



Opening Statement
Senator Maria Cantwell (D-Wash.)
Hearing on Well Control Rule and Offshore Oil and Gas Regulations
December 1, 2015

“Thank you, Madam Chair, and thank you for holding this hearing. I want to welcome to the witnesses today to share their insight on this proposed Well Control Rule. Safety and environmental protections in energy production are important, especially in fragile ocean ecosystems, so I’m glad that there is much interest in this rule today.

“I think it’s safe to say that the BP Deepwater Horizon explosion and oil spill was a human, economic and ecological disaster of epic proportions. Eleven members of the crew were killed in the explosion and 17 others were injured. Oil spewed into the ocean for nearly 3 months, a mile below the surface, before the magnitude of the damage became apparent.

“It’s estimated that 171 million gallons — that is, 5 million barrels — of oil escaped the uncontrolled well.

“People and wildlife were exposed to oil and toxic chemical dispersants. And unfortunately, local economies and critical habitats in the Gulf were impacted.

“It’s clear now that this disaster could have been avoided. Multiple Blue Ribbon panels all have concluded that the immediate cause of the blowout can be traced to a series of systematic failures in risk management and a broken safety culture.

“Another contributing factor — government mismanagement — has been addressed through the reorganization of the Minerals Management Service, into separate leasing, revenue and enforcement bureaus. There have been changes to the way these new regulatory bodies interact with the industry they oversee to ensure that they avoid circumstances where we have regulators captured by the industries they regulate.

“Setting aside organizational issues, the Well Control Rule at issue today will address the other primary causes of the Deepwater Horizon disaster — inadequate risk management and safety oversight — by codifying the advances made by industry experts and regulators over the last 5 years.



“We’ve made progress since Deepwater Horizon, but ‘loss of well control’ remains an issue. In fact, since 2010, there have been 23 separate ‘loss of well control’ incidents. The administration estimates that we experience between 6 and 8 of these incidents each year.

“We can’t afford this kind of risk. The residents, the environment, the coastal economies, the taxpayers — even the offshore oil and gas industry — cannot afford a repeat of the Deepwater Horizon disaster.

“Although none of the events since have been as significant as Deepwater Horizon, the fact that these keep happening only emphasizes the need for comprehensive and robust safety standards – which this rule provides.

“Although hindsight is 20/20 and we can’t reverse what happened at Deepwater Horizon, we can work to not repeat history. That’s what this rule is trying to help with.

“This rule has been more than 5 years in the making, with input from more than 50 companies. Its goal is to define safe drilling practices, operational expectations for drilling equipment, performance criteria for blowout preventers, and increased monitoring and verification.

“I know that performance-based requirements allow the industry experts who know these systems best to comply with the spirit of the requirement in the most efficient and safest way. But in order for these to work, industry has to hold up their end of the bargain. We must also improve transparency, through mechanisms like data sharing when things go wrong, so that regulators and industry can adapt to face these new challenges.

“I’m sure we’re going to hear more about that today.

“In summary, the administration has worked in good faith to ensure everyone’s voice is heard. They extended the comment period, hosted workshops and have engaged with third-party groups.

“I think they’ve done their due diligence on being inclusive. It’s time to move forward with the process and finalize this rule.

“I recognize that no safety standard can be 100 percent fail-safe, but we can work to make incremental improvements to oil production procedures and safety. So, I urge my colleagues to recognize that we still have serious gaps in oil spill response technology.



“The Coast Guard, NOAA (National Oceanic and Atmospheric Administration) and oil spill experts have testified time and time again—the United States is not prepared to handle a large oil spill—like the big spills we’ve seen in this country.

“Our oil spill response infrastructure has not been updated in decades.

“And yet we’re moving into deeper and deeper water and going after oil in increasingly challenging settings like the Arctic.

“The Coast Guard has repeatedly stated that we do not have the ability to clean up oil in ice. That is a huge concern when not only do we have Arctic exploration occurring in U.S. waters, but also our neighboring countries are investing heavily in oil production there. And with new habitats open to oil and gas production and transportation, including the Arctic, these new technologies are sorely needed.

“That’s why we need to strengthen NOAA’s role in the Department of the Interior’s leasing and sales decisions. Currently, NOAA has essentially the same input as any member of the public in discussing these issues.

“It is clear today that we have many challenges in front of us. But I think that this rule should be finalized without further delay.

“I look forward to hearing from the witnesses today and their testimony.

“Thank you, Madam Chair.”

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