**DECC Guidance and Reporting Requirements**

**Environmental Management System Requirements**

**in relation to**

**OSPAR Recommendation 2003/5 to Promote the Use and Implementation of**

**Environmental Management Systems by the Offshore Industry**

**Enquiries**

For further information relating to this Guidance, please contact:-

The DECC Environmental Inspector assigned to your operations, or

DECC Offshore Environmental Inspectorate - Phone: 01224 254138 -

Email - offshore.inspectorate@decc.gsi.gov.uk, or

Andrew Taylor, Offshore Environmental Inspectorate Team Leader,

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**Annex 1: Verification**

**Verification Requirements**

Where operators maintain an EMS that has accredited certification to ISO14001 or is registered to EMAS, DECC recognises that this involves independent external verification. Therefore no additional independent external verification is required, provided the EMS covers the full scope of the operator’s offshore installations. Where the EMS does not cover the full scope of the offshore installations an independent external verification must be undertaken.

Where operators do not maintain an EMS that has accredited certification to ISO 14001 or is registered to EMAS, an independent external verification must be completed.

**Certification Body Completing Independent External EMS Verification**

Where an independent external verification is required to satisfy the requirements of this Guidance and the Recommendation, this must be carried out by a UKAS accredited certification body, accredited to ‘ISO/IEC ISO17021:2011 Conformity assessment -- Requirements for bodies providing audit and certification of management systems’. The certification body carrying out the verification shall have ISO 14001 and/or EMAS, and have EA 02 / NACE 11.1 and 11.2 to cover offshore operator activities, included within the scope of its accreditation. The certification body completing the verification must not be an employee of the operator. A list of certification bodies is available from UKAS at <http://www.ukas.com/>

DECC recognises that although certification bodies are accredited to the same standard, they may apply a variety of methods during the verification. It is the responsibility of the operator to select an appropriate certification body, taking into accounts the methods and approach used by that body; their methods of detailing and communicating the verification findings; and the value of the service provided to the operator. In accordance with the Government position statement on EMS, and in recognition of the benefits of a fully certified / registered EMS, operators are encouraged to evaluate whether full certification to ISO 14001 or registration to EMAS would be appropriate for their organisation and installations.

**Scope of Verification**

Where an independent external verification is required solely to satisfy the requirements of this Guidance and the Recommendation, the appointed body shall carry out a verification to answer the questions detailed in Part 3 of Annex 2:

DECC EMS Verification Notification Form.

The verification will normally be undertaken onshore at the operator’s office, and will essentially comprise of a document review. In order to gain maximum benefit from the verification exercise the operator may wish to consider sending the certification body offshore to audit their offshore operations directly. There may also be benefit in having independent audits of their EMS completed more OSPAR 2003/5 DECC Guidance: Revised Issue 3: April 2009 11 frequently than every 2 years to provide the operator with assurance that their EMS continues to be implemented effectively. The benefits of this should be discussed with the certification body.

The operator will provide evidence to the certification body to demonstrate that the EMS satisfies the requirements set out in Section 2 of this Guidance.

For the purpose of this Guidance and the Recommendation, DECC views the licensed operator as the company controlling the operations of an offshore installation. It is the licensed operator’s responsibility to demonstrate compliance with this Guidance and the Recommendation. DECC recognises that there may be occasions when a contracted company is ‘physically’ controlling the offshore operations, both on fixed installations and drilling rigs. In such circumstances, the certification body will additionally wish to satisfy themselves, through a document review, that suitable systems, procedures and interface documentation are in place to link the operator’s and contractor’s systems, thus enabling the operator’s EMS principles, environmental policy and relevant environmental goals, objectives and targets to be managed through the contractor’s EMS. If the contractors have certification to ISO 14001 or are registered to EMAS, it should be appreciated that systems and procedures should already exist and be independently verified to manage their clients EMS requirements. This should be taken into consideration during the verification exercise.

Independent verification is not required, for each contracted drilling rig or contracted operation, providing the verifier is satisfied that systems and procedures are in place to manage the activities in accordance with requirements of the licensed operator’s EMS.

Certification bodies carrying out verification exercises will require evidence that the EMS is being implemented for example, specific contractor interface documents will be available for audit. If evidence of implementation cannot be demonstrated for example, as a result of operations not yet commencing, then a revisit by the certification body may be required in order to fully verify the EMS as being compliant.

On conclusion of the verification exercise the certification body will complete Part 3 of Annex 2 and give a verification opinion statement. The verification opinion statement will identify whether the EMS has been:

* **Verified** – fulfils the requirements as specified in this Guidance and the Recommendation

Or

* **Verified with comments** – where the EMS contains appropriate elements but evidence of implementation, at this time, cannot be demonstrated or minor non-conformances have been identified.
* **Not verified** – where in the opinion of the certification body they cannot verify that the EMS fulfils the requirements as specified in this Guidance and the Recommendation.

When a certification body concludes “Verified with comments” or “Not Verified” details of the actions required to be taken by the operator to attain verification should be documented either within Part 3 of Annex 2 or by attaching summary details of the verification report.

In instances where a certification body concludes “Verified with comments”, DECC may require the operator to have the EMS revisited or re-verified by the certification body, or require the operator to provide documented evidence to DECC, to demonstrate that deficiencies have been rectified or the EMS implemented, depending on the findings.

In instances where a certification body concludes “Not verified” the operator will be required to rectify deficiencies and have the EMS revisited by the certification body to confirm compliance.

The operator’s annual public statement is not required to be included within the scope of the independent verification exercise unless the certification body is specifically instructed by the operator to include it.

**Additional Information**

Operators should be aware that DECC Environmental Inspectors / Environmental Managers may request operators to provide additional information to demonstrate adherence to the principles and elements of the EMS, during offshore installation visits, incident and non-compliance investigations, or permit reviews.

**Annex 2: DECC EMS Verification Notification Form**

This form is to be used to submit summary details of the status of an operator’s EMS to DECC. All operators of seaward licence activities must complete and submit the form to DECC. Only brief information is required, but operators should be prepared, if requested, to expand on the submitted information. The additional information requested by DECC may include the formal report of any relevant certification / registration or the report of the independent verification undertaken to satisfy this Guidance and the Recommendation. It is therefore envisaged that operators will require the body undertaking the verification to provide a more detailed report of the verification, both to obtain greater benefit from the verification process and to satisfy any potential enquiries received from DECC.

Guidance in relation to completion of the form is summarised below. Where applicable, operators must arrange for the body completing the verification to complete Part 3. Once all relevant parts have been completed, the operator must submit the form to DECC. The form should be submitted by e-mail to offshore.inspectorate@decc.gsi.gov.uk.

**Part 1:** To be completed by all operators

**Part 2:** To be completed by operators who have an EMS that has accredited certification to ISO 14001 or is registered to EMAS. (If an operator is working towards such certification / registration, or has temporarily lost such certification / registration, Part 3 must be completed).

**Part 3:** To be completed by the certification body carrying out the independent verification exercise on behalf of operators who do not have an EMS that has accredited certification to ISO 14001 or is registered to EMAS.

**Part 4:** To be completed by operators when the certification body carrying out the verification has concluded a “Verified with comments” or “Not verified” opinion statement.

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| **Part 1**  | **To be completed by all operators**  |
| 1.1  | Name of Operator  |  |
| 1.2  | Contact details of person submitting EMS information for the Operator.  |
| Name  |  |
| Title  |  |
| Contact Address  |  |
| Contact Phone Number  |  |
| E-mail address  |  |
| 1.3  | List of offshore installations included within scope of operator’s EMS  |
|  |
| 1.4  | Are all of operator’s installations included within scope of operator’s EMS? Answer Yes or No. If “No”, list installations not included  |
|  |
| 1.5  | Does operator’s EMS currently have accredited certification to ISO 14001 or registration to EMAS Answer Yes or No. If “Yes”, complete Part 2. If “No” complete Parts 3 & 4 |
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| 1.6  | Does operator currently produce an annual public statement as detailed in Section 2 of DECC EMS Guidance? Answer Yes or No.  |
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| **Part 2**  | **To be completed by operators who have an EMS that has accredited certification to ISO 14001 or is registered to EMAS**  |
| 2.1  | Is EMS designed to achieve the environmental goals of the prevention and elimination of pollution from offshore sources and of the protection and conservation of the maritime area against other adverse effects of offshore activities (as applicable - taking account of the OSPAR Offshore Strategy)? Answer Yes or No. If “No”, provide an explanation.  |
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| 2.2  | Is the EMS designed to achieve continual improvement in environmental performance? Answer Yes or No. If “No”, provide an explanation.  |
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| 2.3  | Which international standard is the operator’s EMS currently certified / registered to?  |
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| 2.4 .  | What was the last date on which the EMS certification / registration was awarded / renewed?  |
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| 2.5  | What is the name of the certification body that carried out the EMS certification / registration?  |
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| 2.6  | Is that certification body UKAS accredited?  |
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| 2.7  | Does the operator intend to maintain certification / registration to that international standard over the next 3 years? Answer Yes or No. If “No” provide an explanation.  |
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| **Part 3**  | **To be completed by independent certification body completing verification on behalf of operators who do not have an EMS that has accredited certification to ISO 14001 or registration to EMAS** |
| 3.1 | Name of Certification Body |  |
| 3.2 | Contact details of person completing EMS verification for the operator.  |
| Name |  |
| Title |  |
| Contact Address |  |
| Contact Phone Number |  |
| E-mail address |  |
| 3.3 | Name of Operator being verified  |  |
| 3.4 | Date(s) on which verification exercise was carried out. |
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| 3.5 | Is there evidence that the operator has, as applicable, identified, defined, established, implemented, and maintained the EMS elements and requirements set out in Section 2 of DECC EMS Guidance and the Recommendation.Answer Yes or NoIf “No”, indicate which elements or requirements have NOT been identified, defined, established, implemented and maintained, and provide brief details of supporting evidence.  |
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| 3.6 | Is the EMS designed to achieve the environmental goals of the prevention and elimination of pollution from offshore sources and of the protection and conservation of the maritime area against other adverse effects of offshore activities (as applicable - taking account of the OSPAR Offshore Strategy)? Answer Yes or NoIf “No”, provide a brief description of deficiencies. |
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| 3.7 | Is the EMS designed to achieve continual improvement in environmental performance?Answer Yes or NoIf “No”, provide a brief description of the deficiencies.  |
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| 3.8 | Does the scope of the EMS cover all the operator’s offshore installations?Answer Yes or NoIf “No”, provide a brief description of the deficiencies. |
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| 3.9  | **Certification Body Verification Opinion Statement**Certification body to **complete 1 of the following 3 opinion options (and delete those not applicable)** and provide comments, if applicable, in comments box below or via an attached summary of the verification report. |
| 3.9.1 | **Verified**<insert name of verifying organisation> has conducted a verification of the <licensed operator> EMS.  On the basis of this verification the system fulfils the requirements as specified in DECC Guidance and OSPAR 2003/5. |
| 3.9.2. | **Verified with comments**<insert name of verifying organisation> has conducted a verification of the <licensed operator> EMS.  On the basis of the verification, at this time, it has been verified but with the following comments as below/attached: |
| 3.9.3. | **Not Verified**<insert name of verifying organisation> has conducted a verification of the <licensed operator> EMS.  On the basis of the verification, at this time, it has **NOT** been verified as a result of the following comments as below/attached: |
| 3.9.4. | **Comments to be provided in relation to 3.9.2 or 3.9.3 above as applicable** |
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| **Part 4**  | **To be completed by operators when the certification body completing the independent verification exercise has concluded within its final Verification Opinion Statement a** **“Verified with comments” or “Not verified” result.**  |
|  | What actions are being taken to address the deficiencies of the EMS as detailed in Part 3.5, 3.6, 3.7, 3.8 and 3.9.4 (as applicable). You must provide details of the actions being taken or proposed, the timescales for implementation, and the person responsible for the implementation.  |