

**UNITED STATES DEPARTMENT OF THE INTERIOR
MINERALS MANAGEMENT SERVICE
GULF OF MEXICO OCS REGION**

NTL No. 2008-G13

Effective Date: July 9, 2008

Expiration Date: July 9, 2013

NOTICE TO LESSEES AND OPERATORS OF FEDERAL OIL, GAS, AND SULPHUR
LEASES IN THE OUTER CONTINENTAL SHELF

Electronically Stored Records

This Notice to Lessees and Operators (NTL) is issued to clarify policy of the Minerals Management Service (MMS) Gulf of Mexico OCS Region (GOMR) concerning the availability and inspection of electronically stored records and documents.

Background

Pursuant to the requirements of 30 CFR 250.804(b) and 1630(b), you must maintain testing records for each installed surface and subsurface safety device “at the lessee’s field office nearest the OCS facility or other locations conveniently available to the District Manager.” These regulations provide MMS a means to inspect test records during its annual inspection of each OCS facility, or as otherwise needed.

Other MMS regulations require you to maintain various additional records related to operations, testing, training, and inspections at your OCS facilities, including, but not limited to, the following:

- 30 CFR 250.108(e) - Crane records
- 30 CFR 250.301 - Pollution inspection records
- 30 CFR 250.803(b)(1) and (b)(2) - Operating pressure-recorder charts
- 30 CFR 250.1105(d) and (e) - Records of flaring and venting gas and burning liquids
- 30 CFR 250.1203(f)(4) - Measurements or estimates of volumes of gas lost or used
- 30 CFR 250.1205(b)(3) and (4) - Meter site security seal records

Many lessees and lease operators currently use compliance management systems to schedule and document testing and inspections. Some automated systems include features that remind you when actions are required. The more sophisticated compliance management systems are web-based and utilize electronic forms to capture and store results as data in a central database and/or can include electronic document storage that can be used by authorized individuals to view various records over the Internet.

Electronic records represent a forward-thinking progression from paper records and provide significant opportunity to move to paperless systems. One of the major benefits of using an electronic system over paper is that information can be immediately and remotely available.

These systems can monitor activities to ensure that they are performed, and if not performed, escalate the issue forward. Use of electronic systems to manage inspections and follow-up activity is recognized and encouraged by MMS and is viewed as a tool that has the potential to reduce incidents of non-compliance (INC's) and improve compliance with the regulations if used properly.

Policy

If you use a compliance management system and store your test records and other documentation in an Internet-accessible central database or electronic filing system, MMS may recognize this as your official records storage location pursuant to 30 CFR 250.186(a)(3) if your system meets the following minimum criteria:

- Provides your personnel offshore a means to present the required records to authorized MMS personnel, as needed, in a reasonable amount of time before the conclusion of an onsite inspection. MMS recognizes that performance of electronic systems is dependent on connections and server performance. However, MMS considers it reasonable for you to present requested records by the end of the inspection.
- Includes provisions for backing up data and records at a secure offsite location.
- Includes controls to ensure data integrity and security, including tracking and storing information about those persons who enter and modify data and when any changes are made. Make sure that you are able to demonstrate to MMS the adequacy of the controls you have in place.
- Provides a summary report containing the applicable information outlined in 30 CFR 250.804.

Procedure

If you would like MMS GOMR to use your electronic compliance management system for records inspection, submit a letter to the MMS GOMR regional office requesting approval of an alternate procedure under 30 CFR 250.141. With the request, provide a list of your facilities (in a spreadsheet format) that use a web-based records compliance management system. In the list, include the MMS complex identification number; OCS area and block number; facility name; compliance management system name; and a contact name, telephone number, and email address for the MMS GOMR to use to request access. Please email your request for alternative compliance and accompanying spreadsheet to eInspections@mms.gov.

After receiving your request for alternative compliance, MMS GOMR personnel will contact you at least two weeks prior to your scheduled facility inspection to request URL's, user account names, and passwords to access your records for a specific period of time prior to the onsite inspection. After reviewing the records, MMS GOMR may contact you and provide a list of any forms or records that were unavailable, unclear, or problematic. In this case, MMS GOMR will expect you to provide the records, corrections, or clarifications during the on-site inspection.

MMS understands that many of the compliance management systems in place today may serve multiple purposes and may contain data and information that is more extensive than that required by MMS. Therefore, you may limit MMS access to only the pertinent data subject to inspection as required by the regulations. Although MMS does not expect you to include a minimum set of

records in your electronic system, we do expect to find the records generated since the last MMS inspection. Any required records not available to MMS via the online system must be available at the onsite location.

MMS recognizes that it may take time to add all of your records to an electronic system and to train your offshore workers to properly maintain it. MMS will also need time to transition to this new method of inspecting records. In the meantime, MMS does not plan to write INC's for violations discovered during the electronic records review until the discrepancies are validated by the onsite MMS inspection.

Guidance Document Statement

The MMS issues NTL's as guidance documents in accordance with 30 CFR 250.103 to clarify, supplement, and provide more detail about certain MMS regulatory requirements and to outline the information you provide in your various submittals. Under that authority, this NTL sets forth a policy on and an interpretation of a regulatory requirement that provides a clear and consistent approach to complying with that requirement. However, if you wish to use an alternative approach for compliance, you may do so, after you receive approval from the appropriate MMS office under 30 CFR 250.141.

Paperwork Reduction Act of 1995 Statement

The information collection referred to in this NTL is intended to provide clarification and interpretation of requirements contained in 30 CFR 250 Subparts A, C, H, K, L, and P. The Office of Management and Budget (OMB) has approved the information collection requirements in these regulations under OMB Control Numbers 1010-0114, 1010-0057, 1010-0059, 1010-0041, 1010-0051, and 1010-0086, respectively. This NTL does not impose additional information collection requirements subject to the Paperwork Reduction Act of 1995.

Contacts

If you have any questions regarding this NTL, please contact Mr. Tom Machado of the MMS Gulf of Mexico OCS Region, Office of the Regional Supervisor, Field Operations, by telephone at (504) 736-2833 or by e-mail at tom.machado@mms.gov or eInspections@mms.gov.

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