



U. S. Chemical Safety and Hazard Investigation Board RECOMMENDATION STATUS CHANGE SUMMARY

Report:	Macondo Blowout and Explosion
Recommendation Number:	2010-10-I-OS-R13
Date Issued:	April 20, 2016
Recipient:	Department of the Interior - Bureau of Safety and Environmental Enforcement
New Status:	Closed—Acceptable Alternative Action
Date of Status Change:	October 26, 2021

Recommendation Text:

Further enhance the qualifications, professional competency, and diversity of BSEE staff to implement major accident prevention programs by:

- a) Continuing efforts to enhance recruiting and retention of sufficient staff with a diversity of expertise, professional backgrounds and skill sets, such that BSEE has staff competencies in a variety of safety-critical and technical areas, including petroleum, chemical, and mechanical engineering; human and organizational factors; well design and control; and process safety, as well as those with industry experience to perform an even more expanded mission as envisioned in this report;*
- b) Retaining the services of a human resources consulting firm to complement BSEE's efforts to date on human capital management and workforce planning issues, in light of documented difficulties in recruiting and retaining necessary staff, including the development of a plan with respect to large numbers of retirements facing the agency in the coming decade, as well as a compensation analysis (and a plan for subsequent periodic market analyses and benchmarking) to ensure BSEE remains competitive with other employers in the offshore industry. Augment the agency's compensation system as necessary to enable BSEE to attract and retain the level of staffing needed to perform BSEE's mission.*
- c) Continuing to assess, expand, and improve ongoing BSEE training programs for new hires to provide all employees with robust skill sets, including appropriate technical training as well as interpersonal skills such as communications, negotiation and advocacy.*

If funding, legislative authority, or other approvals are required to implement the recommended regulatory provisions in Recommendation R11 – R13, the Secretary of the Interior shall seek such authority from Congress or expedited hiring authority from the Office of Personnel Management.

Board Status Change Decision:

A. Rationale for Recommendation

On April 20, 2010, a multiple-fatality incident occurred at the Macondo oil well approximately 50 miles off the coast of Louisiana in the Gulf of Mexico during temporary well-abandonment activities on the Deepwater Horizon (DWH) drilling rig. Control of the well was lost, resulting in a blowout which is the uncontrolled release of oil and gas (hydrocarbons) from a well. On the rig, the hydrocarbons found an ignition source. The resulting explosions and fire led to the deaths of 11 individuals; serious physical injuries to 17 others¹; the evacuation of 115 individuals from the rig; the sinking of the Deepwater Horizon; and massive marine and coastal damage from approximately 4 million barrels of released hydrocarbons.

The U.S. Chemical Safety and Hazard Investigation Board (CSB) produced a four-volume investigation report and issued 16 recommendations; 11 of those recommendations were issued to the Department of the Interior's Bureau of Safety and Environmental Enforcement (DOI-BSEE), the offshore industry regulator. As a part of the investigation, the CSB looked at the regulatory environment and the role that BSEE plays in it. This status change summary is specific to CSB Recommendation No. 2010-10-I-OS-R13 (R13) from volume four of the investigation report.

B. Response to the Recommendation

As a result of the May 5, 2016, initial recommendation letter to DOI that included R13, BSEE responded via letter on June 14, 2016, that DOI had directed BSEE to address them. As such, the recipient is referred to as DOI-BSEE, however, the evaluation is directed at BSEE actions. BSEE then initially responded on March 22, 2017, stating that the intent or primary objectives of recommendations R13 had already been completed. The CSB and BSEE had a significant amount of communication and meetings to discuss the information needed to close all of their recommendations, including R13.

On March 31, 2020, BSEE provided a detailed response of their actions to implement R13. Though BSEE did not retain a human resources consulting firm, using internal human resources talent, BSEE developed and executed several overlapping programs that addressed the need for succession planning, recruiting, and retention. BSEE developed and implemented a Human Capital Management Strategic Plan, Human Capital Management supplemental framework, and a Human Capital Operating Plan. Additionally, BSEE initiated a process for succession planning that identified priority positions and the needed competencies and experience for candidates to be able to compete for those positions. Lastly, they applied for and received approval for special salary rate of 35% above base pay for a broad array of mission-critical oil and gas management

¹ The injury numbers presented here match those reported to the US Coast Guard as required by 33 C.F.R. § 146.30 on form CG-2692 Report of Marine Accident, Injury or Death. The 17 physical injuries represented here reflect the individuals that received immediate hospitalization as a result of the incident.

The actual number of injured from the Macondo incident is somewhat ambiguous, as a number of additional individuals sought medical treatments in the weeks following the blowout. In December 2014, Transocean noted 63 bodily injury claims pending in the state and federal courts in Louisiana and Texas.

positions. Special Salary Rate Request Form (OPM Form 1397)² requires an initial compensation analysis and annual reviews thereafter (i.e., annual compensation analyses) following approval.³ They did not address the competencies of chemical engineering or process safety due to the fact that the safety management system employed offshore is the Safety and Environment Management System and not Process Safety Management, thus, those competencies are not applicable.

BSEE demonstrated the continuous improvement aspect of the recommendation by showing improvements to their training policy over time. Among several related activities, they developed different inspector levels and their associated requirements coupled with new courses in communications, negotiating, advocacy.

C. Board Analysis and Decision

Based upon the information above, the Board determined that although BSEE did not implement all the exact requirements of the recommendation, they did implement an appropriate acceptable equivalent alternative. Consequently, the Board voted to change the status of CSB Recommendation No. 2010-10-I-OS-R13 to “Closed - Acceptable Alternative Action.”

² <https://www.opm.gov/policy-data-oversight/pay-leave/pay-systems/special-rates-requests/opm1397.pdf>

³ <https://www.chcoc.gov/content/2004-annual-review-special-salary-rates-0>