

Bureau of Safety and Environmental Enforcement
Interim Policy Document

Effective Date: JUN 21 2013

IPD No: 2013-07

Series: Program

Title: "Rigs-to-Reefs" Policy

Originating Office: Environmental Enforcement Division

1. Purpose. This Interim Policy Document (IPD) establishes policy, responsibilities, and high-level processes for the evaluation of platform-removal applications seeking an alternative to onshore disposal through the approval of tow-and-place, topple-in-place, and partial removal-in-place of obsolete/decommissioned oil and gas structures for conversion to artificial reefs.

2. Authorities.

- A. Outer Continental Shelf Lands Act and amendments (OCSLA, 43 U.S.C. § 1331 et. seq.);
- B. National Environmental Policy Act (NEPA) of 1969 (42.U.S.C. § 4321-4347).

3. Policy. The issuance of this IPD denotes the conclusion of the initial State and Federal agency coordination recommended in the 2009 Rigs-to-Reefs Policy Addendum. This IPD supersedes the addendum and incorporates policy changes derived from those efforts as well as those from various Rigs-to-Reefs workshops. This IPD does not outline specific procedures for processing structure-removal permit applications that will be covered under Standard Operating Procedures.

4. References.

- A. Regulations: Oil and Gas and Sulphur Operations in the Outer Continental Shelf (30 C.F.R. Part 250 Subpart Q -- Decommissioning Activities (§§ 250.1700-1754));
- B. Rigs-to-Reefs Policy, Progress, and Perspective: OCS Report MMS 2000-073, New Orleans, October 2000;
- C. National Fishing Enhancement Act of 1984 (33 U.S.C. § 2101 et seq.);
- D. National Artificial Reef Plan: Guidelines for Siting, Construction, Development, and Assessment of Artificial Reefs; United States (U.S.) Department of Commerce, National Oceanic and Atmospheric Administration, February 2007; and
- E. National Guidance: Best Management Practices for Preparing Vessels Intended to Create Artificial Reefs; U.S. Environmental Protection Agency and U.S. Maritime Administration, May 2006.

5. Procedures.

A. Under its regulations at 30 C.F.R. §§ 250.1725 and 250.1730, BSEE may grant a departure from the requirement to remove a platform or other facility and allow partial structure removal or toppling in place so that the structure can be converted to an artificial reef. BSEE supports and encourages the reuse of obsolete oil and gas structures as artificial reefs and will grant a lessee/operator a departure under 30 C.F.R. § 250.1730 from the removal requirements in 30 C.F.R. § 250.1725(a) and applicable lease obligations provided that the following requirements are met:

- (1) The structure becomes part of a State artificial reef program that complies with the criteria in the National Artificial Reef Plan (§ 250.1730(a));
- (2) The responsible State agency acquires a permit from the U.S. Army Corps of Engineers and accepts title and liability for the reefed structure once removal/reefing operations are concluded (§ 250.1730(a)); and
- (3) The lessee/operator satisfies any U.S. Coast Guard navigational requirements for the reefed structure (§ 250.1730(b)).

In addition, when deciding whether to grant a departure from the removal requirements, BSEE will consider whether the reefing proposal complies with the substantive Engineering and Environmental Standards set forth in Section 5.D. below.

B. BSEE will work with operators and may grant necessary extensions to the time requirements under 30 CFR § 250.1725(a) to allow for the processing and approval of BSEE permits and/or other State/Federal program requirements needed to reef the structure.

C. The extensions granted in Section 5.B. are based upon the operator's decision to follow the requirements of section 5.A. above (the conversion of their oil and gas structure into an artificial reef). Should the operator change its decision, BSEE will withdraw its approval of the extension, set a new date for compliance with the regulations, and take enforcement action, as appropriate.

D. Engineering and Environmental Standards: BSEE will review each structure-removal permit application proposing Rigs-to-Reefs for adherence to the following engineering and environmental standards:

- (1) The structure must be stable and not endanger nearby infrastructure and/or protected resources:
 - (a) Debris piles, debris fields, and/or reef baskets will not be allowed;
 - (b) Reefing will not be permitted in areas of seafloor instability, mudflows, and other geohazards that may have an impact on the stability of the structure; and
 - (c) The structure must be situated in the most stable orientation in its final disposition.

(2) The structure must be free from all potentially hazardous and non-structural items. Decks may be considered for reef material if all non-structural components are removed, i.e., equipment, vessels, piping/tubing, wiring, etc., and a facility inspection is conducted and documented by BSEE or an approved third-party prior to reefing.

(3) Reef sites must not hinder future oil and gas, marine mineral, and/or renewable energy/alternative activity operations under OCSLA:

(a) Future reef sites will be reviewed for impact on future pipeline operations.

(b) Future reef sites will be reviewed for impact on future resource extraction, e.g., oil, gas, sulphur, and sand resources.

(4) Reef sites must not lead to avoidable space-use conflicts with other users of the OCS as per 30 CFR § 250.1703(f); this is primarily a concern for structures to be reefed-in-place.

(5) Severance methodologies must consider habitat preservation and reefing orientation, as well as properly balancing personnel safety with environmental concerns.

(a) The use of explosive-severance tools on *in-situ* material, i.e., structures to be reefed-in-place will be evaluated and approved on a case-by-case basis.

(b) Explosive-severance tools will not be approved if analysis determines that they will cause harm to established artificial reef sites and/or natural biological/topographic features, such as the Flower Garden Banks and Pinnacles.

(6) BSEE will not grant departures from removal requirements associated with platforms toppled due to structural failure.

6. Responsibilities.

A. Chief, Environmental Enforcement Division is responsible for oversight of the rigs-to-reefs policy and ensuring coordination with the appropriate regional personnel, applicable State/Federal agencies, and industry/public stakeholders.

B. Regional Directors are responsible for providing overall regional policy and guidance concerning oversight of structure-removal operations.

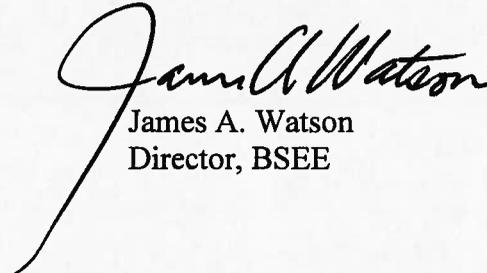
C. Regional Supervisors, Regional Field Operations are responsible for the processing, technical review, and making the decision to approve/disapprove structure-removal permit applications proposing rigs-to-reefs.

D. Regional Environmental Officers are responsible for regional oversight and coordination of the rigs-to-reefs policy and the environmental review of platform-removal applications proposing rigs-to-reefs, as well as issuing the required NEPA decision documents in support of BSEE's decision to approve/disapprove the structure-removal permit.

7. Reporting Requirements. All information related to structure-removal permit applications proposing rigs-to-reefs will be saved in the appropriate BSEE data system (currently the Technical Information Management System).

8. Contact. For additional information related to this IPD and/or BSEE's Rigs-to-Reefs Policy, please contact Mr. Daniel "Herb" Leedy, at 504-736-2776 or daniel.leedy@bsee.gov.

9. Cancellation. This IPD will remain in effect until incorporated into the BSEE Manual, cancelled, or superseded.



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