

Department of the Interior; Bureau of Safety and Environmental Enforcement; Regulations and Standards Branch  
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To: Cheryl Blundon, Regulations and Standards Branch

From: Chelsey Bruce

Re: This Notice document was issued by the **Bureau of Safety and Environmental Enforcement (BSEE)**

## 1. What is the proposal about?

Action to comply with the Paperwork Reduction Act of 1995 (PRA), The information collection request (ICR) concerns a renewal to the paperwork requirements in the regulations under *Oil-Spill Response Requirements for Facilities Located Seaward of the Coast Line*. Requiring the Secretary to establish procedures, methods, and requirements for equipment to prevent and contain discharges of oil and hazardous substances from offshore facilities, including associated pipelines. Under section 2(d)(3) of E.O. 12777, section 311(j)(5) of FWPCA, and section 4202(b)(4) of OPA, the Secretary is required to issue regulations requiring the owners or operators of offshore facilities, including associated pipelines, to prepare and submit response plans that ensure the availability of private spill-response personnel and equipment and to permit the operation of offshore facilities, including associated pipelines, without approved response plans if certain conditions are met. Under section 2(e)(3) of E.O. 12777 and section 311(j)(6)(A) of FWPCA, the Secretary must require periodic inspections of containment booms and equipment used to remove discharges at offshore facilities, including associated pipelines. The Secretary has redelegated these responsibilities to the Director, BSEE. The FWPCA, as amended by the Oil Pollution Act of 1990 (OPA), requires that a spill-response plan be submitted for offshore facilities prior to February 18, 1993. The OPA specifies that after that date, an offshore facility may not handle, store, or transport oil unless a plan has been submitted. Regulations at 30 CFR 254 establish requirements for spill-response plans for oil-handling facilities seaward of the coast line, including associated pipelines.

To provide supplementary guidance and procedures, BSEE issues Notices to Lessees and Operators (NTLs) on a regional or National basis. Regulation 30 CFR 250.103 allows BSEE to issue NTLs to clarify, supplement, or provide more detail about certain requirements. Additional guidance pertaining to Oil-Spill Response Requirements is provided by NTLs when needed. Regulations implementing these responsibilities are among those delegated to BSEE. The regulations under 30 CFR 254 pertain to preparation and submittal of response plans that ensure the availability of private-spill response personnel and equipment. All within a 60 day time frame.

## 2. Desirability of the solution

a. Do we need this? Depending on the citation the information gathered are essential for the man hours put in by individuals involved.

b. Why or why not? (Justify your answer with facts) if you have other than hour burden costs to generate, maintain, and disclose this information, you should comment and provide your total capital and startup cost components or annual operation, maintenance, and purchase of service components the Bureau representative listed in this notice.

c. Will it solve the problem? Yes

d. Why or why not? (Justify your answer with facts) Agencies must specifically solicit comments to: (a) Evaluate whether the collection is necessary or useful; (b) evaluate the accuracy of the burden of the proposed collection of information; (c) enhance the quality, usefulness, and clarity of the information to be collected; and (d) minimize the burden on the respondents, including the use of technology.

### 3. Qualifications of the proposer

a. Can the writer or his/her company/govt. really deliver? Yes

b. Why or why not? (Justify your answer with facts) Section 2(b)(3) of E.O. 12777 delegated to the Secretary of the Interior (Secretary) those responsibilities under section 311(j)(1)(C) of the Federal Water Pollution Control Act (FWPCA) (October 18, 1991; 56 FR 54757), requiring the Secretary to establish procedures, methods, and requirements for equipment to prevent and contain discharges of oil and hazardous substances from offshore facilities, including associated pipelines. Under section 2(d)(3) of E.O. 12777, section 311(j)(5) of FWPCA, and section 4202(b)(4) of OPA, the Secretary is required to issue regulations requiring the owners or operators of offshore facilities, including associated pipelines, to prepare and submit response plans that ensure the availability of private spill-response personnel and equipment and to permit the operation of offshore facilities, including associated pipelines, without approved response plans if certain conditions are met. Under section 2(e)(3) of E.O. 12777 and section 311(j)(6)(A) of FWPCA, the Secretary must require periodic inspections of containment booms and equipment used to remove discharges at offshore facilities, including associated pipelines. The Secretary has redelegated these responsibilities to the Director, BSEE.

### 4. Return on investment

a. Is the expense, whether time or money necessary? YES

b. Why or why not? (Justify your answer with facts) We use the information collected under 30 CFR 254 to determine compliance with OPA by lessees/operators. Specifically, BSEE needs the information to:

- Determine that lessees/operators have an adequate plan and are sufficiently prepared to implement a quick and effective response to a discharge of oil from their facilities or operations.
- Review plans prepared under the regulations of a State and submitted to BSEE to satisfy the requirements in 30 CFR 254 to ensure that they meet minimum requirements of OPA.
- Verify that personnel involved in oil-spill response are properly trained and familiar with the requirements of the spill-response plans and to lead and witness spill-response exercises.
- Assess the sufficiency and availability of contractor equipment and materials.
- Verify that sufficient quantities of equipment are available and in working order.
- Oversee spill-response efforts and maintain official records of pollution events.
- Assess the efforts of lessees/operators to prevent oil spills or prevent substantial threats of such discharges.

A healthy and stable economy and a healthy environment are inseparable goals. Nature will win in the end. Today I propose that the regulations on collection activities; proposals, submissions, and approval spill response requirement for facilities located seaward of the coast line be monitored in order to efficiently prepare the public for the depletion of clean water which scientists have researched and is estimated to occur in the near future.