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RULES PROCESSING TEAM

November 17, 2003

DEC 01 2003

Department of the Interior
Minerals Management Service (MS 4024)
Attn: Rules Processing Team (Comments)
381 Elden Street
Herndon, VA 20170-4817

Re: RIN 1010-AC57; NPRM Incident Reporting
FR 68-40585

Ladies and Gentlemen:

Marathon Oil Company appreciates this opportunity to provide written comments on the subject proposed rule to amend regulations regarding the reporting of incidents associated with Outer Continental Shelf oil and gas and other mineral operations as published in the July 8, 2003 Federal Register.

Marathon supports the comments submitted by the Offshore Operators Committee (OOC). We believe that that the proposed rulemaking on incident reporting falls short in many areas and is overly burdensome with little benefit. The proposed rule is highly prescriptive and the multiple reporting requirements and timeframes are complex and confusing.

We urge MMS to work with both the USCG and industry stakeholders to propose an incident reporting system. This system should provide single point reporting to both MMS and USCG. It should be based on the reporting of certain significant incidents and the recording of less significant incidents and places the responsibility for lessees/operators to report platform incidents and vessel owners/operators to report vessel incidents.

In specific, Marathon has these particular concerns with the proposed rulemaking:

1. The multiple reporting requirements and timeframes are complex, confusing and unrealistic. In many cases the proposed rule is asking for reports before a full determination of the scope and/or severity of the incident can or will be determined. This focus on reporting could also potentially hinder the response to some incidents.
2. Concerning the affects that the Health Insurance Portability and Accountability Act of 1996 (HIPAA) legislation may have on this NPRM, Marathon supports those comments provided by OOC.

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3. The numerous jurisdictional issues between MMS and USCG have not been adequately addressed by the NPRM. These issues are also addressed in the OOC comments.

Again, Marathon appreciates the opportunity to provide the above comments on this important rulemaking. In addition, Marathon supports the comments submitted by the OOC and would request that the rulemaking for this issue be postponed until MMS and USCG have worked through all of the jurisdictional issues on incident reporting and until they can develop a proven single point reporting system that allows responsible parties to make timely notifications of incidents.

Sincerely,



L. R. Dartez
Production Manager

JS:LRD/sw