



Offshore Petroleum Regulator for
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Attn: Oil and Gas Trade Associations and Members

Dear Sirs

THE MERCHANT SHIPPING (PREVENTION OF OIL POLLUTION) REGULATIONS 2019

The Maritime & Coastguard Agency (MCA) consulted on changes to the Merchant Shipping (Prevention of Oil Pollution) Regulations 1996 from 4 June 2018 to 29 July 2018. This also included amendment of The Offshore Petroleum Activities (Oil Pollution Prevention and Control) Regulations 2005 (as amended). The Government's response can be found on the consultation webpage:

<https://www.gov.uk/government/consultations/consultation-on-recasting-the-merchant-shipping-prevention-of-oil-pollution-regulations>

The Merchant Shipping (Prevention of Oil Pollution) Regulations 2019 were made on 28 January 2019 and will come into force on 1 March 2019. The Regulations can be found on the following webpage:

<http://www.legislation.gov.uk/uksi/2019/42/introduction/made>

MCA Marine Guidance Note MGN 603 can be found on the following webpage:

<https://www.gov.uk/government/publications/mgn-603m-requirements-for-oil-or-oily-mixture-discharges-for-offshore-installations-engaged-in-oil-and-gas-operations-on-the-uk-continental-shelf>

The Offshore Petroleum Regulator for Environment and Decommissioning (OPRED), part of the Department for Business, Energy and Industrial Strategy, will issue updated guidance for The Offshore Petroleum Activities (Oil Pollution Prevention and Control) Regulations 2005 (as amended) in due course. Interim guidance for Installation Operators and Non-Production Installation (NPI) Owners can be found below:

1. Offshore installations engaged in the exploration, exploitation or associated offshore processing of sea-bed mineral resources must comply with such requirements of The Merchant Shipping (Prevention of Oil Pollution) Regulations 2019 and MARPOL Annex I as are applicable to ships.
2. The Merchant Shipping (Prevention of Oil Pollution) Regulations 2019 take account of the

Guidelines for the Application of the Revised MARPOL Annex 1 Requirements to Floating Production, Storage and Offloading Facilities and Floating Storage Units (MEPC.139(53), amended by MEPC.142(54)).

3. The following guidance applies to the discharges of oil associated with Paragraphs 1 and 2, from:
 - i. Machinery spaces.
 - ii. Contaminated sea water from operational purposes such as produced oil tank cleaning water, produced oil tank hydrostatic testing water or water from ballasting of a produced oil tank to carry out inspection by rafting.
4. For the relevant discharges referenced in Paragraph 3, The Offshore Petroleum Activities (Oil Pollution Prevention and Control) Regulations 2005 (as amended) applies to:
 - i. Fixed and Floating Production Platforms which cannot propel themselves through water. Operators of these installations will no longer be required to apply for an annual waiver from MCA.
 - ii. Floating Production, Storage and Offloading Facilities (FPSOs) and Floating Storage Units (FSUs) - for discharges made through the production stream (i.e. the oil production process). Such discharges will need to be described within Oil Discharge Permits issued by OPRED under The Offshore Petroleum Activities (Oil Pollution Prevention and Control) Regulations 2005 (as amended). Permit variations to update existing permits with this information should be submitted to OPRED via the PETS Portal at the time of the next permit variation or by 31 May 2019.
5. For the relevant discharges referenced in Paragraph 3, The Offshore Petroleum Activities (Oil Pollution Prevention and Control) Regulations 2005 (as amended) does not apply to
 - i. Floating Production Platforms which can propel themselves through water.
 - ii. Non-Production Installations (NPIs).
 - iii. FPSOs and FSUs - for such discharges not made through the production stream.

These discharges are controlled by The Merchant Shipping (Prevention of Oil Pollution) Regulations 2019.

Should you have any queries, please contact your assigned inspector.

Yours faithfully,

OPRED Business Support Team