



**CANADA - NOVA SCOTIA
OFFSHORE PETROLEUM BOARD**

INFORMATION LETTER

TO: All Owners, Operators and Certifying Authorities in
the Nova Scotia Offshore Area

FROM: J.E. (Jim) Dickey
Chief Safety Officer
Chief Conservation Officer

RE: Regulatory Query Process

Operators and Owners in the Nova Scotia Offshore Area may wish to seek clarification on a regulatory requirement, propose to use alternate equipment, methods, measures or standards that provide an equivalent level of safety to those referenced in the regulations or seek exemption from a regulatory requirement. Such proposals should be submitted to the Canada-Nova Scotia Offshore Petroleum Board (the Board) for approval. The authority for the Board to address these proposals is contained in Section 147(1) of the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act and Section 155.(1) of the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act: (For convenience only the federal version is shown).

*155. (1) Subject to subsection (2), the Chief Safety Officer and
Chief Conservation Officer may*


*(a) authorize the use of equipment, methods, measures or
standards in lieu of any required by regulation where
those Officers are satisfied that the use of that other
equipment or those other methods, measures or standards
would provide a level of safety, protection of the
environment and conservation equivalent to that provided
by compliance with the regulations; or*

(b) grant an exemption from any regulatory requirement in respect of equipment, methods, measures or standards where those Officers are satisfied with the level of safety, protection of the environment and conservation that will be achieved without compliance with that requirement.

Although the extent of documentation will depend on the request, there should be sufficient documentation for the Board to understand what is being proposed, why it is being proposed and the rationale for the proposed action. Therefore:

- The proposal should clearly state what is being proposed and its impact on safety, environmental protection and resource conservation as applicable. Legible drawings describing the proposal should accompany the text where appropriate;
- The reason for the request should be clearly stated. This may be to confirm an interpretation; to identify problems in the literal application of a regulation, code, etc.; to request guidance where sufficient detail is not provided, or to propose an alternative arrangement;
- The rationale for the proposed action should include examples of recent practices or trends and describe how the interests of safety, environmental protection or resource conservation will be adequately served;
- When approval of the use of alternate equipment, methods, measures or standards is being requested, the supporting documentation should include a statement of concurrence from the certifying authority if the proposal relates to an approved scope of work for a certifying authority. The concurrence of the certifying authority should clearly state that the alternative requirement will meet fitness for purpose requirements under Section 4(1)(a)(ii) of the Nova Scotia Offshore Certificate of Fitness Regulations
- When the proposal is an interpretation of a requirement in a code or standard referenced in the regulations, the validity of the interpretation could be sought directly from the author of the subject code or standard (such as CSA, API). Copies of communication to and from such authors should be submitted to the Board.

Attached is a form to be submitted with any regulatory queries.

 Canada - Nova Scotia Offshore Petroleum Board REGULATORY QUERY FORM		
APPLICANT: PROJECT: SUBJECT:		APPLICANT'S FILE: DATE: PAGE: OF:
REGULATION: SOR:		SECTION:
QUERY: PROPOSAL: RATIONALE: <p style="text-align: center;">(USE ADDITIONAL PAPER IF NECESSARY)</p>		
APPLICANT SIGNATURE PER: _____ TITLE: _____ TEL. #: _____		
CERTIFYING AUTHORITY CONCURRENCE (IF APPLICABLE) PROPOSAL MEETS REQUIREMENTS OF NOVA SCOTIA OFFSHORE CERTIFICATE OF FITNESS REGULATIONS, SECTION 4(1)(a)(ii)	C-NSOPB DECISION: PER: _____ TITLE: _____ DATE: _____	
PER: _____ TITLE: _____	FOR BOARD USE ONLY:	RQF NO.: _____
		FILE NO.: _____