



# **DRAFT Guideline for Petroleum-Related Authorizations and Approvals**

**February 2024**

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ISBN #: **XX**

## Foreword

The Canada-Newfoundland and Labrador Offshore Petroleum Board (the *Regulator*) has issued this Guideline to assist operators in respect of requirements for applications for *Operations Authorizations* (OAs), associated approvals and reporting requirements for all petroleum-related works or activities conducted in the *Offshore Area*. It also provides guidance for applicants in obtaining approvals to conduct geoscientific, geotechnical or environmental programs without fieldwork.

Guidelines are developed to provide assistance to those with statutory responsibilities (including operators, employers, employees, supervisors, providers of services, suppliers, etc.) under the *Accord Acts* and regulations. Guidelines provide an understanding of how legislative requirements can be met. In certain cases, the goals, objectives and requirements of the legislation are such that no guidance is necessary. In other instances, guidelines will identify a way in which regulatory compliance can be achieved.

The authority to issue Guidelines and Interpretation Notes with respect to legislation is specified by subsection 151.1 and 205.067 of the *Canada-Newfoundland and Labrador Atlantic Accord Implementation Act, S.C. 1987, c.3 (C-NLAAIA)* and subsection 147 and 201.064 of the *Canada-Newfoundland and Labrador Atlantic Accord Implementation Newfoundland and Labrador Act, RSNL 1990 c. C-2*. The *Accord Acts* also state that Guidelines and Interpretation Notes are not deemed to be statutory instruments.

For the purposes of this Guideline, these Acts are referred to collectively as the *Accord Acts*. Any references to the C-NLAAIA or to the regulations in this Guideline are to the federal versions of the *Accord Acts* and the associated regulations.

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## 1.0 Acronyms and Abbreviations

<b>2D/3D/4D</b>	Two, Three and Four Dimensional
<b>ACW</b>	Approval to Alter the Condition of a Well
<b>ADW</b>	Approval to Drill a Well
<b>CA</b>	Certifying Authority
<b>CCO</b>	Chief Conservation Officer
<b>CEAA</b>	<i>Canadian Environmental Assessment Act, S.C. 2012, c. 19, s. 52</i>
<b>CMP</b>	Common Mid Point
<b>C-NLAAIA<sup>1</sup></b>	<i>Canada-Newfoundland and Labrador Atlantic Accord Implementation Act</i>
<b>C-NLOPB</b>	Canada-Newfoundland and Labrador Offshore Petroleum Board
<b>COF</b>	Certificate of Fitness
<b>CPT</b>	Cone Penetration Test
<b>CSEM</b>	Controlled Source Electromagnetic
<b>CSO</b>	Chief Safety Officer
<b>DOF</b>	Declaration of Fitness
<b>ECCC</b>	Environment and Climate Change Canada
<b>EL</b>	Exploration Licence
<b>ESRF</b>	Environmental Studies Research Fund
<b>GGE</b>	Geoscientific, Geotechnical and Environmental

<sup>1</sup> References to the C-NLAAIA in this Guideline are to the federal version of the *Accord Acts*

<b>HR</b>	High Resolution
<b>IAA</b>	<i>Impact Assessment Act, S.C. 2019, c. 28, s. 1</i>
<b>IAAC</b>	Impact Assessment Agency of Canada
<b>IATA</b>	International Air Transportation Association
<b>IMDG</b>	<i>International Maritime Dangerous Goods Code</i>
<b>IMO</b>	International Maritime Organization
<b>ISM</b>	<i>International Management Code for the Safe Operation of Ships and for Pollution Prevention (International Safety Management Code)</i>
<b>ISPS</b>	<i>International Ship and Port Facility Security Code</i>
<b>MARPOL</b>	<i>International Convention for the Prevention of Pollution from Ships</i>
<b>MODU</b>	Mobile Offshore Drilling Unit
<b>MOU</b>	Memorandum of Understanding
<b>NL</b>	Newfoundland and Labrador
<b>OA</b>	Operations Authorization
<b>OIM</b>	Offshore Installation Manager
<b>OHS</b>	Occupational Health and Safety
<b>PL</b>	Production Licence
<b>PPDT</b>	Pore Pressure Dissipation Test
<b>RPAS</b>	Remotely Piloted Aircraft System
<b>RQ</b>	Regulatory Query
<b>SBP</b>	Sub-bottom Profiler

<b>SCPT</b>	Seismic Cone Penetration Test
<b>SDL</b>	Significant Discovery Licence
<b>SIMOPS</b>	Simultaneous Operations
<b>SOLAS</b>	<i>International Convention for the Safety of Life at Sea</i>
<b>UNCLOS</b>	<i>United Nations Convention on the Law of the Sea</i>
<b>VSP</b>	Vertical Seismic Profile

## 2.0 Definitions

In this Guideline, the terms such as “authorization”, “chief safety officer”, “chief conservation officer”, “commercial discovery”, “conservation officer”, “debris”, “delineation well”, “employee”, “employer”, “environmental study”, “exploratory well”, “geological work”, “geophysical work”, “geotechnical work”, “marine installation or structure”, “occupational health and safety officer”, “operational safety officer”, “operator”, “passenger craft”, “petroleum”, “providers of services”, “significant discovery”, “spill”, “supplier”, “well” and “well site seabed survey” referenced herein have the same meaning as in the *Accord Acts*.<sup>2</sup>

Refer also to defined terms in both the *Framework Regulations* and *OHS Regulations*.

For the purposes of this Guideline, the following definitions have been capitalized and italicized throughout. The following definitions apply:

<b><i>Accord Acts</i></b>	means the <i>Canada-Newfoundland Atlantic Accord Implementation Act</i> and the <i>Canada-Newfoundland and Labrador Atlantic Accord Implementation (Newfoundland and Labrador) Act</i>
<b><i>Benefits Plan</i></b>	means a “ <i>Canada–Newfoundland and Labrador benefits plan</i> ” as defined in section 2 of the <i>Accord Acts</i> . Requirements are provided in section 45 of the <i>Accord Acts</i>
<b><i>Benefits Plan Guideline</i></b>	means the Canada-Newfoundland and Labrador Benefits Plan Guideline as published by the <i>Regulator</i> and available on the <i>Regulator’s</i> website
<b><i>Declaration of Fitness</i></b>	means the “ <i>declaration</i> ” under Part III of the <i>Accord Acts</i>

<sup>2</sup> C-NLAAIA 2, 205.001(1), 205.017(5)

<b>Development Plan</b>	means a “ <i>development plan</i> ” as defined in Part III of the <i>Accord Acts</i> .
<b>Framework Regulations</b>	means the <i>Canada-Newfoundland and Labrador Offshore Area Petroleum Operations Framework Regulations, SOR/2024-25</i> and the <i>Canada-Nova Scotia Offshore Area Petroleum Operations Framework Regulations, SOR/2024-26</i>
<b>Marine Installation or Structure</b>	means a “marine installation or structure” as defined in Part III.1 of the <i>Accord Acts</i> . For the purposes of this Guideline, it generally refers to any installation or vessel used in the conduct of authorized petroleum-related works or activities, excluding support craft.
<b>Offshore Area</b>	means the offshore area as defined by the <i>Accord Acts</i>
<b>Operations Authorization</b>	means the authorization issued by the <i>Regulator</i> pursuant to subsection 137(b) of the <i>Accord Acts</i>
<b>OHS Regulations</b>	means the <i>Canada-Newfoundland and Labrador Offshore Area Occupational Health and Safety Regulations, SOR/2021-247</i> or the <i>Canada-Nova Scotia Offshore Area Occupational Health and Safety Regulations, SOR/2021-248</i>
<b>Regulator</b>	means the C-NLOPB

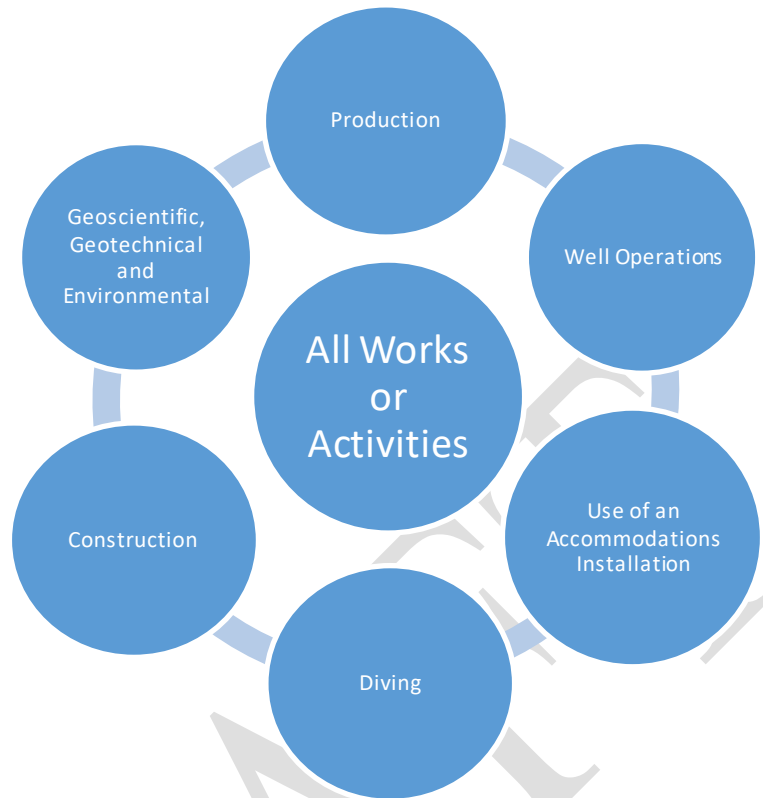
### 3.0 Purpose and Scope

Pursuant to subsection 137(b) of *Accord Acts*, any works or activities associated with petroleum in the *Offshore Area* requires an authorization from the *Regulator*. The purpose of this Guideline is to assist an operator in understanding the requirements for applications for *Operations Authorizations* (OAs), associated approvals and reporting requirements in respect of any petroleum-related works or activities conducted in the *Offshore Area* as outlined in the *Accord Acts* and associated regulations. In addition, it includes guidance for applicants in obtaining approvals to conduct GGE programs without fieldwork.

There are requirements that are applicable to all works or activities and there are specific requirements only applicable to certain types of works or activities. As such, the sections of this Guideline have been organized in this manner. When an OA is issued, it can cover multiple types of works or activities or just one activity. When there are multiple OAs being issued, the application for each OA should address topics in relation to any shared or impacted activities (e.g., OIM, SIMOPS, sharing of standby vessels) and should reference any shared documentation



between the OAs. For illustrative purposes, the following chart shows six specific types of works or activities:



**Figure 1: Types of Works or Activities**

An OA is issued based on the scope of the works or activities that have been proposed by the operator to be conducted during the time the OA is in effect. Such activities could include the following:

- **Production**
  - Any production in respect of a production project.
  - The completion of any construction, installation, commissioning or decommissioning activities onboard associated installations or monitoring, testing and control of an installation from a remote location (e.g., onshore).

NOTE: Refer to the requirements in the *Framework Regulations* that contain “production project”, “production site” or “production installation”. As examples, sections 13 - 15, 23 – 25, 190 - 206 and Part 8 of the *Framework Regulations* apply to production.

- **Well Operations**

- Any well operations in respect of a drilling program or production project, including drilling, intervention, abandonment, etc. With respect to well operations for a production project, this could also include the pre-drilling of wells (to the conductor or surface casing depth) and activities that do not require a separate well approval from the *Regulator* (e.g., activities that do not require an ACW).
- The completion of any construction, installation, commissioning or decommissioning activities onboard associated installations and monitoring, testing and control of an installation from a remote location (e.g., onshore).

NOTE: Refer to the requirements in the *Framework Regulations* that contain “drilling program”, “drill site” or “drilling installation”. As an example, sections 15, 17 – 22, 190 – 193, 195, 197, 199 – 201 and Part 8 of the *Framework Regulations* apply to well operations.

- **Use of an Accommodations Installation**

- The use of a separate accommodations installation to assist with completion of works or activities in respect of a drilling program or production project.

NOTE: Refer to the requirements in the *Framework Regulations* that contain “accommodations installation” or “installation”. As an example, sections 193, 197, 200 – 201 and Part 10 of the *Framework Regulations* applies to this type of installation.

- **Diving**

- Activities in relation to installation and hook-up of subsea infrastructure involving the use of divers.
- Underwater inspection, maintenance, testing, repair or replacement activities.

NOTE: Refer to the requirements in the *Framework Regulations* or the *OHS Regulations* that contain “diving project”, “dive project”, “diving system”, “diving installation” “diving operation”, “dive site” or “dive support vessel”. As an example, Part 32 of the *OHS Regulations* and sections 94 – 96 and 207 of the *Framework Regulations* apply to diving.

- **Construction**

- Site preparation and excavation activities (e.g., rock dumping, dredging, large-scale trenching, preparing excavated drill centers)
- The tow-out, transport, installation, placement, upending or removal of an installation or component of an installation.
- Installation of subsea infrastructure such as templates, manifolds, subsea production platforms, risers, offloading stations, pipelines, flowlines, permanent moorings, pilings, fibre optic cables, wellheads, trees, etc.

NOTES: Refer to the requirements in the *Framework Regulations* that contain “construction vessel” or “construction activities”. As an example, sections 177 and 207 of the *Framework Regulations* apply to construction.

Refer to *Interpretation Note 17-01 – Construction and Support Activity* for an interpretation of which activities are considered construction activities.

- **Geoscientific, Geotechnical and Environmental (GGE) (with fieldwork)**

- Activities in support of GGE programs with fieldwork.
- Any activities involving the collection or measurement of data and samples and associated analysis.
- Activities carried out with respect to placement of an installation (e.g., well site seabed surveys) or associated equipment or the ongoing collection of data (e.g., placement of environmental monitoring equipment).

NOTE: Refer to the requirements in the *Framework Regulations* that contain “geoscientific, geotechnical and environmental program”. As an example, sections 184 – 189 and Part 7 of the *Framework Regulations* apply to GGE activities.

While separate OAs may be issued for each type of work or activity, there may be other requirements to consider. As an example, if well operations, construction, diving, GGE activities or the use of an accommodations installation is planned as part of a production project, there may be additional requirements for these activities under the *Development Plan* and the associated Environmental and Impact Assessment.

As an OA can be issued to cover multiple works or activities and these activities can be carried out from several classification of facilities, the following table assists with understanding how a facility is classed under the legislation based on the primary type of activity planned to be undertaken:

**Table 1: Facility Classification**

Primary Activity	Secondary Activities	Classification of Facility	COF Required?
Production	Well Operations Diving GGE	Production Installation	Y
Well Operations	Diving GGE	Drilling Installation	Y
Use of Separate Living Accommodations	N/A	Accommodations Installation	Y
Diving	GGE	Diving Vessel	Y
Construction	GGE	Construction Vessel or Support Craft towing an Installation	N
GGE	N/A	GGE (Marine or Aviation)	N

## 4.0 Roles and Responsibilities

### 4.1 Regulator

The *Regulator* is the joint federal-provincial regulator responsible for the administration of the *Accord Acts* and associated regulations in relation to petroleum-related work or activity in the *Offshore Area*. In general, the *Regulator* is responsible for:

- administering the *Accord Acts* and the associated regulations;
- advising industry of other agencies with responsibilities and authorities;
- coordinating authorizations and approvals using a one-window approach;
- providing interpretation regarding the requirements of the *Accord Acts* and regulations via a suite of regulatory aids;
- assessing all applications for authorizations and approvals submitted in respect of planned works and activities;
- monitoring and verifying compliance with the *Accord Acts* and the associated regulations, as well as any conditions and commitments made in authorizations and approvals; and
- taking appropriate action when non-compliances from the *Accord Acts* and the associated regulations or deviations from authorizations, approvals and any associated commitments are identified, and addressing them in a timely manner.

Further information on the mandate of the *Regulator* is provided on the *Regulator's* website. Information on the authorities and powers of the

*Regulator*, which includes the CSO, CCO, conservation officers, operational safety officers and OHS officers are prescribed in the *Accord Acts*.

## 4.2 Operator and Other Responsible Parties

The operator, who is the holder of an OA, is ultimately responsible and accountable for complying with the requirements of the *Accord Acts*, regulations and any associated conditions or commitments made as part of any authorization or approval. This means they are also responsible and accountable for ensuring that works or activities carried out under their OA by any employers, employees, providers of service and suppliers comply with the requirements of the *Accord Acts*, regulations and any associated conditions or commitments made as part of their authorizations and approvals. It is the ultimate responsibility of the operator to ensure that the program can be conducted safely without polluting the environment, including ensuring that all equipment, procedures and competency of personnel are appropriate and continue to be for the duration of the program.

Definitions, duties and responsibilities and the allocation of responsibility for operators, employers, supervisors (including OIMs for an installation), employees, suppliers, providers of service, owners, interest holders and corporate officials are prescribed in the *Accord Acts*.

With respect to a diving project, refer also to the definitions of “specialized dive physician”, “dive contractor”, “dive team” and “dive safety specialist” under section 1 of the *OHS Regulations*.

## 4.3 Certifying Authority

Part III of the *Accord Acts* and the *Framework Regulations* require that prescribed installations (which includes production, drilling and accommodations installations and diving vessels) have a valid COF issued by a recognized CA. A construction vessel does not require a COF from a CA; however, the work being undertaken with respect to the installation may require CA involvement. The CA is also a provider of service under Part III.1 of the *Accord Acts* and is responsible for meeting any provisions in relation to this role. Refer to the definition of CA in the *Framework Regulations* for a list of accepted organizations.

The purpose of this additional certification is to provide an independent third party verification that the installation or diving vessel and associated systems and equipment, during the term of the COF, is fit for purpose and is being maintained in compliance with the regulations without compromising safety or polluting the environment. As this is an independent third party verification, it does not replace the operator and facility owner’s obligations to undertake their own verification work. The operator must ensure the independence of this process from its own activities and due diligence, and should have

processes in place to prevent occurrences of non-compliances identified by the CA.

The CA may also serve as the classification society and the delegated authority for Flag State. It is also possible that the CA can be different from the classification society for the installation or diving vessel. While there are common aspects covered by these different roles, their responsibilities are different and the rules against which they are required to verify may also differ. Operators should understand the differences between these roles.

#### 4.4 Federal Government Departments and Associated Agencies

The following federal government departments and agencies may have responsibilities or requirements in relation to authorized works or activities:

- Canadian Border Services Agency (e.g., licensing of vessels)
- Canadian Coast Guard (e.g., pollution reporting and response)
- Canada Energy Regulator (e.g., for transboundary pipelines)
- ECCC (e.g., reporting of physical and environmental conditions, pollution or impacts to wildlife)
- Fisheries and Oceans Canada (e.g., marine refuges)
- IAAC (e.g., impact assessments)
- Innovation, Science and Economic Development Canada (e.g., licensing of radiocommunication personnel and systems)
- Royal Canadian Mounted Police (e.g., criminal acts, fatalities)
- Transport Canada Civil Aviation (e.g., aviation safety)
- Transport Canada Marine Safety (e.g., marine safety)
- Transportation Safety Board (e.g., independent investigations of transportation incidents)

MOUs have been established with various federal government departments and agencies and are provided on the *Regulator's* website. The list of requirements to be considered with respect to authorized works or activities are provided in Section 5.1.2 of this Guideline.

#### 4.5 Provincial Government Departments and Associated Agencies

The following provincial government departments and agencies may have responsibilities or requirements with respect to authorized works or activities:

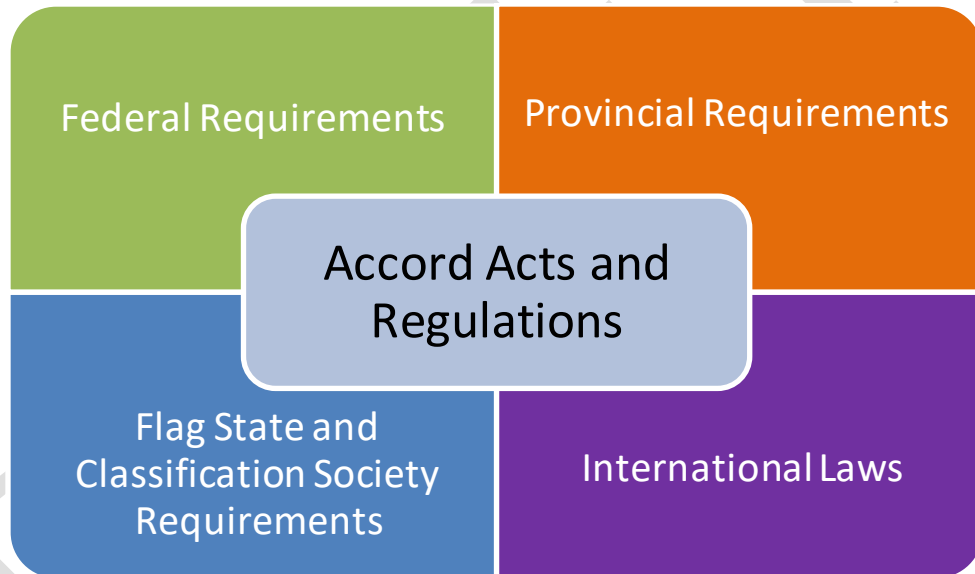
- Provincial Labour Division (e.g., *Labour Standards Act*, *Labour Relations Act*)
- Provincial OHS Division
- Provincial Energy Division
- Provincial Environment Division
- Workplace NL (e.g., worker compensation claims)

MOUs have been established with various provincial government departments and agencies and are provided on the *Regulator's* website. The list of requirements to consider with respect to authorized works or activities are provided in Section 5.1.3 of this Guideline.

## 5.0 Requirements

An operator applying for an OA and undertaking associated works or activities must ensure that all legislative requirements applicable to its program are clearly documented within its management system. This should include any commitments, conditions or exemptions that have been issued from the *Regulator* or other agencies. The different types of requirements applicable to works or activities are outlined in the following subsections:

### 5.1 Legislative Requirements



**Figure 2: Legislative Requirements**

The legislation that governs the *Offshore Area* is primarily the *Accord Acts* and regulations.

There are federal and provincial requirements that must be considered. In certain cases, these requirements apply in their entirety and in other cases, these requirements only apply in the absence of a regulatory requirement within the *Regulator's* regulatory framework.

Depending on the type of installation, vessel or aircraft and the activity being undertaken, Flag State requirements, classification society requirements and national and international laws may also apply.

### 5.1.1 Accord Acts and Regulations

#### Acts

The *Accord Acts* are the primary legislation under which all *Offshore Area* activity is to be undertaken. The *Accord Acts* and subordinate regulations include the requirements to meet and also include references to the Acts and regulations of other authorities, including any subordinate legislation (e.g., *Canada Lands Survey Act*, *Canada Oil and Gas Regulations*, *Management of Greenhouse Gas Act*, *Newfoundland and Labrador (NL) Social Legislation*, *Hazardous Products Act*, *Labour Relations Act*, *Hazardous Materials Information Review Act*). If the work or activities are being conducted as part of the Hibernia production project, the *Hibernia Development Project Act* and associated regulations also apply. Links to the federal and provincial versions of the *Accord Acts* are available on the *Regulator's* website.

The *Accord Acts* also provide authority to the Board of the *Regulator*, the CSO and the CCO to require compliance to other requirements, to approve specific information or activities or to add conditions to authorizations and associated approvals. The operator should ensure that any specific commitments or conditions of applicable *Development Plans* or *Benefits Plans* are reflected in documentation submitted in support of an OA. It should be clear that any deviation from those commitments or conditions require *Regulator* and government approval and have the potential to require public consultation to engage with other stakeholders.

#### Regulations

The federal and provincial versions of the regulations that are subordinate to the *Accord Acts* include the following:

- *OHS Regulations*
- *Framework Regulations*
- *Financial Requirements Regulations*
- *Cost Recovery Regulations*

Links to the federal and provincial versions of the regulations are available on the *Regulator's* website. The above regulations are applicable to all works or activities, but particular attention should be paid to how each regulatory requirement has been written and to the terms that have been used and defined, as not all requirements are applicable to each type of work or activity that is undertaken. Some other considerations:

- There are requirements within the *Framework Regulations* which apply to all works or activities. When a regulatory requirement



includes the phrases “authorized work or activity” or “operation site” then this means that the requirement is applicable to all projects or programs (e.g., sections 1 – 11, 41 – 50 and 172 – 176 of the *Framework Regulations*).

- There are also regulatory requirements that need to be considered within the *OHS Regulations* that apply to a “workplace” and to a “marine installation or structure.”
- If a support craft is planned to be used in respect of the authorized work or activity, refer to the term “support craft” in the *Framework Regulations* and if persons are planned to be transported, refer to the term “passenger craft” in the *OHS Regulations*.
- Guidance for regulatory requirements that apply to specific types of works or activities are provided under Section 3.0 of this Guideline by activity type.

### Regulatory Aids

The *Regulator* may publish regulatory aids such as policies, [Guidelines](#), [Interpretation Notes](#), [Codes of Practice](#) and [Safety Notices](#). While these regulatory aids are not statutory instruments, they provide an interpretation of regulatory requirements, highlight other related requirements, explain the *Regulator’s* processes or provide an understanding of good industry practices. In the context of performance based regulatory requirements, they provide at least one means of achieving the requirements of the regulations. However, operators can propose alternate approaches as part of the OA and associated approvals. Regulatory aids are posted on the *Regulator’s* website. Each regulatory aid includes commentary on scope and application. To the extent practicable, this Guideline and other referenced guidelines include references to any associated regulatory aids.

#### 5.1.2 Federal Requirements

Federal legislation that may be applicable (either in whole or in part) to petroleum-related works or activities in the *Offshore Area* includes:

- *Aeronautics Act* (applies to aircraft, including helicopters and RPAS)
- *Canada Shipping Act* (applies to Canadian flagged vessels and where specified, to foreign flagged vessels, including training and competency, navigation)
- *Canadian Energy Regulator Act* (for interprovincial or international pipelines)
- *Canadian Environmental Protection Act* (for marine pollution, disposal at sea, hazardous waste)
- *Canadian Navigable Waters Act* (applies to navigation in Canadian waters)

- *Canadian Transportation Accident Investigation Board Act* (for reporting and investigation of incidents)
- *Coasting Trade Act* (applies to coasting trading licence for foreign installations and vessels)
- *Criminal Code* (applies to criminal acts, including violence, security, possession of prohibited substances)
- *Customs Act* (applies to personnel and goods arriving from outside Canada)
- *Dangerous Goods Transportation Act* (applies to the transportation of dangerous goods by air or sea)
- *Fisheries Act* (for pollution prevention, fish habitat protection)
- *IAA* (replaced CEAA and requires assessment of both environmental and socioeconomic impacts)
- *Nuclear Safety and Control Act* (applies to the possession and use of nuclear substances and equipment)
- *Oceans Act* (for marine pollution prevention and response)
- *Radiocommunication Act* (applies to the communications and licensing of radio operators and radio stations)

A number of the requirements of other federal agencies may be considered in associated Environmental and Impact Assessments, such as the *Canada Wildlife Act*, *Fisheries Act*, *Marine Conservation Areas Act*, *Migratory Birds Convention Act*, *Oceans Act* and *Species at Risk Act*. As an example, a seabird and marine mammal observation program, or fish and fish habitat follow up programs may be required. Depending on the duration of daily activities, multiple observers may be required. Operators should consult with the *Regulator* and federal departments such as Fisheries and Oceans Canada and ECCC to obtain relevant guidance and ensure requirements are met.

Operators may also be required to obtain licences, permits, approvals or authorizations from some federal agencies for their activities (e.g., permits for use of explosives or radioactives).

The operator is also required to implement any commitments or conditions associated with the approval of any Environmental Assessment conducted under previous legislation (e.g., CEAA) and for those projects initiated under the previous legislation, and continuing under the IAA. Any specific commitments or conditions of the Environment Assessment and Impact Assessment, as applicable, should be reflected in documentation submitted in support of an application for an OA and within the operator's management system. It should be clear that any deviation from those commitments, conditions or changes in scope of activities that are outlined, requires approval by the *Regulator* and government, and have the potential to require public consultation with other stakeholders.

Operators should consult with the appropriate federal agencies that administer the above legislation to obtain the latest relevant guidance and to ensure requirements are met.

### 5.1.3 Provincial Requirements

Provincial legislation that may be applicable (either in whole or in part) to petroleum-related works or activities in the *Offshore Area* includes:

- *Communicable Diseases Act (part of NL Social Legislation)*
- *Labour Relations Act*
- *Labour Standards Act (part of NL Social Legislation)*
- *Management of Greenhouse Gas Act*
- *Public Safety Act (part of NL Social Legislation)*
- *Radiation Health and Safety Act (part of NL Social Legislation)*
- *Workplace Health, Safety and Compensation Act (part of NL Social Legislation)*

All of the above legislation is referenced in the *Accord Acts*; however, in the event of an inconsistency or conflict between these Acts and the *Accord Acts* and their associated regulations, the requirements of the *Accord Acts* and the associated regulations prevail.

In addition to the legislation that is referenced in the *Accord Acts*, a number of the requirements of other provincial agencies may need to be considered in associated Environmental and Impact Assessments. Operators may also be required to obtain licences, permits, approvals or authorizations from some provincial agencies for their activities (e.g., labour exemption orders, radioactive sources permit). Provincial authorizations may also be required in circumstances where there is a bridging of offshore and onshore activities (e.g., installation of pipelines to shore, drilling an onshore to offshore well). In these circumstances, the operator should contact the provincial department responsible for energy for advice on onshore authorization requirements.

### 5.1.4 Flag State and Classification Society Requirements

An operator should consider any requirements of Flag State or the classification society that will need to be complied with, as applicable, along with any certificates that should be maintained. Both the Flag State and classification society have processes whereby they may grant exemptions from their own requirements. In circumstances where exemptions are issued, this should not be treated as an exemption from petroleum-related regulations.

### 5.1.5 International Laws

An operator should evaluate whether there are any international laws for sea or air that will need to be complied with, including:

- UNCLOS
- IMO Codes, Conventions, Circulars and Resolutions including SOLAS, ISM Code, MODU Code, ISPS Code, MARPOL, IMDG Code
- International Labour Organization
- IATA

### 5.2 Regulatory Queries

Pursuant to section 151, 205.069 and 205.07 of the *Accord Acts*, an RQ may be submitted to the CSO and the CCO, as applicable, for the use of equipment, methods, measures or standards in lieu of any required by regulations. Additional detail on the RQ process is provided on the *Regulator's* website and in the *OHS Guideline* and *Framework Guideline*. The CSO and CCO cannot approve an exemption from the requirements of the *Accord Acts* unless there are provisions within the *Accord Acts* that allow them to do so. It should also be noted that the CSO does not have the authority to grant exemptions from the *OHS Regulations*. Decisions on RQs are available on the *Regulator's* website.

### 5.3 CSO Approvals

There are a number of requirements in the *OHS Regulations* that have an allowance for the CSO to provide direct approval of an alternate means. Refer to section 2.4 of the *OHS Guideline* for guidance on the CSO approval process.

### 5.4 Compliance Assessment Request

At any time, any person can submit a *Compliance Assessment Request (UNDER DEVELOPMENT)* to determine whether or not an alternative means of compliance with the regulations can be reviewed and accepted by the *Regulator*. The *Regulator* has developed a form for this purpose. When such requests are submitted, the request may be subjected to additional fees as noted in Section 6.8 of this Guideline. If the compliance assessment request is associated with an active OA, the operator should use the *Operations Authorization Amendment Request (UNDER DEVELOPMENT)* referred to in Section 6.21 of this Guideline.

## 6.0 All Works or Activities

Prior to submission of an application for an OA to the *Regulator* and following its issuance, there are a number of expectations or requirements that must be satisfied:

## 6.1 Pre-Application Consultation with the Regulator

Engagement should start with the *Regulator* as early as possible to discuss the schedule, scope and types of activities to be conducted. The following should be noted with respect to this process:

- The operator should formally notify the *Regulator* of their intention to submit an application for an OA.
- Prior to receipt of the application for an OA, pre-consultation meeting(s) should be held between the operator and the *Regulator* wherein:
  - the operator can provide an overview of the scope of all works or activities, expected timeframe and the list of any installations, vessels or aircrafts to be used; and
  - the *Regulator* can introduce the personnel assigned to review the application, summarize requirements for obtaining an OA and discuss key milestone and timing.
- The operator should maintain ongoing consultations with the *Regulator* and any other relevant government agencies during the preparation and ongoing submission and update of information.
- If an operator is proposing processes, standards or technologies that are new to the jurisdiction, the *Regulator* should be engaged as early as possible to address any questions or concerns regarding the proposal. Additional information may need to be submitted or witness testing may be required. With respect to an installation, refer to the requirements of section 103 of the *Framework Regulations*. In these instances, an operator should submit the *Compliance Assessment Request (UNDER DEVELOPMENT)* referred to in Section 5.4 of this Guideline.

The lead time for submission of an application for each OA is not specified by the *Framework Regulations*; however, the timing of submission will be determined during pre-application consultation discussions with the *Regulator*.

## 6.2 Licence Requirements

No drilling activity can occur without an EL, SDL or PL and production cannot occur without a PL. Refer to requirements in Part II, Divisions III and IV of the *Accord Acts*. Guidance for the application for and issuance of licences are provided on the *Regulator's* website. Refer also to the following:

- *Joint Guidelines regarding Applications for Significant or Commercial Discovery Declarations and Amendments*<sup>3</sup>
- *Interpretation Note 2012-04 Dual Validation for Exploration Wells*

### 6.3 Environmental and Impact Assessments

Pursuant to section 138.01 of the *Accord Acts* and section 82 of the IAA and the associated regulations, if applicable, before the *Regulator* approves an OA for any work or activity, an Environmental or Impact Assessment of the proposed activities is required. If the activity is not covered as part of an existing Environmental or Impact Assessment, an amendment to the associated assessment will be required. Some considerations:

- Any Environmental Assessments (project-specific or regional) completed under CEAA or previous Environmental Assessments completed by the *Regulator* may be in effect.
- Assessments of activities that are designated projects as defined by the IAA and regulations (e.g., *Physical Activities Regulations*) must follow the Impact Assessment process outlined in the IAA. These assessments are coordinated by the IAAC. In NL, exploratory drilling programs may be excluded from these requirements, if the operator meets the scope and requirements of the *Regulations Respecting Excluded Physical Activities (Newfoundland and Labrador Offshore Exploratory Wells)*.
- Assessments of activities that are not IAA designated projects are coordinated by the *Regulator*.
- A survey for the presence of benthic habitats may be required as part of the associated Environmental and Impact Assessment or as a mitigation prior to conducting offshore activities (e.g., drilling).

Additional guidance on this process is provided on the *Regulator's* and the IAAC's website. This process will ensure that consultation with all interested parties, including fishery groups and Indigenous groups is performed.

### 6.4 Development Plans

Pursuant to section 139 of the *Accord Acts*, production projects require a *Development Plan*. Any work or activity associated with a production project, including any stand-alone drilling, diving, construction or GGE activity must be carried out in accordance with any commitments or conditions made in an associated *Development Plan*. Guidance on the content, filing and process for the approval of *Development Plans* is provided in the *Development Plan Guideline* on the *Regulator's* website.

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<sup>3</sup> With respect to the reference to sections 171 - 174 of the Newfoundland Offshore Petroleum Drilling Regulations, operators should refer to the requirements of section 63 of the Framework Regulations. The referenced guideline is planned to be updated once amendments to the *Accord Acts* are made.

## 6.5 Benefits Plans

Pursuant to section 45 of the *Accord Acts*, before the *Regulator* approves an OA for any work or activity, a *Benefits Plan* must be approved by the *Regulator*. The *Benefits Plan* must be reflective of all works and activities that are being authorized. Guidance on the content, filing and process for the approval of a *Benefits Plan* is provided in the *Benefits Plan Guideline*. Depending on the scope of the submitted *Benefits Plan*, some projects may require submission of a supplement to the *Benefits Plan*, or other information such as crew rosters. For production projects, guidance is also provided in the *Development Plan Guideline*.

## 6.6 Operating Licence

Pursuant to subsection 137(a) and paragraph 138(1)(a) of the *Accord Acts*, an OA for any work or activity cannot be issued unless the operator has a valid operating licence. Guidance on applying for an operating licence and the associated form is provided on the *Regulator's* website. Operating licences are subsequently renewed at the end of each fiscal year.

## 6.7 Financial Requirements

Pursuant to subsection 163(1) of the *Accord Acts*, proof of financial requirements must be provided in respect of an OA for any work or activity. This is required as a contingency against potential petroleum spills or debris-related claims, to ensure that the operator completes the program leaving the site in a satisfactory condition and to satisfy the *Regulator* that it is able to meet other financial liabilities. If the scope of work or activity that is outlined in the application for an OA changes, the amount would have to be reviewed to determine whether it is sufficient to cover the scope proposed. Guidance is provided in the *Guidelines Respecting Financial Requirements* on the *Regulator's* website.

## 6.8 Cost Recovery

Pursuant to section 29.1 of the *Accord Acts* and the *Cost Recovery Regulations*, the *Regulator* recovers from industry the costs associated with regulating petroleum-related works or activities. Guidance on submission of information and calculation of fees associated with programs and activities are provided in the *Cost Recovery Guidelines* and the *Regulator's* website. Regulatory Activity Plans are submitted in the fourth quarter of each calendar year.



## 6.9 Summary of Operator Verification Activities

The onus is on the operator to ensure compliance with the *Accord Acts* and regulations before any compliance verification activities are conducted by the *Regulator*. A summary and the results of the operator's verification activities (pre-contractual or pre-operational inspections, surveys or audits) onboard the *Marine Installation or Structure*, aircraft, and associated support craft (e.g., support vessel(s), passenger craft) that verify the state of equipment, implementation of procedures and personnel competency for the proposed work or activity should be provided. In addition, for any *Marine Installation or Structure*, aircraft, support craft, providers of service or suppliers, the operating history and evaluation of relevant quality, health, safety and environmental performance (e.g., incidents, audits, inspections, hazard reports, maintenance, training) may be requested by the *Regulator*.

## 6.10 Fatigue Management

Guidance for fatigue management on *Marine Installations or Structures* is provided in the *Code of Practice for Fatigue Management in the Canada-Newfoundland and Labrador Offshore Petroleum Industry* on the *Regulator's* website.

## 6.11 Marine Certification

With respect to each primary floating platform or vessel (excluding support craft) being used for any work or activities, copies of the following international certificates or Transport Canada Flag State equivalencies should be provided, if applicable:

- ISM Certificate and Document of Compliance (ISM Code)
- Cargo Ship Safety Construction Certificate
- Cargo Ship Safety Equipment Certificate (including Form E)
- Radio Inspection Certificate
- International Load Line Certificate (if required by Flag State or the classification society for the type and size of vessel)
- International Ship Security Certificate (as per the ISPS Code)
- International Oil Pollution Prevention Certificate (as per MARPOL)
- International Sewage Pollution Prevention Certificate (as per MARPOL)
- International Air Pollution Prevention Certificate (as per MARPOL)
- International Diving System Safety Certificate

## 6.12 Aircraft Certification

With respect to any aircraft being used to acquire geoscientific or environmental data, a copy of the Certificate of Airworthiness for the aircraft should be provided as part of the application for an OA, along with



any exemptions that have been granted from Transport Canada Aviation. The following information should also be submitted:

- Registration, designation and call sign
- Dimensions
- Fuel capacity
- Range

### **6.13 Confirmation from Medical Service Provider**

With respect to *Marine Installations or Structures*, confirmation should be provided from the medic (and specialized dive physician, if applicable) that the type and quantity of first aid and medical supplies and equipment, medication and facilities have been reviewed and accepted. Refer to the requirements and associated guidance under paragraph 32(1)(c) of the *OHS Regulations*.

### **6.14 Confirmation from Aircraft Service Provider**

For a *Marine Installation or Structure* planning on using an aircraft landing area, confirmation should be provided from the aircraft service provider that they have reviewed and accepted the aircraft landing area, associated equipment, procedures and training. Refer to the requirements and associated guidance under section 176 of the *Framework Regulations*.

### **6.15 Potable Water Test Certificate**

For a *Marine Installation or Structure* that does not routinely test their water in accordance with the *Guidelines for Canadian Drinking Water Quality*, confirmation should be provided that potable water has been tested and conforms to these guidelines prior to the commencement of the program. Refer to the requirements and associated guidance under section 71 of the *OHS Regulations*.

### **6.16 Declaration of Fitness**

Pursuant to section 139.1 of the *Accord Acts*, an OA cannot be issued unless a DOF is received from the operator. This document attests that the operator has ensured, and will continue to ensure, that equipment and installations used in the proposed work or activity are fit for purpose, operating procedures are appropriate and qualified and competent personnel are employed. The DOF is legally binding and operators must be able to demonstrate due diligence in its execution. The DOF must cover all works or activities that are conducted, including those activities carried out by contractors, subcontractors and providers of service (e.g., support craft providers, medical service providers). The DOF must also be signed by the senior officer of the corporation that is applying for the OA.

The operator should have sufficient competence and resources to make its own independent declaration. Prescribed forms for making this declaration are on the *Regulator's* website.

Any time there is a significant change in the program, including a change-out of *Marine Installations or Structures*, contractors, subcontractors or providers of service, a new DOF must be submitted, along with any associated changes to documentation filed in respect of the OA. It is expected that operators employ a comprehensive management of change process for making any changes to equipment, personnel or procedures. Updates to other documents filed in respect of the OA should be provided to the *Regulator* and accepted prior to changes being implemented and it is expected that this process also captures any changes made to associated management systems.

### 6.17 Compliance Verification Matrix

To allow for a more efficient review by the *Regulator*, the operator should submit a compliance verification matrix for provisions of the *Accord Acts*, *Framework Regulations* and *OHS Regulations* that are applicable to its works or activities. The compliance verification matrix is a tool which demonstrates to the *Regulator* that the operator has taken all requirements into consideration and as applicable, provides a mapping to where information can be found in documents submitted in support of an application for an OA.

### 6.18 Application for an Operations Authorization

#### 6.18.1 Requirements

Pursuant to section 8 of the *Framework Regulations*, an application for an OA must be accompanied by the following information or documentation, as applicable:

- Scope
- Execution Plan and Schedule
- Safety Plan
- Environmental Protection Plan
- Contingency Plan
- Description of Equipment
- Field Data Acquisition Program (for production projects)
- Flaring or Venting of Gas or Burning of Oil (for drilling programs and production projects)
- Decommissioning and Abandonment Plan (for drilling programs and production projects)
- GGE Program Description

- Diving Activity Description
- IMO Decisions and Exemptions (refer to section 151 of the *Framework Regulations*)

Refer to the guidance provided on each topic in section 8 of the *Framework Regulations* and the guidance provided in other relevant sections or other guidelines, as referenced.

### 6.18.2 Content

The application for an OA should summarize all requirements and meet the following expectations:

- Be maintained as a controlled document within the operator's management system and as such, have its own document number, version control (date and revision number) and be approved by a senior officer of the operator.
- It should list all the licences or areas on which activities will be undertaken.
- It should list all contractors, subcontractors or providers of service that are involved in the works or activities.
- Reference all documents that are submitted as part of the application for an OA under the appropriate section of the application and include the document number and version control (date and revision number).
- Other documents may be reviewed as part of the evaluation and are subject to compliance verification activities undertaken by the *Regulator*. These documents are not considered part of the application for an OA unless they are specifically requested to be included in the application for an OA by the *Regulator*.

The application for an OA and all documents in support of the application should be valid for the term and scope of the OA. All documents should be submitted electronically to [information@cnlopb.ca](mailto:information@cnlopb.ca). The *Operations Authorization Template (UNDER DEVELOPMENT)* is provided on the *Regulator's* website.

### 6.18.3 Completeness Review

Following submission of an application for an OA, the *Regulator* will commence a completeness review. The technical assessment of the application will not commence until confirmation has been provided to the operator that the application is complete.

#### 6.18.4 Issuance of Punchlist

Completed applications will be reviewed by the *Regulator* and a consolidated punchlist will be generated and sent to the operator. Prior to issuing an OA, all punchlist items must be addressed to the satisfaction of the *Regulator*.

#### 6.18.5 Compliance Verification Activities

The *Regulator* may undertake compliance verification activities prior to commencement of the authorized work or activity. This could include review of the management system and the associated equipment, training and procedures that are in place to verify their readiness prior to commencement of the program. It may also include the review of benefits supplements/plans and crew rosters (depending on the activity). Based on the results of the compliance verification activity, additional verification activities may be required. Prior to issuing an OA, all non-compliances noted during compliance verification activities must be addressed to the satisfaction of the *Regulator*.

### 6.19 Issuance of an Operations Authorization

An OA will be issued for a specified period of time, depending on the scope and types of activities noted above and the proposed schedule. The term will be selected based on the following factors:

- The temporal or spatial scope outlined as part of the associated Environmental and Impact Assessment.
- The scope of work or activities that are planned to be conducted and their associated risk (e.g., physical and environmental conditions, SIMOPS, deep water location, remoteness of location).
- The execution plan and schedule, expiry date of licences, expiry of installation contracts and the expiry of the COF, if applicable.
- The operator's past performance in relation to safety, protection of the environment, prevention of waste and benefits.

In addition, as a number of *Marine Installations or Structures* undertaking drilling, GGE, diving and construction activities may not be designed for operation in higher sea states, winter months or ice season, the term will also be assessed based upon this factor.

Once the *Regulator* is satisfied that all information has been provided, the *Regulator* will issue an OA with a unique program number.

It should be noted:

- The *Accord Acts* provide the *Regulator* with the authority to issue conditions on any OA. The OA form on the website includes a list of standard conditions and the *Regulator* may also append additional conditions to an OA upon issuance or at any time during the program.
- Once approved:
  - The application for an OA and all accompanying documentation should be readily available to all persons executing works or activities.
  - The approved OA form along with any appended conditions should be posted at the operations site.
  - Any conditions of an OA should be communicated to all those who are required to ensure compliance.
  - The unique program number should be quoted on all subsequent correspondence to the *Regulator* in relation to the OA.

Works or activities are not permitted to commence until an OA is issued and then the only activities that can be conducted are the ones that have been described as part of the scope of the application for an OA.

The authorized work or activity is considered complete when:

- the operator has met the commitments in the OA respecting completion, suspension or cancellation of the work or activity;
- all passenger craft transportation activities have been completed; and
- the *Regulator* has received notification that the *Marine Installation or Structure* has:
  - transited to an area within the jurisdiction of the province of NL;
  - transited beyond the outer most limit of the *Offshore Area*; or
  - been handed over to another operator in the *Offshore Area*.

For saturation diving, the work is not considered complete until the divers have finished their decompression period.

Additional guidance on jurisdictional responsibilities between the *Regulator*, Flag State and Transport Canada Marine Safety and Security is provided in Annex A of the relevant MOU contained on the *Regulator's* website.

## 6.20 Reporting

### 6.20.1 Reporting to the Regulator

After an OA is issued, there are a number of reporting requirements outlined in the *Accord Acts* and associated

regulations. This includes the submission of the following, as applicable:

- Workplace Committee meeting minutes (to be submitted only for *Marine Installation or Structures* - refer to the requirements and associated guidance for section 7 of the *OHS Regulations*)
- Written Notifications and Incident Investigation Reports (refer to the associated requirements and guidance in the *Incident Reporting and Investigation Guideline*)
- Quarterly Statistics Reports (refer to section 182 of the *Framework Regulations* and associated guidance for submission of quarterly statistics reports)
- Annual Safety Reports (refer to section 182 of the *Framework Regulations* and associated guidance for submission of annual safety reports)
- Annual Reports on applied research work or studies (refer to requirements and associated guidance for section 183 of the *Framework Regulations*)
- Notification of Work Refusal (for *Marine Installation or Structures* and passenger craft - refer to Part III.1 of the *Accord Acts*)
- Submission of Training Equivalencies and Exemptions (refer to Section 10 of the *Code of Practice for the Training and Qualifications of Offshore Personnel*)
- Any other reporting requirements or other reports required by the *Regulator* or other agencies, such as:
  - Benefits Reports (as per the approved *Benefits Plan*)
  - Monthly Environmental Compliance Reports
  - Discharge Reports
  - Environmental Effects Monitoring Report

There are additional reporting requirements depending on the type of work or activity being undertaken. Guidance on additional reporting requirements are provided in subsequent sections.

### 6.20.2 Reporting to Other Authorities

Operators should also establish reporting requirements to other authorities. As an example, the Canadian Coast Guard's Vessel Traffic Services and the Department of National Defence's Search and Rescue in Halifax should be notified of marine activities and operational matters, as applicable, such as:

- moves due to pack ice, icebergs, inspection or for any other reason;

- formation flow testing operations involving flaring of hydrocarbons;
- any discharge into the ocean; and
- a change in location of an installation.

In addition, operators should refer to guidance provided under section 45 of the *Framework Guidelines* with respect to notifying authorities for the use, discharge or transport of chemical substances (e.g., use of subsea explosives).

## 6.21 Amendments to an Operations Authorization

If an operator requests an amendment to an authorization, they should submit an *Operations Authorization Amendment Request (UNDER DEVELOPMENT)* form. There are three types of amendments that can be submitted:

### 6.21.1 Revisions to Key OA Documents

Any changes or updates to the application for an OA or documents submitted in support of an OA would be considered changes from what has been approved. Updated documents should be provided to the *Regulator* for review prior to changes being implemented. When doing so, the operator should submit a redline version of the document that outlines all changes to expedite this review. The *Regulator* will monitor compliance to any commitments made in the accepted versions of the application for an OA and accompanying documents until such time as the revised documents have been formally accepted by the *Regulator* as forming part of the OA. For greater clarity, this includes changes to the following documents submitted in support of an OA, if applicable:

- DOF
- Execution Plan and Schedule (if it is a separate document)
- Safety Plan(s)
- Environmental Protection Plan(s)
- Contingency Plan(s)
- Decommissioning and Abandonment Plan(s) (if applicable)

Significant changes to documentation may require additional fees and reviews by the *Regulator*.

When a support craft is added or removed from the authorization, an updated DOF (*UNDER REVIEW AND UPDATE*) should be submitted and specify which activities the support craft is

undertaking. If a support craft is being added to the authorization, the crew roster should also be submitted.

### 6.21.2 Amendments to an OA

Changes to an OA such as changes to the scope of work or activities, changes to service providers or addition of an installation or primary vessel may be considered changes from what has been approved. These types of changes may affect the accepted versions of the application of an OA or documents submitted in support of an OA. Consultation should occur with the *Regulator* to discuss submission requirements and the time that may be required to assess the change. Significant amendments may require additional fees and reviews by the *Regulator*. Changes of this nature must not be implemented until they have been formally accepted by the *Regulator*.

For GGE programs, if the operator is requesting to acquire additional data, they are requested to provide written notification to the *Regulator* with the following information included:

- A description of the request;
- A map showing additional lines (shown in different color from original lines);
- A revised shapefile of line coordinates (original plus additional);
- Confirmation that the additional lines fall within the assessed project area of the associated Environmental and Impact Assessment and the temporal scope;
- Confirmation that the amendment will be carried out with policies and procedures already approved under the OA (e.g., environment, safety, emergency response, SIMOPS); and
- Confirmation that there is no change to the approved Financial Responsibility or *Benefits Plan*.

The *Regulator* will review the submitted documentation and notify the operator of the acceptance or rejection of the requested data acquisition amendment. A GGE program may only be amended if the authorization has not expired.

### 6.21.3 Extensions to an OA

A request to extend the authorized duration of a program should be submitted at least 15 days before the end of the period being extended or the new commencement date. Any request for temporal extensions of OAs may require additional information to be submitted such as:



- With respect to a *Marine Installation or Structure* requesting to be operated into late fall, limitations for operating in adverse physical and environmental conditions, including ice, temperature, waves, etc. and submission of an updated Contingency Plan to address this change.
- With respect to personnel fatigue, details respecting how this is being managed. An updated labour exemption order may be required.
- If a program is greater than six months, all of the requirements with respect to workplace committees under Part III.1 of the *Accord Acts*, must be demonstrated.
- Confirmation that the extension is in alignment with the temporal scope (e.g., timing) of the associated Environmental and Impact Assessment.

Operators should consult the *Regulator* to discuss any additional expectations or requirements.

## 6.22 Renewal of an Operations Authorization

For renewal of an OA in relation to a production project, contact should be made with the *Regulator* at least six months in advance of the expiry date to determine the extent of planned changes and updates. Other than an updated OA application, supporting documentation need not be resubmitted for review unless changes are planned. If extensive changes are planned at the renewal phase, discussions with the *Regulator* should begin at least 12 months in advance and an *Operations Authorization Amendment Request (UNDER DEVELOPMENT)* form should be submitted.

## 7.0 Installations

There are certain submission requirements for a *Marine Installation or Structure* that are only applicable to an “installation” (i.e., drilling, production or accommodations installation) or to a “prescribed installation” (i.e., an “installation” or a diving vessel) for the purposes of issuing a COF under Part 5 of the *Framework Regulations*. Refer to the following guidance for these requirements:

### 7.1 Certificate of Fitness

Pursuant to section 139.2 of the *Accord Acts* and Part 3 of the *Framework Regulations*, an OA cannot be issued unless a COF is received from the CA for any “prescribed installations” (i.e., installations or diving vessels) planned to be used. Prior to issuance of a COF:

- a Certification Plan must be submitted by the COF applicant and accepted by the CA and the *Regulator*; and
- the Scope of Work must be submitted by the CA and approved by the CSO.

Refer to guidance provided for Part 5 of the *Framework Regulations*.

## 7.2 Geohazard Survey

Prior to the placement of an installation or pipeline or components of an installation or pipeline including mooring systems, and prior to undertaking any production or well operations, the operator should submit documentation to the *Regulator* demonstrating that the seafloor and the underlying sediments have been investigated to determine if there are any potential surface hazards (e.g., munitions) or subsurface hazards (e.g., faults and shallow gas). Requirements for conducting such investigations and analysis are provided in sections 104 and 105 of the *Framework Regulations* and section 13 of this Guideline. The acquisition, submission and analysis of this data would typically be done as part of a GGE program.

## 7.3 Location Survey

A location survey must be filed with the Canada Lands Survey Records and the *Regulator* for the location of any production installation or for any well associated with a production project or drilling program. Refer to the requirements and associated guidance under section 192 of the *Framework Regulations*.

## 7.4 Appointment of Offshore Installation Managers

Pursuant to section 193.2 of the *Accord Acts*, the operator must appoint an OIM to be in command of an installation (i.e., drilling, production or accommodations installation and not a diving vessel). As part of the OA application, the operator is required to submit documentation to the *Regulator* appointing any OIM and alternate OIMs for each installation. This documentation should include an attestation that the OIMs meet the experience, qualifications, training and competency prescribed to carry out the duties that have been assigned. In the event there are multiple installations in the same field, an operator should ensure that each OIM understands all responsibilities, especially in relation to SIMOPS and communication with other OIMs. Any time a change occurs, updated letters of appointment should be provided.

## 8.0 Production Projects

### 8.1 Scope

Work or activity associated with a production project primarily includes production activities but may also include any associated well operations, diving, construction or GGE activity or the use of an accommodations installation in relation to that project. For any production project, multiple activities may be authorized for work at the production site at different times on the critical path to first oil. As such, well operations or other activities may require a separate application for an OA to conduct this work.

### 8.2 Classification of Marine Installation or Structure

If a *Marine Installation or Structure* is undertaking production activity, it is referred to as a production installation. A production installation includes any subsea and surface systems, including flowlines, umbilicals, pumping stations, onshore control centers or pipelines. A production installation can be either fixed or floating (e.g., floating production, storage and offloading vessels, tension leg platforms, Spars, column-stabilized platforms) and can be either attended or unattended. If an installation is undertaking production activities, and is also carrying out any other activity (e.g., drilling, intervention, diving, geophysical) it is considered a “production installation” and “installation” as per the *Framework Regulations* and requires a COF under Part 5 of the *Framework Regulations*. Refer to the definition of “production installation” and associated ancillary definitions under the *Framework Regulations*.

### 8.3 Additional OA Application Submission Requirements

Section 6.0 of this Guideline, which is applicable to all works or activities, and Section 7.0 of this Guideline, which is applicable to installations, contain the submission requirements. While there are specific approvals that need to be obtained under Section 8.5 of this Guideline, there are no additional submission requirements for a production project.

### 8.4 Timeline for Issuance of an OA

Below is an expected timeline for issuance of an OA for a production project to facilitate an efficient regulatory approval process:

**Table 2: Timeline for Production Projects**

Timeframe in advance of OA issuance	Activities/Submissions
<b>24 - 60 months</b>	<ul style="list-style-type: none"> <li>• Initial high level engagement with the <i>Regulator</i></li> <li>• Engagement with the CA</li> <li>• Certification Plan and Scope of Work</li> <li>• Geoscientific and geotechnical surveys</li> <li>• Submission of RQs</li> </ul>
<b>12 - 24 months</b>	<ul style="list-style-type: none"> <li>• Engagement with <i>Regulator</i> on project updates</li> <li>• Potential engagement with the <i>Regulator</i> on new processes, standards or technologies</li> <li>• Seabed survey (including collection of environmental data for the purposes of the associated Environmental and Impact Assessment)</li> <li>• Resolution of conditions of the <i>Development Plan</i> and the associated Environmental and Impact Assessment</li> <li>• Submission of Flow System, Flow Calculation and Flow Allocation Procedures</li> </ul>
<b>12 months</b>	<ul style="list-style-type: none"> <li>• Details of drilling program, including well specific information and details of the field data acquisition program</li> <li>• Operating Licence</li> <li>• Cost Recovery (Regulatory Activity Plan)</li> </ul>
<b>1 - 12 months</b>	<ul style="list-style-type: none"> <li>• Compliance Verification Activities by the <i>Regulator</i></li> </ul>
<b>6 - 9 months</b>	<ul style="list-style-type: none"> <li>• Submission of an application for an OA</li> </ul>
<b>4 - 6 months</b>	<ul style="list-style-type: none"> <li>• Financial Requirements</li> <li>• Submission of Relevant Approvals (e.g., ADWs)</li> </ul>
<b>3 months</b>	<ul style="list-style-type: none"> <li>• Submission of letters appointing OIMs</li> <li>• Submission of Labour Exemption Order (if applicable)</li> <li>• Submission of Training and Qualification Exemptions and Equivalencies</li> </ul>
<b>2 weeks</b>	<ul style="list-style-type: none"> <li>• COF</li> <li>• DOF</li> </ul>

## 8.5 Approvals

With respect to production projects, additional approvals which may be required include:

- Approval of Flow System, Flow Calculation Procedure and Flow Allocation Procedure (refer to the requirements and associated guidance in section 14 of the *Framework Regulations*)
- Assignment of name and definition of boundaries of pools, zones or fields (refer to the requirements and associated guidance in section 59 of the *Framework Regulations*)
- Notification of calibration of meters (refer to the requirements and associated guidance in section 78 of the *Framework Regulations*)
- Approval of commingled production (refer to the requirements and associated guidance in section 80 of the *Framework Regulations*)

## 8.6 Reporting

In addition to the reporting requirements under section 6.20 of this Guideline, there are specific notifications and reports required to be submitted for production projects. This includes the submission of the following, as applicable:

- Daily Operations Report including Daily Production Report (refer to the requirements and associated guidance for section 197 of the *Framework Regulations*)
- Formation Flow Test Report (refer to the requirements and associated guidance for subsection 195(b) of the *Framework Regulations*)
- Weather forecasts and ice management reports (refer to requirements and associated guidance for subsection 109(4) of the *Framework Regulations*)
- Monthly Production Report (refer to the requirements and associated guidance for section 198 of the *Framework Regulations*)
- Monthly CA Reports (refer to the requirements and associated guidance under subsection 39(2) of the *Framework Regulations*)
- Environmental Report – Production Projects (refer to the requirements and associated guidance for section 201 of the *Framework Regulations*)
- Annual Production Report (refer to the requirements and associated guidance for section 202 of the *Framework Regulations*)
- Annual Emissions Reports to be submitted by June 1<sup>st</sup> of each year (refer to the requirements section 164.1 – 164.3 of the *Accord Acts*)
- Annual CA Reports (refer to the requirements and associated guidance under subsection 39(1) of the *Framework Regulations*)

- Notification of repair, replacement or modification to the *Regulator* and CA (refer to requirements and associated guidance for section 162 of the *Framework Regulations*)
- Pilot Scheme Report (refer to the requirements for section 196 of the *Framework Regulations*)
- Submission of results, data, analysis and schematics (refer to the requirements of section 191 of the *Framework Regulations* and the *Data Acquisition Guideline*)
- Well Termination Record (refer to the requirements and associated guidance for section 199 of the *Framework Regulations*)
- Well Operation Report (refer to the requirements and associated guidance for section 199 of the *Framework Regulations*)
- Well History Report (refer to the requirements and associated guidance for section 199 of the *Framework Regulations*)
- Notification of disposal of collected drill cuttings, fluid samples, cores or evaluation data (refer to the requirements in section 64 of the *Framework Regulations* and associated guidance in the *Data Acquisition Guideline*)

## 9.0 Drilling Programs

### 9.1 Scope

Work or activity associated with a drilling program primarily includes well operations activities but may also include any associated diving, construction or GGE activity or the use of an accommodations installation in relation to that program. Refer to the ancillary definition of “well operations” in the *Framework Regulations* as when this term is used it is intended to apply to more than drilling activities. An OA can be issued for stand-alone exploration, delineation or development drilling, however when drilling a development well, the activity would also be subject to any requirements in relation to a production project.

### 9.2 Classification of Marine Installation or Structure

If a *Marine Installation or Structure* is undertaking well operation activity, it is referred to as a “drilling installation” and requires a COF under Part 5 of the *Framework Regulations*. Drilling installations typically include:

- Fixed drilling installations
- Ship shaped MODUs (e.g., drill ships)
- Column-stabilized MODUs (e.g., semi-submersible drill rigs)
- Self-elevating MODUs (e.g., jack-up drill rigs)
- Well intervention vessels (e.g., light intervention vessels)

If an installation is undertaking drilling or well operations activities without the intent to produce, it is considered a “drilling installation” and also an

“installation” as per the *Framework Regulations*. Refer to the definition of “drilling installation” and associated ancillary definitions (e.g., well operations) under the *Framework Regulations*.

### 9.3 Additional OA Application Submission Requirements

Section 6.0 of this Guideline, which is applicable to all works or activities, and Section 7.0 of this Guideline, which is applicable to installations, contains the submission requirements. While there are specific approvals that need to be obtained under Section 9.5 of this Guideline, there are no additional submission requirements for a drilling program.

### 9.4 Timeline for Issuance of an OA

Below is an expected timeline for issuance of a stand-alone OA for a drilling program to facilitate an efficient regulatory approval process:

**Table 3: Timeline for Drilling Programs**

Timeframe in advance of OA issuance	Activities/Submissions
<b>18 + months</b>	<ul style="list-style-type: none"> <li>• Associated Environmental and Impact Assessment (if activity not covered under a regional assessment) <sup>4</sup></li> <li>• Seabed survey (including collection of environmental data for the purposes of the associated Environmental and Impact Assessment requirements)</li> </ul>
<b>12 – 18 months</b>	<ul style="list-style-type: none"> <li>• Selection of an installation</li> <li>• Initial high level engagement with the <i>Regulator</i> (new operator or new installation)</li> <li>• Engagement with the CA</li> <li>• Geoscientific and geotechnical surveys</li> </ul>
<b>12 months</b>	<ul style="list-style-type: none"> <li>• Cost Recovery (Regulatory Activity Plan)</li> </ul>
<b>9 - 12 months</b>	<ul style="list-style-type: none"> <li>• Initial high level engagement with the <i>Regulator</i> (existing operator and existing/returning installations)</li> <li>• Details of drilling program, including well specific information, details of well data acquisition and formation flow testing, if applicable</li> </ul>

<sup>4</sup> For exploration drilling projects exempt from IAA, a project notice to the IAAC should be submitted 6 - 9 months before issuance of an OA. Section 3 of the *Regulations Respecting Excluded Physical Activities (Newfoundland and Labrador Offshore Exploratory Wells)* outlines the information to be provided.



	<ul style="list-style-type: none"> <li>Resolution of conditions of the <i>Development Plan</i> (if applicable) and the associated Environmental and Impact Assessment</li> <li>Operating Licence</li> <li><i>Benefits Plan</i></li> </ul>
<b>6 - 9 months</b>	<ul style="list-style-type: none"> <li>Submission of an application for an OA</li> <li>Certification Plan and Scope of Work</li> </ul>
<b>4 - 6 months</b>	<ul style="list-style-type: none"> <li>Financial Requirements</li> <li>Submission of RQs</li> <li>Submission of Relevant Approvals (e.g., ADWs)</li> <li>Location Survey</li> </ul>
<b>3 months</b>	<ul style="list-style-type: none"> <li>Submission of letters appointing OIMs</li> <li>Submission of Labour Exemption Order (if applicable)</li> <li>Submission of Training and Qualification Exemptions and Equivalencies</li> <li>Submission of supplement to the <i>Benefits Plan</i>, as applicable</li> </ul>
<b>2 – 4 weeks</b>	<ul style="list-style-type: none"> <li>Compliance Verification Activities by the <i>Regulator</i></li> <li>Submission of crew rosters as per the <i>Benefits Plan Guideline</i></li> </ul>
<b>2 weeks</b>	<ul style="list-style-type: none"> <li>COF</li> <li>DOF</li> </ul>

### 9.5 Approvals

With respect to drilling programs (including those carried out as part of a production project), additional approvals which may be required include:

- Approval to Drill a Well (ADW) (refer to the requirements and associated guidance in section 17 of the *Framework Regulations*)
- Approval to Alter the Condition of a Well (ACW) (refer to the requirements and associated guidance in section 17 of the *Framework Regulations*)
- Notification to Abandon/Suspend or Notification to Complete (refer to the requirements and associated guidance in section 17 of the *Framework Regulations*)
- Approval of a Well Data Acquisition Program (refer to the requirements and associated guidance in section 18 of the *Framework Regulations*; normally as part of the ADW process)
- Assignment of name, classification or status of a well (refer to the requirements and associated guidance in section 59 of the *Framework Regulations*)



- Approval of a Formation Flow Test Program (refer to the requirements and associated guidance in section 63 of the *Framework Regulations* for development wells and for exploration or delineation wells)

## 9.6 Reporting

In addition to the reporting requirements under section 6.20 of this Guideline, there are specific notifications and reports required to be submitted for drilling programs. This includes the submission of the following, as applicable:

- Daily Operations Report including Daily Drilling Report (refer to the requirements and associated guidance for section 197 of the *Framework Regulations*)
- Daily Geological Report (refer to the requirements and associated guidance for section 197 of the *Framework Regulations*)
- Formation Flow Test Report (refer to the requirements and associated guidance for subsection 195(b) of the *Framework Regulations*)
- Weather forecasts and ice management reports (refer to requirements and associated guidance for subsection 109(4) of the *Framework Regulations*)
- Weekly/Monthly Recruitment Reports (as per the approved *Benefits Plan*)
- Monthly CA Reports (refer to the requirements and associated guidance under subsection 39(2) of the *Framework Regulations*)
- Environmental Report – Exploration or Delineating Drilling (if part of a production project refer to section 8.6 of this Guideline, otherwise refer to the requirements and associated guidance for section 200 of the *Framework Regulations*)
- Annual Emissions Reports to be submitted by June 1<sup>st</sup> of each year (refer to the requirements section 164.1 – 164.3 of the *Accord Acts*)
- Annual CA Reports (refer to the requirements and associated guidance under subsection 39(1) of the *Framework Regulations*)
- Notification of repair, replacement or modification to the *Regulator* and CA (refer to requirements and associated guidance for section 162 of the *Framework Regulations*)
- Submission of results, data, analysis and schematics (refer to the requirements of section 191 of the *Framework Regulations* and the *Data Acquisition Guideline*)
- Well Termination Record (refer to the requirements and associated guidance for section 199 of the *Framework Regulations*)
- Well Operation Report (refer to the requirements and associated guidance for section 199 of the *Framework Regulations*)
- Well History Report (refer to the requirements and associated guidance for section 199 of the *Framework Regulations*)

- Notification of disposal of collected drill cuttings, fluid samples, cores or evaluation data (refer to the requirements in section 64 of the *Framework Regulations* and associated guidance in the *Data Acquisition Guideline*)

## **10.0 Use of an Accommodations Installation**

### **10.1 Scope**

The use of an accommodations installation can either be authorized under an OA for a production project or a drilling program, or issued separately. An OA for the stand-alone use of an accommodations installation would be subject to any requirements in relation to a production project or a drilling program and should address topics in relation to shared or impacted activities.

### **10.2 Classification of Marine Installation or Structure**

If a *Marine Installation or Structure* is being used as a temporary living accommodation for persons while undertaking works or activities at the production or drill site, it is considered an “accommodations installation” and “installation” as per the *Framework Regulations* and requires a COF under Part 3 of the *Framework Regulations*. Refer to the definition of “accommodations installation” and associated ancillary definitions under the *Framework Regulations*.

### **10.3 Additional OA Application Submission Requirements**

Section 6.0 of this Guideline, which is applicable to all works or activities, and Section 7.0 of this Guideline, which is applicable to installations, contains the submission requirements. There are no additional submission or approval requirements for using an accommodations installation.

### **10.4 Timeline for Issuance of an OA**

Below is an expected timeline for issuance of a stand-alone OA for the use of an accommodations installation to facilitate an efficient regulatory approval process:

**Table 4: Timeline for Accommodations Installations**

Timeframe in advance of OA issuance	Activities/Submissions
12 – 18 months	<ul style="list-style-type: none"> <li>• Selection of an installation</li> <li>• Initial high level engagement with the <i>Regulator</i></li> <li>• Engagement with the CA</li> <li>• Geoscientific and geotechnical surveys, if required for placement/installation</li> </ul>
12 months	<ul style="list-style-type: none"> <li>• Cost Recovery (Regulatory Activity Plan)</li> </ul>
9 - 12 months	<ul style="list-style-type: none"> <li>• Resolution of conditions of the <i>Development Plan</i> (if applicable) and the associated Environmental and Impact Assessment</li> <li>• Operating Licence</li> <li>• <i>Benefits Plan</i></li> </ul>
6 - 9 months	<ul style="list-style-type: none"> <li>• Submission of an application for an OA</li> <li>• Certification Plan and Scope of Work</li> </ul>
4 - 6 months	<ul style="list-style-type: none"> <li>• Financial Requirements</li> <li>• Submission of RQs</li> </ul>
3 months	<ul style="list-style-type: none"> <li>• Submission of letters appointing OIMs</li> <li>• Submission of Labour Exemption Order (if applicable)</li> <li>• Submission of Training and Qualification Exemptions and Equivalencies</li> <li>• Submission of supplement to the <i>Benefits Plan</i>, as applicable</li> </ul>
2 – 4 weeks	<ul style="list-style-type: none"> <li>• Compliance Verification Activities by the <i>Regulator</i></li> <li>• Submission of crew rosters as per the <i>Benefits Plan Guideline</i></li> </ul>
2 weeks	<ul style="list-style-type: none"> <li>• COF</li> <li>• DOF</li> </ul>

### 10.5 Reporting

The reports for the use of an accommodations installation can be combined with the reports submitted for a production project or drilling program (e.g., environmental report, benefits report, weather forecasts). In addition to the reporting requirements under section 6.20 of this Guideline, there are specific notifications and reports required to be submitted for an accommodations installation. This includes the submission of the following, as applicable:

- Daily Operations Report (refer to the requirements and associated guidance for section 197 of the *Framework Regulations*)

- Monthly CA Reports (refer to the requirements and associated guidance under subsection 39(2) of the *Framework Regulations*)
- Annual CA Reports (refer to the requirements and associated guidance under subsection 39(1) of the *Framework Regulations*)
- Notification of repair, replacement or modification to the *Regulator* and CA (refer to requirements and associated guidance for section 162 of the *Framework Regulations*)

## 11.0 Diving Projects

### 11.1 Scope

Work or activity associated with a diving project primarily includes the use of divers and a dedicated vessel; however, there are instances when this activity can be conducted from an installation. An OA can be issued for a stand-alone diving project from a dedicated diving vessel; however, the activity would also be subject to any requirements in relation to a production project or drilling program.

### 11.2 Classification of Marine Installation or Structure

If a *Marine Installation or Structure* is undertaking diving activity, it is either being conducted from a diving system installed onboard an installation or it is conducted from a diving vessel. There are also requirements for a “light dive craft” under Part 9 of the *Framework Regulations*. Diving vessels require a COF under Part 5 of the *Framework Regulations*.

### 11.3 Additional OA Application Submission Requirements

Section 6.0 of this Guideline, which is applicable to all works or activities, contains the submission requirements. In addition to these requirements, the following items need to be submitted for a diving project. There are no separate approvals required for a diving project.

#### 11.3.1 Designation of Dive Safety Specialist(s)

With respect to section 168 of the *OHS Regulations*, the letters designating the operator’s and dive contractor’s dive safety specialists should be provided.

#### 11.3.2 Letter from Operator Dive Safety Specialist

With respect to subsection 165(b) of the *OHS Regulations*, an application for an OA should include a letter from the operator’s dive safety specialist attesting to the fact that the review as outlined in the *OHS Regulations* has been completed and that they are satisfied with the plans for the program.

### 11.4 Timeline for Issuance of an OA

Below is an expected timeline for issuance of a stand-alone OA for a diving project to facilitate an efficient regulatory approval process:

**Table 5: Timeline for Diving Projects**

Timeframe in advance of OA issuance	Activities/Submissions
12 months	<ul style="list-style-type: none"> <li>• Cost Recovery (Regulatory Activity Plan)</li> <li>• Initial high level engagement with the <i>Regulator</i></li> <li>• Engagement with the CA</li> </ul>
3 - 6 months	<ul style="list-style-type: none"> <li>• Selection of <i>Marine Installation or Structure</i></li> <li>• Details of diving project</li> <li>• Resolution of conditions of the <i>Development Plan</i> (if applicable) and the associated Environmental and Impact Assessment</li> <li>• Operating Licence</li> <li>• <i>Benefits Plan</i></li> <li>• Financial Requirements</li> <li>• Submission of an application for an OA</li> <li>• Certification Plan and Scope of Work</li> </ul>
1 - 3 months	<ul style="list-style-type: none"> <li>• Submission of RQs</li> <li>• Submission of Labour Exemption Order (if applicable)</li> <li>• Submission of Letters Designating Dive Safety Specialists</li> <li>• Submission of Letter from Operator Dive Safety Specialist</li> <li>• Submission of Training and Qualification Exemptions and Equivalencies</li> <li>• Submission of supplement to the <i>Benefits Plan</i>, as applicable</li> </ul>
2 – 4 weeks	<ul style="list-style-type: none"> <li>• Compliance Verification Activities by the <i>Regulator</i></li> <li>• Submission of crew rosters as per the <i>Benefits Plan Guideline</i></li> </ul>
2 weeks	<ul style="list-style-type: none"> <li>• COF</li> <li>• DOF</li> </ul>

## 11.5 Reporting

In addition to the reporting requirements under section 6.20 of this Guideline, reports may be required to be submitted if the work or activity is being conducted as part of a production project or drilling program (e.g., environmental report, benefits report, weather forecasts). In addition, the following reports are required to be submitted:

- Weekly status report (refer to the requirements and associated guidance under section 207 of the *Framework Regulations*)
- Monthly CA Reports (refer to the requirements and associated guidance under subsection 39(2) of the *Framework Regulations*)
- Annual CA Reports (refer to the requirements and associated guidance under subsection 39(1) of the *Framework Regulations*)

## 12.0 Construction Programs

### 12.1 Scope

Work or activity associated with a construction program is usually carried out from a vessel either to prepare a drill or production site (e.g., dredging), to install an installation or components of an installation (e.g., installing flowlines or other equipment onboard an installation) or to do other work in close proximity to an existing installation. An OA can be issued for a stand-alone construction program; however, the activity would also be subject to any requirements in relation to a production project or drilling program.

### 12.2 Classification of Marine Installation or Structure

If a *Marine Installation or Structure* is undertaking a construction program, it is typically referred to in the *Framework Regulations* as being conducted from a “construction vessel” or stated as a vessel undertaking “construction activities”. Interpretation of which activities are considered construction activities is provided in *Interpretation Note 17-01 – Construction and Support Activity*.

### 12.3 Additional OA Application Submission Requirements

Section 6.0 of this Guideline, which is applicable to all works or activities, contains the submission requirements for a construction program. There are no additional submission or approval requirements for construction programs.

## 12.4 Timeline for Issuance of an OA

Below is an expected timeline for issuance of a stand-alone OA for a construction program to facilitate an efficient regulatory approval process:

**Table 6: Timeline for Construction Programs**

Timeframe in advance of OA issuance	Activities/Submissions
12 months	<ul style="list-style-type: none"> <li>• Cost Recovery (Regulatory Activity Plan)</li> <li>• Initial high level engagement with the <i>Regulator</i></li> <li>• Engagement with the CA (as work undertaken is normally in respect of an installation)</li> </ul>
3 - 6 months	<ul style="list-style-type: none"> <li>• Selection of <i>Marine Installation or Structure</i></li> <li>• Details of construction program</li> <li>• Resolution of conditions of the <i>Development Plan</i> (if applicable) and the associated Environmental and Impact Assessment</li> <li>• <i>Benefits Plan</i></li> <li>• Operating Licence</li> <li>• Financial Requirements</li> <li>• Submission of an application for an OA</li> </ul>
1 - 3 months	<ul style="list-style-type: none"> <li>• Submission of RQs</li> <li>• Submission of Labour Exemption Order (if applicable)</li> <li>• Submission of Training and Qualification Exemptions and Equivalencies</li> <li>• Submission of supplement to the <i>Benefits Plan</i>, as applicable</li> </ul>
2 – 4 weeks	<ul style="list-style-type: none"> <li>• Compliance Verification Activities by the <i>Regulator</i></li> <li>• Submission of crew rosters as per the <i>Benefits Plan Guideline</i></li> </ul>
2 weeks	<ul style="list-style-type: none"> <li>• DOF</li> </ul>

## 12.5 Reporting

In addition to the reporting requirements under section 6.20 of this Guideline, reports may be required to be submitted if the work or activity is being conducted as part of a production project or drilling program (e.g., environmental report, benefits report, weather forecasts). Refer to the requirements and associated guidance for submission of weekly status reports under section 207 of the *Framework Regulations*).

## 13.0 GGE Programs with Fieldwork

### 13.1 Scope

An OA can be issued for a stand-alone GGE program or this activity can be undertaken from an installation used as part of a production project or drilling program, if scoped.

There are three types of GGE programs with fieldwork: geoscientific, geotechnical and environmental programs.

To allow timely review and processing, an application for an OA should be submitted:

- Geoscientific/Environmental programs within 60 days prior to the planned start.
- Geotechnical programs within 90 days prior to the planned start.

### 13.2 Geoscientific Programs

Geoscientific programs include both geophysical and geological programs. Refer to the definitions of “geoscientific programs” and “geophysical programs” under section 1 of the *Framework Regulations* and the definitions of “geophysical work” and “geological work” in the *Accord Acts*. Refer also to the definition of “well site seabed survey” in the *Accord Acts*. Geoscientific programs may include the collection and interpretation of the following types of surveys or acquisitions:

#### 13.2.1 Geophysical Programs

Geophysical Programs are described as those involving the indirect measurement of physical properties of the earth. This includes 2D, 3D and 4D seismic surveys, geohazard surveys (well site seabed survey), CSEM, airborne/marine gravity and airborne/marine magnetic surveys and all types of VSPs.

Guidance for geohazard surveys and well site seabed surveys follow:

##### 13.2.1.1 Geohazard Surveys

Geohazard surveys employ a multi-disciplinary approach using GGE methods to determine the nature of the seabed and underlying sediments. As such, they may be required to assist with the positioning of wells, pipelines, mooring systems or production facilities. The *Regulator* may inform other operators working in the



area if any significant hazards were detected during a geohazard survey.

Typically, geophysical activity comprises the most significant component of a geohazard survey. If there is no geophysical activity conducted as part of this survey, the program may be classed as another program type.

The objectives and typical methodology for geohazard surveys are as follows:

**Table 7: Geohazard Surveys**

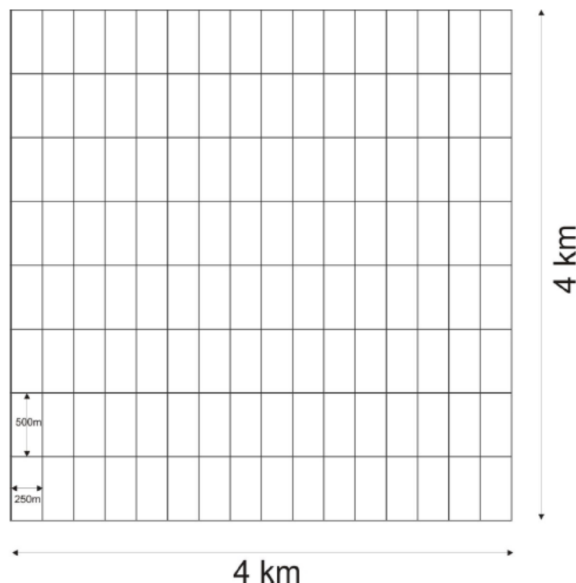
Objectives	Typical Methodology
Identification of shallow geological hazards (e.g., slump scars, channels, faulting, gas, gas hydrates, shallow gas)	2DHR seismic; supplemented with 3D seismic, if available. Reprocessed 3DHR may replace a conventional 2DHR dataset in deepwater (>500 m)
Detailed bathymetry	Multi-beam echosounder
Identification of surficial geology, boulder till, channel fill, slumping, faulting, gas-charged sediments	SBP and side scan sonar
Nature and characteristics of seabed sediments	Side scan sonar, grab samples and gravity/piston cores of the seabed and near-surface sediments, seabed photographs
Identification of iceberg scours, morphology of depositional units, seabed obstructions, bedforms indicative of seabed sediment dynamics	Multibeam echosounder, side scan sonar, seabed photographs and SBP
Engineering data on seabed deformation, bearing capacity and stability (if required)	Borehole core samples, in situ and laboratory tests
Location and identification of human-made structures or debris including various seabed infrastructure, shipwrecks, archaeological sites, burial grounds and unexploded ordinances	Side scan sonar, multibeam echosounder, magnetometer
Determine whether there are any aggregations of habitat-forming corals or sponges or any other environmentally sensitive features around each proposed well site	Seabed photographs and video

### 13.2.1.1.1 Well Site Seabed Surveys

An operator who proposes to drill a well in the *Offshore Area* must ensure that such an operation is conducted safely while protecting the environment. The submission of an ADW application must be preceded or accompanied by a geohazard report to show that the operator has investigated the immediate area of the proposed location to identify any possible hazards to drilling on the seabed and shallow subsurface prior to setting surface casing. This submission should include 2DHR and 3DHR SEG-Y seismic data (where approved by the *Regulator*).

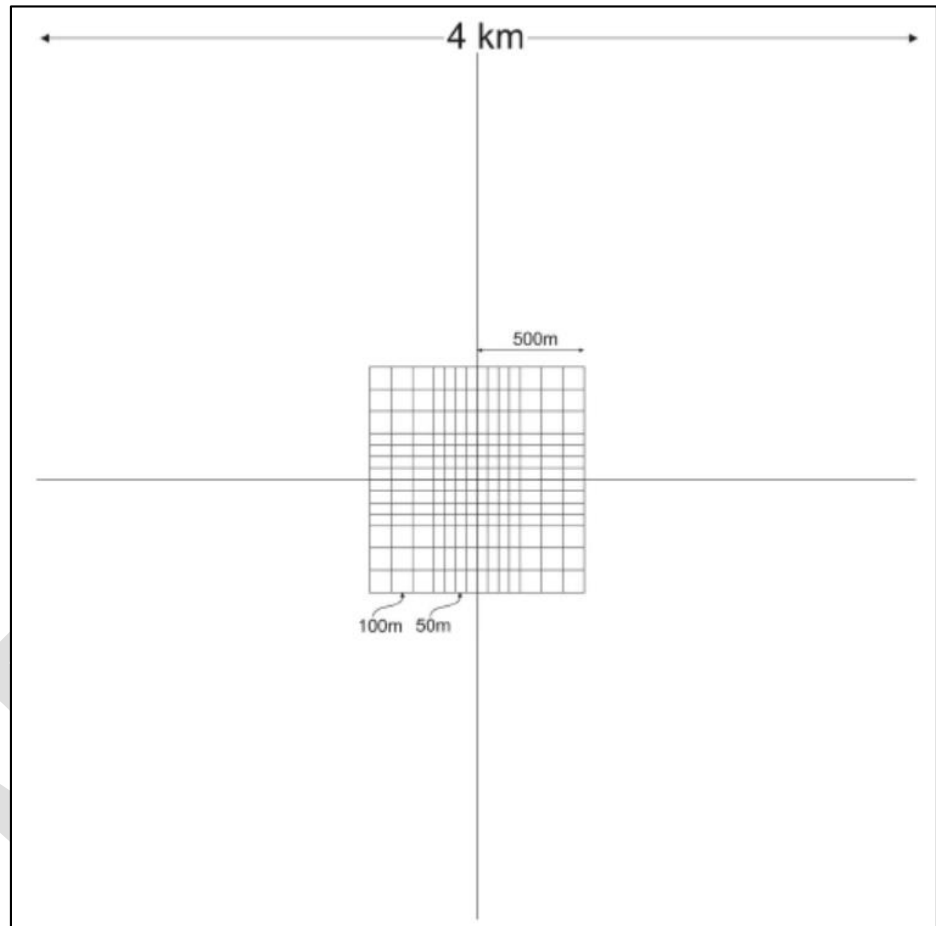
The geohazard survey must have sufficient density and areal extent to identify hazards and tie regional geology. It is recommended the survey be large and dense enough to allow for changes in well location due to identification of surficial or subsurface hazards and changes to well planning. Survey design will be specific to the intended drilling installation to be used. If the 2DHR seismic line spacing is greater than 250 m, the well can only be drilled if there is conventional 3D seismic available to supplement interpretation over the surrounding area. In this case, the applicant must additionally submit the following with the ADW: three in-lines and three cross-lines, no more than 250 m apart, with two passing through the proposed well location.

With respect to a MODU, the geohazard survey should cover a radius of the anchor limit plus 1 km, allowing for potential changes in location and identification of any regional features such as slump deposits. A maximum primary line spacing of 250 m with tie lines at 500 m is recommended as follows:



**Figure 3: Example of a MODU Geohazard Survey Pattern**

With respect to a self-elevating mobile offshore platform (e.g., jack-up), the geohazard survey should have a line spacing of 50 m, recorded within a radius of 200 m of the proposed well location, with additional lines spaced at 100 m out to 500 m for both primary and tie lines. In addition, two orthogonal lines should be acquired through the proposed location to a distance of 2 km from the well location to allow for interpretation of the local/regional geological setting as follows:



**Figure 4: Example of a Self-Elevating Mobile Offshore Platform Geohazard Survey Pattern**

The *Regulator* may accept the use of a pre-existing geohazard survey if:

- the area covered by the earlier survey is adequate, except in areas where movement of hydrocarbons due to drilling activity is suspected;
- existing data is available and submitted in SEG-Y format to the *Regulator* for assessment and analysis; and
- with the exception of any requirements in relation to an associated Environmental and Impact Assessment, if the

surficial data is more than five years old, an inspection of the seabed in the vicinity of the well and mooring pattern is carried out prior to spud.

Operators planning to use pre-existing geohazard surveys should consult with the *Regulator*.

The use of conventional 3D seismic data reprocessed to 3DHR seismic data is acceptable for replacement of 2DHR well site seismic data in deepwater settings. Currently, the *Regulator* defines deepwater as greater than 500 m water depth. If this is the case, the Operator should consult the *Regulator* prior to initiating the processing sequence for pre-approval. Throughout and following the processing sequence, presentation package(s) that indicates that the data is fit for purpose (e.g., maximized frequency content and sampling rate of the original 3D seismic data) for geohazard assessment should be provided. The presentation package(s) should illustrate the following typical minimum requirements:

- The data quality is high with low noise levels from seafloor to ~ 200 m below planned surface casing.
- A vertical resolution of ~ 6 to 10 m is used.
- A dominant frequency of greater than 60 Hz is used.
- A horizontal CMP bin size of at least 12.5 m in either X or Y direction, preferably 6.25 m.
- A sample interval of 2 ms – at a minimum the data should be reprocessed at the lowest sample interval possible for the given dataset and be no higher than 4 ms.

The ISO 19900 series of standards also includes guidance for site-specific assessments for placement of fixed installations and installation components, such as moorings, etc. Specific guidance for geohazard surveys are included in the following standards in this series:

- *ISO 19901-8 Oil and gas industries including lower carbon energy - Offshore structures - Part 8: Marine soil investigations*
- *ISO 19901-10 Petroleum and natural gas industries - Specific requirements for offshore structures - Part 10: Marine geophysical investigations*

These standards should be consulted where appropriate. These standards are referenced under sections 104 and 105 of the *Framework Guideline*.

### 13.2.2 Geological Programs

Geological programs are described as those involving the collection of samples from the *Offshore Area*. This geochemical seep or slick samples, lithological (seafloor, shallow core) samples, heat flow, paleontological, geochemical, core or cuttings samples, airborne or satellite studies, mechanical well logs, etc.

### 13.3 Geotechnical Programs

Geotechnical Programs are described as those involving the measurement of physical and mechanical properties of seabed and subsoil, primarily related to foundation design, construction, maintenance and decommissioning of man-made structures. Refer to the definition of “geotechnical programs” under section 1 of the *Framework Regulations* and the definition of “geotechnical work” in the *Accord Acts*. This includes borehole drilling, CPT, PPDT, SCPT, etc.

Prior to positioning a fixed installation (e.g., gravity-based structure, other bottom-founded installation) or self-elevating platform (e.g., jack-up), a geotechnical seabed survey may be required as outlined below:

#### 13.3.1 Self-Elevating Platforms

Prior to preloading the self-elevating platform at a well site, an independent geotechnical engineering consultant should evaluate the geotechnical and foundation characteristics of the seabed. In most cases, at least one geotechnical borehole (drilled no further than 100 m from the proposed well site) should be drilled to a depth below the seafloor of 30 m or the anticipated spud can penetration plus 1.5 times the spud can diameter, whichever is the greater. In some cases, the consultant may have sufficient information to assess the foundation characteristics without the benefit of a borehole. The depth, sampling interval and number of boreholes in the program should be at the discretion of the consultant in consultation with the operator and installation owner. The ISO 19900 series of standards includes guidance on site-specific assessments for placement of self-elevating platforms. These standards should be consulted where appropriate. These standards are referenced under sections 104 and 105 of the *Framework Regulations*.

#### 13.3.2 Fixed Installations, Pipelines and Subsea Infrastructure

Where a fixed installation, pipeline or other subsea infrastructure is to be used, the geotechnical and foundation characteristics of the seabed at the proposed site and the fill material, must be evaluated before any excavation, fill placement or placement of the

installation or other equipment occurs. The ISO 19900 series of standards includes guidance on site construction and site-specific assessments for placement of fixed installations and installation components, such as moorings, etc. These standards should be consulted where appropriate. These standards are referenced under section 104 and 105 of the *Framework Regulations*.

#### 13.4 Environmental Programs

Refer to the definition of “environmental program” under section 1 of the *Framework Regulations* and the definition of “environmental study” in the *Accord Acts*. This should also take into consideration any requirements of the associated Environmental and Impact Assessment. These programs may include the following types of surveys and acquisitions:

- Water and sediment sampling to support baseline studies and environmental effects monitoring (e.g., pollution effects).
- Sampling or observation of flora and fauna as part of an environmental effects monitoring program.
- Pre- and post-activity surveys with respect to construction, drilling or production activities, conducted by ROVs or divers to describe and measure such items as benthic (e.g., living part of seafloor – corals, sponges) environments, drill cuttings dispersion and debris.
- For installation of equipment (e.g., wave rider buoys) and in-situ monitoring of the physical environment (e.g., winds, waves, tides, currents, precipitation, ice cover and movement, icebergs) to measure oceanographic and meteorological data, excluding the installation of equipment referred to in section 109 of the *Framework Regulations*.

#### 13.5 Classification of Marine Installation or Structure and Aircraft

If a *Marine Installation or Structure* is undertaking a GGE program, it is typically referred to in the *Framework Regulations* as being conducted from a vessel undertaking GGE activities. The activity may also be carried out from an installation or other type of vessel. Although uncommon, geoscientific or environmental activity can also be undertaken from an aircraft and when this is the case, it is not considered a *Marine Installation or Structure*. Aircraft conducting this activity would not be subject to Part III.1 of the *Accord Acts* or the associated *OHS Regulations*; however, the activity must be authorized.

#### 13.6 Additional OA Application Submission Requirements

Section 6.0 of this Guideline, which is applicable to all works or activities, contains the submission requirements for GGE programs. There are no additional submission requirements for GGE programs.

### 13.7 Timeline for Issuance of an OA

Below is an expected timeline for issuance of a stand-alone OA for a GGE program to facilitate an efficient regulatory approval process:

**Table 8: Timeline for GGE Programs**

Timeframe in advance of OA issuance	Activities/Submissions
12 months	<ul style="list-style-type: none"> <li>• Cost Recovery (Regulatory Activity Plan)</li> <li>• Associated Environmental and Impact Assessment (if activity not covered under an existing associated Environmental and Impact Assessment)</li> </ul>
3 - 6 months	<ul style="list-style-type: none"> <li>• Selection of a vessel or aircraft</li> <li>• Initial high level engagement with the <i>Regulator</i></li> <li>• Operating Licence</li> <li>• <i>Benefits Plan</i></li> <li>• Financial Requirements</li> </ul>
2 - 3 months	<ul style="list-style-type: none"> <li>• Submission of an application for an OA</li> <li>• Submission of RQs</li> <li>• Submission of Labour Exemption Order (if applicable)</li> <li>• Submission of supplement to the <i>Benefits Plan</i>, as applicable</li> </ul>
2 – 4 weeks	<ul style="list-style-type: none"> <li>• Compliance Verification Activities by the <i>Regulator</i></li> <li>• Submission of crew rosters as per the <i>Benefits Plan Guideline</i></li> </ul>
2 weeks	<ul style="list-style-type: none"> <li>• DOF</li> </ul>

### 13.8 Approvals

With respect to GGE programs, the destruction, discard or removal of material or information from Canada requires approval pursuant to the requirements and associated guidance in section 57 of the *Framework Regulations*.

### 13.9 Reporting

In addition to the reporting requirements under section 6.20 of this Guideline, there are specific notifications, reports and data required to be submitted for GGE programs. This includes the submission of the following, as applicable:

- Notice - Key Dates (refer to the requirements and associated guidance for section 184 of the *Framework Regulations*)
- Weekly Status Report (refer to the requirements and associated guidance for section 185 of the *Framework Regulations*)
- Environmental Report (refer to the requirements and associated guidance for section 186 of the *Framework Regulations*)
- Final Reports and Data Submission (refer to the requirements and associated guidance for sections 187 and 188 of the *Framework Regulations*)

## 14.0 GGE Programs without Fieldwork

### 14.1 Scope

Not all GGE programs undertake fieldwork. Although an OA is not required for such programs, an application for programs without fieldwork must be submitted for approval. GGE programs without fieldwork may include:

- GGE studies completed using any of the material curated (e.g., cuttings, core, fluids) by the *Regulator*.
- GGE programs where an applicant plans to claim allowable expenditures against security deposits or rental commitments for ELs or SDLs. Programs which may be eligible for such credits includes the purchase of GGE studies and the purchase or reprocessing of data.

### 14.2 Approvals

Application forms for a program without fieldwork are available on the *Regulator's* website. These applications should be accompanied with the information as referenced in the guidance for paragraph 8(i) of the *Framework Regulations*.

Each approval will be assigned a unique program number. This unique program number should be quoted on all subsequent correspondence in relation to the approval.

### 14.3 Reporting

Reports and data are required to be submitted for a GGE program without fieldwork. This includes the submission of the following, as applicable:

- Final Report (refer to the requirements and associated guidance for sections 187 and 188 of the *Framework Regulations*)
- Data Purchases (refer to the requirements and associated guidance for section 189 of the *Framework Regulations*)



Additional guidance for data purchases and reprocessing is provided in the *Allowable Expenditure Credit Guideline*.

DRAFT