UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF OCEAN ENERGY MANAGEMENT,
REGULATION AND ENFORCEMENT

NTL No. 2010-N10

Effective Date: November 08, 2010
Expiration Date: November 08, 2015

NATIONAL NOTICE TO LESSEES AND OPERATORS (NTL) OF FEDERAL OIL AND GAS LEASES, OUTER CONTINENTAL SHELF

Statement of Compliance with Applicable Regulations and Evaluation of Information Demonstrating Adequate Spill Response and Well Containment Resources

Purpose

This NTL is issued pursuant to 30 CFR § 250.103 and applies only to operators conducting operations using subsea blowout preventers (BOPs) or surface BOPs on floating facilities. The NTL informs lessees and operators that a statement, signed by an authorized company official stating that the operator will conduct all authorized activities in compliance with all applicable regulations, including the Increased Safety Measures regulations (75 FR 63346), must be submitted with each application for a well permit. This NTL also informs lessees and operators that the BOEMRE will be evaluating whether each operator has submitted adequate information demonstrating that it has access to and can deploy containment resources that would be adequate to promptly respond to a blowout or other loss of well control. This NTL clarifies, supplements, and provides more detail about existing regulations, including 30 CFR §§ 250.101, 254.2(b), 254.23, 254.24, 254.25, and 254.26(d). This NTL may be followed by a rulemaking setting forth additional requirements; however BOEMRE intends to process applications under existing regulations in the interim, as interpreted through this NTL.

Statement of Compliance with Applicable Regulations

To ensure that an operator is knowledgeable of and will comply with all applicable regulations when using subsea BOP systems or surface BOPs on a floating facility, the operator must include with every application for a well permit a statement signed by an authorized company official stating that the operator will conduct all authorized activities in compliance with all applicable regulations, including the Increased Safety Measures for Energy Development on the Outer Continental Shelf rulemaking (75 FR 63346). The

statement should be submitted along with each application for a well permit. The statement requested by this NTL reflects the requirement that all operations be conducted in compliance with law as set forth at 43 U.S.C. § 1348 (b)(2) and 30 CFR § 250.101, and constitutes additional information under 30 CFR §§ 250.186(a) and 250.418(j).

Information Demonstrating Adequate Spill Response and Well Containment Resources

For operations using subsea BOPs or surface BOPs on floating facilities, BOEMRE will evaluate whether each operator has submitted adequate information demonstrating that it has access to and can deploy surface and subsea containment resources that would be adequate to promptly respond to a blowout or other loss of well control. This evaluation will be based on the information submitted in compliance with the spill response regulations contained in 30 CFR Part 254, including 30 CFR 254.5(d), and is intended to assure compliance with the requirements of 30 CFR 254.23, 254.24 and 254.26(d).

Operators are not required, at this time, to submit revised oil spill response plans (OSRPs), but may do so voluntarily. BOEMRE will evaluate whether each operator has provided adequate information in its current OSRP describing the types and quantities of surface and subsea containment equipment that the operator can access in the event of a spill or threat of spill, and the deployment time for each, pursuant to 30 CFR 254.26(d). The type of information BOEMRE will evaluate includes, but is not limited to, the following, as applicable to each operation:

- Subsea containment and capture equipment, including containment domes and capping stacks.
- Subsea utility equipment, including hydraulic power, hydrate control, and dispersant injection equipment.
- Riser systems.
- Remotely operated vehicles (ROVs).
- Capture vessels.
- Support vessels.
- Storage facilities.

If your OSRP does not address the above information and it is applicable to your operation, you are encouraged to promptly provide the additional information voluntarily to the appropriate address below. Pursuant to 30 CFR §§ 254.23 and 254.26(d)(2), BOEMRE will also evaluate whether there is adequate information identifying the personnel who will be available to respond to a blowout or loss of well control requiring the deployment of containment resources.

Addresses:

Gulf of Mexico and Atlantic OCS Regions:
Bureau of Ocean Energy Management, Regulation and Enforcement
Regional Supervisor, Field Operations
Gulf of Mexico OCS Region
Attention: Oil Spill Program (MS 5200)
1201 Elmwood Park Boulevard
New Orleans, Louisiana 70123-2394

Alaska OCS Region
Bureau of Ocean Energy Management, Regulation and Enforcement
Regional Supervisor, Field Operations
Alaska OCS Region
3801 Centerpoint Drive, Suite 500
Anchorage, Alaska 99503-5820

Pacific OCS Region
Bureau of Ocean Energy Management, Regulation and Enforcement
Regional Supervisor, Field Operations
Attention: Operations, Safety and Enforcement Section
Pacific OCS Region
770 Paseo Camarillo, Second Floor
Camarillo, California 93010

Authority

BOEMRE issues this NTL under the authority of 30 CFR §§ 250.103, 250.186(a), 250.418(j), and 254.5(d). This NTL clarifies, supplements, and provides more detail about existing regulations, including 30 CFR §§ 254.2(b), 254.24, 254.25, and 254.26(d).

Paperwork Reduction Act of 1995 Statement

This NTL refers to, but does not impose new, information collection requirements in 30 CFR 250, Subpart D, and 30 CFR 254. The Office of Management and Budget (OMB) has approved the information collection requirements in these regulations under OMB Control Numbers 1010-0141 and 1010-0091, respectively. The statement of compliance in this NTL is not considered information collection under 5 CFR 1320.3(h)(1).

Contacts

If you have questions regarding this NTL, please contact the following:

- Gulf of Mexico OCS Region - Jane Powers at jane.powers@BOEMRE.gov or (504) 736-2558;
- Pacific OCS Region - Rishi Tyagi at rishi.tyagi@BOEMRE.gov or (805) 389-7775;
- Alaska OCS Region - Jeff Walker at jeffrey.walker@BOEMRE.gov or (907) 334-5300.

Robert P. LaBelle
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