

Department of the Interior Departmental Manual

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Series: Delegation

Part 219: Bureau of Safety and Environmental Enforcement

Chapter 1: General Program Authority – Offshore Safety and Environmental Enforcement

Originating Office: Bureau of Safety and Environmental Enforcement

219 DM 1

1.1 **Delegation of Authority.** The Director, Bureau of Safety and Environmental Enforcement (BSEE), is delegated, through the Assistant Secretary – Land and Minerals Management (ASLM), the Secretary of the Interior’s (Secretary) authority to oversee and regulate offshore operations and perform all related functions, including the following:

A. Under the Outer Continental Shelf (OCS) Lands Act, as amended (43 U.S.C. §§ 1331 et seq.), to conserve OCS mineral resources; to oversee offshore oil, natural gas, sulphur, and other energy and mineral exploration, development, and production; to oversee long-term carbon sequestration; to oversee production, transportation, or transmission of energy on OCS lands from sources other than oil and gas, such as renewable energy, or the use of OCS facilities for energy-related or other authorized marine-related purposes, including oversight of personnel safety; and to enforce safety and environmental standards related to those operations. The Director’s oversight authority includes permitting, research, inspections for safety and environmental compliance, the implementation of offshore regulatory programs related to field operations, and training of inspectors. The Director’s enforcement authority includes the authority to investigate, summon witnesses, require the production of evidence, assess civil penalties, and cancel or suspend activities.

B. Under the Federal Oil and Gas Royalty Management Act of 1982, as amended (30 U.S.C. §§ 1701 et seq.), the authority to ensure production accountability and regulatory compliance. The Director’s authority includes the authority to assess civil penalties.

C. Under sections 2(b)(3), 2(d)(3), and 2(e)(3) of Executive Order 12777, as amended, that delegate the authority under sections 311(j)(1)(C), 311(j)(5), and 311(j)(6)(A) of the Federal Water Pollution Control Act of October 18, 1972 (33 U.S.C. §§ 1321 et seq.) as amended by the Oil Pollution Act of 1990, including the authority to issue regulations: requiring the owners or operators of offshore facilities to prepare and submit response plans, establishing requirements for spill prevention and response equipment, and providing for inspections of such equipment.

D. Under 296 DM 2.3A, the authority to take action on requests from On-Scene Coordinators or, when the Regional Response Team is activated, from the designated

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representatives of the Office of Environmental Policy and Compliance for assistance responding to oil spills.

E. Under 318 DM, the authority to issue Federal Register notices that pertain to the responsibilities and functions assigned to BSEE. All proposed and final rules are issued by ASLM.

1.2 **Redelegation.** The authority to oversee and regulate offshore operations and perform all related functions delegated to the Director may be further delegated, unless redelegation is specifically prohibited or limited.

1.3 **Program Activities.** The activities performed by BSEE under the legislation above and other directives of the Department are stated in its organization statement (119 DM 1-5).

1.4 **Limitation.** The authorities granted in 219 DM 1.1 and 1.2 do not include authority that the Secretary may not redelegate as set forth in 200 DM 1.