



November 11, 2011

Department of the Interior  
Bureau of Safety and Environmental Enforcement (MS 4024)  
Attn: Rules Processing Team (Comments)  
381 Elden Street  
Herndon, VA 20170-4817

Re: RIN 1010-AD 73  
Revisions to Safety and Environmental Management Systems (SEMS)  
76 FR 56683

Ladies and Gentlemen:

Anadarko Petroleum Corporation appreciate this opportunity to provide written comments on BOEMRE/BSEE's proposed rule, *Oil and Gas and Sulphur Operations in the Outer Continental Shelf—Revisions to Safety and Environmental Management Systems*, 76 Fed. Reg. 56683 (Sept. 14, 2011) (hereinafter, the "SEMS II proposed rule"). Anadarko shares BSEE's concern about safety of personnel and protection of the environment, as these are core values to our industry.

Comments on Proposed SEMS II Rule:

250.1911(4)(c) ... As part of your SEMS program, all employees and contractors who perform activities on the OCS that are regulated under BOEMRE jurisdiction must be trained on ... and the development and implementation of your JSA. You must provide training to these personnel within 30 days of employment, and not less than once every 12 months thereafter....

*Comment: It makes sense for all personnel to be trained in what a JSA is, and how to participate in them, but we don't believe that all employees need to know how to develop and implement JSAs. Typically, only activity leaders or supervisors need to develop and facilitate the JSA, with all others involved in conducting the JSA itself. Training should be appropriate to the role.*

*While we believe that all employees and contractors should receive initial training, the "within 30 days of employment" clause might be too onerous and hard to meet. The best way to learn about JSAs may be "by example", when participating in actual JSAs, with additional training available later. We suggest a longer initial time period than 30 days.*

250.1915 ... Training must address the methods of recognizing and identifying hazards and how to develop and implement JSAs ...

*Comment: It makes sense for all personnel to be trained in what a JSA is, and how to participate in them, but we don't believe that all employees need to know how to develop and implement JSAs. Typically, only activity leaders or supervisors need to develop and facilitate the JSA, with all others involved in conducting the JSA itself. Equally, all employees require role-specific training on operating procedures, safe work practices, emergency response and control measures, stop work authority, ultimate work authority, employee participation, and the reporting of unsafe work conditions. Not all employees require training in the development and implementation of those topics. Training should be appropriate to the role.*

250.1920(a) ... You must have your SEMS program audited by an independent third party according to the requirements of this subpart and API RP 75, Section 12 (incorporated by reference as specified in § 250.198) within two years of the initial implementation of the SEMS program and at least once every three years thereafter.

*Question: Does the "within 2 years of the initial implementation of the SEMS program" refer to 2 years starting 11/15/2011, or 2 years starting with the effective in action date for the proposed SEMS II regulation?*

*Comment: We are concerned that the number of approved, certified, and trained 3<sup>rd</sup> party auditors may not be available in a timely enough manner to allow operators to meet this goal across the Gulf of Mexico (too many operators vying for the same limited resource). We believe Industry should continue to have the choice to either conduct internal audits of their SEMS program or hire a 3<sup>rd</sup> party audit firm; however, if BSEE maintains the position of allowing only independent 3<sup>rd</sup>*

*party audits, then we believe this should be a phased approach (2 to 3 year process) By utilizing a phased approach, this will allow sufficient time for the Center for Offshore Safety (COS) to develop plans for a training and a certification program for 3<sup>rd</sup> party auditors. COS is still in its infancy of getting organized for 4<sup>th</sup> Quarter 2011.*

250.1928(f) ... For Stop Work Authority (SWA), you must document all training and reviews and must ensure that these records are kept on the facility for 30 days.

*Question: Does this "documentation of reviews" refer to documenting the review that is supposed to take place after SWA is exercised prior to returning to work? Or does it refer to documenting reviews of the entire SWA program (which might occur on an annual basis, just as other elements of the SEMS program are reviewed annually)?*

250.1928(g) ...For Employee Participation, you must document that your employees participated in the development and implementation of the SEMS program...

*Comment: The comments section for this proposed rule (Page 56686 of Federal Register, Vol 76, #178) suggests a requirement that all personnel must have participated in the development and implementation of the SEMS program. The proposed rule wording itself does not indicate all. Although reasonable for all personnel to be trained and involved in the SEMS program, it is not reasonable that all personnel were involved in the development (writing) of the SEMS program itself.*

250.1930(2)(d) ...You must include SWA authority and expectations as a standard line item in all JSA drills. ...

*Comment: Change "JSA drills" to "JSAs".*

250.1930(2)(e) ...Additionally, a review of the SWA Policy must be completed as part of all safety meetings...

*Comment: This seems excessive. We have many, many safety meetings. You are requiring a discussion of SWA at every JSA, and requiring initial and refresher training on JSAs already. At some point, repeating something so many times may lessen the effectiveness of the message.*

250.1932(d)... Management must provide BOEMRE a copy of their employee participation program upon request.

*Comment: Our employee participation program is written into various sections of our overall SEMS management system. The best way to prove that employees are participating in the SEMS program is through the audit process, and is already covered under existing rules. We suggest that paragraph (d) be deleted.*

250.1933 (g) ...Each operator must provide training to employees on unsafe work conditions policy within 30 days of employment, and not less than once every 12 months thereafter.

*Comment: It makes sense for all personnel to be trained in how to report unsafe work conditions. While we believe that all employees and contractors should receive initial training, the "within 30 days of employment" clause might be too onerous and hard to meet. All other training requirements either reference just the need for training, or for initial + refresher training, but leave the exact time schedule to be developed by the Operator as part of an overall training program. We suggest a longer initial time period than 30 days.*

250.1933 (h) ...Each employee must be provided a card that contains the BOEMRE telephone number (1-877-440-0173) which employees can call to get information or report unsafe activities under this section.

*Comment: Our company (and I'm sure that most companies do the same) instruct personnel on how to report unsafe work conditions. To help create an open and accepting safety culture, we first encourage the person to report unsafe work conditions to an immediate supervisor, or alternatively, to higher supervisory levels. If there is any fear of reprisal (which is not allowed under either federal proposed regulations or our company policy), then we provide a corporate hot-line telephone number that can be called on an anonymous basis.*

*Our experience is that the best reports, responses, and actions are taken at the local level, and that when reporting is removed to a remote system, it is not as effective. How would the BSEE staff this type of hot-line and resulting investigation process?*

*We would rather see a requirement for each company to have an independent hot-line number where issues can be reported anonymously, as opposed to a BSEE owned system. We also believe that it would be more productive to post this type of reporting mechanism prominently at work locations (like other elements of the SEMS program or required State and Federal Law postings).*

Sincerely,



Kevin D. Renfro  
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Anadarko Petroleum Corporation