



# Regulatory Affairs Report

David Dykes – Committee contact

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*Send items to post in this report to David Dykes*

**March, 2016**

Agency	Description	Internet Link
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<p>BSEE BOEM</p>	<p><b>BSEE, NASA Announce Agreement to Examine Risk Offshore 03/17/2016 WASHINGTON</b> The Bureau of Safety and Environmental Enforcement (BSEE) and The National Aeronautics and Space Administration (NASA) have announced a five-year agreement allowing BSEE to capitalize on the best risk management approaches from the aeronautics industry to inform stakeholders and further strengthen worker and environmental safety protections on the Outer Continental Shelf.</p> <p><b>BOEM publishes proposed rule governing negotiated agreements for sand, gravel and shell resources on the Outer Continental Shelf - Regulations would replace written guidelines, 03-21-2016, WASHINGTON</b> The Bureau of Ocean Energy Management (BOEM) today released proposed regulations that would provide additional clarity and certainty for its Marine Minerals Program regarding negotiated, non-competitive leases for Outer Continental Shelf (OCS) resources such as sand, gravel and shell.</p> <p>The proposed rule describes the negotiated, non-competitive agreement process for qualifying projects, and codifies new and existing procedures for using OCS sand, gravel and shell resources for shore protection, beach restoration or coastal wetlands restoration projects undertaken by federal, state and local governments. It also addresses the use of OCS resources for construction projects authorized or funded by the federal government.</p> <p><b>BOEM Proposal to Modernize and Improve Offshore Air Quality Monitoring 03-17-2016 Washington, D.C</b> As part of the Obama Administration’s on-going commitment to a cleaner, more secure energy future, Janice Schneider, Assistant Secretary, Land and Minerals Management and Abigail Ross Hopper, Director of the Bureau of Ocean Energy Management (BOEM), today announced proposed updated air quality regulations that will more accurately account for emissions from offshore oil and gas activity, effectively ensuring that those activities do not significantly harm the air quality of any state.</p> <p>The proposal updates 36-year-old regulations and incorporates BOEM’s recent Arctic Outer Continental Shelf (OCS) jurisdiction over air quality. Together, the proposed changes will reduce emissions of Volatile Organic Compounds (VOCs), Nitrogen Oxide (NOx), Sulfur Oxide (SOx), Carbon Monoxide (CO), and Particulate Matter (PM).</p>	<p><a href="http://www.bsee.gov/BSEE-Newsroom/Press-Releases/2016/BSEE,-NASA-Announce-Agreement-to-Examine-Risk-Offshore/">http://www.bsee.gov/BSEE-Newsroom/Press-Releases/2016/BSEE,-NASA-Announce-Agreement-to-Examine-Risk-Offshore/</a></p> <p><a href="https://www.regulations.gov/#!documentDetail;D=BOEM_FRDOC_0001-0354">https://www.regulations.gov/#!documentDetail;D=BOEM_FRDOC_0001-0354</a></p> <p><a href="http://www.boem.gov/Air-Quality-Proposed-Rule/">http://www.boem.gov/Air-Quality-Proposed-Rule/</a></p>
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	<p>The proposed rule would modernize and strengthen requirements for identifying, modeling, measuring and tracking the emissions of air pollutants, while retaining key aspects of the current plan approval process for offshore oil and gas exploration and development activity. The improvements will better ensure BOEM approves plans that do not significantly affect the air quality of any state, giving coastal communities and stakeholders greater confidence regarding expected air quality impacts from OCS activity. These changes will also give the Bureau of Safety and Environmental Enforcement better tools to assess air quality compliance for OCS operations.</p> <p><b>BSEE NTL 2016-N02, February 2, 2016, Performance Measures for OCS Operators and Form BSEE-0131</b></p> <p>This Notice To Lessees (NTL) will supersede NTL 2015-N01. This NTL provides:</p> <ul style="list-style-type: none"> <li>• Notification of the approaching March 31st deadline to submit Form BSEE-0131, Performance Measures Data, for the prior calendar year;</li> <li>• The website to obtain Form BSEE-0131 and instructions on how to fill out the form, how to submit it, and more information about the OCS Performance Measures Program; and</li> <li>• Clarification on how to report hours worked on Form BSEE-0131.</li> </ul>	<p><a href="http://www.bsee.gov/uploadedFiles/BSEE/Regulations%20and%20Guidance/Notices%20to%20Lessees/2016/NTL%202016-N02.pdf">http://www.bsee.gov/uploadedFiles/BSEE/Regulations and Guidance/Notices to Lessees/2016/NTL%202016-N02.pdf</a></p> <p><a href="#">BSEE/BOEM Federal Regulations</a></p>
OSHA	<p><b>OSHA announces final rule to improve U.S. workers' protection from the dangers of respirable silica dust, March 24, 2016,</b> The Occupational Safety and Health Administration (OSHA) is amending its existing standards for occupational exposure to respirable crystalline silica. OSHA has determined that employees exposed to respirable crystalline silica at the previous permissible exposure limits face a significant risk of material impairment to their health. The evidence in the record for this rulemaking indicates that workers exposed to respirable crystalline silica are at increased risk of developing silicosis and other non-malignant respiratory diseases, lung cancer, and kidney disease. This final rule establishes a new permissible exposure limit of 50 micrograms of respirable crystalline silica per cubic</p>	<p><a href="https://www.gpo.gov/fdsys/pkg/FR-2016-03-25/pdf/2016-04800.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-03-25/pdf/2016-04800.pdf</a></p>



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meter of air (50 µg/m<sup>3</sup>) as an 8-hour time-weighted average in all industries covered by the rule. It also includes other provisions to protect employees, such as requirements for exposure assessment, methods for controlling exposure, respiratory protection, medical surveillance, hazard communication, and recordkeeping.

OSHA is issuing two separate standards—one for general industry and maritime, and the other for construction—in order to tailor requirements to the circumstances found in these sectors.

Key points:

- The new standard for silica exposure is 50 ug/m<sup>3</sup> PEL.
- General industry has two years to comply
- The construction industry has one year to comply. Construction companies have two options: 1) Follow the prescribed practices for certain tasks without monitoring, and 2) Comply with same monitoring as general industry and maritime.

Dates: The final rule is effective on June 23, 2016. Start-up dates for specific provisions are set in § 1910.1053(l) for general industry and maritime and in § 1926.1153(k) for construction.

**Proposed Rule - Updating OSHA Standards Based on National Consensus Standards; Eye and Face Protection** On March 13, 2015, OSHA published in the Federal Register a notice of proposed rulemaking (NPRM) to revise its eye and face protection standards for general industry, shipyard employment, marine terminals, longshoring, and construction by updating the references to national consensus standards approved by the American National Standards Institute (ANSI). OSHA received no significant objections from commenters and therefore is adopting the amendments as proposed. This final rule updates the references in OSHA's eye and face standards to reflect the most recent edition of the ANSI/International Safety Equipment Association (ISEA) eye and face protection standard. It removes the oldest-referenced edition of the same ANSI standard. It also amends other provisions of the construction eye and face protection standard to bring them into alignment with OSHA's

<https://www.gpo.gov/fdsys/pkg/FR-2016-03-25/pdf/2016-06359.pdf>



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	<p>general industry and maritime standards.</p> <p><b>OSHA Quicktakes Newsletter</b></p>	<p><a href="https://www.osha.gov/as/opa/quicktakes/index.html">https://www.osha.gov/as/opa/quicktakes/index.html</a></p>
EPA	<p><b>Proposed Rule, Accidental Release Prevention Requirements: Risk Management Programs under the Clean Air Act, March 14, 2016.</b> The Environmental Protection Agency (EPA), in response to Executive Order 13650, is proposing to amend its Risk Management Program regulations. The proposed revisions include several changes to the accident prevention program requirements including an additional analysis of safer technology and alternatives for the process hazard analysis for some Program 3 processes, third-party audits and incident investigation root cause analysis for Program 2 and Program 3 processes, enhancements to the emergency preparedness requirements, increased public availability of chemical hazard information, and several other changes to certain regulatory definitions and data elements submitted in risk management plans. These proposed amendments seek to improve chemical process safety, assist local emergency authorities in planning for and responding to accidents, and improve public awareness of chemical hazards at regulated sources.</p> <p><b>Dates:</b> Comments and additional material must be received on or before May 13, 2016. Under the Paperwork Reduction Act (PRA), comments on the information collection provisions are best assured of consideration if the Office of Management and Budget (OMB) receives a copy of your comments on or before April 13, 2016. The EPA will hold a public hearing on this proposed rule on March 29, 2016 in Washington, DC.</p>	<p><a href="https://www.regulations.gov/#!documentDetail;D=EPA-HQ-OEM-2015-0725-0001">https://www.regulations.gov/#!documentDetail;D=EPA-HQ-OEM-2015-0725-0001</a></p>