

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT
PACIFIC OUTER CONTINENTAL SHELF REGION**

NTL No. 2020-P02

Effective Date: August 21, 2020

NOTICE TO LESSEES AND OPERATORS OF FEDERAL OIL AND GAS LEASES
IN THE PACIFIC OUTER CONTINENTAL SHELF REGION

Decommissioning of Pacific Outer Continental Shelf Region (POCSR) Facilities

This Notice to Lessees and Operators (NTL) supersedes NTL No. 2009 P04. The new NTL adds provisions resulting from amendments to the Decommissioning regulations during 2011 to 2016¹ and clarifies how lessees/operators should communicate their decommissioning plans to BSEE's Pacific region office and conduct decommissioning operations. This NTL offers guidelines regarding the permitting process for decommissioning platforms, pipelines, and other related oil and gas facilities on the Pacific Outer Continental Shelf Region (POCSR). It provides advice and guidance on procedures for you to use in coordinating with the Bureau of Safety and Environmental Enforcement (BSEE) and other affected parties.

In accordance with 30 CFR 250.107(a), you must protect health, safety, property, and the environment by: (1) performing all operations in a safe and workmanlike manner; and (2) maintaining all equipment and work areas in a safe condition. These requirements remain in effect during decommissioning operations, from the cessation of production through the actual removal activities. During the time the platform is stacked, you must maintain equipment in a safe condition. You should direct any questions regarding the platform equipment safety requirements to the Regional Supervisor, Office of Field Operations.

Decommissioning Requirements

As your OCS platforms approach the end of their projected economic life, you should initiate the early stages of developing applications for decommissioning and plans to remove such facilities. In developing these applications, you should refer to your Lease Agreements and 30 CFR Part 250, Subpart Q – Decommissioning Activities for specific requirements pertaining to:

- Permanently Plugging Wells (30 CFR 250.1710 through 250.1716),
- Temporary Abandoned Wells (30 CFR 250.1721 through 250.1723),

¹ 76 Fed.Reg. 64462 (Oct. 18, 2011), as amended at 77 FR 50896 (Aug. 22, 2012); 80 FR 75810, (Dec. 4, 2015); 81 FR 26037, Apr. 29, 2016; 81 FR 80591 (Nov. 16, 2016).

- Removing Platforms and Other Facilities (30 CFR 250.1725 through 250.1730),
- Decommissioning of OCS Facilities subject to an Alternate Use right-of-use and easement (30 CFR 250.1731),
- Site Clearance for Wells, Platforms, and Other Facilities (30 CFR 250.1740 through 250.1743), and
- Pipeline Decommissioning (30 CFR 250.1750 through 250.1754).

You should review lease stipulations and conditions of approvals for your Development and Production Plan (DPP) and any modifications, including those placed on former lessees/operators for which the current lessee/operator is now responsible pursuant to an assignment of that lease. You should provide detailed technical and environmental plans for conducting decommissioning operations in a safe and environmentally sound manner to the Regional Supervisor. BSEE will review your decommissioning plans in consultation with Federal, State, and local agencies, as well as other affected parties. Your plans should focus on engineering and safety considerations and address how you will ensure compliance with applicable regulations and requirements in Subpart Q.

BSEE will conduct the environmental review according to CEQ regulations (40 CFR 1500 through 1508) and Departmental procedures that implement the National Environmental Policy Act (NEPA) per DOI Manual Part 516, Chapter 15.² NEPA procedures ensure that environmental information is made available to public officials and citizens before decisions are reached and actions are taken. BSEE employs the NEPA process to identify and assess reasonable alternatives to proposed actions, in order to avoid or minimize adverse effects of these actions upon the quality of the human and physical environment.

Early Notification and Coordination

We urge you to meet with POCSR staff at the earliest practicable time to discuss your plans for decommissioning your OCS oil and gas facilities. These meetings should take place during the early conceptual design stages of the decommissioning project, before you submit the initial platform removal application. Your application is due to POCSR at least two years before production is projected to cease. See 30 CFR 250.1704(a).

We encourage you to schedule early coordination meetings with Federal, State, and local regulatory agencies, and other affected parties to review preliminary information outlining the conceptual framework and general timetable for decommissioning facilities. The goal of these

² Our environmental review will also involve consultation with the National Marine Fisheries Service and U.S. Fish and Wildlife Service pursuant to the requirements of the Endangered Species Act, Marine Mammal Protection Act, and the Magnuson-Stevens Fishery Conservation and Management Act. Additionally, we will conduct a review under Section 106 of the National Historic Preservation Act with consultations, as appropriate, and government-to-government consultation with affected Indian Tribes in accordance with DOI Policy on Consultation with Indian Tribes, as appropriate.

meetings is to share information and promote open communication among all parties. This approach will help to identify permitting requirements and timetables, information needs,

environmental concerns, and other issues that could impact how you conduct decommissioning operations. This approach will also provide an opportunity for regulatory agencies to develop a more coordinated and streamlined process for reviewing and approving projects.

Decommissioning Applications and Timing

According to 30 CFR 250.1704, you must submit your initial platform removal application to the Regional Supervisor at least 2 years before production is projected to cease. Under 30 CFR 141, you may propose, in writing, an alternate procedure for the Regional Supervisor's consideration, on a case-by-case basis.

Submit these platform applications and the pipeline decommissioning/removal application referenced below to:

Regional Director
Office of Regional Director
760 Paseo Camarillo, Suite 102
Camarillo, CA 93010

According to 30 CFR 250.1725(a) through (c), you must: remove all platforms and other facilities within one year after the lease or pipeline right-of-way terminates, unless you receive approval from BSEE to maintain the structure to conduct other activities; submit a final removal application to the BSEE for approval; and remove a platform or other facility according to the approved application. See 30 CFR 250.1725.

The information that you must include in the initial and final platform removal applications is specified at 30 CFR 250.1726 and 250.1727 and listed here for easy reference:

Initial Platform Removal Application

- a. Platform/facility removal procedures, including the types of vessels and equipment you will use;
- b. Facilities (including pipelines) you plan to remove or leave in place;
- c. Platform/facility transportation and disposal plans;
- d. Plans to protect marine life and the environment during decommissioning operations, including a brief assessment of the environmental impacts of the decommissioning operations and procedures and mitigation measures that will be taken to minimize the impacts; and
- e. Projected decommissioning schedule.

Final Platform Removal Application

- a. Identification of the applicant, as specified in the regulation at 30 CFR 250.1727;
- b. Identification of the structure, as specified in the regulation;
- c. Description of the structure, as specified in the regulation;

- d. Description, including anchor pattern, of the vessel(s) you will use to remove the structure;
- e. Identification of the purpose of the removal, as specified in the regulation;
- f. Description of the removal method, as specified in the regulation;
- g. Your plans for transportation and disposal (including as an artificial reef) or salvage of the removed platform;
- h. If available, the results of any recent biological surveys conducted in the vicinity of the structure and recent observations of turtles or marine mammals at the structure site;
- i. Plans to protect archaeological and sensitive biological features during removal operations including a brief assessment of the environmental impacts of the removal operations and procedures and mitigation measures you will take to minimize such impacts; and
- j. A statement whether or not you will use divers to survey the area after removal to determine any effects on marine life.

Pipeline Decommissioning/Removal Application

You must comply with regulations in Subpart Q governing pipeline decommissioning/removal requirements at 30 CFR 250.1750 through 250.1754, whether by decommissioning-in-place or by removal. These regulations specify that pipeline decommissioning or removal applications must identify the information to be included and that will be submitted to BSEE for approval before the proposed activity is performed.

Environmental Considerations and Information Sources

As specified above, you must include the required environmental information in the initial and final platform removal applications, as well as for pipeline removal applications. Although decommissioning of oil and gas facilities may have long-term environmental benefits, the process of removing the facilities has the potential to cause adverse impacts to water quality, air quality, sensitive species, habitats, commercial and recreational fishing, and other resources.

You should consider these impacts when formulating decommissioning applications and develop effective measures to minimize and mitigate such impacts. At a minimum, your analysis should address the methods for plugging wells and removing platform topsides and jackets, as well as any subsea infrastructure, as set forth in § 250.1703. Environmental documents that you prepared for DPPs may supply useful information on equipment that poses environmental concerns and mitigation measures. POCSR urges you to update your environmental documents

to identify any new or additional equipment including, but not limited to, valves, pumps, flanges, production safety systems, and oil/water separation units that were installed after the last DPP was provided to BOEM or BSEE.

We look forward to working closely with you on decommissioning and removing OCS oil and gas facilities as the need arises. We encourage you to contact BSEE POCSR at the earliest practicable time to discuss plans for decommissioning facilities.

Guidance Document Statement

In accordance with 30 CFR 250.103, BSEE may issue Notices to Lessees and Operators (NTLs) that clarify or provide more detail about certain requirements. NTLs may also outline what you must provide as required information in your various submissions to BSEE.

Paperwork Reduction Act of 1995 Statement

The Office of Management and Budget (OMB) approved the information collection requirements in these regulations and assigned OMB control numbers 1014-0024 and 1014-0010, respectively. This notice does not impose any additional information collection requirements subject to the Paperwork Reduction of 1995.

Contact

If you have any questions or need clarification regarding this NTL, please contact the POCSR OSO at bseepacoso@bsee.gov.

S /by/ Mark Fesmire

Mark E. Fesmire, PE JD
Pacific OCS Region
Regional Director