



United States Department of the Interior
BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT
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Bureau Interim Directive

BID No: 2016-024N

Series: Program

To: All BSEE Employees

Approving Official: Director, Bureau of Safety and Environmental Enforcement

Office(s) of Primary Responsibility: Safety and Incident Investigations Division (SIID)

Title: Reportable Incident Notification and Investigation

Background and Purpose

The Outer Continental Shelf Lands Act (OCSLA) grants Bureau of Safety and Environmental Enforcement (BSEE) the authority to investigate incidents that occur on the Outer Continental Shelf (OCS). BSEE investigative activities identify data that could be used to inform inspections, SEMS, regulatory development or other risk considerations. Clearly identified roles and responsibilities, as well as consistent procedures, support these investigative activities and identification of data.

The purpose of this Bureau Interim Document is to establish policy and responsibilities for BSEE employees regarding reportable incidents that occur on the OCS and subsequent review, investigation, and follow up by BSEE's National Investigations Program (NIP) of such reportable incidents.

The objective is to provide national guidance specific to the responsibilities and activities of the NIP and to ensure consistent implementation practices by BSEE personnel involved in reviewing and/or investigating reportable incidents that occur on the OCS. The NIP is comprised of SIID Investigators, Regional and District Investigators (AIs).

Policy

It is BSEE policy that all reportable incidents will receive a timely and appropriate level of review, investigation, and follow up to ensure consistent data is collected, input to and easily extracted from a database for analytical and feedback purposes. By regulation, industry is required to report certain incidents to BSEE. The scope of the investigation and level of resources the NIP will dedicate to reviewing, investigating, and following up on reportable

incidents will be determined largely by the severity and complexity of the incident. Additional factors such as potential severity and potential national interest will also be taken into account. Reportable incidents will be categorized into a tiered system which will assist in determining the appropriate level of response.

Tiers

A tiered or threshold approach will be used to determine what type and amount of investigative resources will be devoted to an incident.

The tier to which a reportable injury is assigned will not be based solely on the severity of the injury. While there may be occasions where an offshore worker is seriously injured, the circumstances of the incident may not require substantial time or resources to investigate to determine what happened.

Injuries and fatalities that have been reported as non-operational will not receive a final tier determination until the Region concurs that enough information has been provided to support it being deemed non-operational.

The following criteria are intended to be used as a guideline. Final tier determination and investigative resource allocation will be made at the lowest level possible, and through a collaborative process. For those incidents that will likely be a Tier One or a Tier Two, the collaboration should occur between the District and the Office of Incident Investigation (OII). If a determination cannot be reached, the Deputy Regional Director will make the Tier determination. For those incidents that could potentially be a Tier Two or a Tier Three, the Regional Director and the Chief, SIID should be involved in the determination, particularly if a Panel is going to be formed (See BID 2016-003N).

1. Tier One: A Tier One review will include those incidents in which there was little or no harm to personnel or the environment or the potential to escalate into a more serious incident. A Tier One review will consist of telephone, eWell and/or email communication through which a BSEE Investigator can obtain sufficient information to determine the relevant facts of the incident for entry into TIMS. Tier One incidents will primarily be handled by the OII.
 - a. These incidents will include:
 - (1) operationally related injuries where additional investigative effort and resources will not change the outcome and understanding of what happened;
 - (2) Crane, Material/personnel handling or allision incidents with no harm or damage or potential for escalating to a more serious incident;
 - (3) Other minor incidents as determined by OII in coordination with the DM.
 - b. Tier One incidents will normally be reported via an Investigative Activity Report (IAR).

2. Tier Two: A Tier Two investigation will include those incidents in which there was actual harm or the threat of harm to personnel or the environment, and the harm had potential for significant impact. These incidents would potentially require additional investigative steps, such as interviews and evidence collection, as well as thorough investigative reports to adequately document and describe the incident and the actions, events and/or conditions that occurred (or did not occur).

a. These incidents will include:

- (1) operationally related injuries requiring urgent care beyond first aid on the facility and/or evacuation for urgent medical care on shore;
- (2) spills of any crude, condensate, or refined petroleum pollution (including synthetic based fluids) events greater than or equal to a barrel but less than 50 barrels;
- (3) synthetic based fluid spills greater than 50 barrels;
- (4) losses of well control for less than 30 minutes, including three categories of events: controlled flow through a diverter; uncontrolled flow resulting from a mechanical failure or procedural failure that results in a release of less than 50 bbls or 250 mcf or the initial estimated cost of the damage to the facility is greater than \$25,000; and uncontrolled flow of formation or other fluids underground or at the sea bed
- (5) the initial estimated cost of the damage to the facility is less than \$250,000 and associated with a crane/hoisting incident, allision, an explosion or a fire (related to regulated operations) and/or the threat to escalate to a more serious incident);
- (6) the initial estimated cost of the damage to the facility is greater than \$100,000 but less than \$500,000 if it is strictly related to equipment failure;
- (7) hydrogen sulfide releases that result in a 15 minute time-weighted average atmospheric concentration of 20 ppm or more anywhere on the OCS facility;
- (8) facility shutdowns due to gas release;
- (9) muster incidents related to other reportable incidents meeting this Tier Two criteria.

b. Tier Two incidents will normally be reported via a District 2010 Report. Even within this category, the level of investigative effort may differ. It will depend on the fact pattern encountered specific to each incident.

3. Tier Three: A Tier Three investigation will include those incidents in which there was serious harm to personnel safety or the environment, and the harm had significant impact.

a. These incidents will include:

- (1) operational fatalities;
- (2) operationally related life-threatening injuries;
- (3) incidents where there are multiple injured personnel;
- (4) spills of any crude, condensate, or refined petroleum pollution events greater than 50 barrels;
- (5) losses of well control greater than 30 minutes;

- (6) the initial estimated cost of the damage to the facility is greater than \$250,000 when associated with a crane incident or an allision, an explosion or a fire (related to regulated operations);
 - (7) the initial estimated cost of the damage to the facility is greater than \$500,000 when it is strictly related to equipment failure;
 - (8) crane incidents or allisions that lead to damage on the facility related to drilling and/or production processes, explosions or fires resulting in significant harm to personnel safety or the environment.
- b. Tier Three incidents will normally result in a panel investigation and will be reported via a Panel Investigation Report.

Documentation

For each incident that is reported to BSEE, ensure there is adequate documentation to support the tier determination and any subsequent investigative time and resources utilized. Utilize the National Investigations Handbook to guide the investigative process.

Responsibilities

1. Director/Deputy Director:
 - a. Provide the necessary resources to the national investigations program to implement this policy including adequate training of investigators
 - b. Ensure that senior managers are responsible and accountable for implementation of and adherence to this policy
 - c. Provide the Assistant Secretary, Land and Minerals Management with the status of major incidents such as fatalities; serious injuries; major losses of well control, fires and spills; and other significant incidents
 - d. Lead coordination and cooperation with partner Departments and Agencies at the national level
2. Region Directors/ Deputy Regional Directors:
 - a. Ensure that Regional and District offices implement and adhere to this policy
 - b. Ensure regionally based investigators receive appropriate training and resources
 - c. In coordination with the, Chief, SIID, determine when panel investigations are required, select the panel investigation team and designate the panel chair
 - d. Lead coordination and cooperation with partner Departments and Agencies at the District and Regional level
3. Chief, Office of Incident Investigation (OII), Gulf of Mexico Region:
 - a. Ensure the consistent application of this policy within appropriate Sections and in the Districts
 - b. Address any questions regarding tier determination and appropriate level of review and response
4. District Managers and Regional Supervisors:

- a. Responsible and accountable for implementation of and adherence to this policy
 - b. Ensure timely notification of all reportable incidents to appropriate investigations personnel
 - c. Ensure initial reports are accurate and complete in accordance with data stewardship standard operating procedures
 - d. When notifying investigations personnel of reportable incidents, ensure district/regional staff and investigative staff discuss and determine the appropriate tier the reportable incident should be
 - e. Consult with the OII if there are questions regarding tier determination.
5. Chief, SIID:
- a. Serves as the National Program Manager for Investigations
 - b. Establish national policies regarding incident investigations conducted by BSEE Investigators in coordination with Regional Directors
 - c. Establish national policies regarding required training for BSEE Investigators in coordination with Regional Directors and Deputies
 - d. Establish procedures for how investigations are conducted and documented, and how incident information is managed
 - e. In coordination with the Regional Director(s), determine when panel investigations are required, select the panel investigation team and designate the panel chair
 - f. Ensure cooperation and coordination with partner Departments and Agencies occurs at the appropriate level
 - g. Establish national performance measures and conducts analysis

Authorities

1. Outer Continental Shelf Lands Act (OCSLA), 43 U.S.C. §1348
2. Oil and Gas and Sulphur Operations in the Outer Continental Shelf, 30 CFR Part 250
3. Federal Oil and Gas Royalty Management Act (FOGRMA), 30 U.S.C. § 1701 et seq.
4. Oil Pollution Act, 33 U.S.C. §2701 et seq.
5. Clean Air Act, 42 U.S.C. § 7401 et seq.

Supersession and Expiration:

This directive supersedes BID 2016-001N, the February 2010 Gulf of Mexico Regional policy and all previous policies regarding incident notification and/or incident investigations regardless of whether previous policies are from Headquarters, the Regions or the Districts.

This interim directive will remain in effect until it is superseded, rescinded, or incorporated in a manual chapter or handbook, whichever is sooner.

Attachments

None

Contact

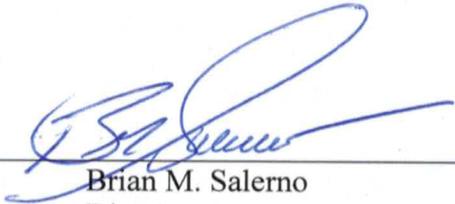
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Director
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Date