Food and Environment Protection Act (FEPA) 1985
Part II Deposits in the Sea (as amended)

Licence for the deposit, by means of seabed injection, of material arising from offshore hydrocarbon exploration and production operations.

Licence Number/ Reference Number «BERR_Number»

The Department for Business, Enterprise & Regulatory Reform (hereinafter referred to as “the licensing authority”) hereby authorises:

«Name_»
«Company»
«Address_1»
«Address_2»
«Address_3»
«Address_4»

(thereinafter referred to as the “licence holder”) to deposit beneath the seabed the substances or articles the particulars of which are set out at Part 1 of the attached Schedule. The licence is subject to the conditions set out, or referred to, in Part 2 of the said Schedule.

This licence shall be valid from [date] to [date].

For and on behalf of the Secretary of State

Name
Authorised to act in that behalf

«Name_»
Schedule to Licence Number *BERR Ref*, Dated

Part 1 Particulars of Substances or Articles

1.1 Description of the substances or articles scheduled for deposit:

[description]

as described in the application dated «Date», and correspondence or documents submitted in support of the application.

1.2 Name and address of the producer(s) of the substances or articles scheduled for deposit:

[name and address of producer – please allocate a number to each entry, e.g. 1.2.1, 1.2.2 etc (see example below)]

1.2.1 Licence holder
1.2.2 Operator UK (full name and address)

1.3 Place of production of the substances or articles scheduled for deposit:

[place of production, i.e. name or identifier of installation – please allocate a number to each entry, e.g. 1.3.1, 1.3.2 etc, and cross reference to Section 1.2 above (see example below)]

<table>
<thead>
<tr>
<th>Place of Production</th>
<th>Producer</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.3.1 Installation 1</td>
<td>Licence holder</td>
</tr>
<tr>
<td>1.3.2 Installation 2</td>
<td>Operator UK (full name)</td>
</tr>
</tbody>
</table>

1.4 Quantity of the substances or articles authorised for deposit:

[quantity in tonnes per year – please allocate a number to each entry, e.g. 1.4.1, 1.4.2 etc, and cross reference entries to Sections 1.2 and 1.3 above (see example below)]

<table>
<thead>
<tr>
<th>Quantity (t/year)</th>
<th>Place of Production</th>
<th>Producer</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.4.1 10,000 t/yr</td>
<td>Installation 1</td>
<td>Licence holder</td>
</tr>
<tr>
<td>1.4.2 7,500 t/yr</td>
<td>Installation 2</td>
<td>Operator UK</td>
</tr>
</tbody>
</table>
Part 2 Conditions

2.1 The licence holder is required to acknowledge receipt of this licence and to confirm acceptance of the term and condition of the licence, within 28 days of the date of issue of the licence, either in writing or by email. Operations to be undertaken under authority of this licence shall not be commenced until the acknowledgement and confirmation has been submitted to licensing authority.

2.2 The licence holder, or a nominated agent or contractor acting on their behalf (an agent or contractor identified in the application dated [date]), shall notify the licensing authority of the date of commencement of operations relating to the licence, either in writing or by email.

2.3 The licence holder, or a nominated agent or contractor acting on their behalf, shall deposit the substances or articles described in Part 1 of this Schedule at the following authorised deposit location:

[deposit location, i.e. name or identifier and geographical coordinates (latitude and longitude) of installation]

2.4 The authorised method of deposit shall be injection beneath the seabed, as described in the application dated [date], and correspondence or documents submitted in support of the application.

2.5 “Force majeure” may apply when, due to stress of weather or any other cause, it may be necessary to deposit the substances or articles at an unauthorised deposit location, or using an unauthorised method of deposit, because the safety of human life and/or an installation or vessel is threatened. If “force majeure” is deemed to apply, full details of the circumstances must be notified to the licensing authority within two working days of making the deposit, either in writing or by email.

2.6 The licence holder, or a nominated agent or contractor acting on their behalf, shall ensure that only authorised personnel have access to the substances or articles scheduled for deposit, and that only those substances or articles described in Part 1 of this Schedule are deposited under authority of the licence. All tank or container washings shall be deposited at the authorised deposit location, using the authorised method of deposit.

2.7 The licence holder or the producer of the substances or articles as detailed in Part 1 of this Schedule, or a nominated agent or contractor acting on their behalf, shall maintain a written record at the place(s) of production of the substances or articles scheduled for deposit under authority of the licence. The written record must record in English the following information:

2.7.1 Name or identifier of place of production of the substances or articles scheduled for deposit under authority of the licence, and the reference number of this licence;
2.7.2 Name (or identification code) and operator of vessel, and type of container, used to transport the substances or articles to the authorised deposit location;

2.7.3 Date and time of despatch of each consignment of substances or articles scheduled for deposit under authority of the licence;

2.7.4 Description of the substances or articles despatched for deposit under authority of the licence;

2.7.5 Quantity (tonnes) of substances or articles despatched for deposit under authority of the licence;

2.7.6 Details of any checks or sampling carried out on the substances or articles prior to transport to the authorised deposit location;

2.7.7 Signature or signatures of the person or persons responsible for the despatch of the substances or articles for deposit under authority of the licence.

The written record shall be held at the place(s) of production of the substances or articles scheduled for deposit under authority of the licence, and retained for a period of one calendar year from the date of production of the record, and shall be made available for inspection by authorised Enforcement Officers at all reasonable times.

2.8 The licence holder, or a nominated agent or contractor acting on their behalf, shall ensure that all vessels employed to transport the substances or articles scheduled for deposit under authority of this licence shall be so constructed and equipped as to be capable of the proper performance of those operations.

2.9 The licence holder, or a nominated agent or contractor acting on their behalf, shall maintain a written record on board each vessel engaged in the transport of the substances or articles scheduled for deposit under authority of the licence. The written record must record in English the following information:

2.9.1 Name (or identification code) and operator of the vessel, and the reference number of this licence;

2.9.2 Name or identifier of each place of production visited to load substances or articles scheduled for deposit under authority of the licence;

2.9.3 Description of substances or articles loaded at each place of production for transport to the authorised deposit location;

2.9.4 Quantity (tonnes) of substances or articles loaded at each place of production for transport to the authorised deposit location;

2.9.5 Date and time of departure from each place of production of the substances or articles scheduled for deposit under authority of the licence;
2.9.6 Date and time of arrival at the authorised deposit location;

2.9.7 Date and time of commencement and completion of the unloading operations at the authorised deposit location;

2.9.8 Confirmation of source (name or identifier of place of production), nature (description) and quantity (tonnes) of substances and articles unloaded at the authorised deposit location;

2.9.9 Comments on the transfer operations, including full details (source, nature and quantity) of any substances or articles retained on board and not unloaded at the authorised deposit location;

2.9.10 Signature of the Master or person in charge of the vessel at the time of completion of the transfer operations.

The written record shall be held on board the vessel engaged in the transport of the substances or articles scheduled for deposit under authority of the licence, and retained for a period of one calendar year from the date of production of the record, and shall be made available for inspection by authorised Enforcement Officers at all reasonable times.

2.10 The licence holder, or a nominated agent or contractor acting on their behalf, shall maintain a written record at the authorised deposit location. The written record must record in English the following information:

2.10.1 Name or identifier of authorised deposit location, and the reference number of this licence;

2.10.2 Name (or identification code) and operator of vessel, and type of container, used to transport the substances or articles to the authorised deposit location (if appropriate);

2.10.3 Confirmation of source (name or identifier of place of production), nature (description) and quantity (tonnes) of all substances and articles transported to the authorised deposit location for disposal, or (where appropriate) produced at the authorised deposit location;

2.10.4 Details of any checks or sampling carried out on the substances or articles prior to each disposal operation;

2.10.5 Date and time of commencement and completion of each disposal operation;

2.10.6 Confirmation of source (name or identifier of place of production), nature (description) and quantity (tonnes) of substances deposited during each disposal operation;

2.10.7 Comments on each disposal operation, including the time taken to complete the disposal operation, the rate of disposal, the reasons for any delays and full details of any problems encountered during the course of the disposal operation;
2.10.8 Signature or signatures of the person or persons responsible for the each disposal operation.

The written record shall be held at the authorised deposit location, and retained for a period of one calendar year from the date of production of the record, and shall be made available for inspection by authorised Enforcement Officers at all reasonable times.

2.11 The licence holder shall submit certified returns (either in writing or by email) confirming the source (name of identifier of place of production), nature (description) and quantity (tonnes) of all substances and articles deposited under authority of this licence. The certified returns must be submitted to the licensing authority by 31 January of each year, detailing the substances or articles deposited under authority of the licence during each month of the period 1 July to 31 December during the previous calendar year; and by 31 July of each year, detailing the substances or articles deposited under authority of the licence during each month of the period 1 January to 30 June during the same calendar year. Where no deposit is made during a reporting period, or during any month within a reporting period, NIL returns are required. (Where a licence expires during the course of a calendar year, and is not renewed or superseded by a further licence relating to the operations to be undertaken under authority of this licence, the certified return of quantities of substances or articles deposited under authority of the licence during the six month reporting period in which the licence expires shall be submitted to the licensing authority within 28 days of the date of expiry of the licence.

2.12 The licence holder shall ensure that copies of the licence and the attached schedule (and any special conditions and/or subsequent revisions or amendments of the licence and schedule) are maintained at the locations detailed below, and made available for inspection by authorised Enforcement Officers at all reasonable times.

2.12.1 The premises of the licence holder;

2.12.2 The premises of any nominated agent or contractor acting on behalf of the licence holder in relation to the operations authorised under this licence;

2.12.3 At the place(s) of production of the substances or articles scheduled for deposit under authority of the licence;

2.12.4 On board each vessel engaged in the transport of the substances or articles scheduled for deposit under authority of the licence;

2.12.5 At the authorised deposit location.

2.13 In the event that the licence holder becomes aware that any of the information on which the granting of the licence was based has changed, or is likely to change, the licence holder shall immediately notify the licensing authority of the details, either in writing or by email.
2.14 In the event that the licence holder wishes any of the particulars set down in the licence or the attached schedule to be altered, the licence holder shall notify the licensing authority (either in writing or by email), and shall not undertake any operations that are affected by the proposed changes until the licensing authority has provided its written consent.
Notes

The attention of the permit holder is drawn to the following provisions relating to the Food and Environment Protection Act 1985, Part II Deposits in the Sea:

1. The licence holder is responsible for confirming that there are no barriers, legal or otherwise, to the carrying out of the operations authorised under authority of the licence. The issue of the licence does not absolve the licence holder from obtaining such authorisations, consents and approvals that may be required under any other legislation, controls or regulations.

2. Under Section 8 of the Food and Environment Protection Act 1985, the licensing authority may vary or revoke the licence, if it appears to the licensing authority that the licence holder is in breach of any of the conditions attached to the licence, or for any other reason that is considered to be relevant by the licensing authority.

3. Under Section 9(1) of the Food and Environment Protection Act 1985, it is an offence to make a deposit, or cause a deposit to be made, in the sea or under the seabed otherwise than in accordance with a licence, and the terms and conditions attached to the licence. It is a defence under Section 9(3) of the Act for a person charged with such an offence to prove that the operation was carried out under "force majeure", and that the licence holder sent full details of the incident (including those relating to the operation, the location, the circumstances and the substances or articles concerned) to the Licensing Authority within two working days of the incident.

4. If the operations authorised under the licence are unlikely to be completed by the expiry date of the licence, the licence holder should apply for an extension to the existing licence (short-term) or a replacement licence (longer-term). Both applications should be made at least eight weeks prior to the expiry date of the licence, although a shorter consideration period will normally be acceptable in the case of applications for a licence extension. In both cases, a further charge may be payable.

5. All correspondence or communications relating to the licence should be addressed to:

Department for Business, Enterprise & Regulatory Reform
Environmental Management Team
Energy Development Unit
Offshore Environment & Decommissioning
Atholl House, 86-88 Guild Street
Aberdeen AB11 6AR

Tel: 44 (0) 1224 254050
Fax: 44 (0) 1224 254019
E-mail: emt@berr.gsi.gov.uk