



United States Department of the Interior  
BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT

Gulf of Mexico OCS Region  
1201 Elmwood Park Boulevard  
New Orleans, LA 70123-2394

In Reply Refer To: GE 1023A

May 20, 2014

**CERTIFIED MAIL –  
RETURN RECEIPT REQUESTED**

Mr. Robert Barham  
Secretary, Louisiana Department of Wildlife & Fisheries  
P.O. Box 98000  
Baton Rouge, Louisiana 70898-9000

RECEIVED

MAY 23 2014

OFFICE OF THE SECRETARY

**RE: Ewing Banks 947 "A" structure**

Dear Secretary Barham:

The Bureau of Safety and Environmental Enforcement (BSEE) – Environmental Enforcement Branch (EEB) is in receipt of your March 28, 2014 letter. After careful review of the Freeport McMoRan Ewing Banks 947 "A" decommissioning project, BSEE will not grant a departure from the decommissioning regulations to reef this structure in place. As you are aware, BSEE policy IPD No: 2013-07 does not allow toppled structures to be granted regulatory departures from 30CFR§250.1730. This policy was developed to protect the Rigs to Reefs program and to ensure that the program remains a viable option for operators during the decommissioning process. Ultimately, allowing toppled structures into the Rigs to Reefs program introduces too many 'unknowns' and risks for which our agency will be responsible; especially since we are officially 'waiving' a regulatory requirement to allow the material to remain in the marine environment. By not allowing toppled facilities into the Rigs to Reefs program, BSEE can eliminate several problematic uncertainties related to site contamination and instability issues, and avoid the appearance of impropriety associated with a de-facto "ocean dumping" program. Based on our data of the site the risks associated with leaving the structure in place outweigh the risks of total removal.

We want to assure you that BSEE remains committed to working with the State of Louisiana in the Rigs to Reefs program. Thank you for your interest and continued support of the program.

If you have any questions, please contact Mr. Tommy Kapisis (504-731-1493) or Mr. Paul Versowsky (504-736-2634).

Sincerely,

for: Nick Wetzel  
Regional Supervisor  
Regional Field Operations

Copy to: T.J. Broussard (MS GE466)

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