What next after an Environment Management Plan approval

Environment Management Plan (EMP)

The commitments and controls in an approved EMP are enforceable. The Environment Division in the Department of Environment Parks and Water Security will be undertaking compliance monitoring, inspections and audits in line with our Compliance and Enforcement Policy Guideline (in development) to ensure you are complying with the commitments and controls in your EMP.

Ministerial Approval of an EMP

The Minister may have imposed conditions on your EMP approval. These conditions form part of the EMP and are mandatory requirements. Conditions can require a single action or be ongoing in nature. Interest holders should become familiar with and understand or seek clarity on all approval conditions.

Code of Practice requirements

The requirements of the [Code of Practice: Onshore Petroleum Activities in the Northern Territory](https://depws.nt.gov.au/__data/assets/pdf_file/0011/705890/code-of-practice-onshore-petroleum-activity-nt.pdf) (the Code) are also legally binding. The Division does not grant exemptions to the Code.

Notice of commencement of works

Before commencing a regulated activity, interest holders must notify the Minister in writing. Notices should be sent to Onshoregas.DEPWS@nt.gov.au.

# Requests for extension of time

Any request for extension that relates to a Ministerial approval or direction should be submitted in writing well in advance of the due date. Requests will need to demonstrate that all efforts to comply with requirements to date have occurred. Requests should be sent to Onshoregas.DEPWS@nt.gov.au.

# Contacting the Division

All correspondence with the Division must include reference to an EMP unique number, a document reference number and/or the condition number (as relevant). To comply with due dates, all submissions must be received by close of NT business hours, and be sent to Onshoregas.DEPWS@nt.gov.au.

# Project schedules

A standard approval condition requires interest holders to submit a project schedule to the Division. This ensures the Division is kept informed of timelines for regulated activities, monitoring requirements and reporting obligations. Use of a gantt chart is recommended.

# Incident reporting

There are both recordable and reportable incidents under the Petroleum (Environment) Regulations 2016. Each has a different definition and timeframe for notification and reporting. Refer to [Recordable and Reportable Incident Reporting Guideline](https://depws.nt.gov.au/__data/assets/pdf_file/0006/1068306/Recordable-and-Reportable-Incident-Reporting-Guideline.pdf).

# Groundwater data submissions

Interest holders must submit groundwater data to the Division using the template provided. It is the responsibility of the interest holder to follow quality assurance and control procedures and review groundwater quality data to ensure any data errors are detected and rectified prior to submission. Data is made publicly available through the [Petroleum Onshore Information NT portal](https://point.nt.gov.au/weave/point.html). All data on this site is as provided by interest holders.

# Environmental performance reporting

Each year interest holders are to undertake a self-assessment and report against all approval conditions, environmental outcomes and performance standards. Refer to the [Annual Environment Performance Report Guideline](https://depws.nt.gov.au/__data/assets/pdf_file/0003/1068303/Annual-Environment-Performance-Report-Guideline.pdf).

# Management of change

Management of change (MOC) in business is a critical component in effective risk management. Supporting documentation demonstrating the MOC process should be maintained as auditable evidence that a revision of the EMP was not required. Refer to the [Changes to EMPs Guideline.](https://depws.nt.gov.au/__data/assets/pdf_file/0004/1068304/Changes-to-EMPs-Guideline.PDF)

# Modifications

Where an interest holder proposes to modify a regulated activity or there is a change to the existing environment which does not trigger a revision of the EMP, a notice in the prescribed form is required to be submitted. Refer to the [Changes to EMPs Guideline](https://depws.nt.gov.au/__data/assets/pdf_file/0004/1068304/Changes-to-EMPs-Guideline.PDF).

# Revisions

A revised EMP is required to be submitted under Regulation 17 when a new or increase in environmental impact or risk is identified (that is not considered in the current EMP). A revision is also required at the end of each 5 year period from EMP approval or renewal or when the Minister requires a revision. Refer to the [Changes to EMPs Guideline](https://depws.nt.gov.au/__data/assets/pdf_file/0004/1068304/Changes-to-EMPs-Guideline.PDF).

# Monitoring and compliance strategy

The Divisions’ Compliance and Enforcement Policy ensures legislative and regulatory requirements are applied consistently and transparently. It identifies how an authorised inspector will enforce compliance and penalties that may apply in the event of non-compliance. Refer to the Compliance and Enforcement Policy and Enforcement Guideline (awaiting publishing).

# Inspections

Authorised Inspectors undertake compliance monitoring which can include desktop reviews, site inspections or audits. Compliance monitoring may be focused on risks identified in the EMP or an industry-wide risk. Interest holders may receive notification prior to attendance however in some instance limited or no notice will be given. Authorised Inspectors have the power to enter, remain in an exploration permit area and require documents to be provided in accordance with section 88 of the Petroleum Act 1984.

# Critical control management

The Division is moving towards the critical control approach for managing environmental hazards. We are focussing our resources on the risks with higher environmental consequences. This approach is consistent with our commitment to being a risk-based regulator. Bowtie diagrams are strongly encouraged and can be used to provide an overview of preventative and mitigative controls.

# Duration of EMP

Unless revised or revoked, the EMP remains in force until the interest holder submits a Regulation 14 notice and receives a notice of acceptance.

# Rehabilitation

Rehabilitation is expected to progressively reinstate disturbed land to its pre-disturbed condition. Guidance material for interest holders provides rehabilitation expectations specifically for onshore petroleum surface activities in the Northern Territory environment. Refer to the [Rehabilitation Plan Guide](https://depws.nt.gov.au/__data/assets/pdf_file/0004/936823/Rehabilitation-Plan-Guide-v0.4.pdf).

# EMP Closure

To close an EMP, interest holders must submit a Regulation 14 notice that confirms the regulated activity is complete and demonstrates that all environmental outcomes and obligations and commitments in the EMPs have been met. The Minister will advise if the notice is accepted.

# Guidance material

The Division publishes a number of guidance documents on our website <http://depws.nt.gov.au/onshore-gas/guidelines>. Please check the site regularly to make sure you are using current templates and advice.