

MEMBER COUNTRY PROFILE - UNITED STATES

Country:	United States
Organisation:	Bureau of Safety and Environmental Enforcement (BSEE)
Regime Scope:	Authorization includes regulation of oil, gas, and sulphur exploration, development, and production operations on the United States Federal Outer Continental Shelf (OCS) along with renewables energy facilities.
Administering Agency /Arrangements:	Federal government: the Bureau of Safety and Environmental Enforcement is a bureau within the U.S. Department of the Interior (Dol).
Legislation Type:	The OCS Lands Act (OCSLA) is the primary statute governing offshore oil, gas, and marine mineral activities. Regulations governing OCS oil, gas, minerals, and renewable energy can be found in Title 30 of the Code of Federal Regulations.
Extent Of Government Approval:	Drilling permits, completion and work-over permits, production safety system permits, structural permits, pipeline rights-of-way, safety and environmental management systems oversight, oil spill preparedness, and decommissioning applications.
Nature Of Duties Imposed:	Hybrid regulatory approach; prescriptive regulations including 125 industry standards; performance objectives can be achieved by alternate means with BSEE approval.
Physical Objects In The Regime:	<p>Oil and gas exploration and production in the Gulf of Mexico (1,736 platforms, 50 MODUs, 21,357 miles of pipeline, subsea production systems, wide range of support equipment), offshore California (23 production platforms, 208 miles of pipeline, development from existing facilities, extended reach wells), and the Beaufort Sea (production from an artificial island, second production project in planning, ongoing exploration).</p> <p>BSEE is in the final stages of clarifying with other Federal agencies that the bureau will have sole responsibility for workplace safety and health for renewable energy facilities and for transfer points between crew transfer vessels and the facilities.</p>
Assurance Mechanisms:	BSEE inspectors and investigators are based in 6 district offices (5 in the Gulf of Mexico, 1 in California) and one regional office

in Alaska, and fly offshore regularly. OCS Lands Act mandates annual inspections. Inspectors have authority to issue Incidents of Non-Compliance, which may be a warning or a facility shut-in order. BSEE may assess civil penalties for failures to follow the law, regulations, licenses, permits, or orders.

- Industry self-inspections and records are required by regulation.

- Drills (spill response, BOPE, H2S, evacuation, etc) are required and may be initiated by BSEE without notice.

- 3rd party reviews (design, fabrication, and installation) are required for deepwater or novel structures.

Financial Basis:

Approximately 37% of BSEE's total funding is derived from the collection of inspection fees, rental receipts on OCS leases, and cost recovery assessments. The remainder of the funding comes from annual congressional appropriations.

Environmental Regulation Responsibilities:

The National Environment Policy Act (NEPA) is the foundation of environmental decision-making in the United States. NEPA is a procedural statute that helps inform executive agency decision-making based on an understanding of environmental consequences and a meaningful evaluation of reasonable alternatives. The NEPA established the [Council on Environmental Quality](#) (CEQ) to advise agencies on the environmental decision-making process and to oversee and coordinate the development of Federal environmental policy. The CEQ issued regulations ([40 CFR 1500-1508](#)) in 1978 implementing NEPA, which were adopted by DoI. BSEE relies on the principles established by NEPA to inform its decision-making.

Oil Spill Response:

BSEE oversees oil spill planning and preparedness for U.S. facilities located in both state and federal waters seaward of the coastline that handle, store or transport oil. This authority is granted through the Oil Pollution Act of 1990 and Executive Order 12777. BSEE reviews Oil Spill Response Plans (OSRPs) to verify that the owner or operator and any contract personnel have met all training and exercise requirements and are prepared to execute the plans; conducts unannounced exercises to test the plans; and verifies that the oil spill response equipment listed in the OSRP is maintained properly and readily available. BSEE also monitors oil spill incident reports, reviews and analyzes follow-up reports on spill

responses for process improvement, provides technical assistance to Federal On-Scene Coordinators (FOSCs) in the event of an oil spill, and supports other actions taken by the Department of the Interior (DoI). Finally, BSEE has source control authority in the event of a blowout on the OCS.

Transparency:

Nearly all aspects of BSEE's functions and responsibilities are described at www.BSEE.gov. The website addresses the organization and responsibilities of each division and region of the bureau. All of the environmental studies and technical research that have been conducted are posted to the website. Statistics and investigation reports conducted by BSEE are posted or linked within the website. All Notices to Lessees, which provide clarification of regulations, are posted on the website. The site also provides a Fast Fact query function that allows the public to query many aspects of the data that BSEE controls including but not limited to:

- Applications for Permit to Drill
- Boreholes Drilled
- Exploration and Development Plans
- Facility Measurement Points
- Lease Owner
- Offshore Statistics by Water Depth
- Pipeline Locations
- Pipeline Permits
- Platform Structures
- Plugging and Abandonment Liability
- Production Data

Research

BSEE manages a robust oil spill research and development program. For more than 25 years, BSEE has maintained a comprehensive, long-term research program dedicated to improving oil spill response options. The major focus of the program is to improve the methods and technologies used for oil spill detection, containment, treatment, recovery, and cleanup.

Operating through contracts with universities, private firms, and governmental laboratories to evaluate safety-related technologies, BSEE's Technology Assessment Program (TAP) has administered nearly 900 research and development projects since its inception. The TAP has four primary objectives -- technical support, technology assessment, a catalyst for research, and international cooperation -- to support BSEE's regulatory objectives. All TAP projects and contracts are found [here](#).

Profile Date: January 2020