



# **ENVIRONMENTAL PROTECTION PLAN GUIDELINES AND INTERPRETATION NOTES**

**OFFICE OF THE REGULATOR OF  
OIL AND GAS OPERATIONS**

# Environmental Protection Plan Guidelines and Interpretation Notes

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# Environmental Protection Plan Guidelines and Interpretation Notes

## 1. INTRODUCTION

|                                      |   |
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| <b>Purpose</b>                       | The <i>Environmental Protection Plan Guidelines and Interpretation Notes</i> (Guidelines) provide guidance to applicants and operators on the development and maintenance of Environmental Protection Plans.  |
| <b>Legislative Requirements</b>      | <p>The legislative requirements for Environmental Protection Plans are:</p> <ul style="list-style-type: none"><li>• Section 5 of the <i>Oil and Gas Drilling and Production Regulations</i> (OGDPR) states that applicants for an Operations Authorization must develop a management system that includes environmental protection and waste prevention components.</li><li>• Section 6(d) of the OGDPR states that an application for an Operations Authorization must include an Environmental Protection Plan.</li><li>• Section 9 of the OGDPR describes the required contents of an Environmental Protection Plan.</li><li>• Sections 19 to 24 of the OGDPR outline an operator's general duties with respect to environmental protection.</li><li>• Section 15 of the <i>Oil and Gas Operations Act</i> (OGOA) requires applicants to make declarations with respect to the appropriateness of their equipment, installations and operating procedures and the qualifications of their personnel.</li></ul> |
| <b>Minimum Requirements</b>          | The Guidelines set out the minimum requirements for the content of Environmental Protection Plans. Applicants may provide additional or different content, where that content is demonstrated to meet or exceed the same requirements for the protection of the environment.  |
| <b>Regulations are Paramount</b>     | Where a conflict exists between the Guidelines and the OGDPR, the OGDPR are paramount.  |
| <b>Regulator's Approval Required</b> | <p>Environmental Protection Plans are used to assess the applicant's environmental protection declarations under section 15 of the <i>Oil and Gas Operations Act</i> (OGOA).</p> <p>Environmental Protection Plans are reviewed by the Regulator during the process of reviewing an application for an Operations Authorization. An approved Environmental Protection Plan is required before the Regulator can issue an Operations Authorization.</p>  |

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|-------------------------------|---|
| <b>Objectives</b>             | <p>The objectives of the Guidelines are to:</p> <ul style="list-style-type: none"><li>• Support compliance with the OGDPR;</li><li>• Ensure that operators demonstrate the use of best practices in environmental protection;</li><li>• Be consistent with the requirements of the National Energy Board, the other regulator responsible for administering the OGDPR in the Northwest Territories, where appropriate; and</li><li>• Reflect the context of oil and gas activities in the Regulator's jurisdiction.</li></ul> |
| <b>Authority</b>              | <p>These Guidelines are issued by the Regulator under section 18 of the <i>Oil and Gas Operations Act (OGOA)</i>.</p>   |
| <b>Regulator's Discretion</b> | <p>Application of these Guidelines is subject to the Regulator's discretion under OGOA.</p>   |
| <b>Scope</b>                  | <p>The Guidelines apply to all Environmental Protection Plans submitted to the Regulator, effective January 1, 2019, unless otherwise required by the Regulator</p>   |

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## Jurisdiction



## Other Regulatory Requirements

Oil and gas works or activities carried out in OROGO's jurisdiction may also be subject to the requirements of other regulators.

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The Guidelines are organized to reflect the requirements of the OGDPR and OGOA as follows:

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## 2. PURPOSE AND SCOPE

|  |  |
|--|--|
| <b>Contents</b>                                    | <p>This section describes the function of an Environmental Protection Plan, including:</p> <ul style="list-style-type: none"><li>• Purpose of an Environmental Protection Plan;</li><li>• Scope of an Environmental Protection Plan; and</li><li>• Reflecting the complexity of the activity.</li></ul>  |
| <b>Objective</b>                                   | <p>The Environmental Protection Plan should serve as a reference document for all project personnel, so that they are aware of their responsibilities and what is expected of them concerning environmental protection.</p>  |
| <b>Purpose of an Environmental Protection Plan</b> | <p>The Environmental Protection Plan should include statements that describe its purpose and that demonstrate that the operator understands the relationships between the Environmental Protection Plan and the operator's management system, the legal requirements, and the work to be completed.</p>  |
| <b>Scope of an Environmental Protection Plan</b>   | <p>The scope statement should describe what is covered and what is excluded. The scope of the Environmental Protection Plan should be consistent with the description of the proposed activities required by paragraph 6(a) of the OGDPR.</p> <p>The Environmental Protection Plan should identify the specific aspects of the planned work or activities to which the Environmental Protection Plan will be applied, including any particular limitations such as geographic boundaries (spatial scope); time (temporal scope); or limitation to particular activities. The Environmental Protection Plan should include the activities that fall within the scope of the application for authorization and could include, as applicable, works and activities related to pre-mobilization, mobilization, exploration, drilling, construction, installation, operations, decommissioning and abandonment, and post-abandonment.</p> |
| <b>Reflecting the Complexity of the Activity</b>   | <p>The level of detail included in an Environmental Protection Plan should be proportional to the complexity and risk of the proposed activity. However, the submitted material must meet the requirements for information content as set out in the OGDPR and must contain sufficient detail to allow a thorough assessment of the environmental protection measures associated with the proposed program</p>   |

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### 3. FORMAT

**Contents** This section describes the formatting requirements for an Environmental Protection Plan and addresses Integrated Health, Safety and Environmental Management Systems (IHSEMS).

**Objective** The Environmental Protection Plan is organized appropriately.

**Format of an Environmental Protection Plan** There are no specific requirements for the format of an Environmental Protection Plan and this guidance is not intended to provide an implicit table of contents. However, certain elements should be considered when organizing an Environmental Protection Plan:

- The Environmental Protection Plan document forms part of the operator's management system and should be consistent with the overarching management system;
- The Environmental Protection Plan must adequately address the requirements outlined in the OGDPR and will be assessed by the Regulator with respect to the OGDPR;
- The environmental assessment documents that describe the predicted environmental hazards and risks, including the mitigation measures that have been identified to reduce those risks, should be reflected in the Environmental Protection Plan and
- The Environmental Protection Plan for a production operation must reflect the commitments to environmental protection made as part of a Development Plan.

**IHSEMS** An operator may have an IHSEMS. If so, the IHSEMS may be submitted, but it must meet the requirements of sections 8 and 9 of the OGDPR.

If an IHSEMS is submitted, the operator must also submit a concordance table, relating the parts of the IHSEMS to the requirements of the OGDPR.

## Environmental Protection Plan Guidelines and Interpretation Notes

### 4. MANAGEMENT SYSTEM LINKAGES

|   |  |
|---|--|
| <b>Contents</b>                                       | <p>This section describes the links between the Management System and the Environmental Protection Plan. It addresses:</p> <ul style="list-style-type: none"><li>• Management system structure;</li><li>• Separate Environmental Management Systems;</li><li>• The operator’s environmental policy; and</li><li>• References to other documents.</li></ul>   |
| <b>Objective</b>                                      | <p>The Environmental Protection Plan is a component of an operator’s Management System and is an operator’s plan to effectively implement its environmental protection measures.</p>   |
| <b>Requirements</b>                                   | <p>The Management System integrates operations and technical systems with the management of financial and human resources to ensure compliance with OGOA and with the OGDPR (section 5(1) of the OGDPR).</p> <p>The Management System includes the policies on which the system is based (for example, the environmental protection policy) (section 5(2)(a) of the OGDPR).</p> <p>An Environmental Protection Plan must include “a summary of and references to the management system that demonstrate how it will be applied to the proposed work or activity and how the duties set out in these regulations with regard to safety will be fulfilled” (section 9(a) OGDPR).</p> |
| <b>Management System Structure</b>                    | <p>Decisions about the style of an operator’s Management System are left to the discretion of the operator.</p> <p>There are many Management System models and the operator may develop a management system that suits its own purpose as long as it meets the requirements of section 5 of the OGDPR.</p>   |
| <b>Separate Environmental Management System (EMS)</b> | <p>An operator may have a separate Environmental Management System (EMS) or manage the environmental protection elements of its activity through a general Management System.</p>  |



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**Reference to Standards** CAN/CSA-ISO 14004:04 may be useful for the development of environmental management systems and associated plans. An operator may choose to make reference to CAN/CSA-ISO-14004 or to other standards as appropriate.

**Environmental Policy: Linking the Management System and the Environmental Protection Plan** The operator's Management System and the Environmental Protection Plan are linked by the operator's environmental policy, which should form part of the core values of the operator's Management System.

The Environmental Protection Plan should include or refer to an environmental policy statement that establishes the basic environmental principles applicable to the planned work or activities to be conducted. This policy statement sets the tone for environmental responsibility and environmental performance required.

Typically, the environmental policy defined in the operator's, or a major contractor's, management system would be applied to the planned work or activities. However, an activity-specific environmental policy may be defined instead.

**Reference to Standard** For recommendations on the elements of an effective environmental policy, the operator may refer to section 4.2 of CAN/CSA-ISO 14001:2004.

**References to Other Documents** An Environmental Protection Plan provides a summary of and reference to the environmental elements of the operator's Management System, including policies, plans, procedures and work instructions to the activity at the work site or installation.

The Environmental Protection Plan shall include a summary of and references to the Management System that demonstrates how it will be applied to the work or activity and how the duties set out in the OGDPR with regard to environmental protection will be fulfilled. The Environmental Protection Plan is not a stand-alone document, and should refer to rather than duplicate other elements of the management system.

The Environmental Protection Plan should refer to the specific plans, procedures, work instructions, operating manuals and other documents intended to direct the work of personnel at the installation. These documents may be at varying levels of authority within the management system and should be written appropriately to control work activities so that the following can be achieved:

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- The work or activity is conducted in a manner that conforms to the environmental policy;
- Environmental mitigation commitments are met;
- Limits for discharges are not exceeded; and
- Operator's objectives and targets are met.

As necessary, the Environmental Protection Plan should refer to documents at higher or lower levels in the operator's Management System. Higher-level documents may describe environmental management policies and processes. Lower level documents may describe general procedures, specific operations procedures, activity-specific work procedures and work instructions, equipment manuals, environmental protection procedures, personnel allocations and resource allocations to satisfy the environmental protection obligations of the operator.

### 5. CONTENT OF THE ENVIRONMENTAL PROTECTION PLAN

#### 5A. General

**Contents** This section provides an overview of the contents of an Environmental Protection Plan and specifically addresses:

- The level of detail required;
- Offshore drilling operations;
- Commitments by the operator;
- Guidance documents;
- Adopted codes and standards; and
- Legal requirements.

**Overview of Environmental Protection Plan Contents** An effective Environmental Protection Plan should incorporate the following elements:

- Means to comply with requirements of relevant legislation (statutes and regulations),
- Environmental protection measures identified as part of an environmental assessment, and
- Environmental commitments made as part of an application for exploratory drilling or a development application, as the case may be.

The Environmental Protection Plan should serve as a summary and reference document that describes, or provides a map to, all environment related processes and documents. It should summarize and refer to the environmental management elements of the Management System that apply to the activity. The Environmental Protection Plan is not intended to describe all details of the environmental elements of an operator's Management System.

An operator should address all of the aspects of its planned work or activity that may have potential impacts on the environment, whether they are specifically identified in these guidelines or not. An operator should be aware that, in addition to the requirements of section 9 of the OGDPR, an Environmental Protection Plan should be responsive to other sections of OGOA and associated regulations applicable to environmental protection.

**Level of Detail** The Environmental Protection Plan is not a stand-alone document and should refer to rather than duplicate detailed information contained elsewhere in the Management System.

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| <b>Offshore Drilling Operations</b> | <p>In the case of a drilling operation using a Mobile Offshore Drilling Unit (MODU), the Environmental Protection Plan may reference installation specific information contained in a valid and current International Association of Drilling Contractors (IADC) Health, Safety and Environmental (HSE) Case (see the IADC website: <a href="http://www.iadc.org">www.iadc.org</a>). In general, HSE Cases focus on an installation, while Environmental Protection Plans look more broadly at all aspects of the work or activity for which an operator is seeking approval.</p> |
| <b>Commitments by the Operator</b>  | <p>The Environmental Protection Plan should reference and be responsive to environmental commitments that the operator has made both before and during the application process. This may include, but is not limited to:</p> <ul style="list-style-type: none"><li>• Commitments made in an application for a Development Plan Approval;</li><li>• Commitments made within an Environmental Assessment process; and</li><li>• Commitments made in the application for authorization of a work or activity (Operations Authorization).</li></ul>                                   |
| <b>Adopted Codes and Standards</b>  | <p>The Environmental Protection Plan should refer to other requirements (e.g. codes, standards, and best practices) that the planned work or activities are to conform to respecting the management of environmental aspects.</p> <p>The operator should be aware that, where they adopt a code or standard as part of the Environmental Protection Plan, compliance is enforceable.</p>  |
| <b>Legal Requirements</b>           | <p>The operator's Management System must ensure compliance with all applicable legal requirements and the Environmental Protection Plan should summarize and refer to the legal requirements that the planned work or activities are to comply with in respect of its environmental aspects. The sections of OGOA and the OGDPR relevant to Environmental Protection Plans are listed in Section 1 of these Guidelines.</p>   |

### 5B. Identification of Hazards and Evaluation of Risks

|   |   |
|---|---|
| <b>Contents</b>                             | <p>This section describes how the Environmental Protection Plan should address the identification of hazards, the evaluation of risk and risk mitigation. It addresses:</p> <ul style="list-style-type: none"><li>• Effectively addressing each unique activity;</li><li>• Links to the environmental assessment;</li><li>• Operations and maintenance; and</li><li>• The ongoing nature of the process.</li></ul>  |
| <b>Objective</b>                            | <p>The Environmental Protection Plan provides:</p> <ul style="list-style-type: none"><li>• A high-level understanding of the Operator's processes for identifying environmental hazards and for evaluating and managing the associated risks for the type of work or activity proposed; and</li><li>• Detailed information for the specific work or activity including a summary of the studies undertaken to identify environmental hazards and assess risk and a description of the hazards that were identified.</li></ul>   |
| <b>Requirements</b>                         | <p>An Environmental Protection Plan must:</p> <ul style="list-style-type: none"><li>• Summarize the studies undertaken to identify environmental hazards and to evaluate environmental risks related to the proposed work or activity (section 9(b) of the OGDPR);</li><li>• Describe the hazards that were identified and the results of the risk evaluation (section 9(c) of the OGDPR); and</li><li>• Summarize the measures to avoid, prevent, reduce and manage environmental risks (section 9(d) of the OGDPR).</li></ul> |
| <b>Unique activity</b>                      | <p>Each exploration, development and production work or activity is unique. An effective Management System would enable an operator to determine the environmental hazards associated with all aspects of the planned work or activity, to evaluate the risk potential of such hazards, and to identify and implement appropriate mitigation strategies for the proposed work or activity.</p>  |
| <b>Link to the Environmental Assessment</b> | <p>An environmental review of proposed exploration and production activities, including proposed development plans, will be triggered by the <i>Mackenzie Valley Resource Management Act</i> S.C. 1998, c.25. The applicable review process must be completed prior to the Regulator's issuance of regulatory approvals.</p>  |

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In an environmental review, identification of potential hazards to the environment, assessment of risks associated with these hazards, and identification of mitigation measures to reduce these risks are fundamental tasks that are undertaken. The Environmental Protection Plan should refer to the applicant's environmental impact studies, as appropriate, and reflect the commitments to environmental protection contained in the environmental review.

### **Operations and Maintenance Procedures**

The Environmental Protection Plan should summarize and/or refer to operating procedures and other operational documents that are to be implemented to ensure environmental protection.

### **Ongoing Process**

Operators are expected to identify hazards and to assess associated risk and mitigation requirements on an ongoing basis throughout the full lifecycle of the project. The Environmental Protection Plan should summarize and refer to the applicable Management System elements that address the requirements of paragraph 5(2)(c) with respect to environmental protections.

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### 5C. Emergency Preparedness and Response

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|-------------------------------|---|
| <b>Contents</b>               | <p>This section describes how the Environmental Protection Plan should address emergency preparedness and response, including:</p> <ul style="list-style-type: none"><li>• Plans and procedures; and</li><li>• Testing and exercises.</li></ul>   |
| <b>Objective</b>              | <p>The Environmental Protection Plan should identify potential environmental emergencies and hazards.</p>   |
| <b>Requirements</b>           | <p>An application for authorization must include contingency plans, including emergency response procedures, to mitigate the effects of any reasonably foreseeable event that might compromise safety or environmental protection (section 6(j) of the OGDPR).</p> <p>Operators must ensure that plans to deal with potential hazards are in place (section 19(h) of the OGDPR). Potential hazards include abnormal conditions.</p> |
| <b>Plans and Procedures</b>   | <p>The Environmental Protection Plan should refer to the appropriate emergency plans and procedures and/or spill response plans(s) that would be implemented in such situations.</p>  |
| <b>Testing and Exercises</b>  | <p>The Environmental Protection Plan should refer to the operator's plans to test and exercise its emergency preparedness plans and response equipment.</p>   |
| <b>Reference to Standards</b> | <p>The operator may also refer to section 4.4.7 of CAN/CSA-ISO 14001:2004 for further information on emergency preparedness and response, in relation to an environmental management system.</p>  |

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### 5D. Structures, Facilities, Equipment and Systems

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|----------------------------|---|
| <b>Content</b>             | <p>This section describes how structures, facilities, equipment and systems critical to environmental protection should be addressed in the Environmental Protection Plan, including:</p> <ul style="list-style-type: none"><li>• The methodology used;</li><li>• Fitness for purpose; and</li><li>• Third party certification schemes.</li></ul>   |
| <b>Objective</b>           | <p>Critical structures, facilities, equipment and systems are clearly described in the Environmental Protection Plan.</p>   |
| <b>Requirements</b>        | <p>An Environmental Protection Plan must contain a list of all structures, facilities, equipment and systems critical to environmental protection and a summary of the system in place for their inspection, testing and maintenance (section 9(e) of the OGDPR).</p> <p>Operators must declare “the equipment and installations that are to be used in the work or activity to be authorized are fit for the purposes for which they are to be used” (section 15(1)(a) of OGOA).</p>   |
| <b>Methodology</b>         | <p>The methodology used to develop the list of structures, facilities, equipment and systems that are critical to environmental protection should be summarized and referenced. The methodology should be informed by the identification and assessment of environmental hazards and the proposed measures to avoid, prevent, reduce and manage environmental risks (see section 5B).</p> <p>The list of structures, facilities, equipment and systems critical to environmental protection may be lengthy and electronically controlled. The Environmental Protection Plan may include an abbreviated form of this list with a reference to the complete list. The procedures used to maintain the list should also be summarized.</p> |
| <b>Fitness for Purpose</b> | <p>The Environmental Protection Plan should:</p> <ul style="list-style-type: none"><li>• Summarize and reference the process for verifying “fitness for purpose” for environmentally critical items; and</li><li>• Summarize and refer to the system in place for the inspection, testing and maintenance of structures, facilities, equipment and systems critical to environmental protection.</li></ul>  |



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### **Third Party Certification Schemes**

The Environmental Protection Plan should explain how third-party certification schemes fit into the operator's overall due diligence process and demonstrate how the operator uses third-party verification to complement its internal processes. Use of third-party certificates does not relieve the operator of overall accountability for the integrity of environmentally critical items.

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### 5E. Organizational Structure

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|---|--|
| <b>Content</b>  | <p>This section describes how the organizational structure for the proposed work or activity should be addressed in the Environmental Protection Plan. It addresses:</p> <ul style="list-style-type: none"><li>• Resources, roles, responsibilities and authority; and</li><li>• Commitment, leadership and participation.</li></ul>   |
| <b>Objectives</b>                                       | <p>Individuals responsible for the design and implementation of the Environmental Protection Plan are identified, including those responsible for the allocation and management of financial and human resources, as required, to achieve the purpose of the Management System and of the Environmental Protection Plan.</p>   |
| <b>Requirements</b>                                     | <p>An Environmental Protection Plan must contain a description of the organizational structure for the proposed work or activity and the command structure on the installation. The description must explain the relationship between the organizational structure and the command structure (section 9(f)(i) of the OGDPR).</p> <p>An Environmental Protection Plan must provide the contact information and position of the person accountable for the Environmental Protection Plan and of the person responsible for implementing it (section 9(f)(ii) of the OGDPR).</p>  |
| <b>Resources, Roles, Responsibilities and Authority</b> | <p>Identifying the position(s) accountable for the Environmental Protection Plan includes indicating who within the company has responsibility and authority for its implementation, ongoing maintenance, performance monitoring and continuous improvement. The Environmental Protection Plan should describe, at an operational level, how installation management and personnel will implement the Environmental Protection Plan on a day-to-day basis. Reporting relationships and structures for both management roles and supporting environmental protection staff functional roles, including contractor staff where applicable, are most easily understood when represented in organization charts. The operator is encouraged to use organization charts to explain these relationships.</p> |
| <b>Reference to Standard</b>                            | <p>The operator may also refer to CAN/CSA-ISO 14001:2004, section 4.4.1, for further information on resources, roles, responsibility and authority, in relation to an environmental management system.</p>   |

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### **Commitment, Leadership and Participation**

The Environmental Protection Plan should describe how the leadership of the organization will demonstrate environmental commitment, oversight and visible participation.

The Environmental Protection Plan should also describe how workers will be encouraged and supported to participate in the execution and ongoing evolution of the Environmental Protection Plan.

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### 5F. Contractors

|                                |  |
|--------------------------------|--|
| <b>Contents</b>                | This section describes the requirements for addressing the use of contractors in the Environmental Protection Plan and clarifies the operator's responsibilities.  |
| <b>Objective</b>               | The Environmental Protection Plan clearly identifies the roles and responsibilities of contractors and describes how the operator and contractors will work together to maintain the environmental soundness of the work or activity.  |
| <b>Requirements</b>            | An Environmental Protection Plan must include a description of the organizational structure for the proposed work or activity and the command structure on the installation, explaining the relationship between the different positions (section 9(f) of the OGDPR).  |
| <b>Operator Responsibility</b> | <p>The operator is responsible to ensure that contractors it employs meet applicable regulatory requirements for environmental protection. Contractors' activities must be conducted within the scope of work described by the operator's Environmental Protection Plan.</p> <p>The operator is responsible to allocate appropriate personnel and resources to ensure that contractors it employs meet the applicable regulatory requirements.</p> |

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### 5G. Selection, Evaluation and Use of Chemical Substances

|                              |   |
|------------------------------|---|
| <b>Contents</b>              | This section describes the requirements for a description of the processes for the selection, evaluation and use of chemical substances in the Environmental Protection Plan and addresses the development of a chemical management system.                                 |
| <b>Objective</b>             | The Environmental Protection Plan clearly identifies the processes for selection and use of chemical substances.  |
| <b>Requirements</b>          | The Environmental Protection Plan must include procedures for the selection, evaluation and use of chemical substances, including process chemicals and drilling fluid ingredients (section 9(g) of the OGDPR).   |
| <b>Reference to Standard</b> | <p>The operator may wish to consult appropriate standards to assist in the establishment of a framework for the selection and evaluation of chemical substances.</p> <p>Standards used by the operator must be clearly referenced in the Environmental Protection Plan.</p> |

### 5H. Treatment, Handling and Disposal of Waste Materials

|                               |  |
|-------------------------------|--|
| <b>Contents</b>               | This section describes the requirements for a description of the processes for the treatment, handling and disposal of waste in the Environmental Protection Plan for both offshore and onshore installations.   |
| <b>Objective</b>              | The Environmental Protection Plan clearly identifies the processes for treatment, handling and disposal of waste.  |
| <b>Requirements</b>           | The Environmental Protection Plan must include a description of the equipment and procedures for the treatment, handling and disposal of waste material (section 9(h) of the OGDPR).   |
| <b>Offshore Installations</b> | For waste material that will not be discharged from an offshore installation, the Environmental Protection Plan must summarize and refer to a procedure for the management of waste materials during temporary storage on an installation. This description should include procedures for classifying and separating waste streams, and for handling and storing waste materials at the site.      |
| <b>Onshore Installations</b>  | For onshore activities, the Environmental Protection Plan should include the procedures for the temporary storage and management of waste. The description should also include the procedures for classifying and separating waste streams, and for the handling, storing and transportation of the material. The procedures should refer to the <i>Environmental Protection Act</i> requirements. |

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### 5I. Discharge Streams and Limits

|                              |  |
|------------------------------|--|
| <b>Contents</b>              | This section describes the requirements for a description of discharge streams and limits in the Environmental Protection Plan for both offshore and onshore installations.  |
| <b>Objective</b>             | The Environmental Protection Plan clearly identifies the planned discharges, discharge limits and waste discharge processes.   |
| <b>Requirements</b>          | The Environmental Protection Plan must include a description of all discharge streams and limits for any discharge into the natural environment, including any waste material (section 9(i) of the OGDPR).   |
| <b>Discharge Limits</b>      | <p>Discharge limits, including emissions, may be established in conjunction with the <i>Environmental Protection Act</i> requirements.</p> <p>The Environmental Protection Plan should identify the limits and reference any guidance or standards that were used to establish those limits.</p> |
| <b>Reference to Standard</b> | The operator may also refer to section 4.3.3 of CAN/CSA-ISO 14001:2004 for further information on objectives, targets and programs of an environmental management system.  |

## 5J. Monitoring Compliance and Measuring Performance

|   |  |
|---|--|
| <b>Content</b>                                  | <p>This section describes how the Environmental Protection Plan should address monitoring compliance and performance measurement, including:</p> <ul style="list-style-type: none"><li>• Environmental Compliance Monitoring Plans;</li><li>• Environmental performance information;</li><li>• Continuous improvement;</li><li>• Auditing;</li><li>• Managing nonconformities; and</li><li>• Environmental effects monitoring.</li></ul>   |
| <b>Objective</b>                                | <p>The Environmental Protection Plan should:</p> <ul style="list-style-type: none"><li>• Support continuous improvement;</li><li>• Identify how the operator will monitor and ensure compliance with the plan; and</li><li>• Identify which performance indicators the operator will measure and track.</li></ul>  |
| <b>Requirements</b>                             | <p>An Environmental Protection Plan must describe:</p> <ul style="list-style-type: none"><li>• The system for monitoring compliance with the discharge limits, including the sampling and analytical program to determine if those discharges are within the specified limits (section 9(j) of the OGDPR); and</li><li>• The arrangements for monitoring compliance with the plan and measuring performance in relation to its objectives (section 9(k) of the OGDPR).</li></ul> |
| <b>Environmental Compliance Monitoring Plan</b> | <p>The Environmental Protection Plan may summarize and reference a separate document commonly known as an Environmental Compliance Monitoring Plan in order to meet the requirements of section 9(j) of the OGDPR.</p>   |
| <b>Environmental Performance Information</b>    | <p>The operator collects or receives environmental performance information in a numbers of ways, including:</p> <ul style="list-style-type: none"><li>• Compliance monitoring;</li><li>• Incident investigation reports;</li><li>• Audits; and</li><li>• Environmental effects monitoring.</li></ul>   |



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### **Continuous Improvement**

The Environmental Protection Plan should accurately reflect the actual conditions encountered in the field. The Environmental Protection Plan therefore should be periodically reviewed and revised by the operator once authorized operations commence.

An operator should seek opportunities for improvement in environmental protection and to report on its progress in doing so.

The Environmental Protection Plan should summarize how experience gained from operations will be reviewed and used to improve the Environmental Protection Plan and the environmental elements of the Management System. Where the operator has a separate procedure for continuous improvement, the Environmental Protection Plan may refer to that procedure. The Environmental Protection Plan should be a dynamic document that is updated from time to time to reflect the operator's lessons learned, changes in industry standards and changes in regulatory requirements.

### **Link to Annual Environmental Report**

The Environmental Protection Plan should refer to the environmental reports required by the OGDPR, and those reports should refer back to any necessary changes to the Environmental Protection Plan.

### **Auditing**

The Environmental Protection Plan should summarize and refer to the procedures the operator will use for reviewing and auditing compliance with the Environmental Protection Plan and performance in relation to its objectives. The information provided should include the type of audits and inspections (internal and external) to be performed during the authorized work or activities, the nature and extent of such audits and how the results of the audits and inspections will be used and communicated to senior management. The outcomes of internal and external audits and inspections, and operator responses or remedial actions should also be reflected in the environmental reports required under section 86 of the OGDPR.

### **Reference to Standard**

An operator may also refer to section 4.5.5 CAN/CSA-ISO 14001:2004 for further information on internal audits, in relation to an environmental management system.

### **Managing Nonconformities**

The Environmental Protection Plan should summarize and refer to the procedure(s) employed by the operator to identify and deal with nonconformities or problems related to procedures and equipment that have caused or could cause poor environmental performance, spills or pollution. Such procedures should also address how corrective and preventative action(s) will be taken to address such

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nonconformities and how the effectiveness of corrective and preventative actions will be assessed after an appropriate period of implementation.

### **Reference to Standard**

An operator may also refer to section 4.5.3, CAN/CSA-ISO 14001:2004 for further information on nonconformity, corrective action and preventive action, in relation to an environmental management system.

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### 5K. Awareness, Competence and Training

|                              |  |
|------------------------------|--|
| <b>Contents</b>              | <p>This section describes the requirements for awareness, competence and training in the Environmental Protection Plan, including:</p> <ul style="list-style-type: none"><li>• Awareness of the environmental protection plan and obligations;</li><li>• Communication;</li><li>• Establishing competency requirements; and</li><li>• Assuring competence.</li></ul>   |
| <b>Objective</b>             | <p>The Environmental Protection Plan should summarize and/or reference:</p> <ul style="list-style-type: none"><li>• How environmental awareness training is provided for all personnel; and</li><li>• The procedures to ensure that personnel in environmentally critical roles are qualified and competent, including requirements for both training and competency assessments.</li></ul>  |
| <b>Requirements</b>          | <p>Operators must ensure:</p> <ul style="list-style-type: none"><li>• A sufficient number of trained and competent individuals are available to complete the authorized work or activities and carry out any work or activity safely and without pollution (section 19(l) of the OGDPR);</li><li>• All personnel have, before assuming their duties, the necessary experience, training and qualifications and are able to conduct their duties safely, competently and in compliance with these regulations (section 72 of the OGDPR); and</li><li>• Records of the experience, training and qualifications of all personnel are kept and made available to the Regulator upon request (section 72 of the OGDPR).</li></ul> <p>Section 15(1)(a) of OGOA requires applicants for authorizations to formally declare that the equipment and installations to be used are fit for the purposes for which they are to be used, the operating procedures relating to them are appropriate for those uses, and the personnel who are to be employed in connection with them are qualified and competent for their employment.</p> |
| <b>Reference to Standard</b> | <p>Operators may also refer to section 4.4.2 of CAN/CSA-ISO 14001;2004 for further information on competence, training and awareness in relation to an environmental management system.</p>  |

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**Awareness of the Environmental Protection Plan and Obligations** The Environmental Protection Plan should summarize and reference the procedure(s) in place to make persons aware of their obligations with respect to environmental protection and the existence of the Environmental Protection Plan. This awareness should be imparted to all levels of the organization including contractors.

**Communication** Environmental hazards, risks and mitigations associated with an authorized activity, environmental effects, environmental protection elements of the Management System, and targets and goals should be communicated as appropriate through all levels of the operator's organization. The Environmental Protection Plan should refer to the policies, plans and procedures for communicating environmental protection matters within the operator's organization.

Where the operator has made commitments during the environmental assessment process or the Development Plan approval process to provide environmental information to the public, the Environmental Protection Plan should refer to the appropriate policies, plans and procedures for communicating environmental matters to external stakeholders.

**Reference to Standard** The operator may refer to section 4.4.3, CAN/CSA-ISO 14001:2004 for further information on communication, in relation to an environmental management system.

**Establishing Competency Requirements** The Environmental Protection Plan should:

- List environmentally critical roles; and
- Refer to the operator's procedures for:
  - Designating environmentally critical roles;
  - Determining the qualifications for environmentally critical roles;
  - Assessing the competency of personnel assigned to these roles; and
  - Assuring itself that sufficient competent personnel are assigned to these roles.

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### **Assuring Competence**

The personnel allocation and the processes for training and assessing competence should be traceable through records.

The Environmental Protection Plan should:

- Identify the minimum requirements for training, experience and certification of personnel; and
- Establish specific training and qualification requirements for environmentally critical roles.

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### 5L. Management of Change

|                                     |  |
|-------------------------------------|--|
| <b>Contents</b>                     | This section describes the requirement to address change management procedures in the Environmental Protection Plan.   |
| <b>Objective</b>                    | A documented change management process is part of the Environmental Protection Plan.   |
| <b>Requirements</b>                 | Section 15(1)(b) of OGOA requires applicants for authorizations to formally declare that the applicant shall ensure, so long as the work or activity that is authorized continues, that the equipment and installations continue to be fit for the purposes for which they are used, the operating procedures continue to be appropriate for those uses, and the personnel continue to be qualified and competent. |
| <b>Change Management Procedures</b> | Change should be managed to ensure that environmental protection is not compromised, particularly when environmentally critical systems are impacted. The Environmental Protection Plan should refer to the operator's management of change procedures.  |

## 6. REPORTING INCIDENTS AND NEAR MISSES

|                    |   |
|--------------------|---|
| <b>Content</b>     | <p>This section describes the requirements for the reporting of incidents and near misses. It addresses:</p> <ul style="list-style-type: none"><li>• The reporting line;</li><li>• Links to environmental protection plan updates and reporting; and</li><li>• Other regulators.</li></ul>  |
| <b>Objectives</b>  | <p>The Environmental Protection Plan should summarize and reference the procedures for:</p> <ul style="list-style-type: none"><li>• The reporting of all environmental incidents and near misses to OROGO;</li><li>• The investigation of all such incidents to find the underlying or root causes; and</li><li>• The identification of remedial actions to prevent future recurrence of the incident or similar incidents in the future.</li></ul>   |
| <b>Requirement</b> | <p>Operators must notify the Regulator of any incident or near-miss as soon as the circumstances permit (section 75(1)(a) of the OGDPR).</p>  |
| <b>Definitions</b> | <p>An <b>incident</b> is:</p> <ul style="list-style-type: none"><li>(a) an event that causes:<ul style="list-style-type: none"><li>(i) a lost or restricted workday injury,</li><li>(ii) death,</li><li>(iii) fire or explosion,</li><li>(iv) a loss of containment of any fluid from a well,</li><li>(v) an imminent threat to the safety of a person, installation or support craft or</li><li>(vi) pollution</li></ul></li><li>(b) an event that results in missing person, or</li><li>(c) an event that causes:<ul style="list-style-type: none"><li>(i) the impairment of any structure, facility, equipment or system critical to the safety of persons, an installation or support craft, or</li><li>(ii) the impairment of any structure, facility, equipment or system critical to environmental protection.</li></ul></li></ul> <p>A <b>near miss</b> is an event that would likely cause an event set out in paragraph (a) of the definition “incident” but does not, due to particular circumstances.</p> |

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**Pollution** is the introduction into the natural environment of a substance or form of energy outside the authorized limits, including spills.

**Reporting Line** Report incidents and near misses to OROGO's 24/7 incident reporting line: 1-867-445-8551.

**Link to Environmental Protection Plan Updates** Remedial actions resulting from incident investigations may include changes to policies, plans, procedures, work instructions or equipment. The Environmental Protection Plan should be reviewed and revised to reflect these changes as necessary.

**Other Regulators** Other regulators may also have reporting requirements that apply to works or activities in OROGO's jurisdiction.



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### 7. RECORD KEEPING

**Content** This section describes the requirements for record keeping as part of an Environmental Protection Plan. It addresses:

- Maintenance of records; and
- Documentation and document control.

**Objectives** Appropriate environmental protection-related records are available to the Regulator and safety-related documents are appropriately controlled.

**Requirements** Operators must keep records of:

- The location and movement of support craft, the emergency drills and exercises, incidents, near-misses, the quantities of consumable substances that are required to ensure the safety of operations and other observations and information critical to the safety of persons on the installation or the protection of the environment; and
- Daily maintenance and operating activities, including any activity that may be critical to the safety of persons on the installation, the protection of the environment or the prevention of waste (section 77(b) and (c) of the OGDPR).

Operators must ensure that:

- All processes are in place and implemented to identify, generate, control and retain records necessary to support operational and regulatory requirements; and
- The records are readily accessible for inspection by the Regulator (section 80 of the OGDPR).

**Maintenance of Records** The Environmental Protection Plan should identify the types of records to be maintained to demonstrate environmental protection and conformity to the Management System.

In identifying such records, the operator should take into account the various record keeping requirements set out in Part 11 of the OGDPR. In particular, compliance monitoring records, records of environmental incidents, accidents and investigations, and records of environmental protection activities undertaken in response to investigation reports, audit outcomes or other environmental initiatives should be maintained.

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- Reference to Standard** An operator may refer to section 4.5. of CAN/CSA-ISO 14001:2004 for further information on how to address control of records as part of an environmental management system.
- Documentation and Document Control** As an important component of the Management System, the Environmental Protection Plan should be a controlled document and the Regulator should be provided with an up to date copy when the document is changed. Where the Environmental Protection Plan consists of multiple documents, the same expectation applies.
- Reference to Standard** The operator may also refer to section 4.4.4 and 4.4.5 of CAN/CSA-ISO 14011:2004 for further information on documentation and control of documents, in relation to an environmental management system.

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### 8. REGULATOR'S APPROVAL

These *Environmental Protection Plan Guidelines and Interpretation Notes* are issued under section 18 of the Oil and Gas Operations Act effective January 1, 2019.

They replace the *Environmental Protection Plan Guidelines* jointly issued by the National Energy Board, Canada-Newfoundland and Labrador Offshore Petroleum Board and Canada-Nova Scotia Offshore Petroleum Board on March 31, 2011, and any other previous guidelines relating to the contents of Environmental Protection Plans, within the jurisdiction of the GNWT Regulator of Oil and Gas Operations.

A handwritten signature in black ink, appearing to read 'L. Sebert', is written over a solid horizontal line.

Louis Sebert