

# Towards a Clear Seabed: Navigating the UK's Decommissioning Framework

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**PRACTICES** Europe, Middle East and Africa, Offshore Oil and Gas, Oil and Gas, Oil and Gas Litigation

On 5 Sept. 2025, the United Kingdom's Offshore Petroleum Regulator for Environment and Decommissioning (**OPRED**) launched a public consultation that could reshape the regulatory landscape for offshore oil and gas decommissioning. The consultation covers two key proposals: a new methodology that prioritises decommissioning by full removal and a revision on the depth requirement for steel jacket cuttings.

## Background to the UK Guidance

The UK's international decommissioning obligations are mainly governed by the 1992 Convention for the Protection of the Marine Environment of the Northeast Atlantic (**OSPAR**). The general rule under OSPAR Decision 98/3 (the **Decision**) is that disused offshore installations must be fully removed from maritime area. However, the Decision allows limited derogations from the general rule, such that parts or all of certain types of installations including heavy steel jackets footings installed pre-1999 and gravity-based concrete installations can be left in place where, for example, full removal poses engineering challenges and safety risks.

In June 2024, OSPAR members adopted Agreement 2024-04 (the **Agreement**), which provides guidance on how derogation assessments under the Decision should be conducted. The Agreement aims to reduce the number of derogations granted and to refocus efforts on developing technology to facilitate full removal. The Agreement aligns with the UK's goal that decommissioning should aim to achieve a clear seabed.

To supplement the Agreement, OPRED is introducing and seeking consultation on a guidance for assessing derogations under the Decision (the **UK Guidance**).

The UK Guidance will apply to UK offshore oil and gas installations, excluding their topsides, where a derogation from the Decision may be considered, namely steel installations weighing more than 10,000 tonnes in air, gravity-based concrete installations, floating concrete installations and any concrete anchor-base that may interfere with other legitimate uses of the sea.

## Methodology for Assessing Derogations Under the Decision

### *Preliminary Full Removal Evaluation*

Previously, for derogation proposals under the Decision, the assessor would consider the option of full removal as part of a comparative assessment against other decommissioning options. The UK Guidance introduces a standalone preliminary assessment to determine whether full removal is "reasonably achievable". This preliminary assessment is intended to eliminate any implicit bias toward leave-in-place outcomes and ensure that full removal is considered on its own merits.

Whether full removal is "reasonably achievable" will be assessed on a case-by-case basis against the following five criteria: technical and engineering aspects (including project schedule), safety

considerations, environmental impacts, societal impacts and economics (total cost estimate of project).

Only when full removal is deemed not reasonably achievable following the preliminary assessment will OPRED proceed to assess the full derogation proposal. However, the UK Guidance is silent on how this “reasonably achievable” balance can be met against the five set criteria, creating significant uncertainty for industry stakeholders at present.

## *Derogation Proposal and OSPAR Consultation*

Once OPRED is satisfied that the preliminary assessment is completed and that the case for derogation is reasonably established, it will engage the OSPAR consultation process set out in the Decision. At this point, OPRED will forward the detailed derogation proposal, alongside its supporting report and other evidence, to the OSPAR contracting parties for consultation. OPRED will also outline proposed monitoring plans for any components left in place and conditions for approval.

## **A Policy Change: Depth of Steel Jacket Cuttings**

In parallel, OPRED is consulting on a revision to its long-standing policy requiring steel jackets to be cut and removed to a depth of three metres below the seabed. This requirement, introduced in the 1980s, was based on early assessments of potential trawl depth of fishing gear and aimed to mitigate the risk of snagging on residual infrastructure.

However, advances in fishing technology and the widespread use of navigational charts have significantly reduced that risk. OPRED now proposes that most structures be cut at seabed level – a change that could simplify operations and reduce costs.

There is one notable exception: the Southern North Sea. Due to its highly mobile seabed, structures in this region are more likely to become exposed over time, posing hazards to other sea users. OPRED is therefore considering retaining the requirement for installations in the Southern North Sea to be cut to three metres below the seabed.

## **Financial Impact Assessment**

The financial impact of the new methodology for derogation assessment is difficult to quantify, as derogation and full removal are determined on a case-by-case basis and it is not possible to correctly identify which structures will be impacted by the new methodology. OPRED estimates that if all of the remaining UK Continental Shelf is required to be fully removed, this could add approximately £1.55 billion to the current £44 billion decommissioning cost estimate published by the UK’s North Sea Transition Authority in 2024. The 2024 estimate assumed that all heavy steel jacket footings would be permitted to be left in place.

On the other hand, the change to the required depth of steel jacket cuttings could reduce decommissioning costs by anywhere from 5 percent to 50 percent depending on the structure type and could remove some of the technical barriers to full removal.

## **Next Steps**

The consultation will remain open until 14 Nov. 2025. Final guidance is expected later this year, with updates to the Offshore Oil and Gas Decommissioning Guidance Notes anticipated by spring 2026.

Operators, contractors and legal advisors should review the draft guidance carefully and consider submitting responses to the consultation. The proposed changes could significantly impact planning and costs for assets nearing end-of-life or already in the decommissioning pipeline, as the regime shifts towards prioritising full removal and tightening criteria for derogations.