

From: [Raksnis, Richard \(PHMSA\)](#)
To: [Elena Bozhko](#)
Subject: RE: Panther MPOG WCD Calculation (Gulf of Mexico - PLD24FR001)
Date: Thursday, September 12, 2024 10:04:37 AM
Attachments: [image003.jpg](#)
[image004.png](#)
[image005.jpg](#)
[image002.jpg](#)

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Good day Elena.

I have heard back from our legal team and they concur with your understanding. Although PHMSA has jurisdiction over pipeline safety (49 CFR part 195) for offshore pipelines transporting oil, BSEE retains sole authority over environmental protection requirements to include “oil spill planning, prevention, and response.” This would include reviewing and approving offshore oil spill response plans under their 30 CFR Part 254 requirements. I plan to notify the few operators which have submitted oil spill plans to us, including Main Pass Oil Gathering/Panther, to ensure they also have submitted to BSEE for review and approval. I believe they have since BSEE is referenced in the plans we have received.

Please advise if you have any additional questions.

Rick Raksnis

Supervisor, Preparedness, Emergency Support and Security Division

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From: Raksnis, Richard (PHMSA)
Sent: Monday, September 9, 2024 7:48 PM
To: Elena Bozhko [REDACTED]
Subject: RE: Panther MPOG WCD Calculation (Gulf of Mexico - PLD24FR001)

Hi Elena.

I apologize for delay in getting back to you.

I did take look at the two documents. I have asked our PHMSA attorneys to review the MOUs before I get back to you with an official response. Specifically, I have requested their advice with the 2020 MOU, Section III, A.2 statement, “... [PHMSA responsibilities include] OCS

pipelines beginning downstream of the point at which operating responsibility transfers from a producing operator to a transporting operator.”

I will provide PHMSA’s response after hearing back from the attorneys. I have requested their response by COB, 9/12.

I appreciate your patience. I want to be sure to give you the most accurate information.

Rick Raksnis

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From: Elena Bozhko [REDACTED]

Sent: Friday, September 6, 2024 4:17 PM

To: Raksnis, Richard (PHMSA) [REDACTED]

Subject: RE: Panther MPOG WCD Calculation (Gulf of Mexico - PLD24FR001)

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Rick,

I have a question about jurisdiction delineations between PHMSA and BSEE, as it comes to offshore pipelines and spill preparedness. I read the two MOUs:

<https://www.phmsa.dot.gov/about-phmsa/1994-memorandum-understanding-among-secretary-dot-doi-and-epa>

[MEMORANDUM OF UNDERSTANDING BETWEEN THE U.S. DEPARTMENT OF TRANSPORTATION AND THE U.S. DEPARTMENT OF THE INTERIOR REGARDING OUTER CONTINENTAL SHELF PIPELINES \(bsee.gov\)](#)

It appears as if BSEE would be in charge of reviewing spill response plans for MPOG line, and not PHMSA. Would that be the correct interpretation of the MOUs?

If not, could you please provide me with the guidance why that is not the case?

Thank you for your help!!

- Elena

Elena Bozhko, Pipeline Accident Investigator

Office of Railroad, Pipeline and Hazardous Materials Investigations

National Transportation Safety Board

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C: [REDACTED] | F: [REDACTED]
[REDACTED]

From: Raksnis, Richard (PHMSA) [REDACTED]

Sent: Friday, August 2, 2024 4:56 PM

To: Elena Bozhko [REDACTED]

Subject: RE: Panther MPOG WCD Calculation

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Hi Elena. I heard back from Panther MPOG operator who stated that a 1-foot depth was chosen since this represents the largest pressure difference between operating pressure in the pipeline (P_{pipe}) and ambient pressure outside pipe (P_{amb}). A section of the pipeline passes through very shallow water so operator relied on this pressure since it represents the largest gap between the two pressures. You may recall that the MMS Pocket Guide 2002-033 (Advanced Method) includes the pressure difference to determine the weight of product released.

I hope this answers your question about why a 1-foot depth was chosen. If you would like to speak further, please let me know.

Rick

From: Raksnis, Richard (PHMSA)

Sent: Wednesday, July 31, 2024 12:39 PM

To: Elena Bozhko [REDACTED]

Subject: Panther MPOG WCD Calculation

Elena –

FYI ... I have reached out to the submitter of the Panther MPOG oil spill response plan inquiring as to why they selected 1-foot depth in WCDD calculation. I will share this information back with you once received.

Rick Raksnis

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