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Submitted via: [www.regulations.gov](http://www.regulations.gov)

US Coast Guard  
2703 Martin Luther King Jr. Ave, SE  
Washington, DC 20593-7000

Re: Evaluation of Existing Coast Guard Regulations, Guidance Documents, Interpretive Documents, and Collections of Information (Docket: USCG-2017-0480)

To whom it may concern:

The International Association of Drilling Contractors is a trade association representing the interests of drilling contractors, onshore and offshore, operating worldwide. Our membership includes all drilling contractors currently operating mobile offshore drilling units (MODUs) in the areas subject to the jurisdiction of the United States.

The purpose of this letter is to respond to U. S. Coast Guard's 8 June 2017 request (82 FR 26632), which seeks comments from the public regarding Coast Guard regulations, guidance documents, and interpretive documents that we believe should be repealed, replaced, or modified.

The relatively short timeframe provided for this substantial comment request has not allowed for sufficient time to fully consult with our membership to evaluate the broad scope of Coast Guard regulations, guidance documents, interpretative documents and policies applicable to the offshore drilling industry to identify those that should be repealed, replaced, or modified. Recognizing that the National Offshore Safety Advisory Committee (NOSAC) has also accepted a similar task to address this issue with comments due at a later date, IADC and our members are engaging in this effort to provide for a more comprehensive review.

In the interim, IADC provides the following initial comments to this request. They are offered without prejudice to any differing views as may be expressed directly by IADC members:

### **33 CFR Subchapter N**

It is generally acknowledged that the current 33 CFR Subchapter N requirements are outdated and arguably ineffective. When the Coast Guard issued the bulk of this Subchapter in 1982, it was acknowledged that the initial regulatory effort was incomplete. It subsequently made several fitful efforts to complete the initial effort and update the regulations. Most notably, in 1998, the Coast Guard initiated a formal rulemaking proceeding under Docket USCG-1998-3868. Notwithstanding the passage of nearly two

decades, this remains an open rulemaking docket subject to the strictures of the Administrative Procedures Act. IADC believes this regulatory limbo must be put to an end – either through resumption in earnest of the rulemaking, or its formal withdrawal.

The following examples are representative of existing requirements that are in need of being updated or otherwise modified:

1. 33 CFR 141.15(c). The uncertainty regarding the obligation of the OCMI to act on determinations should be eliminated and a reasonable time for completing such determinations established.
2. 33 CFR part 142, subpart A – Workplace Safety and Health. Notwithstanding the Memorandum of Understanding Between the Occupational Safety and Health Administration and the U.S. Coast Guard (Concerning Occupational Safety and Health on Artificial Islands, Installations and Other Devices on the Outer Continental Shelf of the United States), January 20, 1982. The Coast Guard’s failure to pursue the rulemaking under USCG-1998-3868 has created uncertainty regarding the degree to which the Coast Guard’s Workplace Safety and Health regulations in 33 CFR part 142, subpart A displace the regulations of the Occupational Safety and Health Administration. OSHA’s Compliance and Enforcement Directives (CPL) have continued to evolve without corresponding changes to either the Coast Guard’s regulations or the MOU.
3. 33 CFR part 143, subpart C. In response to the Coast Guard’s 1999 NPRM under Docket USCG-1998-3868, IADC suggested that this subpart needed to be amended to reflect the 1989 edition of the MODU Code. The 2009 edition, and its amendments, now also needs to be appropriately acknowledged.
4. 33 CFR part 145 – This firefighting equipment subpart needs to be updated to reflect changes to IMO standards, as well as industry-standards.
5. 33 CFR part 146, subpart C - This operations subpart needs to be amended to appropriately reflect all editions of the MODU Code, as amended.

### **Guidance and other interpretive documents**

IADC has yet to fully consider the implications of possible changes to various guidance documents, other interpretive documents, and policies. We hope to provide such input through the NOSAC effort.

IADC looks forward to participating in the NOSAC undertaking to formulate specific recommendations that will more substantially answer the Coast Guard’s request for comment regarding this matter.

IADC appreciates the opportunity to provide comments regarding the Coast Guard's request and asks that they be given due consideration. Should you have any questions about any portion of this correspondence, please contact me by phone at (713) 292-1945 Ext. 203.

Sincerely,

A handwritten signature in black ink that reads "John Pertgen". The signature is written in a cursive style with a large, prominent initial "J".

John Pertgen  
Director, Offshore Technical and Regulatory Affairs