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Safety and Environmental Management Systems for Outer Continental Shelf Oil and Gas Operations

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Comment from Allen Verret, Offshore Operators Committee

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General Comment

Joint API/OOC Comments on the proposed MMS rulemaking on SEMS.

Prior to the proposed rulemaking, MMS published an Advanced Notice of Proposed Rulemaking (ANPR) on May 2006 in the Federal Register (71 FR 29277). In the ANPR, MMS requested responses to 22 questions and OOC provided responses for the record for the 22 questions. At the workshop held on September 2, 2009, MMS indicated that they did not get the detailed industry response that they desired. If this is the case, then we recommend that MMS

fosters safe worksite practices, promotes good housekeeping habits and assures that workers are properly trained.” We believe that most operators are already following these practices. For those that aren’t consistently following these practices, it is difficult for us to see how a mandatory, highly prescriptive program will cause this to occur. We believe that voluntary programs that have enough flexibility to suit the corporate culture of each company are the best way to actually achieve these goals. Otherwise, it is easy to have a plan on paper and be in compliance with the regulation, but not make an actual change in performance.

Performance

OOC/API notes that the overall safety and environmental performance of operators on the U.S. OCS has shown steady improvement over the past decade. We reviewed data compiled by MMS between 1996 and 2008 from OCS Performance Surveys. For combined operations on the OCS, the recordable and lost workday/DART case incident rates fell from a 3.39 rate in 1996 to 0.64 in 2008, a reduction of over 80%. These dramatic reductions in case incident rates followed almost identical patterns across drilling, production, and construction operations on the U.S. OCS. The steady improvement of U.S. OCS operators in safety and environmental performance is clearly evident when viewing MMS’s own charts from recent agency presentations summarizing this information. OOC/API included a number of these safety performance charts in our presentation at the MMS SEMS regulation workshop held September 2, 2009 in New Orleans, LA. The OOC/API presentations from that workshop are included as attachments to these comments.

OOC/API also notes that the safety performance of the overall U.S. oil and gas exploration and production industry compares very favorably with similar situated industries. We examined a Department of Labor (DOL), Bureau of Labor Statistics 2007 report on the incident rates of nonfatal occupational injuries and illnesses of various industries in the U.S. The incident rate for the crude oil and gas extraction industry was 1.7 per 200,000 hours worked (i.e. 10 workers for 1 year). The incident rates for various mining and construction industries were generally between 3.0 to 5.0 or higher. In essence, workers in other mining and construction industries were between two and three times more likely to experience a non-fatal occupational injury or illness as compared to those in the overall oil and gas exploration and production industry. In evaluating MMS and Bureau of Labor Statistics data, OOC/API has determined that the offshore oil and gas E & P industry has a safety record superior to that of the overall oil and gas extraction industry. Our conclusion is that the safety performance of the offshore oil and gas exploration and production industry is very good now compared to similar industries and continuing to improve.