



United States Department of the Interior

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

July 1, 2025

Greetings Tribal Leader:

On behalf of the Bureau of Safety and Environmental Enforcement (BSEE), I would like to provide information and invite you or your designee to participate in government-to-government consultation on a proposed rulemaking, *Revisions to Subpart J – Pipelines and Pipeline Rights-of-Way* (Regulatory Identification Number 1014-AA45).

Background

BSEE promotes safety, protects the environment, and conserves resources offshore through vigorous regulatory oversight and enforcement under the Outer Continental Shelf Lands Act (OCSLA), among other laws. OCSLA authorizes BSEE to regulate energy- and minerals-related activities on the U.S. Outer Continental Shelf (OCS), which is seaward of states' jurisdiction off the West Coast and Hawai'i in the Pacific Ocean; off Alaska in the Beaufort and Chukchi Seas, the Bering Sea, and Cook Inlet; in the Gulf of America; and off the East Coast in the Atlantic Ocean.

BSEE is committed to meeting our federal trust obligations by consulting with Tribal Nations on a nation-to-nation basis regarding BSEE actions on the OCS that may have Tribal implications.

BSEE regulates oil and gas pipelines on the OCS to ensure operators conduct their activities safely and in an environmentally sound manner. BSEE's pipeline regulations are located in 30 CFR 250 Subpart J.¹ Regulatory activities under Subpart J 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.

In May 2023, BSEE sent a letter notifying Tribes of the initial development of proposed rulemaking 1014-AA45, *Revisions to Subpart J – Pipelines and Pipeline Rights-of-Way*, and inviting government-to-government consultation.

In March 2024, BSEE sent a letter notifying Tribes of the regulatory agenda for rulemakings that BSEE planned to pursue over the next few years. The regulatory agenda included continued proposed rulemaking 1014-AA45, *Pipelines and Pipeline Rights-of-Way Rule*.²

Summary of the Proposed Rulemaking

BSEE's regulations in 30 CFR Part 250 were published in 1988 and have not been significantly revised. This proposed rule would substantially revise BSEE's pipelines and pipeline rights-of-

¹ 30 CFR 250 Subpart J regulations are available at: <https://www.ecfr.gov/current/title-30/chapter-II/subchapter-B/part-250/subpart-J?toc=1>

² The proposed Pipelines and Pipeline Rights-of-Way Rule is listed in the Office of Information and Regulatory Affairs Fall 2024 Regulatory Plan, which is available at: <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202410&RIN=1014-AA45>

way regulations on the OCS. It would incorporate content from current BSEE policies, guidance documents, conditions of approval, and updated industry standards into the regulations. It would incorporate content from current BSEE policies, guidance documents, conditions of approval, and updated industry standards into the regulations, resulting in up-to-date pipeline regulations that reflect current industry practices and BSEE policies.

Key updates for the proposed rule include, but are not limited to:

- Address recommendations in a March 2021 Government Accountability Office report, *Offshore Oil and Gas: Updated Regulations Needed to Improve Pipeline Oversight and Decommissioning* (GAO-21-293).³
- Pipeline and riser design and installation.
- Pipeline testing.
- Safety equipment and leak detection.
- Pipeline operations and maintenance.
- Pipeline modifications and repairs.
- Pipeline decommissioning.
- Pipeline right-of-way grants.
- Umbilicals.

Tentative Schedule and Consultation Invitation

The tentative schedule for this proposed rulemaking includes publishing a Notice of Proposed Rulemaking in the Federal Register by January 2026. We will provide the Notice of Proposed Rulemaking once it is available.

In accordance with the Department of the Interior's Policy on Consultation with Indian Tribes,⁴ BSEE is seeking your input on proposed rulemaking 1014-AA45 *Revisions to Subpart J – Pipelines and Pipeline Rights-of-Way*. Input from Tribal Nations is important to shaping effective regulations and BSEE's process for developing this proposed rule. If you or your designee have questions or want to initiate consultation on this proposed rulemaking, please contact me at (202) 208-7251 or bronia.ashford@bsee.gov. You can also submit a written request to BSEE's National Tribal Engagement Program at tribalengagement@bsee.gov. We respectfully request that you submit any consultation requests by July 31, 2025.

Thank you for considering this invitation. We look forward to meeting with you and your designee(s) as you deem appropriate. If you would like to submit written comments in addition to, or instead of, consultation, you are welcome to do so via letter directly to BSEE or via the rulemaking docket at [regulations.gov](https://www.regulations.gov) once the docket is open.

Sincerely,

Bronia E. Ashford
Tribal Liaison Officer

³ The Government Accountability Office report, *Offshore Oil and Gas: Updated Regulations Needed to Improve Pipeline Oversight and Decommissioning* (GAO-21-293) is available at: <https://www.gao.gov/products/gao-21-293>

⁴ The Department of the Interior Policy on Consultation with Indian Tribes (Departmental Manual Part 512, Chapter 4) is available at: <https://www.doi.gov/document-library/departamental-manual/512-dm-4-department-interior-policy-consultation-indian-0>