

Overview Assessment:

Implementation reports on OSPAR Decision 2000/3 – Use of Organic- phase Drilling Fluids (OPF) and the Discharge of OPF-contaminated Cuttings



**OSPAR Commission
2007**

The Convention for the Protection of the Marine Environment of the North-East Atlantic (the “OSPAR Convention”) was opened for signature at the Ministerial Meeting of the former Oslo and Paris Commissions in Paris on 22 September 1992. The Convention entered into force on 25 March 1998. It has been ratified by Belgium, Denmark, Finland, France, Germany, Iceland, Ireland, Luxembourg, Netherlands, Norway, Portugal, Sweden, Switzerland and the United Kingdom and approved by the European Community and Spain.

La Convention pour la protection du milieu marin de l'Atlantique du Nord-Est, dite Convention OSPAR, a été ouverte à la signature à la réunion ministérielle des anciennes Commissions d'Oslo et de Paris, à Paris le 22 septembre 1992. La Convention est entrée en vigueur le 25 mars 1998. La Convention a été ratifiée par l'Allemagne, la Belgique, le Danemark, la Finlande, la France, l'Irlande, l'Islande, le Luxembourg, la Norvège, les Pays-Bas, le Portugal, le Royaume-Uni de Grande Bretagne et d'Irlande du Nord, la Suède et la Suisse et approuvée par la Communauté européenne et l'Espagne.

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Background

1. A first set of implementation reports for this Decision was submitted to OIC 2003. The present paper provides an updated overview of implementation of this Decision as required by product 11 of the 2006/2007 revision of the Programme of Work for OIC.
2. OIC 2005 noted that the current annual format for data collection provides sufficient information to assess the effectiveness of OSPAR Decision 2000/3, and these data will be assessed as part of the assessment of the annual report on discharges, spills and emissions.

Response

3. The response from relevant Contracting Parties by February 2007 was as follows. (An asterisk indicates that no report was received and the 2003 return has been used instead):

Contracting Party	Implementation Report
Denmark	Yes
*France	Yes
Germany	Yes
*Ireland	Yes
Netherlands	Yes
Norway	Yes
Spain	Yes
United Kingdom	Yes

4. The reports received are attached at Annex 1.

Overview of Implementation of Decision 2000/3

5. The Decision has been implemented as follows:

Contracting Party	By legislation	By administrative action	By negotiated agreement
Denmark	No	No	Yes
France	No	Yes	No
Germany	Yes	Yes	No
Ireland	No	Yes	No
Netherlands	Yes	No	Yes
Norway	Yes	Yes	No
Spain	Yes	No	No
UK	Yes	Yes	No

6. No Contracting Party holds a reservation and the measure is applicable to all the Parties listed. There were no common difficulties shared by more than one Contracting Party and the full reports (Annex 1) give the individual detail on how the measure has been applied in the various states.
7. OIC 2007 agreed to inform OSPAR 2007 that all Contracting Parties with offshore installations had implemented Decision 2000/3 and therefore to recommend to OSPAR that implementation reporting for this measure should cease. This recommendation was endorsed by OSPAR 2007.

Annex 1: Full implementation Reports

Denmark

The format below for the implementation report on compliance with OSPAR Decision 2000/3 on the Use of Organic-Phase Drilling Fluids (OPF) and the Discharge of OPF-Contaminated Cuttings should be used to the extent possible.

Country: Denmark

Reservation applies No

Is measure applicable in your country? Yes

1. If not applicable, then state why not (e.g. no relevant installation or activity)

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Means of Implementation:	by legislation	by administrative action	by negotiated agreement
	no	no	Yes

2. Please provide information on:

- a. specific measures taken to give effect to this measure by using the attached template;
- b. any special difficulties encountered, such as practical or legal problems, in the implementation of this Decision;
- c. the reasons for not having fully implemented this measure should be spelt out clearly and plans for full implementation should be reported;
- d. if appropriate, progress towards being able to lift the reservation.

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Germany

The format below for the implementation report on compliance with OSPAR Decision 2000/3 on the Use of Organic-Phase Drilling Fluids (OPF) and the Discharge of OPF-Contaminated Cuttings should be used to the extent possible.

Country:

Reservation applies

Is measure applicable in your country?

1. If not applicable, then state why not (e.g. no relevant installation or activity)

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Means of Implementation:	by legislation	by administrative action	by negotiated agreement
	yes	yes	no

2. Please provide information on:

- specific measures taken to give effect to this measure by using the attached template;
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Oil based mud and oil based cuttings are generally not dumped into the sea in Germany.

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* Delete whichever is not appropriate

The Netherlands

The format below for the implementation report on compliance with OSPAR Decision 2000/3 on the Use of Organic-Phase Drilling Fluids (OPF) and the Discharge of OPF-Contaminated Cuttings should be used to the extent possible.

Implementation report: 2006

Country: The Netherlands

Reservation applies no

Is measure applicable in your country? yes

1. If not applicable, then state why not (e.g. no relevant installation or activity)

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Means of Implementation:	by legislation	by administrative action	by negotiated agreement
	yes	no	yes

2. Please provide information on:

- a. specific measures taken to give effect to this measure by using the attached template;
- b. any special difficulties encountered, such as practical or legal problems, in the implementation of this Decision;
- c. the reasons for not having fully implemented this measure should be spelt out clearly and plans for full implementation should be reported;
- d. if appropriate, progress towards being able to lift the reservation.

Introduction:

Since the report made by the Netherlands and reported to OIC 2003 by the UK, reference OIC 03/3/7-E, new mining laws and regulations have been implemented by the Netherlands. Paragraph 9.2 of the new Mining Regulations regulates the implementation of the OSPAR Decision 2000/3 while the reporting format as agreed at OIC 2001, reference Annex 5 to the Summary Record OIC 2001 (OIC 01/17/1, Annex 5), forms part of the agreement within the framework of the Environmental Covenant to report on an annual basis on the use and fate of OPF base fluids.

Ad. a This decision has been implemented through paragraph 9.2 of the Mining Regulations, which came into effect on January, 1, 2003. Article 9.2.3 of this paragraph regulates article 3.1.5 of this Decision defining the upper part of the well to be not greater than 12, 25 inch diameter of the borehole. Exemptions as stipulated in articles 3.1.5 of this Decision and authorisation for discharge of synthetic OPF as stipulated in article 3.1.6 of this Decision are also regulated in paragraph 9.2 of the Mining Regulations. Since the implementation of this Decision no request for use and discharge of synthetic OPF / cuttings has been made to the competent authorities. However in 2005 three exemptions have been issued for the use of OBF in borehole diameters greater than 12, 25 inch. In these cases no OBF cuttings have been discharged. The basis for these exemptions is due to geological and safety reasons, i.e. drilling through high water sensitive formation like clay stones (Vlieland formation) and salts (Zechstein formation) and or high deviated (more than 60 degrees) wells.

Ad. b No special difficulties have been encountered so far.

The Netherlands' Report for 2005 according to OSPAR Agreement OIC 01/17/1, Annex 5

OPF Base Fluid: Use & Fate Evaluation (metric tonnes)						
OPF Base Fluid	Used* 5079	Recycled		Losses		
		In mud	In cuttings	Downhole	Injection	After Cleaning & Discharge
		4693	838	1339	0	0

* In the Netherlands only OBF (mineral oil based fluids) have been used so far since the implementation of the OSPAR Decision 2000/3.

Notes

All Entries are to be in metric tonnes of OPF	
'OPF Base Fluid'	= the base fluid portion of the mud
'Used'	= (OPF present in mud at start of well + any additional OPF added as additional mud) – at end of well
'Recycled, in mud'	= OPF returned to shore in mud remaining at the end of operations
'Recycled, in cuttings'	= OPF shipped to shore in cuttings for onshore recovery
'Lost Downhole'	= (OPF lost to formation during drilling operations + OPF remaining downhole after drilling operations)
'Injected'	= OPF associated with cuttings which are injected
'Discharged'	= OPF associated with any cuttings that are discharged overboard

Additional Note:

1. All volumes convert to a tonnage of oil by multiplying by the oil density. Figure 1 illustrates the mechanism to establish the tonnages reported.

Norway

The format below for the implementation report on compliance with OSPAR Decision 2000/3 on the Use of Organic-Phase Drilling Fluids (OPF) and the Discharge of OPF-Contaminated Cuttings should be used to the extent possible.

Country: Norway

Reservation applies no

Is measure applicable in your country? yes

1. If not applicable, then state why not (e.g. no relevant installation or activity)

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Means of Implementation:	by legislation	by administrative action	by negotiated agreement
	yes	yes	no

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No new discharge permits with OPF have been issued since 2004, and there has been no discharge of OPFs in 2005.

Spain

The format below for the implementation report on compliance with OSPAR Decision 2000/3 on the Use of Organic-Phase Drilling Fluids (OPF) and the Discharge of OPF-Contaminated Cuttings should be used to the extent possible.

Country:

Reservation applies

Is measure applicable in your country?

1. If not applicable, then state why not (e.g. no relevant installation or activity)

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Means of Implementation:	by legislation	by administrative action	by negotiated agreement
	yes	no*	no*

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The OSPAR legislation on drilling muds and cuttings appeared in the Official Gazette translated into Spanish on December 20th, 2000.

There was no drilling activity in the area covered by the OSPAR Convention in Spain in 2005.

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* Delete whichever is not appropriate

United Kingdom

The format below for the implementation report on compliance with OSPAR Decision 2000/3 on the Use of Organic-Phase Drilling Fluids (OPF) and the Discharge of OPF-Contaminated Cuttings should be used to the extent possible.

Country:

Reservation applies

Is measure applicable in your country?

1. If not applicable, then state why not (e.g. no relevant installation or activity)

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Means of Implementation:	by legislation	by administrative action	by negotiated agreement
	Yes	Yes	No

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