



General Information

June 2013

Geological and Geophysical (G&G) Surveys Regulatory Authority

The Bureau of Ocean Energy Management (BOEM) and the Bureau of Safety and Environmental Enforcement (BSEE) are responsible for overseeing all activities associated with the orderly development of mineral and other resources, including oil, gas, and sulphur on the Federal Outer Continental Shelf (OCS) while ensuring that this development is balanced with protecting the human, marine, and coastal environment (see the Outer Continental Shelf Lands Act [OCSLA] description below). Activities involved in resource development of the OCS include assessment, leasing, exploration, development, production and extraction, and royalty management.

Geological and geophysical (G&G) activities are used to assist in the development of mineral and other resources, including oil, gas, and sulphur on the OCS. A variety of G&G techniques are used to characterize the shallow and deep structure of the shelf, slope, and deepwater ocean environments. The G&G surveys are conducted to

- (1) obtain data for hydrocarbon (oil, gas, and sulphur) exploration and production,
- (2) locate and monitor marine mineral resources,
- (3) aid in locating sites for alternative energy structures and pipelines,
- (4) identify possible man-made, seafloor, or geologic hazards, and
- (5) locate potential archaeological and benthic resources.

The OCSLA directs BOEM to ensure that G&G data are obtained in a technically safe and environmentally sound manner. Geological and geophysical activities aimed at mineral exploration, including oil, gas, and sulphur, are subject to a series of permits and notices. BOEM oversees G&G data acquisition and permitting activities pursuant to regulations at 30 CFR 550, 551, 580, and 585¹; Subsections 8(k) and 8(p) of the OCSLA; and Section 388(a) of the Energy Policy Act of 2005. These regulations, in part, state that G&G activities cannot:

- interfere with or endanger operations under any lease or right-of-way easement, right-of-use, scientific notice, or permit issued or maintained pursuant to the OCSLA;
- cause harm or damage to aquatic life, property, or the marine, coastal, or human environments;
- cause harm or damage to any mineral resource (in areas leased or not leased);
- cause pollution;
- create hazardous or unsafe conditions;
- unreasonably interfere with or harm other uses of the area; or
- disturb archeological resources.

The regulations under 30 CFR 550, 551, 580, and 585 governing G&G surveys are summarized in the table below.

¹ Background Information: The final rule (October 18, 2011) assigns the regulations previously codified under Title 30 of the Code of Federal Regulations (30 CFR), Chapter II—Minerals Management Service, Department of the Interior, Subchapter A—Minerals Revenue Management, Subchapter B—Offshore, and Subchapter C—Appeals to BSEE under Chapter II and to BOEM under Chapter V. The assignment of the regulations is based on the responsibilities and authorities established by Secretarial Order No. 3299, separating BSEE and BOEM, and by the January 19, 2011, statement that further clarified each bureau's mission and functions. To effectively manage the energy and mineral resources of the OCS, the current regulations must be separated based on the responsibilities of the new bureaus. Based on the responsibilities established by Secretarial Order No. 3299, separating the Bureau of Ocean Energy Management, Regulation and Enforcement into BOEM and BSEE, this direct final rule reorganizes the regulations previously found in 30 CFR Chapter II by (1) retitling Chapter II as "Bureau of Safety and Environmental Enforcement"; (2) retaining the regulations that will be under the authority of BSEE in Chapter II; (3) adding a new chapter, "Chapter V—Bureau of Ocean Energy Management"; and (4) moving the regulations that will be under the authority of BOEM to 30 CFR Chapter V.

**Federal Regulations Applicable to Prelease and Postlease Activities
by Mineral Resource of Interest**

REGULATORY CITATION	MINERAL RESOURCE	ACTIVITY PHASE
<p align="center">30 CFR 550 (30 CFR 250)</p>	<p>OIL, GAS, AND SULPHUR PART 550 – OIL AND GAS AND SULPHUR OPERATIONS IN THE OCS 550.102 WHAT DOES THIS PART DO? (a) 30 CFR part 550 contains the regulations of the BOEM Offshore program that govern oil, gas, and sulphur exploration, development, and production operations on the OCS. When you conduct operations on the OCS, you must submit requests, applications, and notices, or provide supplemental information for BOEM approval. 550.103 WHERE CAN I FIND MORE INFORMATION ABOUT THE REQUIREMENTS IN THIS PART? BOEM may issue Notices to Lessees and Operators (NLTs) that clarify, supplement, or provide more detail about certain requirements. NLTs may also outline what you must provide as required information in your various submissions to BOEM. 550.207 WHAT ANCILLARY ACTIVITIES MAY I CONDUCT? Before or after you submit an EP, DPP, or DOCD^a to BOEM, you may elect, the regulations in this part may require, or the Regional Supervisor may direct you to conduct ancillary activities. Ancillary activities include: (a) Geological and geophysical (G&G) explorations and development G&G activities; (b) Geological and high-resolution geophysical, geotechnical, archaeological, biological, physical oceanographic, meteorological, socioeconomic, or other surveys; or (c) Studies that model potential oil and hazardous substance spills, drilling muds and cuttings discharges, projected air emissions, or potential hydrogen sulfide (H₂S) releases.</p>	<p align="center">Postlease or on-lease exploration and/or development</p>
<p align="center">30 CFR 551 (30 CFR 251)</p>	<p>OIL, GAS, AND SULPHUR PART 551 – GEOLOGICAL AND GEOPHYSICAL (G&G) EXPLORATIONS OF THE OCS 551.2 PURPOSE OF THIS PART (a) To allow you to conduct G&G activities in the OCS related to oil, gas, and sulphur on unleased lands or on lands under lease to a third party. 551.3 AUTHORITY AND APPLICABILITY OF THIS PART (a) This part does not apply to G&G exploration conducted by or on behalf of the lessee on a lease in the OCS. Refer to 30 CFR part 250 if you plan to conduct G&G activities related to oil, gas, or sulphur under terms of a lease. (b) Federal agencies are exempt from the regulations in this part. (c) G&G exploration or G&G scientific research related to minerals other than oil, gas, and sulphur is covered by regulations at 30 CFR part 580. 551.4 TYPES OF G&G ACTIVITIES THAT REQUIRE PERMITS OR NOTICES (a) <i>Exploration.</i> You must have a BOEM-approved permit to conduct G&G exploration, including deep stratigraphic tests, for oil, gas, or sulphur resources. If you conduct both geological and geophysical exploration, you must have a separate permit for each. (b) <i>Scientific research.</i> You may only conduct G&G scientific research related to oil, gas, and sulphur in the OCS after you obtain a BOEM-approved permit or file a Notice.</p>	<p align="center">Prelease or off-lease exploration or scientific research</p>
<p align="center">30 CFR 580^b (30 CFR 280)</p>	<p>ALL MINERALS EXCLUSIVE OF OIL, GAS, AND SULPHUR PART 580 – PROSPECTING FOR MINERALS OTHER THAN OIL, GAS, AND SULPHUR ON THE OCS 580.2 WHAT IS THE PURPOSE OF THIS PART? (a) Allow you to conduct prospecting activities or scientific research activities on the OCS in Federal waters related to hard minerals on unleased lands or on lands under lease to a third party. (b) Ensure that you carry out prospecting activities or scientific research activities in a safe and environmentally sound manner so as to prevent harm or damage to, or waste of, any natural resources (including any hard minerals in areas leased or not leased), any life (including fish and other aquatic life), property, or the marine, coastal, or human environment. 580.4 WHAT ACTIVITIES ARE NOT COVERED BY THIS PART? (a) G&G prospecting activities conducted by, or on behalf of, the lessee on a lease on the OCS; (b) Federal agencies; (c) Postlease activities for mineral resources other than oil, gas, and sulphur, which are covered by regulations at 30 CFR parts 582^c and 282^d; and (d) G&G exploration or G&G scientific research activities related to oil, gas, and sulphur, including gas hydrates, which are covered by regulations at 30 CFR parts 551 and 251. 580.10 WHAT MUST I DO BEFORE I MAY CONDUCT PROSPECTING ACTIVITIES? You must have a BOEM-approved permit to conduct G&G prospecting activities, including deep stratigraphic tests, for hard minerals. If you conduct both G&G prospecting activities, you must have a separate permit for each.</p>	<p align="center">Prelease or off-lease prospecting</p>
<p align="center">30 CFR 585</p>	<p>RENEWABLE ENERGY AND ALTERNATE USES OF EXISTING FACILITIES ON THE OUTER CONTINENTAL SHELF BOEM has developed guidelines for providing G&G, hazards, and archaeological information for renewable energy projects. The guidelines specify that BOEM recommends avoidance as a primary mitigation strategy.</p>	<p align="center">Prelease and postlease</p>

^a Exploration Plan (EP), Development and Production Plan (DPP), or Development Operations Coordination Document (DOCD).

^b 30 CFR 580 regulations apply only to G&G activities in support of competitive leasing. For noncompetitive leasing for public works, authorizations are issued pursuant to Section 11 of the OCSLA.

^c 582 – Operations of BOEM Issuance of Permits and Plans.

^d 282 – Operations under a Mineral Lease under Provisions of Section 8(k) OCSLA.

Outer Continental Shelf Lands Act

The OCSLA of 1953 (43 U.S.C. 1331 *et seq.*), as amended, established Federal jurisdiction over submerged lands on the OCS seaward of State boundaries (which were defined in the Submerged Lands Act of 1953). As amended, the OCSLA provides guidelines for implementing an OCS oil and gas exploration and development program. The basic goals of the OCSLA include the following:

- (1) establish policies and procedures for managing the oil and natural gas resources of the OCS that are intended to result in expedited exploration and development of the OCS in order to achieve national economic and energy policy goals, assure national security, reduce dependence on foreign sources, and maintain a favorable balance of payments in world trade;
- (2) preserve, protect, and develop oil and natural gas resources of the OCS in a manner that is consistent with the need (a) to make such resources available to meet the Nation's energy needs as rapidly as possible; (b) to balance orderly resource development with protection of the human, marine, and coastal environments; (c) to ensure the public a fair and equitable return on the resources of the OCS; and (d) to preserve and maintain free enterprise competition;
- (3) encourage development of new and improved technology for energy resource production, which will eliminate or minimize the risk of damage to the human, marine, and coastal environments; and
- (4) ensure that affected States and local governments have timely access to information regarding OCS activities and opportunities to review, comment, and participate in policy and planning decisions.

Subchapter 11, OCSLA Section 1340, Geological and Geophysical Explorations

(a) Approved Exploration Plans

- (1) Any agency of the United States and any person authorized by the Secretary may conduct geological and geophysical explorations in the Outer Continental Shelf, which do not interfere with or endanger actual operations under any lease maintained or granted pursuant to this Act, and which are not unduly harmful to aquatic life in such area.
- (2) The provisions of paragraph (1) of this subsection shall not apply to any person conducting explorations pursuant to an approved exploration plan on any area under lease to such person pursuant to the provisions of this Act.