

Gulf of Mexico Intergovernmental Renewable Energy Task Force Meeting

Bureau of Safety and Environmental Enforcement Update

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“To promote safety, protect the environment and conserve resources offshore through vigorous regulatory oversight and enforcement.”



Bureau of Safety and Environmental Enforcement

What we do

- Ensure safe and environmentally responsible offshore energy exploration and production.
 - Outer Continental Shelf Lands Act 1953.

How we do it

- Safety Enforcement.
 - Safety and Incident Investigations.
- Standards.
- Environmental Compliance and Stewardship.
- Oil Spill Preparedness.
- 850+ employees in 10 locations.

It takes more than regulations

- MOUs, such as with USCG.
- SafeOCS (near miss reporting).
- Risk-based inspections.
- Risk analysis committee.
- Safety Alerts.
- BSEE!SAFE text messaging.
- Engagement.
- Research.

BSEE and BOEM Formalize Offshore Renewable Energy Responsibilities

Dec. 22, 2020: MOA clarifies each bureau's roles and responsibilities.

- Initiated processes to officially transfer certain safety and environmental compliance regulations from BOEM to BSEE.
 - Environmental and safety management, including development and oversight of Safety Management Systems.
 - Incident reporting.
 - Inspections.
 - Investigations.
 - Facility and equipment maintenance.
 - Verification activities, including Certified Verification Agent responsibilities.
 - Structural assessments.
 - Oil spill preparedness.
 - Decommissioning and site clearance, including plan review.
 - Environmental compliance.
 - All matters involving the safety of personnel.

DOI Policy Statement

- DOI will act as the principal regulator and enforcement agency on the OCS for workplace safety and health on renewable energy facilities.
- OSHA will collaborate with DOI and provide expertise.
- DOI will consider standards used in OSHA regulations as a baseline but can allow alternate standards to achieve the same level of safety.

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DEPARTMENT OF THE INTERIOR

Bureau of Safety and Environmental Enforcement

30 CFR Part 250

Bureau of Ocean Energy Management

30 CFR Part 585

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Department of the Interior Policy Statement on Regulating Workplace Safety and Health Conditions on Renewable Energy Facilities on the Outer Continental Shelf

AGENCY: Bureau of Ocean Energy Management, Interior; Bureau of Safety and Environmental Enforcement, Interior.

ACTION: Notification of policy statement.

Role of DOI

DOI will act as the principal Federal agency for the regulation and enforcement of safety and health requirements for OCS renewable energy facilities.⁷ DOI considers its regulatory program, described in part above, to occupy the field of workplace safety and health for personnel and others on OCS renewable energy facilities, and to preempt the applicability of Occupational Safety and Health Administration (OSHA) regulations. *See* 29 U.S.C. 653(b)(1).

In carrying out its responsibilities on the OCS, DOI will collaborate and consult with OSHA on the applicability and appropriateness of workplace safety and health standards for the offshore wind industry and other offshore renewable energy industries.

In addition, DOI will continue to collaborate with the USCG to share relevant safety and training information and promote safety on the OCS.

In implementing this policy statement, DOI may amend its regulations or issue guidance related to the workplace health or safety of employees on renewable energy facilities on the OCS.

Strategy

- Establish and deploy a framework to stand up and maintain an effective offshore renewable energy program integrated throughout BSEE.
- Performance-based approach to regulating health and safety.
 - Drive safety performance and environmental stewardship with a focus on continuous improvement and ensuring workers are empowered to report and remedy unsafe conditions and environmental concerns.
 - Promote industry data sharing.
 - Use the best, proven methods available; lessons learned.
 - U.S. offshore oil and gas.
 - International offshore wind.

Worker Safety

- The Global Offshore Wind Health and Safety Organization (G+) 2020 safety data represented a total recordable injury rate of 3.75 **per 1 million hours worked**:

	2014	2015	2016	2017	2018**	2019	2020
Hours Worked*	23,710,000	21,220,000	21,726,000	26,815,000	25,359,000	22,374,000	25,318,000
Fatalities	0	0	0	0	0	0	0
Lost work day injuries	44	41	43	49	39	62	43
Restricted work day injuries	14	32	35	30	34	23	30
Medical treatment injuries	85	53	42	78	45	38	22
Total	143	126	120	157	118	123	95
Total recordable injury rate (TRIR)	6.03	5.94	5.52	5.85	4.65	5.50	3.75

- A commitment to job creation through rapid program development includes a commitment to ensuring those jobs are safe.

Estimated Full Time Equivalent Personnel for 30 GW Planned OCS Wind Farm Development

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Installation	8,550	17,963	25,575	32,441	31,800	31,125	30,488	29,888	29,325	20,213
O&M	375	1,875	4,388	8,100	12,413	16,575	20,738	24,750	28,763	32,663
Sum	8,925	19,838	29,963	40,541	44,213	47,700	51,225	54,638	58,088	52,875

BSEE Collaborative Next Steps

- Work with BOEM on offshore renewable energy processes and policies and coordinate knowledge transfer and sharing strategies.
- Establish relationships with international safety organizations.
- Draw from experience in the oil and gas sector to influence/inform the safety of U.S. OCS renewable energy operations.
- Work with industry to develop U.S. consensus standards and operating practices that maximize worker safety and environmental protection for the placement and operation of equipment and facilities.
 - International experience and standards gain primacy when U.S. standards are unavailable or lacking.
 - BSEE will push for safest applications.

Renewable Energy Highlight: UXOs

- How are UXOs (unexploded ordinance) handled?
 - *Avoidance has been the historical answer....*
- What is the concern?
 - Construction Vessels - onsite and actively working
 - Is there a “road-map” for onsite clearance methodologies and authorization?
- The current situation does not constitute a threat to vessel crews or the public since the UXOs are still on the subsurface.
 - For emergency situations.
 - Emergency Response--Threatens safety of personnel or the public i.e. recovered from the seabed and brought onboard a vessel.
 - Ex. Mustard gas recovered in fishing nets.

Unexploded Ordinances / Munitions and Explosives of Concern: the history and the ask

Collaboration: BSEE, USCG, Committee on Marine Transportation Systems (CMTS)





FAS
FSA
APHIS
NRCS
AMS



USFWS
BOEM
BSEE
USGS



BIS
Census
EDA
ITA
NOAA

BLS
OSHA



USACE
Navy
Transcom

TSA
USCG
FEMA
CBP



OST
BTS/RITA
SLSDC
FHWA
MARAD
FRA





CMTS Progress

- CMTS formed the Offshore Energy Facilitation Task Team (October 2021) with the goals of developing a federal road map for previously undetected UXO / MEC.
 - Chairs – BSEE, USCG
 - Agency Members: BOEM, BSEE, USCG, DOD, SOD, USACE, NOAA, MARAD, EPA.
- Offshore Wind Industry Public Listening Session held Nov 16th, 2021
 - Goal – Make sure the Task Team Understands the Problem
 - 94 attendees representing industry and federal agencies
 - Discussion and comments given by Orsted, James Fisher Renewables, and USCG
 - Video and recap are posted on the CMTS website.





CMTS Progress Continued

- May 2022 - meetings between DOI and DOD attorneys discussed jurisdictional authorities.
 - Awaiting for DOD interpretation of authorities to be provided in writing to the CMTS. (Crucial Step) for all activities.

- Feedback from DOD on possible recommended practices and training standards.
 - Recommended practices and training standards are under review.

Road Map Challenges



Jurisdictional boundaries: Examples: Coast Guard control of a vessel, State awareness and inclusion.

Coordination: Once jurisdictional boundaries are identified.

Environmental: Ensuring compliance with various environmental acts while conducting the activity.

One approach for solving jurisdictional challenges

Unified Command

Structure brings together all organizations with jurisdictional authorities for coordination oversight and carry out their organization's jurisdictional responsibilities.



Example Process: In-Situ Burn Approval

The USCG, EPA, DOI, DOC, and the coastal states of RRT VI have adopted ISB as an approved tool to remove spilled or discharged oil from ocean and coastal waters within the jurisdiction of RRT VI.



Questions????

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