages)

The reporting forms are accessible below;

- [Annex B - Record Maintenance Template](#) (MS Word Document, 135 KB)
- [Annex C - Reporting Form for Unintentional/Accidental Releases of Controlled Substances](#) (MS Word Document, 121 KB)
- [Annex E - Regulatory Non-Compliance Notification](#) (MS Word Document, 117 KB)

### **Reporting**

You should submit an ODS NCN via IRS in accordance with the IRS Guidance document (which can be found [here](#)) to report any potential, or actual instances of, non-compliance with the obligations of the ODS regulatory regime. You must submit a notification within 2 working days of the non-compliance being identified.

Where access to IRS is unavailable the Annex C - Reporting Form for Unintentional/Accidental Releases of Controlled Substances form, available above, must be sent to OPRED.

## **REACH Enforcement Regulations 2008**

The EU REACH (Registration, Evaluation, Authorisation and restrictions of Chemicals) Regulation 1907/2006, which entered into force on 1 June 2007, required the registration of chemical substances by specified deadlines (in 2010, 2013 and 2018) based on tonnage levels and the properties/toxicity of certain substances (i.e. PBTs, vPvBs and CMRs). Management of the REACH system at EU level is handled by the European Chemicals Agency (ECHA). The REACH Enforcement Regulations 2008 enforce the provisions of the EU REACH Regulation. The UK regulations apply to the following offshore installations within the UK territorial sea and UKCS:

- fixed and floating platforms
- floating production storage and off-loading systems
- floating storage units
- non-production installations

OPRED regulates the use/discharge of chemicals under the Offshore Chemicals Regulations (OCR) 2002, which were amended by the Offshore Chemical (Amendment) Regulations 2011 to cover all operational discharges and non-operational releases of offshore chemicals.

The Energy Act 2008 (Consequential Modifications) (Offshore Environmental Protection) Order 2010 applies the requirements of the UK REACH Enforcement Regulations and OCR to offshore installations involved in Carbon Capture and Storage (CCS) and gas unloading/storage activities.

From an offshore environmental protection perspective, the OSPAR Hazardous Material Control System (HMCS) and REACH requirements run in parallel, with the HMCS approach to controlling offshore chemicals appropriately harmonised with the provisions of the EU Regulation. Accordingly, the UK REACH Enforcement Regulations contain certain provisions from the OCR, so effectively the OCR (and hence HMCS) are the mechanism for supporting the application of environmental protection elements of REACH to offshore installations.

The Health and Safety Executive (HSE) is the UK Competent Authority for REACH. It works closely with the Department for Food and Rural Affairs (Defra) and other government departments, including OPREDBEIS, and agencies on policy and enforcement.

To ensure a consistent regime, offshore enforcement of REACH is the responsibility of the bodies familiar with enforcement requirements in similar circumstances. HSE and OPRED enforce offshore health/safety and environmental protection using their respective onshore administrative procedures and offshore inspectors to check compliance. In this regard, OPRED sits on the UK REACH Enforcement Liaison Group to ensure a proportionate and consistent method of enforcement is adopted through an agreed Memorandum of Understanding.

Note: OPRED's regulatory regime for offshore chemicals does not extend to Scottish-controlled waters. Within this area, REACH is enforced by Marine Scotland on behalf of the Scottish Government.

## Regulations

- [EU REACH Registration, Evaluation, Authorisation and Restrictions of Chemicals Regulations 1907/2006](#) (PDF, 1.37 MB, 278 pages)
- [REACH Enforcement Regulations 2008](#)

## Guidance

- [Guidance on REACH](#) (PDF, 702 KB, 100 pages) - outlines key obligations under the regulation for the offshore industry and suppliers of chemicals to the sector, and covers harmonisation of the OSPAR HMCS and REACH regulatory regimes
- [European Chemicals Agency guidance documents](#)

Queries on the applications of REACH should, in the first instance, be directed to the HSE helpdesk at [UKREACH@hse.gsi.gov.uk](mailto:UKREACH@hse.gsi.gov.uk). However, queries on OPRED's offshore enforcement role can be sent to [OPRED@energysecurity.gov.uk](mailto:OPRED@energysecurity.gov.uk).

## Other Useful Information

- [HSE webpage on Registration, Evaluation, Authorisation and restriction of Chemicals \(REACH\)](#)
- [Implementation timetable of main deadlines for REACH implementation](#) (PDF, 121 KB, 2 pages)

## Oil and Gas: fees and charges

For information about fees and charges, please click [here](#)

Published 22 January 2013

Last updated 10 June 2024 [+ show all updates](#)

1. 10 June 2024

UK SNS Activity Tracker updated to most recent version

2. 3 June 2024

HRA Spreadsheet updated

3. 3 June 2024

SNS Activity Tracker updated

4. 31 May 2024

Guidance on decommissioning debris surveys and seabed clearance verification uploaded.

5. 27 May 2024

SNS Activity tracker updated

6. 23 May 2024

PETS Application links updated

7. 20 May 2024

SNS Activity Tracker updated

8. 14 May 2024

SNS activity tracker updated

9. 3 May 2024

Amendment to HRA Spreadsheet

10. 3 May 2024

Addition of Habitats Regulations Assessments undertaken under Regulation 5 of the Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (As Amended)

11. 30 April 2024

SNS Activity Tracker updated to most recent version

12. 22 April 2024

SNS Activity tracker updated

13. 19 April 2024

Updates to Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended) information, including amended JNCC advice links, addition of Geological Survey Notification Guidance and the addition of new seismic, explosive and piling close-out reporting process.

14. 18 April 2024

Schedule 3 Projects Return Form updated

15. 18 April 2024

Schedule 3 Notification updated

16. 16 April 2024

SNS Activity Tracker - Updated

17. 9 April 2024

SNS Activity Tracker updated to most recent version

18. 2 April 2024

HRA and SNS activity spreadsheets updated.

19. 26 March 2024

SNS tracker updated

20. 25 March 2024

Marine Licence Returns Form updated with OPRED email address and logo

21. 21 March 2024

SNS Activity Tracker Updated to most recent version

22. 12 March 2024

SNS Activity Tracker updated

23. 4 March 2024

SNS Activity Tracker updated

24. 1 March 2024

HRA Spreadsheet updated

25. 27 February 2024

SNS Activity Tracker updated

26. 20 February 2024

SNS Activity Tracker updated

27. 12 February 2024

SNS Activity Tracker updated

28. 5 February 2024

UK SNS Activity Tracker updated to most recent version

29. 2 February 2024

HRA Spreadsheet Jan 2024 - Uploaded

30. 30 January 2024

SNS activity tracker - 29/01/2024

31. 22 January 2024

SNS Activity tracker updated

32. 15 January 2024

SNS Activity Tracker updated

33. 9 January 2024

SNS Activity tracker and HRA spreadsheet updated

34. 3 January 2024

SNS Activity tracker updated

35. 19 December 2023

Report on the Use and Environmental Impact of Explosives in Decommissioning of Wells and Facilities uploaded under 'Project Reports' under 'Marine and Coastal Access Act 2009, Marine Licensing' section of the Oil and gas: offshore environmental legislation webpage.

36. 18 December 2023

SNS Activity Tracker Updated to most recent version

37. 14 December 2023

Substitution Chemical Annual Reporting Letter and associated spreadsheets within the 'Reporting requirements' sub-section of the 'Offshore Chemicals Regulations 2002 (as amended)' section of the page updated for 2023 reporting

38. 11 December 2023

SNS Tracker Updated

39. 6 December 2023

HRA Spreadsheet updated

40. 6 December 2023

OPRED@energysecurity.gov.uk updated

41. 6 December 2023

OPRED@energysecurity.gov.uk updated



42. 4 December 2023

SNS (Southern North Sea) Activity Tracker (w.c. 04.12.2023) - updated

43. 27 November 2023

SNS Activity Tracker updated

44. 24 November 2023

SNS Activity Tracker updated to most recent version

45. 13 November 2023

Updating OPRED@energysecurity.gov.uk

46. 13 November 2023

SNS Activity Tracker updated to most recent version

47. 6 November 2023

SNS Activity Tracker updated

48. 3 November 2023

HRA Spreadsheet for October - updated

49. 30 October 2023

Updated SNS tracker

50. 24 October 2023

SNS Activity Tracker updated

51. 17 October 2023

SNS Activity Tracker updated

52. 12 October 2023

MCP Frequently Asked Questions – Issued 12/10/2023

53. 5 October 2023

SNS Activity tracker updated to most recent version

54. 3 October 2023

HRA spreadsheet updated for September 2023

55. 12 September 2023

SNS activity tracker updated

56. 8 September 2023

HRA Spreadsheet update

57. 25 August 2023

One Dyas Crosgad Appraisal well HRA added.

58. 17 August 2023

Update to the Offshore PPC Guidance.

59. 16 August 2023

HRA spreadsheet updated

60. 15 August 2023

SNS Activity Tracker updated to most recent version

61. 9 August 2023

SNS Activity Tracker - weekly update

62. 2 August 2023

Updated version of SNS Activity Tracker

63. 25 July 2023

SNS ACTIVITY TRACKER - updated

64. 21 July 2023

Updated to include Eni Hewett Seismic Survey HRA

65. 10 July 2023

SNS Activity Tracker updated to most recent version

66. 7 July 2023

Update to SNS activity Tracker

67. 6 July 2023

HRA Spreadsheet updated - June 2023

68. 29 June 2023

HRA Spreadsheet updated for May 2023

69. 30 May 2023

SNS Activity Tracker - 29.05.2023 - updated

70. 18 May 2023

SAC Noise Management Working Group Communications (May 2023) has been published.

71. 5 May 2023

HRA Spreadsheet updated to latest version

72. 5 April 2023

SNS tracker update

73. 29 March 2023

HRA Spreadsheet updated to latest version

74. 28 March 2023

SNS Activity tracker updated

75. 10 March 2023

Latest version of SNS Activity Tracker has been published.

76. 7 March 2023

This page has been updated to include links to IRS guidance within the Reporting sections for applicable legislation.

77. 6 March 2023

Latest version of SNS Activity Tracker has been published

78. 27 February 2023

Latest version of SNS Activity Tracker has been published.

79. 20 February 2023

Latest version of SNS Activity Tracker has been published.

80. 13 February 2023

SNS Activity Tracker updated

81. 2 February 2023

HRA Spreadsheet Updated

82. 9 December 2022

2022 versions of Substitution Chemical Annual reporting letter and spreadsheets

83. 2 December 2022

HRA spreadsheet updated

84. 2 November 2022

Update - Oil and gas: offshore environmental legislation - HRA Spreadsheet

85. 28 October 2022

Quadrant/Block Specific Issues document update SAC Noise Management Regulators Working Group terms of reference upload/updated text

86. 4 October 2022

Monthly update to HRA spreadsheet within in the "Applications and Determinations" sub section of the "Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001(As amended)" section of the page

87. 8 September 2022

HRA Spreadsheet update - August

88. 19 August 2022

PPC - EMISSIONS MONITORING GUIDANCE and Monitoring Guidance - letter to industry.

89. 29 July 2022

PPC - EMISSIONS MONITORING PLAN and PPC Monitoring Plan - letter to industry added to page

90. 19 July 2022

Environmental Statement Details template renamed to Environmental Statement Details template – required preface to all ES submissions’ to better describe what the template is used for. This template is third document located under ‘Guidance’ under the Offshore Oil and Gas Exploration, Production, Unloading and Storage (Environmental Impact Assessment) Regulations 2020 section of the Oil and gas: offshore environmental legislation webpage. Also EIA Summary of Project Template re- uploaded to replace incorrect link

91. 18 July 2022

Adding "Required as a Preface to all ES Submissions" to "EIA Summary of Project Template".

92. 15 June 2022

OPEP guidance - Rev 6 - September 2021 and change summary and Implementation Replaced with OPEP Guidance - Rev 7 - June 2022

93. 6 June 2022

HRA spreadsheet updated

94. 24 May 2022

BP Greater NEP 3D Towed-streamer updated

95. 23 May 2022

BP - Endurance Field - Integrated Site Survey - Record of Habitats Regulations Assessment updated

96. 19 May 2022

The Schedule 3 Notification Template has been amended to include the project title and a brief overview of the activity which will be used to populate the Schedule 3 Register. The amended document has been uploaded under the 'Offshore Oil and Gas Exploration, Production, Unloading and Storage (Environmental Impact Assessment) Regulations 2020', guidance, section of the webpage.

97. 4 May 2022

HRA spreadsheet updated to latest version

98. 26 April 2022

Latest version of SNS Activity Tracker has been published.

99. 5 April 2022

New HRA survey uploaded

100. 4 April 2022

HRA spreadsheet updated

101. 31 March 2022

Latest version of SNS Activity Tracker has been published

102. 3 March 2022

HRA spreadsheet updated

103. 2 March 2022

Addition of 'Technical Note: Review of rock and other protective material use in offshore oil and gas operations in the UK Continental Shelf' to the 'Project Reports' sub-section of the 'Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended)' section of the page

104. 18 February 2022

Update to resolve issues with the page

105. 4 February 2022

Changes to the webpage include updated version of the OPPC Guidance Notes and removal of the Interim OPPC Guidance - Letter to Industry - 28th February 2019 as this guidance is captured within the main OPPC Guidance Notes. Moreover the Supplementary Guidance on the Offshore Chemicals and Offshore Petroleum Activities (Oil Pollution Prevention and Control) (Coronavirus) (Amendment) Regulations 2020 has been removed as it is no longer applicable. Both these documents were previously found at the same location as the OPPC Guidance Notes

106. 2 February 2022

Monthly update to HRA Spreadsheet within the 'Applications and determinations' sub-section of the 'Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended)' section of the page

107. 27 January 2022

Link to 'Marine environment: unexploded ordnance clearance joint interim position statement' added to SNCB Noise Guidance sub-section of the 'Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended)' section of the page

108. 26 January 2022

Addition of 'Technical Note: Review of rock and other protective material use in offshore oil and gas operations in the UK Continental Shelf' to the 'Project Reports' sub-section of the 'Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended)' section of the page

109. 6 January 2022

Monthly update to HRA Spreadsheet within the 'Applications and determinations' sub-section of the 'Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended)' section of the page

110. 17 December 2021

PPC inspection letters 2021 tracker updated.



111. 14 December 2021

Update to OSPAR : Annual Reporting Relating to Chemical Goals documentation for 2021 within the 'Reporting requirements' sub-section of the the 'Offshore Chemicals Regulations 2002 (as amended)' section of the page

112. 1 December 2021

Monthly update to HRA Spreadsheet within the 'Applications and determinations' sub-section of the 'Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended)' section of the page

113. 23 November 2021

PPC Inspection letters 2021 register updated.

114. 5 November 2021

HRA tracking spreadsheet updated.

115. 25 October 2021

2021 PPC inspection letters tracker updated.

116. 24 September 2021

Update to OPEP Guidance under 'Regulations' and addition of 'OPEP Guidance - Change Summary' document under 'Other Useful Information' of the 'Merchant Shipping (Oil Pollution Preparedness, Response Co-operation Convention) Regulations 1998' section of the page

117. 22 September 2021

Addition of ION (GX Technology EAME Ltd/GX Technology Corporation) MNSH Phase 2B Seismic Survey September 2021 - Record of Habitats Regulations Assessment to the Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended) Applications and Determinations section.

118. 22 September 2021

Changes to Regulation text and reporting requirements for The Energy Act, Fluorinated Greenhouse Gases, Offshore Chemicals, Offshore Combustion Installations, Offshore Petroleum Activities and Ozone-Depleting Substances

119. 6 September 2021

SNS Activity Tracker updated.

120. 3 September 2021

Monthly update to HRA Spreadsheet within the 'Applications and determinations' subsection of the 'Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended)' section of the page

121. 31 August 2021

Notes added regarding the Marine Geological Survey Guidance and the Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended) Guidance.

122. 20 August 2021

OPRED Legislation - 2021 PPC inspection letter register updated.

123. 16 August 2021

PPC inspection letters 2021 updated.

124. 9 August 2021

HRA spreadsheet update for August 2021 under the 'Applications and determinations' subsection of the 'Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended)' section of the page

125. 4 August 2021

The temporary modifications to the Offshore Chemicals Regulations 2002 (“OCR”) and the Offshore Petroleum Activities (Oil Pollution Prevention and Control) Regulations (“OPPC Regulations”) introduced by the “The Offshore Chemicals and Offshore Petroleum Activities (Oil Pollution Prevention and Control) (Coronavirus) (Amendment) Regulations 2020” (“the 2020 Regulations”) will lapse at the end of 4th September 2021. Supplementary guidance has been updated to assist permit applicants in relation to public notice provisions.

126. 23 July 2021

Addition of HRA document to the 'Applications and determinations' subsection of the 'Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended)' section of the page

127. 23 July 2021

PPC Inspection letters 2021 updated.

128. 22 July 2021

Updated version of The Offshore Oil and Gas Exploration, Production, Unloading and Storage (Environmental Impact Assessment) Regulations 2020 - A Guide published.

129. 20 July 2021

Updated OPPC Non-Compliance Notification Form uploaded to the 'Reporting Requirements' sub-section of the 'Offshore Petroleum Activities (Oil Pollution Prevention and Control) Regulations 2005 (as amended)' section of the page

130. 15 July 2021

OCR Non-compliance form within the 'Reporting Requirements' sub-section of the 'Offshore Chemicals Regulations 2002 (as amended)' section of the page updated

131. 13 July 2021

Removal of Notice of intention to vary PPC conditions.

132. 8 July 2021

Update to HRA Spreadsheet within the 'Applications and Decisions' sub-section of the 'Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended)' section of the page

133. 7 July 2021

PPC inspections 2021 tracker updated.

134. 2 July 2021

Amendment to text and upload of updated guidance document in the 'Guidance' sub section of the 'Offshore Oil and Gas Exploration, Production, Unloading and Storage (Environmental Impact Assessment) Regulations 2020' section of the page

135. 30 June 2021

PPC inspection tracker 2021 updated.

136. 28 June 2021

Addition of Notice of intention to vary PPC conditions to the 'Additional guidance for the Large Combustion Plant (BAT-AEL and Derogation)' sub-section of the 'Offshore Combustion Installations (Pollution Prevention and Control) Regulations 2013 (as amended)' section of the page

137. 25 June 2021

2021 PPC Inspection letter added.

138. 18 June 2021

2021 PPC inspection letters register updated.

139. 1 June 2021

Schedule 3 Notification, Environmental Statement Details Template and EIA Summary of Project Template added to Offshore Oil and Gas Exploration, Production, Unloading and Storage (Environmental Impact Assessment) Regulations 2020.

140. 11 May 2021

Addition of ION (GX Technology EAME Ltd/GX Technology Corporation) Southern North Sea Seismic Survey 2021 – Record of Habitats Regulations Assessment within the 'Applications and Determinations subsection of the 'Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended)' section of the page

141. 10 May 2021

Update to HRA Spreadsheet within the 'Applications and Determinations' sub-section of the 'Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended)' section of the page

142. 26 April 2021

Change to Environmental Statements bullet point under 'Applications and determinations' within the 'Offshore Oil and Gas Exploration, Production, Unloading and Storage (Environmental Impact Assessment) Regulations 2020' section of the page

143. 12 April 2021

2021 PPC inspections tracker updated.

144. 7 April 2021

New text added to Guidance section of 'The Offshore Oil and Gas Exploration, Production, Unloading and Storage (Environmental Impact Assessment) Regulations 2020' section of the page

145. 30 March 2021

Additional text and documentation on wild birds has been included in the section on the Conservation of Offshore Marine Habitats & Species Regulations 2017.

146. 18 March 2021

2021 PPC inspection letters updated and note regarding contacting OPRED added the the Guidance subsection of the 'Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended)' section of the page

147. 24 February 2021

Changes to SNCB Noise Guidance text and addition of SNS RWG terms of reference and communications within the 'Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended)' section of the page

148. 22 February 2021

Installation identifiers in completing Annual Activity Level changes added.

149. 19 February 2021

Additional text on wild birds has been included in the section on the Conservation of Offshore Marine Habitats & Species Regulations 2017.

150. 25 January 2021

PPC Inspection Letters issued in 2021 tracking spreadsheet added.

151. 1 January 2021

Update of 'Offshore Petroleum Production and Pipelines (Assessment of Environmental Effects) Regulations 1999 (as amended)' entire section to 'The Offshore Oil and Gas Exploration, Production, Unloading and Storage (Environmental Impact Assessment) Regulations 2020' and addition of UK ETS Civil Penalties Guidance Document in the Non-compliance sub-section of the 'Greenhouse Gases Emissions Trading Scheme (ETS)' section of the page

152. 8 December 2020

Clair Ridge PPC inspection letter added to tracker.

153. 23 November 2020

Substitution Chemical Annual Reporting Letter and associated spreadsheets within the 'Reporting requirements' sub-section of the 'Offshore Chemicals Regulations 2002 (as amended)' section of the page updated for 2020 reporting

154. 19 November 2020

'The Offshore Chemicals and Offshore Petroleum Activities (Oil Pollution Prevention and Control) (Coronavirus) (Amendment) Regulations 2020' added to the Regulations and 'Supplementary Guidance on the Offshore Chemicals and Offshore Petroleum Activities (Oil Pollution Prevention and Control) (Coronavirus) (Amendment) Regulations 2020' added to Guidance sections of both the 'Offshore Chemicals Regulations 2002 (as amended)' and the 'Offshore Petroleum Activities (Oil Pollution Prevention and Control) Regulations 2005 (as amended)' sections of the page

155. 18 November 2020

Addition of 'PPC LCP: Pro-forma to Request a Derogation' form to the 'Additional guidance for the Large Combustion Plant (BAT-AEL and Derogation)' subsection of the 'Offshore Combustion Installations (Pollution Prevention and Control) Regulations 2013 (as amended)' section of the page

156. 17 November 2020

Amendments to the main body of text in the 'Offshore Combustion Installations (Pollution Prevention and Control) Regulations 2013' section of the page

157. 9 November 2020

Monthly update to HRA Spreadsheet within the 'Applications and Determinations' subsection of the 'Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended)' section of the page

158. 2 November 2020

Updated Record of Habitats Regulations Assessment for 'Tullow - Seabed Clearance Campaign: Horne and Wren, Orwell, Cameron Revised Works' in the 'Applications and determinations' subsection of the 'Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended)' section of the page

159. 2 November 2020

Update to the 'EU ETS Civil Penalties details' spreadsheet in the 'Non-compliance' subsection of the 'Greenhouse Gases Emissions Trading Scheme (ETS)' section of the page

160. 12 October 2020

CBA Tool User Aid Guidance Update

161. 7 October 2020

PPC Inspection Letters 2020 updated

162. 6 October 2020

Update to HRA spreadsheet under 'Applications and Determinations' within the 'Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended)'

163. 1 October 2020

Update to the 'EUETS Civil Penalties Details' spreadsheet within the Non-compliance sub-section of the 'Greenhouse Gases Emissions Trading Scheme (ETS)' section of the page

164. 25 September 2020

Addition of Record of Habitats Regulations Assessment in relation to 'BP - Endurance Field - Integrated Site Survey' and 'Tullow - Seabed Clearance Campaign: Horne and Wren, Orwell, Cameron'

165. 22 September 2020

CBA Tool Supplementary Guidance for the Large Combustion Plant (LCP) Derogation

166. 4 September 2020

Record of Habitats Regulations Assessment - Premier Oil - Tolmount Pile-driving



167. 22 July 2020

Addition to the 'EUETS Civil Penalties Details' spreadsheet within the 'Non-compliance' section of the 'Greenhouse Gases Emissions Trading Scheme (ETS)'

168. 8 July 2020

Additional guidance for the Large Combustion Plant (BAT-AEL and Derogation)

169. 19 June 2020

OPRED position published on offshore site visits by verifiers during the Coronavirus Outbreak 2020. Phase IV specific guidance referenced in update on 17 June related to OPRED published industry draft interim guidance for monitoring methodology plans (MMP) and an unreasonable costs tool which can be found under Phase IV specific guidance, Greenhouse Gases Emissions Trading Scheme (ETS) section of the page.

170. 17 June 2020

Phase IV specific guidance

171. 10 June 2020

GX Technology / ION Geophysical Corporation Southern North Sea 3D Seismic Survey: Record of Habitats Regulations Assessment

172. 3 June 2020

SNCB Noise Guidance

173. 1 June 2020

Monthly update to 'HRA Spreadsheet' within the 'Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended)' section of the page under 'Applications and determinations'

174. 4 May 2020

Update to the 'HRA Spreadsheet' under 'Applications and Determinations' within the 'Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended)' section of the page

175. 1 May 2020

Updated EIA Guidance 2020

176. 27 April 2020

Updated the EIA guidance.

177. 8 April 2020

HRA Spreadsheet Updated in the 'Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended)' section of the page under 'Applications and Determinations'

178. 27 March 2020

Update to the 'EU-ETS Civil Penalties details' spreadsheet under 'Non-compliance' in the 'Greenhouse Gases Emissions Trading Scheme (ETS)' section of the page

179. 20 March 2020

Update to the entire 'The Greenhouse Gases Emissions Trading Scheme (ETS)' section of the page

180. 17 March 2020

Added inspection letters spreadsheet for 2020.

181. 6 February 2020

Addition of project report to 'The Offshore Petroleum Production and Pipe-lines (Assessment of Environmental Effects) Regulations 1999 (as amended)' section of the page

182. 14 January 2020

Addition of all sections from the Oil and gas: legislation on emissions and releases page relocated to the Oil and gas: offshore environmental legislation page with the Financial Responsibility section updated and included under the Offshore Petroleum Licensing (Offshore Safety Directive) Regulations 2015

183. 9 January 2020

Addition to 'EU-ETS Civil Penalties Details' spreadsheet

184. 3 December 2019

'Reporting Requirements' under the 'Offshore Chemical Regulations 2002 (as amended)' updated to include substitution chemical annual reporting letter and documentation for 2019

185. 12 November 2019

Addition to Civil Penalties Details spreadsheet

186. 10 October 2019

Order of Regulations changed to alphabetical order

187. 26 September 2019

Addition to EU-ETS Civil Penalties Details spreadsheet within 'EU-ETS Non-Compliance' under the 'Greenhouse Gases Emissions Trading Scheme (ETS)' section of the page

188. 6 September 2019

Updated ESOS Phase 2 Guidance

189. 2 September 2019

Update to the EU-ETS Civil Penalties Details spreadsheet

190. 10 July 2019

Update to 'Quadrant/Block Specific Issues' document under 'Environmentally Sensitive Areas' within the 'Offshore Petroleum Production and Pipelines (Assessment of Environmental Effects) Regulations 1999 (as amended)' section of the page

191. 9 July 2019

Addition of the 'JNCC UK Marine Protected Area (MPA) Mapper' under 'Environmentally Sensitive Areas' within the 'Offshore Petroleum Production and Pipelines (Assessment of Environmental Effects) Regulations 1999 (as amended)' section of the page

192. 5 July 2019

Addition of 'Seabird Oil Sensitivity Index' under 'Environmentally Sensitive Areas' within the 'Offshore Petroleum Production and Pipelines (Assessment of Environmental Effects) Regulations 1999 (as amended)' section of the page

193. 13 June 2019

Addition of the link to 'The Marine Licensing (Exempted Activities) (Amendment) Order 2019' to 'The Marine and Coastal Access Act 2009' section of the page

194. 4 June 2019

Removal of 'EU Emissions Trading System – DECC Civil Sanctions Guidance to Industry' and replacement with 'EUETS for Offshore Installations - Civil Penalties Guidance Document' under 'EU ETS non-compliance' within the 'Greenhouse Gases Emissions Trading Scheme (ETS)' section of the page

195. 2 May 2019

Addition of two 'Record of Habitats Regulations Assessments' to the 'Applications and determinations' part of the 'Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended)' section of the page

196. 18 April 2019

Amendments to the 'Energy Act 2008, Part 4A Consent to Locate' section of the page

197. 28 February 2019

Addition of Interim OPPC Guidance - Letter to Industry of 28th February 2019 under 'Guidance' within 'The Offshore Petroleum Activities (Oil Pollution Prevention and Control) Regulations 2005 (as amended)' section of the page

198. 21 February 2019

Addition of the 'Record of Habitats Regulations Assessment' for Corallian Energy Limited, Colter Appraisal Well 98/11-E under 'Applications and Determinations' within the 'The Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended)' section of the page

199. 15 February 2019

Amendments to the 'The Food and Environment Protection Act 1985, Part II Deposits in the Sea' sections of the page

200. 15 February 2019

In the 'The Offshore Petroleum Production and Pipelines (Assessment of Environmental Effects) Regulations 1999 (as amended)' section of the page, the OPRED EIA Guidance has been updated effective 14/02/2019

201. 12 February 2019

Change to PON10 reporting form to update UK Hydrographic Office contact details & update to The Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended), Applications and Determinations to add a new entry to the section

202. 28 January 2019

Additions made to the EU ETS Civil Penalties Details register

203. 5 December 2018

Update to Substitution Chemical Reporting Documents for 2018 reporting

204. 28 November 2018

Update to entire 'The Offshore Petroleum Activities (Oil Pollution Prevention and Control) Regulations 2005 (as amended)' section of the page and to entire 'The Marine and Coastal Access Act 2009' section of the page

205. 18 October 2018

The sections on the Pollution Prevention Control (Fees) Regulations 2015, 2016, 2016 (No. 2) & 2017, including guidance relating to all charging provisions and the latest versions of relevant charging schemes have all been removed from this page and can now be found on the new 'Oil and Gas: fees and charges' page.

206. 18 October 2018

- Updated PON10 reporting form added
207. 18 September 2018
- 'Energy Savings Opportunity Scheme 2014' Section updated
208. 3 September 2018
- Update to Marine Planning August 2018 was uploaded to the website 31.08.2018
209. 9 August 2018
- Addition of 'PPC Inspection Letters Issued in 2018' spreadsheet
210. 26 July 2018
- Amendments to 'The Offshore Petroleum Activities (Oil Pollution Prevention and Control) Regulations 2005 (as amended)' section of the page
211. 19 July 2018
- Minor amendment to OCR non-compliance reporting section and minor amendments to text, document titles and link updates throughout 'The Offshore Petroleum Production and Pipelines (Assessment of Environmental Effects) Regulations 1999 (as amended)' and 'The Conservation of Offshore Marine Habitats and Species Regulations 2017'
212. 13 July 2018
- Addition of Environmental Inspection Plans 2018 Document
213. 28 June 2018
- The 'Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (as amended)' section has been amended to reflect the change to the 'Conservation of Offshore Marine Habitats and Species Regulations 2017'
214. 22 June 2018
- Amendments to the Offshore Chemicals Regulations 2002 section
215. 24 May 2018
- Change to OPRED (BEIS) email addresses and telephone contact numbers
216. 10 May 2018
- The Offshore Combustion Installations (Pollution Prevention and Control) Regulations 2013 - Post Implementation Review added
217. 23 March 2018
- Updated OPRED EIA guidance to Version 4 as of 22.03.2018

218. 6 March 2018

Amendments made to 'The Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 (as amended)' section, 'The Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (as amended)' section, and addition of 'The Marine Strategy Regulations 2010' section as of 13/02/2018

219. 2 March 2018

Additions made to the EU ETS Civil Penalties Details spread sheet.

220. 16 February 2018

Addition of The Marine Strategy Regulations 2010

221. 11 December 2017

Update to EU-ETS Civil Penalties Details spreadsheet

222. 5 December 2017

Updated Substitute Reporting Guidance and Spreadsheets for 2017

223. 3 November 2017

The Offshore Petroleum Production and Pipelines (Assessment of Environmental Effects) Regulations 1999 (as amended) section of the webpage updated and revised EIA Guidance - September 2017 uploaded 07/09/2017

224. 3 November 2017

The Offshore Petroleum Production and Pipelines (Assessment of Environmental Effects) Regulations 1999 (as amended) section of the webpage updated and revised EIA Guidance - September 2017 uploaded

225. 5 July 2016

EU ETS Civil Penalties Issued - (added)

226. 12 May 2016

Oil and Gas: Updated documents and added The Pollution Prevention for 2016

227. 28 January 2016

Offshore Combustion Installations Pollution Prevention and Control Regulations 2013 - Charging Scheme for the period 01/04/2015 to 21/07/2015 - (added)

228. 2 December 2015

OSPAR annual reporting on the phase-out of hazardous substances - (updated)



229. 2 December 2015
- The Energy Savings Opportunity Scheme Regulations 2014 - (updated)
230. 8 October 2015
- PPC Inspection Letters Issued - (updated)
231. 7 August 2015
- EU Emissions Trading System – DECC Civil Sanctions Guidance to Industry - (added)
232. 4 August 2015
- The Greenhouse Gas Emissions Trading System Regulations 2012 - (added)
233. 3 August 2015
- PPC Inspection Letters Issued - (updated)
234. 20 July 2015
- The Pollution Prevention and Control (Fees) (Miscellaneous Amendments and Other Provisions) Regulations 2015 - (added)
235. 30 June 2015
- EU Emissions Trading System – Appeals Guidance - (added)
236. 5 June 2015
- Oil and Gas: Updated the PPC Inspection letters document for June
237. 31 March 2015
- Oil and Gas: Environmental Legislation - Technical justification spreadsheet - (updated) and FAQ - (added)
238. 17 March 2015
- Oil and gas: Environmental legislation - PPC Inspection Letters Issued - (updated)
239. 9 March 2015
- Oil and gas: ESOS Guidance notes for the offshore oil and gas industry - (added)
240. 17 February 2015
- Oil and gas: Environmental Inspection Plan 2015 - (added)
241. 16 February 2015

- Oil and gas: Guidance on the Notification of Temporary Equipment used offshore - (updated)
242. 9 February 2015
- Oil and Gas: Recording and Analysis of Underwater Pile Driving: Installation of a Drilling and Production Jacket at Clair Ridge - (added)
243. 16 January 2015
- Oil and gas: ETSWAP industry user guidance - (added)
244. 15 January 2015
- Oil and gas: PPC Inspection Letters - (added)
245. 19 December 2014
- Oil and gas: Guidance for completing the Commission GHG Change of Activity Form Partial Cessation - (updated)
246. 5 December 2014
- Oil and Gas: Update of OSPAR reporting documents and addition of technical justification spreadsheet
247. 4 December 2014
- Oil and Gas: Added OGED notification spreadsheet and removed DECC-OGED Change Form
248. 18 August 2014
- Oil and gas: Environmental Inspection Plan 2014 - (added)
249. 31 July 2014
- Oil and gas: Energy Savings Opportunity Scheme 2014 guidance - (added)
250. 30 June 2014
- Oil and gas: Energy Savings Opportunity Scheme 2014 details - (added)
251. 16 April 2014
- Oil and gas: Guidance on Consent to Locate Application Types - (added)
252. 4 April 2014
- Oil and gas: OPPC guidance notes for industry - (updated)
253. 18 March 2014

Oil and gas; OPPC PETS FAQ - (updated)

254. 6 February 2014

Oil and gas: OPPC frequently asked questions - (added)

255. 28 January 2014

Oil and gas: ETS7 - removed

256. 14 January 2014

Oil and gas: OSPAR annual reporting updated

257. 28 November 2013

Oil and gas: Moray Firth study final report - (added)

258. 19 September 2013

The Energy Act 2008, Part 4A Consent to Locate Reporting requirements updated

259. 22 May 2013

The Offshore Combustion Installations (Prevention and Control of Pollution) Regulations 2013 - added

260. 22 January 2013

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