



24 April 2015

U.S. Department of the Interior,
Bureau of Safety & Environmental Enforcement
Office of the Director
1849 C Street NW, Mail Stop DE5438
Washington, DC 20240

Re: Docket No. BSEE-2015-0002: *Oil and Gas and Sulphur Operations in the Outer Continental Shelf—Blowout Preventer Systems and Well Control* - Request for Extension of Comment Period

Via electronic submission to: <http://www.regulations.gov/>

Director Salerno:

Petrobras America Inc. (PAI) respectfully requests an extension of an additional 120 days to the comment period associated with the Notice of Proposed Rulemaking referenced above. PAI echoes the comments provided by the Offshore Operators Committee. PAI is actively reviewing the proposed rule, engaging in discussions with industry colleagues and PAI concurs with the agency's assessment of its significance that this rule "*represents one of the most substantial rulemakings in the history of the BSEE and its predecessor organizations.*"ⁱ The breadth and complexity of the rule is also reflected in the fact that the rule took four years for BSEE to write and another four plus months for the Office of Management and Budget to complete its procedural review required prior to its publication in the Federal Register.

An extension is necessary to allow the affected Industry the sufficient time needed to review the vast number of new and comprehensive requirements affecting multiple systems critical to well control operations proposed in this rulemaking so that informed and thoughtful input can be provided. It is therefore critical for a rule of this nature to undergo robust assessment of the potential impacts and feasibility of implementation. Unintended consequences of this proposed rulemaking could be significant, thus thoughtful consideration of each element is required to help ensure the intent of the regulation is achieved. In addition to reviewing the proposed regulatory action, BSEE has posed over 50 questions to Industry, seeking input on critical matters under consideration, including technology requirements that currently do not exist (e.g., requirement for "*technology capable of severing any components of the drill string (excluding drill bits)*"ⁱⁱ) as well as input on expanding of the proposed rule to cover operations beyond that currently being considered (e.g., RTM being "*required for all well operations, including shallow water shelf operations;*"ⁱⁱⁱ) and, applying "*source control and containment requirements...to wells drilled in shallow water*"^{iv}). While the preamble of the rule may be viewed in its intent to serve as explanatory in nature, considerations posed in the preamble may in fact become requirements in the final rule if the Agency determines it receives substantial comments in support. The Agency noted in its comments issued with the release of the proposed rule its desire to implement the rule with severing capability of the BOP as a requirement. It is therefore critical that adequate time be afforded Industry to thoughtfully respond to the Agency's request for information and feedback.


It is PAI's intent to undertake a thorough and comprehensive technical review and submit comments. PAI is committed to safe operations and supports effective regulations however, it is imperative that any new regulations must be proven to be an improvement of the performance of blowout preventer systems and well control operations and not over regulation that is without merit. PAI believes 'Industry' comments will be of significant value to BSEE if, 'Industry' and the people who utilize

these systems constantly and consistently, are allowed adequate time to conduct a review that leverages Industry's expertise in each of the many areas touched by this proposed rule.

PAI therefore, respectfully requests a response to our extension request of 120 days on or before May 8, 2015. If faced with insufficient time, we will have no choice but to prioritize our focus to those items that we can timely address and are deemed most critical to our members. Limiting the time required for a complete and thorough review will likely lead to a rule that has unintended consequences and compromise the Agency's efforts to achieve its stated objectives.

Thank you sincerely for your time and attention to this request for an extension of time. PAI personnel are available to discuss any questions or concerns you may have and can be reached by contacting the undersigned at 713.808.2881 or by e-mail to groland@petrobras.com.

Sincerely,
Petrobras America Inc.



Gregory D. Roland
Regulatory Compliance Area Manager

ⁱ Federal Register / Vol. 80, No. 74 / Friday, April 17, 2015 / Proposed Rules, page 21506

ⁱⁱ Ibid, page 21529

ⁱⁱⁱ Ibid, page 21520

^{iv} Ibid, page 21516