Offshore Regulatory Renewal Initiatives

C-NLOPB Spring Safety Forum

May 2017
Agenda

- FORRI and the Framework Regulations
- Atlantic OHS Initiative
  - Diving Regulations
- Upcoming Consultations
- Questions
Frontier and Offshore Regulatory Renewal Initiative (FORRI)

- The objective of FORRI is to modernize the regulatory framework by:
  - Reducing redundancy amongst multiple regulations;
  - Reducing the number of referenced standards, and updating those that are retained;
  - Moving, where possible, to performance-based requirements instead of prescribing specific technologies/approaches; and,
  - Ensuring an efficient and effective regulatory regime.

- FORRI is a partnership of federal and provincial government departments and includes participation of the Boards responsible for the regulation of frontier and offshore oil and gas activities.

- Modernizing the regulations for frontier and offshore oil and gas will contribute to maintaining Canada’s high standards for safety, environmental protection and management of resources.
FORRI Scope of Work

- Modernize **five** of the regulations in place under the *Canada Oil and Gas Operations Act* (COGOA) and the Accord Acts, and integrate these into a new **Framework Regulation**:
  - Drilling and Production Regulations (2009)
  - Geophysical Regulations
  - Certificate of Fitness Regulations
  - Operations Regulations
  - Installation Regulations

- FORRI will develop regulation on the use of Spill Treating Agents; this will be merged into the Framework Regulation once it is ready

- FORRI developed three new regulations (Financial Requirements, Administrative Monetary Penalties (AMPS) and Cost Recovery); Financial Requirements and AMPS will be become part of the Framework Regulation when the existing regulations are published as a consolidated regulation
FORRI Consultation Approach

- FORRI will consult with stakeholders, Indigenous groups and the public at various stages
  - **Policy intent**: one-day, multi-stakeholder consultation sessions on proposed policy intention followed by a written comment period
  - **Draft regulation**: one-day, multi-stakeholder consultation session on draft regulatory text followed by a written comment period
  - **Pre-publication**: Canada Gazette I pre-publication on draft Framework Regulations followed by a minimum 30 day comment period

* Will be supplemented by meetings with Indigenous groups as necessary
Consultation – Policy Intent

- **Phase 1**
  - Board powers, Management System, Authorizations (including diving authorizations), Operator Duties

- **Phase 2**
  - Reporting and Resource Management

- **Phase 3**
  - Installations (including diving installations, plant and equipment) and Operations

Subsequent Steps & Timeline

- Consultation on Draft Framework Regulations
  - Target Date: Q4 2017/18
- Prepublication of Draft Framework Regulations
  - Target Date: Q4 2018/19
- Final Publication of Draft Framework Regulations
  - Target Date: Q2 2019/20
- Entry Into Force
  - Target Date: Q3 2019/20

Note: Timing will be coordinated with the development of the Occupational Health and Safety Regulations under the Accord Acts.
Atlantic Occupational Health and Safety (OHS) Initiative

- Simultaneously, transitional regulations were brought into force to implement the OHS regime
  - The transitional regulations will automatically expire on December 31, 2019
  - Governments are working to develop new regulations that will enter into force prior to that date (transitional regulations will be repealed upon entry into force)
OHS Initiative - continued

- Part III.1, together with its transitional regulations, creates an occupational health and safety regime for each of Accord area that:
  - Clarifies ministerial roles and responsibilities for OHS
  - Makes the C-NLOPB/CNSOPB responsible for enforcing OHS statutory and regulatory provisions, including through OHS officers who have the powers of inspection and investigation and the authority to order corrective measures to be taken
  - Allows the C-NLOPB/CNSOPB to disclose OHS information publicly
  - Applies to workers in transit to or from offshore platforms
  - Clarifies the OHS roles and responsibilities of Operators, Employers, Supervisors, Providers of Service, Employees and Workplace Committees at all Accord Act workplaces
OHS – Scope of Work

- Modernize the three transitional regulations in place under the Part III.1 of the Accord Acts and integrate these into one new OHS regulation:
  - Marine Installations and Structures Occupational Health and Safety Transitional Regulations
  - Marine Installations and Structures Transitional Regulations
  - Diving Operations Safety Transitional Regulations

- OHS Initiative is a partnership of federal and provincial government departments and includes participation of the Boards responsible for the regulation of offshore oil and gas activities in the Can-NL and Can-NS Accord areas
OHS Consultation Approach

- OHS will consult with stakeholders and the public at various stages
  - **Policy intent**: multi-stakeholder consultation sessions in Halifax & St. John’s on proposed policy intention followed by a written comment period
  - **Draft regulation**: multi-stakeholder consultation sessions in Halifax and St. John’s on draft regulatory text followed by a written comment period
  - **Pre-publication**: Canada Gazette I pre-publication on draft OHS Regulations followed by a 30 day comment period
Consultation – Policy Intent

- **Phase 1**
  - General requirements, Sanitation and Facilities, Levels of Lighting and Sound, Confined Spaces, Scaffolds and Staging, Ladders, Rope Access, Work Permits, Ergonomics, Violence and Harassment in the Workplace

- **Phase 2**
  - Electrical Safety, Hazardous Energy Control, Materials Handling, Personnel Transfer, Elevators & Manlifts Tools & Machinery, Hotwork

- **Phase 3**
  - Hazardous Substances, Hazardous Occurrence and Reporting, First Aid and Medical Supplies, Emergency Preparedness and Response, PPE, Passengers in Transit, OHS Mgt System and Programs, Diving

- OHS Initiative Webpage: [https://www.nrcan.gc.ca/energy/offshore-oil-gas/18883](https://www.nrcan.gc.ca/energy/offshore-oil-gas/18883)
Subsequent Steps & Timeline

- Consultation on Draft OHS Regulations
  - Target Date: Q1 2018/19
- Prepublication of Draft OHS Regulations
  - Target Date: Q4 2018/19
- Final Publication of Draft OHS Regulations
  - Target Date: Q2 2019/20
- Entry Into Force
  - Target Date: Q3 2019/20

Note: Timing will be coordinated with the development of the Framework Regulations under the Accord Acts.
Upcoming Consultations

- **Late - July 2017:**
  - Framework Regulations – Phase 3
  - OHS Regulations – Phase 2

- **Fall 2017**
  - OHS Regulations – Phase 3
  - OHS Regulations – Diving
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