

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT**

NTL No. 2020-N04

Effective Date: December 17, 2020

NATIONAL NOTICE TO LESSEES AND OPERATORS OF
FEDERAL OIL AND GAS LEASES ON THE OUTER CONTINENTAL SHELF

Flaring and Venting Requests

Purpose

This Notice to Lessees and Operators (NTL) provides updated guidance for requesting approval to flare or vent natural gas and clarification about the Bureau of Safety and Environmental Enforcement's (BSEE) approval of such requests. This NTL also updates BSEE contact information for requesting such approvals. It supersedes NTL No. 2012-N04, dated July 15, 2012.

Authority

Under 43 U.S.C. 1334(i), "no holder of any oil and gas lease issued or maintained pursuant to this subchapter shall be permitted to flare natural gas from any well unless the Secretary finds that there is no practicable way to complete production of such gas, or that such flaring is necessary to alleviate a temporary emergency situation or to conduct testing or work-over operations." The regulation at 30 CFR 250.1160(a) specifies the limited circumstances under which you may flare or vent natural gas without first receiving BSEE approval. You must request and receive approval from the Regional Supervisor to flare or vent natural gas at your facility, except in the situations listed in 30 CFR 250.1160(a).

BSEE Approval Policy

BSEE recognizes the importance of balancing the prevention of waste with the necessity to meet the Nation's energy needs. However, when considering requests to approve flaring or venting of natural gas not otherwise authorized by BSEE's regulations, BSEE will not consider avoidance of lost revenue as a reason to justify flaring or venting.

For example, if your gas production and transportation system needs to be repaired, and you could shut in the well and postpone production until the repairs are complete, BSEE will not allow you to instead flare or vent gas in order to maintain cash flow from the oil sales. This policy avoids the waste of natural gas reserves and ensures the later capture of both the oil and natural gas.

On a case-by-case basis, BSEE may approve flaring or venting of natural gas on rare occasions such as:

- When the BSEE Director determines that the flaring or venting is in the national interest, such as when a major hurricane causes widespread and catastrophic gas infrastructure damage, leading to significant declines in national oil production and rapidly escalating oil prices;
- When you demonstrate to the Regional Supervisor's satisfaction that production from the well completion would likely be permanently lost if the well is shut in; or
- When you demonstrate to the Regional Supervisor's satisfaction that short-term flaring or venting would likely yield a smaller volume of lost natural gas than if the facility were shut in and restarted later (with flaring or venting necessary to restart the facility).

Flaring/Venting Contact Information

Whenever possible, please make flaring/venting requests during normal working hours (i.e., 7 a.m. to 5 p.m., Monday through Friday). If the matter is urgent, you may use the afterhours contact information below, in accordance with 30 CFR 250.1160(c).

Gulf of Mexico OCS Region

Office Address: Resource Conservation Section
1201 Elmwood Park Boulevard (GE 921C)
New Orleans, Louisiana 70123-2394

Email: rate.control.unit@bsee.gov

Office telephone numbers of personnel who can respond to your requests:

Yvette Tablada: (504) 736-7837	Joan Edwards: (504) 736-5715
Paul Evans: (504) 736-2415	Steve Walsh: (504) 736-2914
After Hours: (504) 914-2329	

Pacific OCS Region

Office Address Production and Development
760 Paseo Camarillo, 2nd Floor
Camarillo, California 93010

Office telephone number of personnel who can respond to your requests:

John Bain: (805) 384-6376
After Hours: (805) 586-5011

Alaska OCS Region

Office Address: 3801 Centerpoint Drive, Suite 500
Anchorage, Alaska 99503-5823

Office telephone number of personnel who can respond to your requests:

Kyle E. Monkeliën: (907) 334-5300
After Hours: (907) 250-0546

Guidance Document Statement

The BSEE issues NTLs as guidance documents in accordance with 30 CFR 250.103 to clarify or provide more detail about certain BSEE regulatory requirements and to outline the information you must provide in your various submittals. Except to the extent authorized by law or incorporated into a contract, the contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

Paperwork Reduction Act of 1995 Statement

This NTL provides clarification, description, or guidance of requirements for collection of information contained in 30 CFR part 250, Subpart K. The Office of Management and Budget (OMB) has approved the collection of information required by this regulation and assigned OMB Control Number 1014-0019. This NTL does not impose additional information collection requirements subject to the Paperwork Reduction Act of 1995.

/S/ Stacey Noem

Stacey Noem, Chief
Office of Offshore Regulatory Programs (OORP)
Bureau of Safety and Environmental Enforcement