

Use and Discharge of Offshore Chemicals Requirements for Documentation

Preface

The usage and discharge of chemicals in connection with offshore hydrocarbon activity in Faroese waters is regulated according to the following:

- The Marine Environmental Act
- Executive Order on the Usage and Discharge of Substances and Materials at Offshore Installations
- OSPAR decisions, recommendations, agreements and guidelines.

This document is a supplement to the HOCNF guidelines¹ and underlines the most important parts of the chemical documentation, which should be part of the application and the criteria used by the Food and Environmental Agency (FEA) in the permitting process.

1. Application on Usage and Discharge

According to Executive Order on the Usage and Discharge of Substances and Materials at Offshore Installations, use and discharge of materials and substances shall only occur as permitted by the Food and Environmental Agency.

The operator shall submit application for use and discharge to the FEA 3 copies. The ecotoxicological documentation, i.e. the HOCNF-sheets and the operator's environmental assessment shall be submitted in one copy.

The application should be submitted to the FEA at least three months before the activity is planned to start.

2. Chemicals which Need Permit for Use and Discharge

As a principal rule all use and discharge of chemicals in connection with any hydrocarbon activity will require permit from the FEA. For more details we refer to OSPAR Agreement 2000-6²

¹ OPSAR Guidelines for Completing the Harmonised Offshore Chemical Notification Format

² Common Interpretation on which Chemicals are Covered and not Covered by the Harmonised Mandatory Control System under OSPAR Decision 2000/2

3. Documentation of Chemicals

HOCNF is required for all non-PLONOR³ offshore chemicals, cf. section 2.

For all preparations full documentation on biodegradation and bioaccumulation potential shall be available for all organic substances. For persistent organic substances (BOD₂₈ <20%), documentation on acute toxicity shall be available at substance level. Data for acute toxicity may otherwise be provided either at substance level or preparation level.

Testing, test methods etc. shall be according to the HOCNF Guidelines and the OSPAR Guidelines for Toxicity Testing⁴.

4. The Operator's Environmental Assessment

The operator shall demonstrate that he has sufficient environmental information to allow him to properly assess the chemicals.

The operator shall assess the environmental properties of the chemicals. The assessment should include an overview and a description of the ecotoxicological properties of the chemicals and a pre-screening and ranking in accordance with OSPAR Decision 2000/2⁵ and OSPAR Recommendation 2000/4⁶

The environmental evaluations shall be documented and shall be part of the application for Permit to Use and Discharge. The FEA does not accept that the environmental data and environmental assessment is submitted to the FEA by the suppliers or manufacturers only.

³ OSPAR List of Substances / Preparations Used and Discharged Offshore which Are Considered to Pose Little or No Risk to the Environment

⁴ OSPAR Guidelines for Toxicity Testing of Substances and Preparations Used and Discharged Offshore

⁵ OSPAR Decision 2000/2 on a Harmonised Mandatory Control System for the Use and Reduction of the Discharge of Offshore Chemicals

⁶ OSPAR Recommendation 2000/5 on a Harmonised Offshore Chemical Notification Format (HOCNF)

5. Permit

The FEA will use the following criteria in the permitting process.

5.1 Refusal of permission

Substances and preparations which meet the following criteria, use and discharge is normally prohibited:

- Substances listed in Annex 2 of the OSPAR Strategy with regard to Hazardous Substances;
- Substances considered by the authority, to which the application has been made, to be of equivalent concern for the marine environment as substances covered by the previous subparagraph;
- Substances with biodegradation $BOD_{28} < 20\%$ **and** bioaccumulation potential $P_{OW} > 5$. Substances with high molecular weight are **not** excepted from this, but the molecular weight may be taken into consideration in the assessment;
- Substances with biodegradation $BOD_{28} < 20\%$ **and** marine toxicity LC_{50} or $EC_{50} < 10$ mg/l;
- Substances which are mutagene or harmful for reproduction
- Preparations which contain endocrine disrupters

5.2 Substitution

An offshore chemical should, if it is technical possible, be phased out and substituted if it:

- Is inorganic and has a LC_{50} or EC_{50} less than 1 mg/l; or
- Has a biodegradation less than 20% during 28 days;

Or meets two of the following three criteria:

- Biodegradation $BOD_{28} < 60\%$;
- Bioaccumulation $\log P_{OW} \geq 3$;
- Toxicity $LC_{50} < 10$ mg/l or $EC_{50} < 10$ mg/l.

The operator shall present plans for the substitution of substances and preparations, which meet the criteria above. These plans should be part of the application.