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DRILLING DEEPER, DRILLING MORE

by Chris Stefan*

In September 2004, Chevron Corporation announced the discovery of a large oil field located off of the coast of Louisiana.¹ What is unique about this discovery is that the well was drilled at a depth of 28,175 feet, breaking a new depth record² and signaling that advances in technology likely will allow for future drilling at even greater depths.³

The environmental risks associated with conventional offshore drilling projects are well-documented. The exploratory phase of the process runs the risk of underwater explosions,⁴ and utilizes sound waves that may adversely affect whale populations.⁵ The drilling projects themselves contaminate the surrounding areas with toxic chemicals and byproduct waste.⁶ The vital question is will drilling even deeper, and more often, amplify these impacts?

Concerns regarding expanded offshore oil production also involve geopolitics. In July 2006, a major oil discovery in Cuban waters sparked Congressional debate over ending the embargo of the small island nation (or at least creating an exception for energy companies).⁷ The oil discovery in Cuban waters complicates the legal battles over drilling off of the coast of Florida because of the possible scenario where U.S. companies who are barred from drilling are replaced by international groups drilling under Cuban leases, with potentially lower environmental stan-

dards.⁸ The proximity of the Cuban wells to U.S. waters guarantees that any environmental impact will be shared between the two countries, and the political reality ensures that the two nations likely will fail to work together to ensure environmental protection in the region.

Regardless of the political or environmental impacts, the Gulf of Mexico and its vicinity has captured the attention of U.S. domestic oil producers. While technology can enhance our ability to recover oil at greater depths, legal mechanisms need to ensure that our ability to prevent harm to the marine environment is enhanced proportional to those advancements. The environmental impact of increasing oil production in a region plagued by frequent hurricanes and political animosity through methods with uncertain environmental effects leaves many unanswered questions.

Nevertheless, the political and economic needs of modern society ensure that increased drilling is certain to occur.

Legal mechanisms need to ensure that our ability to prevent harm to the marine environment is enhanced.

Endnotes:

¹ Press Release, Chevron, *Chevron Announces Record Setting Test Well* (Sept. 5, 2006), <http://www.chevron.com/news/press/2006/2006-09-05.asp> (last visited Sept. 24, 2006).

² Chevron, *id.*

³ See *Offshore Oil Exploration: Energy From the Depths*, STAR TRIBUNE, Sept. 11, 2006, available at <http://www.startribune.com/535/story/670323.html> (last visited Sept. 24, 2006).

⁴ Editorial, *Where We Stand: Observe Moratorium on Offshore Drilling*, VIRGINIAN PILOT, Apr. 4, 2006, available at <http://home.hamptonroads.com/stories/story.cfm?story=102478&ran=104305> (last visited Sept. 24, 2006).

⁵ See generally US Department of the Interior, *Possible Effects of OC Oil and Gas Activities on the California Grey Whale*, available at

<http://www.mms.gov/omm/pacific/enviro/graywhale.htm> (last visited Sept. 24, 2006); see also VIRGINIAN-PILOT, *supra* note 4.

⁶ Sierra Club, *Offshore Drilling is Messy Business*, http://www.sierraclub.org/wildlands/coasts/factsheets/2006-07_hurricanepollution.pdf#search=%22offshore%20drilling%20is%20messy%20business%22 (last visited Sept. 24, 2006).

⁷ See MSNBC, *Cuban Oil Renews Embargo Debate* (July 29, 2006), available at <http://www.msnbc.msn.com/id/14095881/> (last visited Sept. 24, 2006).

⁸ See BBC News, *Cuban Oil Prospects Cloud US Horizon* (Sept. 11, 2006), available at <http://news.bbc.co.uk/2/hi/americas/5321594.stm> (last visited Sept. 24, 2006).

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