

Previous proposed rule section	Comment	Rationale	MMS response
International Association of Drilling Contractors			
§ 250.20	We note that the preamble indicates that "MMS will provide more guidance on thresholds for fires, and factors that impair safety, through Notices to Lessees." While we concur that additional guidance should be provided, we are concerned that the reporting burden may be substantially altered in this manner without appropriate review and accounting under the provisions of the Paperwork Reduction Act.		Incident reporting definitions and thresholds are included to specify what we are proposing so you can examine and comment on the potential reporting burden (§ 250.105 and § 250.187–190).
§ 250.20(a)	We are opposed to § 250.20 as proposed. We are not fundamentally opposed to MMS requiring the collection and reporting of this information; however, we are opposed to <i>both</i> the MMS and the USCG requiring collection and reporting of duplicative information.	<p>Much of the information required by MMS is already required by the Coast Guard under 33 CFR 146 (casualties) or 33 CFR 151 (oil spills). Such duplicative reporting requirements are contrary to the Presidential Statement of Regulatory Philosophy and Principles as set forth in Executive Order 12866. It is particularly perplexing that the MMS is proposing new information collection requirements with respect to casualties at a time when the Coast Guard has already announced a rewrite of its regulations in 33 CFR 146.</p> <p>After twenty years of joint jurisdiction it is time for the two agencies to coordinate their activities and develop procedures for inter-Agency exchange of information rather than require duplicative reports.</p>	<p>MMS and the USCG have worked to develop reporting requirements in this MMS proposed rule that are as consistent as possible with the USCG proposed rule for incidents where both agencies have mutual interest and responsibility. The electronic reporting proposed in this MMS proposed rule would allow reports submitted through a single point to satisfy the requirements of both agencies.</p> <p>While this MMS proposed rule proposes the use of an MMS form in conjunction with form CG–2692, most of the information on the MMS form is not duplicative of information requested on form CG–2692. MMS and the USCG agree that a joint incident form would be beneficial to both the industry and our agencies. We will continue to work on developing one (§ 250.105 and § 250.187–190).</p>
§ 250.20	For the sake of clarity we would suggest that the provisions regarding investigations be placed in a separate paragraph.	While there is certainly a linkage between MMS (or the Coast Guard) receiving information regarding major fires, major oil spillage, death or serious injury and their mandate to conduct an investigation and make a public report, both Agencies are authorized, on their own discretion, to investigate lesser incidents, reportable or not. This could be made clearer if the regulations regarding investigations were not included within the provisions on reporting.	We made the recommended change. Information on conducting investigations is in a separate section (§ 250.191).