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Pipeline Safety Trust Submits Comment Recommending the Bureau of Safety and Environmental Enforcement (BSEE) Collect More Information on Pipelines Under its Jurisdiction

Operators regulated by BSEE are not required to report pipeline damage to the regulator.

WASHINGTON - [Aug. 12, 2024] – In a comment filed on Aug. 7, the Pipeline Safety Trust (PST) asked the Department of Interior's Bureau of Safety and Environmental Enforcement (BSEE) to seek more information from operators about pipelines under its jurisdiction.

BSEE is both the safety regulator and permit approver for all pipelines operating in the Outer Continental Shelf (OCS). As it stands, the Bureau collects significantly less information than the federal pipeline regulator U.S. DOT's Pipeline and Hazardous Materials Safety Administration (PHMSA), the agency that regulates pipelines outside of the OCS.

When it comes to information collection, existing regulations only require operators to report to BSEE minimal details 90 days after a pipeline is constructed and if repairs are planned and completed. Gathering key information could help mitigate common pipeline safety issues. For example, BSEE does not ask pipeline operators for information about pipe material or construction methods, nor does it require operators to report known instances of pipeline damage.

"I think the public would be shocked to know operators of pipelines located on the sea floor are not always aware of damage when it occurs; which has slowed down response times in previous incidents," PST Policy Advisor Hailey Duncan said. "PST believes collecting more

detailed information from operators is a critical step toward better coordination between all parties and protecting federal waters."

Offshore pipelines and actions taken in rights-of-way pose safety risks, and BSEE could further mitigate those risks by mandating operators submit a robust amount of information about their systems.

What information should BSEE collect?

PST believes collecting more information would bring wider protection and transparency for pipeline activities operating on the OCS and give BSEE more data from which to make its decisions. Further, the information PST hopes to see collected is similar to what PHMSA collects for pipelines operating outside of the OCS.

1. Pipe Material Specifications

   PST would like to see lease holders report basic information about pipe material, weld type, and other construction specifications.

2. Construction Specifications

   Requiring reporting of information about burial, depth of cover, and protection measures will allow BSEE to make better informed permitting decisions and coordinate with parties to develop protection measures for pipelines located on the OCS.

3. Monitoring and Repair Procedures

   Safe pipeline operations include regular surveys and the use of leak detection technology to monitor for issues on the pipeline system and plan for necessary repairs and maintenance. This should be reported.

4. Damage Reporting

   Requiring leaseholders to report known damage to BSEE could be the first step in centralizing information about how and where damage is occurring on the pipelines it regulates. There have been several offshore pipeline incidents in recent years involving unreported damage such as the oil leak that occurred in 2021 in Huntington Beach, California, where an estimated 24,696 gallons of oil leaked into the San Pedro Bay.

What is the OCS? Where exactly are the pipelines BSEE regulates?

The OCS is defined in (43 U.S.C. § 1331) as "(1) all submerged lands lying seaward and outside of the area of lands beneath navigable waters as defined in [the Submerged Lands Act], and of which the subsoil and seabed appertain to the United States and are subject to its jurisdiction and control or within the exclusive economic zone of the United States and adjacent to any territory of the United States; and (2) does not include any area conveyed by Congress to a territorial government for administration."

"BSEE needs to collect more information so it can become a more effective regulator and keep the sensitive oceanic ecosystems that inhabit the OCS safe," PST Executive Director Bill Caram said. "We are hopeful BSEE will increase the amount of information it requires pipeline operators to submit so pipeline safety on the OCS can be improved."

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About Pipeline Safety Trust: The Pipeline Safety Trust is a nonprofit public watchdog promoting pipeline safety through education and advocacy by increasing access to information, and by building partnerships with residents, safety advocates, government, and industry, that result in safer communities and a healthier environment.