



The Government Chemist

Queens Road
Teddington
Middlesex
TW11 0LY
UK

Enquiries: +44 (0)20 8943 7403

Direct line: +44 (0)20 8943 7365

www.governmentchemist.org.uk

Graeme Cobb
Department of Energy and Climate Change (DECC)
Energy Development Unit
Offshore Environment and Decommissioning Branch
3 - 8 Whitehall Place
London SW1A 2HH

graeme.cobb@decc.gsi.gov.uk

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Dear Graeme

**Consultation on amendments to The Offshore Chemicals Regulations
2002 and The Offshore Petroleum Activities (Oil Pollution Prevention
and Control) Regulations 2005**

Response from the Government Chemist

The Secretary of State for Business, Innovation and Skills appoints the Government Chemist to advise HM Government and the wider community on analytical measurement science in the context of policy, standards and regulation. In this context, three aspects of the consultation document caught my attention:

- Regulations 16 and 12 of the 2002 and 2005 Regulations respectively include provisions for an inspector to take samples and subject them to testing. It is proposed to extend the scope of these regulations to cover unintentional releases, which might have implications for the range and concentrations of substances likely to be of concern to inspectors. (I have a dispute resolution function in connection with similar official sampling and testing procedures under a range of UK risk management legislation)
- As amended, regulation 5 of the 2005 Regulations would require an application for the grant of an oil discharge permit to include an assessment of the risk of harm to the environment. There may be analytical implications, for example a need for the applicants to establish the levels and batch-to-batch variation of hazardous impurities in material of the type which they propose to discharge
- I was interested to see that the guidance linked to the 2005 Regulations explains the analytical requirements for the determination of oil content in water samples. It indicates that the OSPAR GC-FID (gas chromatography with flame ionisation detection) reference method can be used, or a correlated alternative where approved by DECC Inspectorate. This approach successfully promotes valid analytical measurement techniques while providing flexibility to agree the most effective compliance route on a case-by-case basis.

If DECC has any requirements for advice relating to my field of expertise, please let me know.

Yours sincerely

DEREK CRASTON
THE GOVERNMENT CHEMIST