

March 12, 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:

StatoilHydro USA E&P, Inc. appreciates 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.

StatoilHydro USA E&P, Inc. confirms that MMS has conducted a significant rewrite of Subpart J using plain language and restructured 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.

StatoilHydro USA E&P, Inc. appreciates that MMS rewrote the proposed rule focusing each section on one topic and we believe the proposed rule is better organized to reflect actual sequences of events that occur within our industry. **StatoilHydro USA E&P, Inc.** notes however while reporting times have been shortened, experience with receiving approvals have gone to longer periods of time.

StatoilHydro USA E&P, Inc. notes 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 our current experience furnishing permitting and operating information and the long cycle times associated with the GOM Region Pipeline Group in the GOM OCS Region, it is surprising that the MMS has chosen to actually expand requirements, while cutting response time for submittal of information. **StatoilHydro USA E&P, Inc.**'s experience with cycle time necessary to get work carried out has been very disappointing and the new rule has the potential to multiply the amount of information the already swamped group with more 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 time line that could prove impractical or slow down the development process such that permitting is the critical path in lieu of actual design, construction, installation and operation.

StatoilHydro USA E&P, Inc. appreciates 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.

StatoilHydro USA E&P, Inc. believes the proposed rule is broadly targeted at three critical areas: safety, reliability, and environmental. **StatoilHydro USA E&P, Inc.** agrees these areas are important to the industry, customers, general public, and regulators. With this in mind, **StatoilHydro USA E&P, Inc.** would like to know specifically where MMS believes the industry is falling short of expectations in these areas and why the MMS has not shared this information in the rule making. .

The comment period allocated for industry's response to such a significant formal rule making on Sub Part J did not allow **StatoilHydro USA E&P, Inc.** 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.

StatoilHydro USA E&P, Inc. notes 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, **StatoilHydro USA E&P, Inc.** believes 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. **StatoilHydro USA E&P, Inc.** believes the NOPR contradicts the 1996 Memorandum of Understanding (MOU) between DOT and DOI governing their respective responsibilities on the OCS.

StatoilHydro USA E&P, Inc. has 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. StatoilHydro USA E&P, Inc. is concerned that this new role will have a negative impact on critical cycle times in the ongoing development of the OCS.

StatoilHydro USA E&P, Inc. generally supports the recommendations developed by the Offshore Operators ad hoc team in addressing the rule making and urges the MMS to review the recommendations outlined in the OOC's letter of March 7, 2008.

If you have any questions, please contact me at 713/579-9905 or thgb@statoilhydro.com.

Very truly yours,
StatoilHydro USA E&P, Inc.



Thomas G. Becnel
Regulatory Affairs Manager



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Re: RIN 1010-AD 11; Sub Part J-Pipelines and Pipelines Rights-of-Way
FR Vol. 72, No. 191 10-3-07

Ladies and Gentlemen:

The Offshore Operators Committee (OOC) appreciates this opportunity to provide written comments on the subject proposed rule to amend regulations regarding pipelines 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. OOC is an organization of some 124 producing and service companies who conduct essentially all of the OCS oil and gas exploration and production activities in the Gulf of Mexico. Comments made on behalf of OOC are submitted without prejudice to any member's right to have or express different or opposing views.

OOC understands that MMS conducted a complete rewrite of Subpart J using plain language and restructured the rule to improve readability and clearly outline requirements in tabular form in many places. While OOC is encouraged that MMS has chosen to provide more guidance and consolidate its requirements in the many NTL's associated with Sub Part J, we were surprised at the magnitude and direction that the rule making chose to take. Unlike recent rule making efforts, this effort clearly attempts to more rigidly prescribe new reporting, documentation and record keeping requirements far above current levels. With our current experience furnishing permitting and operating information and the long cycle times associated with an overwhelmed group in the GOM OCS Region, it is surprising that the MMS has chosen to actually expand requirements, while cutting response time for submittal of information. Our experience with cycle time necessary to get work carried out has been very disappointing and the new rule has the potential to multiply the amount of information the already swamped group with more 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 time line that

could prove impractical or slow down the development process such that permitting is the critical path in lieu of actual design, construction, installation and operation. OOC appreciates that MMS rewrote the proposed rule to consolidate and streamline, but the many authors of the new rule also added significant new requirements that we must challenge the value of in light of our current safe operating record.

While the new version eliminates some requirements that are no longer deemed necessary and incorporates into the proposed rule the numerous Notices to Lessees and Operators (NLTs) that clarify the current regulation, the MMS's additions to Sub Part J will not reduce the burden on industry to provide a significant amount of new technical and operational information. The draft rule will significantly increase the amount of data necessary to provide and shorten the time frame normally associated with the process.

The NOPR is broadly targeted at three critical areas: safety, reliability, and environmental. OOC agrees these areas are important to the industry, customers, general public, and regulators. With this in mind, OOC would like to know specifically where MMS believes the industry is falling short of expectations in these areas. If this is the case, OOC is requesting the MMS to share its data it has indicating offshore pipelines issues, or lack of performance, in these three areas. NOPR does not outline specifics in this area.

The NOPR would create numerous conflicting and duplicative requirements between the Department of Transportation (DOT) and the Department of Interior (DOI). Consequently, OOC believes 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. OOC believes the NOPR contradicts the 1996 Memorandum of Understanding (MOU) between DOT and DOI governing their respective responsibilities on the OCS. The intention was expressed in the Federal Register notice of February 14, 1997:

The MOU places, to the greatest extent practicable, producer Operated pipelines under DOI responsibility and transporter operated pipelines under DOT responsibility. Producers are companies which are engaged in the extraction and processing of hydrocarbons on the OCS. Transporters are companies which are engaged in the transportation of those hydrocarbons. As a result of this revision, some pipelines, predominantly producer operated pipelines, currently under DOT responsibility, will be under DOI responsibility.....the changes described in the MOU will substantially reduce the burden of overlapping Federal jurisdictions and inconsistencies between agency requirements This will substantially increase the efficiency of governmental resources on the OCS without compromising safety.

The NOPR is clearly in disagreement with the 1996 Memorandum of Understanding between DOI and DOT. OOC's review of the MOU, statutes and regulations leads to the conclusion that DOI and DOT have Federal Authority over pipeline safety of their respective designated facilities. The 1996 MOU between DOT and DOI clearly

recognizes this fact, such that the potential overlapping or conflicting regulations of OPS and MMS is the underlying reason for establishing the MOU. There is no indication that the agreements made in the MOU have been abrogated as provided for in the language of the MOU.

The proposed rule as issued October 3, 2007 seeks to re-write 30 CFR Part 250 which is directed at pipelines offshore. In the process it has retained parts of MMS' previous rules and added many new ones, some of which were contained in non-rulemaking form such as Notice to Lessee (NTL). MMS is also proposing changes to 30 CFR Part 253, Oil Spill Responsibility, Part 254, Oil Spill Response Requirements and Part 256, Leasing of Sulphur or Oil and Gas. The authority for these regulations is based upon the OPA, the OCSLA and the FWPCA. We believe MMS is not however, authorized to impose regulations inconsistent with or duplicative of DOT's regulations. Likewise, we believe it does not have authority, like the explicit congressional authority for States in the PSA, to exceed DOT requirements.

The MMS Notice of Proposed Rule (NOPR) asserts that the proposed rule is not a significant rule as determined by OMB and is not subject to review under EO 12866. OOC disagrees with this assertion.

The proposed rule has the potential of an annual effect of \$100 million or more to the economy. OOC is developing preliminary estimated costs to implement the rule but does not have these figures at this time. OOC preliminary estimates show a potential annual compliance of over \$1. billion per year over the next ten years and a one time cost of \$185 million to develop the required program, plans and procedures.

The MMS has not provided any information in the NOPR that states the benefit of the new regulations. For the years 2006 and 2007, as reported to DOT for OCS pipeline incidents there was approximately \$600 thousand of gas loss per year, \$11.3 million of company costs to affect repairs per year and no cost to the public. This is for the approximately 14,000 miles of DOT jurisdictional pipe. The costs for E&P systems is similar in scope and are slightly higher since there are more segments of smaller diameter E&P lines in the GOM. The costs for 2005 for both DOT and E&P lines were significantly higher due to two major hurricanes in the Gulf of Mexico. The gas loss cost that year was \$11.4 million for transmission lines and lower for the E&P segment of the industry with the transmission company costs of repairs being \$74.6 million and no costs to the public. A four year average (2004 to 2007) of natural gas transmission systems shows an average per year gas loss cost of \$4.3 million, an average per year for company repair and any clean up cost of \$29.5 million with no costs to the public. During this period there were no fatalities or injuries reported to DOT or to the MMS.

OOO's response has been grouped into this cover letter with general information, a General Comments Section and an attachment with specific comments on the elements of the rule making. If the MMS desires a meeting to better review the comments or

suggestions, a cross functional Industry team can be provided to meet with MMS representatives.

If you have any questions, please contact me at 504-934-2159.

Very truly yours,

Allen J. Verret
Executive Director, Offshore Operators Committee

MMS Public Meeting New Orleans – February 22, 2008

INGAA Position on Regulatory Language
Marvin Howis



Regulatory Requirements

- EO 12866 – Regulatory Planning & Review

“The American people deserve a regulatory system that works for them, not against them: a regulatory system that protects and improves their health, safety, environment, and well-being and improves the performance of the economy without imposing unacceptable or unreasonable costs on society; regulatory policies that recognize that the private sector and private markets are the best engine for economic growth; regulatory approaches that respect the role of State, local, and tribal governments; and regulations that are effective, consistent, sensible, and understandable. We do not have such a regulatory system today.”

- Sets standards and requirements for regulation development



Executive Order 12866

- Industry believes proposed rule significant
 - Impact > \$100 million
 - EO 12866 does apply
- Principle issues not clear
 - Problem being addressed not identified
 - No clear problem with existing regulations
 - Available alternatives not assessed
 - Cost/benefit analysis inaccurate
 - Duplicative and inconsistent with other regulations



Language Concerns

- Jurisdictional / regulatory boundaries
 - Transporter (DOT) vs. Producer (DOI)
 - Clear in current regulations
 - Significantly blurred in proposed regulations
- Ignores MOU & established precedent
 - Notification & coordination with DOT



Specific Issues

- ROW Pipelines (new) vs. Pipeline ROWS
 - Expands scope from land to pipelines
 - Pipelines already covered by DOT regs
- Platforms
 - Platform structures, risers, production facilities, transmission facilities
- Use of NTL's – pseudo rules
- Approval of Permits
 - Inadequate process, criteria

Due Process Issues

- Approval of Permits and operational requirements outside rulemaking process
 - All areas impacted
 - Design & construction
 - Operations, including suspension
 - Maintenance and repair
 - Proposed rule grants sweeping power to RS
 - What are the limits of authority?
 - What are the decision criteria?
 - What is the operator's recourse?
 - Will the use of NTL's in lieu of rules be discontinued?



Due Process- APA

Administrative Procedures Act (APA) (5 USC 511-599)

- The APA has specific requirements for Notice & Rulemaking Procedures
- NTLs were to clarify, supplement, or provide more detail about requirements or outline what information must be provided in submittals
 - NTL's have been used in place of the due process required by the APA
 - Interpretations v. Rulemaking
 - Virtual compulsion to accept MMS requirements



Joint Rulemaking

- Did MMS consider collaborating with DOT, thereby providing the opportunity to coordinate New MMS rules and avoid duplication or conflict with DOT rules?
 - Required by EO 12866



MMS Public Meeting New Orleans – February 22, 2008

INGAA Position on NOPR Intent

Pat Carey



NOPR Intent

- What is intent and scope of NOPR?
 - Does MMS intend for this rule to cover DOT pipelines for all aspects of the rule?
 - Does MMS believe they have safety jurisdiction over DOT pipelines?
 - Does MMS in 250.1006 intend for “all OCS pipelines” to include DOT pipelines?



NOPR Intent

- MMS has not adequately explained the purpose of NOPR.
 - What specific problem(s) or performance issues related to natural gas transmission pipelines is MMS trying to solve with the NOPR?
 - What specific data does MMS have to support the problem(s) or performance issues for natural gas transmission pipelines?



Gas Industry Safety Performance is Excellent

- Natural gas industry's offshore performance in safety, reliability, and environmental is excellent.
- Safety Performance:
 - DOT regulations adequately address safety.
 - Zero (0) serious or significant pipeline incidents (injuries or fatalities) for Gas Transmission Offshore from 1996 – 2006.¹

¹ Serious incident is an event involving a fatality or injury requiring in-patient hospitalization. Data pulled from PHSMA website.



Gas Industry Reliability is Excellent

- Reliability performance:
 - Reliability is the “backbone” of the gas transmission industry.
 - Reliability enhanced by robust and resilient offshore system.
 - Only 4% of significant incidents were from offshore natural gas transmission from 1986 – 2006.
 - Of the 4%, almost 2/3 of the incidents were due to excavation, material failure, natural force or outside force damage, and other causes.
 - > In 2005 – 2006 natural force damage and other causes were the leading causes of significant incidents.



Gas Industry Environmental Performance is Excellent

- Environmental Performance:
 - Industry has strong commitment to environmental issues.
 - Gas leaks and condensate sheens have minimal damage.
 - Katrina and Rita’s damage and impact on environment was minimal despite unprecedented damage.
 - “DNV evaluated the available failure reports and industry practices and has concluded that the vast majority of GOM offshore pipelines performed well during the passage of Hurricanes Katrina and Rita. The impact to the environment has been minimal in hurricane events, primarily due to the design features, and industry practices intended for protection of life that are also focused on minimizing releases to the environment through planning, preparedness.”²

² DNV report prepared for MMS (from Conclusion section)



MMS Public Meeting

New Orleans – February 22, 2008

INGAA Position on Legal and Jurisdictional Authority

Chris Mason



DOT and DOI Legal Jurisdictional Authority

The Secretary of Transportation is charged with prescribing minimum standards for Pipeline Safety and the protection of the Environment in 49 USC 60102. The Secretary of Transportation is not allowed to prescribe the location or routing of pipelines by 49 USC 60104.

The Secretary of the Interior is charged with issuing pipeline ROW grants in 43 USC 1334(e). The Department of Interior is expressly prohibited from affecting the authority provided by Law to the Secretary of Transportation with respect to Pipeline Safety by 43 USC 1347(d) and is charged with consulting with other departments to prevent inconsistent or duplicate requirements in 43 USC 1347(f).



1996 DOI & DOT MOU

- Clarifies jurisdictional boundaries to eliminate overlapping regulations
- MOU is designed to conform to Congressional intent
- MMS Proposed Rule does not conform to the MOU
- All Federal Agencies agree MOU is controlling (See List and summaries in abstract)



1988 MMS Rule Making

1988 MMS Rulemaking specifically and intentionally described the MMS authority in response to questions and concerns of commenters requesting jurisdictional clarification. As a result, the final rule language was written as follows:

250.1000(b) An application shall be submitted to the Regional Supervisor and approval obtained prior to the installation, modification, or abandonment of a pipeline which qualifies as a lease term pipeline and prior to the installation of a right-of-way pipeline or the modification or relinquishment of a pipeline right-of-way.



1988 MMS Rule Making

1988 Rule Recognized:

- Lease term pipeline operators (producers) under MMS authority
- Right of way pipeline operators (transportation operators) under DOT authority
- All OCS operators are subject to MMS authority for land rights - new ROW applications, ROW modifications, leases...



Questions About MMS NPRM

- Does MMS want to modify or terminate the MOU?
- Has MMS determined that there is substantial justification to determine DOT regulations are deficient and require additional MMS regulation/oversight?
- What laws have changed since 1988 rule or the 1996 MOU that would allow for a new interpretation of MMS authority over DOT facilities?



MMS Public Meeting

New Orleans – February 22, 2008

INGAA Position on Cost Benefit

Mark Donke



Cost Makes the NOPR a Significant Rulemaking

- The NOPR will cost more than \$100 million making it a significant rule making
- INGAA estimates the annual cost to be approximately \$1.04 billion with an additional \$162 million of one time costs to develop programs and plans
- MMS cost analysis underestimated hours, cost per hour and did not account for performing activities such as integrity assessment, patrolling and burying pipelines



Benefits of NOPR are Minimal

- MMS did not provide an estimate of the benefits to be achieved by the proposed regulations
- INGAA estimates that the benefit of the proposed regulation will at most reduce the cost of incidents by \$2.4 million.
- There have been no fatalities or injuries over the four year period used for INGAA's analysis
- For natural gas pipelines there have been no significant environmental affects due to the very few incidents and leaks offshore



DOT Offshore Incident Data

2004 to 2007 Offshore Gas Transmission and Gathering Reportable Incident Data, OCS

| Cause | 2004 T | 2004 G | 2005 T | 2005 G | 2006 T | 2006 G | 2007 T | 2007 G | Total |
|---|------------|-----------|------------|------------|-----------|-----------|------------|-----------|-------------|
| External Corrosion | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| Internal Corrosion | 6 | 8 | 2 | 4 | 2 | 1 | 5 | 11 | 39 |
| Earth Movement | 1 | 1 | 0 | 3 | 0 | 0 | 0 | 0 | 5 |
| Lightning | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Heavy Rains/Floods | 2 | 0 | 30 | 1 | 1 | 0 | 0 | 0 | 34 |
| Temperature | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| High Winds | 0 | 0 | 1 | 2 | 0 | 0 | 0 | 0 | 3 |
| Operator Excavation Damage | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Third Party Excavation Damage | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Fire/Explosion as Primary Cause | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Car, Truck or other Vehicle | 4 | 0 | 1 | 1 | 2 | 0 | 4 | 0 | 12 |
| Rupture of Previously Damaged Pipe | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 |
| Vandalism | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Body of Pipe | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Component | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| Joint | 0 | 1 | 1 | 0 | 3 | 1 | 2 | 0 | 8 |
| Butt | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 1 | 4 |
| Fillet | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Pipe Seam | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Malfunction of Control/Relief Equipment | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Threads Stripped, Broken Pipe Coupling | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 |
| Ruptured or leaking Seal/Pump Packing | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Incorrect Operations | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Miscellaneous | 0 | 0 | 2 | 1 | 1 | 1 | 0 | 0 | 6 |
| Unknown | 1 | 0 | 2 | 0 | 4 | 0 | 1 | 0 | 8 |
| Fatality | 0 | 0 | 41 | 12 | 14 | 5 | 14 | 12 | 126 |
| Injury | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Gas Lost | 4,072,734 | 596,882 | 9,971,530 | 1,437,479 | 485,831 | 302,800 | 396,410 | 30,068 | 17,293,734 |
| Operator Property | 15,561,430 | 4,891,383 | 34,193,100 | 40,564,000 | 6,399,100 | 3,596,000 | 10,514,591 | 2,140,126 | 117,859,730 |
| Public Property | - | - | - | - | - | - | - | - | - |
| Property | 19,634,164 | 5,488,265 | 44,164,630 | 42,001,479 | 6,884,931 | 3,898,800 | 10,911,001 | 2,170,194 | 135,153,464 |



Cost and Benefit Analysis

- For 2005 (with 2 Major Hurricanes)
 - Gas Lost = \$ 11.4 Million
 - Repairs = \$ 74.6 Million
 - Injuries & Fatalities = 0
- For 2006 & 2007
 - Gas Lost = \$ 0.6 Million (Avg.)
 - Repairs = \$ 11.3 Million (Avg.)
 - Injuries & Fatalities = 0

Source: DOT Incident Data for Offshore OCS Transmission & Gathering Systems



Cost and Benefit Analysis

- INGAA estimates that the cost of the proposed regulations will be on the order of 433 times the benefit to be achieved (\$1.04 billion / \$2.4 million)
- The rule poses a major impact on the costs to operate offshore facilities
- A significant reduction in leaks and incidents is not expected as a result of these costly requirements
- MMS has not provided sufficient justification for this burdensome and costly rulemaking



Sub Part J Bulleted Points

General Comments:

- Significant effort to consolidate and codify numerous elements of regulatory oversight on OCS pipeline activities.
- Comprehensive effort to identify, clarify and clearly communicate regulatory requirements on pipeline systems.
- Anticipate significant impact to current practices and operations should rule making go forward.
- New rule is set to serve as a “watershed” in terms of benchmarking regulatory oversight in this specific area of regulatory oversight.
- Outlines significant new reporting and documentation efforts in great technical detail.
- Identifies new level of interest in pipeline systems when compared to current oversight practices.
- Extremely long and complex sub part for a single system.

Positive Attributes:

- Well written and tutorial in nature, covers subject in great detail.
- Extensive use of plain language to address complex technical developments and hardware.
- Consolidates and seeks to codify LTLs and NTLs and allows regulated community to comment.
- Seeks to codify current GOM practices and allows regulated community to comment.
- Outlines all reporting and permitting timelines and provides good organization to topics.
- Clearly identifies reporting entities and topics that regulated community should respond to.
- Address all phases of pipeline systems from inception to final disposal or abandonment of systems.
- Introduces new definitions in an effort to clearly identify permitting, reporting and documentation needs.

Workshop - MMS NOLA

Concerns:

- **Rule is very prescriptive in nature and a departure from recent MMS efforts to develop more performance based requirements.**
- **Significant reduction in regulated communities timeline to report while remaining vague in the agency cycle time to process and respond to permits and etc.**
- **Attempts to codify current “practices” not necessarily covered by LTIs and NTLs in an effort to legitimize agencies desires in permitting and reporting.**
- **Attempts to treat all systems, those being conceptualized, designed, in construction and already existing the same.**
- **Creates numerous, for codification, requirements that will require a significant amount of record keeping and reporting, while not obvious of value for the regulated community or the other stake holders in the OCS.**
- **In its current form departs from DOT requirements for systems in the same operating region and causes confusion on shared regulatory oversight. Indicates a shift from the MOU currently being used by both agencies.**
- **Seeks to eliminate exclusions already provided for DOT systems.**
- **Fosters confusion with DOTs requirements and potentially is at odds with compliance requirements in place.**
- **Prescriptive and very technical reporting requirements would indicate MMS desire for a different role in the area of pipeline operations. More so than current oversight in production safety systems and offshore structural facilities.**
- **Rule is moot on agency response times and effectively reduces regulated communities reporting window in some cases to half of current timelines. There does not appear to have tangible value in the reduction of timelines associated with many of the reporting requirements.**
- **Requires significant delivery of “paper” copies and frequent re-submittal of information that has already been provided to group or provided to other groups within the same agency.**

- **Significant change in the perception of the agency's current view of effectiveness of operators pipeline integrity and operational systems. New programs identified are a departure for systems in remote areas and indicate a departure in the methods already successfully deployed and in service.**
- **Introduces several new terms and definitions that in some cases are at odds with the same terms in other sub parts. In some cases are not in line with DOT requirements or definitions and formulas.**
- **Requires some reporting that is already covered by other sub parts and requires duplication of information already being provided to the agency at the District level.**
- **Develops a very rigid permitting and operating environment for OCS systems that may inhibit creative solutions and hamper MMS in approving prudent action.**
- **Covers topics and terms that are in other sub parts but does not necessary relay the same exact message. Where this does occur, the agency should use the terms, definitions already published and codified.**
- **Dictates long term design cathodic protection for all systems regardless of the actual projected life of the fields.**
- **Dictates complex CVA program for risers modeled from the structural program, yet far more prescriptive and potentially unattainable in cycle time and general deliverables.**
- **Requires notification of other Federal agencies that has proven problematic and does not provide for updates of addresses and contacts by the agency so that the regulated community can utilize current contact information.**
- **Requires notification of wide range of other stakeholders based on potential interference or disruption but does not provide basis to identify those that might be effected.**
- **Identifies levels of pipeline content that triggers notification for certain operations but does not provide for how that content is to be determined.**
- **Dictates prescriptive pipeline integrity systems with no options and operator experience with current systems.**