

## Member Country Profile – Netherlands

<b>Organisation:</b>	State Supervision of Mines (SSM)
<b>Country Representatives:</b>	Theodor Kockelkoren – Inspector General of Mines Boukje van der Lecq – Director Supervisory Policies and Licences Felicia Wolting – Coordinator Environmental Team
<b>Contact:</b>	info@sodm.nl
<b>Regime Scope:</b>	
<p>SSM is the Dutch regulatory authority for the exploration, production and transport of hydrocarbon resources offshore. Supervision is focused on safety, health and environment.</p> <p>Additionally, SSM is also the regulatory authority for some or all aspects of the offshore wind energy sector and CO<sub>2</sub> storage as well as the onshore oil and gas exploration and production, geothermal energy production, gas storage, salt mining and gas distribution network.</p>	
<b>Administering Agency/Arrangements:</b>	
State Supervision of Mines is a Dutch independent regulatory authority, with an Inspector General of Mines (IGM) who reports directly to the Minister of Economic Affairs and Climate Policy (MECP).	
<b>Legislation Type:</b>	
<p>The <i>Mining Law</i> provides the legislative framework for all offshore oil and gas related activities on the Dutch Continental Shelf. <i>The Mining Law</i> is supported by a <i>Mining Decree</i> and <i>Mining Regulations</i> and partly derived from the legislative framework of the European Community and OSPAR Committee Decisions. Following national laws (including decrees and regulations) are also (partly) applicable: Law on Working Conditions incl. working hours, Environmental Law, Law on Water Supply, Meteorology Law, Gas Law, Nuclear Law.</p>	
<b>Links to relevant legislation (in Dutch):</b>	
<p><i>Mining Law</i> <a href="https://wetten.overheid.nl/BWBR0014168/2023-01-01">https://wetten.overheid.nl/BWBR0014168/2023-01-01</a></p> <p><i>Mining Decree</i> <a href="https://wetten.overheid.nl/BWBR0014394/2022-01-01">https://wetten.overheid.nl/BWBR0014394/2022-01-01</a></p> <p><i>Mining Regulations</i> <a href="https://wetten.overheid.nl/BWBR0014468/2022-01-01">https://wetten.overheid.nl/BWBR0014468/2022-01-01</a></p>	
<b>Extent of Government Approval:</b>	
SSM advises the Ministry on all permits required for exploration and exploitation. This includes environmental related advice. SSM approves Reports on Major Hazards, the use of pipelines after installation and work programmes for well activities. SSM issues permits for the use of chemicals.	
<b>Nature of Duties Imposed:</b>	
The Mining Law specifies that companies have a duty to take all necessary measures to prevent negative impact on safety, people and the environment. A combination of prescriptive and goal-setting legislation is implemented. National and international standards, including industry standards are used where applicable.	

**Nature of Duties Imposed:**

The Dutch Minister of Economic Affairs and Climate Policy has initiated a public Knowledge Program on the Effects of Mining (KEM Program). Goal of this program is to enhance the understanding of the hazards and risks of mining activities in The Netherlands. This involves a range of different topics such as mechanisms and effects of induced seismicity, using reservoirs/ aquifers for storage of gases, (abandoned) well integrity. Depending on the topic these studies are led by either SSM or MEAC.

Apart from the KEM Program, SSM may also initiate investigations on an as need basis for example to support advice given to MEAC, for incident investigation purposes or responding to public enquiries.

**Physical Objects in the Regime:**

- Approximately 160 offshore installations including offshore MODU's and subsea wells.
- A few thousands kilometers of offshore pipelines (including abandoned pipelines).
- A varying number of pipe laying vessels, lifting vessels, diving and other support vessels.

**Assurance Mechanisms:**

SSM conducts inspections and audits to verify adherence to legislation. For the different laws, different enforcement instruments are available. SSM also uses the results of third party reviews. Third party reviews (design, fabrication, and installation) are required for all offshore mining installations and pipelines. Furthermore, the issuance and publication of certain enforcement actions, environmental performance reporting, incident management and incident investigations belong to SSM's assurance mechanisms.

**Financial Basis:**

SSMs budget is partly funded by the Ministry of Economic Affairs and Climate Policy, approved on an annual basis. The remainder is recovered through charges for SSM supervisory activities (retribution).

**Environmental Regulation Responsibilities:**

Environmental issues related to offshore oil and gas activities have been part of the supervisory portfolio of SSM for many years and have been carried out both on behalf of the Ministry of Economic Affairs and Climate Policy as well as the Ministry of Infrastructure and Water Management.

**Oil Spill Response:**

The primary responsibility for oil spill response lies with the Operator. Every Operator must submit an 'Oil spill contingency plan' prior to commencement of activities. In case of a serious oil spill, an agency of the Ministry of Infrastructure and Water Management with oil spill combat equipment may take the coordination. In the later instance they will liaise with the Dutch Coastguard and SSM. The coordination of an oil spill is embedded in the National Incident Response Plan developed for the North Sea. In case of a serious incident in which an offshore mining installation is involved, SSM will act in accordance with the National Response Plan North Sea and take her role in the Interdepartmental Response Team.

SSM takes part in emergency response exercises that are held regularly and which are organized by the offshore oil and gas operators.

**Transparency:**

SSM informs the public via its website [www.sodm.nl](http://www.sodm.nl), via newsletters, presentations, safety bulletins, news updates and presentations. SSM's annual reports are sent to parliament. SSM meets with its stakeholders on a regular basis and participates in meetings to inform the public on mining activities.

**Profile Date:**

February 2023