



ENVIRONMENTAL ALERT

ALERT NUMBER: 003/2015

ISSUE DATE: 5 August 2015

INCIDENT / ALERT DETAILS:

During recent review of PON1s submitted during 2014, it has come to the notice of the inspectorate that there appears to be confusion over the use of the 'known third party' tick box on the portal PON1 submission forms.

The 'known third party' tick box should be used when notifying DECC of a pollution event that an operator has become aware of from a known source, where that source is not directly reportable by that operator.

Where an operator is responsible for reporting a release on behalf of another operator this should not be recorded as a 'known third party'.

Examples include

- Where a MODU is drilling on behalf of an operator, the OPEP* will commonly state that the MODU OIM will report any releases. These releases are reported by the MODU company OIM on behalf of the operating company. These **should not** be reported as a 'known third party'.
- Where a subsea tie-back is operated by a company other than the installation it is tied back to, yet the OPEP* for both the tie-back and the installation state that the installation OIM will report any releases these **should not** be reported as a 'known third party'.
- Where a floatel is on location and covered under an installation/field OPEP*, any releases from the floatel or the installation should be reported as the operator responsible being the operator of the installation/field. The installation OIM or the floatel OIM may report these releases, according to the arrangements in the OPEP. These **should not** be reported as a 'known third party'.

****Please note that although the OPEP only covers oil releases, all releases of offshore chemicals should be reported in the same manner.***

There may be instances detailed above where the reporting requirements would lie with, or revert to, the responsible operator rather than the original reporter. In these instances the original reporter may report the release as a 'known third party'. In these circumstances where a 'known third party' release is reported, the responsible operator must submit an additional PON1 providing details of the release.



Only where an operator becomes aware of oil in the sea or a chemical release where they are aware of the source but do not have reporting responsibilities, a 'known third party' report **should** be submitted.

Examples of 'known third party' reports include:

Where an operator is aware of oil/chemical in the sea and they can positively identify the originator as being another installation/ infrastructure owned by an operator where they have no reporting requirements (as defined within the OPEP), a 'known third party' report **should** be submitted.

In these cases the responsible operator should also be submitting a PON1, permitted discharge notification or non-compliance as appropriate.

Where an operator is aware of oil/chemical in the sea released from a vessel ** and they can positively identify that vessel, a 'known third party' report **should** be submitted.

*** it should be clear that the release is from a vessel and not an oil and gas release – where 'vessels' are undertaking operations covered by an OPEP (e.g. LWIVs) these will be classed as oil and gas operations. If there is any uncertainty, the PON1 should be submitted without the 'known third party' box ticked and discussions held with your assigned inspector. PON1s can always be varied at a later date.*

ROV Releases

ROV releases make up the bulk of 'known third party' reports. To determine if an ROV release is a 'known third party' the following principles should apply:

- If the ROV is launched and controlled from an installation – Production, Drilling or vessel undergoing operations covered under an OPEP – this is a PON1 where the field operator is the responsible party and **should not** be reported as a 'known third party'.
- If the ROV is launched and operated from a vessel which is not an installation e.g. construction vessel and some non-intrusive works - this is a vessel incident and **should** be reported as a 'known third party'.

If the release is from the subsea infrastructure, this is a PON1 where the field operator is the responsible party and **should not** be reported as a 'known third party'.

In the case of vessel releases the MCA will release a POLREP.



INITIAL/ALERT FINDINGS:

Operators should ensure those personnel responsible for reporting PON1s are aware of the above arrangements.

The main principle to remember is that for all 'known third party' reports there should also be a PON1, permitted discharge notification, non-compliance or POLREP for the responsible party.

There should be no 'known third party' permitted discharge notifications as only the permit holder should submit these.

For those closed PON1s submitted as 'known third party', where the inspectorate have reviewed these and determined that they may not be classified as 'known third party', your assigned inspector will be in contact with a view to correcting these within the portal.

Further Information

Any queries relating to this alert should be addressed to:

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Or:

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