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2009 - 2014

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*Committee on the Environment, Public Health and Food Safety*

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**2011/2072(INI)**

23.5.2011

# **AMENDMENTS**

## **1 - 79**

**Draft opinion**  
**Corinne Lepage**  
(PE462.884v01-00)

Facing the challenge of the safety of offshore oil and gas activities  
(2011/2072(INI))

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PE465.013v01-00

AM\_Com\_NonLegOpinion

**Amendment 1**  
**Corinne Lepage**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

1. Considers that the Deepwater Horizon oil spill in the Gulf of Mexico must lead the EU to urgently and deeply review its legislation, in respect of the precautionary principle, on all aspects of offshore oil and gas extraction and exploration in its territories; in this context, welcomes the Commission's will to fill the gap in the existing EU legislation;

*Amendment*

1. Considers that the Deepwater Horizon oil spill in the Gulf of Mexico must lead the EU to urgently and deeply review its legislation, in respect of the precautionary principle ***and on the principle that preventive action should be taken***, on all aspects of offshore oil and gas extraction and exploration in its territories; in this context, welcomes the Commission's will to fill the gap in the existing EU legislation;

Or. en

**Amendment 2**  
**Jolanta Emilia Hibner**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

1. Considers that the Deepwater Horizon oil spill in the Gulf of Mexico must lead the EU to urgently and deeply review its legislation, in respect of the precautionary principle, on all aspects of offshore oil and gas extraction and exploration in its territories; in this context, welcomes the Commission's will to fill the gap in the existing EU legislation;

*Amendment*

1. Considers that the Deepwater Horizon oil spill in the Gulf of Mexico must lead the EU to urgently and deeply review its legislation, in respect of the precautionary principle, on all aspects of offshore oil and gas extraction and exploration, ***including safe transfer by underwater pipelines located on/under the seabed***, in its territories; in this context, welcomes the Commission's will to fill the gap in the existing EU legislation;

Or. en

**Amendment 3**  
**Paolo Bartolozzi, Sergio Berlato**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

1. Considers that the Deepwater Horizon oil spill in the Gulf of Mexico must lead the EU to ***urgently and deeply*** review its legislation, in respect of the precautionary principle, on all aspects of offshore oil and gas extraction and exploration in its territories; in this context, welcomes the Commission's will to fill the gap in the existing EU legislation;

*Amendment*

1. Considers that the Deepwater Horizon oil spill in the Gulf of Mexico must lead the EU to review ***and, where necessary, revise*** its legislation, in respect of the precautionary principle, on ***those*** aspects of offshore oil and gas extraction and exploration in its territories ***that require modification***; in this context, welcomes the Commission's will to fill the gap in the existing EU legislation;

Or. it

**Amendment 4**  
**Martin Callanan**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

1. ***Considers*** that the Deepwater Horizon oil spill in the Gulf of Mexico ***must lead*** the EU to urgently ***and deeply*** review ***its*** legislation, ***in respect of the precautionary principle***, on all aspects of offshore oil and gas extraction and exploration in its territories; in this context, welcomes the Commission's will to fill ***the gap*** in ***the*** existing EU legislation;

*Amendment*

1. ***Notes*** that the Deepwater Horizon oil spill in the Gulf of Mexico ***has led*** the EU ***and Member States*** to urgently review ***both their appropriate*** legislation ***and regulation*** on all aspects of offshore oil and gas extraction and exploration in its territories; in this context, welcomes the Commission's will to ***urgently*** fill ***gaps*** in existing EU legislation;

Or. en

**Amendment 5**  
**Corinne Lepage**

**Draft opinion**  
**Paragraph 1 a (new)**

*Draft opinion*

*Amendment*

***1a. Notes that accidents caused by offshore oil and gas rigs lead to cross-border consequences, and therefore justifies EU action to prevent and mitigate such accidents;***

Or. en

**Amendment 6**  
**Corinne Lepage**

**Draft opinion**  
**Paragraph 1 b (new)**

*Draft opinion*

*Amendment*

***1b. Notes that offshore oil and gas operations are progressively taking place in increasingly extreme environments, and will potentially lead to major and devastating consequences for the environment and economy of the sea and coastal areas;***

Or. en

**Amendment 7**  
**Martin Callanan**

**Draft opinion**  
**Paragraph 1 a (new)**

*Draft opinion*

*Amendment*

***1a. Acknowledges that there already exists a network of regimes and best practices and believes that a single new piece of***

*specific EU legislation may risk destabilising the current network of regimes as well as distracting from, duplicating or compromising existing best practice;*

Or. en

**Amendment 8**  
**Martin Callanan**

**Draft opinion**  
**Paragraph 1 b (new)**

*Draft opinion*

*Amendment*

*1b. Supports the Commission's desire to level-up minimum standards within the EU; believes that safety and environmental concerns should be embedded in all legislation and the highest safety and environmental standards be applied in all areas of offshore oil and gas activities;*

Or. en

**Amendment 9**  
**Martin Callanan**

**Draft opinion**  
**Paragraph 1 c (new)**

*Draft opinion*

*Amendment*

*1c. Warns however that the effectiveness of legislation ultimately depends on the competence of the relevant European and national authorities and bodies to implement, manage and enforce relevant legislation; believes the Commission should be vigilant in ensuring compliance by Member State authorities;*

**Amendment 10**  
**Kriton Arsenis, Bairbre de Brún, Sirpa Pietikäinen**

**Draft opinion**  
**Paragraph 1 a (new)**

*Draft opinion*

*Amendment*

***1a. Notes that special attention should be given to the Arctic zone due to its fragility and importance in mitigating climate change;***

Or. en

**Amendment 11**  
**Oreste Rossi**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

*Amendment*

2. Urges the Commission and the *Members* States to strengthen effective mutual cooperation ***and to establish an EU 'Control the controllers' system;***

2. Urges the Commission and the *Members* States to strengthen effective mutual cooperation;

Or. it

**Amendment 12**  
**Paolo Bartolozzi, Sergio Berlato**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

*Amendment*

2. Urges the Commission and the *Members* States to strengthen effective mutual cooperation and to ***establish an EU***

2. Urges the Commission and the *Members* States to strengthen effective mutual cooperation and to ***promote better***

*'Control the controllers' system;*

*coordination between the competent national authorities, so as to improve the pooling of good practice and optimise authorisation procedures;*

Or. it

**Amendment 13**  
**Matthias Groote**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

2. Urges the Commission and the *Members* States to ***strengthen*** effective mutual cooperation and to establish an EU 'Control the controllers' system;

*Amendment*

2. Urges the Commission and the *Member* States to ***intensify*** effective mutual cooperation and to establish an EU 'Control the controllers' system ***to guarantee the independence of monitoring, whereby ultimate oversight should rest with the EU;***

Or. de

**Amendment 14**  
**Martin Callanan**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

2. Urges the Commission and the Members States to strengthen effective mutual cooperation and ***to establish*** an EU ***'Control the controllers' system;***

*Amendment*

2. Urges the Commission and the Members States to strengthen effective mutual cooperation ***but is concerned that an EU-level 'controller of controllers' may not bring sufficient added-value to justify draining scarce regulatory resources from national competent authorities; however gathering data, sharing best practices and coordinating response resources should be done at an EU level;***



**Amendment 15**

**Kriton Arsenis, Bairbre de Brún, Sirpa Pietikäinen**

**Draft opinion**

**Paragraph 2**

*Draft opinion*

2. Urges the Commission and the Members States to strengthen effective mutual cooperation and to establish an EU ‘Control the controllers’ system;

*Amendment*

2. Urges the Commission and the Members States to strengthen ***inspection methods and*** effective mutual cooperation and to establish an EU ‘Control the controllers’ system ***based on minimum binding EU safety rules***;

**Amendment 16**

**Matthias Groote**

**Draft opinion**

**Paragraph 2 a (new)**

*Draft opinion*

*Amendment*

***2a. Urges the Commission, together with the Member States, to harmonise the various safety standards at the highest possible minimum level so that the greatest possible protection can be guaranteed in the event of an accident whilst at the same time providing legal certainty for undertakings;***

**Amendment 17**

**Radvilė Morkūnaitė-Mikulėnienė**

**Draft opinion**

**Paragraph 2 a (new)**

*Draft opinion*

*Amendment*

***2a. Is convinced that comprehensive and active cooperation with third countries (in particular those sharing a common sea border with the European Union) is also necessary in order to guarantee proper environmental protection and the proper condition of the seas in connection with oil and gas exploration, extraction and transport;***

Or. It

**Amendment 18**  
**Jolanta Emilia Hibner**

**Draft opinion**  
**Paragraph 3**

*Draft opinion*

3. Reiterates its calls to the Commission to bring forward proposals as soon as possible for establishing an EU Civil Protection Force based on the EU Civil Protection Mechanism, integrating specific mechanisms which enable the EU to face massive pollutions caused by oil offshore installations;

*Amendment*

3. Reiterates its calls to the Commission to bring forward proposals as soon as possible for establishing an EU Civil Protection Force based on the EU Civil Protection Mechanism, integrating specific mechanisms which enable the EU to face massive pollutions caused by oil offshore installations ***including underwater oil/gas pipelines located on/under the seabed;***

Or. en

**Amendment 19**  
**Paolo Bartolozzi, Sergio Berlato**

**Draft opinion**  
**Paragraph 3**

*Draft opinion*

3. Reiterates its calls to the Commission to

*Amendment*

3. Reiterates its calls to the Commission to

bring forward proposals as soon as possible for establishing *an EU Civil Protection Force based on the EU Civil Protection Mechanism, integrating specific mechanisms which enable the EU to face massive pollutions* caused by oil offshore installations;

bring forward proposals as soon as possible for establishing *a coordinated EU response strategy integrating the various technologies already available in the Member States for use in the event of massive pollutions being* caused by oil offshore installations;

Or. it

**Amendment 20**  
**Matthias Groote**

**Draft opinion**  
**Paragraph 3**

*Draft opinion*

3. Reiterates its calls to the Commission to bring forward proposals as soon as possible for establishing an EU Civil Protection Force based on the EU Civil Protection Mechanism, *integrating* specific mechanisms *which enable the EU to face massive pollutions* caused by oil offshore installations;

*Amendment*

3. Reiterates its calls to the Commission to bring forward proposals as soon as possible for establishing an EU Civil Protection Force based on the EU Civil Protection Mechanism *and to draw up a European action plan, together with the Member States, that integrates* specific mechanisms *setting out how the EU can respond to* massive pollutions caused by oil offshore installations;

Or. de

**Amendment 21**  
**Martin Callanan**

**Draft opinion**  
**Paragraph 3**

*Draft opinion*

3. *Reiterates its calls to* the Commission to bring forward proposals *as soon as possible for establishing* an EU Civil Protection Force *based on the EU Civil Protection Mechanism, integrating*

*Amendment*

3. *Calls on* the Commission *to assess whether it is necessary* to bring forward proposals *to establish* an EU Civil Protection Force *to* enable the EU to face massive pollution caused by oil offshore

*specific mechanisms which* enable the EU to face massive pollution caused by oil offshore installations;

installations, *recognising that such an event has never occurred in EU waters and that resources would possibly be better directed elsewhere;*

Or. en

**Amendment 22**  
**Esther de Lange**

**Draft opinion**  
**Paragraph 3 a (new)**

*Draft opinion*

*Amendment*

*3a. Calls on the Commission to ensure that the better management of marine data, proposed within the "Marine Knowledge 2020" Communication, COM(2010) 461, and the proposed Regulation establishing a Programme to support the further development of an Integrated Maritime Policy, COM(2010) 494, takes account of the need to guarantee appropriate monitoring of pollution threats in order to determine the appropriate course of action in a timely manner;*

Or. en

**Amendment 23**  
**Esther de Lange**

**Draft opinion**  
**Paragraph 3 b (new)**

*Draft opinion*

*Amendment*

*3b. Asks the Commission to prepare a proposal for scientific knowledge generated by off-shore operators who work under a public licence to be made available to the responsible authorities*

*using standards and protocols developed within the context of "Marine Knowledge 2020" in order to facilitate public scrutiny and to further understanding of the marine environment;*

Or. en

**Amendment 24**  
**Michèle Rivasi, Bart Staes**

**Draft opinion**  
**Paragraph 3 a (new)**

*Draft opinion*

*Amendment*

*3a. Calls for oil and gas companies to dedicate 5 % of their research and development funds for new prevention and accident remediation technologies; stresses that before any disaster response technologies are added to an approved contingency plan they must be independently tested, assessed and authorised;*

Or. en

**Amendment 25**  
**Martin Callanan**

**Draft opinion**  
**Paragraph 3 a (new)**

*Draft opinion*

*Amendment*

*3a. Suggests that EMSA's inventories of response resources should collate all relevant public and industry resources so that EMSA is best placed to provide a coordinating role, where necessary, in the event of a major incident;*

Or. en

**Amendment 26**  
**Martin Callanan**

**Draft opinion**  
**Paragraph 3 b (new)**

*Draft opinion*

*Amendment*

***3b. Suggests that available equipment for capping all potential spills should be an essential part of contingency plans and such equipment should be available in proximity to installations to allow for timely deployment in the event of a major accident;***

Or. en

**Amendment 27**  
**Martin Callanan**

**Draft opinion**  
**Paragraph 3 c (new)**

*Draft opinion*

*Amendment*

***3c. Urges companies to continue to set aside funds for research and development of new prevention and accident remediation technologies; stresses that before any disaster response technologies are added to an approved contingency plan they should be independently tested, assessed and authorised;***

Or. en

**Amendment 28**  
**Martin Callanan**

**Draft opinion**  
**Paragraph 3 d (new)**

*Draft opinion*

*Amendment*

***3d. Advocates strict control and continued testing of chemical dispersants, both to ensure their suitability in the event of a spill and to avoid public health and environmental implications;***

Or. en

**Amendment 29**  
**Jolanta Emilia Hibner**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

4. Considers that the Environmental Liability Directive (ELD) should strictly apply the ‘polluter pays’ principle to all damages caused to marine waters and biodiversity, so that oil companies can be held accountable for any damage they cause;

*Amendment*

4. Considers that the Environmental Liability Directive (ELD) should strictly apply the ‘polluter pays’ principle to all damages caused to marine waters and biodiversity, so that oil ***and gas*** companies can be held accountable for any damage they cause;

Or. en

**Amendment 30**  
**Corinne Lepage**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

4. Considers that the Environmental Liability Directive (ELD) should ***strictly apply*** the ‘polluter pays’ principle to all damages caused to marine waters and biodiversity, so that oil companies can be held accountable for any damage they cause;

*Amendment*

4. Considers that the ***scope of the*** Environmental Liability Directive (ELD) should ***be extended so that*** the ‘polluter pays’ principle ***and strict liability apply*** to all damages caused to marine waters and biodiversity, so that oil companies can be held accountable for any ***and all*** damage

they cause;

Or. en

## Amendment 31

Sabine Wils

### Draft opinion

#### Paragraph 4

##### *Draft opinion*

4. Considers that the Environmental Liability Directive (ELD) should strictly apply the ‘polluter pays’ principle to all damages caused to marine waters and biodiversity, so that oil companies can be held accountable for any damage they cause;

##### *Amendment*

4. Considers that the Environmental Liability Directive (ELD) should strictly apply the ‘polluter pays’ principle to all damages caused to marine waters and biodiversity, so that oil ***and gas*** companies can be held accountable for any damage they cause ***and fully cover potential damage without any upper limit, secured by reserves held by the operators;***

Or. de

## Amendment 32

Michèle Rivasi, Bart Staes

### Draft opinion

#### Paragraph 4

##### *Draft opinion*

4. Considers that the Environmental Liability Directive (ELD) should ***strictly apply*** the ‘polluter pays’ principle to all damages caused to marine waters and biodiversity, so that oil companies can be held accountable for any damage they cause;

##### *Amendment*

4. Considers that the ***scope of the*** Environmental Liability Directive (ELD) should ***be extended so that*** the ‘polluter pays’ principle ***and strict liability apply*** to all damages caused to marine waters and biodiversity, so that oil companies can be held accountable for any ***and all*** damage they cause;

Or. en



**Amendment 33**  
**Martin Callanan**

**Draft opinion**  
**Paragraph 5**

*Draft opinion*

5. Calls for a revision of the ELD to extend its coverage to all EU marine waters in line with the Marine Strategy Framework Directive (MSFD);

*Amendment*

**5. *Considers the ELD to be a very complex piece of legislation; calls for any proposed amendments to be accompanied by a thorough impact assessment;*** Calls for a revision of the ELD to extend its coverage to all EU marine waters in line with the Marine Strategy Framework Directive (MSFD);

Or. en

**Amendment 34**  
**Corinne Lepage**

**Draft opinion**  
**Paragraph 6**

*Draft opinion*

6. Calls on the Commission, under the ELD, to lower damage thresholds and to ***avoid ceilings leading to exoneration of polluters from*** a strict liability regime ***for*** marine ***water damage***;

*Amendment*

6. Calls on the Commission, under the ELD, to lower damage thresholds and to ***enforce*** a strict liability regime ***covering all damage to*** marine ***waters and biodiversity, regardless of any ceilings arising from mutualisation or insurance cover***;

Or. en

**Amendment 35**  
**Matthias Groote**

**Draft opinion**  
**Paragraph 6**

*Draft opinion*

6. Calls on the Commission, under the ELD, to lower damage thresholds and to avoid ceilings leading to exoneration of polluters from a strict liability regime for marine water damage;

*Amendment*

6. Calls on the Commission, under the ELD, to lower damage thresholds and to avoid ceilings leading to exoneration of polluters from a strict liability regime for marine water damage, ***and proposes entering into a dialogue with insurers on binding EU-wide insurance schemes in order to guarantee that liability is enforced;***

Or. de

**Amendment 36**

**Michèle Rivasi, Bart Staes**

**Draft opinion**

**Paragraph 6**

*Draft opinion*

6. Calls on the Commission, under the ELD, to lower damage thresholds and to ***avoid ceilings leading to exoneration of polluters from*** a strict liability regime ***for*** marine ***water damage;***

*Amendment*

6. Calls on the Commission, under the ELD, to lower damage thresholds and to ***enforce*** a strict liability regime ***covering all damage to*** marine ***waters and biodiversity, regardless of any ceilings arising from mutualisation or insurance cover;***

Or. en

**Amendment 37**

**Matthias Groote**

**Draft opinion**

**Paragraph 6 a (new)**

*Draft opinion*

*Amendment*

***6a. Takes the view that the Commission should examine whether a compensation fund for oil disasters can be created***

*within the framework of environmental liability, which would contain binding financial security provisions;*

Or. de

**Amendment 38**  
**Martin Callanan**

**Draft opinion**  
**Paragraph 6 a (new)**

*Draft opinion*

*Amendment*

*6a. Stresses that the financially liable parties should be established without ambiguity prior to drilling;*

Or. en

**Amendment 39**  
**Corinne Lepage**

**Draft opinion**  
**Paragraph 7**

*Draft opinion*

*Amendment*

7. Considers that oil and gas operators must be required, in the licensing procedure, to demonstrate they have sufficient insurance or other financial guarantees in place to secure restoration and compensation in relation to environmental damage caused – whether through industry mutual schemes, such as OPOL, or through mandatory insurances;

7. Considers that oil and gas operators must be required, in the licensing procedure, to demonstrate they have sufficient insurance or other financial guarantees in place to secure restoration and compensation in relation to environmental damage, ***including those caused by high impact, low probability incidents*** – whether through ***mandatory*** industry mutual schemes, such as OPOL, or through mandatory insurances;

Or. en

**Amendment 40**  
**Martin Callanan**

**Draft opinion**  
**Paragraph 7**

*Draft opinion*

7. Considers that oil and gas operators must be required, in the licensing procedure, to demonstrate they have sufficient insurance or other financial guarantees in place to secure restoration and compensation in relation to environmental damage caused – whether through industry mutual schemes, such as OPOL, or through mandatory insurances;

*Amendment*

7. Considers that oil and gas operators must be required, in the licensing procedure, to demonstrate they have sufficient insurance or other financial guarantees in place to secure restoration and compensation in relation to ***the specific activities they are going to carry out and the potential*** environmental damage ***that could be*** caused – whether through industry mutual schemes, such as OPOL, or through mandatory insurances;

Or. en

**Amendment 41**  
**Antonyia Parvanova**

**Draft opinion**  
**Paragraph 7**

*Draft opinion*

7. Considers that oil and gas operators must be required, in the licensing procedure, to demonstrate they have sufficient insurance or other financial guarantees in place to secure restoration and compensation in relation to environmental damage caused – whether through industry mutual schemes, such as OPOL, or through mandatory insurances;

*Amendment*

7. Considers that oil and gas operators must be required, in the licensing procedure ***and at all phases of offshore projects (exploratory, operational and decommissioning)***, to demonstrate they have sufficient insurance or other financial guarantees in place to secure restoration and compensation in relation to environmental damage caused – whether through industry mutual schemes, such as OPOL, or through mandatory insurances;

Or. en

## Amendment 42

Kriton Arsenis, Bairbre de Brún, Sirpa Pietikäinen

### Draft opinion

#### Paragraph 7

##### *Draft opinion*

7. Considers that oil and gas operators must be required, in the licensing procedure, to **demonstrate they** have sufficient insurance or other financial guarantees in place to secure restoration and compensation in relation to environmental damage caused – whether through industry mutual schemes, such as OPOL, or through mandatory insurances;

##### *Amendment*

7. Considers that oil and gas operators must be required, in the licensing procedure **and throughout the operational period**, to have sufficient insurance or other financial guarantees in place to secure restoration and compensation in relation to environmental damage caused – whether through industry mutual schemes, such as OPOL, or through mandatory insurances;

Or. en

## Amendment 43

Bart Staes, Michèle Rivasi

### Draft opinion

#### Paragraph 7 a (new)

##### *Draft opinion*

##### *Amendment*

**7a. Stresses that while in principle financial guarantees can be provided through either insurance or industry mutualisation, it is important to ensure that operators demonstrate financial guarantees in place to cover the full cost of clean-up and compensation in case of a major disaster, and that risks and liabilities are not externalised to smaller companies that are more likely to declare insolvency in the event of an accident; calls for any joint schemes to be established in a manner that maintains incentives for avoiding risks and adhering to highest possible safety standards in individual operations;**

**Amendment 44**  
**Martin Callanan**

**Draft opinion**  
**Paragraph 7 a (new)**

*Draft opinion*

*Amendment*

***7a. Recognises the merit of communal funds such as OPOL in the North Sea and for such funds to be established in each EU sea area; calls for membership to be mandatory for operators to ensure legal certainty so as to provide a safety-net mechanism designed to reassure the Member States, the maritime sector, including fishermen in particular, and taxpayers;***

Or. en

**Amendment 45**  
**Matthias Groote**

**Draft opinion**  
**Paragraph 9**

*Draft opinion*

*Amendment*

9. Suggests that Member States adopt ***a set of*** measures to penalise negligence in the implementation of safety rules;

9. Suggests that, ***in addition to the withdrawal of the permit for installations as the most serious measure***, Member States adopt ***further suitable*** measures to penalise negligence in the implementation of safety rules ***and order regular inspections based on uniform methods across the EU***;

Or. de

**Amendment 46**  
**Martin Callanan**

**Draft opinion**  
**Paragraph 9**

*Draft opinion*

9. Suggests that Member States adopt a set of measures to penalise negligence in the implementation of safety **rules**;

*Amendment*

9. Suggests that Member States adopt a set of measures to penalise negligence **and non-compliance** in the implementation of **legislation and safety regulation**;

Or. en

**Amendment 47**  
**Radvilė Morkūnaitė-Mikulėnienė**

**Draft opinion**  
**Paragraph 9 a (new)**

*Draft opinion*

*Amendment*

**9a. Calls on the Commission to launch a debate on regulations in the areas of liability for environmental damage and financial guarantees that would also include third countries;**

Or. lt

**Amendment 48**  
**Jolanta Emilia Hibner**

**Draft opinion**  
**Paragraph 10**

*Draft opinion*

*Amendment*

10. Calls for an extension of the Environmental Impact Assessment (EIA) directive to cover all offshore projects phases (exploratory, operational, and decommissioning) and calls for specific requirements for EIAs in case of drilling

10. Calls for an extension of the Environmental Impact Assessment (EIA) directive to cover all offshore projects phases (exploratory, operational, and decommissioning) and calls for specific requirements for EIAs in case of drilling

activities in deep water;

activities in deep water ***and transfer of oil/gas by underwater pipelines located on/under the seabed;***

Or. en

#### **Amendment 49**

**Paolo Bartolozzi, Sergio Berlato**

#### **Draft opinion**

#### **Paragraph 10**

##### *Draft opinion*

10. Calls for an extension of the Environment Impact Assessment (EIA) directives to cover all offshore projects phases (exploratory, operational, ***and decommissioning***) and calls for specific requirements for EIAs in case of drilling activities in deep water;

##### *Amendment*

10. Calls for an extension of the Environment Impact Assessment (EIA) directives to cover all offshore projects phases (exploratory ***and*** operational) and calls for specific requirements for EIAs in case of drilling activities in deep water; ***considers, furthermore, that the Commission should ensure that EIAs for offshore projects approved by national authorities also cover the procedures operators must follow during decommissioning;***

Or. it

#### **Amendment 50**

**Sabine Wils**

#### **Draft opinion**

#### **Paragraph 10**

##### *Draft opinion*

10. Calls for an extension of the Environment Impact Assessment (EIA) directives to cover all offshore projects phases (exploratory, operational, and decommissioning) and calls for ***specific requirements for EIAs in case of*** drilling activities in deep water;

##### *Amendment*

10. Calls for an extension of the Environment Impact Assessment (EIA) directives to cover all offshore projects phases (exploratory, operational, and decommissioning) and calls for drilling activities in deep water ***to be banned owing to the uncontrollable risks;***



Or. de

**Amendment 51**  
**Martin Callanan**

**Draft opinion**  
**Paragraph 10**

*Draft opinion*

10. Calls *for an extension of* the Environmental Impact Assessment (EIA) directive *to cover all* offshore *projects phases (exploratory, operational, and decommissioning)* and *calls for specific requirements for EIAs in case of drilling activities in deep water*;

*Amendment*

10. Calls *on* the *Commission to ensure that all Member States fully implement the* Environmental Impact Assessment (EIA) directive *which already covers* offshore *oil and gas* activities;

Or. en

**Amendment 52**  
**Sabine Wils**

**Draft opinion**  
**Paragraph 10 a (new)**

*Draft opinion*

*10a. Calls for a ban on offshore oil and gas extraction in the Arctic for undertakings with headquarters on EU territory, since the Arctic ecosystem is too fragile;*

*Amendment*

Or. de

**Amendment 53**  
**Michèle Rivasi, Bart Staes**

**Draft opinion**  
**Paragraph 10 a (new)**

*Draft opinion*

*Amendment*

***10a. Insists that environmental impact assessments are also carried out on emergency response plans and in particular on any use of chemical dispersants; calls for the Commission to ensure more detailed research into the impacts of such chemicals, through EU research programmes if necessary;***

Or. en

**Amendment 54**  
**Bart Staes, Michèle Rivasi**

**Draft opinion**  
**Paragraph 10 b (new)**

*Draft opinion*

*Amendment*

***10b. Calls on the Commission to examine the current regulatory framework regarding the decommissioning of existing drilling infrastructure, and to clarify, if necessary by way of legislation, the responsibility of operators for ensuring safe removal and liability for any environmental damage resulting from the decommissioning or from a drilling site after it has been decommissioned;***

Or. en

**Amendment 55**  
**Jolanta Emilia Hibner**

**Draft opinion**  
**Paragraph 11**

*Draft opinion*

*Amendment*

11. Calls on the Commission to re-examine

11. Calls on the Commission to re-examine

its proposal on Industrial major accidents:  
control of hazards involving dangerous  
substances (SEVESO III) in order to  
extend its scope to oil rigs;

its proposal on Industrial major accidents:  
control of hazards involving dangerous  
substances (SEVESO III) in order to  
extend its scope to oil rigs *and underwater  
pipelines located on/under the seabed*;

Or. en

**Amendment 56**  
**Paolo Bartolozzi, Sergio Berlato**

**Draft opinion**  
**Paragraph 11**

*Draft opinion*

11. Calls on the Commission to re-examine  
its proposal on Industrial major accidents:  
control of hazards involving dangerous  
substances (SEVESO III) in order to  
extend its scope to oil rigs;

*Amendment*

11. *Welcomes the Commission's  
explanatory memorandum concerning the  
revision of Directive 96/82/EC, in which  
the Commission states that it will assess  
the appropriate way to strengthen  
environmental legislation*;

Or. it

**Amendment 57**  
**Sabine Wils**

**Draft opinion**  
**Paragraph 11**

*Draft opinion*

11. Calls on the Commission to re-examine  
its proposal on Industrial major accidents:  
control of hazards involving dangerous  
substances (SEVESO III) in order to  
extend its scope to oil rigs;

*Amendment*

11. Calls on the Commission to re-examine  
its proposal on Industrial major accidents:  
control of hazards involving dangerous  
substances (SEVESO III) in order to  
extend its scope to oil rigs *and to all  
phases of exploration for oil and gas  
reserves up until the decommissioning of  
the well*;

Or. de

**Amendment 58**  
**Martin Callanan**

**Draft opinion**  
**Paragraph 11**

*Draft opinion*

11. Calls on the Commission to *re-examine* its *proposal on Industrial major accidents: control of hazards involving dangerous substances* (SEVESO III) *in order to extend its scope* to oil rigs;

*Amendment*

11. Calls on the Commission to *consider the case for extending the sound principles contained within* its *legislation* to control *onshore* hazards (SEVESO *II* and III) to *legislation aimed at offshore oil and gas activities*;

Or. en

**Amendment 59**  
**Bart Staes, Michèle Rivasi**

**Draft opinion**  
**Paragraph 12**

*Draft opinion*

12. Welcomes the Commission's proposal to extend the mandate of the European Agency for Maritime Safety (EMSA) to cases of marine pollution caused by other sources than vessels, notably by oil and gas offshore installations; considers that mobile and transport installations, as well as pipeline terminals, should be included; supports the Commission's request to reflect such new tasks in the EMSA's budget and staffing levels;

*Amendment*

12. Welcomes the Commission's proposal to extend the mandate of the European Agency for Maritime Safety (EMSA) to cases of marine pollution caused by other sources than vessels, notably by oil and gas offshore installations; considers that mobile and transport installations, as well as pipeline terminals, should be included; supports the Commission's request to reflect such new tasks in the EMSA's budget and staffing levels; *considers that EMSA's mandate could be further extended to provide independent third party auditing of environmental impact assessments and licensing of offshore oil and gas activities, as well as periodic inspections on operators*;

Or. en

**Amendment 60**  
**Sabine Wils**

**Draft opinion**  
**Paragraph 12 a (new)**

*Draft opinion*

*Amendment*

***12a. Notes that, whatever safety measures are taken, offshore oil and gas extraction constantly pollutes the marine environment with oil and causes leaks of gas into the sea and atmosphere, in the case of offshore gas extraction, even during normal operation;***

Or. de

**Amendment 61**  
**Corinne Lepage**

**Draft opinion**  
**Paragraph 13**

*Draft opinion*

*Amendment*

13. Notes that offshore oil and gas activities are excluded from the key provisions of the Industrial Emissions Directive; suggests that the European IPPC Bureau defines Best Available Practices (BAT) for offshore **hydrocarbon** activities;

13. Notes that offshore oil and gas activities are excluded from the key provisions of the Industrial Emissions Directive; suggests that the **Commission adds under Annex I point 1.5 ‘offshore oil and gas activities’ as part of the first scope review to be carried out by 31st December 2011 and suggests that the** European IPPC Bureau defines Best Available Practices (BAT) for offshore **oil and gas** activities;

Or. en

**Amendment 62**  
**Paolo Bartolozzi, Sergio Berlato**

**Draft opinion**  
**Paragraph 13**

*Draft opinion*

13. *Notes that offshore oil and gas activities are excluded from the key provisions of the Industrial Emissions Directive*; suggests that the European IPPC Bureau defines Best Available Practices (BAT) for offshore hydrocarbon activities;

*Amendment*

13. Suggests that the European IPPC Bureau defines Best Available Practices (BAT) for offshore hydrocarbon activities;

Or. it

**Amendment 63**  
**Martin Callanan**

**Draft opinion**  
**Paragraph 13**

*Draft opinion*

13. Notes that offshore oil and gas activities are excluded from the key provisions of the Industrial Emissions Directive; *suggests that the European IPPC Bureau defines Best Available Practices (BAT) for offshore hydrocarbon activities*;

*Amendment*

13. Notes that offshore oil and gas activities are *intentionally* excluded from the key provisions of the Industrial Emissions Directive *as offshore emissions are very different from onshore since the fuel is "raw" and has not been standardised as is the case onshore*; *recognises that provisions for offshore emissions already exist under other legislation relating to all aspects of operations that could have an effect on the environment*;

Or. en

**Amendment 64**  
**Corinne Lepage**

**Draft opinion**  
**Paragraph 13 a (new)**

*Draft opinion*

*Amendment*

***Partnerships for offshore safety with third countries***

***13a. Supports the Commission's will to intensify dialogue with EU neighbours on offshore safety aimed at setting new joint enforcement measures such as inspections of installations ; supports the Commission's idea to stimulate the creation of regional fora/initiatives of competent national authorities in the Mediterranean, Black and Baltic Seas;***

Or. en

**Amendment 65**  
**Corinne Lepage**

**Draft opinion**  
**Paragraph 13 c (new)**

*Draft opinion*

*Amendment*

***13c. Believes that all companies should be required, as a condition of licensing in EU waters, to adhere to the same high standards when they operate outside EU marine waters;***

Or. en

**Amendment 66**  
**Rovana Plumb**

**Draft opinion**  
**Paragraph 13 a (new)**

*Draft opinion*

*Amendment*

***13a. Requests that the same highest environmental safety standards also be applied to offshore oil and gas activities in***

*the third countries;*

Or. en

**Amendment 67**

**Michèle Rivasi, Bart Staes**

**Draft opinion**

**Paragraph 13 a (new)**

*Draft opinion*

*Amendment*

***13a. Asks the Commission to conduct a comprehensive review of licensing requirements related to offshore hydrocarbon exploration and extraction and to come forward with proposals for harmonised minimum requirements at EU level, including independent third party auditing to ensure transparency and disclosure regarding environmental practices and to reduce risks of conflict of interests;***

Or. en

**Amendment 68**

**Michèle Rivasi, Bart Staes**

**Draft opinion**

**Paragraph 13 b (new)**

*Draft opinion*

*Amendment*

***13b. Welcomes the proposals to require EU operators to adhere to European standards regarding activities outside the EU;***

Or. en



**Amendment 69**  
**Michèle Rivasi, Bart Staes**

**Draft opinion**  
**Paragraph 13 c (new)**

*Draft opinion*

*Amendment*

***13c. Calls for a moratorium on any offshore hydrocarbon exploration and extraction operations in the Arctic due to the vulnerability of its unique environment;***

Or. en

**Amendment 70**  
**Matthias Groote**

**Draft opinion**  
**Paragraph 13 a (new)**

*Draft opinion*

*Amendment*

***Common commitments with third countries and at international level***

***13a. Calls on the Commission to seek to ensure that European undertakings enter into binding, transparent commitments which must also apply outside European territorial waters;***

Or. de

**Amendment 71**  
**Matthias Groote**

**Draft opinion**  
**Paragraph 13 c (new)**

*Draft opinion*

*Amendment*

***13c. Supports the Commission in its aim of creating a global system fixing***

*common targets for safety and sustainability in offshore exploration and production, and calls on it to promote high common safety standards both at international level and with neighbouring states;*

Or. de

**Amendment 72**  
**Linda McAvan**

**Draft opinion**  
**Paragraph 13 a (new)**

*Draft opinion*

*Amendment*

*13a. Notes that some oil and gas companies operate to different safety standards both within the EU and worldwide, depending on national regulatory requirements;*

Or. en

**Amendment 73**  
**Linda McAvan**

**Draft opinion**  
**Paragraph 13 b (new)**

*Draft opinion*

*Amendment*

*13b. Calls for the overhaul of the legal framework for the offshore oil and gas industry to ensure that state of the art practices become the norm across all operations throughout the EU;*

Or. en

**Amendment 74**  
**Linda McAvan**

**Draft opinion**  
**Paragraph 13 c (new)**

*Draft opinion*

*Amendment*

***13c. Welcomes the Commission's suggestion for Member States to require companies headquartered in the EU to apply EU standards in all their operations worldwide; and urges the Commission and Member States to work with neighbouring countries to ensure equally robust safety standards in areas bordering EU waters;***

Or. en

**Amendment 75**  
**Linda McAvan**

**Draft opinion**  
**Paragraph 13 d (new)**

*Draft opinion*

*Amendment*

***13d. Notes the latest report by the UK Health and Safety Executive about working conditions in the North Sea, which shows that fatal and major injury rates doubled over the past year, and significant hydrocarbon releases increased by a third;***

Or. en

**Amendment 76**  
**Radvilė Morkūnaitė-Mikulėnienė**

**Draft opinion**  
**Paragraph 13 a (new)**

*Draft opinion*

*Amendment*

***13a. Calls on the Commission, in view of the fact that the current rules on environmental impact assessment do not guarantee the full objectivity of the procedure, to reassess the legal provisions on environmental impact assessment and lay down therein that environmental impact assessment procedures must be entrusted to experts who are financially independent from the client;***

Or. It

**Amendment 77**  
**Antonyia Parvanova**

**Draft opinion**  
**Paragraph 13 a (new)**

*Draft opinion*

*Amendment*

***13a. Calls on the Commission to strengthen dialogue and cooperation with EU neighbouring countries on offshore safety in order to set new joint enforcement measures such as inspections of installations; notably via the development of networks of competent national authorities in the Mediterranean, Black and Baltic Seas, or by building upon existing cooperation structures such as the Union for the Mediterranean;***

Or. en

**Amendment 78**  
**Salvatore Tatarella**

**Draft opinion**  
**Paragraph 13 a (new)**

*Draft opinion*

*Amendment*

***13a. Calls on the Commission to review the relevant legislation with a view to introducing a ban on offshore exploration and drilling in waters less than 80 kilometres away from marine national parks and nature reserves;***

Or. it

**Amendment 79**  
**Salvatore Tatarella**

**Draft opinion**  
**Paragraph 13 b (new)**

*Draft opinion*

*Amendment*

***13b. Calls on the Commission to take due account, when assessing the impact of offshore projects, of the adverse impact that offshore hydrocarbon activities have on tourism in the areas affected;***

Or. it