

Monitoring – OPGGS Legislative Regime

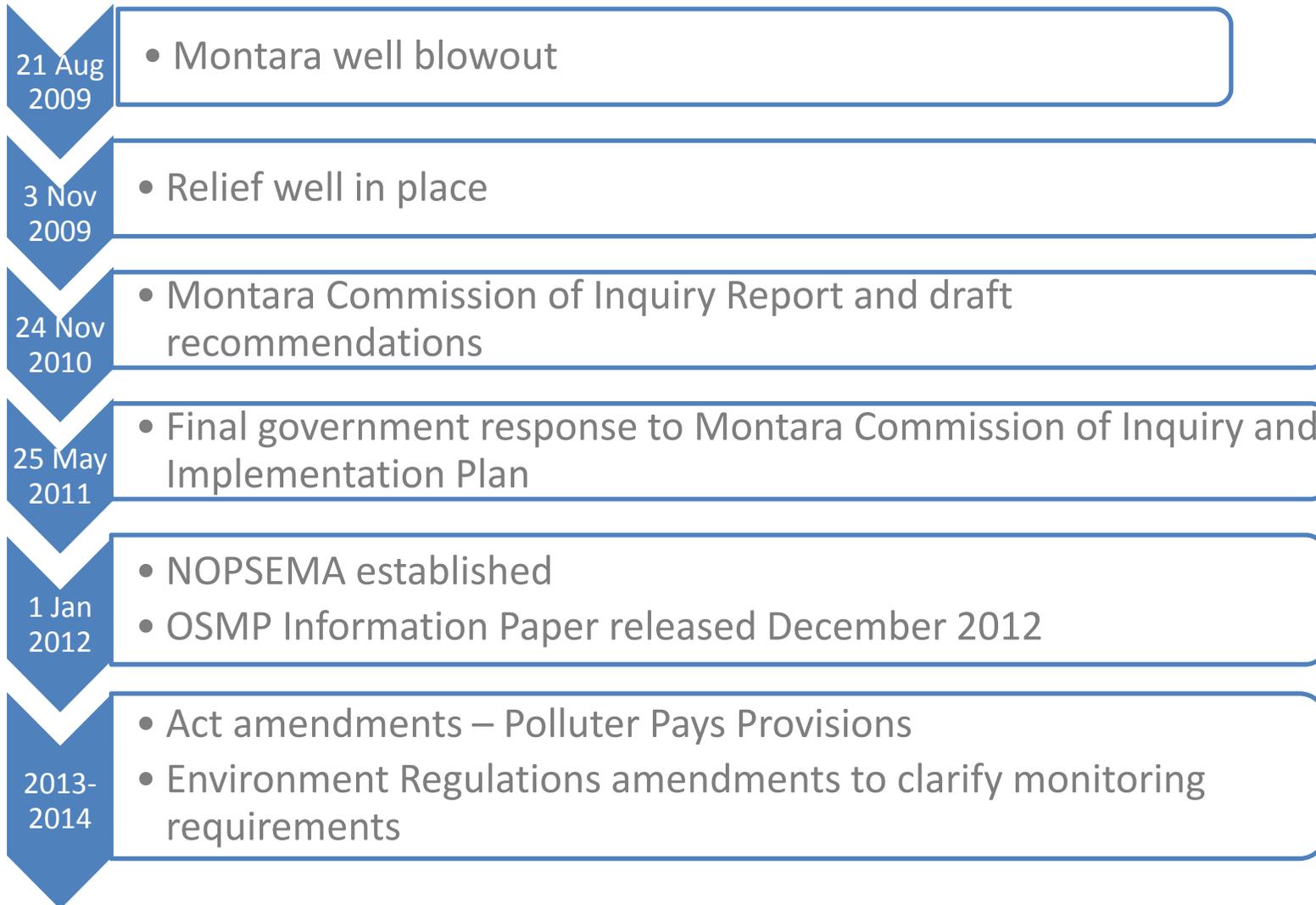
Oceans Institute Dialogue – Effective Marine
Monitoring

November 2013



- NOPSEMA established following Montara Commission of Inquiry
- Objective-based regulatory regime:
 - Involves holding to account those that create the risk
 - Recognised as international regulatory best practice
 - Provides flexibility for offshore industry to drive continuous improvement in risk management
- Relevant legislation:
 - OPGGS Act 2006
 - OPGGS (Environment) Regulations 2009
 - OPGGS Amendment (Compliance Measures No. 2) Act 2013
- Guidance:
 - Information Paper on Operational and Scientific Monitoring Programs

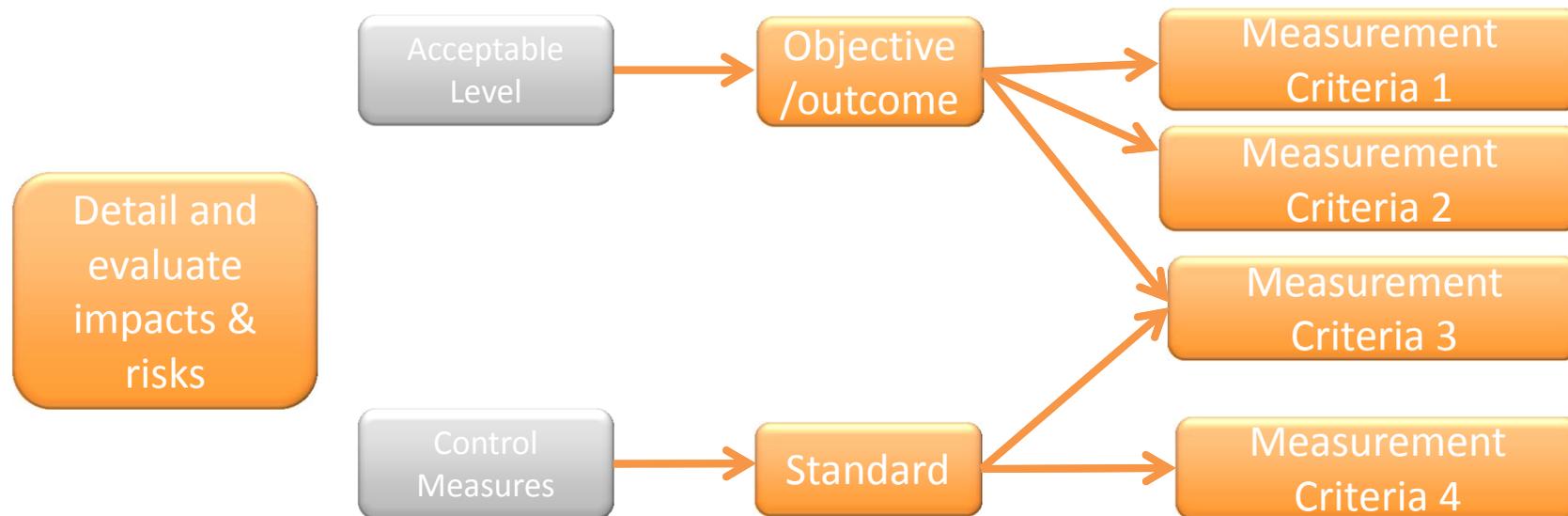




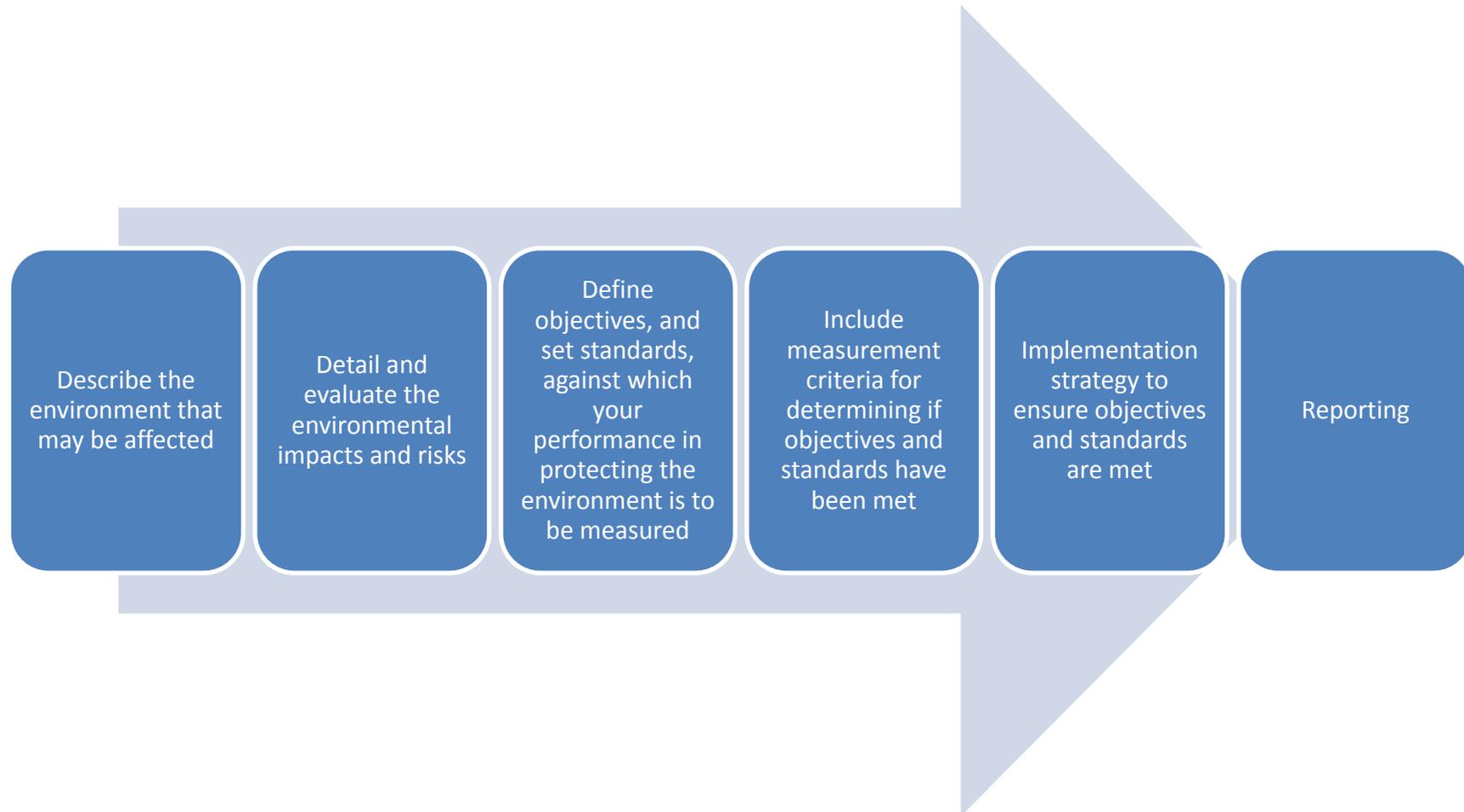
- “Object of the Environment Regulations is to ensure that any petroleum activity... carried out in an offshore area is carried out *in a manner consistent with the principles of ecologically sustainable development*” OPGGS (Environment) Regulations 2009
- Monitoring is needed to determine if the environment is being protected
- The Environment Regulations do not prescribe how environmental monitoring is to be designed and implemented
- This affords flexibility for industry to innovate and continually improve
- With this flexibility, it is important that operators demonstrate that monitoring is appropriate and fit for purpose – consideration for technical and logistical aspects



- Monitoring to determine if environmental performance objectives and environmental performance standards are met for both planned and unplanned events
- Management monitoring



Is monitoring appropriate? Regulations 13, 14, 15



Critical success factors

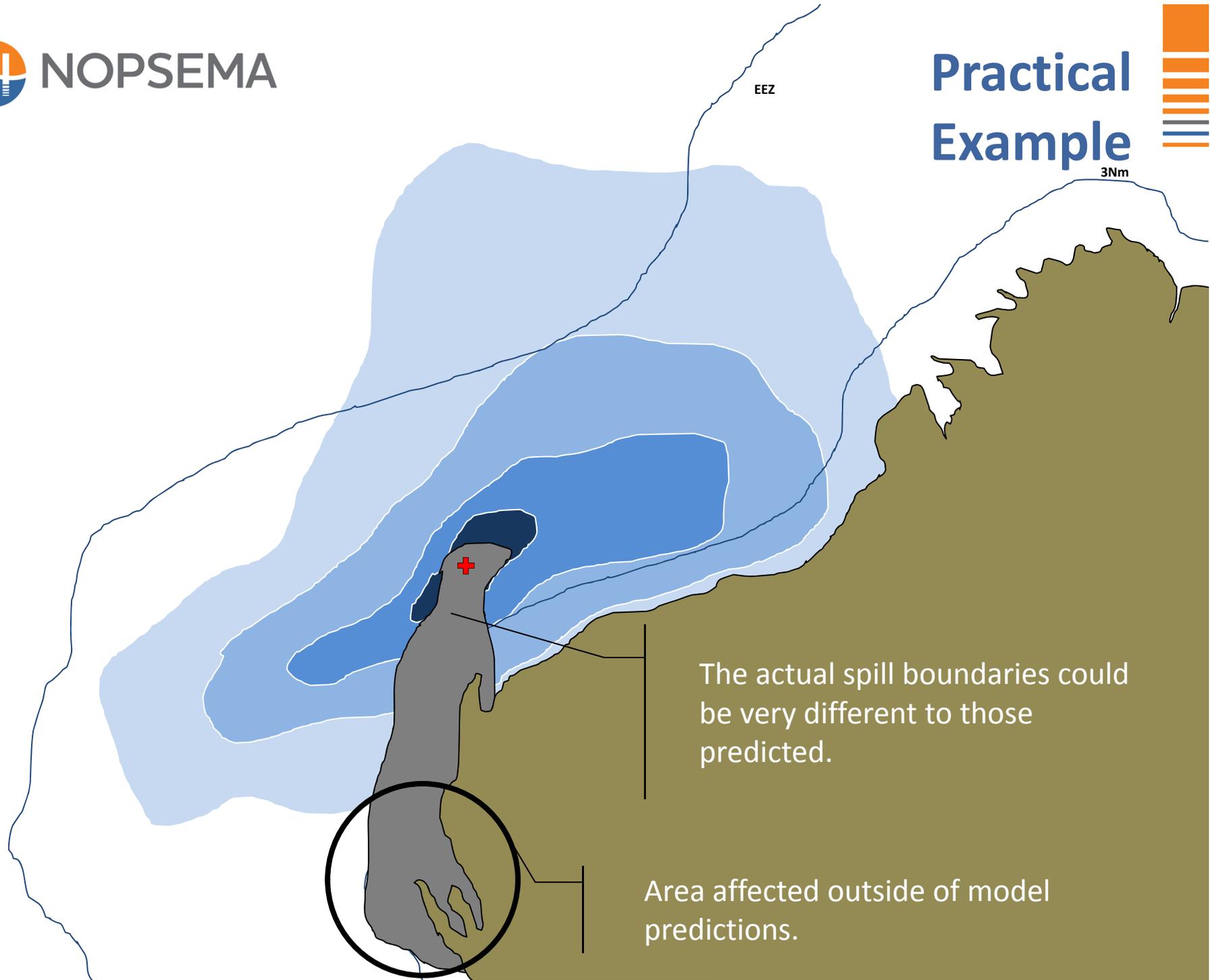
- Fit-for-purpose monitoring programs
- Robust and defensible experimental design, including use of baseline data where applicable
- Monitoring arrangements are logistically feasible
- Roles and responsibilities are clear and agreed
- Flexible design that can be adapted on the day and updated over time
- Post-spill environmental monitoring is linked to the EP and OSCP through EPOs - no monitoring without purpose
- Scale and design of monitoring matched to the risks presented
- Monitoring used to inform management



Specific considerations for oil spill monitoring

- Consider scale of readiness arrangements in context of risk evaluation
- Reconciling available baseline data with scope and scale of proposed monitoring
- Alternate approaches where baseline data inadequate
- Flexibility important – what actions will be taken if impacts are different from those predicted (e.g. larger, smaller or for different receptors)



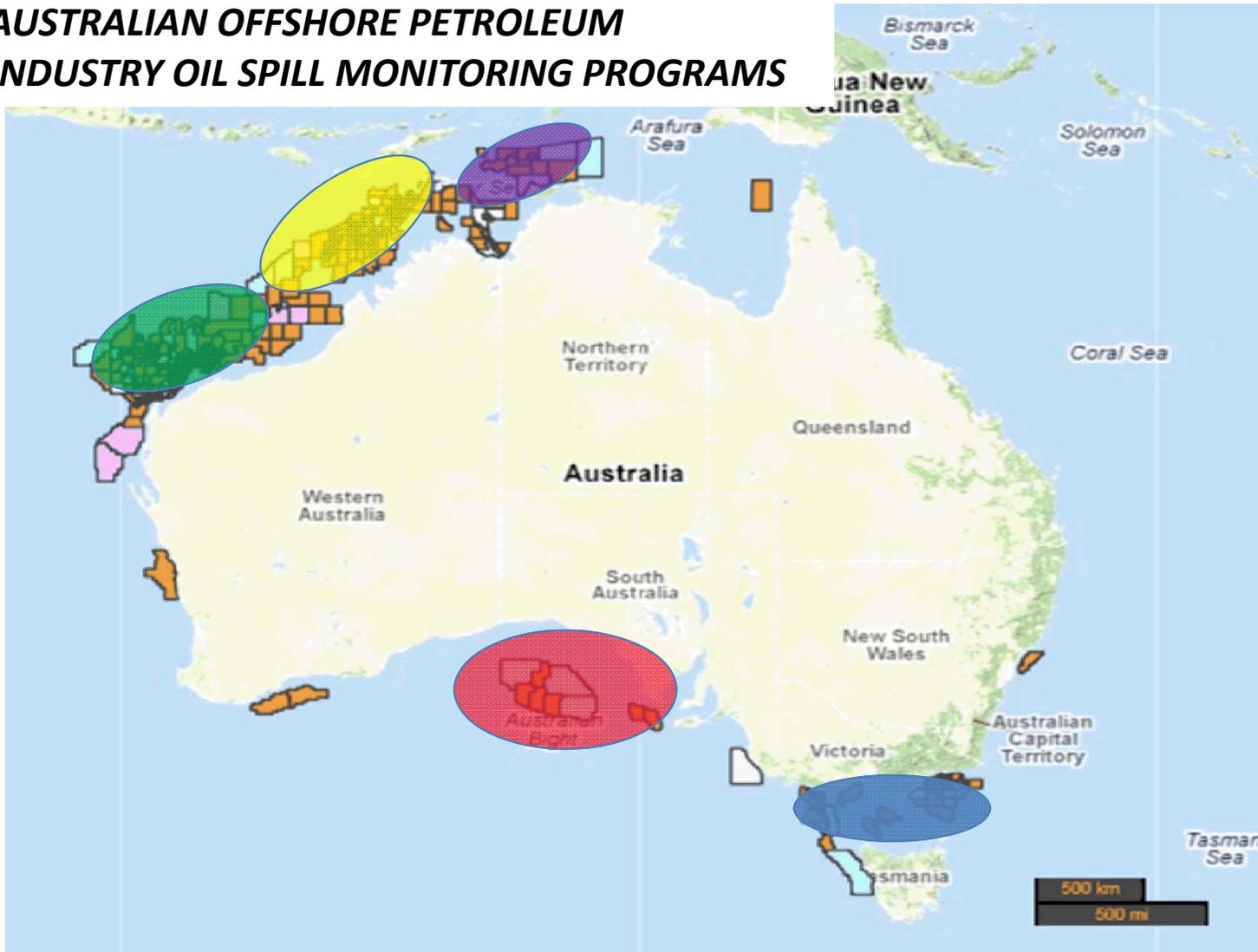


Specific considerations for oil spill monitoring

- Receptor selection – links between receptors identified in risk evaluation and those identified as candidates for monitoring
- Baseline data requirements are fulfilled, can be fulfilled prior to the spill risk period or an alternate approach to ensure impacts can be detected
- Monitoring data to be collected will be amenable for evaluation against the termination criteria (and baseline if applicable)
- Clear links between operational and scientific monitoring
- Consider collaborative approaches



***NOTIONAL CONCEPT -
AUSTRALIAN OFFSHORE PETROLEUM
INDUSTRY OIL SPILL MONITORING PROGRAMS***



- OSMP Information Paper 1st published in Dec 2012
- Paper will be updated based on comments received, NOPSEMA experience implementing the regulations and recent legislative amendments
- <http://www.nopsema.gov.au/environmental-management/environmental-resources/information-papers/>
- Develop guidance on planned impact monitoring

