Subpart A	OOC Comments
Sec. 250.192 What reports and statistics must I submit relating to a hurricane, earthquake, or other natural occurrence?	
(a) You must submit evacuation statistics to the Regional Supervisor for a natural occurrence, such as an earthquake, a hurricane, or tropical storm. Statistics include facilities and rigs evacuated and the amount of production shut in for gas and oil. You must: (1) Submit the statistics by fax or e-mail (for activities in the MMS GOM OCS Region, use Form MMS-132) as soon as possible when evacuation occurs; (2) Submit the statistics on a daily basis by 11 a.m., as conditions allow, during the period of shut-in and evacuation; (3) Inform MMS when you resume production; and (4) Submit the statistics either by MMS district, or the total figures for your operations in an MMS region.	(1) We note that using the "Hurricane Reports" in the eWell Permitting and Reporting System as described in NTL 2006-G11 is not included as one of the reporting methods in the proposed rule. We recommend that electronic submittal, when available, also be included in the regulation in addition to submitting the statistics by fax or e-mail. *(1) Submit the statistics electronically, by fax or by e-mail (for activities in the MMS GOM OCS Region, use the Hurricane Reports in eWell Permitting and Report System if available, or Form MMS-132 by fax or e-mail) as soon as possible when evacuation occurs;* (4) This requirement is not consistent with the eWell system. We recommend the following wording: *(4) Submit the statistics by either utilizing the hurricane reporting tool template in the eWell Permitting and Reporting System, by MMS district or the total figures for your operations in a MMS region.*
(b) If your facility, production equipment, or pipeline is damaged by a hurricane, tropical storm, earthquake, or other natural occurrence, you must: (1) Submit a report to the Regional Supervisor within 48 hours after you	While we understand the desire of the MMS to develop an understanding of the time that might be required to repair and refurbish any damages incurred, the accuracy of any of these early estimates(within 48 hours gives no time to check into hardware or installation capability or availability) are going to be of very little value to the agency. Recent experiences with the widespread damages brought on by serious storms indicate that the 48 hours turn around is far too short. Consideration should be given to item iii as being another time frame in line with getting critical

complete your initial evaluation of the damage. You must use Form MMS-143 to make this report and all subsequent reports. In the report, you must: (i) Name the items damaged (e.g., platform or other structure, production equipment, pipeline); (ii) Describe the damage and assess the extent of the damage (major, medium, minor); and (iii) Estimate the time it will take to replace or repair each damaged structure and piece of equipment and return it to service.	information on availability of items to be repaired or replaced. A better time frame might be 4 weeks after assessments and review of repairs to be carried out.
(2) Submit subsequent reports on a weekly basis until the damaged structure or equipment is returned to service. In the final report, you must provide the date the item was returned to service.	Subsequent reports should be submitted only when new information is available or the status changes. We do not believe there is any benefit to MMS, the public or Industry in providing the same information on a weekly basis if no changes have occurred. Submitting subsequent reports only when information or the status has changed will allow both MMS and Industry personnel to focus on the new information or changes in status without having to sift through redundant reports. We further note that MMS eWell reporting system allows reporting on an as needed basis, or alternatively, Form MMS-143 can be submitted whenever information has changed from the previous report. We suggest the following: *Submit subsequent reports whenever information submitted in previous reports has changed until the damaged structure or equipment is returned to service. In the final report, you must provide the date the item was returned to service.*
Section 250.198 paragraph (e) is amended by adding an entry in alphanumerical order in the table for API RP 2I, ``In-Service Inspection of Mooring Hardware for Floating Drilling Units'', Incorporated by Reference at 250.901(a)(6) revising the entry for API RP 2A-WSD to	

read as follows: API RP 2A WSD, Recommended Practice for Planning, Designing, and Constructing Fixed Offshore Platforms--Working Stress Design; Twenty-first Edition, December 2000 (API Order No. G2AWSD); Incorporated by reference at 250.901(a)(4), 250.908(a), 250.919 (c)(2), 250.920(a)(b)(c)(e)	
Section 250.199 paragraph (e) is amended by adding an entry for Form MMS-143, Facility/Equipment Damage Report, Subpart A, This information will allow MMS to rapidly assess damage and project any disruption of oil and gas production from the OCS after a major natural occurrence.	
Subpart I	
Sec. 250.900 What general requirements apply to all platforms? (e) You must submit notification of the platform installation date, and the final as-built location data, to the Regional Supervisor within 45 calendar days of completion of platform installation. MMS will cancel your approved platform installation permits 1 year after the approval is granted if the platform is not installed. If MMS cancels your permit approval, you must resubmit your application.	The rule as written lacks clarity in applicability of the requirements to fixed vs. floating facilities and continues to be a problem for the operators of these facilities. Additional work should be done in order to clarify or better define the difference between the two. The rule as written imposes additional requirements on submittals by Industry for approval by the MMS but lacks no timeline ever established for response by the MMS. The expectations of the cycle time associated with these approvals should be clearly defined. It is not clear what constitutes the MMS approved installation permits that triggers the one year time frame for installation. For platforms not subject to the Platform Verification Program (PVP), it is assumed that the approval of the platform application triggers the 1 year timeframe, but the regulation needs to be clarified. For platforms subject to the PVP, we do not know what written approvals MMS intends to grant, nor when we should expect to get them. Further, it should be noted that many platforms, especially floating platforms, take multiple years to fabricate. Therefore, it is possible for

	the 1 year timeframe in the regulation to be exceeded during the fabrication process. We suggest the following: *(e) You must submit notification of the platform installation date, and the final as-built location data, to the Regional Supervisor within 45 calendar days of completion of platform installation.* *(i) For platforms not subject to the PVP, MMS will cancel your approved platform application 1 year after approval of the platform application required in 250.905 has been granted if the platform has not been installed. If MMS cancels your approval, you must resubmit your platform application.* *(ii) For platforms subject to the PVP, MMS will clearly identify all MMS written approvals expected to be granted on the MMS approved project management timeline (Gantt Chart)required to be submitted in 250.911 and will identify the point at which the installation approval will be canceled if installation has not occurred and return the timeline to the submitter. If MMS cancels your installation approval, you must resubmit your platform application.*
Sec. 250.901 What industry standards must your platform meet? (a)(6) API RP 2I, In-Service Inspection of Mooring Hardware for Floating Drilling Units, (incorporated by reference as specified in Sec. 250.198);	
Sec. 250.905 How do I get approval for the installation, modification, or repair of my platform? Submit one copy of: (i) Summary of safety factors utilized; A summary of pertinent derived factors of safety against failure for major structural members, eg unity check ratios, exceeding 0.85 for steel-jacket platform members, indicated on line sketches of jacket sections.	
Sec. 250.911 If my platform is subject to the Platform Verification Program,	We suggest adding the following: *(i) in the approval of the project management timeline, MMS will indicate the MMS written approvals*

what must I do? (d) Submit a complete schedule of all phases of design, fabrication, and installation for the Regional Supervisor's approval. You must include a project management timeline [Gantt Chart] that depicts when interim and final reports required by Sec. Sec. 250.916, 250.917, and 250.918 will be submitted to the Regional Supervisor for each phase. On the timeline, you must break out the specific scopes of work that inherently stand alone (e.g., deck, mooring systems, tendon systems, riser systems, turret systems).	*that will be granted and the date that approval for installation will be cancelled if installation has not occurred by that date.*
Sec. 250.916 What are the CVA's primary duties during the design phase? (c) The CVA must submit interim reports and a final report to the Regional Supervisor, and to you, during the design phase in accordance with the approved schedule required by Sec. 250.911(d). In each interim and final report the CVA must: (1) Provide a summary of the material reviewed and the CVA's findings; (2) Make a recommendation that the Regional Supervisor either accept, request modifications, or reject the proposed design; (3) Describe the particulars of how, by whom, and when the independent review was conducted; and (4) Provide any additional comments the	Normally, the CVA will make a recommendation that the Regional Supervisor either accept, request modifications, or reject the proposed design in the Final CVA report, not the interim CVA reports. We suggest the following: *(2) In the final CVA report, make a recommendation that the Regional Supervisor either accept, request modifications, or reject the proposed design unless such a recommendation has been previously made in an interim report;*

CVA may deem necessary	
Sec. 250.917 What are the CVA's primary duties during the fabrication phase? (c) The CVA must submit interim eports and a final report to the Regional Supervisor, and to you, during the fabrication phase in accordance with the approved schedule required by Sec. 250.911(d). In each interim and final report the CVA must: (1) Give details of how, by whom, and when the independent monitoring activities were conducted; (2) Describe the CVA's activities during the verification process; (3) Summarize the CVA's findings; (4) Confirm or deny compliance with the design specifications and the approved fabrication plan; (5) Make a recommendation to accept or reject the fabrication; and (6) Provide any additional comments that the CVA deems necessary.	Similar comment as 250.916.
Sec. 250.918 What are the CVA's primary duties during the installation phase? (c) The CVA must submit interim reports and a final report to the Regional Supervisor, and to you, during the installation phase in accordance with the approved schedule required by Sec. 250.911(d). In each interim and final report	Similar comment as 250.916.

the CVA must: (1) Give details of how, by whom, and when the independent monitoring activities were conducted; (2) Describe the CVA's activities during the verification process; (3) Summarize the CVA's findings; (4) Confirm or deny compliance with the approved installation plan; (5) Make a recommendation to accept or reject the installation; and (6) Provide any additional comments that the CVA deems necessary.	
250.919 What in-service inspection requirements must I meet? (a) You must submit a comprehensive annual in-service inspection plan covering all of your platforms to the Regional Supervisor for approval by April 1 of each year. As a minimum, your plan must: (1) Address the recommendations of the appropriate documents listed in Sec. 250.901(a); (2) Specify the type, extent, and frequency of in-place inspections which you will conduct for both the above-water and the below-water structure of all platforms and pertinent components of the mooring systems for floating platforms; and (3) Address how you are monitoring the corrosion protection for both the above water and below water structure.	Submittal of the plan should be adequate and not require MMS approval. If MMS retains the approval criteria, then the proposed regulation should be clarified to respond to the following questions: 1. Does the plan need to be resubmitted if the plan changes during the year? This would seem to be overly burdensome since a report on the plan is due 7 months later. Consideration should be given to multi-year assessment programs in lieu of annual programs which may or may not change during the course of a year. 2. When does MMS intend to approve the plan? 3. If the plan is to be approved by MMS, does this mean that the operator should refrain from implementing the plan until it is approved or is the operator assuming all of the risk by implementing the plan prior to approval? If MMS retains the requirement that they approve the plan, then a timeframe for approval needs to be included in the regulation. We suggest the following: *(a) You must submit a comprehensive annual in-service inspection plan covering all of your platforms to the Regional Supervisor by April 1 of each year. As a minimum, your plan must:….*

(c) If any of your structures have been exposed to a natural occurrence (e.g., hurricane, earthquake, or tropical storm), the Regional Supervisor may require you to submit an initial report, followed by subsequent updates, that includes the following: (1) A list of affected structures; (2) A timetable for conducting the inspections described in section 14.4.3 of API RP 2A-WSD (incorporated by reference as specified in Sec. 250.198); and (3) An inspection plan for each structure that describes the work you will perform to determine the condition of the structure.	
(d) The Regional Supervisor may also require you to submit the results of the inspections referred to in paragraph (c)(2) of this section, including a description of any detected damage that may adversely affect structural integrity, an assessment of its ability to withstand any anticipated environmental conditions, and any remediation plans. Under Sec. 250.900(b)(3) and 250.905, you must obtain approval from MMS before you make major repairs of any damage.	This appears to be a duplication of the request in Paragraph 250.192(b). Please clarify what the difference is. In some cases, the operator may need to make immediate repairs to a platform in order to restore the structural integrity of the platform. Therefore, we recommend that you also reference 250.900(c). We recognize that we are assuming the risk of repair not being subsequently approved by MMS and having to make additional repairs to satisfy the MMS. We suggest the following: *(d)….Under Sec. 250.900(b)(3) and 250.905, you must obtain approval from MMS before you make major repairs of any damage unless you meet the requirements of 250.900(c).*
Sec. 250.920 What are the MMS requirements for assessment of platforms? (a) You must perform a platform assessment when platform assessment initiators exist. Platform assessment	This section is only applicable to fixed platforms since the platform assessment in Section 17 of API RP 2A-WSD is only applicable to fixed platforms. We further note that the MOU between MMS and USCG give the primary responsibility for in-service inspection of floating platforms to the USCG. We suggest the following:

initiators are listed in Sections 17.2.1-17.2.5 of API RP 2A-WSD (incorporated by reference as specified in Sec. 250.198).	*Section 250.920 What are the MMS requirements for assessment of fixed platforms?*
(b) You must document all wells, equipment, and pipelines supported by the platform if you intend to use the medium or low consequence-of-failure exposure category for your assessment. Exposure categories are defined in API RP 2A-WSD Section 1.7. You must obtain approval from the Regional Supervisor before assessing your platform to either the medium consequence-of-failure or low consequence-of-failure exposure category.	The regulation does not describe the information to be submitted in order to obtain the approval for assessing your fixed platform to either medium consequence-of-failure or low consequence-of-failure exposure categories. If MMS retains the requirement that they approve the exposure category in the final rule, then the regulation should include a description of the information to be submitted to MMS along with the timeline on when approval can be expected. Industry should be allowed to follow standards incorporated by reference in determining the appropriate exposure category and should not have to obtain MMS approval prior to assessing platforms. If MMS is concerned with how Industry interprets the incorporated standards to determine the appropriate failure category, then they should propose clarification to how the standards are to be interpreted. If a company has a question concerning the appropriate application of the standards to a particular situation, then they can approach MMS for an interpretation. Industry should be allowed to assess its platforms with the understanding that the MMS may object to the assessment categorization. We suggest the following: *(b) You must document all wells, equipment, and pipelines supported by the platform if you intend to use the medium or low consequence-of-failure exposure category for your assessment. Exposure categories are defined in API RP 2A-WSD Section 1.7. If MMS objects to your exposure category you used for your assessment, you will be required to obtain approval from the Regional Supervisor for your exposure category.*
(c) You must perform a complete platform structural assessment analysis when your platform assessment indicates that the platform is damaged; the deck height is inadequate; loading is significantly increased; or the exposure category changes to a more restrictive level.	We note that API RP 2A-WSD, Section 17, Paragraph 17.2.5 states that if the damage is considered insignificant, it may be justified without performing a detailed assessment. We suggest the following: *(c) You must perform a complete platform structural assessment analysis when your platform assessment indicates that the platform is significantly damaged;…*
(d) You must initiate mitigation actions for platforms that do not pass the assessment process of API RP 2A-WSD. Your	The regulation does not describe the information to be submitted in order to get the mitigation actions approved. The regulation should include this information along with the timeline on when approval can be expected.

mitigation actions must be approved by the Regional Supervisor.	
(e) MMS may require you to conduct a platform assessment where the reduced environmental loading criteria contained in API RP 2A-WSD Section 17.6 are not allowed.	We do not understand what this is referring to. Please clarify.
(f) By November 1 of each year, you must submit a complete list of all the platforms you operate, together with all the appropriate data to support the consequence-of-failure category you assign to each platform and the platform assessment initiators (as defined in API RP 2A-WSD) to the Regional Supervisor.	We do not understand the rationale for requiring a complete list of all the platforms and the supporting data to be submitted annually when in many cases the data will not change from year to year (no initiator to trigger an assessment). Since 250.919(a) requires a comprehensive annual in-service inspection plan, we suggest that the assessment category be included in that plan. If assessment category is being changed, then the appropriate data supporting the change could be requested by MMS. We suggest the following: *(f)The consequence-of-failure category as defined in API RP 2A-WSD is to be listed on the in-service inspection plan required in 250.919(a)for each platform. If the consequence-of-failure category has changed from the previous year, then the MMS Regional Supervisor may require the submittal of all of the appropriate data to support the consequence-of-failure category you have assigned.*
(g) The use of Section 17, Assessment of Existing Platforms, of API RP 2A-WSD is limited to existing fixed structures that are serving their original approved purpose and were designed in accordance with the provisions in the 19th or earlier edition of API RP 2A-WSD. You must obtain approval from the Regional Supervisor for any change in purpose of the platform, following the provisions of API RP 2A-WSD, Section 15, Re-use.	
Subpart J	
Sec. 250.1007 What to include in	

applications. (a)(4) A description of any additional design precautions you took to enable the pipeline to withstand the effects of water currents, storm or ice scouring, soft bottoms, mudslides, earthquakes, permafrost, and other environmental factors. (i) If you propose to use unbonded flexible pipe, your application must include: (A) The manufacturer's design specification sheet; (B) The design pressure (psi); (C) An identification of the design standards you used; and (D) A review by a third-party independent verification agent (IVA) according to API Spec 17J (incorporated by reference as specified in Sec. 250.198), if applicable. (ii) If you propose to use one or more pipeline risers for a tension leg platform or other floating platform, your application must include: (A) The design fatigue life of the riser, with calculations, and the fatigue point at which you would replace the riser; (B) The results of your vortex-induced vibration (VIV) analysis; (C) An identification of the design standards you used; and (D) A description of any necessary	

mitigation measures such as the use of helical strakes or anchoring devices.	