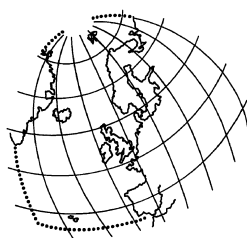


## **Overview Assessment:**

# **Implementation Reports on OSPAR Recommendation 2005/2 on Environmental Goals for the Discharge by the Offshore Industry of Chemicals that are, or contain Added Substances, listed in the OSPAR 2005 List of Chemicals for Priority Action**



**OSPAR Commission  
2008**

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.*

© OSPAR Commission, 2008. Permission may be granted by the publishers for the report to be wholly or partly reproduced in publications provided that the source of the extract is clearly indicated.

© Commission OSPAR, 2008. La reproduction de tout ou partie de ce rapport dans une publication peut être autorisée par l'Editeur, sous réserve que l'origine de l'extrait soit clairement mentionnée.

ISBN 978-1-905859-89-4

Publication Number: 350/2008

# contents

|  |   |
|--|---|
| Background .....   | 4 |
| Response.....  | 4 |
| Assessment .....   | 4 |
| Annex 1 – Summary of the information received in the implementation reports<br>ofnOSPAR Recommendation 2005/2..... | 5 |

## **Overview Assessment of Implementation Reports on OSPAR Recommendation 2005/2 on Environmental Goals for the Discharge by the Offshore Industry of Chemicals that Are, or Contain Added Substances, Listed in the OSPAR 2005 List of Chemicals for Priority Action**

### **Background**

Contracting Parties with offshore installations were required to report by 31 January 2007 but the deadline was extended to 1 June 2007 on the implementation of Recommendation 2005/2 on Environmental Goals for the Discharge by the Offshore Industry of Chemicals that are, or contain Added Substances, listed in the OSPAR 2005 List of Chemicals for Priority Action.

### **Response**

All relevant Contracting Parties have submitted information on the means by which OSPAR Recommendation 2005/2 has been implemented. France and Germany reported that they had no such chemicals authorised. Spain indicated that there was not much offshore activity in Spain and that the use of offshore chemicals was low, that Spain did not have produced water, nor discharges and that therefore the Recommendation did not really apply to Spain.

A summary of the information received in the respective implementation reports is presented at Annex 1 to this document. The full reports are also attached as appendices.

### **Assessment**

From the information received, it is clear that five relevant Contracting Parties have implemented the OSPAR Recommendation to establish environmental goals for the discharge of chemicals listed for Priority Action.

## ANNEX 1

**Table 1**

| Implementation Report on Compliance |                     |            |
|-------------------------------------|---------------------|------------|
|                                     | Reservation applies | Applicable |
| <b>Denmark</b>                      | No                  | Yes        |
| <b>Ireland</b>                      | No                  | Yes        |
| <b>Norway</b>                       | No                  | No         |
| <b>Netherlands</b>                  | No                  | Yes        |
| <b>United Kingdom</b>               | No                  | Yes        |

**Table 2**

|                       | Means of Implementation of the measure in § 3.1 of the Recommendation (ban on new authorisations of discharge of offshore chemicals): |                       |                      | Means of Implementation of the measure in § 3.2 of the Recommendation (phase-out of discharge of offshore chemicals): |                       |                      |
|-----------------------|---|-----------------------|----------------------|---|-----------------------|----------------------|
|                       | Legislation   | Administrative action | Negotiated agreement | Legislation   | Administrative action | Negotiated agreement |
| <b>Denmark</b>        | No  | Yes                   | Yes                  | No  | Yes                   | Yes                  |
| <b>Ireland</b>        | No  | Yes                   | No                   | No  | Yes                   | No                   |
| <b>Norway</b>         | Yes   | Yes                   | No                   | Yes   | Yes                   | No                   |
| <b>Netherlands</b>    | Yes * (*Q2 2008)  | No                    | Yes                  | Yes * (*Q2 2008)  | No                    | Yes                  |
| <b>United Kingdom</b> | No  | Yes                   | Yes                  | No  | Yes                   | Yes                  |

### Additional Information

The references made to §§3.1 and 3.2 are those of the paragraph numbers of the OSPAR Recommendation 2005/2.

#### Denmark

##### § 3.1

- a. The Danish Minister for the Environment in December 2005 put forward a national Offshore Action Plan in which it is stated that the operators must have stopped the discharge of offshore chemicals that are, or contain added substances, listed in the OSPAR 2004 List of Chemicals for Priority Action not later than 1<sup>st</sup> of January 2006.
- b. There are no special difficulties encountered.
- c. The measure has been fully implemented, and the goal (described under a.) has been reached on 1 January 2005; i.e. one year earlier than the national goal, and five years earlier than the OSPAR goal.

##### § 3.2

- a. Described above.
- b. Described above.

## Ireland

### §3.1

- a. All substances proposed for discharge are checked against the List of Chemicals for Priority Action.
- b. No relevant substances identified to date.

## Norway

### §3.1

- a. The Norwegian Zero Discharge goal included the phase out of discharge of priority substances by the 1<sup>st</sup> of January 2006. In 2005 3.3 kg of priority substances were discharged. These discharges are mainly related to copper in pipe dope. Copper is a priority substance for Norway but is not included in OSPAR's list.

## The Netherlands

### § 3.1

- a. The NL has not issued any **new** authorisations since 2004 for the discharge in the OSPAR maritime area of offshore chemicals that are, or which contain added substances, listed in the OSPAR 2004 List of Chemicals for Priority Action. Discharges of LPCA substances also ceased in 2004
- b. LPCA substances were until 2004 used especially in pipedopes. New pipedopes have been developed and applied since then which lead to no need to grant LPCA containing pipedopes. A new development is the use of dopeless systems which is possible way forward to avoid the use of pipedopes which contain substances candidates for substitution

### § 3.2

- a. Since the use and discharge of offshore chemicals, containing LPCA substances, has ceased in 2004, there is no need for any NL programme to review the discharges of such substances
- b. The NL is currently developing a National Plan for the phase out of chemicals which attract a substitution warning. Although the use and discharge of LPCA substances ceased in 2004 the NL National Plan will also address the use and discharge from those chemicals on the OSPAR 2004 List of Chemicals for Priority Action, and specify their phase out by 01 January 2010. In the 2<sup>nd</sup> Quarter of 2008 the discharges of LPCA substances will be prohibited by law.

## United Kingdom

### § 3.1

- a. The UK has not issued any **new** authorisations for the discharge in the OSPAR maritime area of offshore chemicals that are, or which contain added substances, listed in the OSPAR 2004 List of Chemicals for Priority Action **unless** those offshore chemicals have already been notified (in accordance with OSPAR Recommendation 2000/5) for offshore use prior to this Recommendation taking effect.

### § 3.2

- a. N/A
- b. The UK is currently developing a National Plan for the phase out of chemicals which attract a substitution warning. This will specifically include discharges from those chemicals on the OSPAR 2004 List of Chemicals for Priority Action, and specify phase out by 01 January 2010.

## Appendix 1

### Implementation report from DENMARK concerning OSPAR Recommendation 2005/2

#### I. Implementation Report on Compliance

|                        |         |
|------------------------|---------|
| <b>Year of Report:</b> | 2006    |
| <b>Country:</b>        | DENMARK |

|                            |    |
|----------------------------|----|
| <b>Reservation applies</b> | no |
|----------------------------|----|

|   |     |
|---|-----|
| <b>Is measure applicable in your country?</b> | yes |
|---|-----|

If not applicable, then state why not (e.g. no relevant uses or discharges of offshore chemicals)

| Means of Implementation of the measure in § 3.1 of the Recommendation (ban on new authorisations of discharge of offshore chemicals): | by legislation | by administrative action | by negotiated agreement |
|---|----------------|--------------------------|-------------------------|
|   | no             | yes                      | yes                     |

Please provide information on:

- a. specific measures taken to give effect to this measure;  
*The Danish Minister for the Environment in December 2005 put forward a national Offshore Action Plan in which it is stated that the operators must have stopped the discharge of offshore chemicals that are, or contain added substances, listed in the OSPAR 2004 List of Chemicals for Priority Action not later than 1<sup>st</sup> of January 2006.*
- b. any special difficulties encountered, such as practical or legal problems, in the implementation of this measure;  
*There are no special difficulties encountered.*
- c. any reasons for not having fully implemented this measure should be spelt out clearly and plans for full implementation should be reported.  
*The measure has been fully implemented, and the goal (described under a.) has been reached on 1 January 2005; i.e. one year earlier than the national goal, and five years earlier than the OSPAR goal.*

| Means of Implementation of the measure in § 3.2 of the Recommendation (phase-out of discharge of offshore chemicals): | by legislation | by administrative action | by negotiated agreement |
|---|----------------|--------------------------|-------------------------|
|   | no             | yes                      | yes                     |

Please provide information on:

- a. any programme of review of authorisations for the discharge of offshore chemicals consisting of, or containing added substances, listed in the OSPAR 2004 List of Chemicals for Priority Action, and the progress of such reviews;
- b. where the phasing-out of such offshore chemicals is being achieved in some other way, the nature of those other means, and the progress with them.  
*Described above.*

## Appendix 2

### Implementation report from IRELAND concerning OSPAR Recommendation 2005/2

#### I. Implementation Report on Compliance

|                 |         |
|-----------------|---------|
| Year of Report: | 2007    |
| Country:        | IRELAND |

|                     |    |
|---------------------|----|
| Reservation applies | no |
|---------------------|----|

|  |     |
|--|-----|
| Is measure applicable in your country? | yes |
|--|-----|

If not applicable, then state why not (e.g. no relevant uses or discharges of offshore chemicals)

|   |                |                          |                         |
|---|----------------|--------------------------|-------------------------|
| Means of Implementation of the measure in § 3.1 of the Recommendation (ban on new authorisations of discharge of offshore chemicals): | by legislation | by administrative action | by negotiated agreement |
|   | no             | yes                      | no                      |

Please provide information on:

- specific measures taken to give effect to this measure;  
*All substances proposed for discharge are checked against the List of Chemicals for Priority Action.*
- any special difficulties encountered, such as practical or legal problems, in the implementation of this measure;  
*No relevant substances identified to date.*
- any reasons for not having fully implemented this measure should be spelt out clearly and plans for full implementation should be reported.

|   |                |                          |                         |
|---|----------------|--------------------------|-------------------------|
| Means of Implementation of the measure in § 3.2 of the Recommendation (phase-out of discharge of offshore chemicals): | by legislation | by administrative action | by negotiated agreement |
|   | no             | Yes                      | no                      |

Please provide information on:

- any programme of review of authorisations for the discharge of offshore chemicals consisting of, or containing added substances, listed in the OSPAR 2004 List of Chemicals for Priority Action, and the progress of such reviews;
- where the phasing-out of such offshore chemicals is being achieved in some other way, the nature of those other means, and the progress with them.



## Appendix 3

### Implementation report from NORWAY concerning OSPAR Recommendation 2005/2

#### I. Implementation Report on Compliance

|                        |        |
|------------------------|--------|
| <b>Year of Report:</b> | 2007   |
| <b>Country:</b>        | NORWAY |

|                            |    |
|----------------------------|----|
| <b>Reservation applies</b> | no |
|----------------------------|----|

|   |    |
|---|----|
| <b>Is measure applicable in your country?</b> | no |
|---|----|

If not applicable, then state why not (e.g. no relevant uses or discharges of offshore chemicals)

| Means of Implementation of the measure in § 3.1 of the Recommendation (ban on new authorisations of discharge of offshore chemicals): | by legislation | by administrative action | by negotiated agreement |
|---|----------------|--------------------------|-------------------------|
|   | yes            | yes                      | no                      |

Please provide information on:

- a. specific measures taken to give effect to this measure;  
*The Norwegian Zero Discharge goal included the phase out of discharge of priority substances by the 1<sup>st</sup> of January 2006. In 2005 3.3 kg of priority substances were discharged. These discharges are mainly related to copper in pipe dope. Copper is a priority substance for Norway but is not included in OSPARs list.*
- b. any special difficulties encountered, such as practical or legal problems, in the implementation of this measure;
- c. any reasons for not having fully implemented this measure should be spelt out clearly and plans for full implementation should be reported.

| Means of Implementation of the measure in § 3.2 of the Recommendation (phase-out of discharge of offshore chemicals): | by legislation | by administrative action | by negotiated agreement |
|---|----------------|--------------------------|-------------------------|
|   | yes            | yes                      | no                      |

Please provide information on:

- a. any programme of review of authorisations for the discharge of offshore chemicals consisting of, or containing added substances, listed in the OSPAR 2004 List of Chemicals for Priority Action, and the progress of such reviews;
- b. where the phasing-out of such offshore chemicals is being achieved in some other way, the nature of those other means, and the progress with them.

## Appendix 4

### Implementation report from THE NETHERLANDS concerning OSPAR Recommendation 2005/2

#### I. Implementation Report on Compliance

|  |                 |
|--|-----------------|
| Year of Report:                        | 2007            |
| Country:                               | THE NETHERLANDS |
| Reservation applies                    | no              |
| Is measure applicable in your country? | no              |

If not applicable, then state why not (e.g. no relevant uses or discharges of offshore chemicals)

| Means of Implementation of the measure in § 3.1 of the Recommendation (ban on new authorisations of discharge of offshore chemicals): | by legislation<br>* by 2 <sup>nd</sup> quarter 2008 | by administrative action | by negotiated agreement |
|---|---|--------------------------|-------------------------|
|   | yes   | no                       | yes                     |

Please provide information on:

- specific measures taken to give effect to this measure;
- any special difficulties encountered, such as practical or legal problems, in the implementation of this measure;
- any reasons for not having fully implemented this measure should be spelt out clearly and plans for full implementation should be reported.

| Means of Implementation of the measure in § 3.2 of the Recommendation (phase-out of discharge of offshore chemicals): | by legislation<br>* by 2 <sup>nd</sup> quarter 2008 | by administrative action | by negotiated agreement |
|---|---|--------------------------|-------------------------|
|   | yes   | no                       | yes                     |

Please provide information on:

- any programme of review of authorisations for the discharge of offshore chemicals consisting of, or containing added substances, listed in the OSPAR 2004 List of Chemicals for Priority Action, and the progress of such reviews;
- where the phasing-out of such offshore chemicals is being achieved in some other way, the nature of those other means, and the progress with them.

## Appendix 5

### Implementation report from THE UNITED KINGDOM concerning OSPAR Recommendation 2005/2

#### I. Implementation Report on Compliance

|                 |                |
|-----------------|----------------|
| Year of Report: | 2007           |
| Country:        | UNITED KINGDOM |

|                     |    |
|---------------------|----|
| Reservation applies | No |
|---------------------|----|

|  |     |
|--|-----|
| Is measure applicable in your country? | Yes |
|--|-----|

If not applicable, then state why not (e.g. no relevant uses or discharges of offshore chemicals)

| Means of Implementation of the measure in § 3.1 of the Recommendation (ban on new authorisations of discharge of offshore chemicals): | by legislation | by administrative action | by negotiated agreement |
|---|----------------|--------------------------|-------------------------|
|   | No             | Yes                      | Yes                     |

Please provide information on:

- a. specific measures taken to give effect to this measure;

#### § 3.1

*The UK has not issued any **new** authorisations for the discharge in the OSPAR maritime area of offshore chemicals that are, or which contain added substances, listed in the OSPAR 2004 List of Chemicals for Priority Action **unless** those offshore chemicals have already been notified (in accordance with OSPAR Recommendation 2000/5) for offshore use prior to this Recommendation taking effect.*

- b. any special difficulties encountered, such as practical or legal problems, in the implementation of this measure;  
*No difficulties have been encountered.*
- c. any reasons for not having fully implemented this measure should be spelt out clearly and plans for full implementation should be reported.  
*N/A*

| Means of Implementation of the measure in § 3.2 of the Recommendation (phase-out of discharge of offshore chemicals): | by legislation | by administrative action | by negotiated agreement |
|---|----------------|--------------------------|-------------------------|
|   | No             | Yes                      | Yes                     |

Please provide information on:

- a. any programme of review of authorisations for the discharge of offshore chemicals consisting of, or containing added substances, listed in the OSPAR 2004 List of Chemicals for Priority Action, and the progress of such reviews;  
*N/A*
- b. where the phasing-out of such offshore chemicals is being achieved in some other way, the nature of those other means, and the progress with them.

#### § 3.2

*The UK is currently developing a National Plan for the phase out of chemicals which attract a substitution warning. This will specifically include discharges from those chemicals on the OSPAR 2004 List of Chemicals for Priority Action, and specify phase out by 01 January 2010.*