Guidance notes for preparing oil pollution emergency plans

Department for Business, Energy & Industrial Strategy – Offshore Petroleum Regulator for Environment and Decommissioning

RPC rating: validated

Description of proposal

The Merchant Shipping (Oil Pollution Preparedness, Response and Co-operation Convention) Regulations 1998 ("OPRC Regulations") requires that every operator of an offshore installation and oil handling facility to which the OPRC Regulations apply shall have an oil pollution emergency plan (OPEP). Previous guidance regarding OPEPs required the emergency room manager (ERM) and the operator's technical representative' (OTR) to be trained to at least OPEP training level 3 and 2, respectively. (Level 3 is a three day course providing, for example, significant detail on how to evaluate and respond to an oil pollution incident. Level 2 is a half-day course covering priority setting and external liaison with relevant authorities).

A review of training requirements established that OPEP training level 2 would be sufficient for ERMs and that the OTR need not be trained to OPEP training level 2. These reduced requirements were explained in revised guidance published in December 2016.

Impacts of proposal

The measure affects all offshore oil and gas installation and well operators, together with owners of non-production installations whose staff may need to provide an emergency response to an oil spill and thus require training in emergency response duties. Currently there are approximately 60 such companies.

The training for both courses is repeated every three years as a refresher and the regulator has, therefore, estimated savings over a three-year period. It is estimated that 230 ERMs will now require level 2 rather than level 3 training and that 90 OTRs will no longer need level 2 training. Using training course fees from the two main course providers, the regulator estimates a total saving in course fees of £48,600, equating to an annual saving of £16,200.

This is a qualifying regulatory provision that should be accounted for under the Business Impact Target. The RPC is able to verify the rounded estimated equivalent annual net direct cost to business (EANDCB) of zero.

Quality of submission

The assessment does not monetise the benefit to business from the reduction in staff time spent on training courses, or the travel and subsistence savings. This is despite the assessment stating that these costs would be "*significantly higher than the course costs as ERMs are usually more senior staff in the organisation*". The assessment acknowledges that staff time savings could have been estimated but that there is no accurate information on "*staff day rates, travel time etc*". It would appear that monetising staff time savings could have been undertaken, for example using ASHE data. However, on the basis that the overall savings would remain relatively small the RPC can just accept the regulator's assessment on proportionality grounds.

Departmental assessment

Classification	Qualifying regulatory provision (OUT)
Equivalent annual net direct cost to business (EANDCB)	Zero
Business net present value	Zero

RPC assessment[1]

Classification	Qualifying regulatory provision (OUT)
EANDCB – RPC validated	Zero
Business impact target score	Zero

Michael Gibbons CBE, Chairman

[1] For reporting purposes, the RPC validates EANCB and BIT score figures to the nearest £100,000.