

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

NTL No. 2024-R02

Effective Date: 12/06/2024

NOTICE TO LESSEES, GRANTEEES, AND OPERATORS OF FEDERAL RENEWABLE
ENERGY LEASES, RIGHTS-OF-WAY GRANTS, AND ALTERNATE USE RIGHTS-OF-
USE AND EASEMENT GRANTS

**UNSECURED EQUIPMENT AND ITEMS ON DECKS DURING HURRICANE AND
WINTER STORM SEASONS AND OTHER STORM EVENTS**

Purpose

This Notice to Lessees provides guidance regarding the requirement of 30 CFR 285.105(a) to design your projects and conduct all activities in a manner that “will not cause undue harm or damage to natural resources” and to “take measures to prevent unauthorized discharge of pollutants including marine trash and debris into the offshore environment.”

Items that are not structurally connected to the deck may be swept into the marine environment during storm events, thus becoming unauthorized marine trash and debris and causing undue harm or damage to the offshore environment. These risks are particularly acute during hurricane and winter storm seasons and other adverse weather conditions. Accordingly, to ensure your compliance with 30 CFR 285.105(a), you must secure or remove all equipment or other items that are unsecured on deck areas or on other parts of the structure. Failure to secure or remove this equipment and other items to BSEE’s satisfaction may result in issuance of a notice of non-compliance.

Authority

In the Energy Policy Act of 2005, Congress authorized the Secretary of the Interior (Secretary) to issue leases, easements, or rights-of-way on the Outer Continental Shelf for activities that produce or support production, transportation, or transmission of energy from sources other than oil and gas. Pursuant to this authority, the Department of the Interior (DOI) established an offshore renewable energy program, promulgated final regulations implementing this program on April 29, 2009 (74 FR 19638), and recodified those regulations in 30 CFR part 585 on October 18, 2011 (76 FR 64432). On January 31, 2023, DOI published a final rule that reorganized 30 CFR part 585 to reflect the Secretary’s delegation of authority for offshore renewable energy oversight to BSEE. The final rule transferred certain renewable energy regulations to the newly codified 30 CFR part 285 (88 FR 6376). On May 15, 2024, DOI published a final rule to modernize the part 585 and 285 regulations (89 FR 42602).

Paperwork Reduction Act of 1995 Statement

The Office of Management and Budget (OMB) approved the information collection requirement contained in 30 CFR part 285 under OMB Control Number 1014-0034. This NTL does not impose additional information collection requirements subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq).

Contact

If you have questions regarding this NTL, please contact Marilyn Sauls, 45600 Woodland Rd, Sterling, VA 20166; or email: marilyn.sauls@bsee.gov

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