



GUIDELINES TO THE PROTOCOL CONCERNING MARINE POLLUTION
RESULTING FROM EXPLORATION AND EXPLOITATION OF THE
CONTINENTAL SHELF

**GUIDELINES ON THE VOLUNTARY
REGULATION OF THE DISPOSAL OF
DRILL CUTTINGS ON THE SEA BED**



Guidelines on the Voluntary Regulation of the Disposal of Drill Cuttings on the Sea Bed

1. Introductory Note

1.1 The Protocol concerning Marine Pollution resulting from Exploration and Exploitation of the Continental Shelf, at Article IX 4 provides that each Contracting State shall pass measures to ensure that:

- (a) Oil-based drilling fluids shall not be used in drilling operations in those parts of the Protocol Area within its jurisdiction except with the express sanction of the Competent State Authority. Such sanction shall not be given unless the Authority is satisfied that the use of such fluid is justified because of exceptional circumstances. If such fluid is used, the drill cuttings shall be effectively treated to minimize their oil content before being appropriately disposed off. Any wash waters shall not be discharged at any place from which they may be carried to mix with the same drill cuttings. The discharge point for the cuttings shall, as appropriate, be well below the surface of the water.
- (b) No oil-based drilling fluid shall be discharged to any parts of the Protocol Area within its jurisdiction.
- (c) Water-based drilling muds discharged from offshore operations must not contain persistent systemic toxins which may continue to pose an environmental threat after the initial drilling fluid discharge.”

- 1.2 There is no further obligation in the Protocol on the control of the deposit of drill cuttings with a view to protecting the marine environment.

However in view of the fact that:

- (a) Further research is needed, and is continuing, it would be premature at this stage to create any specific obligations concerning the deposit of drill cuttings;
- (b) In some circumstances damage to the environment can be done by the deposit of drill cuttings, it would be prudent to ask the Contracting States to accept a voluntary scheme of control based on what is presently known.

These Guidelines have been produced to form the basis of that voluntary scheme.

- 1.3 Under this scheme, each Contracting State is asked to take steps to see that these Guidelines are observed by operators within its jurisdiction, in the disposal of their drill cuttings. Those steps may be the issue of regulations, administrative measures, or such other means as the State considers appropriate.

2. Sensitive Areas

- 2.1 As a necessary pre-requisite, Contracting States are asked to delineate areas which are particularly sensitive to pollution, e.g. coral reefs, fish breeding grounds, or areas in which the damage may be particularly grave, e.g. major fishing areas, areas of desalination plant intakes, and designate them as “sensitive areas”.

They are further asked to delineate around each sensitive area a “safety zone”

2.2 An operator who wishes to deposit drill cuttings within a sensitive area or safety zone should be required to give the Competent State Authority at least 21 days notice of his intention to do so.

3. **Guidance on Disposal according to Type**

3.1 All Drill Cuttings:

3.1.1 Contracting States should seek to ensure that no drill cuttings are deposited on the sea bed in a sensitive area except in accordance with an approval granted by the Competent State Authority.

3.1.2. No discharge of drill cuttings to the sea bed should be approved at a place from which particles may settle in significant quantities on any designated sensitive area

In estimating a safe distance between such an area and a proposed point of release, regard should be taken of:

- a) the height above the sea bed at which the release may be permitted;
- b) the size and character of any particles which may be released in large quantities;
- c) the local current regime.

3.2 Cuttings from Drilling in which only Water Based Drilling Fluids have been used:

No fluid should be regarded as water based drilling fluid if any kind of oil forms more than 10 per cent of the liquid phase of the drilling fluid. Upon discharging drill cuttings resulting from water based drilling muds due regard should be made to the provisions of Article IX 4 (c).

3.3 Cuttings from Drilling in which Diesel Oil Based Drilling Fluid has been used:

3.3.1 A drilling fluid should be regarded as falling within this category if diesel oil forms at least 25 per cent of the liquid phase of the fluid.

3.3.2 Drill cuttings from drilling during which diesel oil based drilling fluid has been used shall not be deposited on the sea bed in the Protocol Area without the express approval of the Competent State Authority.

3.3.3 Approval for the deposit of the cuttings should not be given except when the Competent State Authority is satisfied that exceptional circumstances justify the deposit.

3.3.4 An Organization should periodically review the available technology for cleaning drill cuttings and set standards of treatment. The Competent State Authority should have power to ensure that those standards are met by the operator when he treats the cuttings in accordance with Article IX 4 (a) of the Protocol.

3.3.5 In any event, the deposit of drill cuttings should not be permitted within such distance as may be specified in the approval from any designated sensitive area. The calculation of that distance should take into account the sensitivity of the area and the local current regime. The distance could be up to 2,000 meters in the case of multi-well platforms.

3.4 Cuttings from Drilling when an Alternative Oil Based Drilling Fluid is used:

3.4.1 An Alternative Oil Based Drilling Fluid (Low Toxicity Oil) is the one in which the liquid phase contains over 40 per cent of low aromatic content mineral oil or other alternative low toxicity oils.

3.4.2. No drill cuttings produced when alternative oil based drilling fluid has been used shall be deposited on the sea bed in the Protocol Area without the express approval of the Competent State Authority.

When applying for approval, an operator should be required to submit details of toxicity tests on that fluid.

3.4.3 In the absence of such information, or any other reliable information on the toxicity of the fluid, the application should be treated as if the fluid were diesel oil based, as described above.

3.4.4 Paragraphs 3.3.4 shall apply to drill cuttings from drilling in which alternative oil based drilling in which alternative oil based drilling fluid has been used, as they do when diesel oil based fluid has been used.

3.4.5 No discharge of cuttings to the sea bed from drilling when using an alternative oil based fluid should be permitted by the Competent State Authority within such distance from a sensitive area as may be specified in the grant of approval. The calculation of that distance should take into account the known toxicity of the fluid, the sensitivity of the area, and the local current regime.