

responsibility and fall within the USCG's jurisdiction, but we added this statement to ensure that there is no ambiguity between MMS and USCG requirements.

- Hazardous spills—Current regulations do not specifically address reporting of hazardous spills. MMS is interested in these incidents as they relate to the safety of OCS operations and protection of the environment but does not have direct jurisdiction or expertise over hazardous substances.

MMS is able to get initial reports from the NRC for incidents involving these substances. Therefore, this proposed rule reminds lessees/operators that all hazardous spills must be reported to the NRC as currently required by Environmental Protection Agency (EPA) regulations.

Incident type that is addressed in the current regulation, but not in this NPR.

- Serious accidents—The current regulation requires reporting of all serious accidents but does not define

this term. We wrote this proposed rule to provide more specific reporting definitions and thresholds. We believe that these definitions and thresholds encompass the incidents that MMS would consider serious. Therefore, the general category of serious incidents is no longer needed, and we have not included it in the proposed rule.

The following table compares the reporting thresholds in current regulations with the ones that are proposed.

REPORTING THRESHOLDS OF MMS PROPOSED AND CURRENT REGULATIONS

MMS proposed rule	MMS current regulations
§ 250.188(a)(1) "Immediate" Category All deaths, except for deaths due to natural causes	§ 250.191(a) Any death.
§ 250.188(a)(4) "Immediate" Category All explosions resulting in property damage greater than \$100,000	§ 250.191(a) All explosions.
§ 250.189(a)(2) "12-Hour" Category	
All explosions resulting in property damage equal to or less than \$100,000	
§ 250.188(a)(7) "Immediate" Category	§ 250.490(l)
All reportable releases of H ₂ S. These releases are defined using the same wording as in the current MMS regulation at § 250.490(l).	Reporting required of H ₂ S releases, which result in a 15-minute time weighted average atmospheric concentration of H ₂ S of 20 ppm or more anywhere on the facility.
§ 250.188(a)(8)–250.188(a)(10) "Immediate" Category	§ 250.191(a)
The thresholds for reporting spills utilize the current criteria at § 254.46 and therefore are the same as the current MMS rule.	Report all spills of oil or other liquid pollutants according to 30 CFR Part 254.
§ 250.188(a)(4) "Immediate" Category	§ 250.191(a)
All fires resulting in property damage greater than \$100,000	All fires (undefined).
Fire is defined at § 250.105 as: " * * the phenomenon of combustion manifested in light, flame, and heat' and has the same meaning as in API RP 14G, Third Edition, December 1, 1993. In addition, the term 'fire' as used in this part includes incidents of combustion involving smoke with no visible flame"	
§ 250.189(a)(3) and § 250.189(a)(4) "12-Hour" Category	
• § 250.189(a)(3)—All fires (defined at § 250.105) not reported in § 250.188(a) that result in property damage equal to or less than \$100,000 but greater than \$25,000	
• § 250.189(a)(4)—All fires (defined at § 250.105) not reported in § 250.188(a) or § 250.189(a)(3) resulting in injuries or illnesses that involve medical treatment beyond first aid to more than one person	
§ 250.189(a)(6) "15-Day" Category	
All other fires (defined at § 250.105) not reported under § 250.188(a) or §§ 250.189(a)(3)—250.189(a)(4), excluding those completely contained in the living quarters	
§ 250.188(a)(3) "Immediate" Category	§ 250.191(a)
All losses of well control	All blowouts (undefined).
Loss of well control is defined at § 250.105 as either of the following:	
• (1) Uncontrolled flow of formation or other well fluids. The flow may be between two or more exposed formations or it may be at or above the mudline. This includes uncontrolled flow resulting from failures of either surface or subsurface equipment or procedures	
• (2) Flow of formation or other well fluids through a diverter	
§ 250.188(a)(2) "Immediate" Category	§ 250.191(a)
Injuries resulting in one or more of the following:	Any serious injury (undefined).
• Hospitalization of a person for more than 48 hours within 5 days of the incident;	
• Fractured bone (other than in a finger, toe, or nose);	
• Loss of limb;	
• Severe hemorrhaging;	
• Severe damage to a muscle, nerve, or tendon;	
• Damage to an internal organ; or	
• Evacuation to shore of three or more people	
§ 250.189(a)(1) "12-Hour" Category	
• § 250.189(a)(1) All incidents not reported under § 250.188(a) resulting in injuries or illnesses to more than one person that involve either:	
(i) Days away from work; or	
(ii) Restricted work or job transfer	
§ 250.189(a)(5) "15-Day" Category	
All incidents not reported under § 250.188(a) or paragraph §§ 250.189(a)(1)–250.189(a)(4) resulting in an injury or illness to one person that involves either:	