

# Regulatory Statement: Wet Season Regulation of the Onshore Petroleum Industry

## Purpose

It is acknowledged that management of wastewater from onshore petroleum activities is a concern to the community. The Environment Division within the Department of Environment, Parks, and Water Security (DEPWS) administers the *Petroleum (Environment) Regulations 2016 (the Regulations)*. Within the Environment Division, the Petroleum Operations unit is responsible for regulating the environmental aspects of onshore petroleum exploration and production across the Northern Territory (NT) in accordance with the regulations and the *Code of Practice: Onshore Petroleum Activities in the Northern Territory (the Code)*. The Petroleum Operations unit is committed to providing clear information on how the onshore petroleum industry in the Northern Territory is regulated during the wet season.

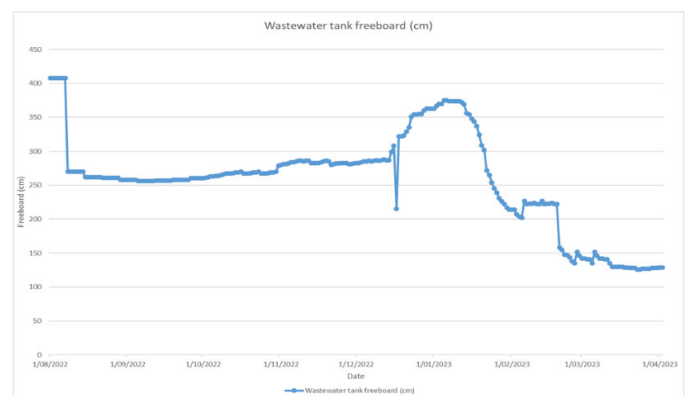
## Our role

The *Scientific Inquiry into Hydraulic Fracturing in the Northern Territory (HFI)* identified wastewater as a key environmental risk and made recommendations focussed on avoiding environmental impacts from wastewater. Onshore Petroleum interest holders currently operate in the Beetaloo Sub-basin and Central Australia, under approved environmental management plans (**EMPs**) and Minister's approval conditions.

Inspectors appointed under the *Petroleum Act 1984* assess compliance with commitments made by interest holders in an approved EMP. These compliance monitoring activities include wet season preparedness and emergency response. The Environmental Regulation Division's Compliance Plan 2023-2024<sup>1</sup> provides transparency on where regulatory effort will focus to protect the community and environment.

For the Petroleum Operations unit to achieve its priorities and monitor interest holder compliance with mandatory requirements, it undertakes the following:

- field inspections of wet season preparedness, wastewater storage and management practices
- reviews of weekly reports submitted from interest holders on freeboard levels on wastewater storage infrastructure, which are required to be monitored daily in the wet season
- reviews of reports on wastewater management and wastewater data required to be provided in accordance with the Regulations
- request and reviews prescribed records from interest holders to obtain information in relation to management of wastewater
- proactively seeks information from interest holders in advance of predicted significant rainfall events to ensure appropriate controls are in place to manage risks
- use of aerial surveillance to detect changes in onsite wastewater storage.



Compliance monitoring allows for detection of unexplained changes in wastewater volumes, should they occur.

<sup>1</sup> Available at: [https://ntepa.nt.gov.au/\\_data/assets/pdf\\_file/0019/1208053/environment-compliance-plan2023.pdf](https://ntepa.nt.gov.au/_data/assets/pdf_file/0019/1208053/environment-compliance-plan2023.pdf)

## Regulatory requirements for wastewater

The Code, developed in response to HFI recommendations, includes over 40 **mandatory** requirements for managing wastewater on a petroleum well site, including:

- maintenance of a freeboard for all wastewater infrastructure to accommodate rainfall from a 1 in 1000 year rainfall event
- ensuring containment of wastewater in enclosed tanks before any significant rainfall event
- testing of wastewater so that potential for environmental impact is known and appropriate disposal methods can be identified
- keeping prescribed records for all wastewater generated, transported, evaporated and disposed of, such that movement of wastewater can be tracked throughout the life cycle of an onshore petroleum activity
- applying restrictions on transportation of wastewater on unsealed roads in the wet season.



In addition, commitments made by an interest holder in an approved EMP must be complied with, or it may constitute a regulatory offence under regulation 31 of the Regulations, for which penalties apply.

## Our work

All sites where a regulated activity is actively being undertaken have been inspected, in some instances in collaboration with other Northern Territory Government agencies. At the commencement of the 2023-2024 wet season, the Petroleum Operations unit undertook wet season preparedness inspections of 100% of onshore petroleum well sites in the Beetaloo Sub-basin that have wastewater from drilling and/or hydraulic fracturing present. This is consistent with the Compliance Plan 2023-2024.

In line with the regulators Compliance and Enforcement Policy<sup>2</sup> (the **Policy**) and Enforcement Guideline<sup>3</sup> (the **Guideline**) all alleged non-compliances are considered with respect to:

- the seriousness of the contravention
- the actual or potential for environmental impact
- the culpability of the interest holder.

The Environmental Regulation Branch has established criteria for various levels of impacts and culpability that inform our regulatory response, in accordance with the Policy and the Guideline.

A number of regulatory instruments have been taken in relation to the onshore petroleum industry for failure to comply with requirements in an approved EMP this financial year. For transparency, these regulatory actions will be published at the end of the financial year.

Reports on wastewater management and data provided in accordance with the regulations is made public through the Petroleum Onshore Information NT portal.

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<sup>2</sup> Available at: [https://ntepa.nt.gov.au/\\_data/assets/pdf\\_file/0005/1123727/compliance-enforcement-policy.pdf](https://ntepa.nt.gov.au/_data/assets/pdf_file/0005/1123727/compliance-enforcement-policy.pdf)

<sup>3</sup> Available at: [https://ntepa.nt.gov.au/\\_data/assets/pdf\\_file/0006/1123728/enforcement-guideline.pdf](https://ntepa.nt.gov.au/_data/assets/pdf_file/0006/1123728/enforcement-guideline.pdf)