

SECURE ALL FACILITIES TO EFFECTIVELY GUARD THE UNITED STATES AGAINST AND RESPOND TO DANGEROUS SPILLS ACT

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OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

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Madam Speaker, seventy-one days have passed, and the oil spill response and containment effort in the Gulf still lacks clear direction. As we've seen by the failure of the blowout preventer in the BP disaster, an uncontrolled discharge of oil is truly a worst-case scenario that oil companies and the federal government should be required to have an established plan for. I rise today to introduce the SAFEGUARDS Act, legislation to prevent and respond to future disastrous oil spills by addressing some of the systematic breakdowns which led to the BP Deepwater Horizon catastrophe.

We are currently witnessing the disastrous effects an uncontrolled discharge of oil has on the fragile environment of the Gulf of Mexico. While the National Environmental Policy Act (NEPA) has established specific safeguards for take into account the effects that drilling has on our environment, BP was permitted categorical exclusions from these requirements. No oil company should be exempt from addressing the environmental impact that their drilling activities impose. The SAFEGUARDS Act will ensure that NEPA requirements are not ignored again by, first, prohibiting categorical exclusions from NEPA, and, second, extending the time period regulatory agencies have to review oil explorations proposals. Regulatory agencies currently have only a 30 day period to review extensive and intricate drilling proposals, however this bill will give regulatory agencies up to 150 days to ensure exploration plans are properly reviewed.

Not only was BP granted exemptions from environmental standards, they were also allowed to move forward without a prepared response plan for the failure of the blowout preventer. The SAFEGUARDS Act addresses problem by requiring all oil spill response plans to account for a true worst possible scenario, including the uncontrolled discharge of oil resulting from the failure of a blowout preventer or other containment devices.

The oil disaster in the Gulf has also brought much attention to the leadership and organization of the response and containment efforts currently in place. While the Coast Guard is ultimately responsible for leading the government's response to an oil spill in America's coastal waters, they are not required to approve oil spill response plans submitted by oil rigs. Instead, each rig is only required to submit their spill response plans to the Minerals Management Service, an agency with many well-documented issues with administering rig safety standards. Oversight by the Coast Guard is necessary to ensure a fully coordinated response effort. If the Coast Guard has to clean up the spills, they should review the clean up plans ahead of time. The SAFEGUARDS Act will make this a requirement for all current and future oil rigs, as well as establish the Commandant of the Coast Guard as the National Incident Commander to oversee the federal government's response to large oil spills in coastal waters.

Finally, the SAFEGUARDS Act will address some of the inadequacies in federal response efforts highlighted by the current spill. The framework of the National Contingency Plan, which is the federal government response plan for all oil spills, has not been updated since 1994. Oil spills in our coastal waters are unique disasters that deserve their own response plan. The SAFEGUARDS Act will require the response plan to be updated at least every five years. Further, this bill will require the EPA to begin monitoring water quality within forty-eight hours after an oil spill is discovered. It is important for the public to have accurate information about how our water, our wildlife and our beaches are being affected as quickly as possible.

The Federal Government's reaction to the Gulf disaster over the last few weeks has been insufficient, to say the least. BP's response has not been much better. The Clean Water Act requires the President and the Federal Government to lead the cleanup efforts, and we owe it to the American people and the entire Gulf coast to do better. The SAFEGUARDS Act presents common sense solutions to help prevent a disaster of this magnitude from ever happening again, and improves the federal response in the event it ever does. Madam Speaker, I ask my colleagues to support this measure to modernize and improve the governments prevention and response efforts to oil spills.