

Deepwater Horizon 10th: Are we safer now?

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What's happened:

- **Slide 1** Hello from Anchorage, Alaska, early in the morning. I work for The Wilderness Society, a national, non-profit conservation organization. I have worked on oil and gas technical and policy issues for over 20 years.
- Since 2010, the oil industry has been moving towards more challenging drilling offshore in the Gulf of Mexico. Nearshore platforms in the Gulf are being shut down as they no longer produce sufficient oil or gas to make them economic, as are some of the platforms off of California. Deepwater operations mean higher pressures and temperatures and reliance on more advanced technologies.
- **Slide 2** Additionally, the industry is increasingly relying on contractors. A Fifth Circuit Court of Appeals decision in 2017 said that BSEE's regulations did not apply to contractors, only to operators. This decision likely has had negative consequences for safety and that will continue in the future.
- Strengthened safety and environmental protection regulations were issued by the Obama administration after *Deepwater Horizon* and safety performance began improving. The new requirements were developed using the federal government's best experts, along with industry and public input during the comment period. Covered issues include blowout preventer and safety culture rules, as well rules for Arctic-specific exploratory drilling. These new regulations were not challenged by industry. Blowouts went from 9 in 2013 to zero by 2017, there was 1 in 2018, and BSEE has not posted data for 2019. Spills greater than 1 barrel are up significantly in 2018 over 2017. We won't know whether the backsliding during the Trump administration has had a real-world impact until the next major tragedy.
- There were no new rules developed by BOEM or BSEE that would have prevented the Taylor Energy release.
- **Slide 3** API and six other industry trade associations asked the Trump administration in May 2017 for numerous changes to the blowout preventer/well control rule in a 53 page letter, including asking for deletion of certain requirements such as real-time monitoring. The organizations involved are shown in the slide. The Trump administration enacted many of the requested changes, weakening safety – there's a list compiled by the environmental litigants on the resources website. **In July 2017 as these changes were being considered, the co-chairs of the Oil Spill Commission wrote in a NYT opinion piece that had the Obama Administration's blowout preventer rule "been in place on April 20, 2010, that calamity might well have been averted. Weakening or rescinding this rule would increase the risks of offshore operations, put workers in harm's way and imperil marine waters and coastlines."**

- One example of an important requirement that was weakened by the Trump administration is real-time monitoring of dangerous drilling operations. Real-time monitoring now is discretionary. Requiring offshore and onshore real-time redundancy is valuable because two teams must work together and reconcile complicated data before deciding whether to proceed. Because it's now discretionary, the public doesn't know if all companies are utilizing real-time monitoring. What's the result? Less safety, and it's likely that many Gulf Coast residents, fishermen, and workers can't sleep as well at night.
- **Slide 4** While I largely focus my work on prevention of incidents, spill response – I don't call it cleanup because that's a misleading term – largely has been unchanged since the 1989 Exxon Valdez 11 million gallon spill in Alaska where less than 15 percent of the oil spilled was recovered. The amount of oil recovered from the marine environment through spill response during DH was even worse - only 3%. Booming and skimming, burning, and dispersants still are the main measures employed to respond to spills. I've included a National Geographic article in the resources website on significantly improved oil recovery technology developed after the BP tragedy. Unfortunately, there's little incentive and no legal requirement for companies to upgrade their existing spill response equipment.
- I also recommend a 2016 Smithsonian Magazine article that's on the resources website titled: **Why We Pretend to Clean Up Oil Spills: Six years after Deepwater Horizon spewed oil into the Gulf of Mexico, we still have no idea what we're doing**
- **Slide 5** Here are the recommendations that follow from these points:
 - **BSEE needs to be able to apply its regulations to contractors (legislative change needed)**
 - **The Obama blowout preventer/well control regulation's safety protections should be restored**
 - **Leases should not be granted and drilling should not be allowed in locations with geologic and seabed conditions similar to that experienced by Taylor Energy, and existing wells in those areas need to be shut down ASAP**
 - **BSEE's information systems need significant improvements.**

Thanks very much. I'm happy to answer questions.

Offshore Incident Statistics

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Year	Fatalities	Injuries	Lifting	Fires	Explosions	Musters	Gas Releases	Collisions	Loss of Well Control	Spills ¹ ≥ 1 BBL
2018 (CY)	1	171	111	77	3	82	19	6	1	19
2017 4th Quarter ²	1	37	26	15	1	24	1	3	0	4
2017 (FY)	1	154	97	71	2	71	9	13	0	10
2016 (FY)	1	174	110	82	0	52	18	6	1	19
2015 (FY)	1	290	138	92	2	69	14	11	3	25
2014 (FY)	1	280	177	121	4	49	10	12	4	21
2013 (FY)	3 ³	310	165	109	1	63	22	18	9	24