

March 17, 2008

Department of the Interior
Minerals Management Service (MS 4024)
Attn: Rules Processing Team (Comments)
381 Elden Street
Herndon, VA 20170-4817

Re: RIN 1010-AD 11; Sub Part J-Pipelines and Pipeline Rights-of-Way
FR Vol. 72, No. 191 10-03-07

Ladies and Gentlemen:

I appreciate this opportunity to provide written comments on the subject proposed rule to amend regulations regarding pipeline and pipeline rights of way associated with Outer Continental Shelf oil and gas and other mineral operations as published in the October 3, 2007 Federal Register. I am a regulatory consultant for several independent oil and gas operators. I have worked in the regulatory arena since 1976 and have watched many of our regulations change during these past years.

I understand that MMS has conducted a significant rewrite of Subpart J using plain language and restructuring the rule to improve readability and consolidated numerous NTLs that were in effect in the proposed rule making. By incorporating into the proposed rule the numerous Notices to Lessees and Operators (NTLs) that clarify the current regulation, MMS will reduce the burden on industry to keep track of rules from various sources and help simplify compliance.

I appreciate that MMS rewrote the proposed rule focusing each section on one topic and I believe the proposed rule is better organized. It appears that MMS successfully utilized past industry experiences to assist in the expansion of each topic in the proposed rule.

I also note that unlike recent rule making efforts, this effort clearly attempts to more rigidly prescribe new reporting, documentation and record keeping requirements far above current levels. Based on my 30 years experience with furnishing permitting and operating information from my clients to several state and federal agencies, I find it surprising that the MMS has chosen to actually expand requirements and cut our response time for submittal of information. My experience with existing process time necessary for MMS to get work carried out has been very disappointing and the new rule has the potential to multiply the amount of information and documentation that the already swamped unit receives with data of questionable value as required for regulatory oversight. The rule takes the position of being more interactive to the point of requiring information on a shorter time line. This could prove impractical or slow down the development process making permitting the critical path in lieu of actual design, construction, installation and operation.

I appreciate that MMS rewrote the proposed rule to consolidate and streamline, but the many authors of the new rule also added significant new requirements that industry must

challenge the value of in light of our current safe operating record. It seems that the proposed rule is broadly targeted at three critical areas: safety, reliability, and environmental. While I agree that these areas are important to the industry, customers, general public, and regulators, I would like to know specifically where MMS believes the industry is falling short of expectations in these areas and (if that is the belief) why did MMS not share this information in the proposed rule making?

The comment period allocated for industry's response to such a significant formal rule making on Subpart J did not allow me (nor some of my clients) enough time to develop detailed comments on the various parts of the rule making and it is recommended that further discussions with industry be carried out prior to any final rule making on the issue.

I believe that the proposed rule making would create numerous conflicting and duplicative requirements between the Department of Transportation (DOT) and the Department of Interior (DOI). Consequently, I believe the NOPR creates confusion, inconsistencies, and redundancy for the offshore pipeline operators. Additionally, the conflicting and duplicative requirements will create jurisdictional overlaps and conflicts among the two agencies. I believe the NOPR contradicts the 1996 Memorandum of Understanding (MOU) between DOT and DOI governing their respective responsibilities on the OCS.

I have noted that the new rule defines a larger more proactive role by the MMS Pipeline Group in existing pipeline operations and a significant upturn on the amount and technical detail of information that would be required to be developed, recorded and reported without a strong driver for the additional information. I am concerned that this new role will have a negative impact to the ongoing development of the OCS.

I do have a specific comment for the proposed time frames addressed in proposed section 250.1006(d) "Plans and Reports". Industry is presently allowed 90 days to submit construction data and pressure test data for newly installed pipelines. There have always been issues in coordinating the receipt of the required data from what may be several contractors involved in one pipeline installation operation. Reducing our time to gather this data *by half* is only setting up the operators for possible incidents of noncompliance (INCs). Although technology has possibly expedited the transfer of information, the coordination efforts are still driven by manpower.

I generally support the recommendations developed by the Offshore Operators ad hoc team in addressing the rule making and I urge the MMS to review the recommendations outlined in the OOC's letter of March 12, 2008.

If you have any questions, please do not hesitate to contact me at 713.201.9627 or via email to kathy.camp@kcampassociates.com

Very truly yours,



Kathy Camp
Regulatory Consultant