

Offshore Industry Advisory Committee		OIAC/MIN/1/2014	
Meeting date:	25 <sup>th</sup> Feb. 2014	Open Gov. Status:	Fully open
Type of paper:	Minutes	Paper File ref:	2014/79110
Exemptions:	None		

## Minutes of the 'Special' Offshore Industry Advisory Committee Meeting held on 25<sup>th</sup> Feb. 2014 at Lord Cullen House, Aberdeen

### Present:-

Chairman Susan Mackenzie HSE, Secretariat Mike Readitt HSE, Jim Neilson HSE, Steve Walker HSE, Dave Walker OCA, Andrew Taylor DECC, Richard Nevinson BROA, Neaz Hyder MCA, Paul Wilkins MCA, Jake Molloy RMT, Robert Paterson Oil & Gas UK, Brian Negus GMB, Ian Russell COTA, Ian Tasker STUC, Russell Ford ABS, Dave McLean Lloyds Register and Ben Hukins DNV

### 1. Introductions

- 1.1 The Chairman extended a warm welcome to everyone, particularly Russell Ford, the new ABS representative, and to Andrew Taylor (DECC), Ben Hukins (DNV), and Dave McLean (Lloyds Register) who were deputising.

### Apologies

- 1.2 These were received from Nick Woollacott DECC, Les Linklater Step Change, John Taylor Unite – TGWU, Allan Graveson (Nautilus International), Jane Bugler IMCA, Gavin Sutherland IADC and Ian Mackay Lloyds Register.

### 2. Transposing the EU Offshore Directive

- 2.1 At the October 2013 meeting, members had agreed it would be advantageous to receive presentations from HSE and DECC on the progress, implications and challenges the regulator and industry face in implementing the EU Offshore Directive. This meeting had been organised to bring members up to date on HSE's and DECC's emerging thoughts on how the Directive will be transposed into UK legislation, to take feedback and discuss the implications and issues for both Depts. The meeting also provided an opportunity to communicate the work being undertaken to establish the role and remit of the Competent Authority.
- 2.2 The following is a summary of the key points from each presentation.

#### (HSE presentation)

- The Safety Case Regulations (SCR) 2005 already contain many of the Directive's requirements. These regulations will be revoked and re-introduced as the SCR 2015 with existing provisions expanded and new duties added (as required).

- Guidance will be provided to explain the Directive's wording and to clarify what is required to comply with its requirements.
- It is proposed 'diving operations' involving less than 5 people, will be maintained within the definition of 'major accident' within the SCR.
- Notifications must include environmental as well as safety information.
- Well notifications must include the findings of the 'Independent Competent Person' and the well operator will need to consult the ICP before submitting a Material change.
- Safety Cases will be required to include safety and environmental information.
- Changes will be necessary to the independent verification scheme.
- New incident reporting requirements are to be introduced.

### **DECC presentation**

- A gap analysis to assess the impact on DECC licensing and environmental regimes is now completed, proposals to fill legislative gaps are being drafted.
- Dept. for Environment and Rural Affairs (Defra) and the Devolved Authorities will be responsible for amending legislation to implement changes to the Environmental Liability Directive.
- Dept for Transport (DfT) and the Maritime and Coastguard Agency (MCA) will be responsible for implementing requirements relating to the External Emergency Response Plan.
- DECC LED Licensing are required to amend licensing and operatorship processes to meet Directive requirements.
- Oil Pollution Emergency Plan requirements will be extended and merged with other aspects of emergency response (Internal Emergency Response Plan). There will be environmental obligations on licensees, operators and owners etc. where they could be liable for any environmental damage.
- Current DECC environmental regulations, apart from the emergency response regulations, e.g. EIA, Habitats, Offshore Chemicals, Oil Discharge etc., have been reviewed and no changes are anticipated.
- Amendments to the Environmental Damage Regulations will extend the Environmental Liability Directive provisions to all activities, not just oil and gas, anywhere on the UKCS.

### **Competent Authority presentation**

- The safety and environmental regulation under the Directive will be incorporated into a Competent Authority (CA) public authority.
- The CA will advise the Licensing Authority on the capability (technical and financial) of all applicants and operator appointments. It will assess and accept various reports and notifications, and provide oversight of Annual plans, compliance, inspections, investigations and enforcement.
- The CA will submit annual reports to the Commission covering regulatory activity, industry performance and incident data.
- They will initiate investigations for major accidents, and make reports public.
- It is propose there will be a single CA intervention plan for each duty holder, covering all planned CA inspection activities.
- A partnership arrangement between HSE and DECC will form the CA and they will operate under a MoU arrangement.

- An IT portal will be established for all notifications and submissions to the CA on major hazard safety or environmental issues.
- In addition to RIDDOR there will be common data reporting e.g. for HCRs, loss of well control and structural integrity.

### **3. Any other business**

#### Offshore Accommodation

- 3.1 At the October 2013 meeting, it was brought to members' attention that the lack of available bed spaces on some installations was seen as constraining oil and gas developments on the UKCS. OIAC had seen it fit to discuss the matter further through tripartite discussions between the Industry, Regulator and Unions.
- 3.2 More recent Ministerial correspondence had requested that HSE relax its guidance regarding cabin occupancy. The Chairman reported that HSE has very recently given considerable thought to the issues and options and will be writing to Malcolm Webb (Oil & Gas UK Chief Executive) with proposals.
- 3.3 The Unions voiced robust concerns over the lessening of standards and the wide range of health and welfare implications this posed for workers. They stated that putting another man into cabins occupied by two others on the opposite shift failed to take into account;
- situations where cabins are currently occupied on both shifts by workers and where one worker has the cabin to themselves,
  - continuing inequality issues where oil company staff and supervisors will not be affected by this imposition, only the workforce / contractors will be forced to accept this,
  - the consideration and adoption of best practice, as there are examples of single occupancy in the UK and Norway.
  - the psychological impact of having a complete stranger suddenly coming into your personal living space.
- 3.4 The Unions believed any lessening of standards would be a retrograde step and that it would contradict the industry ethos of "continuous improvement". There was an expectation the regulator would apply rigorous assessments of compliance with TSR standards around smoke and gas ingress as a very minimum. HSE made it clear that any changes to accommodation arrangements can only be made if all relevant statutory provisions continue to be complied with.

#### Date of the next OIAC Meeting

Members were informed the next regular meeting will be held on 18<sup>th</sup> March 2014, at Lord Cullen House, Aberdeen.