

Maritime Transport Act 1994

Marine Protection Rules

Part 200 – Offshore Installations – Discharges 2010

Pursuant to sections 386, 387, 388 and 390 of the Maritime Transport Act 1994 I, Steven Joyce, Minister of Transport, hereby make the following marine protection rules.

Signed at Wellington

this day of 2010

by STEVEN JOYCE

Minister of Transport

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Part Objective

The objective of Part 200 is to prevent pollution of the marine environment from discharges of harmful substances associated with the operation of offshore installations used in mineral exploration and exploitation.

Part 200 builds on and extends the requirements of the Part 200 rules made in 2006. These include the requirement for operators of offshore installations to manage discharges, and prepare and respond to spills of harmful substances, under a discharge management plan approved by the Director of Maritime NZ. Specifically, the 2009 rules –

- extend the definition of operations to include commissioning and decommissioning activities
- specify the requirement for inspections and audits of installations
- expand the spill notification requirement to include harmful substances other than oil
- increase requirements for training of personnel and provision of records of training and exercising
- amend the monthly average and reporting trigger concentrations of dispersed oil in production water and process drainage from mg/L to parts per million (ppm)
- provide for additional reporting of production water discharges
- include a requirement for environmental monitoring
- clarify the level of detail that is to be included in discharge management plans, particularly that information pertaining to the properties of oil and other harmful substances produced or used on the installation.

Part 200 gives effect to the provisions of the International Convention for the Prevention of Pollution from Ships 1973/78 (MARPOL) and the International Convention on Oil Pollution Preparedness, Response and Cooperation 1990 (OPRC) in respect of offshore installations.

Part 200 provides, where appropriate, different requirements for installations in the territorial sea from the requirements for offshore installations within the exclusive economic zone or beyond the exclusive economic zone but above the continental shelf of New Zealand.

The Part 200 rules made in 2006 are revoked.

Rules subject to Regulations (Disallowance) Act 1989

Marine protection rules are subject to the Regulations (Disallowance) Act 1989. Under that Act, the rules are required to be tabled in the House of Representatives. The House of Representatives may, by resolution, disallow any rules. The Regulations Review Committee is the select committee responsible for considering rules under the Regulations (Disallowance) Act 1989.

Extent of Consultation

On 02 May 2009, Maritime New Zealand published in each of the daily newspapers in the four main centres of New Zealand a notice inviting comments on the proposed marine protection amendment rules. A notice was also published in the Gazette on 30 April 2009. The invitation to comment and draft amendment rules were then made available to the public

with copies being sent to 49 interested parties. MNZ also made the draft available on its website. Comments on the draft amendments were requested by 12 June 2009.

Seven written submissions were made on the draft Part 200. All submissions, along with oral comments previously received from regional councils during the preparation of the draft amendments, were considered and the draft amendments finalised. Maritime New Zealand also met with a number of the submitters of written comments to receive additional information and elaboration on their views.

General

200.1 Entry into force

This Part comes into force 1st April 2010.

200.2 Definitions

(1) In this Part –

Act means the Maritime Transport Act 1994:

administration means the government of the state –

- (a) under whose authority an offshore installation is operating; or
- (b) whose flag the offshore installation is entitled to fly:

approved means approved by the Director:

authorised organisation means an organisation that has entered into a memorandum of agreement with the Director –

- (a) in accordance with the International Maritime Organization Assembly Resolution A.739(18) and the Annexes thereto entitled *Guidelines for the Authorisation of Organisations Acting on Behalf of the Administration*; and
- (b) governing the undertaking of particular survey and certification functions by that organisation's employees under the Act and the rules:

authorised person means a person employed by an authorised organisation who has powers, delegated by the Director under section 444 of the Act, to issue and suspend marine protection documents, including International Oil Pollution Prevention Certificates, under Part 22 of the Act:

best practicable option means the best method of preventing or minimising adverse effects on the environment having regard to, amongst other things –

- (a) the nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects;
- (b) the financial implications and the effects on the environment of that option when compared with other options; and

- (c) the current state of technical knowledge and the likelihood that the option can be successfully applied:

continental shelf has the meaning given to it in section 2 of the Continental Shelf Act 1964:

controlled offshore installation means any offshore installation that is in the waters –

- (a) of the exclusive economic zone; or
- (b) beyond the outer limits of the exclusive economic zone but above the continental shelf:

discharge –

- (a) includes any escape, release, disposal, spilling, leaking, pumping, emitting or emptying;
- (b) does not include –
 - (i) dumping in accordance with a permit issued by the Director under section 262 of the Act; or
 - (ii) release of harmful substances for the purposes of legitimate scientific research into pollution abatement and control; or
 - (iii) reinjection into geological formations:

dispersant means any substance used or intended to be used for the dispersal or emulsification of an oil spill in the sea:

displacement water means water displaced from crude oil tanks during oil transfers to or from the tank:

emergency spill response procedures means those procedures of an approved discharge management plan prepared or required to be prepared in accordance with clause 2 of Schedule 1; and the emergency spill response procedures are a site marine oil spill contingency plan for the purposes of Part 23 of the Act:

exclusive economic zone has the meaning given to it in section 9 of the Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977:

FPSO means a floating production storage and offloading facility:

FSU means a floating storage unit:

garbage –

- (a) means any victual, domestic or operational waste –
 - (i) generated during the normal operation of the installation; and
 - (ii) liable to be disposed of continuously or periodically; but

- (b) does not include –
 - (i) fresh fish or parts of fresh fish; or
 - (ii) any substance defined or listed in any Annex to MARPOL other than Annex V; or
 - (iii) any production water, displacement water or offshore processing drainage; or
 - (iv) drill cuttings:

harmful substance means –

- (a) a substance which is ecotoxic to aquatic organisms and considered hazardous for the purposes of the Hazardous Substances (Minimum Degrees of Hazard) Regulations 2001:
- (b) oil:

installation means offshore installation:

internal waters of New Zealand has the meaning given to it in section 4 of the Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977:

marine oil spill means any actual or probable release, discharge or escape of oil into the internal waters of New Zealand or New Zealand continental waters:

MARPOL means the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto; and includes any subsequent protocol, amendment or revision of that convention accepted or ratified by New Zealand:

National On-Scene Commander means the National On-Scene Commander appointed under section 319 of the Act:

New Zealand continental waters means –

- (a) New Zealand marine waters; and
- (b) the waters beyond the outer limits of the exclusive economic zone but above the continental shelf:

New Zealand marine waters means –

- (a) the territorial sea; and
- (b) the waters of the exclusive economic zone:

offshore installation includes –

- (a) any artificial structure (including a floating structure that is not a ship) used or intended to be used in or on, or anchored or attached to, the seabed for the purpose of the exploration for, or the exploitation or associated processing of, any mineral, oil or gas:

- (b) for the purposes of rules 200.4 to 200.12, 200.23 and 200.24, a pipeline permanently attached to an offshore installation:

offshore processing drainage means water from hazardous and non-hazardous deck drains, but does not include oily waste from machinery spaces:

oil –

- (a) means petroleum in any form including crude oil, fuel oil, sludge, oil refuse and refined products (other than petrochemicals subject to the provisions of Part 140):
- (b) includes, for the purposes of this Part and section 222 of the Act, any substance declared to be oil in the Appendix to Part 120 and any oily mixture:

oil spill means any actual or probable release, discharge or escape of oil:

oily mixture means a mixture with any oil content:

operate, in relation to an offshore installation, means to use in or on, or to anchor or attach to, the seabed for the purpose of commissioning or decommissioning the installation, exploring for, or exploiting or processing any mineral:

owner, in relation to an offshore installation, includes –

- (a) any person having a right, privilege or licence to explore for or exploit minerals in connection with which the installation is being, has been or is to be used;
- (b) any manager, lessee, licensee or operator of the installation;
- (c) any agent or employee of the owner, manager, lessee, licensee or operator of the installation; and
- (d) any person in charge of any operations connected with the installation:

Part means a group of rules made under the Act:

pollution incident means an event involving the probable discharge or escape into the sea or seabed of a harmful substance in contravention of this Act or the Resource Management Act 1991:

production water means any water extracted from the reservoir:

region has the meaning given to it in the Local Government Act 2002:

regional council means a regional council within the meaning of the Local Government Act 2002; and includes –

- (a) any territorial authority that has, by reason of the transfer to it under section 17 of the Local Government Act 2002 of a responsibility of a

regional council, the functions powers and duties of a regional council; and

- (b) the Chatham Islands Council:

regional on-scene commander means a regional on-scene commander appointed under section 318 of the Act:

substance means a chemical element or compound or a mixture or solution composed of two or more elements or compounds:

surveyor means a surveyor employed by an authorised organisation:

territorial sea has the meaning given to it in section 3 of the Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977.

- (2) For the purposes of section 225 of the Act, harmful substance means any harmful substance as defined in subrule (1).

200.3 Application

- (1) This Part applies to every offshore installation operating within –
- (a) the internal waters of New Zealand; or
 - (b) New Zealand continental waters.
- (2) Nothing in this Part affects any defence that a person may have under section 243 of the Act to an offence under section 237 of the Act.
- (3) Nothing in this Part affects the requirements of the Hazardous Substances (Emergency Management) Regulations 2001 or the Hazardous Substances (Classes 6, 8 and 9 Controls) Regulations 2001.

Discharge Management Plans

200.4 Requirement for a discharge management plan

A person must not operate an offshore installation without the Director's written approval of a discharge management plan containing the matters prescribed in Schedule 1 that are appropriate to the operation of that installation.

200.5 Application for approval of a discharge management plan

- (1) Every application for approval of a discharge management plan –
- (a) must be in English; and
 - (b) must be made by letter or in an electronic form acceptable to the Director; and

- (c) must include a covering page with the applicant's –
 - (i) address for service in New Zealand;
 - (ii) telephone number;
 - (iii) fax number (if any);
 - (iv) email address (if any); and
 - (d) must be made at least 2 months before the date on which the operations are due to begin or the existing approval expires; and
 - (e) must include the contents of the proposed discharge management plan in –
 - (i) hard copy; and
 - (ii) an electronic form acceptable to the Director; and
 - (f) must include evidence of compliance with rule 200.6.
- (2) The Director may require an inspection or audit of the installation to be carried out, and may require any additional information he or she considers necessary, to support an application for approval of a discharge management plan.
- (3) If under subrule (2) the Director requires an inspection or audit or additional information, the Director must advise the applicant in writing, no later than 15 working days from the date of receipt of the application, of the details required and the reason or reasons for it.

200.6 Consultation

- (1) Before a discharge management plan is submitted for approval, the owner must consult with –
- (a) if the site is in a region –
 - (i) the regional on-scene commander; and
 - (ii) the regional office of the Department of Conservation; and
 - (iii) the persons whose interests in the vicinity of the installation that are likely to be affected by a spill of oil or other harmful substances from that installation; and
 - (b) for controlled offshore installations, the persons whose interests in the vicinity of the installation that are likely to be affected by a spill of oil or other harmful substances from that installation (including, if appropriate, regional on-scene commanders, regional offices of the Department of Conservation and tangata whenua).
- (2) The owner must consult on –

- (a) the locations and resources, in the region or regions identified as at risk of environmental damage in the event of a spill of oil or other harmful substances; and
- (b) the procedure by which the regional on-scene commander should be notified in the event of a spill of oil or other harmful substances; and
- (c) the role of the regional and national on-scene commander in the event of a marine oil spill.

200.7 Approval and duration of a discharge management plan

- (1) If the Director is satisfied that a proposed discharge management plan complies with the requirements of Schedule 1, the Director may approve the discharge management plan for a period not exceeding 3 years.
- (2) The Director's written approval of a discharge management plan is a marine protection document for the purposes of Part 18 of the Act.

200.8 Custody of a discharge management plan

- (1) The owner must keep the approved discharge management plan and the Director's written approval at all times, and make both documents available to the Director on request.
- (2) A copy of the approved discharge management plan and the Director's written approval must be made available on every manned installation to which the plan applies.
- (3) Two hard copies and a copy in an electronic form acceptable to the Director of the approved discharge management plan must be supplied to the Director as soon as practicable after the approval is issued.
- (4) If the installation is within a region, the owner must supply a copy of the Director's written approval and the approved discharge management plan to the regional on-scene commander as soon as practicable after the approval is issued.

200.9 Modifications to a discharge management plan

- (1) Except as provided in subrule (3), the owner must apply to the Director for approval of any modification to the discharge management plan, for example, when the owner proposes to –
 - (a) alter the use or layout of the installation in such a way that could increase the risk of a spill of oil or other harmful substance; or
 - (b) use a harmful substance not approved in the plan; or
 - (c) make any change as a result of training or review of the emergency spill response procedures.
- (2) Every application for modifications to a discharge management plan –
 - (a) must be in English; and

- (b) must be made by letter or in an electronic form acceptable to the Director; and
 - (c) must be made at least 2 months before the date on which the modification is to be implemented; and
 - (d) must include the details of the proposed amendments and, if applicable, reference to the provisions in the approved discharge management plan they are to replace; and
 - (e) where the proposed change will result in a significantly increased risk of a spill of oil or other harmful substances, evidence of consultation in accordance with rule 200.6.
- (3) The owner may make the following changes to the discharge management plan without the prior approval of the Director:
- (a) modifications to the 24-hour contact list; and
 - (b) reassignment of personnel responsibilities.

200.10 Notification of modifications to a discharge management plan

- (1) The owner must notify –
- (a) the Director; and
 - (b) every person holding a copy of the discharge management plan, required to be kept or supplied under rule 200.8,
- of any modification made to the discharge management plan within 2 weeks of the change being made.
- (2) The owner must keep a record of the action or actions taken to meet the obligation in subrule (1).

200.11 Implementation of the emergency spill response procedures

The owner of an installation must –

- (a) ensure that personnel assigned responsibilities under the approved discharge management plan and dealing with spills of oil and other harmful substances are aware of their responsibilities under the discharge management plan and receive training appropriate to their responsibilities; and
- (b) ensure that –
 - (i) training required by paragraph (a) is carried out before any person commences operational duties; and
 - (ii) a record of all training carried out in accordance with paragraph (a) is maintained; and
 - (iii) any training record maintained in accordance with this rule is provided to the Director on request; and

- (c) maintain access to equipment to deal with a spill, at a level appropriate to the emergency spill response procedures identified in the approved discharge management plan; and
- (d) when called upon by the Director, justify any spill response option, identified in the discharge management plan, as effective and achievable.

200.12 Testing and reviewing the emergency spill response procedures

- (1) The owner of an installation must—
 - (a) test the emergency spill response procedures not less than once every 12 months; and
 - (b) review the effectiveness of the emergency spill response procedures as soon as practicable after –
 - (i) every test carried out under paragraph (a); and
 - (ii) every use of the emergency spill response procedures in response to a spill; and
 - (iii) any change in the spill response procedures or equipment for the installation, other than the direct replacement of equipment.
- (2) The owner must—
 - (a) notify the Director of any test or review not less than 14 days prior to the test or review being carried out in accordance with subrule (1); and
 - (b) make and keep a record of every test and review, including the results of any test and review, carried out under subrule (1); and
 - (c) provide the Director with a copy of the results of every test and review carried out under subrule (1).
- (3) Following every review of the emergency spill response procedures, the owner must—
 - (a) determine the modifications to the discharge management plan that would increase the effectiveness of the plan; and
 - (b) submit all modifications to the Director for approval; and
 - (c) implement those modifications –
 - (i) immediately, in the case of modifications to the 24-hour contact list or reassignment of personnel responsibilities; or
 - (ii) when they have been approved by the Director.

Operations

200.13 Discharge of harmful substances other than oil

The owner of a controlled offshore installation must ensure that no harmful substance, nor the degradation or transformation product of any harmful substance, is discharged from any controlled offshore installation, unless that harmful substance is –

- (a) specified in the approved discharge management plan for that installation; and
- (b) discharged in accordance with that plan.

200.14 Permitted discharges of production water, displacement water and offshore processing drainage

- (1) The owner of a controlled offshore installation must ensure that the oil content of production water, displacement water, or offshore processing drainage discharged from a controlled offshore installation is measured continuously before dilution by a method in the approved discharge management plan.
- (2) The owner of a controlled offshore installation must, by use of the best practicable option, ensure that the oil content of production water, displacement water or offshore processing drainage discharged before dilution from a controlled offshore installation –
 - (a) does not exceed 50 parts per million; and
 - (b) averages less than 30 parts per million every calendar month.
- (3) If the owner is unable to comply with subrule (2) by use of the best practicable option, the Director may authorise the discharge and require the owner to adopt additional measures to prevent possible pollution of the marine environment.
- (4) For the purposes of subrule (2)(a), the Director may allow a limit greater than 50 parts per million if he or she considers it necessary for geological, technical or safety reasons.
- (5) If the oil content of production water, displacement water or offshore processing drainage exceeds –
 - (a) 50 parts per million but does not exceed 100 parts per million, the owner must report the excess to the Director as soon as practicable;
 - (b) 100 parts per million, the owner must report the excess as a marine oil spill in accordance with rule 200.23.
- (6) The owner of a controlled offshore installation must ensure there is a means of detecting and immediately stopping all discharges from the installation where the oil content of the discharge exceeds 100 parts per million.

- (7) The Director may, at any time, require that the oil content before dilution of an installation's production water, displacement water, or offshore processing drainage be measured and reported to the Director without delay.
- (8) The owner of a controlled offshore installation must ensure that a record is maintained of all oil content before dilution of an installation's production water, displacement water or offshore processing drainage discharged from the installation and supply this information to the Director on request.

200.15 Permitted discharge of garbage from controlled offshore installations

A person must not discharge garbage from a controlled offshore installation except food waste that –

- (a) is uncontaminated by other waste; and
- (b) has passed through a comminuter or grinder; and
- (c) is capable of passing through a screen with openings no greater than 25 mm².

200.16 Use of drilling fluids

- (1) Except as provided in subrule (2), the owner of a controlled offshore installation must ensure that no drilling fluid is used on a controlled offshore installation unless that fluid is –
 - (a) water-based or synthetic-based; and
 - (b) specified in the installation's approved discharge management plan; and
 - (c) discharged in accordance with that plan.
- (2) The Director may allow the use of a drilling fluid that is not water-based or synthetic-based if its use is reasonably necessary for geological, technical or safety reasons.

200.17 Permitted discharges of oil and oily mixtures

Oil and oily mixtures that drain from the machinery spaces and other parts of the installation, or from ballasting or cleaning of oil fuel tanks, may be discharged from a controlled offshore installation, if –

- (a) the oil content of the discharge without dilution does not exceed 15 parts per million; and
- (b) the installation has in operation the equipment required by rule 200.19.

200.18 Oil and oily mixtures that cannot be discharged

- (1) The owner must ensure that any oil and oily mixtures that cannot be discharged into the sea in compliance with rule 200.17 is –
 - (a) retained on board the installation; or
 - (b) offloaded as produced oil; or
 - (c) discharged to a reception facility.
- (2) The owner of an offshore installation must ensure that a record is maintained of the quantities of all oil and oily mixtures retained, offloaded, or discharged in accordance with subrule (1).

200.19 Oil filtering equipment

- (1) The owner of an offshore installation must ensure that it is fitted with oil filtering equipment –
 - (a) of a design approved by the Director or the Administration of another State party to MARPOL; and
 - (b) to ensure that any oily mixture that –
 - (i) drains from the machinery spaces and other parts of the installation, or from ballasting or cleaning of oil fuel tanks; and
 - (ii) is discharged into the sea,has an oil content not exceeding 15 parts per million, after passing through the equipment.
- (2) In the case of an offshore installation of 10,000 gross tons or more, the oil filtering equipment specified in subrule (1) must be fitted with –
 - (a) an alarm to indicate when the oil content of the effluent exceeds 15 parts per million; and
 - (b) arrangements to ensure that any discharge of oily mixture is automatically stopped when the alarm is activated.
- (3) The requirements in subrules (1) and (2) do not apply if –
 - (a) the Director is satisfied that oily mixtures can be adequately stored on board and subsequently discharged to reception facilities ashore or otherwise satisfactorily disposed of without being discharged into the sea; and
 - (b) oily mixtures are so stored and disposed or discharged.

200.20 Sludge tanks

The owner of an offshore installation must ensure that it is fitted with a tank or tanks –

- (a) large enough to hold all oil and oily mixtures that cannot otherwise be dealt with in accordance with this Part; and
- (b) designed and constructed so as to allow them to be cleaned and emptied for transport to shore or at a reception facility.

200.21 Oil record book

- (1) The owner of an installation must ensure that the installation is provided with an oil record book in a form approved by -
 - (a) the Director; or
 - (b) the Administration of another state party to MARPOL.
- (2) The owner must ensure that an entry is made in the appropriate part of the installation's oil record book in accordance with the provisions of MARPOL Annex I Appendix III on every occasion on which any of the following operations takes place on the installation -
 - (a) ballasting or cleaning of oil fuel tanks;
 - (b) discharge of dirty ballast or cleaning water from oil fuel tanks;
 - (c) discharge overboard or other disposal of oily water that has accumulated in machinery spaces or other parts of the installation;
 - (d) loading of oil;
 - (e) internal transfer of oil;
 - (f) unloading of oil;
 - (g) ballasting of produced oil storage tanks;
 - (h) cleaning of produced oil storage tanks;
 - (i) discharge of dirty ballast or cleaning water from produced oil storage tanks;
 - (j) measurement of the discharge of production water, displacement water or offshore processing drainage, in accordance with rule 200.14(1) and, if the oil content exceeds 100 parts per million, measurement of:
 - (i) the volume of oil discharged during the incident; or
 - (ii) for continuing incidents, the volume of oil discharged in every 12 hour period that the discharge continues;
 - (k) disposal of oily residues (sludge).
- (3) The owner must ensure that a statement is made in the appropriate part of the installation's oil record book of the circumstances of, and the reasons for -
 - (a) any discharge into the sea of oil or oily mixture for the purpose of -
 - (i) securing the safety of the offshore installation; or
 - (ii) saving life at sea; and

- (b) any escape into the sea of oil or oily mixture resulting from –
 - (i) damage to the offshore installation or its equipment; or
 - (ii) resulting from any other accidental or exceptional occurrence; and
 - (c) any discharge into the sea of substances containing oil when being used for the purpose of combating specific pollution incidents.
- (4) Every entry or statement, required to be made in the installation’s oil record book, must be –
- (a) fully recorded without delay; and
 - (b) signed by the person or persons in charge of the operation or operations concerned; and
 - (c) in English.
- (5) Every completed page of the oil record book must be signed by the person on board the offshore installation who has overall responsibility for its operations.
- (6) The owner must ensure that the installation’s oil record book is kept –
- (a) on board the installation, except in the case of an unmanned offshore installation under tow; and
 - (b) in such a place as to be readily available for inspection at all reasonable times.
- (7) The owner must ensure that a true copy of every completed page of the installation’s oil record book is forwarded to the Director within 15 working days of the end of the month in which it was completed.
- (8) Every oil record book must be kept by the owner of the installation for a period of three years after the last entry is made in it.

200.22 Production water records

- (1) In respect of production water, displacement water, or offshore processing drainage that is discharged, the owner of an installation must record, in a form approved by the Director, –
- (a) at least twice in every 24 hour period, as close to 12 hours apart as possible, the concentration of oil-in-water; and
 - (b) the total volume of production water, displacement water, or offshore processing drainage discharged every 24 hours; and
 - (c) the total volume of oil discharged in production water, displacement water, or offshore processing drainage every 24 hours, based on continuous monitoring of oil-in-water concentrations; and
 - (d) a list of incidents where oil-in-water exceeded 50 parts per million; and

- (e) the monthly total volume of oil discharged in production water, displacement water, or offshore processing drainage.
- (2) Every completed page of the production water records must be signed by the person onboard the installation who has overall responsibility for its operation.
- (3) The owner of an installation must ensure that the installation's production water records are kept –
 - (a) on board the installation, except in the case of an unmanned installation under tow; and
 - (b) in such a place as to be readily available for inspection at all reasonable times.
- (4) The owner of an installation must ensure that a true copy of every completed page of the installation's production water records is forwarded to the Director within 15 working days of the end of the month in which it was completed.
- (5) The production water records must be kept by the owner of the installation for a period of 3 years after the last entry is made in it.

200.23 Reporting of spills

- (1) Immediately after any marine oil spill, the owner of an offshore installation must report the spill by the fastest means of communication available and with the highest possible priority to –
 - (a) the regional council or the Director, if the spill occurs in a region; or
 - (b) the Director, if the spill occurs beyond the territorial limits of New Zealand,using the procedures outlined in the discharge management plan.
- (2) Immediately after any pollution incident involving a harmful substance other than oil, the owner of a controlled offshore installation must report the spill by the fastest means of communication available and with the highest possible priority to the Director using the procedures outlined in the discharge management plan.
- (3) If the person responsible for implementing the emergency spill response procedures considers that any marine oil spill cannot be contained or cleaned up using the resources available to that person, he or she must report that fact by the fastest means of communication available and with the highest possible priority to –
 - (a) the regional council or the Director, if the spill occurs in a region; or
 - (b) the Director, if the spill occurs beyond the territorial limits of New Zealand,using the procedures outlined in the discharge management plan.

200.24 Event reporting

- (1) The owner must report –
 - (a) any event that occurs to the offshore installation; or
 - (b) any defect that is discovered,which substantially affects the integrity of the installation or the efficiency or completeness of the equipment covered by this Part.
- (2) The owner must ensure that every report required under subrule (1) is made as soon as possible to –
 - (a) the Director; and
 - (b) the authorised organisation that issued the installation’s International Oil Pollution Prevention Certificate.
- (3) After a report has been made under subrule (1), the Director or the authorised organisation that issued the installation’s International Oil Pollution Prevention Certificate may require that the installation be surveyed to ensure compliance with the requirements of this Part and the installation’s International Oil Pollution Prevention Certificate.

200.25 Environmental monitoring and reporting

- (1) The owner of a controlled offshore installation must conduct environmental monitoring programme appropriate to the operation of that installation to detect marine environmental impacts resulting from discharges from the installation, using methods approved by the Director in the discharge management plan.
- (2) The results of environmental monitoring undertaken in accordance with subrule (1) must be reported to the Director at the earliest opportunity.

International Oil Pollution Prevention Certificates

200.26 Requirement for an offshore installation to have an International Oil Pollution Prevention Certificate

- (1) The owner of an offshore installation must ensure that there is held, in respect of the installation, a valid International Oil Pollution Prevention Certificate –
 - (a) issued or renewed in accordance with rule 200.28; or
 - (b) issued by or on behalf of a state party to MARPOL other than New Zealand, and recognised as a marine protection document under section 270 of the Act.
- (2) The owner must ensure that the International Oil Pollution Prevention Certificate held in respect of the installation is –

- (a) in the case of manned installations, kept on board the installation at all times; and
- (b) made readily available for inspection by the Director.

200.27 Surveys and inspections prior to the issue, renewal or endorsement of an International Oil Pollution Prevention Certificate

- (1) The owner of an offshore installation must ensure that the installation undergoes the following surveys carried out by a surveyor –
 - (a) an initial survey before the International Oil Pollution Prevention Certificate is issued for the first time; and
 - (b) renewal surveys at five yearly intervals or any such lesser period specified by the Director; and
 - (c) an annual survey within three months before or after every anniversary date of the International Oil Pollution Prevention Certificate; and
 - (d) an intermediate survey within three months before or after either the second or third anniversary date of the International Oil Pollution Prevention Certificate, in place of the respective annual survey.
- (2) Initial and renewal surveys must be carried out to ensure that the structure, equipment, systems, piping, fittings, arrangements, record books, emergency spill response procedures and material fully comply with the requirements of this Part.
- (3) Annual surveys must be carried out to ensure that the structure, equipment, systems, piping, fittings, arrangements, record books, emergency spill response procedures and material –
 - (a) have been properly maintained; and
 - (b) have not been altered without the approval of the Director or a surveyor as required; and
 - (c) remain satisfactory for service.
- (4) Intermediate surveys must be carried out to ensure that –
 - (a) the equipment and associated pump and piping systems, including oil discharge monitoring and control systems, oily water separating equipment and oil filtering systems are in good working order and fully comply with the requirements of this Part; and
 - (b) the structure, equipment, systems, piping, fittings, arrangements, record books, emergency spill response procedures and material have not been altered without the approval of the Director or a surveyor.
- (5) The owner of an offshore installation must ensure that a copy of the report of any survey carried out in accordance with subrule (1)(c) or (d) are forwarded to the Director as soon as possible following the completion of the survey.

200.28 Issue, duration and renewal of an International Oil Pollution Prevention Certificate for an offshore installation

- (1) The owner of an installation must apply to the Director for the issue, renewal or endorsement of an International Oil Pollution Prevention Certificate in respect of the installation in accordance with section 269 of the Act.
- (2) The Director must, as appropriate, issue, renew, or endorse the International Oil Pollution Prevention Certificate in accordance with section 270 of the Act, if satisfied that the offshore installation –
 - (a) meets the requirements of this Part; and
 - (b) has undergone an initial survey, a renewal survey, an annual survey or an intermediate survey as appropriate in accordance with rule 200.27 and to the satisfaction of the surveyor.
- (3) An International Oil Pollution Prevention Certificate, including a supplement –
 - (a) must be in the form specified in Schedule 3, or if an FPSO or an FSU supplement, either in that form or in the form specified in Schedule 4; and
 - (b) may be issued for a period not exceeding 5 years; and
 - (c) is subject to the following conditions –
 - (i) no significant alterations may be made in the installation’s structure, equipment, systems, fittings, arrangements and material without the approval of a surveyor, except the direct replacement of such equipment and fittings; and
 - (ii) the surveys required under rule 200.27 must be completed; and
 - (iii) the installation must have on board the oil record book or books required to be kept by rule 200.21; and
 - (iv) if a manned installation, the installation must have on board an approved discharge management plan.

200.29 Conditions of the International Oil Pollution Prevention Certificate

A surveyor may give his or her approval to the issue, renewal or endorsement of an International Oil Pollution Prevention Certificate –

- (a) unconditionally; or
- (b) subject to such conditions as the surveyor sees fit in the interests of maritime safety and marine environment protection.

200.30 Failure to meet standards required for renewal or endorsement of an International Oil Pollution Prevention Certificate

- (1) Subrule (2) applies if, as a result of an annual or renewal survey the surveyor determines that –
 - (a) the condition of the offshore installation does not correspond substantially with the particulars of the installation’s International Oil Pollution Prevention Certificate; or
 - (b) the equipment presents a reasonable threat of harm to the marine environment.
- (2) The surveyor –
 - (a) must immediately instruct the owner of the offshore installation to take corrective action; and
 - (b) must notify the Director of the corrective action required; and
 - (c) must not renew or endorse the installation’s International Oil Pollution Prevention Certificate.
- (3) If the corrective action required under subrule (1) is not taken, the Director may, in accordance with section 272 of the Act, suspend or impose conditions on the installation’s International Oil Pollution Prevention Certificate.

200.31 Condition after survey

- (1) The owner of an offshore installation must ensure that the installation’s equipment is maintained in a condition that –
 - (a) complies with the provisions of this Part; and
 - (b) corresponds substantially with its International Oil Pollution Prevention Certificate; and
 - (c) does not present an unreasonable threat of harm to the marine environment.
- (2) The owner must ensure that no change is made to an installation’s structure, equipment, systems, fittings, arrangements or material covered by a survey, without the approval of a surveyor, except the direct replacement of such equipment and fittings.

Final Provisions

200.32 Transitional and savings provisions

- (1) Part 200 – Offshore Installations – Discharges 2006 continues to apply as if not revoked to an existing offshore installation with an approved discharge management plan in force immediately before the commencement of this Part, until the earliest of:
 - (a) the plan’s original expiry date; or
 - (b) the date on which the new discharge management plan is approved under this Part; or

- (c) three years after the commencement of this Part.
- (2) Every application for approval of a discharge management plan made under Part 200 – Offshore Installations – Discharges 2006 before this Part came into force but not determined by that date may be continued and completed, so far as is practicable, as an application under this Part for a discharge management plan.
- (3) An International Oil Pollution Certificate that was issued and in force before the commencement of this Part continues in force as if issued under this Part.

200.33 Revocation

Part 200 (Offshore Installations – Discharges) 2006 is revoked.

Rule 200.4

Schedule 1

Contents of a discharge management plan

1 Risk identification, assessment and prevention

- (1) Every discharge management plan must include –
 - (a) location details of the offshore installation and of the field to which the application relates;
 - (b) up to date and accurate drawings or plans showing –
 - (i) the general arrangement of the installation, in particular, the places and systems associated with the storage or transfer of fuels including tank capacity, filling arrangements, isolation valves and drainage systems highlighting the critical isolation points;
 - (ii) the most likely sources of any spill that may result in a pollution incident; and
 - (c) details of the proposed operations at the installation;
 - (d) particulars of all oils stored at the installation including characteristics, specifications, material safety data sheets and the maximum volume for each oil to be held on the installation;
 - (e) information on the oils produced by the installation, including ⁻¹
 - (i) physical properties including pour point, viscosity, density, API gravity, wax content and asphaltene content measured by a method approved by the Director;
 - (ii) weathering information including evaporation rates, emulsion-forming tendencies and changes in oil properties measured at 12, 24 and 48 hours by a method approved by the Director; and
 - (iii) effectiveness on selected dispersants as required by the Director on fresh oil and oil weathered for 12, 24 and 48 hours measured by a method approved by the Director;
 - (f) information on the likely fate of spilled produced oil taking into account weathering characteristics and the likely movement of any oil spilled from the installation;
 - (g) a detailed description of all the processes and activities which present a risk of pollution from an oil spill, with a list of specific procedures to reduce the risk of an oil spill;
 - (h) a detailed description of all identified potential environmental impacts, including any possible social, cultural and economic implications that may result from any operational discharges or spill of oil or other substances from the installation.

¹ To inform a national response in the event of a spill.

- (2) The discharge management plan of a controlled offshore installation must also include information about every harmful substance that is ecotoxic in the aquatic environment (as classified in Schedule 6 of the Hazardous Substances (Classification) Regulations 2001).
- (3) In fulfilment of subclause (2), the discharge management plan must include, in a form acceptable to the Director, the information set out in Schedule 2, if the following is held on a controlled offshore installation:
 - (a) 20 litres or more of a harmful substance that is ecotoxic in the aquatic environment (as defined by Schedule 6 of the Hazardous Substances (Classification) Regulations 2001); or
 - (b) 100 litres or more of any other harmful substance.
- (4) The discharge management plan for a controlled offshore installation must explain how the production water, displacement water, offshore processing drainage and any other water emanating from the well product, will be managed to avoid any risk of environmental impacts as identified in clause 1(h), including –
 - (a) selection of the least hazardous chemicals to minimise the toxicity of that water; and
 - (b) if re-injection of production water (the preferred option in all cases), is not to be used, the options to be used to reduce the volume of production water discharged into the marine environment; and
 - (c) the method to be used to monitor the concentration of oil in production water; and
 - (d) the procedure by which oil content and volume of production water discharged is to be recorded and reported in accordance with rules 200.14 and 200.23.
- (5) The discharge management plan for a controlled offshore installation must describe measures to be taken to avoid environmental impacts from discharges during commissioning and decommissioning of the installation other than those identified in clause (4).
- (6) The discharge management plan for a controlled offshore installation must include a detailed description of the environmental monitoring programme to be undertaken in accordance with rule 200.25.

2 Emergency spill response procedures for oil and other harmful substances

- (1) The information required in this clause must be included as a consolidated section within the Discharge Management Plan.
- (2) Every discharge management plan must contain emergency spill response procedures for oil.

- (3) The discharge management plan of a controlled offshore installation must also contain emergency spill response procedures for other harmful substances.
- (4) Emergency spill response procedures must include –
 - (a) guidance to ensure the safety of personnel;
 - (b) information to help personnel at the installation deal with a spill by detailing the actions necessary to stop, minimise or mitigate the effects of a spill, including procedures for –
 - (i) determining what action to take in response to a spill;
 - (ii) preventing escalation of the spill;
 - (iii) stopping the discharge at its source, if possible;
 - (iv) identifying the safety and environmental consequences of any remedial action; and
 - (v) determining whether the spill can be contained or cleaned up using the resources available to the owner or any other person responsible for implementing the emergency spill response procedures;
 - (c) details of the response options available to the installation;
 - (d) the procedure by which marine oil spills are to be reported in accordance with rule 200.23;
 - (e) in the case of controlled installations, the procedure by which any pollution incident involving a harmful substance other than oil are to be reported in accordance with rule 200.23;
 - (f) a list of 24-hour contact information, including that of –
 - (i) the owner or the owner’s representative;
 - (ii) the Director;
 - (iii) the regional council, if the installation is within a region;
 - (iv) any organisation contracted to respond to spills at the installation;
 - (v) the person responsible for implementing the plan;
 - (vi) the person co-ordinating response activities;
 - (vii) off-duty personnel with responsibilities for dealing with spills; and
 - (viii) all other persons who have interests in the vicinity of the installation that are likely to be affected by a spill from the installation;
 - (g) the organisational emergency response structure for the installation, including the duties of all personnel responsible for dealing with spills;

- (h) an inventory and location of response equipment held on the installation and personnel responsibilities for the deployment, survey and maintenance of that equipment.

Schedule 2

Requirements for information on harmful substances

Information on harmful substances submitted in accordance with clauses 1(2) and 1(3) of Schedule 1 must contain the following information, in respect of every harmful substance –

- (1) **names**
 - (a) chemical name;
 - (b) trade name or names; and

- (2) **identification numbers**
 - (a) UN number²;
 - (b) CAS number³;
 - (c) ERMA Approval number⁴; and

- (3) **chemical and physical properties**
 - (a) physical state;
 - (b) reactivity;
 - (c) specific gravity;
 - (d) flash point;
 - (e) boiling point;
 - (f) melting (pour) point;
 - (g) water solubility; and

- (4) **composition**
 - (a) name of components;
 - (b) proportion of component or components as a percentage of the total substance;

- (5) Ecotoxicity of the substance including –
 - (a) the ecotoxic ranking of the substance, with reference to schedule 6 of the Hazardous Substances (Classification) Regulations 2001 and, where available, of the substance's Hazard Quotient (HQ), calculated using the CHARM (Chemical Hazard and Risk Management) model;

² United Nations number.

³ Chemical Abstracts Service registry number.

⁴ Environmental Risk Management Authority approval number.

- (b) acute toxicity;
 - (c) chronic toxicity;
 - (d) biodegradation;
 - (e) bioaccumulation;
 - (f) where requested by the Director, details of any or all the degradation and transformation products of the substance (that arise as a result of the operation for which the harmful substance is used);
- (6) The purpose or purposes for which the substance is to be used;
- (7) The maximum volume of the substance likely to be stored on the installation;
- (8) The maximum concentration of the substance to be used in combination with any other substance that is intended to be discharged;
- (9) The maximum amount of the substance anticipated to be discharged in specific periods;
- (10) Risk and mitigation, including –
- (a) a description of the processes and activities that present a risk of accidental discharge of the substance; and
 - (b) a list of procedures in place and action to be taken to reduce the risk of a spill.

Rule 200.28(3)(a)

Schedule 3

Form of the International Oil Pollution Prevention Certificate

INTERNATIONAL OIL POLLUTION PREVENTION CERTIFICATE

(Note: This certificate must be supplemented by a Record of Construction and Equipment)

Issued under the provisions of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, as amended, (hereinafter referred to as "the Convention") under the authority of the Government of

.....

by

(full designation of the competent person or organization authorised under the provisions of the Convention)

Particulars of ship*

Name of ship

Distinctive number or letters

Port of registry

Gross tonnage

Deadweight of ship (metric tonnes)[†]

IMO Number[‡]

Type of ship:

Oil tanker*

Ship other than an oil tanker with cargo tanks coming under regulation 2(2) of Annex I of the Convention*

Ship other than any of the above*

* Alternatively, the particulars of the ship may be placed horizontally in boxes.

[†] For oil tankers.

[‡] Refer to the IMO Ship Identification Number Scheme adopted by the Organization by resolution A.600(15).

* Delete as appropriate.

ENDORSEMENT FOR ANNUAL AND INTERMEDIATE SURVEYS

THIS IS TO CERTIFY that at a survey required by regulation 6 of Annex I of the Convention the ship was found to comply with the relevant provisions of the Convention:

Annual survey: Signed.....
(Signature of duly authorised official)
Place.....
Date. (dd/mm/yyyy).....

(Seal or stamp of the authority, as appropriate)

Annual* /Intermediate* survey: Signed.....
(Signature of duly authorised official)
Place.....
Date (dd/mm/yyyy).....

(Seal or stamp of the authority, as appropriate)

Annual*/Intermediate* survey: Signed.....
(Signature of duly authorised official)
Place.....
Date (dd/mm/yyyy).....

(Seal or stamp of the authority, as appropriate)

Annual survey: Signed.....
(Signature of duly authorised official)
Place.....
Date (dd/mm/yyyy).....

(Seal or stamp of the authority, as appropriate)

* Delete as appropriate

**ANNUAL/INTERMEDIATE SURVEY IN ACCORDANCE
WITH REGULATION 10.8.3**

THIS IS TO CERTIFY that, at an annual/intermediate** survey in accordance with regulation 10.8.3 of Annex I of the Convention, the ship was found to comply with the relevant provisions of the Convention:

Signed
(Signature of authorised official)

Place

Date (dd/mm/yyyy).....

(Seal or stamp of the authority, as appropriate)

**ENDORSEMENT TO EXTEND THE CERTIFICATE IF VALID
FOR LESS THAN 5 YEARS WHERE REGULATION 10.3 APPLIES**

The ship complies with the relevant provisions of the Convention, and this Certificate shall, in accordance with regulation 10.3 of Annex I of the Convention, be accepted as valid until (dd/mm/yyyy).

Signed
(Signature of authorised official)

Place

Date (dd/mm/yyyy).....

(Seal or stamp of the authority, as appropriate)

**ENDORSEMENT WHERE THE RENEWAL SURVEY HAS BEEN
COMPLETED AND REGULATION 10.4 APPLIES**

The ship complies with the relevant provisions of the Convention, and this Certificate shall, in accordance with regulation 10.4 of Annex I of the Convention, be accepted as valid until

Signed
(Signature of authorised official)

Place

Date (dd/mm/yyyy).....

(Seal or stamp of the authority, as appropriate)

* Delete as appropriate

**ENDORSEMENT TO EXTEND THE VALIDITY OF THE CERTIFICATE
UNTIL REACHING THE PORT OF SURVEY OR FOR A PERIOD OF GRACE
WHERE REGULATION 10.5 OR 10.6 APPLIES**

This certificate shall, in accordance with regulation 10.5 or 10.6** of Annex I of the Convention, be accepted as valid until

Signed
(signature of authorised official)

Place

Date (dd/mm/yyyy).....

(Seal or stamp of the authority, as appropriate)

**ENDORSEMENT FOR ADVANCEMENT OF ANNIVERSARY DATE
WHERE REGULATION 10.8 APPLIES**

In accordance with regulation 10.8 of Annex I of the Convention, the new anniversary date is (dd/mm/yyyy).....

Signature
(Signature of authorised person)

Place

Date (dd/mm/yyyy).....

(Seal or stamp of the authority, as appropriate)

In accordance with regulation 10.8 of Annex I of the Convention, the new anniversary date is (dd/mm/yyyy).

Signature
(Signature of authorised official)

Place

Date(dd/mm/yyyy).....

(Seal or stamp of the authority, as appropriate)

* Delete as appropriate

FORM A

**Supplement to the International Oil Pollution Prevention
Certificate**

(IOPP Certificate)

**RECORD OF CONSTRUCTION AND EQUIPMENT FOR
SHIPS OTHER THAN OIL TANKERS**

in respect of the provisions of Annex I of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (hereinafter referred to as “the Convention”).

Notes:

- 1 This form is to be used for the third type of ships as categorised in the IOPP certificate, i.e. “ships other than any of the above”. For oil tankers and ships other than oil tankers with cargo tanks coming under regulation 2.2 of Annex I of the Convention, Form B shall be used.
- 2 This Record shall be permanently attached to the IOPP Certificate. The IOPP Certificate shall be available on board the ship at all times.
- 3 The language of the original Record shall be at least in English, French or Spanish. If an official language of the issuing country is also used, this shall prevail in case of a dispute or discrepancy.
- 4 Entries in boxes shall be made by inserting either a cross (x) for the answers “yes” and “applicable” or a dash (-) for the answers “no” and “not applicable”.
- 5 Regulations mentioned in this Record refer to regulations of Annex I of the Convention and resolutions refer to those adopted by the International Maritime Organization.

1. Particulars of ship

1.1 Name of ship.....

1.2 Distinctive number or letters.....

1.3 Port of registry.....

- 1.4 Gross tonnage
- 1.5 Date of build.....
- 1.5.1 Date of building contract
- 1.5.2 Date on which keel was laid or ship was at a similar stage of construction
- 1.5.3 Date of delivery
- 1.6 Major conversion (if applicable):
- 1.6.1 Date of conversion contract
- 1.6.2 Date on which conversion was commenced
- 1.6.3 Date of completion of conversion
- 1.7 The ship has been accepted by the Administration as a "ship delivered on or before 31 December 1979" under regulation 1.28.1 due to due to unforeseen delay in delivery

2. Equipment for the control of oil discharge from machinery space bilges and oil fuel tanks (regulations 16 and 14)

- 2.1 Carriage of ballast water in oil fuel tanks:
- 2.1.1 The ship may under normal conditions carry ballast water in oil fuel tanks
- 2.2 Type of oil filtering equipment fitted:
- 2.2.1 Oil filtering (15 ppm) equipment (regulation 14.6))
- 2.2.2 Oil filtering (15 ppm) equipment with alarm and automatic stopping device (regulation 14.7)
- 2.3 Approval standards:
- 2.3.1 The separating/filtering equipment:
 - .1 has been approved in accordance with resolution A.393(X)
 - .2 has been approved in accordance with resolution

- MEPC.60(33)
- .3 has been approved in accordance with resolution MEPC.107(49)
- .4 has been approved in accordance with resolution A.233(VII)
- .5 has been approved in accordance with national standards not based upon resolution A.393(X) or A.233(VII)
- .6 has not been approved

- 2.3.2 The process unit has been approved in accordance with resolution A.444(XI)

- 2.3.3 The oil content meter:
 - .1 has been approved in accordance with resolution A.393(X)
 - .2 has been approved in accordance with resolution MEPC.60(33)
 - .3 has been approved in accordance with resolution MEPC.107(49)

- 2.4 Maximum throughput of the system is m³/h

- 2.5 Waiver of regulation 14:
 - 2.5.1 The requirements of regulation 14.1 or 14.2 are waived in respect of the ship in accordance with regulation 14.5.
 - 2.5.1.1 The ship is engaged exclusively on voyages within special area(s)
 - 2.5.1.2 The ship is certified under the International Code of Safety for High-Speed Craft and engaged on a scheduled service with a turn-around time not exceeding 24 hours
 - 2.5.2 The ship is fitted with holding tank(s) for the total retention on board of all oily bilge water as follows:

Tank identification	Tank location		Volume (m ³)
	Frames (from)-(to)	Lateral position	
Total volume.....m ³			

3A. Oil fuel tank protection (regulations 12A)

3A.1 The ship is required to be constructed according to regulation 12A and complies with the requirements of:

- Paragraph 7 or 8 (double side construction)
- paragraphs 6 and either 7 or 8 (double hull construction)
- paragraph 11 (accidental oil fuel outflow performance).

3A.2 The ship is not required to comply with the requirements of regulation 12A.

3. Means for retention and disposal of oil residues (sludge) (regulation 12) and bilge water holding tank(s)*

3.1 The ship is provided with oil residue (sludge) tanks as follows:

Tank identification	Tank location		Volume (m ³)
	Frames (from)-(to)	Lateral position	
Total volume.....m ³			

3.2 Means for the disposal of residues in addition to the provision of sludge tanks:

- 3.2.1 Incinerator for oil residues, capacity.....l/h
- 3.2.2 Auxiliary boiler suitable for burning oil residues
- 3.2.3 Tank for mixing oil residues with fuel oil, capacity m³
- 3.2.4 Other acceptable means:.....

3.3 The ship is fitted with holding tank(s) for the retention on board of oily bilge water as follows:

* Bilge water holding tank(s) are not required by the Convention, entries in the table under paragraph 3.3 are voluntary.

Tank identification	Tank location		Volume (m ³)
	Frames (from)-(to)	Lateral position	
Total volume.....m ³			

4. Standard discharge connection (regulation 13)

4.1 The ship is provided with a pipeline for the discharge of residues from machinery bilges to reception facilities, fitted with a standard discharge connection in accordance with regulation 13

5. Shipboard oil/marine pollution contingency plan (regulation 37)

5.1 The ship is provided with a shipboard oil pollution contingency plan in compliance with regulation 37

5.2 The ship is provided with a shipboard oil pollution contingency plan in compliance with regulation 37.3

6. Exemption

6.1 Exemptions have been granted by the Administration from the requirements of chapter 3 of Annex I of the Convention in accordance with regulation 3.1 on those items listed under paragraph(s) of this Record

7. Equivalentents (regulation 5)

7.1 Equivalentents have been approved by the Administration for certain requirements of Annex I on those items listed under paragraph(s) of this Record

THIS IS TO CERTIFY that this Record is correct in all respects.

Issued at
(Place of issue of the Record)

.....
(Date of issue)

.....
*(Signature of duly authorised
officer issuing the Record)*

(Seal or stamp of the issuing authority, as appropriate)"

Rule 200.28(3)(a)

Schedule 4

Supplement to the International Oil Pollution Prevention Certificate (IOPP Certificate)

RECORD OF CONSTRUCTION AND EQUIPMENT FOR FPSOs AND FSUs

in respect of the provisions of resolution MEPC.139(53) "Guidelines for application of the revised MARPOL Annex I¹ requirements to FPSOs and FSUs", hereafter referred to as the "Guidelines".

Notes:

- 1 This form should be used for Floating Production Storage and Offloading facilities (FPSOs) and Floating Storage Units (FSUs) to which regulation 39 of the revised Annex I of the Convention applies.
- 2 This Record should be permanently attached to the IOPP Certificate. The IOPP Certificate should be available on board the ship at all times.
- 3 If the language of the original Record is neither English nor French nor Spanish, the text should include a translation into one of these languages.
- 4 Entries in boxes shall be made by inserting either a cross (x) for the answers "yes" and "applicable" or a dash (-) for the answers "no" and "not applicable" as appropriate.
- 5 Unless otherwise stated, regulations mentioned in this Record refer to regulations of the revised Annex I of the Convention as implemented under the Guidelines and resolutions refer to those adopted by the International Maritime Organization.

1. Particulars of ship

- 1.1 Name of ship.....
- 1.2 Distinctive number or letters.
- 1.3 IMO number (if applicable)
- 1.4 Port of registry (if applicable).....

¹ Annex I of International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, hereafter referred to as the "Convention".

- 1.5 Gross tonnage (if applicable)
- 1.6 Produced liquids holding capacity of ship
..... (m³)
- 1.7 Deadweight of ship (tonnes)
(regulation 1.23)
- 1.8 Length of ship (m)
(regulation 1.19)
- 1.9 Operating station
(lat/long).....
- 1.10 Coastal State
.....
- 1.11 Date of build:
 - 1.11.1 Date of building contract
.....
 - 1.11.2 Date on which keel was laid or ship was at a similar stage of
construction
.....
 - 1.11.3 Date of delivery
.....
- 1.12 Conversion to FPSO/FSU (if applicable):
 - 1.12.1 Date of conversion contract
.....
 - 1.12.2 Date on which conversion was commenced
.....

2. Equipment for the control of oil discharge from machinery space bilges and oil fuel tanks (regulations 14, 15 and 34)

- 2.1 Carriage of ballast water in oil fuel tanks:
 - 2.1.1 The ship may under normal conditions carry ballast water in oil fuel tanks
- 2.2 Type of oil filtering equipment fitted:
 - 2.2.1 Oil filtering (15 ppm) equipment regulation 14.6)
 - 2.2.2 Oil filtering (15 ppm) equipment with alarm and automatic stopping device
(regulation 14.7)
- 2.3 Approval standards:*

* Refer to the Recommendation on international performance and test specifications of oily-water separating

- 2.3.1 The separating/filtering equipment:
- .1 has been approved in accordance with resolution A.393(X);
 - .2 has been approved in accordance with resolution MEPC.60(33);
 - .3 has been approved in accordance with resolution MEPC.107(49);
 - .4 has been approved in accordance with resolution A.233(VII);
 - .5 has been approved in accordance with national standards not based upon resolutions A.393(X) or A.233(VII);
 - .6 has not been approved;
- 2.3.2 The process unit has been approved in accordance with resolution A.444(XI)
- 2.3.3 The oil content meter:
- .1 has been approved in accordance with resolution A.393(X);
 - .2 has been approved in accordance with resolution MEPC.60(33);
 - .3 has been approved in accordance with resolution MEPC.107(49);
- 2.4 Maximum throughput of the system is
 m³/h
- 2.5 Waiver of regulation 14:
- 2.5.1 The requirements of regulations 14.1 and 14.2 are waived in respect of the ship:
- .1 As the ship is provided with adequate means for disposal of oily residues in accordance with the Guidelines
 - .2 In accordance with regulation 14.5.1 the ship is engaged exclusively in operations within special area(s):
- Name of special area(s)
- 2.5.2 The ship is fitted with holding tank(s) for the total retention on board of all oily bilge water as follows:

equipment and oil content meters adopted by the Organization on 14 November 1977 by resolution A.393(X), which superseded resolution A.233(VII); see IMO sales publication IMO-608E. Further reference is made to the Guidelines and specifications for pollution prevention equipment for machinery space bilges adopted by the Marine Environment Protection Committee of the Organization by resolution MEPC.60(33), which, effective on 6 July 1993, superseded resolutions A.393(X) and A.444(XI); see IMO sales publication IMO-646E and the revised Guidelines and specifications for pollution prevention equipment for machinery spaces of ships adopted by the Marine Environment Protection Committee of the Organization by resolution MEPC.107(49) which, effectively on 1 January 2005, superseded resolutions MEPC.60(33), A.393(X) and A.444(XI).

Tank identification	Tank location		Volume (m ³)
	Frames (from)-(to)	Lateral position	
Total volume.....m ³			

3. Means for retention and disposal of oil residues (sludge) (regulation 12) and bilge water holding tank(s)*

3.1 The ship is provided with oil residue (sludge) tanks as follows:

Tank identification	Tank location		Volume (m ³)
	Frames (from)-(to)	Lateral position	

Bilge water holding tank(s) are not required by the Convention, entries in the table under paragraph 3.3 are voluntary.

3.2 Means for the disposal of residues in addition to the provisions of sludge tanks:

3.2.1 Incinerator for oil residues, capacity l/h

3.2.2 Auxiliary boiler suitable for burning oil residues

3.2.3 Tank for mixing oil residues with fuel oil, capacity m³

3.2.4 Facility for adding oil residues to production stream

3.2.5 Other acceptable means:

3.3 The ship is provided with holding tank(s) for the retention on board of oily bilge water as follows:

Tank identification	Tank location		Volume (m ³)
	Frames (from)-(to)	Lateral position	
Total volume.....m ³			

4. **Standard discharge connection** (regulation 13)

4.1 The ship is provided with a pipeline for the discharge of residues from machinery bilges and sludges to reception facilities, fitted with a discharge connection

5. **Construction** (regulations 18, 26 and 28)

5.1 In relation to the application of regulation 18, the ship is:

5.1.1 Provided with segregated ballast tanks (SBT)

5.1.2 Provided with crude oil washing (COW)

5.1.3 Provided with sufficient ballast capacity to meet stability and strength requirements

5.1.4 Provided with dedicated clean ballast tanks (CBT)

5.2 Segregated ballast tanks (SBT):

5.2.1 The ship is provided with SBT consistent with regulation 18

5.2.2 The ship is provided with SBT which includes tanks or spaces not used for oil outboard of all produced oil tanks

5.2.3 SBT are distributed as follows:

Tank	Volume (m ³)	Tank	Volume (m ³)
			Total volumem ³

5.3 Dedicated clean ballast tanks (CBT):

5.3.1 The ship is provided with CBT consistent with regulation 18.8

5.3.2 CBT are distributed as follows:

Tank	Volume (m ³)	Tank	Volume (m ³)
			Total volumem ³

5.3.3 The ship has been supplied with a valid Dedicated Clean Ballast Tank Operation Manual, which is dated

5.3.4 The ship has common piping and pumping arrangements for ballasting the CBT and handling produced oil

5.3.5 The ship has separate independent piping and pumping arrangements for ballasting the CBT

5.4 Crude oil washing (COW):

5.4.1 The ship is equipped with a COW system

5.4.2 The ship is equipped with a COW system consistent with regulations 33 and 35

5.4.3 The ship has been supplied with a valid Crude Oil Washing Operations and Equipment Manual which is dated

5.5 Limitation of size and arrangements of produced oil tanks (regulation 26):

5.5.1 The ship is constructed according to the provisions of regulation 26

5.6 Subdivision and stability (regulation 28):

5.6.1 The ship is constructed consistent with regulation 28

5.6.2 Information and data required under regulation 28.5 have been supplied to

- the ship in an approved form □
- 5.6.3 The ship is constructed consistent with regulation 27 □
- 5.7 Double-hull/side construction:**
- 5.7.1 The ship is constructed consistent with regulation 19 as follows:
 - .1 paragraph 3 (double-hull construction) □
 - .2 paragraphs 3.1 and 3.6 (double sides) □
 - .3 paragraph .5 (alternative method approved by the Marine Environment Protection Committee) □
- 5.7.2 The ship is constructed consistent with regulation 19.6 (double bottom requirements) □
- 6. Retention of oil on board (regulations 29, 31 and 32)**
- 6.1 Oil discharge monitoring and control system:
 - 6.1.1 The ship comes under category oil tanker as defined in resolution A.496(XII) or A.586(14)* (*delete as appropriate*) □
 - 6.1.2 The system comprises:
 - .1 control unit □
 - .2 computing unit □
 - .3 calculating unit □
 - 6.1.3 The system is:
 - .1 fitted with a starting interlock □
 - .2 fitted with automatic stopping device □
 - 6.1.4 The oil content meter is approved under the terms of resolution A.393(X) or A.586(14) or MEPC.108(49)* (*delete as appropriate*) suitable for crude oil □
 - 6.1.5 The ship has been supplied with an operations manual for the oil discharge

* FPSOs and FSUs the keels of which are laid, or which are at a similar stage of construction, on or after 2 October 1986 should be fitted with a system approved under resolution A.586(14); see IMO sales publication IMO-646E.

* For oil content meters installed on tankers built prior to 2 October 1986, refer to the Recommendation on international performance and test specifications for oily-water separating equipment and oil content meters adopted by the Organization by resolution A.393(X). For oil content meters as part of discharge monitoring and control systems installed on tankers built on or after 2 October 1986, refer to the Guidelines and specifications for oil discharge monitoring and control systems for oil tankers adopted by the Organization by resolution A.586(14); see IMO sales publications IMO-608E and IMO-646E, respectively. For oil content meters as part of discharge monitoring and control systems installed on oil tankers built on or after 1 January 2005, refer to the revised Guidelines and specifications for oil discharge monitoring and control systems for oil tankers adopted by the Organization by resolution MEPC.108(49).

- monitoring and control system
- 6.2 Slop tanks:
- 6.2.1 The ship is provided with dedicated slop tank(s) with the total capacity of m³, which is. % of the oil carrying capacity, in accordance with:
 - .1 regulation 29.2.3
 - .2 regulation 29.2.3.1
 - .3 regulation 29.2.3.2
 - .4 regulation 29.2.3.3
- 6.2.2 Produced oil tanks have been designated as slop tanks
- 6.3 Oil/water interface detectors:
- 6.3.1 The ship is provided with oil/water interface detectors approved under the terms of resolution MEPC.5(XIII)
- 6.4 Waiver of regulation:
- 6.4.1 The requirements of regulations 31 and 32 are waived in respect of the ship as follows:
 - .1 The ship is engaged exclusively in operations within special area(s) (regulation 3.5)
 - Name of special area(s).....
 - .2 The ship is provided with adequate means of disposal of contaminated sea water
 - a. sent ashore
 - b. incinerated
 - c. added to the production stream
- 7. Pumping, piping and discharge arrangements**
(regulation 30)
- 7.1 The overboard discharge outlets for segregated ballast are located:
 - 7.1.1 Above the waterline
 - 7.1.2 Below the waterline
- 7.2 The overboard discharge outlets, other than the discharge manifold, for clean ballast are located:[^]
 - 7.2.1 Above the waterline

[^]Only those outlets which can be monitored are to be indicated.

- 7.2.2 Below the waterline
- 7.3 The overboard discharge outlets, other than the discharge manifold, for dirty ballast water or oil-contaminated water from produced oil tank areas are located:
 - 7.3.1 Above the waterline
 - 7.3.2 Below the waterline in conjunction with the part flow arrangements consistent with regulation 30.6.5
 - 7.3.3 Below the waterline
- 7.4 Discharge of oil from produced oil pumps and oil lines (regulations 30.4 and 30.5):
 - 7.4.1 Means to drain all produced oil pumps and oil lines at the completion of produced oil discharge:
 - .1 drainings capable of being discharged to a produced oil tank or slop tank
 - .2 for discharge a special small-diameter line is provided
- 8. Shipboard oil pollution emergency plan (regulation 37)**
 - 8.1 The ship is provided with a shipboard oil pollution emergency plan in compliance with regulation 37.1
 - 8.2 The ship is provided with an oil pollution emergency plan approved in accordance with procedures established by as the coastal State in compliance with the unified interpretation of regulation 37.1
 - 8.3 The ship is provided with a contingency plan in accordance with requirements of OPRC Art. 3(2) accepted in accordance with regulation 37
- 9. Surveys**
 - 9.1 Records of surveys in accordance with resolution A.744(18), as amended maintained on board
 - 9.2 In-water surveys in lieu of dry-docking authorized as per documentation
- 10. Equivalentents**
 - 10.1 Equivalentents have been approved by the Administration for certain requirements of the guidelines on those items listed under paragraph(s) of this Record

THIS IS TO CERTIFY that this Record is correct in all respects.

Marine Protection Rules

Issued at
(Place of issue of the Record)

.....
(Date of issue)

.....
*(Signature of duly authorised
officer issuing the Record)*

(Seal or stamp of the issuing authority, as appropriate)

Marine Protection Rules

PART 200 – OFFSHORE INSTALLATIONS – DISCHARGES 2009

Consultation Details

(This text does not form part of the rules contained in Part 200 – Offshore Installations - Discharges 2009

It provides details of the consultation undertaken before making the rules.)

Rule 200.2

TARANAKI REGIONAL COUNCIL questioned why reference is made to the Resource Management Act 1991 (RMA) in the definition of a pollution incident.

MNZ comment – Because operators in the territorial sea are bound by both the Resource Management Act and the Maritime Transport Act (MTA) it is not considered inappropriate to refer to the RMA in the definitions in order to improve clarity and ensure consistency between the different pieces of legislation.

AWE requested definitions be provided for production water, displacement water, offshore processing drainage.

MNZ comment – These definitions have been incorporated.

STOS proposed an alternate definition for harmful substance to “A hazardous substance or hydrocarbon that is classified in the 9.1 category, under the Hazardous Substances and New Organisms Act 1996.”

MNZ comment – This is not considered practical as it would mean substances not yet classified by ERMA would not be included.

STOS requested that the definition of oil spill should be amended to exclude production water discharges.

MNZ comment – The definition is taken directly from the MTA. Additionally it is considered reasonable that production water discharges in excess of 100ppm be treated as oil spills. .

DR MIKE PATRICK noted that the definition of “offshore installation” does not appear to include a drill ship.

MNZ comment – In our view drill ships are covered by the existing definition as such a ship is attached to the seabed through its drill string.

DR MIKE PATRICK requested that “probable release” be defined.

MNZ comment – “Probable” is as per the standard dictionary definition. The meaning of this in the context of oil spills will be elaborated in the advisory circular.

Rule 200.5

OMV, ORIGIN and STOS suggested the 2 month advance notice apply to initial applications only and subsequent applications and amendments may be approved by mutually agreed process for benefit of both parties.

MNZ comment – Historically it has been found that applications and amendment requests are incomplete and more information has to be requested from the applicant. The 2 month notice reduces the chances of operations being delayed while applications are processed.

DR MIKE PATRICK requested that in the rules or in advisory circular need very clear detail of the overlap/interaction between this rule and the RMA.

MNZ comment – This will be clarified in the advisory circular

AWE, OMV and DR MIKE PATRICK considered it important that the inspections or audits required prior to approval of discharge management plans are conducted as soon as possible following notification and with the timing agreed by the operator.

MNZ comment – It is in all parties' interests to conduct these inspections without undue delay and this will be stated in the advisory circular.

Rule 200.6

TARANAKI REGIONAL COUNCIL questioned that given that Part 180 explicitly mentions the requirement to recognise tangata whenua as a party to be consulted should this also be explicit in rule 200.6.

TE OHU KAIMOANA commented "From our point of view the rules should ensure that fisheries, and commercial and non-commercial interests of Maori in fisheries, are not adversely affected by the offshore installation.

"This is further emphasised in following comments where it is stated that the people who are consulted on a discharge management plan (200.6) should include tangata whenua"

MNZ comment – The rules have been amended to specifically refer to tangata whenua as a party whose interests may be affected and will need to be consulted.

DR MIKE PATRICK noted that the wording confuses "site" and "controlled offshore installation".

MNZ comment – This has been corrected.

OMV and DR MIKE PATRICK considered that the requirement to model the fate and movement of harmful substances should only apply to persistent harmful substances of certain volumes and toxicity.

OMV requested a guidance paper on what chemical information is publicly available, and what needs to be done by industry and objectives to be achieved. They also suggest a cost-benefit analysis by MNZ to determine if this is warranted.

MNZ comment – As this requirement relates to the need for consultation with potentially affected parties it is considered that the oil spill modelling required under the provisions of Schedule 1 will be more than adequate to cover those environments and resources that may be impacted by other harmful substances. This requirement has therefore been removed.

OMV, STOS and AWE requested a list of substances that have already been approved, with the understanding that this may mean these substances will automatically be approved in future applications.

MNZ comment – the approval of substances is based not only on their chemical characteristics, but also on the proposed use and spill mitigation measures. While we can provide a list of previous approvals this will not facilitate future applications.

Rule 200.7

DR MIKE PATRICK suggests that the approval period be extended to the life of field with 5 year reviews.

MNZ comment - Three years is consistent with oil spill planning review timetables in other rules. Industry practices change and new technologies emerge and it is considered important that there is an opportunity to require industry to take these into account and build new best practice into their plans and operations.

OMV and STOS requested that the previously stated provision that existing plans will remain in force until new application has been approved be retained based on concerns that delayed approvals will stop operations otherwise.

MNZ comment - This provision was removed to ensure that delays by operators to provide requested information could not drag on because they could keep operating under the old plan. If an application is made at least 2 months in advance there should be no reason it is not approved. If it did happen an exemption could be granted. This will be clarified in the advisory circular.

Rule 200.9

STOS proposed that alterations be submitted in writing with the consolidated updated plan only required to be submitted every 12 months.

MNZ comment – It is agreed that there is no need to submit a consolidated plan until the renewal of the plan is due providing that document control processes are used to ensure that updates and amendments can be tracked and kept with the original plan. This has been amended in the rule and will be clarified in the advisory circular.

Rule 200.11

DR MIKE PATRICK noted that this heading is difficult to understand.

MNZ comment – The rule heading has been amended to improve clarity.

Rule 200.12

OMV, AWE, ORIGIN, STOS and DR MIKE PATRICK stated that the provision to provide MNZ with advance notice of emergency drills should only apply to spill response exercises and drills, and that an audit trail be maintained for other emergency drills to be made available to the Director on request.

MNZ comment – It was only ever intended that this provision apply to spill response drills. The rule has been amended accordingly.

Rule 200.14

TARANAKI REGIONAL COUNCIL noted that the reference to stopping the discharge when it exceeds the allowed oil concentration should be “immediate”.

MNZ comment – The rule has been amended to include the requirement for immediately stopping the discharge.

STOS and DR MIKE PATRICK considered that the requirement for continuous monitoring of production water oil concentrations is excessive. They recommend removing this provision and allowing for only twice daily monitoring.

MNZ comment – It is considered that the capacity for continuous monitoring is essential where production water is being discharged overboard. If this is not implemented there is potential for excessive oil discharges to occur for up to 12 hours without detection or any means of automatically stopping the discharge. The rule has however been amended to state that this monitoring is only required with the production water is being discharged, not in cases where it is being retained on board or reinjected into geological formations.

DR MIKE PATRICK noted that the change from mg/l to ppm represents a stricter discharge standard.

MNZ comment – This was the intention of the change.

STOS proposed that the requirement to report production water discharges in excess of 100ppm as oil spills be removed.

MNZ comment – This provision is considered reasonable and has been retained.

OMV and DR MIKE PATRICK requested clarification of where records of continuous monitoring of production water should be kept.

MNZ comment – As this data is being logged automatically from in-line analysers it is accepted that the data will be in electronic format. Our requirement is that it should be available for audit or inspection in the case of an illegal discharge. This has been clarified in the rule and will be explained in the advisory circular.

AWE requested that the “other parts of the installation” for oily mixtures that must be treated to 15ppm be defined.

MNZ comment – This has been dealt with by clearly defining those areas of the installation where water must be treated to the 30ppm standard. This will be further explained in the advisory circular.

Rule 200.18

AWE requested a definition of “residue” in reference to the oil record book entries.

MNZ comment – “Oil residue” is a standard MARPOL term. However, for clarity the rules have been amended to refer to oil and oily mixtures that cannot be discharged in accordance with the Part requirements.

Rule 200.22

DR MIKE PATRICK suggested that the oil record book would be the appropriate place to record twice daily production water oil concentration data.

MNZ comment – The standard ORB format does not allow for the additional information required in terms of volumes of oil discharged as well as concentration etc. Inclusion of this information in the ORB is also not a MARPOL standard. It has previously been agreed with industry that this data can be submitted in electronic form in a spreadsheet or table. This will be clarified in the advisory circular.

OMV, AWE and STOS suggested that a standard be prescribed for measuring the oil concentration in production water. The standard proposed by two of the submitters is APHA 5520.

MNZ comment – It is anticipated that this data is generally coming from in-line analysers and they vary in methodology. Even where on-board laboratories are being used they are not currently using APHA 5520. Methodologies and standards change regularly. It is considered better to allow operators to determine the methodology they want to use. This was agreed at the meeting with industry on 22 June 2009.

STOS considered that the requirement to submit production water records on a monthly basis should be removed.

MNZ comment – Regular receipt of this data is considered important for audit purposes and to track changes in performance of production water treatment systems. However, the rule has been clarified to state that this information is only required where production water is being discharged.

Rule 200.25

OMV, AWE, ORIGIN, STOS and DR MIKE PATRICK requested clarification regarding the extent, form and timing of environmental monitoring that will be required.

MNZ comment – This provision was deliberately left open in the rules as the type and extent of monitoring will vary significantly depending on the nature of the operation and the location of the installation. It is also acknowledged that offshore monitoring will require coordination with other activities at the site such as the use of diving support and boats and is therefore better managed by the operators to improve efficiency. However, clear guidelines on the expectations of MNZ will be provided in the advisory circular.

TARANAKI REGIONAL COUNCIL raised caution as to why operators and not MNZ are undertaking the environmental monitoring.

MNZ comment – MNZ has no capacity to undertake this type of work and it will need to fit in with the timing of offshore work/oil offtakes and availability of offshore support vessels. MNZs role, in which we do have required expertise, will be to review the results of the surveys for correct methodology and results.

Schedule 1

TARANAKI REGIONAL COUNCIL noted that there is an incorrect reference to “site” in the schedule that should read “installation”.

MNZ comment – The schedule has been corrected.

AWE and ORIGIN requested clarification of the testing methodology required for oil weathering and dispersant testing.

MNZ comment – This was intentionally not included in the rules as different laboratories use a wide variety of methods. Instead the Schedule clearly details the data that must be reported as a result of this testing. Examples of methodologies will be provided in the advisory circular.

DR MIKE PATRICK noted that the requirement to provide detailed description of potential environmental impacts is a new requirement and that guidelines are needed to assist operators.

MNZ comment – More detail on MNZ’s expectations for this provision will be provided in the advisory circular.

STOS requested that the emergency spill response procedures should be able to be incorporated by reference in the DMP rather than as a part of the DMP.

MNZ comment – It is considered important that the spill response procedures form part of the DMP as the information in each will need to be cross referenced in the case of a spill. It is agreed that these procedures may form a discrete chapter or annex to the DMP however, and this has been clarified in the rules.

Schedule 2

OMV, STOS, DR MIKE PATRICK, AWE AND ORIGIN all commented that the chemical data requested goes beyond that found in manufacturers’ material safety data sheets and note that additional studies may be required to provide this information.

MNZ comment – There has been some confusion here about our requirement for a “chemical data sheet” that includes information usually found on an MSDS as well as information on the use, discharge and spill mitigation measures for harmful substances. This has now been clarified with industry and the name “chemical data sheet” removed from the rules to avoid future confusion. All of the chemical data other than the information on use etc. requested should be provided on any MSDS that meets Australian or European standards. The purpose of combining this information with the operators inventory and management of the substance is to provide a single information source in the event of a spill.

Schedule 3

OMV, ORIGIN, STOS and DR MIKE PATRICK noted that the form of the IOPP Certificate supplement provided in the Schedule is not suited to FPSOs.

MNZ comment – An additional Schedule 4 has been added to the Part containing the IOPP Certificate supplement for use with FPSOs and FSUs.

Other comments

TARANAKI REGIONAL COUNCIL noted their support of the changes in the new Part 200 – specifically,;

- improving offshore environmental monitoring to more closely reflect the onshore industry requirements
- consultation with the regional on-scene commander and providing regions with a copy of the DMP
- amending operations to include commissioning and decommissioning
- specifying requirements for audits
- expanding spill notifications to include harmful substances
- increased requirements for training and records of training and exercising
- requirement for continuous monitoring of production water and ability to immediately stop non-compliant discharges
- environmental monitoring requirements
- improved clarity and level of detail in Schedule 1 and 2
- transitional provisions.

The council noted that reinjection into geological formation is often the best practicable option on land.

TE OHU KAIMOANA expressed their support for the fact that the intention of the new rules is to be clearer, provide better information for pollution response, enable inspections and audits and provide for more detailed assessments of environmental impact.

TARANAKI REGIONAL COUNCIL suggested that operators be required to provide an annual environmental reporting on compliance.

MNZ comment – It is considered that the annual audit reports will adequately fulfil this function.

TARANAKI REGIONAL COUNCIL asked what the term “dispersed oil” refers to in the context of the rule and also at what point this is to be measured ie before discharge or following dilution into the receiving environment.

MNZ comment – The rules have been amended to simply refer to replace the term “dispersed oil” with “oil” to improve clarity. Additionally, the requirements that monitoring of oil concentrations must be made before dilution has been stated in the rules.

TARANAKI REGIONAL COUNCIL asked whether MNZ has the provision to recover costs where external expertise is required to review applications.

MNZ comment – In general adequate expertise exists within the organisation. However, at present there is no provision to recover costs where external consultation is required.

TARANAKI REGIONAL COUNCIL noted the need for an integrated management regime and partnership approach to address cross boundary issues eg spills occurring outside 12 nm and reaching the coast.

MNZ comment - Consultation with councils where a spill from a controlled installation may impact the coast is already incorporated into the rules.

STOS suggest that audits by MNZ could be replaced by review by MNZ of independent audits routinely arranged by the operators.

MNZ comment – The expertise and experience exists in-house for MNZ to conduct audits of the offshore installations and this is seen as a fundamental function in our role as regulator.

TE OHU KAIMOANA suggested that there would be value in integrating discharge management plans with overall consent processes and consultation that goes with it.

MNZ comment – This suggestion is noted, however care has been taken to avoid duplication in requirements in the Part 200 and the RMA provisions. So although this may be advantageous in terms of consultation for installations within the coastal marine area, the other elements are quite different. Timing for the DMP (renewal every 3 years) and the granting of consents is also different, so following the initial application this would be difficult to implement.

TE OHU KAIMOANA questioned whether the right to establish a structure in a specific location is granted through another process than these rules.

MNZ comment – MED is responsible for issuing exploration permits. The proposed EEZ environmental effects legislation will take account of potential impacts of installations in allowing the activity to be located in a particular place. This is outside the scope of the marine protection rules.