

## Industry Opposition to Proposed Improvements to Safety Standards

There is a significant record of efforts by the energy industry (including BP) to stop the June 17, 2009 MMS proposed rule to impose stricter safety and environmental regulations to replace a system of voluntary regulation that has been in place since 1994. The proposed rule, "(the so-called "SEMs" rule), would require, among other things, that lessees have their safety and environmental management systems audited every three years by an independent party or qualified company personnel.

[http://www.eenews.net/public/25/15332/features/documents/2009/06/16/document\\_gw\\_01.pdf](http://www.eenews.net/public/25/15332/features/documents/2009/06/16/document_gw_01.pdf).

As part of the public comment period:

- On September 14, 2009, BP's vice president for Gulf of Mexico production wrote to MMS: "We are not supportive of the extensive, prescriptive regulations as proposed in this rule. We believe industry's current safety and environmental statistics demonstrate that the voluntary programs implemented since the adoption of [voluntary standards] have been and continue to be very successful."  
[http://www.eenews.net/public/25/15332/features/documents/2010/04/27/document\\_gw\\_02.pdf](http://www.eenews.net/public/25/15332/features/documents/2010/04/27/document_gw_02.pdf).
- That same day, ExxonMobil's Operations Integrity Management Systems Response Supervisor, Jonathan W. Armstrong, wrote to MMS: "We understand MMS's desire to improve OCS [outer continental shelf] performance and we share in the concern for safety of personnel and protection of the environment; however, the proposed rule prescribes stricter requirements than the approach on which it is based . . . and may generate significant difficulties for operators and contractors to abide by the rule."  
[http://www.eenews.net/public/25/15332/features/documents/2010/04/27/document\\_gw\\_04.pdf](http://www.eenews.net/public/25/15332/features/documents/2010/04/27/document_gw_04.pdf)
- Chevron's Manager, Legislative and Regulatory Advocacy, Gulf of Mexico Business Units, Sandi M Fury, wrote: These types of changes to programs that are working effectively we believe will add minimal if any added value; are contrary to the direction that MMS has given industry over the past twenty years; and will likely not impact performance."
- Dozens of similar letters were also sent.  
<http://www.regulations.gov/search/Regs/home.html#docketDetail?R=MMS-2008-OMM-0003>.
- And on Sept. 2, 2009, The Offshore Operators Committee, a trade association, submitted a PowerPoint presentation asking in bold letters, "What Do HURRICANES and New Rules Have in Common?" against a backdrop of hurricane activity in the Gulf of Mexico. The answer: "Both are disruptive to Operations and are Costly to Recover From."  
<http://big.assets.huffingtonpost.com/MMS-2008-OMM-0003-0030.3.pdf>. The presentation also states that: "We are disappointed: "We are Disappointed: MMS fails to recognize that our voluntary safety and environmental programs are effective. MMS fails to understand that our safety record is good and is only getting better."