



United States Department of the Interior

BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT
WASHINGTON, DC 20240-0001

Greetings (*Tribal*) Leader:

On behalf of the Bureau of Safety and Environmental Enforcement (BSEE), I request your input on whether you may be interested in any rulemakings BSEE plans to prepare over the next few years. Your perspective is important to our rulemaking process, and we welcome the opportunity to engage with you or your designee through Government-to-Government consultations if a particular rulemaking may implicate your tribe.

Please refer to the enclosed table, which provides details about each rulemaking in BSEE's regulatory agenda. If you are interested in any of BSEE's rulemakings, please contact Jack Lorrigan, Tribal Liaison Officer, at (907) 334-5357 or via email jack.lorrigan@bsee.gov.

I hope this letter finds you and your community safe and well. Thank you in advance for your time and attention to this matter.

Sincerely,

Kevin M. Sligh
Director

Enclosures

Bureau of Safety and Environmental Enforcement – Regulatory Agenda

Regulatory Identification Number	Rule Title	Description	Rule Stage
Near-term¹			
1014-AA51	Updates of Documents Incorporated by Reference in 30 CFR Part 250 – Oil and Gas and Sulphur Operations in the Outer Continental Shelf	BSEE incorporates by reference approximately 125 industry standards in its regulations at 30 CFR Part 250. These standards are related to equipment specifications, operating practices, equipment manufacturing, and hydrocarbon measurement. Each of those incorporated references is required to identify the specific edition of the standard incorporated into the regulations. Incorporation of a specific edition of a standard into the regulations means that the regulated industry must comply with the terms of that edition, even if that edition is later updated or replaced by the organization that had developed the standard. BSEE plans to prepare two rules that would either update the editions of standards already incorporated by reference in 30 CFR part 250 or incorporate new standards not currently in 30 CFR part 250.	Proposed
1014-AA52	Oil and Gas and Sulfur Operations in the Outer Continental Shelf – Blowout Preventer Systems and Well Control Revisions	On May 15, 2019, BSEE issued a final rule entitled "Oil and Gas and Sulfur Operations in the Outer Continental Shelf Blowout Preventer Systems and Well Control Revisions" (84 FR 21908 ²) that applies to drilling, workover, completion, and decommissioning operations. Blowout preventer equipment and systems are critical components of many well operations that prevent the uncontrolled release of hydrocarbons into the marine environment during an emergency by mechanically closing valves or rams that block the flow of fluid from escaping the well. BSEE reviewed the 2019 final rule in accordance with Executive Order (E.O.) 13990 (Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis) and the E.O.'s accompanying "President's Fact Sheet: List of Agency Actions for Review." BSEE plans to prepare a rule that would update Subpart G of 30 CFR Part 250 to ensure operators perform activities in a safe and environmentally responsible manner.	Proposed
1082-AA02	Risk Management, Financial Assurance and Loss Prevention – Decommissioning	On October 16, 2020, the Bureau of Ocean Energy Management (BOEM) and BSEE published a joint proposed rule entitled "Risk Management, Financial Assurance and Loss Prevention" (85 FR 65904 ³) that would have revised policies for oil and gas operations on the Outer Continental Shelf (OCS) concerning operator compliance with financial and performance obligations. BSEE will continue to pursue this rulemaking as a BSEE-only final rule to revise policies and procedures concerning compliance with decommissioning obligations for OCS oil and gas. The	Final

¹ Publication expected within the next 3 months

² <https://www.federalregister.gov/documents/2019/05/15/2019-09362/oil-and-gas-and-sulfur-operations-in-the-outer-continental-shelf-blowout-preventer-systems-and-well-control-revisions>

³ <https://www.federalregister.gov/documents/2020/10/16/2020-20827/risk-management-financial-assurance-and-loss-prevention>

Regulatory Identification Number	Rule Title	Description	Rule Stage
	Activities and Obligations	final rule will clarify and streamline specific regulatory requirements associated with the operational and procedural aspects of applicable decommissioning responsibilities of OCS lessees and grant holders. BOEM will continue to evaluate and develop a comprehensive set of regulations to manage the risks and financial obligations associated with industry activities on the OCS and pursue these actions in a separate rulemaking under RIN 1010-AE14.	
Mid-term⁴			
1014-AA44	Oil-Spill Response Requirements for Facilities Located Seaward of the Coast Line	BSEE is responsible for ensuring that offshore oil and gas operators are trained and equipped to respond to oil spills that may result from their activities. BSEE's oil spill preparedness regulatory requirements in 30 CFR Part 254 require, for example, operators to develop oil spill response plans that respond to a worst-case oil discharge. These regulations also require the operator to ensure response equipment is in optimal readiness. BSEE plans to prepare a rule that would update its oil spill response requirements in 30 CFR Part 254, which was last updated 22 years ago.	Proposed
1014-AA45	Revisions to Subpart J – Pipelines and Pipeline Rights-of-Way	BSEE is responsible for regulating offshore oil and gas facilities, including pipelines, to ensure operations are performed in a safe and environmentally sound manner. BSEE's pipeline regulations are located in 30 CFR 250 Subpart J. Regulatory activities under the subpart J regulations range from permitting the design and installation to decommissioning of all pipelines on the U.S. OCS. BSEE plans to prepare a rule that would update 30 CFR 250 Subpart J to improve pipeline safety, environmental protection, and equipment reliability.	Proposed
1014-AA56	Updates of Documents Incorporated by Reference	BSEE incorporates by reference approximately 125 industry standards in its regulations at 30 CFR Part 250. These standards are related to equipment specifications, operating practices, equipment manufacturing, and hydrocarbon measurement. Each of those incorporated references is required to identify the specific edition of the standard incorporated into the regulations. Incorporation of a specific edition of a standard into the regulations means that the regulated industry must comply with the terms of that edition, even if that edition is later updated or replaced by the organization that had developed the standard. BSEE plans to prepare two rules that would either update the editions of standards already incorporated by reference in 30 CFR Part 250 or incorporate new standards not currently in 30 CFR Part 250.	Proposed
1082-AA03	BOEM-BSEE Renewable Energy Split Final Rule	BOEM currently has authority over all renewable energy activities on the OCS with regulations at 30 CFR Part 585. In December 2020, the Department of Interior amended its Departmental manual chapters to transfer the safety, environmental enforcement, and compliance functions for offshore renewable energy development from BOEM to BSEE. BSEE and BOEM plan to develop an administrative rule that will memorialize the Department's 2020 decision by codifying a regulatory split of functions between the two bureaus.	Final

⁴ Publication expected within 4 to 11 months

Regulatory Identification Number	Rule Title	Description	Rule Stage
Long-term⁵			
1014-AA53	Revisions to Decommissioning Requirements on the OCS	BSEE is responsible for regulating decommissioning operations on the OCS. Decommissioning entails the process of safely plugging and sealing a well after all the oil and resources have been produced/exhausted from it. The process also entails disposing of the equipment, such as platforms, used to support the production on that well. BSEE plans to prepare a rule that would address issues relating to idle iron, which are inactive facilities and structures that may require dismantling and disposal after well-plugging operations, and the decommissioning-in-place of certain subsea equipment instead of removal.	Proposed
1014-AA49	Outer Continental Shelf Lands Act; Operating in High-Pressure and/or High Temperature (HPHT) Environments	Operations in HPHT environments are relatively new on the U.S. Outer Continental Shelf (OCS). An HPHT environment is generally present when well conditions have pressures greater than 15,000 pounds per square inch absolute or have a temperature greater than 350 degrees Fahrenheit. Operations in HPHT environments require the use of equipment that exists at the limits of current technology, and there are few standards that directly address HPHT equipment and operations. On May 16, 2022, BSEE published a proposed rule entitled “Oil and Gas and Sulfur Operations in the Outer Continental Shelf-High Pressure High Temperature and Subpart B Revisions” (87 FR 29790) ⁶ that proposes to update regulations at 30 CFR 250 Subpart B by clarifying the specific HPHT information prospective operators should submit to BSEE to support the Bureau’s programmatic reviews and approvals of such projects.	Final

⁵ Publication not expected within the next 12 months

⁶ <https://www.federalregister.gov/documents/2022/05/16/2022-09560/oil-and-gas-and-sulfur-operations-in-the-outer-continental-shelf-high-pressure-high-temperature-and>