

National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling

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Oil Spill Commission Releases Two Staff Working Papers

Today, the National Oil Spill Commission releases two staff working papers (attached). These papers, like previously released documents, address issues and discussions taken up by the Commission for its Final Report. The research reflected within these documents informed the Commission's deliberations, and the findings and recommendation in its Final Report, which was presented to the President on January 11, 2011, but the staff papers themselves do not express the views of the Commission. The documents released today address the following topics:

"The National Environmental Policy Act and Outer Continental Shelf Oil and Gas Activities"

This paper "focuses on the National Environmental Policy Act of 1969 (NEPA) and its application to offshore oil and gas activities. The paper is divided into three sections. The first section is a general discussion of NEPA as it applies to Federal agencies. The second section addresses the Department of the Interior's (DOI) NEPA regulations and portions of its Departmental Manual that relate to the implementation of those rules for oil and gas activities. The third section focuses on NEPA questions specific to the Deepwater Horizon oil spill."

"National Environmental Policy Act"

"A Competent and Nimble Regulator: A New Approach to Risk Assessment and Management"

This paper "examines some shortcomings in the US regulatory approach, particularly its failure to embrace a risk-based oversight approach. It presents a case for restructuring the Offshore Program, now the Bureau of Ocean Energy Management, Regulation and Enforcement (BOEMRE) and creating a separate, independent safety regulator with consolidated authority over energy-related operations, structures, and workers. It discusses institutions, processes, and resources in the U.S. context for effective risk assessment and management of the offshore energy sector, and it examines other countries' regulatory approaches."

“A Competent and Nimble Regulator”

The staff working papers are also available at www.oilspillcommission.gov.