UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT

NTL No. 2012-N07 Effective Date: November 16, 2012

NATIONAL NOTICE TO LESSEES AND OPERATORS OF
OIL, GAS, AND SULPHUR LEASES AND PIPELINE RIGHT-OF-WAY HOLDERS ON
SUBMERGED LANDS SEAWARD OF THE COASTLINE

Oil Discharge Written Follow-up Reports

This Notice to Lessees and Operators and Pipeline Right-of-Way Holders (NTL) is intended to provide clarification about the type of information you may provide for compliance with written follow-up report requirements in 30 CFR 254.46(b)(2). Under this regulation, *for all oil discharges of one barrel or more*, you must submit a written follow-up report to the Bureau of Safety and Environmental Enforcement (BSEE). This report should be submitted to the Gulf of Mexico (GOM) Oil Spill Response Division (OSRD) Regional Branch Supervisor, Alaska OSRD Region Unit Senior Analyst, or Pacific OSRD Region Unit Senior Analyst, as appropriate, within 15 calendar days after the spillage has been stopped or has ceased. Under § 254.46(b)(2), we may require additional information if it is determined that an analysis of the response is necessary. This NTL supersedes NTL No. 2007-N04, which was effective September 26, 2007.

We encourage you to include the following information in your follow-up report:

1. Name of the lessee or operator.
2. BSEE lessee or operator identification code.
3. Lessee or operator point of contact information, name, telephone number, and e-mail address.
4. Description of the initial discharge scenario including:
    a. Date and time discovered;
    b. Date and time reported;
    c. Cause; and
    d. Environmental conditions during response operations:
        i. Sea state/wave conditions;
        ii. Water surface current direction and speed;
        iii. Air temperature;
        iv. Wind speed;
        v. Wind direction; and
        vi. Name of weather system (if applicable).
5. Date and time that initial oil discharge notifications were made to the:
    a. National Response Center (also provide report number);
    b. Spill management team (if function contracted, provide name of consultant);
    c. Oil spill removal organization (OSRO) (also provide name of OSRO);
    d. BSEE regional or district office (also provide name of employee contacted);
    e. BSEE GOM Region Pipeline Section or the Pacific Region Regional Operations Section, if discharge was from a pipeline (also provide name of employee contacted).
6. Description of the oil discharge source:

a. OCS area, block and lease number;
b. Location coordinates (latitude and longitude);
c. Structure type;
d. Structure name;
e. Complex identification number; and
f. Pipeline segment number, if applicable.

7. Description of the oil discharged into the environment including:
   a. API gravity;
   b. Initial viscosity;
   c. Pour point of spilled product;
   d. Results of any chemical analysis conducted on spilled product; and
   e. If the discharge is oil- or synthetic-based drilling mud, identify the base oil and whether it is petroleum or synthetic.
8. Description of response actions. (We may ask you to provide additional information if it is determined that an analysis of the response is necessary)
9. Oil budget calculations including:
   a. Discharge rate at the time of discovery;
   b. Discharge rate over time;
   c. Date and time that the source was secured;
   d. Method used to secure the source;
   e. Discharge duration from occurrence to fully secured (days and/or hours);
   f. An estimate of total amount of oil discharged into the environment (barrels) including the method(s) and calculations (if drilling mud, note the total mud volume and the base oil volume); and
   g. An estimated total amount of oil recovered, dispersed chemically, and/or burned (barrels).
10. Observations made describing the oil in the environment including:
    a. Date and time that each observation was made;
    b. Location where observations were made;
    c. Length and width (miles and/or feet) of observed sheen;
    d. Orientation/direction product was going from the facility; and
    e. Product color.
11. Description of the response organization that was established initially and at the peak of staffing.

Under 30 CFR 254.46(b)(2), you must submit your written follow-up report within the required 15-day period after spillage has stopped or ceased, even if there is an ongoing damage assessment, meteorological conditions, or other situations that prevent you from determining a total discharge volume. You are encouraged to amend your report when that information becomes available instead of waiting for the OSRD regional representative to request this additional information.

Failure to submit written follow-up reports within the 15-day period, or in compliance with approved extensions, could result in an enforcement action, including the issuance of an Incident of Non-Compliance (INC).

Option to Submit Existing Documentation

You may use an Incident Action Plan (IAP) as your follow-up report. If you do so, we encourage you to submit the initial and most current IAP signed by the Unified Command (digital or hard copy). We also encourage you to verify that the applicable items requested above are included in the submitted IAPs.

Required Information

Whether you submit an IAP as your follow-up report or use some other format, under § 254.46(b)(2) you must include the following minimum information in your report:

a. Cause, location, volume, and remedial action taken, and

b. Sea state, meteorological conditions, and the size and appearance of the slick if the spill was more than 50 bbls.

Optional Use of Available Technology

Under 30 CFR 250.186(a)(3), you may submit digital data when we are equipped to accept it. The GOM Region has enhanced the Electronic Well Permitting and Reporting System (eWell), as described in NTL No. 2007-G15, which was effective May 14, 2007, to provide you a means to submit required information electronically. We encourage you to use eWell to provide these reports in lieu of submitting them by mail or e-mail.

Attached to NTL No. 2007-G15 is an "*Application Manual*" that provides information and guidance on obtaining access to eWell. Those companies currently using eWell need not reapply unless they intend to add new users specifically responsible for submitting these reports.

For situations where non-incident pipeline damage causes a spill as described in § 254.46(b), use the Incident and Pollution Event Report feature to report the incident and then complete the Pipeline Damage Report and link it to the eWell incident report.

Guidance Document Statement

We issue NTLs as guidance documents under the authority of the Administrative Procedure Act, 5 U.S.C. 553 (interpretive rules), to clarify and provide more detail about certain BSEE regulatory requirements and to outline the information you must provide in your various submittals. Under that authority, this NTL sets forth a policy on, and an interpretation of, regulatory requirements that provide a clear and consistent approach to complying with those requirements.

Paperwork Reduction Act of 1995 Statement

The information collection referred to in this NTL is intended to provide clarification, description, or interpretation of requirements contained in 30 CFR 254. The Office of Management and Budget (OMB) has approved the information collection requirements in these regulations under OMB Control Number 1014-0007. This NTL does not impose additional information collection requirements subject to the Paperwork Reduction Act of 1995.

Contact

Questions regarding this NTL may be directed to Mr. David M. Moore, Chief, Oil Spill Response Division by telephone at 703.787.1637, or by e-mail at david.moore@bsee.gov.

9 Nov. 2012
Dated

James A. Watson
Director