



**NOTIFICATION OF INCIDENT(S) OF NONCOMPLIANCE**

You are hereby ordered to correct the identified Incident(s) of Noncompliance (INC) listed below. You have the right to appeal any INC Notification in accordance with Title 30 CFR part 290. You must file your appeal in the office of the official issuing this Notification. However, the filing of an appeal will not suspend the requirement to comply with this Notification.

Page 1 of 3  
 Date 11-13-2013  
 Time (24-Hour Clock) 9:00  
 BSEE Rep. (Print Last Name) David Trocquet

BSEE Office Address New Orleans District 800 W. Commerce Rd. Suite 300 New Orleans, LA 70123-3392	Lease No. OCS 000367	Area and Block WD 32	Facility/Rig and Well No. Platform E	Complex ID No. Complex ID 20249
	Lease Operator (Print) Black Elk Energy Offshore Operations	Drill, Prod, P/L Contractor (Print) See Contractors below	Turnkey Company (Print)	

Enforcement Action: W — Warning C — Component Shut-in S — Facility Shut-in

PINC No.	Enf. Action	Authority 30 CFR	INC Description and any Special Orders (shut-in of operations, facility, wells, etc.) Potential INC/PINC Guidelines at <a href="http://www.bsee.gov/Inspection-and-Enforcement/index.aspx">http://www.bsee.gov/Inspection-and-Enforcement/index.aspx</a>	Date Corrected
			Contractors: Wood Group Production Service Network (WGPSN) Compass Engineering & Consultants, LLC (Compass) Grand Isle Shipyard, Inc. (GIS)	
			The following INC's are in response to the accident that occurred on November 16, 2012, on the WD 32 E platform in the Gulf of Mexico that triggered an explosion and fire and resulted in the death of three individuals. The event is described in detail in BSEE Panel Report 2013-002.	
G-110	S	250.107(a)	Lessee failed to ensure that construction activities being completed onboard the facility were performed in a safe and workmanlike manner to protect health, safety, property and the environment when welding operations were conducted in close proximity to piping containing hydrocarbons.	
G-110	C	250.107(a)	Lessee failed to ensure that operations were conducted in a safe and workmanlike manner because there was open-ended sump discharge piping and the sump was active.	
G-112	C	250.107(b)	Lessee did not take necessary precaution to protect all personnel from hydrocarbon accumulation and fire hazard during the construction operations by ensuring that all hazards were identified and addressed.	

BSEE Representative Signature <i>David Trocquet</i>	Operator Representative Print Last Name _____ Signature _____ Date _____
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The operator must insert in the "Date Corrected" column the date each INC was corrected; sign and date the green copy of this form; and return it to the BSEE office identified above no later than 14 DAYS from the date of issuance. If the green copy cannot be returned within the allotted time, the operator must obtain a waiver from the appropriate BSEE office. This process should ensure that onshore operator management is aware and acknowledges that INCs were issued on this facility, on this date, but in no way delays any enforcement action taken.

Unless specifically ordered otherwise, the operator representative must correct and inspect all components and facility shut-in INCs identified and notify the issuing BSEE office before returning to operations.

Manager/Supervisor: I certify each Incident of Noncompliance listed above has been corrected on the corresponding date, and I understand that the submission of false statements to the United States is a criminal offense under 18 U.S.C. Section 1001.

Print Last Name _____	Signature _____	Date _____
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**Small Business Statement:** Your comments are important. The Small Business and Agriculture Regulatory Enforcement Ombudsman and ten Regional Fairness Boards were established to receive comments from small businesses about Federal agency enforcement actions. The Ombudsman will annually evaluate the enforcement activities and rate each agency's responsiveness to small business. If you wish to comment on the actions of BSEE, call 1-888-REG-FAIR (1-888-734-3247). You may comment to the Small Business Administration without fear of retaliation. Disciplinary action for retaliation by a BSEE employee may include suspension or termination from employment with the Department of the Interior.

**Paperwork Reduction Act of 1995 (PRA) Statement:** The PRA (44 U.S.C. 3501 *et seq.*) requires us to inform you that BSEE collects this information to ensure that facility management is knowledgeable of the incident of noncompliance issued; corrective action is taken in a reasonable period of time; and for component or facility shut-in enforcement actions, that the identified component or facility is not returned to operation without the prior notice to the appropriate BSEE office. Responses are mandatory (43 U.S.C. 1331 *et seq.*). No proprietary information is collected. An agency may not conduct or sponsor, and you are not required to respond to, a collection of information unless it displays a currently valid OMB Control Number. Public reporting burden for this form is estimated to average 2 hours per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. You may direct comments regarding the burden estimate or any other aspect of this form to the Information Collection Clearance Officer, Bureau of Safety and Environmental Enforcement, 381 Elden Street, Herndon, VA 20170.



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G-116	S	250.109	Lessee failed to conduct operations in accordance with the approved welding plan.	
G-303	C	250.113(a)	Lessee did not ensure the removal or protection of equipment containing hydrocarbons and other flammable substances within 35 feet from the point of impact of slag, spark, or burning materials.	
G-309	C	250.113(c)(1)(i)	Lessee did not issue written authorization to construction personnel to commence welding operations in the area of the LACT system and overhead piping.	
G-310	C	250.113(c)(3)	Lessee did not render the contents of the affected piping and interconnected tanks inert and safe prior to commencing welding activities in the area of the LACT system and overhead piping.	
G-311	C	250.113(c)(2)	Lessee did not designate adequate quantity of personnel to conduct duties of a fire watch during simultaneous hot work operations in separate locations.	

BSEE Representative Signature <i>David Trocquet</i>	Operator Representative Print Last Name _____ Signature _____ Date _____
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Table with BSEE Office Address, Lease No., Area and Block, Facility/Rig and Well No., Lease Operator (Print), Drill, Prod, P/L Contractor (Print), Turnkey Company (Print)

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Table with columns: PINC No., Enf. Action, Authority 30 CFR, INC Description and any Special Orders, Date Corrected

BSEE Representative Signature Operator Representative Print Last Name Signature Date

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