



This document is scheduled to be published in the Federal Register on 12/03/2013 and available online at <http://federalregister.gov/a/2013-28835>, and on FDsys.gov

4310-VH-P

DEPARTMENT OF THE INTERIOR

Bureau of Safety and Environmental Enforcement

**[Docket ID BSEE-2013-0008; OMB Control Number 1014-NEW; 134E1700D2
EEEE500000 ET1SF0000.DAQ000]**

**Information Collection Activities: Application for Permit to Drill; Proposed
Collection; Comment Request**

ACTION: 60-day Notice.

SUMMARY: To comply with the Paperwork Reduction Act of 1995 (PRA), Bureau of Safety and Environmental Enforcement (BSEE) is inviting comments on a collection of information that we will submit to the Office of Management and Budget (OMB) for review and approval. The submission of this information collection request (ICR) is necessary so that both industry and BSEE have a better understanding of the regulatory requirements associated with all supporting data and information that is submitted with an Application for Permit to Drill (APD), a Revised APD, and the Supplemental APD Information Sheet under the multiple subparts. This ICR will separate out the hours and non-hour cost burdens associated with APDs and Supplemental APDs from its currently approved IC into its own separate collection; it will also reflect more accurate burden estimates.

DATE: You must submit comments by [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: You may submit comments by either of the following methods listed below.

- Electronically: go to <http://www.regulations.gov>. In the Search box, enter BSEE-2013-0008 then click search. Follow the instructions to submit public comments and view all related materials. We will post all comments.
- Email cheryl.blundon@bsee.gov. Mail or hand-carry comments to the Department of the Interior; BSEE; Regulations and Standards Branch; Attention: Cheryl Blundon; 381 Elden Street, HE3313; Herndon, Virginia 20170-4817. Please reference ICR 1014-NEW in your comment and include your name and return address.

FOR FURTHER INFORMATION CONTACT: Cheryl Blundon, Regulations and Standards Branch at (703) 787-1607 to request additional information about this ICR.

SUPPLEMENTARY INFORMATION:

Title: 30 CFR part 250, Application for Permit to Drill and all supporting documentation.

Forms: BSEE-0123 and BSEE-0123S.

OMB Control Number: 1014-NEW.

Abstract: The Outer Continental Shelf (OCS) Lands Act, as amended (43 U.S.C. 1331 *et seq.* and 43 U.S.C. 1801 *et seq.*), authorizes the Secretary of the Interior to prescribe rules and regulations to administer leasing of mineral resources on the OCS. Such rules and regulations will apply to all operations conducted under a lease, right-of-way, or a right-of-use and easement. Operations on the OCS must preserve, protect, and develop oil and natural gas resources in a manner that is consistent with the need to make such resources available to meet the Nation's energy needs as rapidly as possible; to balance orderly energy resource development with protection of human, marine, and coastal environments; to ensure the public a fair and equitable return on the resources of the

OCS; and to preserve and maintain free enterprise competition. Section 1332(6) states that “operations in the Outer Continental Shelf should be conducted in a safe manner by well trained personnel using technology, precautions, and other techniques sufficient to prevent or minimize the likelihood of blowouts, loss of well control, fires, spillages, physical obstructions to other users of the waters or subsoil and seabed, or other occurrences which may cause damage to the environment or to property or endanger life or health.”

In addition to the general rulemaking authority of the OCSLA at 43 U.S.C. 1334, section 301(a) of the Federal Oil and Gas Royalty Management Act (FOGRMA), 30 U.S.C. 1751(a), grants authority to the Secretary to prescribe such rules and regulations as are reasonably necessary to carry out FOGRMA’s provisions. While the majority of FOGRMA is directed to royalty collection and enforcement, some provisions apply to offshore operations. For example, section 108 of FOGRMA, 30 U.S.C. 1718, grants the Secretary broad authority to inspect lease sites for the purpose of determining whether there is compliance with the mineral leasing laws. Section 109(c)(2) and (d)(1), 30 U.S.C. 1719(c)(2) and (d)(1), impose substantial civil penalties for failure to permit lawful inspections and for knowing or willful preparation or submission of false, inaccurate, or misleading reports, records, or other information. Because the Secretary has delegated some of the authority under FOGRMA to BSEE, 30 U.S.C. 1751 is included as additional authority for these requirements.

The Independent Offices Appropriations Act (31 U.S.C. 9701), the Omnibus Appropriations Bill (Pub. L. 104-133, 110 Stat. 1321, April 26, 1996), and OMB Circular A-25 authorize Federal agencies to recover the full cost of services that confer special

benefits. Under the Department of the Interior's implementing policy, BSEE is required to charge fees for services that provide special benefits or privileges to an identifiable non-Federal recipient above and beyond those which accrue to the public at large. Applications for permits to drill are subject to cost recovery, and BSEE regulations specify service fees for these requests.

Regulations implementing these responsibilities are among those delegated to BSEE. The regulations at 30 CFR part 250 stipulate the various requirements that must be submitted with an APD, Revised APD, (Form BSEE-0123) and a Supplemental APD Information Sheet (Form BSEE-0123S) which is the subject of this collection. Currently, an APD is covered only under 30 CFR part 250, subpart D, 1014-0018, and when discussed in Subparts A, E, H, and P, they are cross referenced. It is difficult to correlate the APD burden requirements in the other subparts with their respective burden. By putting APDs, Revised APDs, and the supplemental APD information sheet, along with all the required documentation throughout the various subparts into one ICR, we feel that this situation will be alleviated and will reflect more accurate burden estimates. This request also covers the related Notices to Lessees and Operators (NTLs) that we issue to clarify, supplement, or provide additional guidance on some aspects of our regulations.

In this ICR, we have included a certification statement on both forms to state that false submissions are subject to criminal penalties. Also, we clarified some sections of the Form BSEE-0123. This poses minor edits and they are as follows:

Question #17 - facility name was added;

Question #25 - revised the citations for accuracy;

Question #33 - added new question - H) Has the drilling rig been approved for the use of digital BOP testing? If yes, which version?

The forms that are submitted and their purposes are: Application for Permit to Drill, BSEE-0123, and Supplemental APD Information Sheet (Casing Design), BSEE-0123S. We use the information that is submitted with these forms to determine the conditions of a drilling site to avoid hazards inherent in drilling operations. Specifically, we use the information to evaluate the adequacy of a lessee's or operator's plan and equipment for drilling, sidetracking, or deepening operations. This includes the adequacy of the proposed casing design, casing setting depths, drilling fluid (mud) programs, cementing programs and blowout preventer (BOP) systems to ascertain that the proposed operations will be conducted in an operationally safe manner that provides adequate protection for the environment. The BSEE also reviews the information to ensure conformance with specific provisions of the lease. In addition, except for proprietary data, BSEE is required by the OCS Lands Act to make available to the public certain information submitted on these forms.

The BSEE will protect proprietary information according to the Freedom of Information Act (5 U.S.C. 552) and its implementing regulations (43 CFR part 2); 30 CFR 250.197, *Data and information to be made available to the public or for limited inspection*; and 30 CFR part 252, *OCS Oil and Gas Information Program*. No items of a sensitive nature are collected. Responses are required to obtain or retain a benefit or they are mandatory.

Frequency: On occasion and as required in the regulations.

Description of Respondents: Potential respondents comprise Federal oil, gas, or sulphur lessees and/or operators.

Estimated Reporting and Recordkeeping Hour Burden: In this submission, we are estimating 47,800 burden hours. The following chart details the individual components and respective hour burden estimates of this ICR. In calculating the burdens, we assumed that respondents perform certain requirements in the normal course of their activities. We consider these to be usual and customary and took that into account in estimating the burden.

[NOTE: In the Burden Table, a Revised APD hour burden is preceded by the letter R]

BURDEN TABLE

Citation 30 CFR 250 for Application for Permit to Drill (APD)	Reporting or Recordkeeping Requirement	Hour Burden	Average No. of Responses	Annual Burden Hours (Rounded)
		Non-Hour Cost Burden		
Subparts A, D, E, H, P	Apply for permit to drill, sidetrack, bypass, or deepen a well submitted via Forms BSEE-0123 (APD) and BSEE-0123S (Supplemental APD). (This burden represents only the filling out of the forms, the requirements are listed separately below.)	1	408 applications	408
		\$2,123 fee x 408 = \$866,184		
Subparts D and E	Obtain approval to revise your drilling plan or change major drilling equipment by submitting a Revised APD and Supplemental APD [no cost recovery fee for Revised APDs]. (This burden represents only the filling out of the forms, the requirements are listed separately below).	1	662 submittals	662
		Subtotal	1,070 responses	1,070 hours
			\$866,184 non-hour cost burdens	
Subpart A				
125	Submit evidence of your fee for services receipt.	Exempt under 5 CFR 1320.3(h)(1).		0
197	Written confidentiality agreement.	Exempt under 5 CFR 1320.5(d)(2).		0
Subpart D				

Citation 30 CFR 250 for Application for Permit to Drill (APD)	Reporting or Recordkeeping Requirement	Hour Burden	Average No. of Responses	Annual Burden Hours (Rounded)
		Non-Hour Cost Burden		
409	Request departure approval from the drilling requirements specified in this subpart; identify and discuss.	1	367 approvals	367
410(d)	Submit to the District Manager: An original and two complete copies of APD and Supplemental APD; separate public information copy of forms per § 250.186.	0.5	380 submittals	190
		R- 0.5	380 submittals	190
411; 412	Submit plat showing location of the proposed well and all the plat requirements associated with this section.	2	380 submittals	760
411; 413; 414; 415;	Submit design criteria used and all description requirements;	11.5	707 submittals	8,131
	drilling prognosis with description of the procedures you will follow; and			
	casing and cementing program requirements.			
411; 416	Submit diverter and BOP systems descriptions and all the regulatory requirements associated with this section.	3	380 submittals	1,140
411; 417	Provide information for using a MODU and all the regulatory requirements associated with this section.	10	682 submittals	6,820
411; 418	Additional information required when providing an APD include, but not limited to, rated capacities of drilling rig and equipment if not already on file; quantities of fluids, including weight materials; directional plot; H2S; welding plan; and information we may require per requirements, etc.	19	380 submittals	7,220
420(a)(6)	(i) Include signed registered professional engineer certification and related information.	3	1,034 certification	3,102
423(b)(3)	Submit for approval casing pressure test procedures and criteria. On casing seal assembly ensure proper installation of casing or line (subsea BOP's only).	3	527 procedures & criteria	1,581
423(c)(3)	Submit test procedures and criteria for a successful negative pressure test for approval. If any change, submit changes for approval.	2.5	355 submittals	888
		R-4	1 change	4
432	Request departure from diverter requirements; with discussion and receive approval.	5	53 requests	265
447(c)	Indicate which casing strings and liners meet the criteria of this section.	1	355 casing / liner info	355
448(b)	Request approval of test pressures (RAM BOPs).	2	353 requests	706
448(c)	Request approval of pressure test (annular BOPs).	1	380 requests	380
449(j)	Submit test procedures, including how you	2	507	1,014

Citation 30 CFR 250 for Application for Permit to Drill (APD)	Reporting or Recordkeeping Requirement	Hour Burden	Average No. of Responses	Annual Burden Hours (Rounded)
		Non-Hour Cost Burden		
	will test each ROV intervention function, for approval (subsea BOPs only).		submittals	
449(k)	You must submit test procedures (autoshear and deadman systems) for approval. Include documentation of the controls / circuitry system used for each test; describe how the ROV will be utilized during this operation.	2.5	507 submittals	1,268
456(j)	Request approval to displace kill-weight fluid; include reasons why along with step-by-step procedures.	4.5	518 approval requests	2,331
460(a)	Include your projected plans if well testing along with the required information.	12	2 plans	24
490(c)(2 thru 4)	(2) Request to classify an area for the presence of H2S.	3	91 requests	273
	(3) Support request with available information such as G&G data, well logs, formation tests, cores and analysis of formation fluids.	3	73 submittals	219
	(4) Submit a request for reclassification of a zone when a different classification is needed.	1	4 requests	4
Alaska Region: 410; 412 thru 418; 420; 442; 444; 449; 456;	Due to the difficulties of drilling in Alaska, along with the shortened time window allowed for drilling, Alaska hours are done here as stand alone requirement. Also, note that these specific hours are based on the first APD in Alaska in more than 10 years.	2,800	1 request	2,800
Subpart D subtotal			8,417 responses	40,032 hours
Subpart E				
513	(a) Obtain approval to begin well completion operations. If completion is planned and the data are available you may submit on forms.	3	288 requests	864
		R-6	1 request	6
	b) Submit description of well-completion, schematics, logs, any H2S; on form.	16.5	295 submittals	4,868
		R-26	1 submittal	26
516(a)	Submit well-control procedure indicating how the annular preventer will be utilized and the pressure limitations that will be applied during each mode of pressure control.	3	295 procedures	885
Subpart E Subtotal			880 responses	6,649 hours
Subpart H				
807(a)	Submit detailed information that demonstrates the SSSVs and related equipment are capable of performing in HPHT.	3.75	1 submittal	4
Subpart H subtotal			1 response	4 hours
Subpart P				

Citation 30 CFR 250 for Application for Permit to Drill (APD)	Reporting or Recordkeeping Requirement	Hour Burden	Average No. of Responses	Annual Burden Hours (Rounded)
		Non-Hour Cost Burden		
Note that for Sulphur Operations, while there may be 45 burden hours listed, we have not had any sulphur leases for numerous years, therefore, we have submitted minimal burden.				
1605(b)(3)	Submit information on the fitness of the drilling unit.	4	1 submittal	4
1617	(a) Request approval before drilling a well.	1	1 submittal	1
	(b) Include rated capacities of the proposed drilling unit and of major drilling equipment.	3	1 submittal	3
	(c) Include a fully completed Form BSEE-0123 and the requirements of this section.	34	1 submittal	34
1622(b)	Submit description of well-completion or workover procedures, schematic, and if H2S is present.	3	1 submittal	3
Subtotal of subpart P			5 responses	45 hours
Total Burden			10,373 Responses	47,800 Hours
			\$866,184 Non Hour Cost Burden	

Estimated Reporting and Recordkeeping Non-Hour Cost Burden: We have identified one non-hour cost burden for this collection. The 30 CFR part 250 regulations require a \$2,123 cost recovery fee (non-hour cost burden) for APD submittals. The application fee is required to recover the Federal Government's processing cost, and we have not identified any other non-hour cost burdens in this ICR. We estimate a total reporting non-hour cost burden of \$866,184 for this collection.

Public Disclosure Statement: The PRA (44 U.S.C. 3501, *et seq.*) provides that an agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. Until OMB approves a collection of information, you are not obligated to respond.

Comments: Before submitting an ICR to OMB, PRA section 3506(c)(2)(A) requires each agency “. . . to provide notice . . . and otherwise consult with members of the public and affected agencies concerning each proposed collection of information . . .”. Agencies must specifically solicit comments to: (a) evaluate whether the collection is necessary or useful; (b) evaluate the accuracy of the burden of the proposed collection of information; (c) enhance the quality, usefulness, and clarity of the information to be collected; and (d) minimize the burden on the respondents, including the use of technology.

Agencies must also estimate the non-hour paperwork cost burdens to respondents or recordkeepers resulting from the collection of information. Therefore, if you have other than hour burden costs to generate, maintain, and disclose this information, you should comment and provide your total capital and startup cost components or annual operation, maintenance, and purchase of service components. For further information on this burden, refer to 5 CFR 1320.3(b)(1) and (2), or contact the Bureau representative listed previously in this notice.

We will summarize written responses to this notice and address them in our submission for OMB approval. As a result of your comments, we will make any necessary adjustments to the burden in our submission to OMB.

Public Comment Procedures: Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made

publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: November 22, 2013.

Robert W. Middleton, Deputy Chief,
Office of Offshore Regulatory Programs.

[FR Doc. 2013-28835 Filed 12/02/2013 at 8:45 am; Publication Date: 12/03/2013]