



Directive Supplement Data Sheet

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| Signatory | TJ Broussard Jr., Regional Environmental Officer, OEC GOMR |
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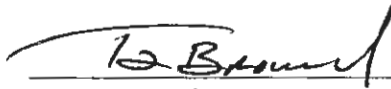
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11/21/2019

Date



United States Department of the Interior
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Revision History

Directive Part Number and Part Title 550 Environmental Compliance

Directive Number 550.4 DS-G

Directive Title Rigs-to-Reefs Program Policy

| Directive Version | Effective Date | Substantive (S) or Non-Substantive (NS) Change | Summary of Revisions |
|--------------------------|--------------------------|---|---|
| 1 | Date of Signature | NS | Minor changes to IPD No. 2013-07 to reflect current organizational structure and program oversight and the formal transfer of the policy guidance into Directive Supplement format. |
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United States Department of the Interior
BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT

BSEE DIRECTIVE SUPPLEMENT

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|------------------------------|------------------------------|
| Part Number and Title | 550 Environmental Compliance |
| Directive Number | 550.4 DS-G |
| Directive Title | Rigs-to-Reefs Program Policy |

PURPOSE AND OBJECTIVES

This directive outlines established policy and procedures associated with management of the Rigs-to-Reefs Program and the evaluation of structure-removal permit applications proposing an alternative to complete removal to onshore disposal through the approval of tow-and-place, topple-in-place, and partial removal-in-place of obsolete/decommissioned oil and gas structures for conversion to artificial reefs on the Outer Continental Shelf (OCS).

AUTHORITY

- A. Outer Continental Shelf Lands Act and amendments (OCSLA, 43 U.S.C. § 1331 et seq.);
- B. National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. § 4321-4347);
- C. National Fishing Enhancement Act (NFEA) of 1984 (33 U.S.C. § 2101 et seq.);
- D. Regulations: Oil and Gas and Sulphur Operations in the Outer Continental Shelf (30 C.F.R. Part 250 Subpart Q – Decommissioning Activities (§§ 250.1700-1754)); and
- E. BSEE Bureau Manual, Chapter 550.1, *National Environmental Compliance Policy*.

REFERENCES

- A. National Artificial Reef Plan (NARP): *Guidelines for Siting, Construction, Development, and Assessment of Artificial Reefs*; United States (U.S.) Department of Commerce, National Oceanic and Atmospheric Administration, February 2007;
- B. National Guidance: *Best Management Practices for Preparing Vessels Intended to Create Artificial Reefs*; U.S. Environmental Protection Agency and U.S. Maritime Administration, May 2006; and
- C. Regional Guidance: Directive Supplement 550.2-DS, *Office of Environmental Compliance Manual of Standard Operating Procedures*.

POLICY

It is the policy of BSEE to support and encourage the reuse of appropriate, structural material from obsolete oil and gas platforms as artificial reefs and to apply a standardized approach to processing such proposals to reduce and/or negate potential impacts to critical infrastructure, other users of the OCS, and the environment. The Rigs-to-Reefs Program is based on the following policy components:

- A. Regulatory Departure: Under its regulations at 30 C.F.R. §§ 250.1725 and 250.1730, BSEE may grant a departure from the requirement to remove a platform/facility from the OCS and allow partial structure removal or toppling in place so that the structure can be converted to an artificial reef. BSEE will grant a lessee/operator a departure under 30

C.F.R. § 250.1703 from the removal requirements in 30 C.F.R. § 1725(a) and applicable lease obligations provided that the following requirements are met:

- (1) The structure becomes part of a State artificial reef program that complies with the criteria in the National Artificial Reef Plan (§ 250.1730(a));
- (2) The responsible State agency acquires a permit from the U.S. Army Corps of Engineers and accepts title and liability for the reefed structure once removal/reefing operations are concluded (§ 250.1730(a)); and
- (3) The lessee/operator satisfies any U.S. Coast Guard navigational requirements for the reefed structure (§ 250.1730(b)).

In addition, when deciding whether to grant a departure from the removal requirements, BSEE will consider whether the reefing proposal complies with the engineering and environmental standards set forth in Section D below.

- B. Extensions for Reefing Proposals: BSEE will work with operators and may grant necessary extensions to the time requirements under 30 C.F.R. § 250.1725(a) to allow for the processing and approval of BSEE permits and/or other State/Federal program requirements needed to reef the structure.
- (1) The extensions are based upon the operator's decision to follow the requirements of Section A above (the conversion of their oil and gas structure into an artificial reef).
 - (2) Should the operator change its decision to reef, BSEE will withdraw its approval of the extension, set a new date for compliance with the regulations, and take enforcement action, as appropriate.
- C. Engineering and Environmental Standards: BSEE will assess each structure-removal permit application proposing a Rigs-to-Reefs project through site-specific NEPA analysis and coordination reviews (as referenced in the Procedures Section below) for adherence to the following engineering and environmental standards:
- (1) The structure must be stable and not endanger nearby infrastructure and/or protected resources:
 - a. Debris piles, debris fields, and/or reef baskets will not be allowed;
 - b. Reefing will not be permitted in areas of seafloor instability, mudflows, and other geological hazards that may have an impact on the stability of the seafloor; and
 - c. The structure must be situated in the most stable orientation in its final disposition.
 - (2) The structure must be free from all potentially hazardous and non-structural items. Decks may be considered for reef material if all non-structural components are removed, i.e., equipment, vessels, piping/tubing, wiring, etc., and a facility inspection is conducted and documented by BSEE or an approved third party prior to reefing.
 - (3) Reef sites must not hinder future oil and gas, marine mineral, and/or renewable energy/alternative activity operations under OCSLA:
 - a. Future reef sites will be reviewed for impact on future pipeline operations.
 - b. Future reef sites will be reviewed for impact on future resource extraction, e.g., oil, gas, Sulphur, and sand resources.
 - (4) Reef sites must not lead to avoidable space-use conflicts with other users of the OCS as per 30 C.F.R. § 250.1703(f); this is primarily a concern for structures to be reefed-in-place.

- (5) Severance methodologies must consider habitat preservation and reefing orientation, as well as properly balancing personnel safety with environmental concerns.
 - a. The use of explosive severance tools on *in-situ* material, i.e., structures to be reefed-in-place will be evaluated and approved on a case-by-case basis.
 - b. Explosive-severance tools will not be approved if analysis determines that they will cause harm to established artificial reef sites and/or biological/topographic features, such as the Flower Garden Banks and pinnacles.
- (6) BSEE will not grant departures from removal requirements associated with platforms toppled due to structural failure.
- D. Compliance Verification: BSEE GOMR OEC will conduct office verification reviews and field inspections of reefing activities to ensure industry compliance with reefing-related Conditions of Approval (CoAs) and other permit requirements (as referenced in the Procedures Section below); incorporating the subsequent findings into potential policy enhancements and/or procedural improvements.

RESPONSIBILITIES

- A. Regional Environmental Officer (REO) is responsible for:
 - (1) The overall oversight of the Rigs-to-Reefs Program and ensuring coordination with appropriate BSEE and Bureau of Ocean Energy Management (BOEM) leads, other applicable State/Federal agencies, and industry/public stakeholders;
 - (2) Providing necessary support for OEC's associated NEPA, Compliance Verification, and Enforcement efforts; and
 - (3) Ensuring adherence and enhancement of the policy outlined in this document.
- B. Coordination and Review Unit (CRU) Chief is responsible for:
 - (1) Assisting the REO with program oversight and adherence;
 - (2) Overseeing BOEM's environmental review of structure-removal permit applications, as well as, issuing the required NEPA documentation in support of BSEE's decision to approve/disapprove the structure-removal permit; and
 - (3) Managing the requisite office verification review and necessary field inspections of Rigs-to-Reefs projects.
- C. Rigs-to-Reefs Program Coordinator is responsible for:
 - (1) Serving as BSEE's principal advisor on the Rigs-to-Reefs Program and matters related to all artificial reefs (i.e., Federal and State reefing programs, structure placement, marine conditions, related studies, National and local issues, etc.) as covered under NFEA and other legislation; particularly related to the NARP and the specific State artificial reef programs;
 - (2) Overseeing the daily oversight and coordination of each Rigs-to-Reefs proposal and the respective structure-removal permit application; including the associated NEPA Assessment Reviews and Office/Field Compliance efforts (as referenced in the Procedures Section below); and
 - (3) Managing the associated tracking, reporting, and mapping of Rigs-to-Reefs projects and other OCS artificial reefs sites.

PROCEDURES

The detailed, standard operating procedures (SOPs) and associated guidance for carrying out the requisite NEPA, Office Compliance Verification, and Field Compliance Verification work under

this policy can be found in Directive Supplement 550.2-DS, *Office of Environmental Compliance Manual of Standard Operating Procedures*; under the following DS Sections:

- A. NEPA Compliance:
 - (1) Section 2.1.3; Structure Removal Permit Applications (Page 24);
 - (2) Section 2.2.2; Structure Removal – Artificial Reef Permit Coordination (Page 53).
- B. Office Compliance Verification:
 - (1) Section 3.3.3; Artificial Reef (Page 132); and
- C. Field Compliance Verification:
 - (1) Section 4.4; Artificial Reef (Page 220);

REPORTING REQUIREMENTS

All submittal information related to the NEPA review of structure-removal permit applications proposing Rigs-to-Reefs projects and subsequent Office and Field Compliance Verification work are saved in the appropriate BSEE data system; currently the Technical Information Management System (TIMS) and National Consolidated Information System (NCIS). Formal, hard-copy documentation, enforcement actions, and associated correspondence are filed under OEC's File Plan (see <http://eadmincenter/doc/BSEE%20File%20Plans%20GOMR%20OEC.pdf>).

ATTACHMENT(S)

None.