

Economics Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Industry and Science Portfolio
2015-16 Supplementary Budget Estimates
22 October 2015

AGENCY: NOPSEMA

TOPIC: BP Environmental Plan

REFERENCE: Question on Notice (Hansard, 22 October, page 119)

QUESTION No.: SI-49

CHAIR: No worries. There are claims that you will be forced to make the final decision on BP's environmental plan within 30 days; is that right?

Mr Guyan: No. That is not correct at all. The regulations provide for NOPSEMA to request further information essentially without constraint, so, indeed, NOPSEMA can take as long as it needs in relation to the complexity of the submission and the impact and consequences addressed therein. There is no absolute 30-day guideline. There is a point at which we have to make a decision, but that decision may be to request further information or to request that the proponent revise and resubmit the plan, and so on. There are a number of possibilities. I could certainly provide more detail, and Mr Heidan can supplement.

CHAIR: That would be great, if you would not mind. This is going to be an ongoing issue. You have spoken about who has reviewed you, and we have discussed that, and the eminent scientists and governance people around your process and what you do. So we do not need to revisit that.....

ANSWER

The Environment Regulations require NOPSEMA to make one of three decisions within 30 days of the initial submission of an environment plan:

1. If reasonably satisfied that the environment plan meets the criteria for acceptance under the environment regulations, NOPSEMA must accept the environment plan.
2. If NOPSEMA is not reasonably satisfied that the environment plan meets the criteria for acceptance NOPSEMA must provide the titleholder with a reasonable opportunity to modify and resubmit the environment plan.
3. If NOPSEMA is unable to make a decision on the environment plan within the 30 day period, NOPSEMA must give the titleholder notice in writing and set out a proposed timetable for consideration of the plan.

For BP's Great Australian Bight Drilling Program environment plan NOPSEMA acted in accordance with point 3 above.