



OFFSHORE OPERATORS COMMITTEE

July 17, 2009

Interior Desk Officer 1010-AD15
Office of Management and Budget
[Docket MMS-2008-OMM-0003]

Via e-mail to: oir_docket@omb.eop.gov

Department of the Interior
Minerals Management Service
ATTN: Regulations and Standards Branch (RSB)
381 Elden Street, MS-4024
Herndon, Virginia 20170-4817 USA

Re: **Safety and Environmental Management Systems for Outer Continental Shelf Oil and Gas Operations [30 CFR 250, Subpart S]**

To whom it may concern:

The Offshore Operators Committee (OOC) appreciates this opportunity to provide written comments on the proposed revisions to 30 CFR 250 Sub part S. OOC is an organization of some 130 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.

The purpose of this letter is to provide comments to the Office of Management and Budget regarding the information collection burden, as solicited in the 17 June 2009 MMS proposed rule (74 FR 28639), regarding the development and implementation of a Safety and Environmental Management System to address the oil and gas operations in the Outer Continental Shelf (OCS). OOC's quick evaluation, due in part to the short comment period, of the rule leads us to conclude that MMS has significantly underestimated the information collection burden of the proposed action by limiting its evaluation to the burden borne by the operator and failing to assess and include those burdens which will be borne by contractors, sub-contractors and service providers.

In this regard, OOC believes the following should have been considered:

- The operator can only supply the information on the proposed Form MMS-131 by collecting and consolidating information from their contractors, suppliers and vendors and, in turn, any sub-contractors or other workers involved in OCS operations. This is not a current practice and the requirement will require a significant amount of time to set up and maintain a reporting system. Further complications will arise since a significant portion of work may be contracted out as “lump sum” turn key projects where individual worker hours are not provided to the operator.
- While most companies operating as contractors on the OCS probably collect information regarding employee work hours and injuries/illnesses for their own use, they typically do so either on a quarterly or annualized basis – not the **per-contract basis** which would be necessitated by the proposed action.
- Collection and reporting of information which only becomes available post-contract is problematic. For example: Will the operator be expected to report days of continuing restricted work activity for a contractor’s employee injured while working for the operator after the termination of the contract?
- There is no consistent industry practice of collecting information regarding work hours and injuries/illnesses from sub-contractors and other (possibly occasional) workers. The proposed action would require the establishment of such an information collection and reporting system. The collection of such information regarding occasional workers (e.g., equipment repair specialists), particularly those providing services on a per-job (rather than hourly) basis will be particularly challenging.
- MMS has not, with this proposed version of Form MMS-131, provided the necessary instructions and definitions for the user to understand the information collection and comply with the reporting requirement. The instructions and definitions should be made available, with the proposed form, for public comment. The information collection should not be authorized until clear and unambiguous instructions are provided.
- Cost and time estimates are more in line with the printing of manuals and instructions and not actual or historical costs we have as operators experienced for the development , implementation and long term support of a new program.
- The propose rule making does not take into consideration the impact that the proposed requirements and administrative burden will force on small independent contractors and service suppliers who perform a large portion of the field work typically carried out on OCS facilities.
- Based on the bulleted notes above the estimated burden to be placed on both operators and their sub contractors is not accurately reflected in the MMS estimated burden.

We ask that MMS appropriately acknowledge the entire burden which would be imposed by this rulemaking on the industry and account for it within its information collection budget.

OOC concurs and supports IADC's letter of July 17, 2009 and would like to draw attention to the MOU between OSHA and the USCG as it relates to injury/incident data. Since RIN 1625-AA18 is underway, we believe that the agency should coordinate efforts with the USCG to avoid any duplication of efforts or dual reporting requirements.

Please contact me if we can provide any additional information to further clarify our comments. I can be contacted at (504) 934-2159.

Sincerely

Allen J. Verret
Executive Director
Offshore Operators Committee