



2023 CEAA Conditions Closure Report

Newfoundland & Labrador Orphan Basin Exploration Drilling Program

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Signature Block	Name	Role	Signature	Date
Owner	Dunphy, Robert	Environment Advisor	<i>Robert Dunphy</i> DocuSigned by: B27012117FC2456...	27-Oct-2023
Stakeholder	Boudreaux, Monique	HSE Team Lead	<i>Monique Boudreaux</i> DocuSigned by: 5064424BD30B435...	27-Oct-2023
Stakeholder	Kiely, Mark D	Engineering Manager	<i>Mark D Kiely</i> DocuSigned by: 71762549CAF6A445...	28-Oct-2023
Approver	Sherritt, Allen	Senior Wells Manager	<i>Allen Sherritt</i> DocuSigned by: 167A273F7FC34DE...	28-Oct-2023

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Operating Management System (OMS) – Sub Elements and Group Essentials

Sub Element	Sub Element Title	Group Essentials
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7.1	Regulatory	7.1.3, 7.1.4, 7.1.5

Reviewers

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1. INTRODUCTION

bp Canada Energy Group ULC (bp) contracted with Stena Drilling Ltd. for the Stena IceMax drill ship to conduct an exploratory drilling program at the Ephesus wellsite from May to July of 2023. The wellsite is located 395 km northeast of St. John's in the West Orphan Basin in Exploration License (EL) 1168 (a consolidation of EL1145 and 1146) (See Figure 1-1).

The Environmental Impact Assessment for the drilling program was initiated in September 2018 and progressed in accordance with the requirements of the Canadian Environmental Assessment Act, 2012 (CEAA). The assessment was developed to support an application to the Canada Newfoundland Offshore Petroleum Board (C-NLOPB) for an operations authorization to conduct exploration drilling.

Following the public and regulatory review of the Environmental Impact Statement (EIS), in a February 2020 Decision Statement, the Minister of Environment and Climate Change determined that, with mitigations, the proposed project was not likely to cause significant adverse environmental effects (IAAC 2020).

For a more detailed description of the drilling program, see Section 2.0 of the September 2018 Newfoundland Orphan Basin Exploration Drilling Program Environmental Impact Statement which was conducted under the Canadian Environmental Assessment Act 2012 (CEAA) (registration number 80147) and can be found at the website Environmental Impact Statement - Canada.ca (<http://www.ceaa-acee.gc.ca>).

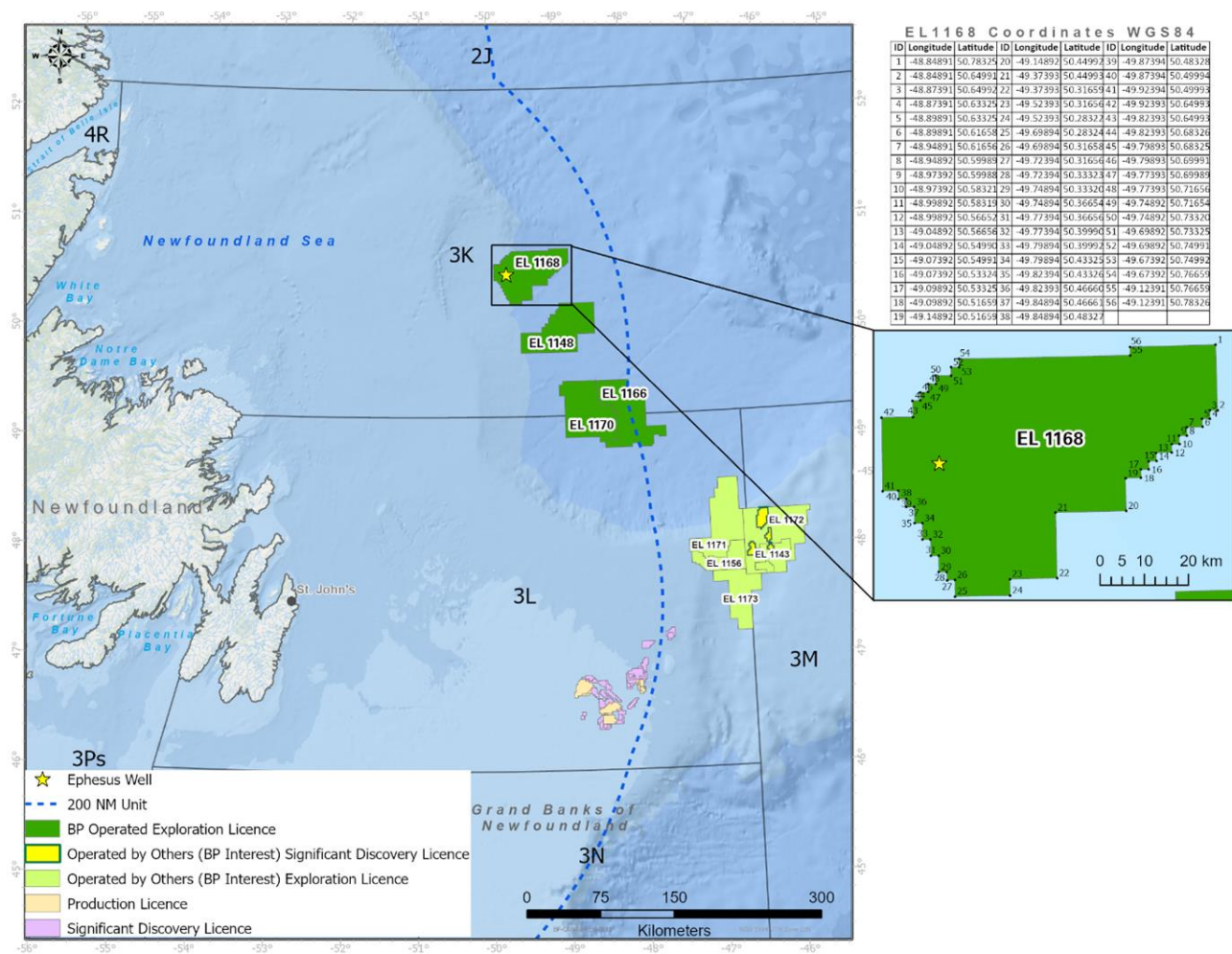


Figure 1-1: Ephesus Wellsite Within EL1168

1.1. Purpose

In accordance with subsection 53(2) of the CEAA, the February 2020 Decision Statement included a number of conditions in relation to the environmental effects referred to in subsection 5(2) of CEAA 2012 which bp committed to address before, during and after the drilling program.

This purpose of this report is to address Condition 2.8 which established a requirement for bp to report on how all conditions of the Decision Statement were addressed. The detailed requirements of Condition 2.8 can be found in Table 1-1.

Table 1-1 EIS Decision Statement Condition 2.8

Condition	Condition Details
2.8	The Proponent shall, within 90 days of the completion of the drilling program for a single year program, or annually within 90 days of the end of each calendar year of a multi-year drilling program, submit to the Board and the Agency a report, including an executive summary of the report in both official languages. The Proponent shall document in the report:
2.8.1	the activities undertaken by the Proponent in the reporting year to comply with each of the conditions set out in this Decision Statement;
2.8.2	how the Proponent complied with condition 2.1
2.8.3	for conditions set out in this Decision Statement for which consultation is a requirement, how the Proponent considered any views and information that the Proponent received during or as a result of the consultation
2.8.4	the information referred to in conditions 2.5 and 2.6 for each follow-up program
2.8.5	the results of the follow-up program requirements identified in conditions 3.12 and 4.3; and
2.8.6	any modified or additional mitigation measures implemented or proposed to be implemented by the Proponent, as determined under condition 2.7

1.2. Document Structure

The following sections of this report have the same structure as that found in the February 2020 Decision Statement referenced above. Each condition is presented with the same heading numbers that appear in the Decision Statement. After each condition a compliance statement is provided which demonstrates how the condition was addressed by bp.

2. GENERAL CONDITIONS

2.1. General

The Proponent shall ensure that its actions in meeting the conditions set out in this Decision Statement during all phases of the Designated Project are considered in a careful and precautionary manner, promote sustainable development, are informed by the best information and knowledge available at the time the Proponent takes action, including community and Indigenous traditional knowledge, are based on methods and models that are recognized by standard-setting bodies, are undertaken by qualified individuals, and have applied the best available economically and technically feasible technologies.

Compliance Statement

bp implemented a structured and disciplined approach in the identification of appropriate actions to address the Decision Statement conditions. Designated personnel were assigned responsibility for conditions applicable to their respective disciplines. This was followed by a Decision Statement review meeting with the C-NLOPB to review the conditions to confirm understanding, expectations, and to learn from past experience. The status of each condition was reviewed and discussed on a weekly basis with bp leadership and on a monthly basis with the C-NLOPB. Between the monthly meetings with the C-NLOPB, working level communications with C-NLOPB staff continued which led to a mutual understanding of desired outcomes. bp contractually engaged experienced contractors and consultants who were familiar with the regulations, standards, requirements and expectations to operate in the Newfoundland offshore area. As each condition was addressed, bp submitted information to the C-NLOPB which demonstrated compliance and requested concurrence from the C-NLOPB that the condition was appropriately addressed. Assigned actions were not closed within bp until C-NLOPB concurrence was obtained.

2.2. General

The Proponent shall carry out the Designated Project as defined in 1.9 of this Decision Statement.

Compliance Statement

The project was carried out as described in section 2 of the environmental assessment report prepared by the Impact Assessment Agency of Canada (Canadian Impact Assessment Registry Reference Number 80147).

2.3. Consultation

The Proponent shall, where consultation is a requirement of a condition set out in this Decision Statement:

2.3.1. Written Notice

provide a written notice of the opportunity for the party or parties being consulted to present their views and information on the subject of the consultation.

Compliance Statement

See response to condition 2.4 below

2.3.2. Provide Sufficient Information

provide sufficient information on the scope and the subject matter of the consultation in a period of time that allows the party or parties being consulted, to prepare their views and information.

Compliance Statement

See compliance statement for 2.4 below.

2.3.3. Impartial Consideration of Views

undertake an impartial consideration of all views and information presented by the party or parties being consulted on the subject matter of the consultation; and

Compliance Statement

See compliance statement for 2.4 below.

2.4. Consultation

The Proponent shall, where consultation with Indigenous groups is a requirement of a condition set out in this Decision Statement, communicate with each Indigenous group with respect to the manner by which to satisfy the consultation requirements referred to in condition 2.3, including methods of notification, the type of information and the period of time to be provided when seeking input, the process to be used by the Proponent to undertake impartial consideration of all views and information presented on the subject of the consultation, the period of time to advise Indigenous groups of how their views and information were considered by the Proponent and the means by which Indigenous groups will be advised.

Compliance Statement

bp recognized the importance of early and ongoing engagement with Indigenous groups and stakeholders. bp believes it is important to build positive relationships with Indigenous groups and key stakeholders to facilitate the exchange of information and understand concerns and priorities so that they can be incorporated as appropriate in the planning and operation of the project. bp recognizes the potential for project activities (including potential accidental events) to affect fisheries stakeholders and Indigenous peoples and acknowledges the importance of engaging key stakeholders and Indigenous groups to communicate project details and obtain their views on potential effects of changes to the environment and potential adverse impacts of the project on commercial fisheries and asserted or established Aboriginal and/or Treaty rights.

bp commenced consultations with regulatory bodies, Indigenous groups, and stakeholders including the fishing industry in November of 2017. Communications regarding the project continued beyond the conclusion of the project environmental assessment which concluded in February of 2020.

In preparation for the 2023 Ephesus exploration drilling program, in consultation with Indigenous groups and the fishing industry, bp developed communications plans for both groups which outlined how bp would communicate with them during project planning, operations, in the event of an incident or spill that may result in adverse environmental effects and regarding well completion and abandonment. In September 2022, bp provided Indigenous groups and fisheries stakeholders draft fisheries communications plans for their review and comments. In November 2022,

the draft Oil Spill Response Plan was issued to all groups for review and comment; the final version was provided in May 2023, along with the Spill Impact Mitigation Assessment and the Emergency Response Exercise After Action Report. As indicated in the communications plans, a monthly operational update was sent to Indigenous and commercial fisheries groups firstly on March 13, 2023, and again in April, May, and June of 2023. A notification of the conclusion of drilling was issued to all groups in late June 2023.

To facilitate external communications and the sharing of information, bp established a website dedicated to the drilling program activities [Newfoundland and Labrador | Who we are | Home \(bp.com\)](https://www.bp.com/en/canada/newfoundland-labrador/who-we-are). The site contains some background information on the project as well as key project related documents listed in condition 2.9 of the Decision Statement. Stakeholders and Indigenous Groups were notified within 48 hours of posting documents to the website.

2.5. Follow-up and Adaptive Management

The Proponent shall, where a follow-up program is a requirement of a condition set out in this Decision Statement, determine the following information, for each follow-up program:

2.5.1. Follow-up Monitoring Program Description

the methodology, location, frequency, timing and duration of monitoring associated with the follow-up program as necessary to verify the accuracy of the environmental assessment predictions as they pertain to the particular condition and to determine the effectiveness of any mitigation measure(s)

Compliance Statement

Follow-up monitoring programs / studies were established to understand effects on seabirds, vertical seismic profiling effects on marine mammals, marine sound effects on marine mammals, and effects of drilling waste discharges on benthic habitat. For each of these follow-up monitoring programs, a monitoring plan was developed and submitted to the C-NLOPB, Fisheries and Oceans Canada (DFO) and Environment Canada and Climate Change – Canadian Wildlife Service (ECCC-CWS) (as applicable) for acceptance. The plans reflected the information described above. For additional details see compliance statements for conditions 3.6, 3.9, 3.12 and 4.3.

2.5.2. Follow-Monitoring Reporting

the scope, content and frequency of reporting of the results of the follow-up program

Compliance Statement

See compliance statement for 2.5.1 above.

2.5.3. Levels of Change Requiring Modified or Additional Mitigations

the levels of environmental change relative to baseline conditions and predicted effects as described in the environmental impact statement, that would require the Proponent to implement modified or additional mitigation measure(s), including instances where the Proponent may be required to stop Designated Project activities; and

Compliance Statement

See compliance statement for 2.5.1 above. None of the follow-up monitoring identified a need for new or modified mitigation measures.

2.5.4. Mitigations for Effects Beyond Predictions

the technically and economically feasible mitigation measures to be implemented by the Proponent if monitoring conducted as part of the follow-up program shows that the levels of environmental change have reached or exceeded the limits referred to in condition 2.5.3.

Compliance Statement

None of the follow-up monitoring identified a need for new or modified mitigation measures. See compliance statement for 2.5.1 above.

2.6. Follow-up and Adaptive Management

The Proponent shall submit the information referred to in condition 2.5 to the Board prior to the implementation of each follow-up program. The Proponent shall update that information in consultation with relevant authorities during the implementation of each follow-up program and shall provide the updated information to the Board within 30 days of the information being updated.

Compliance Statement

See compliance statement for 2.5.1 above.

2.7. Follow-up and Adaptive Management

The Proponent shall, where a follow-up program is a requirement of a condition set out in this Decision Statement:

2.7.1. Conduct Follow-Up Program

conduct the follow-up program according to the information determined pursuant to condition 2.5;

Compliance Statement

See compliance statement for 2.5.1 above.

2.7.2. Validate Project Environmental Assessment Predictions

undertake monitoring and analysis to verify the accuracy of the environmental assessment as it pertains to the particular condition and/or to determine the effectiveness of any mitigation measure(s);

Compliance Statement

See compliance statement for 2.5.1 above.

2.7.3. Requirements for Modified or Additional Mitigations

determine whether modified or additional mitigation measures are required based on the monitoring and analysis undertaken pursuant to condition 2.7.2; and

Compliance Statement

See compliance statement for 2.5.1 and 2.5.4 above.

2.7.4. Develop and Implement Mitigation Measures

if modified or additional mitigation measures are required pursuant to condition 2.7.3, develop and implement these mitigation measures in a timely manner and monitor them pursuant to condition 2.7.2

Compliance Statement

See compliance statement for 2.5.4 above. None of the follow-up monitoring identified a need for new or modified mitigation measures.

2.8. Reporting (Closure Report)

The Proponent shall, within 90 days of the completion of the drilling program for a single year program, or annually within 90 days of the end of each calendar year of a multi-year drilling program, submit to the Board and the Agency a report, including an executive summary of the report in both official languages. The Proponent shall document in the report

Compliance Statement

The submission of this report and the associated executive summary (in both official languages) will address this condition.

2.8.1. Activities to Comply with Conditions

the activities undertaken by the Proponent in the reporting year to comply with each of the conditions set out in this Decision Statement

Compliance Statement

See compliance statement for 2.8 above

2.8.2. Condition 2.1 Compliance

how the Proponent complied with condition 2.1

Compliance Statement

See compliance statement for 2.1 above.

2.8.3. Stakeholder Views and Information

for conditions set out in this Decision Statement for which consultation is a requirement, how the Proponent considered any views and information that the Proponent received during or as a result of the consultation

Compliance Statement

See compliance statement for 2.4 above

2.8.4. Information Referenced in Conditions 2.5 and 2.6

the information referred to in conditions 2.5 and 2.6 for each follow-up program

Compliance Statement

See compliance statement for 2.5.1 above.

2.8.5. Follow-up Program Results

the results of the follow-up program requirements identified in conditions 3.12 and 4.3; and

Compliance Statement

See compliance statements for 2.5.1 above and 3.12 and 4.3 below.

2.8.6. New or Modified Mitigations Implemented

any modified or additional mitigation measures implemented or proposed to be implemented by the Proponent, as determined under condition 2.7

Compliance Statement

None of the follow-up monitoring identified a need for new or modified mitigation measures

2.9. Information and Submission

The Proponent shall cause to be published on the Internet the reports and the executive summaries referred to in condition 2.8, the seabed investigation survey results referred to in condition 3.6, the communication plan referred to in condition 5.1, the well and wellhead abandonment plan referred to in condition 5.2, the well control strategies referred to in condition 6.5, the Spill Response Plan referred to in condition 6.7, the Spill Impact Mitigation Assessment referred to in condition 6.11, the implementation schedule referred to in condition 7.1, monitoring and follow-up results for marine mammals, fish and fish habitat, and migratory birds and any update(s) or revision(s) to the above documents, upon submission of these documents to the parties referenced in the respective conditions. The Proponent shall notify Indigenous groups of the availability of these documents within 48 hours of their publication.

Compliance Statement

The following pre-drilling documents were posted to the internet and Indigenous groups were notified of the posting 48 hours in advance;

- the communication plan referred to in condition 5.1,
- the well and wellhead abandonment plan referred to in condition 5.2,
- the well control strategies referred to in condition 6.5,
- the Spill Response Plan referred to in condition 6.7,
- the Spill Impact Mitigation Assessment referred to in condition 6.11,
- the implementation schedule referred to in condition 7.1

As the regulatory review of the remaining documents is completed and comments are addressed, the documents will also be posted and Indigenous groups notified accordingly.

2.10. Information and Submission

When the development of a plan is a requirement of a condition set out in this Decision Statement, the Proponent shall submit the plan to the Board prior to the start of the drilling program, unless otherwise required through the condition

Compliance Statement

Prior to obtaining the operations authorization to commence drilling, all plans required were submitted to the C-NLOPB and accepted. See compliance statement for 2.5.1 above.

2.11. Change of Operator

The Proponent shall notify the Agency and Indigenous groups in writing no later than 60 days after the day on which there is a change of operator for the Designated Project

Compliance Statement

No operator changes have occurred.

2.12. Change to the Designated Project

The Proponent shall consult with Indigenous groups and relevant authorities prior to notifying the Board and the Agency of any potential changes to the Designated Project, as described in condition 2.13.

Compliance Statement

There were no material changes to the designated project. See compliance statement for condition 2.2 above. However, a communication was distributed to Indigenous groups in December of 2022 to provide notification of bp's proposal to the C-NLOPB to consolidate Exploration Licences (ELs) 1145 and 1146, which were both acquired on January 15, 2017.

2.13. Change to the Designated Project

The Proponent shall notify the Board and the Agency in writing of any potential changes to the Designated Project that would result in a change to the Designated Project description included in this Decision Statement or that may result in adverse environmental effects. In notifying the Board and the Agency, the Proponent shall provide a description of the change(s) to the Designated Project, the predicted adverse environmental effects and the proposed mitigation measures and follow-up requirements to be implemented by the Proponent to ensure that the changes do not result in adverse environmental effects greater than those predicted in the environmental assessment report. The Proponent shall also describe the results of the consultation with Indigenous groups and relevant authorities.

Compliance Statement

This condition is not applicable as no material changes were made to the project that would require notification for 2.12. However, a communication was provided to the Agency in December of 2022 to provide notification of bp's proposal to the C-NLOPB to consolidate Exploration Licences (ELs) 1145 and 1146.

3. FISH AND FISH HABITAT

3.1. Discharges

The Proponent shall treat all discharges from offshore drilling into the marine environment which, at a minimum, will meet the volumes and concentration limits identified in the Offshore Waste Treatment Guidelines, issued jointly by the National Energy Board, the Canada-Newfoundland and Labrador Offshore Petroleum Board and the Canada-Nova Scotia Offshore Petroleum Board, and any other legislative requirements, where applicable.

Compliance Statement

Prior to commencement of drilling bp submitted, for C-NLOPB acceptance, an Environmental Compliance Monitoring Plan (ECMP) for the project. The ECMP described all planned discharges and the associated monitoring requirements. This included the monitoring expectations described in the Offshore Waste Treatment Guidelines for synthetic oil on cuttings and deck drains.

3.2. Spent or Excess Synthetic-based Mud

The Proponent shall dispose of spent or excess synthetic-based drilling muds that are not re-used at an approved on-shore facility.

Compliance Statement

Approximately 1400m³ of spent and unused synthetic based mud was returned to shore for reconditioning and/or reuse.

3.3. Chemical Selection

The Proponent shall apply, at a minimum, the standards identified in the Offshore Chemical Selection Guidelines for Drilling & Production Activities on Frontier Lands, issued jointly by the National Energy Board, the Canada-Newfoundland and Labrador Offshore Petroleum Board and the Canada-Nova Scotia Offshore Petroleum Board, to select lower toxicity chemicals for use and discharge into the marine environment, including drilling fluid constituents, and shall submit any necessary risk justification pursuant to the Guidelines to the Board for acceptance prior to use.

Compliance Statement

Prior to commencement of drilling bp developed a Chemical Management Plan which adopted expectations described in the Offshore Chemical Selection Guidelines. The plan was submitted to the C-NLOPB in September of 2022 and was accepted in March of 2023. All chemical suppliers selected chemicals, which through the intended use would be released to sea, in accordance with the plan and submitted information to bp for review. bp confirmed the chemical selection process was followed appropriately for each chemical and accepted the chemicals for the intended use.

3.4. MARPOL

The Proponent shall treat all discharges from supply vessels into the marine environment in accordance with the International Maritime Organization's International Convention for the Prevention of Pollution from Ships (MARPOL) and any other legislative requirements, where applicable.

Compliance Statement

All vessels supporting the project were confirmed to have been issued an International Oil Pollution Prevention Certificate, a certificate issued to each new ship after an appointed surveyor has inspected it and found it compliant with the MARPOL convention.

3.5. Ordnance

The Proponent shall conduct a pre-drill survey with qualified individual(s) at each well site to confirm the presence or absence of any unexploded ordnance or other seabed hazards. If any such ordnance or seabed hazard is detected, it shall not be disturbed and the Proponent shall contact the Canadian Coast Guard's Joint Rescue Coordination Centre in Halifax and the Board to determine an appropriate course of action, prior to commencing drilling.

Compliance Statement

A comprehensive pre-drilling seabed survey was completed in June of 2022 for the presence of corals and sponges as well as for any apparent subsea hazards. A plan to conduct the seabed investigation survey was submitted to the C-NLOPB in May of 2022 and was accepted by the C-NLOPB and DFO in June of 2022. No unexploded ordnance or other subsea hazards were identified.

3.6. Seabed Investigation Survey

The Proponent shall develop and conduct, in consultation with Fisheries and Oceans Canada and the Board, a seabed investigation survey to confirm the presence or absence of any aggregations of habitat-forming corals or sponges or any other environmentally sensitive features, prior to drilling a well. The Proponent shall retain the services of an individual that is qualified to operate the equipment used to conduct the survey(s). Survey transect length and pattern around well sites shall be based on applicable drill cutting dispersion model results.

Compliance Statement

A plan to conduct the seabed investigation survey was submitted to the C-NLOPB in May of 2022 and was accepted by the C-NLOPB and DFO in June of 2022. The survey around the primary well site was developed based on the bp Drill Mud and Cuttings Dispersion Model. The survey indicated that, within the area surveyed, the proposed Ephesus well site posed the least environmental risk to corals and sponges.

3.7. Seabed Investigation Survey Results

If the survey(s) conducted in accordance with condition 3.6 confirm(s) the presence of aggregations of habitat-forming corals or sponges, or if other environmentally sensitive features are identified by a qualified individual, the Proponent shall change the location of the well on the seafloor or redirect drill cuttings discharges to avoid affecting the aggregations of habitat-forming corals or sponges or other environmentally sensitive features, unless not technically feasible, as determined in consultation with the Board. If not technically feasible, the Proponent shall consult with the Board and Fisheries and Oceans Canada prior to commencing drilling to determine an appropriate course of action, subject to the acceptance of the Board, including any additional mitigation measures. Consultation with Fisheries and Oceans Canada shall include mitigation options to reduce any identified risk to habitat-forming coral and sponge aggregations or other environmentally sensitive features in accordance with the provisions of the Fisheries Act.

Compliance Statement

The seabed investigation survey report was submitted to the C-NLOPB and DFO in September of 2022. An onshore video analysis was completed for sea pens and the video analysis report was submitted in January of 2023. The survey indicated that, within the area surveyed, the proposed Ephesus well site posed the least environmental risk to coals and sponges and therefore relocation of the wellsite was not necessary.

3.8. Mitigation of Seismic Sound

The Proponent shall apply Fisheries and Oceans Canada's Statement of Canadian Practice with Respect to the Mitigation of Seismic Sound in the Marine Environment during the planning and the conduct of vertical seismic surveys. In doing so, the Proponent shall establish a safety zone of a minimum radius of 500 metres from the seismic sound source.

Compliance Statement

See compliance statement for 3.9 below.

3.9. Marine Mammal Monitoring Plan

The Proponent shall develop, in consultation with Fisheries and Oceans Canada and the Board, a Marine Mammal Monitoring Plan that shall be submitted to the Board at least 30 days prior to the commencement of any vertical seismic survey. The Proponent shall implement the plan during the conduct of vertical seismic surveys. As part of the plan, the Proponent shall:

Compliance Statement

A Marine Mammal Monitoring Plan was developed and submitted to the C-NLOPB and DFO in December of 2022 and subsequently accepted. The plan was implemented during vertical seismic profiling operations in June of 2023. The plan reflected the establishment of a 500m safety zone surrounding the seismic source. Both visual monitoring and passive acoustic monitoring of the safety zone was conducted to ensure the protection of any marine mammal or sea turtle. The seismic source was not activated unless there were no observations of marine mammals or sea turtles inside the safety zone for at least 60 minutes. If any marine mammal or sea turtle was observed entering the safety zone while the seismic source was active, the source would have been shut down. During the program there were no detections of marine mammals or sea turtles entering or inside the safety zone thus the mitigations to delay start-up or a shut down the source were not required.

3.9.1. Marine Mammal Observation Requirements

develop and implement marine mammal observation requirements, including the use of passive acoustic monitoring, or equivalent technology, and visual monitoring by marine mammal observers throughout vertical seismic surveys.

Compliance Statement

See compliance statement for 3.9 above.

3.9.2. Criteria for Seismic Source Shutdown

ensure that observation requirements specify the requirement for shut down of the seismic sound source if any marine mammal or sea turtle is observed within the safety zone established in condition in 3.8.

Compliance Statement

See compliance statement for 3.9 above.

3.9.3. 60 Minute Pre-startup Observations

ensure that observation requirements specify that the start of the seismic sound source can only begin once marine mammals have not been observed within the safety zone established in condition 3.8 for 60 minutes; and

Compliance Statement

See compliance statement for 3.9 above.

3.9.4. Marine Mammal Monitoring Results

submit the results of the activities undertaken as part of the marine mammal observation requirements to the Board within 60 days of the end of the vertical seismic surveys.

Compliance Statement

A Marine Mammal Monitoring report was submitted to the C-NLOPB and DFO in July of 2023 which was within 60 days of the end of vertical seismic profiling operations. During the program there were no detections of marine mammals or sea turtles entering or inside the safety zone that resulted in a delay of start-up or a shut down.

3.10. Collision Prevention – Support Vessels

The Proponent shall implement measures to prevent or reduce the risks of collisions between supply vessels and marine mammals and sea turtles, including:

3.10.1. Shipping Lanes

requiring supply vessels to use established shipping lanes, where they exist; and

Compliance Statement

All vessels used the shipping lanes described in the project description referenced in condition 2.2. Deviations from the shipping lanes occurred when required to avoid sea ice or icebergs or other marine traffic.

3.10.2. Maximum Vessel Speed

requiring supply vessels to reduce speed to a maximum of 7 knots when a marine mammal or sea turtle is observed or reported within 400 metres of a supply vessel, except if not feasible for safety reasons.

Compliance Statement

All vessel Captains were provided with information on the environmental assessment conditions and instructions to reduce speed to 7 knots in the event of a risk of collision with any marine mammal or sea turtle.

3.11. Collision Reports

The Proponent shall report any collisions of a supply vessel with marine mammals or sea turtles to the Board, the Canadian Coast Guard Regional Operations Centre, and any other relevant authorities as soon as reasonably practicable but no later than 24 hours following the collision and notify Indigenous groups within three days.

Compliance Statement

No collisions of a supply vessel with marine mammals or sea turtles occurred thus notifications were not required.

3.12. Follow-up Monitoring for Fish and Fish Habitat

The Proponent shall develop and implement follow-up requirements, pursuant to condition 2.5, to verify the accuracy of the predictions made during the environmental assessment as it pertains to fish and fish habitat, including marine mammals and sea turtles, and to determine the effectiveness of mitigation measures identified under conditions 3.1 to 3.11. As part of these follow-up requirements, for the duration of the drilling program, the Proponent shall:

3.12.1. Synthetic Oil on Cuttings Measurement

for every well, measure the concentration of synthetic-based drilling fluids retained on discharged drill cuttings as described in the Offshore Waste Treatment Guidelines to verify that the discharge meets, at a minimum, the performance targets set out in the Guidelines and any applicable legislative requirements, and report the results to the Board.

Compliance Statement

See the compliance statement for condition 3.1 above. The residual synthetic oil on cuttings was closely monitored. A dedicated solids control technician sampled cuttings twice daily and performed the analysis to obtain the percent of residual synthetic oil content. Within 15 days of the end of the month, an environmental compliance monitoring report was submitted to the C-NLOPB which reflected the residual synthetic oil on cuttings data.

3.12.2. Follow-up Program for Sediment Deposition Effects

for the first well in each exploration licence, and for any well where drilling is undertaken in an area determined by seabed investigation surveys to be sensitive benthic habitat, and for any well located within a special area designated as such due to the presence of sensitive coral and sponge species, or a location near a special area where drill cuttings dispersion modelling predicts that drill cuttings deposition may have adverse effects, develop and implement, in consultation with Fisheries and Oceans Canada and the Board, follow-up requirements to verify the accuracy of the environmental assessment and effectiveness of mitigation measures as they pertain to the effects of drill cuttings discharges on benthic habitat. Follow-up shall include:

3.12.2.1. Sediment Deposition Measurement

measurement of sediment deposition extent and thickness post-drilling to verify the drill waste deposition modeling predictions.

Compliance Statement

A pre-drilling sediment sampling plan was submitted to the C-NLOPB and DFO in March of 2023 to collect sediment samples for baseline chemistry analysis. A report from this survey was submitted to the C-NLOPB in July of 2023. A post-drilling survey plan (for corals and sponges and cutting dispersion) was submitted to the C-NLOPB and DFO in April of 2023 and the associated report was submitted in September of 2023. The deposition of cuttings extent and thickness was determined by direct measurement of a cuttings layer recovered by a push core sampler and indirectly measured by difference in water depth on top of the cuttings pile versus

the water depth at adjacent undisturbed seafloor using a depth sensor deployed by the remote operated vehicle (ROV). Cuttings depth immediately adjacent to the wellhead was also determined by comparison of post-drilling ROV images of cuttings at the wellhead and technical drawings of the wellhead stick up height relative to the seafloor.

3.12.2.2. Benthic Fauna Survey

benthic fauna surveys to verify the effectiveness of mitigation measures; and

Compliance Statement

A comprehensive pre-drilling seabed investigation survey was completed in June of 2022 to collect data on the corals and sponges present. See the compliance statement for condition 3.6 above. A plan to conduct the seabed investigation survey was submitted to the C-NLOPB in May of 2022 and was accepted by the C-NLOPB and DFO in June of 2022. The post drilling survey referenced in the compliance statement for condition 3.12.2.1 above included a survey of corals and sponges within the predicted cuttings and mud footprint. Data was obtained on corals and sponge abundance, density and condition and was compared to similar data collected in the pre-drilling coral and sponge survey referenced in the compliance statement for condition 3.6. In a report submitted to the C-NLOPB in August of 2023, it was concluded that the effects on benthic habitat in the area surrounding the well site was aligned with that predicted in the environmental assessment.

3.12.2.3. Sediment and Benthic Fauna Report Due Date

the Proponent shall report the information collected, as identified in conditions 3.12.2.1 and 3.12.2.2, including a comparison of modelling results to in situ results, to the Board within 60 days following the drilling of the first well in each exploration licence; and

Compliance Statement

The report on the data collected on cuttings sedimentation (3.12.2.1) and on corals and sponges (3.12.2.2) was submitted to the C-NLOPB in August of 2023 within 60 days of the end of well drilling. It was concluded in the report that benthic effects associated with the discharge of drilling waste was within predictions reflected in the environmental assessment and that new or modified mitigations were not required.

3.12.3. Follow-up Program for Marine Sound

for the first well in each exploration licence, develop and implement, in consultation with Fisheries and Oceans Canada and the Board, follow-up requirements to verify the accuracy of the environmental assessment as it pertains to underwater sound levels. As part of the development of these follow-up requirements, the Proponent shall determine how underwater sound levels shall be monitored through field measurement by the Proponent during the drilling program and shall provide that information to the Board prior to the start of the drilling program.

Compliance Statement

A Marine Sound Monitoring Plan was submitted and accepted by the C-NLOPB and DFO in December of 2022. A report on the marine sound data collected was issued to the C-NLOPB in September of 2023. The report concluded that the predictions in the environmental assessment were accurate. The EIS stated that based on previous

studies, a 120 dB re 1 μ Pa threshold should be reached at 23-40 km from the wellsite. The data presented in the report confirmed the EIS statement since ALTO2 was positioned 40 km from the Stena IceMax.

3.13. Atlantic Salmon Research

The Proponent shall submit to the Board a letter, prior to the start of the drilling program, confirming its intent to participate in research pertaining to the presence of Atlantic salmon (*Salmo salar*) in the Eastern Canadian offshore areas, and update the Board and Indigenous groups annually on related research activities.

Compliance Statement

bp has an interest in several offshore land leases and as such bp is an active contributor to the Environmental Studies Research Fund (ESRF) which has initiated a research study on Atlantic salmon. The Regional Assessment of Offshore Oil and Gas Exploratory Drilling East of Newfoundland and Labrador highlighted Indigenous communities' concerns over the implications of offshore oil and gas development for Atlantic Salmon survival at sea. The ESRF is currently supporting work on this topic by a research consortium led by Fisheries and Oceans Canada. This project involves a tagging and tracking study that will document the migratory behavior of Atlantic Salmon from their natal rivers in Nova Scotia, New Brunswick, Prince Edward Island, Newfoundland and Labrador and Quebec in relation to areas of concentrated oil and gas activities in the Northwest Atlantic.

The project is using acoustic tags with an array of tag tracking receivers and satellite telemetry to better understand the migratory behaviour (location and habitat use) of salmon while at sea. The objective of this project is to determine when, where and for how long Atlantic salmon from different life stages (juvenile post-smolt, post-spawned kelt and multi-sea winter adults) are in the Eastern Canadian offshore regions. Results will support regulatory decision making in Canada's areas of offshore oil and gas activity.

In August of 2022, bp provided a letter and supporting documentation to the C-NLOPB to demonstrate bp's commitment to the ESRF including the Atlantic salmon research project.

4. MIGRATORY BIRDS

4.1. Migratory Birds Protections

The Proponent shall carry out the Designated Project in a manner that protects migratory birds and avoids harming, killing or disturbing migratory birds or destroying, disturbing or taking their nests or eggs. In this regard, the Proponent shall be in compliance, where applicable, with the Migratory Birds Convention Act, 1994, the Migratory Birds Regulations and with the Species at Risk Act and shall take into account Environment and Climate Change Canada's Avoidance Guidelines.

Compliance Statement

Throughout the drilling program bp remained compliant with the Migratory Birds Convention Act, 1994, the Migratory Birds Regulations and with the Species at Risk Act and took into account ECCC-CWS Avoidance Guidelines. In December of 2022 bp submitted a Seabird Monitoring Plan to the C-NLOPB which described mitigations to be applied to minimize risks to seabirds including maintaining safe separation distances between vessels and helicopters and seabird colonies as described in the compliance statements for conditions 4.2.7 and 4.2.8.

4.2. Migratory Birds Protections

The Proponent shall implement measures to avoid harming, killing or disturbing migratory birds, including:

4.2.1. Formation Flow Testing While Tripping

using formation flow testing while tripping, or similar technology, rather than formation testing with flaring, where acceptable by the Board;

Compliance Statement

No flaring was planned or conducted during the drilling program.

4.2.2. Limited Flaring Duration

limiting flaring to the length of time required to characterize the wells' hydrocarbon potential and as necessary for the safety of the operation;

Compliance Statement

No flaring was planned or conducted during the drilling program.

4.2.3. Flaring During Daylight

flaring as early as practicable during daylight hours to limit flaring that occurs during nighttime;

Compliance Statement

No flaring was planned or conducted during the drilling program.

4.2.4. Flaring Water Curtain

operating a water curtain barrier around the flare during flaring;

Compliance Statement

No flaring was planned or conducted during the drilling program.

4.2.5. Flaring Notification

notifying the Board at least 30 days in advance of planned flaring to determine whether the flaring would occur during a period of migratory bird vulnerability and to determine how the Proponent plans to avoid adverse environmental effects on migratory birds

Compliance Statement

No flaring was planned or conducted during the drilling program.

4.2.6. Controlled Lighting

controlling lighting required for the operation of the Designated Project for the duration of the drilling program, including the direction, timing, intensity, and glare of light fixtures, while meeting operational health and safety requirements

Compliance Statement

All vessels were required to reduce lighting when safe to do so. This included closing curtains in windows in the rooms and common areas at night. When supply boats were not involved in cargo operations, the rear deck lights were turned off. Helideck lighting was also reduced at night.

4.2.7. Vessel Separation Distance to Colonies

requiring supply and other support vessels to maintain a minimum lateral distance of 300 metres from Cape St. Francis and Witless Bay Islands Important Bird and Biodiversity Areas, unless there is an emergency situation; and

Compliance Statement

All vessel Captains were notified of the requirement to maintain a minimum lateral distance of 300m to the above referenced colonies.

4.2.8. Helicopter Separation Distance to Colonies

requiring supply helicopters to fly at altitudes greater than 300 metres above sea level from active bird colonies and at a lateral distance of 1 000 metres from Cape St. Francis and Witless Bay Islands Important Bird and Biodiversity Areas except for approach, take-off and landing maneuvers, as required under the Canadian Civil Aviation Regulations or if not feasible for safety reasons.

Compliance Statement

The helicopter contractor was advised of the requirement to maintain minimum vertical and lateral distances of 300 and 1000m respectively. These requirements were reflected in the pilots route book for the drilling program.

4.3. Follow-up Monitoring for Migratory Birds

The Proponent shall develop, prior to the start of the drilling program and in consultation with Environment and Climate Change Canada and the Board, follow-up requirements, pursuant to condition 2.5, to verify the accuracy of the environmental assessment as it pertains to migratory birds and to determine the effectiveness of the mitigation measures implemented by the Proponent to avoid harm to migratory birds, their eggs and nests, including the mitigation measures used to comply with conditions 4.1 and 4.2. The Proponent shall implement these follow-up requirements for the duration of the drilling program. As part of the follow-up, the Proponent shall:

Compliance Statement

In December of 2022 bp submitted a Seabird Monitoring Plan to the C-NLOPB which described the seabird follow-up monitoring program for the drilling project. Comments on the plan provided by the C-NLOPB and the ECCC-CWS were addressed in February 2023 and the plan was accepted for implementation in March of 2023. A follow-up monitoring report was submitted to the C-NLOPB in September of 2023 which concluded that the drilling program did not cause significant adverse effects on seabirds as predicted in the environmental assessment. Mitigation measures were also stated to have been effective in that the potential mortality of stranded Leach's Storm-Petrels was reduced by 40%.

4.3.1. Daily Marine Bird Monitoring

monitor daily for the presence of marine birds from the drilling installation using a trained observer following Environment and Climate Change Canada's Eastern Canada Seabirds at Sea Standardized Protocol for Pelagic Seabird Surveys (ECSAS) from Moving and Stationary Platforms; and

Compliance Statement

As described in the Seabird Monitoring Plan referenced above in the compliance statement for condition 4.3, seabird observers were placed on the Stena IceMax for the duration of the drilling program. The observers were trained and deemed competent in the application of the ECSAS protocol. A report on the ECSAS observation data collected was submitted to the C-NLOPB and ECCC-CWS in September of 2023. Northern fulmars were the most commonly observed seabird during the observation period.

4.3.2. Monitoring for Stranded Birds

monitor the drilling installation and supply vessels daily for the presence of stranded birds and follow Environment and Climate Change Canada's Procedures for Handling and Documenting Stranded Birds Encountered on Infrastructure Offshore Atlantic Canada.

Compliance Statement

As described in the Seabird Monitoring Plan referenced above in the compliance statement for condition 4.3, seabird observers were placed on the Stena IceMax for the duration of the drilling program. These observers were trained and deemed competent in the application of the ECCC-CWS Procedures for Handling and Documenting Stranded Birds Encountered on Infrastructure Offshore Atlantic Canada and in the ECCC-CWS Guidance for Developing Systematic Stranded Bird Survey Protocols for Vessels and Platforms. Additionally, bp provided training to designated supply vessel crew members who, like the observers on the Stena IceMax, conducted daily systematic searches for stranded birds.

5. INDIGENOUS AND COMMERCIAL FISHERIES

5.1. Fisheries Communications Plan

The Proponent shall develop and implement a Fisheries Communication Plan in consultation with the Board, Indigenous groups and commercial fishers. The Proponent shall develop the Fisheries Communication Plan prior to the start of the drilling program and implement it for the duration of the drilling program. The Proponent shall include in the Fisheries Communications Plan:

Compliance Statement

bp developed and implemented communications plans for both Indigenous groups and for commercial fishers. Draft plans were provided to both groups in September 2022 for a four-week review period. The final versions of the plans were provided to both groups in November of 2022. The plans described procedures to notify both groups on planned drilling activity as well as the process to be applied to determine if a Fisheries Liaison Officer and/or fisheries guide vessel would be necessary. The plans also described the communications to occur in the event of an accident or malfunction having potential to cause adverse environmental effects.

bp participated in Atlantic Salmon research through the Environmental Studies Research Fund (ESRF). The annual Atlantic Salmon update, issued by the ESRF was provided to Indigenous Groups in February 2023.

5.1.1. Notification Procedures

procedures to notify Indigenous groups and commercial fishers of planned drilling activity, a minimum of two weeks prior to the start of drilling of each well;

Compliance Statement

See compliance statement for condition 5.1 above.

5.1.2. Procedures to Assess Need for Fisheries Liaison Officer

procedures to determine the requirement for a Fisheries Liaison Officer (FLO) and/or fisheries guide vessel during drilling installation movement and geophysical programs;

Compliance Statement

See compliance statement for condition 5.1 above. The need for a FLO and/or guide vessel was assessed based on the One Ocean Risk Management Matrix and in consultation directly with the fishing industry.

5.1.3. Spill Notification

procedures to notify Indigenous groups and commercial fishers, in the event of a spill or unplanned release of oil or any other substance, and communicate the results of the monitoring and any associated potential health risks referred to in condition 6.10;

Compliance Statement

See compliance statement for condition 5.1 above.

5.1.4. Large Spill Communications

procedures to engage in two-way communication with Indigenous groups and commercial fishers in the event of a spill requiring a tier 2 or tier 3 spill response over the duration of the spill response; and

Compliance Statement

See compliance statement for condition 5.1 above.

5.1.5. Information to be Shared

the type of information that will be communicated to Indigenous groups and commercial fishers, and the timing of distribution of this information, that will include but not be limited to:

Compliance Statement

The type of information shared with Indigenous groups and commercial fishers and the timing of distribution of the information is described in the Fisheries Communications Plan and the Indigenous Communications Plan referenced in the compliance statement for condition 5.1 above. Both plans included a project description of planned drilling activities including details on the safety zone and marine traffic routes and scheduling.

As described in the communication plans, a monthly operational update was sent to Indigenous and commercial fisheries groups firstly on March 13, 2023, and again in April, May, and June of 2023. Updates included the status of the project and the upcoming activities. The monthly operational updates included details on the safety zone as well as marine traffic and scheduling.

5.1.5.1. Project Description

a description of planned Designated Project activities;

Compliance Statement

See compliance statement for 5.1.5.

5.1.5.2. Safety Zone

location(s) of safety exclusion zones;

Compliance Statement

See compliance statement for 5.1.5.

5.1.5.3. Marine Traffic Schedule

anticipated vessel traffic schedule;

Compliance Statement

See compliance statement for 5.1.5.

5.1.5.4. Marine Traffic Routes

anticipated vessel routes; and

Compliance Statement

See compliance statement for 5.1.5.

5.1.5.5. Wellhead Status

locations of suspended or abandoned wellheads.

Compliance Statement

See compliance statement for condition 5.2 below.

5.2. Well and Wellhead Abandonment Plan

The Proponent shall develop and implement a well and wellhead abandonment plan and submit it to the Board for acceptance at least 30 days prior to abandonment of each well. If the Proponent proposes to abandon a wellhead on the seafloor in a manner that may interfere with Indigenous or commercial fisheries, the Proponent shall develop the wellhead abandonment strategy in consultation with commercial fishers and potentially affected Indigenous groups with fishing licences that overlap with the Designated Project Area, identified in consultation with Fisheries and Oceans Canada.

Compliance Statement

bp submitted a well and wellhead abandonment plan to the C-NLOPB in December 2022 and was accepted by the C-NLOPB in March of 2023. Once drilling was completed and the well plugged, the wellhead was cut and recovered thus consultations with Indigenous groups with fishing licences in the area was not required. bp provided the Well Abandonment Plan to fisheries and Indigenous groups in advance of drilling activities.

5.3. Information Sharing

The Proponent shall provide the details of its operation, including the safety exclusion zones during drilling and testing, and the location information of abandoned wellheads if left on the seafloor, to the Marine Communications and Traffic Services for broadcasting and publishing in the Notices to Shipping, to the North Atlantic Fisheries Organization (NAFO) Secretariat, and to the Canadian Hydrographic Services (CHS) for future nautical charts and planning.

Compliance Statement

bp maintained communications with the Port aux Basques Marine Communications and Traffic Services (MCTS) office prior to, during, and after the drilling project. bp provided information to the MCTS, including details on the safety zone, to issue NAVWARNs (formerly Notices to Shipping) which described planned and ongoing activities. This included the arrival and departure of the Stena IceMax as well as the commencement and end of pre- and post-drilling surveys. In consultation with the C-NLOPB, communications with NAFO were deemed unnecessary because the wellsite was within the 200nm economic exclusion zone. Communications with the CHS was also not required because the project would not create any permanent hazards to navigation.

5.4. Lost or Damaged Fishing Gear

The Proponent shall report annually to the Board on known incidents of lost or damaged fishing gear attributed to the Designated Project and make this information available to Indigenous groups upon their request.

Compliance Statement

No incidents of lost or damaged fishing gear occurred during the project thus this condition was not applicable to the project.

6. ACCIDENTS AND MALFUNCTIONS

6.1. Emergency Response and Contingency Plans

The Proponent shall take all reasonable measures to prevent accidents and malfunctions that may result in adverse environmental effects and mitigate any adverse environmental effects from accidents and malfunctions that do occur. In doing so, the Proponent shall:

6.1.1. Adverse Weather

develop and implement operating procedures including thresholds for cessation of a work or activity, with respect to meteorological and oceanographic conditions experienced at the Designated Project location, and which reflect the facility's design limits and limits at which any work or activity may be conducted safely and without causing adverse environmental effects. These conditions include poor weather, high sea state, and presence of sea ice or icebergs; and

Compliance Statement

bp developed and submitted to the C-NLOPB in February of 2023 an Adverse Weather Protocol which described the meteorological and oceanographic related criteria as well as operational limits that if exceeded would trigger cessation of work. In April of 2023 the protocol was accepted by the C-NLOPB.

6.1.2. Implementation of Emergency Response Plan

implement emergency response procedures and contingency plans developed in relation to the Designated Project in the event of an accident or malfunction.

Compliance Statement

No accidents or malfunctions occurred which required the activation of the emergency response plan and associated contingency plans.

6.2. Physical Environment Monitoring Plan

The Proponent shall develop, in consultation with the Board and Environment and Climate Change Canada, and implement, for the duration of the drilling program, a physical environment monitoring program, in accordance with the Newfoundland Offshore Petroleum Drilling and Production Regulations that meets or exceeds the requirements of the Offshore Physical Environmental Guidelines (September 2008). The physical environment monitoring program shall be submitted to the Board for acceptance prior to the start of the drilling program.

Compliance Statement

A Physical Environment Monitoring Program Description was submitted to the C-NLOPB in December of 2022 and was accepted by the C-NLOPB in March of 2023. In September of 2023, a Physical Environment Monitoring Program Description Report was submitted to the C-NLOPB which presented the meteorological and oceanographic data collected.

6.3. Collision Avoidance – Stena IceMax

The Proponent shall prepare a plan for avoidance of drilling installation collisions with vessels and other hazards that may reasonably be expected in the Designated Project Area and submit the plan to the Board for acceptance prior to the start of the drilling program

Compliance Statement

Collision avoidance protocols were documented in the Stena Emergency Response Flowcharts. The Stena IceMax HSE Safety Case addresses the risk of collision in terms of frequency and probability. The safety case is an independently verified assessment of HSE related risks including vessel collisions. The Stena IceMax Verification Scheme outlined how Safety and Environmental Critical Equipment for collision prevention was verified to be functional, fit for purpose and ready to operate. This includes the dynamic positioning system and associated procedures. Stena Drilling also had procedures in place for support vessel and standby operations inside the 500m safety zone.

Vessel collision was also a major hazard event for bp for which a bowtie is in place. A bowtie risk analysis includes a graphic representation of a hazard and the associated preventative barriers as well as the potential consequences and barriers in place to minimize or control the consequences. The bowtie risk analysis tool enables an elevated level of oversight and verification of preventative measures in place to prevent a collision.

See compliance statement for condition 6.4.

6.4. Ice Management Plan

The Proponent shall prepare an Ice Management Plan that will include measures for avoidance of collisions with icebergs and submit the plan to the Board for acceptance prior to the start of the drilling program.

Compliance Statement

The risk of a collision with an iceberg was addressed via the development and implementation of an Ice Management Plan. The plan identified the resources and process in place to monitor icebergs and procedures to mitigate the risk of collision if an iceberg was concluded to be a threat. The Ice Management Plan was submitted to the C-NLOPB in November of 2022 and was accepted in April of 2023. A report on the data collected and actions taken under the plan was submitted to the C-NLOPB in September of 2023.

6.5. Well Control Strategies

The Proponent shall prepare and submit to the Board well control strategies prior the start of the drilling program. These well control strategies shall include:

6.5.1. Subsea Release Containment

measures for well capping and containment of fluids released from well and the drilling of a relief well, as well as options to reduce overall response timeline; and

Compliance Statement

A well control strategy summary was submitted to the C-NLOPB in December of 2022. The following documents were also submitted to the C-NLOPB which collectively reflected the bp well control strategy;

- BOP - Emergency Disconnect (Riser Disconnect)
- Capping and Containment Plan
- Well Control Bridging document
- Relief Well Contingency Plan

- Well Control Strategy
- Well Control Response Guide
- Joint Operating Manual

6.5.2. Riser Quick Disconnect

measures to quickly disconnect the marine drilling riser from the well in the event of an emergency or extreme weather conditions.

Compliance Statement

See compliance statement for condition 6.5.1 above.

6.6. Capping Stack and Relief Well Drilling Status

The Proponent shall develop and implement procedures to maintain up-to-date information on the availability of capping stack(s), vessels capable of deploying the capping stack(s), and drilling rigs capable of drilling a relief well at the Designated Project site prior to and during the drilling of each well. The Proponent shall communicate this information to the Board and update the Board, when any of this information changes, prior to and during the drilling of each well.

Compliance Statement

bp's Capping and Containment Plan was submitted as part of the operations authorization application in October of 2022. Section 6.3 Vessel Sourcing reflected a description of the process in place to maintain access to up-to-date information on available drilling rigs and vessels. The Oil Spill Response Ltd. (OSRL) software Sea/Response, was selected as the tool to obtain information on availability of rigs and vessels, bp Canada has access to the database via the bp membership in OSRL. This software was a key planning tool to ensure Incident Command was promptly aware of vessel options. Section 12 Well Capping described the capping and containment stacks available through OSRL. Regular reviews of the status and time to mobilize 3 to 4 rigs were provided to C-NLOPB during regular monthly meetings. At a local level, the availability of vessels of opportunity was also monitored by the Canadian Coast Guard certified oil spill response organization, East Coast Response Corporation, who were under contract with bp for oil spill response services.

6.7. Spill Response Plan

The Proponent shall prepare a Spill Response Plan and provide a draft of the plan to Indigenous groups for comment, taking into consideration these comments prior to submitting the plan to the Board for acceptance. The plan shall be submitted to the Board for acceptance prior to the start of the drilling program. The Spill Response Plan will include the following:

Compliance Statement

An Oil Spill Response Plan (OSRP) was submitted as part of the operations authorization application in October of 2022. A draft OSRP was issued to Indigenous groups and the commercial fishing industry in November 2022 for review and comment. No comments were received within the review cycle period which ended in December of 2022. The OSRP described procedures to respond to and mitigate the potential environmental effects of a spill of any substance that may cause adverse environmental effects, including spill containment and recovery procedures. The plan also described spill notification and reporting requirements. The OSRP was accepted by the C-NLOPB in April of 2023.

6.7.1. Spill Response Measures

procedures to respond to and mitigate the potential environmental effects of a spill of any substance that may cause adverse environmental effects, including spill containment and recovery procedures;

Compliance Statement

See compliance statement for condition 6.7 above.

6.7.2. Spill Notification and Reporting

reporting thresholds and notification procedures

Compliance Statement

See compliance statement for condition 6.7 above.

6.7.3. Wildlife Response Plan

measures for wildlife response, protection and rehabilitation, including procedures for the collection and cleaning of marine mammals, migratory birds, sea turtles and species at risk, and measures for shoreline protection and clean-up; and

Compliance Statement

A Wildlife Management Plan was submitted to the C-NLOPB in October of 2022 as part of the operations authorization application. The plan was accepted by the C-NLOPB in April of 2023.

6.7.4. Roles and Responsibilities

roles and responsibilities for offshore operations and onshore responders.

Compliance Statement

See compliance statement for condition 6.7 above

6.8. Spill Response Plan Exercise

The Proponent shall conduct an exercise of the Spill Response Plan prior to drilling activities as recommended in the Newfoundland Offshore Drilling and Production Guidelines, document any deficiencies observed during this exercise and provide these deficiencies to the Board for review, and adjust the plan to the satisfaction of the Board to address any deficiencies identified during the exercise.

Compliance Statement

An oil spill response exercise was held in January of 2023 and opportunities for improvement were identified. An exercise report was developed and submitted to Indigenous Groups in May of 2023, as well as an updated Oil Spill Response Plan. The exercise report and updated OSRP were accepted by the C-NLOPB in April of 2023.

6.9. Spill Response Plan Review

The Proponent shall review the Spill Response Plan prior to the drilling of each well to verify that it continues to be appropriate and shall update the plan as necessary and, in a manner, acceptable to the Board.

Compliance Statement

The OSRP was developed for the first time for the Ephesus well and was reviewed by relevant personnel during the development of the plan. The plan was also reviewed in training leading up to the spill exercise referenced in condition 6.8 above.

6.10. Notification of Spill

In the event of a spill or unplanned release of oil or any other substance that may cause adverse environmental effects, the Proponent shall notify the Board and any other relevant authorities as soon as possible, and implement its Spill Response Plan, including procedures for notification of Indigenous groups and commercial fishers, developed in condition 5.1.3. As required by and in consultation with the Board, this may include monitoring the environmental effects of a spill on components of the marine environment until specific endpoints identified in consultation with relevant authorities are achieved. As applicable, this may include:

Compliance Statement

Spill notification and reporting requirements were described in the OSRP as well as in the project Incident Investigation and Reporting procedure. No spill or unplanned release of oil occurred during the project thus spill notifications were not required and the OSRP was not activated.

6.10.1. Spill Effects Monitoring – Taint and Chemical Testing

sensory testing of seafood for taint, and chemical analysis for oil concentrations and any other contaminants, as applicable

Compliance Statement

See compliance statement for condition 6.10 above.

6.10.2. Spill Effects Monitoring – Fish Contamination Testing

measuring levels of contamination in recreational, commercial, and traditionally harvested fish species with results integrated into a human health risk assessment, to be submitted to relevant authorities, to determine the fishing area closure status

Compliance Statement

See compliance statement for condition 6.10 above.

6.10.3. Spill Effects Monitoring – Wildlife Monitoring

monitoring marine mammals, sea turtles and birds for signs of contamination or oiling and reporting results to the Board, Fisheries and Oceans Canada, and Environment and Climate Change Canada; and

Compliance Statement

See compliance statement for condition 6.7.3 and 6.10.1 above.

6.10.4. Spill Effects Monitoring - Benthos

monitoring benthic organisms and habitats in the event of a spill or other event that could result in smothering or localized effects to the benthic environment

Compliance Statement

See compliance statement for condition 6.10.1 above.

6.11. Spill Impact Mitigation Assessment

The Proponent shall undertake a Spill Impact Mitigation Assessment (SIMA) to identify spill response options that will be implemented in the case of a spill to provide for the best opportunities to minimize environmental consequences and provide it to the Board for review prior to the start of the drilling program.

Compliance Statement

The project SIMA was issued to the C-NLOPB in November of 2022 and was accepted in April of 2023. The SIMA was not utilized during the project as no spill occurred.

6.12. Communication of Spill Exercise Results

The Proponent shall provide Indigenous groups with the results of the exercise conducted pursuant to condition 6.8, following its review by the Board. The Proponent shall provide the final Spill Response Plan to Indigenous groups prior to the start of the drilling program and any updates to the Spill Response Plan pursuant to condition 6.9.

Compliance Statement

See compliance statement for condition 6.8 above.

6.13. Uncontrolled Subsea Release

In the event of an uncontrolled subsea release from the well, the Proponent shall begin the immediate mobilization of subsea containment and capping equipment to the site of the uncontrolled subsea release. Simultaneously, the Proponent shall commence mobilization of a relief well drilling installation.

Compliance Statement

An uncontrolled release did not occur therefore mobilization of subsea containment and capping equipment and a drill rig to drill a relief well was not required. The availability of capping and containment equipment as well as drilling rigs was monitored closely by bp as described in the compliance statement for condition 6.6 above.

6.14. Drilling at Depths > 2500m

If drilling is anticipated in water depths in excess of 2500 m, the Proponent shall undertake further analysis to confirm the capping stack technology selected can be deployed and operated safely at the proposed depth and submit this analysis to the Board for acceptance prior to the start of the drilling program.

Compliance Statement

Drilling did not take place at depths exceeding 2500m thus this condition was not applicable.

6.15. Financial Requirements and Compensation for Damages

In the event of an accident or malfunction, the Proponent shall comply with the requirements of the Accord Acts and the Canada-Newfoundland and Labrador Offshore Financial Requirement Regulations, and the requirements described in the Compensation Guidelines Respecting Damages Relating to Offshore Petroleum Activity.

Compliance Statement

As described in the communications plans referenced in the compliance statement for condition 5.1 above, bp developed a Fisheries Compensation Plan, which was applicable to lost or damaged fishing gear, and which was aligned with the C-NLOPB Compensation Guidelines Respecting Damages Relating to Offshore Petroleum Activity. The plan was submitted to the C-NLOPB in December of 2022 and was accepted by the C-NLOPB in January of 2023. If required, fishing enterprise owners could obtain a loss claim form available on bp's website (bp.com/canada).

6.16. Adverse Weather Report

The Proponent shall report annually to the Board on the effectiveness of operating procedures and cessation of work or activity thresholds, established for operating in poor weather, high sea state, and sea ice or iceberg conditions. The report shall include a description of any modifications to operations implemented in response to adverse environmental conditions, in accordance with the Newfoundland Offshore Petroleum Drilling and Production Regulations.

Compliance Statement

An Adverse Weather Report was submitted to the C-NLOPB in August of 2023 which included a description of the effectiveness of the Adverse Weather Protocol described in the compliance statement for condition 6.1.1 above. While no modifications were made to any operating procedures, operations were halted on two separate occasions due to high winds and iceberg threats.

7. IMPLEMENTATION SCHEDULE

7.1. Implementation Schedule Submission

The Proponent shall submit to the Board a schedule for each condition set out in this Decision Statement at least 30 days prior to the start of the drilling program. This schedule shall detail all activities planned to fulfill each condition set out in this Decision Statement and the commencement and estimated completion month(s) and year(s) for each of these activities.

Compliance Statement

An EIS Decision Statement condition review / orientation was held with the C-NLOPB in September and October 2022. The Implementation Schedule was subsequently developed and continued to be updated in consultation with the C-NLOPB as requirements were addressed. The first submission occurred in November and updates were submitted monthly thereafter. All conditions applicable to the pre-drilling stage were closed before drilling commenced in early May 2023. See the compliance statement for condition 2.1 above.

7.2. Drilling Activity Schedule

The Proponent shall submit to the Board a schedule outlining all activities required to carry out all phases of the Designated Project no later than 30 days prior to the start of the drilling program. The schedule shall indicate the commencement and estimated completion month(s) and year(s) and duration of each of these activities.

Compliance Statement

A schedule outlining all activities required to carry out all phases of the project was submitted to the C-NLOPB as part of the operations authorization application. The project schedule was reviewed with the C-NLOPB on monthly basis during the regularly scheduled project meeting and changes to the schedule were reviewed and discussed.

7.3. Updates to Schedules

The Proponent shall submit to the Board in writing an update to schedules referred to in conditions 7.1 and 7.2 every year no later than March 31, until completion of all activities referred to in each schedule.

Compliance Statement

See compliance statement for condition 7.2 above.

7.4. Revisions to Schedules

The Proponent shall provide to the Board revised schedules if any change is made to the initial schedules referred to in condition 7.1 and 7.2 or to any subsequent update(s) referred to in condition 7.3, upon revision of the schedules.

Compliance Statement

See compliance statement for condition 7.2 above.

8. RECORD KEEPING

8.1. Record Keeping

The Proponent shall maintain all records required to demonstrate compliance with the conditions set out in this Decision Statement. The Proponent shall provide the aforementioned records to the Board or the Agency upon demand within a timeframe specified by the Board or the Agency.

Compliance Statement

All information required to demonstrate compliance with the Decision Statement conditions will be retained and will be provided to the C-NLOPB upon request and/or when bp requests closure of a condition. bp procedures for document management requires records associated with the drilling program to be retained indefinitely.

8.2. Record Retention

The Proponent shall retain all records referred to in condition 8.1 at a facility in Canada. The records shall be retained and made available for a minimum of five years after completion of the Designated Project, unless otherwise specified by the Board. The Proponent shall inform the Board of the location of the facility where records are retained and notify the Board and the Agency at least 30 days prior to any change to the location of the facility

Compliance Statement

See compliance statement for condition 8.1 above. The bp procedure for document management establishes the principles for managing documentation in the bp Wells organization. The procedure defines a consistent method for creating, capturing, managing, and making accessible controlled documents and records to those who need them, for as long as the information is required. bp Procedure 100128 Document Management requires records associated with the drilling program to be retained indefinitely. In December of 2022 the C-NLOPB confirmed that retention of electronic records was acceptable.

8.3. Notification of Change in Contact Information

The Proponent shall notify the Board and the Agency of any change to the contact information of the Proponent included in the Decision Statement.

Compliance Statement

There has been no change to the bp contact information previously provided.