



**MEMORANDUM OF AGREEMENT  
BETWEEN THE  
BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT –  
U.S. DEPARTMENT OF THE INTERIOR  
AND THE  
U.S. COAST GUARD – U.S. DEPARTMENT OF HOMELAND SECURITY**

**BSEE/USCG MOA: OCS-05**

**Effective Date: January 18, 2017**

**SUBJECT: INCIDENT NOTIFICATION & INVESTIGATIONS**

**A. PURPOSE**

The purpose of this Memorandum of Agreement (MOA) is to clarify roles and responsibilities of the Bureau of Safety and Environmental Enforcement (BSEE) and the U.S. Coast Guard (USCG) when investigating incidents on the U.S. Outer Continental Shelf (OCS).

**B. SCOPE**

This MOA supplements Sections E and F of the most current BSEE/USCG Memorandum of Understanding (MOU) signed on November 27, 2012. This document also supersedes all previous editions of MMS/USCG MOA: OCS-05: Incident Investigations signed on March 27, 2009. The participating agencies will review their internal procedures and, where appropriate, revise them to implement the provisions of this MOA.

**C. AUTHORITIES**

The USCG enters this agreement under the authority of 14 U.S. Code (USC) §§ 93(a)(20) and 141.<sup>1</sup> The USCG regulates offshore activities pursuant to: the OCSLA, as amended, 43 USC §§ 1331 *et seq.*, including §§ 1333, 1347, 1348, 1356;<sup>2</sup> the Oil Pollution Act of 1990, 33 USC §§ 2701 *et seq.*, including 33 USC § 2712(a)(5)(A);<sup>3</sup> Section 311 of the Federal Water Pollution Control Act, also known as the Clean Water Act, 33 USC § 1321;<sup>4</sup> the Maritime Transportation Security Act, 46 USC § 70103;<sup>5</sup> Coast Guard Marine Investigation Authorities contained in 46

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<sup>1</sup> Pub. L. 103-206, § 316, 107 Stat 2426 (1993); Pub. L. 104-324, Title IV, § 405(a), 110 Stat. 3924 (1996).

<sup>2</sup> Outer Continental Shelf Lands Act Amendments of 1978, Pub. L. 95-372, Title II, § 201, 92 Stat. 632.

<sup>3</sup> Oil Pollution Act of 1990, Pub. L. 101-380, Title I, § 1012 (codified as amended by Pub. L. 111-281, 124 Stat. 2984 (2010)).

<sup>4</sup> Federal Water Pollution Control Act of 1972, Pub. L. 92-500, § 311 (codified as amended by Pub. L. 107-303 (2002)).

<sup>5</sup> Maritime Transportation Security Act of 2002, Pub. L. 107-295, Title I, § 102(a) (as amended by Pub. L. 111-281, Title VIII, § 812(c), 124 Stat. 2997 (2010)).

USC §§ 6301 to 6308; and Executive Order 12777.<sup>6</sup> Applicable USCG regulations are found under parts of Titles 33 (Navigation and Navigable Waters) of the Code of Federal Regulations (CFR) and 46 (Shipping) CFR. The USCG also exercises authority under the National Contingency Plan, 40 CFR Part 300.

The BSEE enters this agreement under the authority of OCSLA;<sup>7</sup> Section 311 of the Clean Water Act;<sup>8</sup> the Energy Policy Act of 2005;<sup>9</sup> and Executive Order 12777.<sup>10</sup> Applicable BSEE regulations are found under relevant parts of Title 30 (Mineral Resources) of the CFR, including Parts 250 and 254.

#### **D. JURISDICTION**

The BSEE Investigations Program is responsible for investigating reportable incidents that occur on the OCS related to systems associated with exploration, drilling, completion, work over, production, pipeline, and decommissioning operations for hydrocarbons and other minerals in order to determine what caused the incident outlined under 30 CFR Part 250. In addition, BSEE conducts an investigation any time BSEE receives a credible report of alleged hazardous or unsafe working conditions on any facility engaged in OCS activities.

The USCG is responsible for investigating OCS related marine casualties outlined under 46 CFR Part 4 and 46 CFR Part 5.

43 USC § 1348 grants the USCG and BSEE the authority to investigate incidents resulting from operations on the OCS. Additionally, it authorizes the issuing of subpoenas and administering of oaths to witnesses. The authority is delegated to USCG Investigating Officers in 33 Code of Federal Regulations (CFR) Part 140 and to BSEE in 30 CFR Part 250.

#### **E. DEFINITION**

Incident – Any unexpected event occurring in the course of an OCS activity that affects or is likely to affect operational safety or the environment.

Loss of well control – as defined in 30 CFR 250.188(a)(3) includes:

- i. Uncontrolled flow of formation or other fluids. The flow may be to an exposed formation (an underground blowout) or at the surface (a surface blowout),
- ii. Flow through a diverter, or
- iii. Uncontrolled flow resulting from a failure of surface equipment or procedures.

#### **F. AGENCY RESPONSIBILITIES**

##### **1. COORDINATION AND CONTACTS**

While BSEE and the USCG have separate regulations which cover OCS operations and incidents, there is significant overlap in these regulations as indicated in Tables 1.A. and 1.B.

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<sup>6</sup> Exec. Order No. 12,777, 56 Fed. Reg. 54757 (1991).

<sup>7</sup> 43 USC §§ 1331, *et seq.*

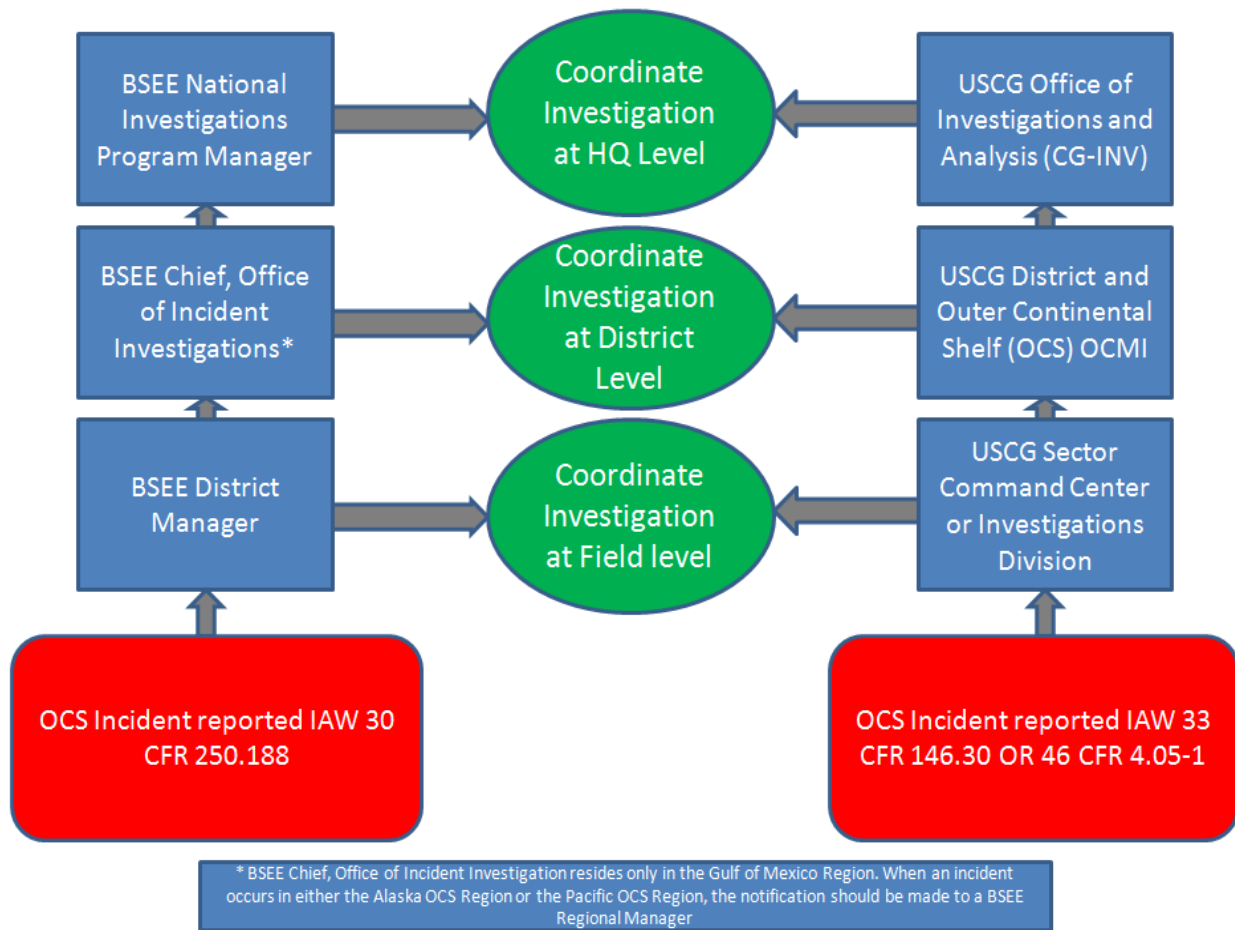
<sup>8</sup> 33 USC § 1321.

<sup>9</sup> Pub. L. 109-58 (2005).

<sup>10</sup> 56 Fed. Reg. 54757 (1991).

of this document. In the interest of having a streamlined, consistent and national approach to investigations, it is prudent that each organization share reports of incidents and coordinate investigative efforts regarding OCS facilities. Open communications between BSEE and the USCG are critical to ensure a consistent interagency approach is applied for each reported incident. In accordance with the current regulations, incident notifications will be made to the nearest USCG Command Center and/or to the BSEE District Manager. USCG and BSEE investigators should coordinate investigative efforts at the field level whenever an agency receives an OCS incident report. If further clarification is required, notifications shall be made to the BSEE National Investigations Program Manager and the USCG Office of Investigations and Analysis. The USCG and BSEE Headquarters components will discuss the incidents and reach consensus on each agency's role. The agreed upon approach will then be briefed to each agency's field office for appropriate action. The following graphic displays coordination steps as applicable for OCS incidents reported to the USCG or BSEE:

### OCS Incident Reporting and Agency Coordination



Immediate contact between BSEE and the USCG regarding OCS incidents serves to initiate early and effective collaboration so that the proper decisions on response and investigations can be made. An early coordinated USCG-BSEE approach will ensure unity of effort, expedite mitigation operations, and improve the quality of investigations.

## 2. INCIDENT INVESTIGATIONS

Once an initial incident notification is made to a BSEE District Manager or USCG Sector Command Center, the agency receiving the initial report will confer with their counterpart at the other agency to determine roles and responsibilities for the pending investigation. For higher profile incidents and in instances where a consensus on the investigative approach cannot be reached at the field level, field level agency representatives should contact their respective district offices. USCG shall contact the OCMI, OCS prior to contacting District, and District shall contact USCG Chief of the Office of Investigations. BSEE should contact the Chief, Regional Office of Incident Investigations prior to contacting the BSEE National Investigations Program Manager. Respective headquarters level notifications shall be made through the chain of command and in accordance with respective agencies policy for each OCS fatality, fire/explosion, and oil spill of over 200 barrels. To avoid duplication of effort and to simplify administration, the responsibility for investigating and preparing public reports rests with the agency listed in Table 4 of this MOA (System/Sub-System Responsibility Matrix). The lead agency is responsible for coordinating with the other agency, as appropriate. This coordination will take place through the appropriate USCG Sector Chief of Investigations Division (see Table 2) and the appropriate BSEE Regional Coordinator (see Table 3).

### a. Initial Response

BSEE and the USCG agree that it is important to visit the site of an investigation as soon as possible to conduct an initial assessment. Because the circumstances of an incident may not be well-known initially, both BSEE and the USCG should make every effort to send inspectors/investigators together to conduct an initial assessment. Each agency will share information gathered during this initial assessment through the appropriate USCG Sector Chief of Investigations Division/BSEE Regional Coordinator as deemed appropriate or when requested by the other agency. This includes, but is not limited to, CG-2692 written report of marine casualty (USCG to BSEE) and BSEE eWell Permitting and Reporting System (BSEE to USCG). After the initial assessment is conducted, each agency shall make an initial report of findings, verbally or otherwise, to their respective chain of command contacts, through the proper channels, to ensure that all notifications are met and there is proper coordination. In the event that an Incident Command System (ICS) has been established in response to an incident, the lead agency representative (Sector/District Manager) will coordinate with personnel at the incident command post (ICP) as appropriate.

### b. Incidents with Joint Agency Investigative Interest

Some incidents may involve more than one system/sub-system or circumstances that result in both agencies having investigative responsibilities and interests. In these cases, both agencies, by mutual agreement of the USCG Sector Chief of Investigations Division/BSEE Regional Coordinator, will decide on one of the following courses of action:

- (1) Investigation with support from another agency: The appropriate USCG Sector Chief of Investigations Division/BSEE Regional Coordinator will designate one agency to lead the investigation with supporting participation by the other agency. The specific details of a supporting agency's participation in a supported investigation will be determined on a case-by-case basis. The lead agency will be responsible for investigating the incident and preparing, approving, and releasing the report in accordance with the normal procedures of that agency. However, prior to the public release of a lead agency report, the USCG Sector Chief of Investigations Division/BSEE Regional Coordinator will provide the supporting agency an opportunity to comment. If the supporting agency's conclusions and/or recommendations differ with those of the lead agency, the matter should be forwarded up the chain of command for further review.
- (2) Concurrent Independent Investigation: Each agency will conduct its own investigation and publish its own independent report. Prior to releasing a report, each agency will provide a draft copy to the other in order to solicit feedback and in acknowledgement of the other agencies findings via an electronic means of verification. (email, etc.)

In each of these previously listed scenarios, a brief of the investigations plan, tentative timeline, and proposed communication plan as appropriate will be provided to each agency's respective headquarters level representative.

The USCG Sector Chief of Investigations Division/BSEE Regional Coordinator for the two agencies will share information gathered during their investigations to the maximum extent feasible subject to the Privacy Act and any existing requirements regarding protection of classified or proprietary information. Proprietary, confidential, or sensitive information shared between the two agencies will be so marked by the agency providing the information.

If at any point during an investigation BSEE identifies a situation or information that potentially relates to National Security, Homeland Security, or criminal activity, BSEE will immediately notify the appropriate USCG Sector Command Center. In the case of potential criminal activity, BSEE will also notify the Department of the Interior's Office of Inspector General as well as relay this information to local USCG investigations office who will notify USCG Investigative Services.

### **3. ENFORCEMENT**

If during the course of any investigation, one agency identifies a potential violation of the other agency's regulations, the agency that identified the potential violation will notify the appropriate headquarters level contact of the other agency, specifically CG-INV and BSEE National Investigations Program through the appropriate channels. BSEE's National Investigations Program will refer the potential violation to BSEE's Safety Enforcement Division.

#### **4. INFORMATION SHARING**

BSEE and the USCG agree to follow their internal protocols as well as existing regulations and practices for information sharing between partner agencies. While each agency shall maintain their own independent investigation, each shall work closely with the other to ensure all safety and security factors are captured and addressed upon final draft of each respective agency's report. When investigative or other relevant information is released to the public, it will be the responsibility of the releasing agency to adhere to applicable laws. Vetting of all investigative reports by the respective agency when overlapping investigations activities have occurred will be conducted prior to the releasing of the report for public consumption. Verification of the vetting process shall be conducted via electronic means.

Both agencies will routinely share completed investigation reports for all fatalities, major fires/explosions, collisions, and oil spills that result in more than 200 barrels of oil released. The agencies will share completed investigation reports for other incidents on a yearly basis through an information sharing process established at USCG District and BSEE regional manager levels. Once compiled, reports will be forward to each respective agencies headquarters in order to capture and implement recommendations, as appropriate.

#### **5. AGENCY TRAINING**

To the extent feasible, the two agencies will provide each other with an opportunity to attend incident investigation training courses that they sponsor. These include, but are not limited to, Investigator Officer Course, Yorktown; BSEE training course at FLETC, Charleston; interagency attendance of commercially available interview courses (REID, etc); and use of established industry training facilities (Shell MODU trainer Robert, LA, etc). Each agency should make all attempts at extending an invitation to participate in investigation of incidents by the other agency to establish known practices as well as foster lines of communications. It is paramount that those individuals attending training from the other agency be assigned as an investigator at their respective agency.

#### **6. REGULATORY COORDINATION**

BSEE and the USCG will inform each other of proposed regulations that may affect incident reporting and investigations. The two agencies will coordinate these regulatory developments through their headquarters contacts to ensure that they are consistent to the extent practical and to reduce duplication of effort by the agencies and the regulated community.

#### **G. GENERAL PROVISION**

Nothing in this MOA alters, amends, or affects in any way the statutory authority of BSEE or the USCG. As required by the Antideficiency Act, 31 USC §§ 1341 and 1342, all commitments made by the participating agencies in this MOA are subject to the availability of appropriated funds and budget priorities. Nothing in this MOA, in and of itself, obligates the parties to expend appropriations or to enter into any contract, assistance agreement, or interagency agreement, or to incur financial obligations. Any transaction involving transfers of funds between the parties to this MOA will be handled in accordance with applicable laws, regulations, and procedures under separate written agreements.


This MOA is not intended to, nor does it, create any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity by any person or party against the United States, its agencies, its officers, or any other person. This MOA neither expands nor is in derogation of those powers and authorities vested in the participating agencies by applicable law. Nothing in this MOA is intended to conflict with current law or regulation or the directives of the USCG or BSEE. If a term of this MOA is inconsistent with such authority, that term is invalid, but the remaining terms and conditions of this MOA will remain in full force and effect. If any portion of this MOA conflicts with the BSEE/USCG MOU, the MOU controls.

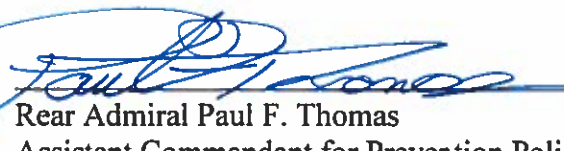
**H. AMENDMENTS TO THE MOA**

This MOA may be amended by mutual agreement of the participating agencies as described in Section I of the BSEE/USCG MOU signed 27 November 2012.

**I. TERMINATION**

This MOA may be terminated by either of the participating agencies after providing 30-days advance written notice to the other agency.

  
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Mr. Brian M. Salerno  
Director  
Bureau of Safety and Environmental Enforcement  
U.S. Department of the Interior

  
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Rear Admiral Paul F. Thomas  
Assistant Commandant for Prevention Policy (CG-5P)  
U.S. Coast Guard  
U.S. Department of Homeland Security



**Table 1.A. Incident Reporting Requirements by Type of OCS Facility/Vessel Engaged in OCS Activity**

	Fixed OCS Facility	Floating OCS Facility	US MODU	Foreign MODU	Foreign Vessel	US Vessel
BSEE 30 CFR Part 250	250.188 Thru 250.190	250.188 Thru 250.190	250.188 Thru 250.190	250.188 Thru 250.190	250.188 Thru 250.190	250.188 Thru 250.190
USCG 33 CFR Subchapter N	146.30	146.30	Part 4 made applicable by 33 CFR 146.30 & 46 CFR 109.411	146.303	146.303	Sec. 146.301 refers to 46 CFR Parts 4 & 109
USCG 46 CFR Part 4	N/A	N/A	Part 4 made applicable to US MODUs by 109.411	N/A	N/A	4.05-1, -5, -10
USCG 46 CFR Part 109	N/A	N/A	Part 4 made applicable to US MODUs by 109.411	N/A	N/A	N/A



**Table 1.B.** OCS Reporting Requirements by Incident Type

Category	Subcategory <sup>11</sup>	BSEE 30 CFR Parts 250 <sup>12</sup>	USCG 33 CFR Part 146 <sup>13</sup>	USCG 46 CFR Part 4 <sup>14</sup>
	Fatality	250.188(a)(1)	146.30(a)(1) and 146.303(a)	4.05-1(a)(5)
Injury	Requiring evacuation	250.188(a)(2)		
	Causing incapacitation for more than 72 hrs		146.30(b)(2) 146.303(c)	
	To 5 or more people		146.30(a)(2) 146.303(b)	
	Resulting in more than one day away from work or restricted work	250.188(b)(1)		
	Requiring professional medical treatment and (for commercial vessels) rendering person unfit to perform duty			4.05-1(a)(6)
Fire, Explosion, or Property Damage	All Fires and Explosions	250.188(a)(4)		
	Materially and adversely affecting seaworthiness, including fire and flooding			4.05-1(a)(4)
	Any property damage ≥ \$25K	250.188(b)(4)	146.30(b)(4) (floating facilities only)	4.05-1(a)(7)
	Property damage ≥ \$25K resulting from a collision with a vessel	250.188(a)(6)	146.30(b)(3)	
	Any structural damage	250.188(a)(7)		

<sup>11</sup> Any particular incident may fall into multiple categories or subcategories depending on the factual circumstances. For example, injuries to 5 or more people, reportable to USCG under 33 CFR Part 146, may also be injuries requiring evacuation, reportable to BSEE under 30 CFR Part 250. It is impossible to know all of the categories or subcategories that may apply to an incident without knowing the facts.

<sup>12</sup> These reporting requirements apply to incidents that occur on an area covered by a lease, right-of-use and easement, pipeline right-of-way, or other permit issued by BOEM or BSEE, and that are related to operations resulting from the exercise of rights under the lease, right-of-use and easement, pipeline right-of-way, or permit.

<sup>13</sup> Section 146.30 applies to all Fixed and Floating OCS Facilities as defined in 33 CFR §140.10. Section 146.303 applies only to “vessels engaged in OCS activities other than United States vessels already required to report marine casualties under Subpart 4.05 of 46 CFR part 4 or subpart D of 46 CFR part 109.” (See 146.301)

<sup>14</sup> In general, the marine casualty reporting requirements of 46 CFR Part 4 apply only to US-flagged vessels. See 46 CFR 4.03-1. 46 CFR 109.411 applies those requirements to US-flagged MODUs.

Category	Subcategory <sup>11</sup>	BSEE 30 CFR Parts 250 <sup>12</sup>	USCG 33 CFR Part 146 <sup>13</sup>	USCG 46 CFR Part 4 <sup>14</sup>
Damage to firefighting or lifesaving/safety equipment or systems		250.188(a)(9)	146.30(b)(1)	4.05-1(a)(4) (includes damage to auxiliary power or bilge-pumping systems)
Grounding/allisions (with bridges)	Unintended			4.05-1(a)(1)
	Intended, if it causes navigation, environmental or safety hazard			4.05-1(a)(2)
Release, discharge, or loss of well control	All releases of H <sub>2</sub> S	250.188(a)(5)		
	Significant Environmental Harm (i.e., from discharge of oil, noxious liquids, hazardous substances or marine pollutants, per 46 CFR 4.03-65(b))			4.05-1(a)(8)
	All losses of well control	250.188(a)(3)		
	Gas releases that initiate a shutdown	250.188(a)(2)		
Crane/material handling incidents		250.188(a)(8)		
Muster for evacuation (non-weather-related)		250.188(b)(3)		
Loss of propulsion, steering, or maneuverability control system				4.05-1(a)(3)

<sup>11</sup> Any particular incident may fall into multiple categories or subcategories depending on the factual circumstances. For example, injuries to 5 or more people, reportable to USCG under 33 CFR Part 146, may also be injuries requiring evacuation, reportable to BSEE under 30 CFR Part 250. It is impossible to know all of the categories or subcategories that may apply to an incident without knowing the facts.

<sup>12</sup> These reporting requirements apply to incidents that occur on an area covered by a lease, right-of-use and easement, pipeline right-of-way, or other permit issued by BOEM or BSEE, and that are related to operations resulting from the exercise of rights under the lease, right-of-use and easement, pipeline right-of-way, or permit.

<sup>13</sup> Section 146.30 applies to all Fixed and Floating OCS Facilities as defined in 33 CFR §140.10. Section 146.303 applies only to “vessels engaged in OCS activities other than United States vessels already required to report marine casualties under Subpart 4.05 of 46 CFR part 4 or subpart D of 46 CFR part 109.” See 146.301

<sup>14</sup> In general, the marine casualty reporting requirements of 46 CFR Part 4 apply only to US-flagged vessels. See 46 CFR 4.03-1. 46 CFR 109.411 applies those requirements to US-flagged MODUs.

**Table 2.** USCG Contacts for Incident Investigations

SECTOR COMMANDS		
Chief, Investigations Division	Sector Key West Trumbo Pt. Annex Key West, FL 33040	(305) 292-8702 Command Center: (305) 292-8727
Chief, Investigations Division	Sector St. Petersburg 600 8th Ave S.E. St Petersburg, FL 33701	(813) 228-2191 Command Center: (727) 824-7506
Chief, Investigations Division	Sector Corpus Christi 555 North Caranachua Street Suite 500 Corpus Christi, TX 78478	(361) 888-3162 Command Center: (361) 939-6393
Chief, Investigations Division	Sector Houston-Galveston 13411 Hillard Street Houston, TX 77034	(281) 464-4709 Command Center: (281) 464-4854
Chief, Investigations Division	Sector Mobile 1500 15 <sup>th</sup> ST, Brookley Complex Mobile, AL 36615-1300	(251) 441-5207 Command Center: (251) 441-6211
Chief, Investigations Division	Sector New Orleans 200 Hendee Street New Orleans, LA 70114	(504) 365-2310 Command Center: (800) 874-2153
Chief, Investigations Division	Sector Los Angeles - Long Beach 1001 S. Seaside Ave. Bldg 20 San Pedro, CA 90731	(310) 521-3770 Command Center: (800) 221-8724
Chief, Investigations Division	Sector Anchorage G Wing, Bldg. 49000 JBER, AK 99505	(907) 428-4164 Command Center: (907) 428-4100

DISTRICT OFFICES		
District Prevention	USCG Seventh District 909 SE 1 <sup>st</sup> Avenue Miami, FL 33131	(305) 415-6860 Command Center: (305) 415-6800
District Prevention	USCG Eighth District 500 Poydras Street New Orleans, LA 70130	(504) 671-2087 Command Center: (504) 589-6225
District Prevention	USCG Eleventh District Coast Guard Island, Bldg. 51-1 Alameda, CA 94501	(510) 437-3969 Command Center: 510-437-3701
District Prevention	USCG Seventeenth District 709 W. 9 <sup>th</sup> Street Juneau, AK 99801	(907) 463-2802 Command Center: (907) 463-2000
Outer Continental Shelf, OCMI	USCG Eighth District 500 Poydras Street New Orleans, LA 70130	(504) 671-2268
HEADQUARTERS OFFICE		
Office of Investigations and Analysis	Commandant (CG-INV) 2703 Martin Luther King Jr. Ave. SE Washington, DC 20593	(202) 372-1030 National CC: (202) 372-2100

**Table 3. BSEE Contacts for Incident Investigations**

DISTRICT OFFICES		
	Gulf of Mexico OCS Region	
District Manager	New Orleans District, MS 5250	(504) 736-6740 or 6742
New Orleans District	800 West Commerce Road, Suite 300	
	New Orleans, LA 70123	
	Gulf of Mexico OCS Region	
District Manager	Houma District, MS 5260	(985) 853-5884
Houma District	3866 Highway 56	
	Houma, LA 70363	
	Gulf of Mexico OCS Region	
District Manager	Lafayette District, MS 5280	(337) 289-5100
Lafayette District	201 Energy Parkway, Suite 410	
	Lafayette, LA 70508	
	Gulf of Mexico OCS Region	
District Manager	Lake Charles District, MS 5271	(337) 437-4600
Lake Charles District	One Lakeshore Dr, Suite 300	
	Capitol One Tower	
	Lake Charles, LA 70629	
	Gulf of Mexico OCS Region	
District Manager	Lake Jackson District, MS 5270	(713) 286-2300
Lake Jackson District	4005 Technology Drive, Suite 2090	
	Angleton, TX 77515	

	Pacific OCS Region	
District Manager	California District, MS 7200	(805) 384-6370
California District	760 Paseo Camarillo Camarillo, CA 93010	
<b>REGIONAL OFFICES</b>		
	BSEE	
Regional Coordinator	Gulf of Mexico and Atlantic Regions,	(504) 736-2800
Office of Incident Investigations	1201 Elmwood Park Blvd. New Orleans, LA 70123	
	BSEE	
Chief	Gulf of Mexico Region, MS GE1035A	(504) 736-2814
Pipeline Section	1201 Elmwood Park Blvd. New Orleans, LA 70123	
	BSEE	
Chief	Pacific OCS Region, MS 7400	(805) 389-7581
Regional Operations Section	760 Paseo Camarillo Camarillo, CA 93010	
	BSEE	
Regional Supervisor	Alaska OCS Region, MS 8200	(907) 334-5303
Office of Field Operations	3801 Centerpoint Dr., Suite 500 Anchorage, AK 99503	
<b>HEADQUARTERS OFFICE</b>		
	BSEE	
Program Manager	1849 C Street	(202) 208-4005
National Investigations Program	Washington D.C. 20240	

**Table 4.** System/Sub-System Responsibility Matrix for Incident Investigations

Note 1. Under Lead Agency, where both USCG & BSEE are indicated, both agencies have an investigative interest. The two agencies will coordinate to determine the lead agency for the investigation. The decision will be based on the circumstances of the incident. Regardless of lead agency determination, notification and information sharing shall be maintained and completed to the respective agency.

Note 2. The Department of Labor’s Occupational Safety & Health Administration (OSHA) may also conduct investigations for incidents that occur on man-made gravel or ice islands. They may also be requested by an agency to assist in their respective investigation.

			Lead Agency			
Item	System	Sub-system	MODU	Fixed	Floating	Other Agency Role / Comments
1	Structural Integrity					
1a		Incidents affecting the structural integrity of the facility as a whole (includes hurricane and other weather related incidents)	USCG	BSEE	USCG & BSEE	USCG will have the lead investigating incidents affecting the structural integrity of Floating Structures. For these incidents, USCG will coordinate with BSEE to determine if a joint investigation should be conducted.
1b		Incidents affecting the structural integrity of the facility as a whole caused by a third party (vessels, helicopters, etc.)	USCG & BSEE	USCG & BSEE	USCG & BSEE	In general, the USCG will be the lead for third party incidents involving vessels. BSEE will be the lead for third party incidents involving helicopters. The National Transportation Safety Board (NTSB) or the Department of Transportation’s Federal Aviation Administration (FAA) may also be involved. BSEE and the USCG will coordinate to determine the lead agency based on the circumstances of the incident.

			Lead Agency			
Item	System	Sub-system	MODU	Fixed	Floating	Other Agency Role / Comments
1c		Risers (drilling, production, and pipeline)	BSEE	BSEE	BSEE	Some pipeline risers may be subject to the Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA), formerly called Research and Special Programs Administration.
1d		Structural integrity of substructures and drilling/production equipment on the facility, including derricks.	BSEE	BSEE	BSEE	
2	Floating Stability		USCG	N/A	USCG	USCG will have the lead investigating incidents affecting the stability of Floating Structures. For these incidents, USCG will coordinate with BSEE to determine if a joint investigation should be conducted.
3	Station Keeping					
3a		Foundations	USCG & BSEE	BSEE	N/A	BSEE is responsible for incidents related to site specific soil or oceanographic conditions.
3b		Mooring and tethering systems	N/A	BSEE	BSEE & USCG	BSEE will have the lead with USCG supporting when TLPs involving stability are involved.



			Lead Agency			
Item	System	Sub-system	MODU	Fixed	Floating	Other Agency Role / Comments
3c		Dynamic positioning	USCG	N/A	USCG	BSEE has an investigative interest in these incidents when it involves riser disconnects or release of drilling fluids.
4	<b>Drilling, Completion, Well Servicing, and Workover</b>		<b>BSEE</b>	<b>BSEE</b>	<b>BSEE</b>	See Item A at the end of this table for a description of these systems.
5	<b>Production</b>		<b>BSEE*</b>	<b>BSEE</b>	<b>BSEE</b>	See Item B at the end of this table for a description of these systems.  * <u>Note</u> : Production equipment is not normally installed on a mobile offshore drilling unit (MODU). However, such equipment may be installed for a finite time and designed for removal. In such cases, BSEE is the lead agency.
6	<b>Pipeline Operations and Components</b>		<b>BSEE</b>	<b>BSEE</b>	<b>BSEE</b>	Certain pipelines are subject to BSEE MOU(s) with PHMSA. If Floating Production Storage and Offloading (FPSO) vessel, refer to BSEE/USCG MOA OSC-04 for jurisdiction (#8).

			Lead Agency			
Item	System	Sub-system	MODU	Fixed	Floating	Other Agency Role / Comments
7	Utility Systems					
7a		Power generation, boilers, pressure vessels, waste heat recovery (from any engine exhaust), water heaters and other piping or machinery	USCG	BSEE	USCG	Subsystem components and piping that do not support drilling or production.
			BSEE	BSEE	BSEE	Listed subsystem components and piping that support drilling or production.
7b		High pressure (H.P.) washdown	USCG	BSEE	USCG	Subsystem components and piping that do not support drilling or production.
					BSEE	Listed subsystem components and piping that support drilling or production.

			Lead Agency			
Item	System	Sub-system	MODU	Fixed	Floating	Other Agency Role / Comments
7c		Compressed air	USCG	BSEE	USCG	Subsystem components and piping that do not support drilling or production.
					BSEE	Listed system components and piping that support drilling or production.
7d		Potable wash and sanitary water	USCG	USCG	USCG	
7e		Sewage unit and piping	USCG	USCG	USCG	
7f		Storage of diesel fuel and other flammable or volatile liquids	USCG	BSEE	USCG	
7g		Bilge and ballast, including pumps and related control systems	USCG	N/A	USCG	

			Lead Agency			
Item	System	Sub-system	MODU	Fixed	Floating	Other Agency Role / Comments
7h		Fuel gas from well	BSEE	BSEE	BSEE	For MODU's and floating facilities, when powering drilling and production systems.
			USCG	USCG	USCG	For MODU's and floating facilities, when powering emergency and ship-service systems.
8	Aircraft Landing and Refueling	Decks, fuel handling, and storage	USCG	BSEE	USCG	BSEE will have joint responsibility for any incidents on MODU's and Floating systems where it appears that the operator is involved. The NTSB or FAA may also conduct their own investigation or join with the BSEE or USCG in an investigation. If the incident involves Department of the Interior (DOI) personnel or operations, the DOI Aviation Management Directorate (AMD) may also investigate.

			Lead Agency			
Item	System	Sub-system	MODU	Fixed	Floating	Other Agency Role / Comments
9	Fire Protection					
9a		Fire protection, detection, and extinguishing	USCG	USCG & BSEE	USCG	For fixed facilities BSEE is responsible for areas containing production handling equipment, well bays, and machinery related areas. For fixed facilities, the USCG has an investigative interest in incidents that occur in the areas listed in Item C at the end of this table. In these situations, BSEE and the USCG will coordinate to determine the lead agency based on the circumstances of the incident.
9b		Structural fire protection for accommodations	USCG	USCG	USCG	
10	Safety Systems					Includes interfaces between fire protection systems and BSEE regulated safety systems.
10a		Emergency shutdown systems	USCG & BSEE	USCG & BSEE	USCG & BSEE	BSEE and the USCG will coordinate to determine the lead agency based on the circumstances of the incident.

			Lead Agency			
Item	System	Sub-system	MODU	Fixed	Floating	Other Agency Role / Comments
10b		Gas releases	<b>BSEE</b>	<b>BSEE</b>	<b>BSEE</b>	Includes H <sub>2</sub> S personnel protection equipment.
10c		Drilling, production, well-control safety, and shutdown systems	<b>BSEE</b>	<b>BSEE</b>	<b>BSEE</b>	
<b>11</b>	<b>Electrical Equipment</b>					
11a		Electrical systems not associated with drilling or production	<b>USCG</b>	<b>USCG</b>	<b>USCG</b>	
11b		Electrical systems associated with Production Systems	<b>BSEE*</b>	<b>BSEE</b>	<b>BSEE</b>	See Item B at the end of this table for a description of these systems.  * <u>Note</u> : Production equipment is not normally installed on a MODU. However, such equipment may be installed for a finite time and designed for removal. In such cases, BSEE is the lead agency.

			Lead Agency			
Item	System	Sub-system	MODU	Fixed	Floating	Other Agency Role / Comments
11c		Electrical systems associated with Drilling Systems	USCG & BSEE		USCG & BSEE	BSEE is responsible for electrical incidents associated with the drilling systems listed in Item A at the end of this table.
						BSEE and the USCG will coordinate to determine the lead agency based on the circumstances of the incident.
11d		Emergency lighting and power generation and distribution	USCG	USCG	USCG	
<b>12</b>	<b>Pollution</b>					
12a		Pollution incidents not associated with vessel transfers of oil or other products	USCG	USCG	USCG	Garbage and plastics per the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78).
			BSEE	BSEE	BSEE	Spills other than garbage and plastics mentioned above.
12b		Pollution incidents associated with oil or other product transfers to and from a vessel (includes lightering of produced hydrocarbons)	USCG	USCG	USCG	BSEE will have joint responsibility for incidents where it appears that the facility operator is involved.

			Lead Agency			
Item	System	Sub-system	MODU	Fixed	Floating	Other Agency Role / Comments
13	<b>Lifting and Handling Systems</b>	All lifting and hoisting of personnel and material	USCG	BSEE	BSEE & USCG	OSHA may conduct investigations for incidents involving non-pedestal cranes on gravel or ice islands. If FPSO vessel, refer to BSEE/USCG MOA OSC-04 for jurisdiction. (# 10 and #18)
14	<b>Life Saving Equipment and Operations</b>		USCG	USCG	USCG	
15	<b>Workplace Safety and Health</b>		USCG	USCG	USCG	BSEE and the USCG will coordinate to determine the lead agency based on the circumstances of the incident.
16	<b>Miscellaneous Systems and Operations</b>					Supplements the list of above mentioned systems.
16a		Facility Construction, Installation, and Maintenance	USCG & BSEE	USCG & BSEE	USCG & BSEE	For incidents related to barge and vessel operations, the USCG will be the lead; for incidents that occur on the fixed facility, the BSEE will be the lead.
16b		Rigging up/down on location (including both lift boat and jack-up operations).	USCG & BSEE	USCG & BSEE	USCG & BSEE	BSEE and the USCG will coordinate to determine the lead agency based on the circumstances of the incident.



			Lead Agency			
Item	System	Sub-system	MODU	Fixed	Floating	Other Agency Role / Comments
16c		Wellhead & platform removal (decommissioning)	USCG & BSEE	USCG & BSEE	USCG & BSEE	BSEE and the USCG will coordinate to determine the lead agency based on the circumstances of the incident.
16d		Safe welding, burning and hot tapping	BSEE	BSEE	BSEE	
16e		Diving operations and equipment	USCG	USCG	USCG	BSEE will have joint responsibility for incidents where it appears that the facility operator is involved.
16f		Support vessels attending a facility	USCG	USCG	USCG	BSEE will have joint responsibility for incidents where it appears that the facility operator is involved.