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U.S. Coast Guard and Bureau of Safety and Environmental Enforcement Sign Agreement on Offshore Oversight

On May 9, 2013, the U.S. Coast Guard and the Bureau of Safety and Environmental Enforcement (BSEE) announced that they had entered into a Memorandum of Agreement (MOA) concerning offshore safety and environmental regulations. The Coast Guard and BSEE share jurisdiction over oil and gas operations on the Outer Continental Shelf (OCS). The Coast Guard regulates the safety of life and property and of navigation and the environment on OCS units and vessels engaged in OCS activities, as well as oil spill preparedness and response on the OCS and security on OCS installations. The BSEE exercises safety and environmental protection functions related to OCS facilities, including permitting of OCS operations. The MOA was developed in accordance with a Memorandum of Understanding signed between the agencies on November 27, 2012 that coordinates regulation and enforcement on the Outer Continental Shelf. The MOA was effective April 30, 2013.

The MOA was signed in order to:

- . establish a process to evaluate the areas of shared Coast Guard and BSEE jurisdiction where joint policy or guidance is needed;
- . ensure that future regulations do not place inconsistent burdens on industry; and
- . establish a process for developing joint policy and guidance concerning environmental and safety issues.

The Coast Guard and BSEE will each designate coordinators for safety and environmental management who are responsible for ensuring the requirements of the MOA are met. Under the MOA, the agencies will conduct joint evaluations, boardings, and inspections at least once a year in order to determine whether joint policy or guidance is needed and, if necessary, to develop that policy or guidance. The agencies further agreed to jointly review and discuss all future OCS-related regulatory projects with regard to safety management to ensure the agencies are aware of all regulatory projects before the responsible agency completes them. The agencies also agreed to facilitate information sharing related to safety and environmental matters on the Outer Continental Shelf.

[Click here to download a copy of the MOA.](#)

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Venable has an experienced group of environmental and maritime attorneys who can assist with issues associated with Coast Guard and BSEE regulatory compliance. If you have any questions about the MOA, please contact one of the authors listed.