ID cards for offshore workers impractical; IMO set to begin MODU Code rewrite

CONCERNS OVER THE practicality of proposed identification cards for workers on the US OCS and the scheduled rewrite of the MODU Code are just two of the issues IADC is working for offshore contractors. These efforts are directed by **Alan Spack-man**, Director–Offshore Technology and Regulatory Affairs.

Alan Spackman

IDENTIFICATION CARDS

IADC has voiced its concerns with the Transportation Security Administration (TSA), Oil and Natural Gas Sector of the Homeland Security Coordination Council and the US Coast Guard regarding an anticipated proposed rulemaking from TSA that would require transportation worker identification cards.

If other rulemakings on security cards serve as precedent, these ID cards likely will be problematic in that they will require background checks for employees who are to receive the cards. Workers not granted the ID cards will be unable to access security sensitive areas of a platform or rig. Also, the proposed rules might rule out certain categories of individuals such as non-US citizens.

MARPOL

Annex VI, addressing the prevention of air pollution from ships, MODUs and offshore platforms, entered into force last May. Feedback from IADC members identified problems in respect to the collection of fuel oil samples and the transmittal of documentation attesting to fuel quality required by the regulations.

In response, IADC submitted a paper to the 53rd session of IMO's Marine environment Protection Committee suggesting that special consideration be given to the unique operating conditions of MODUs and that alternative procedures for assuring compliance be permitted.

MODU CODE REWRITE

The IMO's Ship Design and Equipment Subcommittee is scheduled to consider the revision of the Code for Construction and Equipment of Mobile Offshore Drilling Units (MODU Code) at its 49th and 50th sessions to be held in February 2006 and early in 2007, respectively. IADC formed a Working Group to review the MODU Code and related IMO documents.

The Working Group has held three meetings and completed a review of IMO Assembly resolutions and Maritime Safety Committee (MSC) resolutions. The group completed an initial draft of recommended changes in August 2005. IADC hosted a workshop for members, classification societies, designers, shipyards and governmental agencies to exchange views regarding proposals for changes to the MODU Code and refine IADC's proposal for submission to IMO's Ship Design and Equipment Subcommittee for consideration at its February 2006 meeting.

OFFSHORE DISCHARGES

Responding to concerns raised by IADC through the Offshore Operators Committee (OOC), EPA Region 6, which has jurisdiction over most operating areas in the Gulf of Mexico, provided clarification regarding the restrictions associated with the discharge of materials associated with structural maintenance and surface coating activities. Current discharge permits prohibit the discharge of operational wastes, including maintenance wastes.

EPA Region 6's interpretation of the NDPES general permits is that industry recommended best practices must be employed in the containment and capture of airborne materials relating to surface preparation and coating applications that can include spent abrasives, paint chips and paint overspray. Working with OOC, IADC has produced draft industry guidance on this issue, which has been turned over to API for further development as a standard for the U.S. offshore industry.

COOLING WATER CONTROLS

In comments to the rulemaking docket, IADC asked the EPA to reconsider its proposed regulation of cooling water use by offshore oil and gas facilities, including MODUs. In November 2004, EPA proposed rules to reduce the mortality of aquatic life due to cooling water use by offshore oil and gas facilities. This proposal followed the issuance of earlier rules governing the use of cooling water by new and existing onshore and coastal facilities, primarily power plants.

EPA was responsive to many of IADC's concerns, as expressed in earlier rulemaking efforts, regarding threshold limits for controls and effects on design of units using sea chests. IADC nonetheless submitted comments contending that EPA failed to demonstrate a need for controls in ocean environments where biologic activity is lower than the river and coastal environment.

SAFETY MANAGEMENT SYSTEM

The US Minerals Management Service (MMS) sought comments earlier this year on various regulatory approaches to improving the effectiveness of safety management systems (SMS) on OCS facilities. MMS asserted that their investigation showed a correlation between accident rates and lack of adequate safety management systems. Noting that while over 60% of the operators on the OCS have implemented safety management systems, the remainder have failed to do so.

The proposed regulation is reportedly being advanced in light of MMS' conclusion that voluntary participation by OCS operators has not yielded the desired level of continuous improvement. IADC will be actively involved in responding to this regulatory initiative.

One of the potential challenges for drilling contractors in a mandatory SMS is the issue of maintaining integrity of the drilling contractor's MSM while appropriately defining both regulatory and contractual obligations for safety management. This is particularly a problem when the drilling contractor has regulatory obligations, such as those imposed by the ISM Code, that may not be well known to either the client. ■