



Written by [David Kelly](#) on August 23, 2023

## Biden Admin Reinstates Stricter Offshore Safety Rules

The Department of the Interior (DOI) [announced](#) on Tuesday new measures that it says will “enhance worker safety and ensure offshore oil and gas operations on the Outer Continental Shelf are conducted with the utmost safety and oversight standards.”

Included in the measures is the [final well-control rule](#) from the Bureau of Safety and Environmental Enforcement (BSEE), which adds to the regulatory reforms implemented by the DOI in the aftermath of the 2010 Deepwater Horizon blowout and resulting oil spill that killed 11 people and cost billions of dollars in environmental damage and economic loss to coastal communities.



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“The Biden-Harris administration is committed to the highest standards of worker safety and environmental protections,” said Secretary Deb Haaland in a [press release](#). “These improvements are necessary to ensure offshore operations, especially those related to well integrity and blowout prevention, are based on the best available, sound science. As our nation transitions to a clean energy economy, we will continue strengthening and modernizing offshore energy standards and oversight.”

According to the DOI, after the Deepwater Horizon incident, BSEE adopted several recommendations from multiple investigation teams to improve the safety of offshore energy operations, leading to the Obama-era 2016 well-control rule. That rule was revised and weakened in 2019 under then-President Donald Trump, a move welcomed by the oil industry and opposed by environmental groups.

PBS News Hour [reported](#):

The new rules from the Interior Department’s Bureau of Safety and Environmental Enforcement address conditions and well pressures under which the automatic well control devices operate. They require that remotely operated underwater vehicles be capable of opening and closing key components of blowout preventers. They also include mandates and time limits for investigating failures and providing data on blowouts to regulators.

It’s a revision but not a complete reversal of the Trump-era changes. For instance, BSEE is maintaining an expansion of the interval between required blowout preventer inspections from 14 to 21 days.

The strict requirement for blowout preventer systems (BOPs) came about because a BOP failure was a key factor in the Deepwater Horizon incident. According to a US Chemical Safety and Hazard Investigation Board [report](#), the BOP continues to be “relied upon as a final barrier to loss of well control.”

The new rules require that BOPs must now always seal wells under maximum pressure, and that failures must be reported to both a designated third party and the BSEE. Well operators are also



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required to share BOP test results with BSEE within 72 hours after completion of the tests if BSEE is unable to witness testing.

Also, BOP incident investigations must start within 90 days of an event and require independent third-party qualifications to be submitted to BSEE with the associated permit applications.

BSEE Director Kevin Sligh welcomed the revised well-control rule, stating in the DOI press release:

Finalizing this rule will enable BSEE to continue to put the lives and livelihoods of workers first, as well as the protection of our waters and marine habitats. This rule strengthens testing and performance requirements for blowout preventers and other well control equipment, provides for timely and robust analyses and investigations into failures, and clarifies reporting requirements to ensure we have appropriate visibility over information and data critical to maintaining well integrity.

*The Epoch Times* [reported](#) the reaction from a major oil and gas lobby, the American Petroleum Institute (API):

“Regulatory clarity is critical for ensuring compliance and establishing safe operations, but this rule continues the rampant politicization of the rulemaking process and represents another policy swing from administration to administration, resulting in a policy that fails to meaningfully improve the safety of workers or protect the environment,” API vice president of upstream policy, Holly Hopkins, told *The Epoch Times* in an emailed statement.

The API was part of a coalition of oil-industry organizations that wrote a [letter](#) to the DOI last September during the [comment period](#) on the proposed new rules. The letter stated that the new rules would “impose unreasonable and economically infeasible burdens on energy development efforts without a measurable safety benefit.” The oil organizations also claimed in the letter that some of the proposals in the new rule “could be so consequential as to render some leases economically unviable.”

The groups did agree with the DOI on the importance of enhancing safety regulations, adding in the letter that they want to work with the BSEE to help assure that the energy fundamental to our society and its economic prosperity can still be developed and delivered safely.

However, those comments offered in opposition to the proposed rules fell on deaf ears, as the new measures imposed by the Biden administration are clearly focused on the destruction of the oil industry while supporting their supposed clean green-energy goals.



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