

XTO ENERGY

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August 28, 2009

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 15; SEMS
FR Vol. 74, No. 115 6-17-09**

To Whom It May Concern:

XTO Energy appreciates the opportunity to provide written comments on the subject proposed rule to amend regulations associated with Outer Continental Shelf oil and gas and other mineral operations as published in the June 17, 2009 Federal Register.

After reviewing the proposed rule which would require a mandatory SEMS program, XTO Energy feels the program will not address the major concerns that the agency has in OCS safety related to human behavior. XTO Energy feels the following items in the proposed rule do little to change human behavior and will have minimal effect on improving overall safety long term:

- The rule appears to be more prescriptive and rigid along with increasing many administrative functions associated with documentation and record keeping requirements.
- The added contractor requirements seem to overlap the current Subpart O requirements.
- It is not clear on whether MMS intended to require JSA's verse JHA's on all platforms. If in fact JSA's were meant, requiring them for all tasks in our opinion removes the thinking (human behavior) needed to perform jobs safely and would result in increased injuries.

Recent historical trends on safety performance in the OCS show a positive trend by applying current less prescriptive MMS rules. Although we feel it is important to have well documented checks and balances, it is of XTO Energy's opinion that the rule, as written, will not reduce the incidents as intended relative to the increase in prescriptive requirements. In addition to the unnecessary burden to industry, it will create an additional unwarranted burden to regional MMS staff that will require additional inspector/auditor training and increased workload demand.

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XTO Energy would also like to express that we fully endorse the comments that have been filed on behalf of industry by the Offshore Operators Committee (OOC) and the American Petroleum Institute (API).

We also recommend that MMS consider requiring the OCS operators follow the API RP 75 guidelines that were developed and agreed upon jointly by MMS and industry. These requirements in lieu of the current more prescriptive MMS proposed regulations would in our opinion be more widely accepted and have more buy in from companies. By implementing the already agreed upon API RP 75 guidelines, the likelihood of achieving the culture desired by industry and MMS will increase.

We appreciate your time in hearing our concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Keith Carwile', written in a cursive style.

Keith Carwile
Vice President