

# Deposition Testimony of:

## **Cindi K. Skelton**

Date: May 26, 2011

Created by:



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Page 372:05 to 372:08

00372:05 Q. You, from 2006 to 2009,  
06 understood BP's risk management policy for  
07 the Gulf of Mexico. Isn't that true?  
08 A. I was familiar with it.

Page 386:17 to 386:22

00386:17 Q. And so if you had someone out  
18 there who didn't have the skill whose job  
19 it was to recognize hazards, then that  
20 person might miss a hazard.  
21 Isn't that true?  
22 A. That's correct.

Page 422:20 to 424:02

00422:20 For the record, 286736 is going  
21 to be marked as 2505. This is from Keith  
22 Seilhan. Is that how you say it?  
23 THE WITNESS:  
24 Yes.  
25 (Whereupon, the document  
00423:01 referred to was marked as Exhibit No. 2505  
02 for identification.)  
03 EXAMINATION BY MR. BRUNO:  
04 Q. Now, looks to me like they've  
05 done some focus grouping. Is that what's  
06 going on here?  
07 A. It says he arranged some focus  
08 groups.  
09 Q. And this was to discuss the new  
10 management plan?  
11 A. It appears that way.  
12 Q. All right. Which, I guess,  
13 technically is a reorganization plan. Is  
14 that the better descriptor?  
15 A. Yes.  
16 Q. I just want to confirm that in  
17 these focus groups, one of the folks is  
18 quoted as saying, my manager got us all  
19 together and presented the reorganization  
20 plan and told us our role in sector  
21 leadership is to drill wells safer, faster  
22 and cheaper than any other operator in the  
23 Gulf of Mexico.  
24 So that's a report of what is  
25 the impression of whoever was it who was a  
00424:01 participant in the focus group; correct?  
02 A. It appears that's what it says.

Page 425:14 to 425:16

00425:14 (Whereupon, the document  
15 referred to was marked as Exhibit No. 2506  
16 for identification.)

Page 426:24 to 427:01

00426:24 Q. So in carrying out this plan --  
25 the plan was certainly intended to include  
00427:01 the exploration side; right?

Page 427:04 to 427:17

00427:04 EXAMINATION BY MR. BRUNO:  
05 Q. That is, the reorganization  
06 plan?  
07 A. I believe so.  
08 Q. All right. And so whatever you  
09 were offering support with regard to that  
10 effort, as well? That is, to implement the  
11 reorganization plan?  
12 A. No.  
13 Q. In the exploration side?  
14 A. No. I wasn't offering the  
15 exploration team support in this effort. I  
16 was talking about the role of my team in  
17 the future.

Page 428:09 to 428:20

00428:09 Q. To do what? What was the goal  
10 of this new organization you were going to  
11 create?  
12 A. It was the HSSE and engineering  
13 team.  
14 Q. All right. And the HSS&E  
15 engineering team that you were going to  
16 create, was that team going to be in  
17 support of the exploration side as well as  
18 the production side of the business?  
19 A. In some aspects and some  
20 processes, but not completely.

Page 441:09 to 442:22

00441:09 Q. For operations.  
10 Here it also says under  
11 efficiency, strong rigor in RCFA.  
12 What is that?  
13 A. It's a root cause failure  
14 analysis.  
15 Q. And it says don't stop until we  
16 really know why. What is your

17 understanding of what that means?  
18 A. Root cause failure analysis is a  
19 term or a process that we use to analyze,  
20 say, when a pump has a problem, or fails.  
21 And what I believe is intended here is keep  
22 digging into that failure analysis, say, of  
23 that piece of equipment until you know  
24 exactly why it failed. You don't stop.  
25 Q. And when you do a root cause  
00442:01 analysis you look not only at the  
02 equipment, you look at the entire system;  
03 isn't that true?  
04 A. I can't speak for this  
05 particular aspect on that equipment.  
06 Q. Well, don't you know what a root  
07 cause analysis is?  
08 A. This is root cause failure  
09 analysis and it's on a particular piece of  
10 equipment, generally.  
11 Q. Do you not know what that is?  
12 A. I don't know the details of the  
13 process on how they actually carry it out.  
14 I know generally.  
15 Q. What do you know about root  
16 cause analysis generally?  
17 A. Root cause analysis in general  
18 would be to look at all aspects of an  
19 occurrence, you know, and investigate and  
20 look for data, interview people. And dig  
21 down to the causes. There's usually  
22 multiple causes.

Page 444:12 to 444:14

00444:12 Q. Yes. All right. So what does  
13 the every dollar counts in quotes phrase  
14 mean to you?

Page 445:01 to 445:09

00445:01 A. It was a phrase that was coined  
02 sometime previously in the previous year,  
03 or it could have been the year before. I  
04 can't remember. For employees to be aware  
05 when they're doing their work activities or  
06 travelling, or whatever it is. To be  
07 mindful of expenses and being efficient  
08 with how we spend money, just like any  
09 company would.

Page 453:12 to 453:12

00453:12 We'll mark that as 2508.

Page 453:17 to 455:16

00453:17 Q. And my question to you is just  
18 general. It says here that in an e-mail  
19 from a Pat O'Bryan to you, I put together a  
20 brief MOC. Is that management of change?  
21 A. Yes.  
22 Q. So it's necessary to do a  
23 management of change, even to move one  
24 person from one area to the next?  
25 A. That's the process that we have.  
00454:01 Q. Okay. So help me, help me  
02 understand this management of change  
03 concept. What is it all about?  
04 A. It's a form or a process that's  
05 utilized so when there's a change to, to be  
06 a change to a process or a piece of  
07 equipment, it could be a change to a, to an  
08 organization that you put in place to  
09 transfer responsibilities.  
10 Q. All right. Is it BP policy that  
11 these management of change documents be  
12 completed in all those instance that you  
13 just described?  
14 A. Not every single instance. You  
15 have to look at the, the procedures to see  
16 how it applies. So there's certain  
17 prescriptive requirements when you use MOC  
18 and when you don't.  
19 Q. Is there a document that we can  
20 look at that helps us know when you're  
21 supposed to use an MOC and when you're not?  
22 A. Yes.  
23 Q. What's it called?  
24 A. I don't know the exact title of  
25 it. It would be some kind of practice or  
00455:01 procedure for management of change in the  
02 Gulf of Mexico.  
03 Q. And it covers production and  
04 drilling and completion?  
05 A. I can't say for sure exactly the  
06 scope of that particular document.  
07 Q. Well, as a BP employee, how do I  
08 learn about things like management of  
09 change, regardless of what part of the  
10 business I'm in?  
11 A. Well, you can access the  
12 document that tells you how.  
13 Q. So BP expects its employees to  
14 find out if there's a document on the  
15 subject as opposed to being told that  
16 there's a document?

Page 455:19 to 455:24

00455:19 THE WITNESS:  
20 We have, through OMS, we have a  
21 Navigator which is a web based system and  
22 you can go into this Navigator and go under  
23 MOC and see the documents there for  
24 yourself.

Page 456:01 to 457:12

00456:01 Q. Help me understand how this is  
02 supposed to work.  
03 Before I make a change I'm  
04 supposed to look and see if there's a  
05 management of change document, or am I  
06 taught that there's a document and I need  
07 to use it and I'm taught about the  
08 circumstances?  
09 A. Are you asking as if you're a  
10 new employee, existing employee?  
11 Q. I'm guess I'm asking as a new  
12 employee, someone new to BP, not  
13 necessarily new to the business.  
14 A. Well, I would expect an employee  
15 would come in, I don't know the exact  
16 onboarding process and what they're  
17 actually asked to look at.  
18 But if they're not told when  
19 they come in new about that document and to  
20 pull it out, I think it depends on your  
21 job, too, then your supervisor, or others  
22 that you work with would advise you at the  
23 time when to use it. And where to find it.  
24 Q. So you would expect that a new  
25 person at BP would be trained as to the  
00457:01 existence of a management of change policy;  
02 correct?  
03 A. No. That's not what I said.  
04 Q. Well, how does a new employee  
05 learn about the management of change  
06 policy? He's not trained?  
07 A. As I just told you, we have our  
08 own Navigator website and they will be told  
09 where that is and what it is and to explore  
10 it and read up on it. The policies and  
11 procedures that pertain to them will be  
12 there and they can access them.

Page 458:20 to 459:05

00458:20 Q. Yes, ma'am. I'm reading it.  
21 And Joe's very good at this. So you would  
22 expect that a new person at BP would be  
23 trained as to existence of a management of

24 change policy; correct?  
25 A. I would say, so I was answering  
00459:01 your question correct and I said, no, it  
02 depends on your job. There are different  
03 ways to be trained. Depends on the role  
04 how you're going to be trained in that  
05 aspect of management of change.

Page 460:18 to 463:01

00460:18 Q. Okay. Well, all right. New BP  
19 employee, are they trained about management  
20 of change and you just don't know?  
21 A. No. What I said was, I believe  
22 it depends on the role. And when they need  
23 to use it.  
24 Q. All right. Let's talk about  
25 someone employed in drilling and  
00461:01 completions. Not finance.  
02 Are they trained on management  
03 of change?  
04 A. I can't speak for drilling and  
05 completions. I don't know how they train  
06 their new employees.  
07 Q. Who can you speak for?  
08 A. I could speak for my  
09 individuals, my employees.  
10 Q. Do you train them on management  
11 of change?  
12 A. I don't personally train my  
13 employees on management of change.  
14 Q. Does somebody else?  
15 A. I would expect my employees or  
16 my supervisors, again, to tell them about  
17 the policies and procedures that we have  
18 and to go on the website and to read up on  
19 them.  
20 Q. So you would expect your  
21 managers to train new folks to BP in your  
22 section about the existence of a management  
23 of change policy and then you would say, I  
24 would expect them to go on to this website  
25 and read those policies to learn how they  
00462:01 might pertain to them; is that right?  
02 A. That might be one way. It could  
03 be another way, they would sit down with  
04 them and go through it. I can't tell you  
05 in every instance.  
06 Q. Well, I'm not asking about every  
07 instance, I just want to know whether you  
08 believe that it's necessary to train your  
09 folks about the existence of management of  
10 change, in some fashion.  
11 A. I would be telling them that  
12 there is a management, to have them, their

13 supervisors tell them there is a management  
14 of change policy. At some point, they need  
15 to read it and understand how it will apply  
16 to them. But there are many, many  
17 procedures for a new employee to understand  
18 when they first come in. That is just one.  
19 Q. Right. Okay. So what you're  
20 telling me is that there's no standardized  
21 method for training new BP employees about  
22 management of change. It's obviously,  
23 based upon your testimony, up to the  
24 supervisor of that person to figure it out  
25 for themselves how they want to train their  
00463:01 people about management of change?

Page 463:05 to 463:14

00463:05 Q. Is that true?  
06 A. No. That's not true.  
07 Q. That's not true?  
08 A. That's not what I said. I don't  
09 know what other teams do as far as  
10 standardized training.  
11 Q. Well, you know there's no  
12 standardized training because you just told  
13 me what you do is not necessarily the way  
14 everybody else does; right?

Page 463:18 to 464:02

00463:18 Are you asking whether what I do  
19 in my team is standardized with other teams  
20 across the Gulf of Mexico?  
21 EXAMINATION BY MR. BRUNO:  
22 Q. Yes.  
23 A. I don't, I don't know. I don't  
24 believe so.  
25 Q. Okay. So there's no  
00464:01 standardized training at BP in the Gulf of  
02 Mexico for management of change?

Page 464:06 to 464:14

00464:06 Q. Right? Isn't that true? You  
07 just told me --  
08 A. I told you that I don't know if  
09 how my employees are trained is  
10 standardized across what they do in other  
11 groups. I don't know that.  
12 Q. You don't know. Well, if you  
13 don't know, isn't it pretty likely that  
14 it's not standardized?



Page 464:18 to 464:23

00464:18 Not necessarily the case. I  
19 don't -- I'm not the one that trains them.  
20 EXAMINATION BY MR. BRUNO:  
21 Q. And apparently in your role it's  
22 not important for you to know how your  
23 people are trained; right?

Page 465:02 to 465:06

00465:02 Q. Is that what you're telling me?  
03 A. I don't know all the details in  
04 my role on how my people are trained when  
05 they come in to their roles. I depend upon  
06 the managers that report to me.

Page 471:10 to 472:06

00471:10 Q. I'm just trying to understand.  
11 They put you in this job and in March, I  
12 mean, did you have a good understanding of  
13 what you were expected to do when you took  
14 that job?  
15 A. I wasn't put in the job in  
16 March.  
17 Q. I'm sorry. April 2010. When  
18 you got the job, did you have a good  
19 understanding of what they expected you to  
20 do?  
21 A. I understood at a high level my  
22 roles and responsibilities.  
23 Q. At a high level. What does that  
24 mean?  
25 A. I knew I was responsible for the  
00472:01 HSSE and engineering standards and  
02 requirements as far as my team working with  
03 the operations teams and others in the SPU.  
04 I ran compliance, verifying  
05 compliance, that the requirements were  
06 clear and they understood them.

Page 472:15 to 472:22

00472:15 Q. That's fine. So what did you do  
16 to discharge your obligations? There's all  
17 these different requirements, then how do  
18 you as the leader of this organization  
19 ascertain that these requirements are being  
20 complied with?  
21 A. I delegate to the managers that  
22 work for me.

Page 473:11 to 473:25

00473:11 Q. So how would you divide up this  
12 work? Would it be across the various  
13 organizations?  
14 In other words, you just  
15 described rotating. There's rotating  
16 equipment, I suppose, in drilling and  
17 completions area, there's also rotating  
18 equipment in the production area.  
19 So how did you divide up this  
20 work?  
21 A. So my technical authorities  
22 weren't responsible for the drilling and  
23 completions area. They had their own  
24 engineering authorities and their own  
25 requirements.

Page 474:10 to 475:06

00474:10 Q. Well, that's why I'm asking you  
11 the question. You just told me that you  
12 didn't have any responsibility for drilling  
13 and completions.  
14 A. That's correct. I didn't have  
15 any responsibility for drilling and  
16 completions.  
17 Q. So if you didn't have any  
18 responsibilities for drilling and  
19 completions and this EA engineering  
20 authority for the SPU reported to you and  
21 he obviously had some contact with drilling  
22 and completions, so I'm having a difficult  
23 time understanding how you get cut out of  
24 this process.  
25 A. Let me clarify. I had no  
00475:01 drilling and completions people reporting  
02 to me. That's how I was defining  
03 responsibilities. There are processes and  
04 practices that my team was responsible for  
05 that drilling and completions needed to  
06 follow.

Page 476:20 to 477:21

00476:20 Q. Well, before the catastrophe  
21 when you were in the role of the  
22 vice-president of HSSE & Engineering for  
23 the Gulf of Mexico, I think you already  
24 told me there was nobody in the drilling  
25 and completions side who reported up to  
00477:01 you. So who did what you did for the  
02 drilling and completions group?  
03 A. Well, there are -- you have to

04 divide up the responsibilities. It's not a  
05 simple there's one and there's one. They  
06 had people in their organization that did  
07 some of the activities that people in my  
08 team would do.

09 But there's, also, some  
10 activities my team would do that they  
11 didn't have that covered them that they  
12 didn't have. For instance, they don't have  
13 a separate crisis and management team.  
14 That team reports to me and we cover the  
15 entire Gulf of Mexico organization.  
16 Including drilling.

17 Yet, they have some of their own  
18 engineering authorities for that expertise.  
19 So those would be duplicated. Not doing  
20 the same role, but some of the same titles  
21 as to those in my group.

Page 479:01 to 479:19

00479:01 Q. And then when you were in the  
02 S&OI area, I think you told me that you did  
03 not have anybody in your, on your team who  
04 was responsible for drilling and  
05 completions, as well?

06 A. I don't remember saying that.  
07 It depended -- there were different  
08 responsibilities in that role that I had.

09 So you have to be specific to  
10 which, which responsibility and then I  
11 could better advise.

12 Q. How about risk assessment?

13 A. At that time there was -- the  
14 way that the team was set up to implement  
15 the integrity management standard was part  
16 of that S&OI role. There was a person that  
17 didn't report to me but was tagged into the  
18 work from drilling and completions to  
19 implement that.

Page 487:15 to 487:24

00487:15 Q. Would OMS be what has a minimum  
16 standards of requirements for the entities,  
17 the operating groups in your company to  
18 comply and continue to improve?

19 A. It's the system whereby it sets  
20 out minimum standards and requirements.  
21 Right now, it's been geared to the  
22 production group, those requirements as  
23 they apply to production, yes. That's  
24 correct.

Page 490:07 to 491:12

00490:07 Q. All right. Yesterday, you  
08 testified that you delegate down  
09 environmental matters, environmental  
10 compliance matters to the environmental and  
11 regulatory teams that were under or were  
12 under your supervision at the time.  
13 A. Can you specify which time that  
14 you're referring to?  
15 Q. It would have been when you were  
16 VP of HSSE in the Gulf.  
17 A. So part of 2010?  
18 Q. One minute. At any point in  
19 time.  
20 A. In 2010 before the accident or  
21 after the accident?  
22 Q. Take it before and then after.  
23 A. So I was in the role for how  
24 many days, the 14th, six days. In that  
25 period of time?  
00491:01 Q. And you delegated down?  
02 A. Did I delegate down? So can we  
03 be specific which activity?  
04 Q. Yeah. Delegate down  
05 environmental compliance matters to the  
06 environmental and regulatory teams that  
07 were under your supervision?  
08 A. I expect or I delegate to them  
09 accountability that they are setting up  
10 practices and developing the permits and  
11 ensuring that our staff understand their  
12 requirements for compliance.

Page 493:02 to 494:19

00493:02 A. I didn't have responsibility  
03 until I came back into my role in mid  
04 August.  
05 Q. Now, mid August, delegate down?  
06 A. Mid August down?  
07 Q. Forward.  
08 A. Yeah. I expect I have  
09 delegations, I expect my staff or my  
10 managers to carry out their roles while  
11 environmental compliance, their role, which  
12 lays out processes. They are not the ones  
13 in operations that are actively complying.  
14 They lay out the requirements and the  
15 processes to do so.  
16 Q. But is it expected that once  
17 those are laid out by your team that they  
18 are followed by those implementing them?  
19 A. Yes.

20 Q. So in your supervisory duties  
21 when you were in a delegate down on  
22 environmental matters of compliance role,  
23 did you review or just sign off on things  
24 that came up like permit applications,  
25 submissions to environmental regulatory  
00494:01 authority, or responses to an environmental  
02 regulatory authority or agency?  
03 A. I can't remember what I signed  
04 off on, exactly, that they asked me to look  
05 at. I'd have to see a particular document.  
06 Q. Who made the final decision if  
07 there was a dispute over something, an  
08 internal dispute within your environmental  
09 group of regulatory, environmental and  
10 regulatory team that were under your  
11 supervision? Who would resolve that  
12 dispute over whether it was over a permit  
13 app, a regulatory response or submission?  
14 A. I'd have -- I don't know without  
15 any context. It depends on what it is.  
16 You have to understand that the basis for a  
17 dispute is it could have been something  
18 outside of the technical expertise of my  
19 team.

Page 494:22 to 495:23

00494:22 A. I said it would have to be  
23 specific for me to answer that.  
24 Q. Okay. Let's say if it was  
25 within your team, okay, that it was  
00495:01 clearly -- what, hypothetically, who would  
02 resolve that? Is it the team leader? Is  
03 that who was on the team, or would it be  
04 you?  
05 A. First off, it depends on who in  
06 the team. And if it was team to team you  
07 can bring in the team leader. If it was  
08 two individuals within the same team it  
09 could bring in the team leader.  
10 Again, I think you've got to be  
11 specific on the example. You know, it just  
12 depends.  
13 Q. Well, it sounds like there does  
14 need to be specificity. Is it fair to say  
15 that you didn't have a set internal  
16 structure for dealing with conflicts over  
17 environmental regulatory matters?  
18 A. Not over -- I don't have a set  
19 written process for disputes within my  
20 team. No, I don't. I expect those to be  
21 carried out and resolved either with the  
22 manager or myself or others that had the  
23 expertise as needed.

Page 503:16 to 506:04

00503:16 You testified that there was no  
17 VP of HSSE & Engineering for drilling and  
18 completions; right?  
19 A. That's correct. There wasn't a  
20 separate role for that part of the Gulf of  
21 Mexico.  
22 Q. And you testified that Al  
23 Vickers is now the VP global wells safety  
24 and operational risk; is that correct?  
25 A. That is correct.  
00504:01 Q. And he is your counterpart for  
02 drilling and completions?  
03 A. Well, in a sense he is but not  
04 exactly.  
05 Q. Who created his job?  
06 A. I don't know. It's part of a  
07 global organization change so I can't  
08 exactly say how the roles are now all  
09 created.  
10 Q. Do you know who created your new  
11 role?  
12 A. The current role I have today?  
13 Q. Yes.  
14 A. No, I don't.  
15 Q. Do you know when Mr. Vickers  
16 took his role as VP global wells safety and  
17 operational risk?  
18 A. I can't give you the exact date  
19 but it may have been at the same time that  
20 I MOC'ed over March 31st.  
21 Q. Of 2011?  
22 A. Yeah, but I can't speak for all  
23 if that was the exact date he did or not.  
24 Q. To your knowledge, was  
25 Mr. Vickers' role created so that there  
00505:01 would be a single person in charge of HSSE  
02 and engineering for drilling and  
03 completions?  
04 A. I can't speak to that. I wasn't  
05 responsible for creating the role.  
06 Q. You testified that in your  
07 position as VP of safety and operational  
08 risks that you generally have the same  
09 responsibilities that you had as VP of HSSE  
10 & Engineering; correct?  
11 A. Yes. I said generally.  
12 Q. Did Mr. Vickers have the same  
13 responsibilities as you currently have for  
14 drilling and completions?  
15 A. No. Not exactly.  
16 Q. What is your understanding of  
17 his responsibilities?

18           A.     I can't tell you exactly because  
19 I haven't looked at his roles and  
20 responsibilities. The difference is, I'm  
21 responsible for some of the procedures and  
22 practices across the Gulf of Mexico, but  
23 not all aspects of operations in the Gulf  
24 of Mexico. That's something that he and I  
25 and others around the world are working out  
00506:01 the definition currently.  
02           But one of the differences is,  
03 is I'm just involved in the Gulf of Mexico  
04 and he is looking at wells globally.

Page 511:19 to 512:04

00511:19       Q.     Are you involved with the  
20 drilling safety review that BP is currently  
21 conducting?  
22       A.     Can you be more specific?  
23       Q.     There's a drilling safety review  
24 that's being performed currently by BP and  
25 John Baxter is leading up that effort. Are  
00512:01 you aware of that?  
02       A.     No. I'm not. I may vaguely  
03 take a guess as to what it would be but I'm  
04 not involved in it.

Page 513:14 to 518:09

00513:14       Q.     Are you aware of any evidence  
15 that any Transocean personnel in connection  
16 with the DEEPWATER HORIZON deliberately  
17 wanted to cause injury to the environment  
18 or any person?  
19       A.     I have no evidence.  
20       Q.     Do you have any evidence that  
21 any Transocean personnel in connection with  
22 the DEEPWATER HORIZON was malicious or  
23 didn't care in any way about causing injury  
24 to another human, or the environment?  
25       A.     I have no evidence on that.  
00514:01       Q.     Are you aware of any evidence  
02 that Transocean personnel in connection  
03 with the DEEPWATER HORIZON willfully  
04 inflicted harm on any person or the  
05 environment?  
06       A.     I have no evidence.  
07       Q.     Are you aware of any evidence of  
08 negligence by Transocean in connection with  
09 the DEEPWATER HORIZON?  
10       A.     I am not aware of any materials,  
11 anything that would relate to that.  
12       Q.     You talked about having  
13 responsibility with respect to the risk

14 management policy between 2006 and 2009.

15 And I wanted to talk through, or  
16 have you talk through what your  
17 responsibilities were with respect to the  
18 risk management policy throughout that time  
19 period.

20 A. So my responsibility was to  
21 ensure that it was laid out or developed of  
22 the requirement under the IM standard and  
23 then to communicate it.

24 Q. Communicate it to employees?

25 A. Communicate it to the leadership  
00515:01 that were responsible for implementing it.  
02 I then expected them to communicate it  
03 further.

04 Q. Did you do anything to verify  
05 whether or not the leadership who were  
06 responsible for implementing it  
07 communicated it to BP employees?

08 A. I can't remember back then what  
09 type of discussions we had on further  
10 communication. That was their  
11 accountability.

12 Q. When you were laying out and  
13 developing the risk management policies,  
14 did you incorporate lessons learned from  
15 the Texas City accident into the risk  
16 management policy?

17 A. No. I don't believe that would  
18 have been applicable to that policy, that  
19 particular policy.

20 Q. Lessons learned from the BP --  
21 from the Texas City refinery explosion  
22 would not have been applicable to the risk  
23 management policy of BP?

24 A. The policy itself was just a  
25 process on how you -- it was just a process  
00516:01 on how you actually assess risk and  
02 document it. It didn't talk about actual  
03 risk. So I'm not sure what the connection  
04 is that you're asking about.

05 Q. Are you familiar with the Baker  
06 report on the Texas City refinery accident?

07 A. Yes, I know of it.

08 Q. And are you familiar that  
09 there -- scratch that. Are you aware that  
10 there were certain recommendations in that  
11 report for BP?

12 A. I understand there were.

13 Q. And do you understand that there  
14 were recommendations regarding risk  
15 assessment?

16 A. I don't remember those  
17 particular actions.

18 Q. If there had been specific



19 recommendations regarding risk assessment  
20 in that report regarding the Texas City  
21 refinery explosion, those would have been  
22 important in creating or developing the  
23 risk management policy; correct?  
24 A. I can't say because I don't know  
25 what they were. And I don't know how they  
00517:01 would have necessarily translated to that  
02 particular policy. Again, the policy was  
03 to safe practice or procedure that would  
04 tell you in the Gulf of Mexico you need to  
05 do this at this time and here's the format  
06 that we would like you to do it.  
07 Q. And it was telling employees  
08 here's what you need to do to assess risk  
09 in certain situations; correct?  
10 A. Not in certain situations, no.  
11 Q. Or just assess risk generally?  
12 A. It was a general major hazard  
13 risk policy. On how to -- what was the  
14 practice.  
15 Q. And you don't remember using any  
16 of the lessons learned from the Texas City  
17 refinery explosion in creating or  
18 developing the risk management policy?  
19 A. I can't remember doing that.  
20 Q. Do you know if anybody at BP  
21 incorporated any of those lessons learned  
22 into the risk management policy?  
23 A. Are you speaking specifically  
24 about the Gulf of Mexico risk management  
25 policy?  
00518:01 Q. The risk management policy that  
02 you were responsible for developing.  
03 A. I can't remember. I can't say  
04 that somebody didn't. I can't remember  
05 what the words were in the Baker report.  
06 Q. But you're not aware of anyone  
07 at BP incorporating those lessons learned  
08 from the Baker report into the risk  
09 management policy you were working on?

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00518:12 THE WITNESS:  
13 I can't remember.  
14 EXAMINATION BY MS. GEREN:  
15 Q. Ms. Skelton, to your knowledge  
16 as VP of safety and occupational risk, has  
17 BP taken any steps to improve BP's risk  
18 management policy based on the lessons  
19 learned from the DEEPWATER HORIZON  
20 incident?  
21 A. Can you be specific on the risk  
22 management policy?

23 Q. My question is: To your  
24 knowledge, has BP done anything, made any  
25 changes or improvements to BP's risk  
00519:01 management policy as a result of the  
02 DEEPWATER HORIZON incident?  
03 A. I can only speak to the Gulf of  
04 Mexico risk management policy, not the  
05 broader BP.  
06 Q. And that's fine.  
07 A. Okay.  
08 Q. Do you know of any changes or  
09 improvements that BP has made to any risk  
10 management policy, Gulf of Mexico or  
11 otherwise, as a result of the DEEPWATER  
12 HORIZON incident?  
13 A. So in one answer, one part  
14 answer to that question, I'm not aware of  
15 any of the risk management policies in any  
16 other parts of BP other than the one in the  
17 Gulf of Mexico. There may be other ones.  
18 I don't know. So I can only speak to the  
19 Gulf of Mexico one.  
20 I do know that we're in the  
21 process of updating it. And I don't know  
22 exactly what the updates are going to be  
23 and how we're going to reflect any changes  
24 or improvements.  
25 Q. Who is in the process of  
00520:01 updating the risk management policy for the  
02 Gulf of Mexico?  
03 A. So the risk champion.  
04 Q. And who is that?  
05 A. Chris Harper.  
06 Q. Do you know any of the specific  
07 updates that are going to be made to the  
08 risk management policy by Chris Harper?  
09 A. The positions have all changed  
10 because of the reorganization. So we need  
11 to update positions and titles, or teams  
12 that have moved as a result of the  
13 reorganization.  
14 Q. Do you know of any other updates  
15 that are going to be made to the risk  
16 management policy of the Gulf of Mexico by  
17 Chris Harper's team?  
18 A. Not in specifics. We've talked  
19 in generalities and I can't remember. I  
20 just know that we've talked we need to  
21 update it based on the new organization.  
22 Q. Have you had any discussions  
23 that it needs to be updated because of the  
24 DEEPWATER HORIZON incident and lessons  
25 learned from that incident?  
00521:01 A. We haven't had any specific  
02 discussions in that context.

03 Q. To your knowledge as VP of  
04 safety and occupational risks, has BP taken  
05 any steps to improve safety performance  
06 following the DEEPWATER HORIZON incident?

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00521:09 THE WITNESS:

10 That's a very broad question.  
11 You can go out on our website and you can  
12 read a lot of different things that our  
13 executives are saying that we are doing and  
14 are in action. So I think the biggest one  
15 is this new organization is going to safety  
16 and operations risk. That would be one  
17 aspect.

18 EXAMINATION BY MS. GEREN:

19 Q. And I'm asking you what you  
20 know. So other than that, what other  
21 steps, if any, has BP taken in order to  
22 improve safety performance after the  
23 DEEPWATER HORIZON incident?

24 A. Well, I just named one.

25 Q. Do you know of any others?

00522:01 A. There, there's different ones.

02 We are working through control of work.

03 Q. What does that mean?

04 A. That means the -- we have a  
05 control of work practice and continually  
06 looking to improve on it. It's about safe  
07 work practices, how you carry out jobs. We  
08 are working to look at our third-party  
09 contractors and understand the health and  
10 strength of their own systems to verify  
11 that they have in place the things that we  
12 deem to be important to run an operation.

13 We have things in place now to  
14 comply with the new regulations from the  
15 BOEM RE. Around the thumbs rule. Those  
16 are a few.

17 Q. Can you think of anything else?

18 A. There's a lot of things but, I  
19 mean, those are the few. We previously  
20 investigate root cause of leaks, drips of  
21 crude oil and gas to get better, better get  
22 to the root cause.

23 There's things we do every day  
24 to keep improving safety wise.

25 Q. Anything else you can think of  
00523:01 that come about because of the DEEPWATER  
02 HORIZON?

03 A. Well, there's an extensive  
04 amount of things our drilling organization  
05 is doing to comply with recommendations or  
06 to take action with recommendations from

07 the Bly report that's not public.  
08 Q. What are those things?  
09 A. I can't name all those things.  
10 Again, I'm not a drilling person so I don't  
11 know all the exact things that they're  
12 working through.

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00523:17 Who would know those things?  
18 EXAMINATION BY MS. GEREN:  
19 Q. Who could answer questions about  
20 what drilling is doing to improve safety  
21 performance following the DEEPWATER HORIZON  
22 incident? Who is bringing that up?  
23 A. Drilling globally or drilling in  
24 the Gulf of Mexico?  
25 Q. Drilling in the Gulf of Mexico.  
00524:01 A. That's Mike Payne.  
02 Q. What about globally, who is  
03 heading up --  
04 A. Richard Lynch.  
05 Q. To your knowledge as VP of  
06 safety and operational risks, has BP taken  
07 any steps to implement the recommendations  
08 in the chief counsel's report on the  
09 DEEPWATER HORIZON incident?  
10 A. I'm not familiar with those and  
11 can't answer. I don't know.  
12 Q. To your knowledge as VP of  
13 safety and operational risks, has BP taken  
14 any steps to implement the recommendations  
15 of the Presidential Commission's report on  
16 the DEEPWATER HORIZON incident?  
17 A. I can't answer that. I don't  
18 know.  
19 Q. Do you know Richard Steven Tink  
20 or Steve Tink?  
21 A. Yes.  
22 Q. In April 2010, Mr. Tink was  
23 health and safety team leader for BP's  
24 drilling and completion operations in the  
25 Gulf of Mexico; correct?  
00525:01 A. Can you repeat that title again?  
02 Q. In April 2010, Mr. Tink was  
03 health and safety team leader for BP's D&C  
04 operations in the Gulf of Mexico?  
05 A. He was the -- he was the D&C  
06 health and safety team lead. He wasn't  
07 over operations, I just want to clarify  
08 that part. He was a health and safety team  
09 lead.  
10 Q. And he worked, he dealt with the  
11 occupational safety and health hazards of  
12 BP's drilling operations; correct?

13           A.     In the Gulf of Mexico, that's  
 14 correct.  
 15           Q.     He was in the HSSE group?  
 16           A.     For a period of time.  
 17           Q.     In April of 2010?  
 18           A.     As of April 14th he was in my  
 19 team, the HSSE & Engineering team.  
 20           Q.     He was in your team?  
 21           A.     Yes.  
 22           Q.     And he was ultimately  
 23 accountable to you; correct?  
 24           A.     Yes. There was a manager  
 25 between he and I.  
 00526:01        Q.     And that was, that manager was?  
 02           A.     Brad Smolen.  
 03           Q.     Okay. Are you aware that  
 04 Mr. Tink testified before the Coast Guard  
 05 in May 2010 that you were the person that  
 06 was ultimately accountable for overall  
 07 safety for BP business in the Gulf of  
 08 Mexico?  
 09           A.     I'm not aware of what he said or  
 10 testified, or his words. I was aware that  
 11 he did testify.

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00526:14 Mr. Tink testified before the  
 15 Coast Guard that you were the person that  
 16 was responsible for all safety aspects of  
 17 BP within the Gulf of Mexico.  
 18           Are you aware of that?

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00526:22 No.

Page 526:24 to 526:25

00526:24        Q.     If he testified to that, in your  
 25 mind, would that include drilling?

Page 527:04 to 527:15

00527:04        Q.     Would all aspects of safety for  
 05 BP within the Gulf of Mexico include  
 06 drilling?  
 07           A.     I can't conjure up what he would  
 08 have been meaning. I don't know what he  
 09 meant.  
 10           Q.     Do you believe that you were  
 11 ultimately responsible for all safety  
 12 aspects of BP within the Gulf of Mexico,

13 including drilling?  
 14 A. No. No.  
 15 Q. Who would be?

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00527:19 Q. In your view?  
 20 A. You have to talk about which  
 21 aspects because if you're talking about out  
 22 on a rig, I would consider the owner and  
 23 operator of the rig to be accountable for  
 24 safety aspects in that operation. If it's  
 25 another company carrying on an operation, I  
 00528:01 consider them to be responsible for aspects  
 02 of safety.  
 03 It depends. If it's an employee  
 04 in the office and they're in the D&C group,  
 05 I consider them to be accountable for their  
 06 safety. So you've got to be specific  
 07 about -- and then you have to look at what  
 08 aspects of safety. Is it personal safety  
 09 like wearing a hardhat, or is it safety  
 10 around ensuring that equipment has been  
 11 maintained?  
 12 Q. And I understand your testimony  
 13 that you're saying that everybody is in  
 14 some way responsible for safety. But  
 15 Mr. Tink, you understand, testified that  
 16 you, in his view, was the person at BP who  
 17 was ultimately responsible for all safety  
 18 aspects of BP in the Gulf of Mexico.  
 19 Do you understand that?

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00529:03 Q. Do you understand that?  
 04 A. I understand what you're saying.  
 05 I can't sit and interpret or figure out  
 06 what he meant by it. I can't, can't speak  
 07 for him. I don't know what in his thoughts  
 08 were, I don't know the context of the  
 09 question. So I can't speak for Steve Tink  
 10 or be a mind reader.

Page 529:22 to 536:07

00529:22 Q. Ms. Skelton, as VP of HSSE &  
 23 Engineering, you were accountable for HSSE  
 24 & Engineering standards; correct?  
 25 A. Not exactly correct. You'd have  
 00530:01 to be specific as to which engineering  
 02 standard so I can clarify that my team or  
 03 the engineers are not accountable for any

04 type of drilling or wells type of  
05 engineering standards.

06 So it's not as clearcut or  
07 simple as engineering standards.

08 Q. Who was responsible for drilling  
09 a well to engineering standards?

10 A. I don't know who, what the role  
11 was or an individual in, in the drilling at  
12 the time.

13 Q. As VP HSSE & Engineering, you  
14 were responsible for internal and external  
15 compliance with your standards; correct?

16 A. No. I wouldn't say that's  
17 exactly correct. When you say external  
18 compliance with our standards, do you mean  
19 external to the regulator with our  
20 standards, or what do you mean? Can you  
21 break it down?

22 EXAMINATION BY MS. GEREN:

23 Q. Ms. Skelton, I'm handing you  
24 what's been marked as Exhibit 2510.

25 A. You want me to keep this one?

00531:01 Q. You can keep that one. If  
02 you'll take a moment to read it and let me  
03 know when you're prepared to talk about it.

04 A. I'm ready.  
05 (Whereupon, the document  
06 referred to was marked as Exhibit No. 2510  
07 for identification.)

08 EXAMINATION BY MS. GEREN:

09 Q. Exhibit 2510 is an e-mail from  
10 Cory Davis on behalf of James Dupree to a  
11 distribution group called G GoM SPU all. I  
12 assume that distribution group is to  
13 everyone within the Gulf of Mexico SPU; is  
14 that correct?

15 A. That's how I would interpret it.

16 Q. Would you be included in that  
17 group and be a recipient of this e-mail?

18 A. I believe I was.

19 Q. This e-mail gives job  
20 descriptions and announces the following,  
21 or appointments to the Gulf of Mexico SPU  
22 leadership team. Do you see that?

23 A. Yes.

24 Q. And this announces your being  
25 promoted to vice-president HSSE &  
00532:01 Engineering; correct?

02 A. Yes. But it wasn't effective at  
03 that time.

04 Q. Right. You became, you moved  
05 into that position April 14, 2010; correct?

06 A. Yes.

07 Q. But it's announcing that  
08 position's going to be -- you're going to

09 be moving into that position; correct?  
10 A. That's correct.  
11 Q. And the e-mail describes what  
12 your responsibilities as vice-president  
13 HSSE & Engineering will be; correct?  
14 A. It's a very brief description.  
15 It does not fully describe the  
16 responsibilities.  
17 Q. But it does give descriptions of  
18 responsibilities that you did have as  
19 vice-president of HSSE & Engineering;  
20 correct?  
21 A. It spells out some of the  
22 responsibilities.  
23 Q. And it reads, Cindi Skelton as  
24 vice-president HSSE & Engineering and will  
25 be accountable for HSSE and Engineering  
00533:01 standards. This will include  
02 responsibility for internal and external  
03 compliance, the technical and operational  
04 risk management process and the engineering  
05 and operations standards and practices for  
06 the SPU. Did I read that correctly?  
07 A. You read it correctly.  
08 Q. The first sentence talks about  
09 you being accountable for HSSE &  
10 Engineering standards; correct?  
11 A. That's what it says.  
12 Q. And it does not, this e-mail  
13 does not specify that you will not be  
14 responsible for drilling wells' engineering  
15 standards; does it?  
16 A. It doesn't exclude them.  
17 Q. And then the next sentence says  
18 that you will be responsible for internal  
19 and external compliance.  
20 What does that mean?  
21 A. The way I took it, I didn't  
22 write it so I can't say exactly what was in  
23 the writer's mind. But the way I take the  
24 external compliance would be compliance  
25 with regulations external to BP.  
00534:01 Q. So as VP as HSSE & Engineering,  
02 you were responsible for ensuring that BP  
03 employees in the Gulf of Mexico SPU were  
04 complying with both HSSE & Engineering  
05 standards and with external regulations; is  
06 that correct?  
07 A. I'm going to clarify that the  
08 engineering standards, again, did not  
09 include any type of drilling or subsurface  
10 engineering standards.  
11 Q. Okay. Taking those out, you  
12 were responsible for ensuring that BP  
13 employees in the Gulf of Mexico SPU



14 complied with all other HSSE & Engineering  
15 standards as well as external regulations  
16 that applied to them?

17 A. It was one aspect of my job as  
18 it was the vice-president, also, that were  
19 responsible for the operations and those  
20 employees. They're accountable for their  
21 own employees to also comply with the  
22 requirements.

23 We're more or less, we're at a  
24 function level. This is where I think it  
25 might be an opportunity explained because  
00535:01 it hasn't come out properly. In any of  
02 these questions. This is -- my group is at  
03 a function broad level across the  
04 organization, much the same as HR of  
05 finance.

06 So we set out processes, we do  
07 not have operations staff reporting in to  
08 my team. We set out processes with some  
09 expertise. So you could have an expert in  
10 rotating equipment, you could have expert  
11 for lifting authority. One individual  
12 responsible for ensuring there's a process  
13 out there on how you lift equipment.

14 And they're to help and support  
15 the operations that actually do the  
16 lifting.

17 So we're a function. We don't  
18 have operations report to us. The  
19 operations teams in drilling, the  
20 operations teams in production or in  
21 resource, they're the ones, they're  
22 accountable, they and their managers, for  
23 complying with the processes or the  
24 regulation.

25 Q. And your team is ultimately  
00536:01 responsible for ensuring that those  
02 processes are in place; correct?

03 A. The ones that we're accountable  
04 for. We're responsible for the development  
05 or documentation in communicating those out  
06 to the team leads or the management of  
07 those operations.

Page 543:17 to 545:11

00543:17 Q. Mr. Tink was part of your team;  
18 correct?

19 A. He was.

20 Q. And --

21 A. Well, at the point of which time  
22 frame?

23 Q. When you became VP of HSSE &  
24 Engineering?

25 A. Yes.  
00544:01 Q. At the time of the DEEPWATER  
02 HORIZON incident?  
03 A. Yes.  
04 Q. Mr. Tink was on your team;  
05 correct?  
06 A. Yes.  
07 Q. And Mr. Tink was responsible for  
08 communicating standards to the drilling  
09 team; correct?  
10 A. His responsibility wasn't  
11 completely all standards. His  
12 responsibility was in the occupational  
13 safety responsibility. And, no, I wouldn't  
14 say he was the sole purpose, or the sole  
15 person to communicate health and safety  
16 type standards to the drilling community.  
17 Q. But Mr. Tink did?  
18 A. Yes.  
19 Q. As part of your team, he  
20 communicated health and occupational safety  
21 standards to drilling; correct?  
22 A. I can't say I've ever seen where  
23 he actually has, but I could venture that  
24 that's probably one of the things he's  
25 done.  
00545:01 Q. But it was your job to ensure  
02 compliance with those standards; correct?  
03 A. At the time of when?  
04 Q. When you were VP of HSSE &  
05 Engineering. In the six days before the  
06 incident.  
07 Q. Yes.  
08 A. I -- trust me, didn't have time  
09 in those six days to assure that those were  
10 being communicated. I delegated and  
11 expected that that was being done.

Page 546:23 to 546:25

00546:23 Q. The members of your team were  
24 ultimately accountable to you; correct?  
25 A. Ultimately accountable to me for

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00548:06 Q. What about risk management  
07 changes?  
08 A. If the policy, the risk policy  
09 was changed, or the practice, we would have  
10 advised the, the individuals, or the team  
11 leaders as appropriate.

Page 549:08 to 554:12

00549:08 Q. Ms. Skelton, as either VP of  
09 HSSE & Engineering or as VP of operational,  
10 safety and operational risks, have you  
11 taken any steps to improve BP's risk  
12 management policies based on the lessons  
13 learned from the DEEPWATER HORIZON  
14 incident?

15 A. I believe I stated earlier that  
16 we are in the process of updating the  
17 policy. But I have not at this time looked  
18 at any kind of lessons learned and updated  
19 the policy based upon that in particular.

20 Q. Are you personally involved with  
21 the updating of the risk management policy?

22 A. Yes.

23 Q. That's currently going on?

24 A. Yes.

25 Q. And what exact updates are you  
00550:01 implementing at this point?

02 A. I think I answered that question  
03 before. And I said that we would be  
04 updating it based on the new organizational  
05 requirements and titles and names. You  
06 know, I don't know. I haven't looked at it  
07 that thoroughly yet to decide.

08 Q. As either VP of HSSE &  
09 Engineering or VP of safety and operational  
10 risks, have you personally taken any steps  
11 to improve BP's safety performance  
12 following the DEEPWATER HORIZON incident?

13 A. I think you asked me that  
14 question before.

15 Q. I asked you the question with  
16 respect to your knowledge of BP generally  
17 and I'm asking you specifically what, if  
18 anything, have you done?

19 A. So I think I did answer that  
20 question before. I talked about deeper  
21 investigation into leaks and things that  
22 we're doing.

23 Q. And you're personally involved  
24 in those?

25 A. I have a team that is. When you  
00551:01 say am I personally involved, do I go out  
02 and do the investigation, or --

03 Q. I'm asking what your role, what  
04 have you specifically done or been involved  
05 with since the DEEPWATER HORIZON to try to  
06 improve BP's safety performance?

07 A. I did answer that question  
08 before. I talked about looking deeper at  
09 assessments for our contractors and their  
10 safety systems. I believe I said that we

11 would be in compliance with the safety  
12 environmental management system. And we  
13 then, again, have to assess that our  
14 third-party contractors who operate for us  
15 also have to comply with that, those  
16 requirements.

17 I believe I talked about control  
18 work and how we're continuing working  
19 through to improve in that area. I think  
20 one additional one I didn't mention, we're  
21 looking at emergency response and ensuring  
22 that emergency response plans are drilled  
23 and looked at different scenarios.

24 There's things every day that  
25 we've learned that we're working on  
00552:01 improving. It isn't just a list and I know  
02 that drilling has specific actions that  
03 they're taking.

04 Q. But you're not involved in  
05 those?

06 A. No, I'm not.

07 Q. As either VP of HSSE &  
08 Engineering or VP of safety and operational  
09 risks, have you taken any steps,  
10 personally, to implement the  
11 recommendations of the Bly report?

12 A. No. I have not taken any  
13 particular steps. Most of those were, are  
14 drilling.

15 Q. Are you familiar with the  
16 recommendations of the Bly report?

17 A. Somewhat. Not extensively.

18 Q. I think you testified that  
19 you've skimmed the Bly report but that you  
20 have not read it in depth; is that correct?

21 A. That is correct.

22 Q. When did you skim it?

23 A. Probably -- I don't know.  
24 Within a few weeks of it coming out.

25 Q. What was the reason that you did  
00553:01 that?

02 A. Interest, to see what was the  
03 cause or what was the results of the  
04 investigation.

05 Q. Did you feel that having an  
06 understanding of that would help with your  
07 job?

08 A. I didn't know until I read  
09 through it. I wanted to see what the  
10 investigation, the results were, that they  
11 thought was the cause of the incident.

12 Q. Have you looked at the report  
13 since that time?

14 A. I might have skimmed it again,  
15 but not substantially.

16 Q. As VP of HSSE & Engineering or  
 17 VP of safety and operational risks, have  
 18 you taken any steps to implement the  
 19 recommendations in the chief counsel's  
 20 report on the DEEPWATER HORIZON incident?  
 21 A. I believe you asked me that  
 22 previously. And I said no. Didn't you?  
 23 Q. I asked you with respect to BP  
 24 if you had any knowledge. I'm now asking  
 25 you specifically you.  
 00554:01 A. No, I have not.  
 02 Q. Are you aware of the  
 03 recommendations of the chief counsel?  
 04 A. No, I'm not.  
 05 Q. In the chief counsel's report?  
 06 A. No, I'm not.  
 07 Q. And I assume that your answer  
 08 with respect to the recommendations of the  
 09 Presidential Commission are the same, that  
 10 you do not know what those recommendations  
 11 are?  
 12 A. Correct. That's correct.

Page 555:10 to 555:12

00555:10 (Whereupon, the document  
 11 referred to was marked as Exhibit No. 2511  
 12 for identification.)

Page 555:14 to 557:01

00555:14 Q. Ms. Skelton, this is an org  
 15 chart and if you'll look in the bottom left  
 16 corner with me, that has your name and VP  
 17 HSSE & Engineering; correct?  
 18 A. Yes.  
 19 Q. Does this org chart accurately  
 20 represent your direct reporting hierarchy  
 21 while were VP HSSE & Engineering?  
 22 A. Yes.  
 23 Q. And it shows you -- that James  
 24 Dupree was your direct report; correct,  
 25 that you directly reported to James Dupree?  
 00556:01 A. Yes.  
 02 Q. And James Dupree was the SPUL?  
 03 A. Yes.  
 04 Q. Does that mean he's the SPU  
 05 leader?  
 06 A. Yes.  
 07 Q. And there were several other  
 08 vice-presidents on this org cart that also  
 09 had a direct reporting relationship up to  
 10 James Dupree; correct?  
 11 A. Yes.

12 Q. So they were on the same level  
13 as you as far as reporting to James Dupree;  
14 correct?

15 A. Yes.

16 Q. And this included the  
17 vice-president of exploration,  
18 vice-president of operations,  
19 vice-president of resource, vice-president  
20 HR, vice-president drilling and completions  
21 and the CFO; correct?

22 A. Yes.

23 Q. And then there's a dotted line  
24 direct reporting relationship to the  
25 vice-president developments; correct?

00557:01 A. Yes.

Page 557:08 to 557:08

00557:08 referred to was marked as Exhibit No. 2512

Page 557:11 to 562:19

00557:11 Q. Does this org chart accurately  
12 reflect the people who reported to you  
13 within HSSE & Engineering for the Gulf of  
14 Mexico while you were vice-president of  
15 that group?

16 A. Yes.

17 Q. And you had James Grant, who is  
18 regulatory compliance and environmental  
19 manager?

20 A. Yes.

21 Q. He reported directly to you?

22 A. Yes.

23 Q. There is also a box for security  
24 manager that reports directly to you;  
25 correct?

00558:01 A. Yes.

02 Q. Who filled that role? There's  
03 no name here.

04 A. Well, it depends on the time of  
05 this. So if there was nobody in place at  
06 this time. Some time probably third  
07 quarter a woman named Chris Curtis filled  
08 that role.

09 Q. Brad Smalen was the health and  
10 safety manager who reported directly to  
11 you. Is that accurate?

12 A. His name is Brad Smolen.

13 Q. Smolen? Lynn Saha?

14 A. Saha.

15 Q. Saha. SPU engineering authority  
16 reported directly to you; is that accurate?

17 A. Yes.

18 Q. And Dennis Johnson is listed as  
19 a CCM/ER manager reporting to you. What is  
20 that position?

21 A. Crisis and continuity management  
22 and emergency response.

23 Q. And Bethany Clarkson, is that  
24 planning performance and learning  
25 management? Is that accurate?

00559:01 A. Yes.

02 Q. Can you please -- I'm not  
03 completely clear from some of the earlier  
04 testimony on what exactly the SPU  
05 engineering authority or what the  
06 engineering role was that was on your team.  
07 Can you explain that for me in a little  
08 more detail?

09 A. Yes. He was, he had, well --  
10 I'll start with who his reports were. He  
11 had, I think the number would be roughly 12  
12 to 15. I can't remember exactly.  
13 Technical authorities reporting to him.

14 Each one of them, many years  
15 experience in engineering in a particular  
16 area. And these people have been, such as  
17 rotating equipment, instrument and controls  
18 would be another one. They reported to  
19 him.

20 And they provided the deep  
21 technical expertise and support to our  
22 production operations and our projects.  
23 Projects team. The ones that reported  
24 under Gary Imm. When called upon.

25 Q. And it was solely to production  
00560:01 and projects, not to exploration or  
02 drilling and completions?

03 A. Substantially. I think once in  
04 a while they could be called in if there  
05 was a particular question. But for the  
06 most part, their day-to-day activities were  
07 to support production and for projects.

08 Q. Can you give me some examples of  
09 when they might have been called in to work  
10 with exploration and drilling and  
11 completions?

12 A. Well, since these were, most of  
13 them were third-party owned rigs I don't  
14 believe they got involved in the  
15 third-party owned systems. It might have  
16 been if there was a question, for instance,  
17 I don't know, if there's a specific  
18 question on instruments and control, maybe,  
19 on one of the BP owned rigs, but --

20 Q. I'm sorry.

21 A. I was going to say I don't know  
22 for sure any particular instances where

23 they've been called in but it wasn't their  
 24 normal work.  
 25 Q. Would they have ever consulted  
 00561:01 with any of the contractors, or any  
 02 contracting rigs?  
 03 A. I don't know.  
 04 Q. Okay. You described HSSE &  
 05 Engineering as having a functional  
 06 oversight role as opposed to an operational  
 07 role. Am I understanding that correctly?  
 08 A. That's true.  
 09 Q. Is well control a part of HSSE &  
 10 Engineering functional safety oversight  
 11 role?  
 12 A. No.  
 13 Q. So policies and procedures  
 14 related to well control safety did not fall  
 15 within the oversight of HSSE & Engineering  
 16 before March 2011 when BP restructured the  
 17 GoM and created the safety and operational  
 18 list group?  
 19 A. That is correct. And they still  
 20 don't. As of today.  
 21 Q. Who is responsible for well  
 22 control, for policies and procedures  
 23 related to well control safety?  
 24 A. I don't know. I don't know the  
 25 individual or the team.  
 00562:01 Q. And that -- let me, let's break  
 02 this into time periods. Before March 2011,  
 03 do you know who was responsible for  
 04 policies and procedures related to well  
 05 control safety?  
 06 A. No.  
 07 Q. And after March 2011, do you  
 08 know who's responsible for policies and  
 09 procedures related to well control safety?  
 10 A. No.  
 11 Q. Are you an expert in well  
 12 control, Ms. Skelton?  
 13 A. No.  
 14 Q. Are you an expert in cementing  
 15 operations?  
 16 A. No.  
 17 Q. Are you an expert in mud  
 18 logging?  
 19 A. No.

Page 563:08 to 563:11

00563:08 Q. Is part of safety listening to  
 09 contractors regarding safety issues?  
 10 A. Is that just a general statement  
 11 that you're asking my opinion?



Page 564:01 to 567:23

00564:01 Q. If a contractor recommends that  
02 something be done because it's safe, does  
03 BP have a policy for directing  
04 recommendation?

05 A. Not that I know of. I don't  
06 know of any policy particular to that.

07 Q. Do you know who may know whether  
08 BP has a policy for addressing those  
09 circumstances?

10 A. Again, you know, if you're just  
11 talking in general, I can give my opinion.  
12 I can't tell you whether or not there's a  
13 particular policy addressing particular  
14 contractors and their issues.

15 Q. What is your opinion? Do you  
16 think it would be part of -- do you think  
17 part of safety would be listening to  
18 contractors when they render a  
19 recommendation on safety issues?

20 A. I think it all depends on the  
21 situation, the contractor contacts that  
22 they're issuing. I think we should always  
23 listen. Whether we action, you know, what  
24 they said that their concern is, I think it  
25 depends on the situation. But I just think

00565:01 it's good practice to always listen.

02 Q. Do you know whether there's any  
03 BP policy for documenting a contractor's  
04 safety recommendation?

05 A. I don't know of any in  
06 particular.

07 Q. Do you know of any -- do you  
08 know of any policy for documenting any  
09 deviation from a contractor's safety  
10 recommendation?

11 A. A deviation from a  
12 recommendation?

13 Q. For example, if a contractor  
14 makes a safety recommendation that BP  
15 chooses not to follow that safety  
16 recommendation, do you know if there's a  
17 policy for documenting that?

18 A. No, I don't. Again, I think it  
19 depends whether you're talking about an  
20 engineering type of safety recommendation,  
21 or whether you're talking about somebody  
22 recommending that people wear hardhats. I  
23 mean, there's so many aspects of safety so  
24 I don't know.

25 Q. But do you know if there's a  
00566:01 policy for documenting any of that, whether  
02 it's engineering or whether it's, whether  
03 someone should wear hardhats? Do you know

04 if there's a policy for documenting any  
05 deviation from a contractor's  
06 recommendation?

07 A. I don't know of any.

08 Q. Would you agree with me that a  
09 safety recommendation from a contractor who  
10 possesses technical expertise in their  
11 specialty is something that should be taken  
12 seriously?

13 A. I can't speak for that because I  
14 don't have the context. It depends every  
15 time on every situation what that is and  
16 what that contractor's competency is in a  
17 situation. So I can't give you a valid  
18 general yes.

19 Q. If the contractor's been hired  
20 because they possess technical expertise in  
21 a specific area and they're making a safety  
22 recommendation within that, within their  
23 area of expertise, would you agree with me  
24 that that is something that should be taken  
25 seriously and considered?

00567:01 A. I think, as I stated earlier, I  
02 think we should always listen. And then it  
03 depends on the situation, the competency of  
04 the person and whether you're dealing with  
05 something technical or from a personal  
06 safety standard. I can't give you a  
07 blanket statement.

08 Q. Are you familiar with the BP  
09 Gulf of Mexico HSE management system  
10 bridging document?

11 A. I have not read one. I  
12 understand that they're in place or that  
13 they have been developed.

14 Q. I'm going to hand you what's  
15 been previously been marked as master  
16 Exhibit 948. I ask that you look at it.  
17 Have you seen this document before?

18 A. No.

19 Q. Would you, would you have been  
20 responsible for reviewing these types of  
21 document within HSE in your role as  
22 vice-president of HSSE & Engineering?

23 A. No.

Page 570:22 to 571:10

00570:22 Q. What were the parameters for  
23 determining who investigated these types of  
24 serious incidents when someone on your team  
25 became involved?

00571:01 A. Some of the parameters might be  
02 who's got experience in investigation and  
03 who's been trained. It could be generally

04 we'll put a root cause specialist on. But  
05 if this is a Transocean incident, we rely  
06 on the company, the third party to lead the  
07 investigation for their own incidents and  
08 then we would generally supplement with  
09 staff. And there's no set parameters  
10 because it depends on the incident.

Page 573:25 to 575:21

00573:25 Q. Has anyone told you anything  
00574:01 about Halliburton?  
02 A. About Halliburton in general, or  
03 what specifically?  
04 Q. About Halliburton in connection  
05 with the DEEPWATER HORIZON, about the  
06 Macondo well, or about the incidents on  
07 April 20, 2010?  
08 A. I can't remember anything  
09 specifically.  
10 Q. Do you remember anything  
11 generally?  
12 A. I think I believe it was just,  
13 you know, things I read in the paper.  
14 Q. Do you recall what you read in  
15 the paper?  
16 A. The kind of things I read in the  
17 paper were just the information that was  
18 coming out about the different testimonies  
19 and the -- I can't remember anything  
20 specifically.  
21 Q. Have you spoken with anyone from  
22 Halliburton regarding the cementing  
23 operations on the Macondo well?  
24 A. No.  
25 Q. Have you spoken with anyone from  
00575:01 Halliburton or Sperry-Sun regarding mud  
02 logging on the Macondo well?  
03 A. No.  
04 Q. Has anyone from BP told you  
05 anything about Halliburton?  
06 A. No. Not specifically.  
07 Q. What about generally?  
08 A. You know, it could be generally  
09 about how are we working together with them  
10 going forward. I mean, that kind of thing.  
11 Not specific to that -- I'm not in drilling  
12 so I don't ask the details about it.  
13 Q. And not specific to the  
14 DEEPWATER HORIZON and the Macondo well?  
15 A. No, I have not.  
16 Q. The things that BP has told you  
17 about Halliburton have been more a going  
18 forward basis from April 20, 2010?  
19 A. Yes. It would have been about

20 continuing relationships and working  
21 together going forward.

Page 577:14 to 580:08

00577:14 Q. Did you also participate in the  
15 investigation of the Macondo well?  
16 A. No.  
17 Q. What involvement did you have  
18 with the Macondo well before April 20,  
19 2010?  
20 A. None.  
21 Q. Did you have any involvement  
22 with the DEEPWATER HORIZON before April 20,  
23 2010?  
24 A. The only involvement I would  
25 have had, it had been in that period of  
00578:01 time when I had my job from April 14th to  
02 April 20th, there would have been one of  
03 the health and safety site meets supporting  
04 drilling around personal safety or  
05 occupational health and safety.  
06 Q. And can you give me some more  
07 detail about what that involved?  
08 A. That role, people would go out  
09 to the rigs and help support the BP staff  
10 coaching advice around compliance with  
11 personal safety type rules or practices.  
12 And they would also look at what the  
13 contractors had in place, which is the  
14 bridging document that you had there.  
15 Q. Did you go out to the DEEPWATER  
16 HORIZON?  
17 A. No.  
18 Q. But members of your team went  
19 out to the DEEPWATER HORIZON?  
20 A. I believe so. I don't know who  
21 and at what time. Can I add to that, I  
22 don't know if any of them were out there  
23 from the period that I had that  
24 responsibility and they were my team. So I  
25 don't know in those six days.  
00579:01 Q. Did you, as vice-president of  
02 HSSE -- I'm sorry, I just want to make sure  
03 I'm completely and clear on your testimony.  
04 You were telling me that during that  
05 six-day period beginning on April 14, 2010  
06 and going through April 20, 2010, you did  
07 have responsibility, a functional oversight  
08 responsibility as vice-president of HSSE &  
09 Engineering for the DEEPWATER HORIZON;  
10 correct?  
11 A. No. I'd say more specifically,  
12 it's not that broad. To be specific it was  
13 more around the health and safety site lead

14 who had that role that I just explained.  
 15 More around personal safety and things like  
 16 lifts and coaching and support for the  
 17 drilling and completions team.

18 But that's not a responsibility  
 19 for that rig. They have their own safety  
 20 system and safety personnel.

21 Q. It was a functional oversight  
 22 generally providing support for the health  
 23 and safety and drilling completions team  
 24 that included that rig, among other rigs  
 25 and platforms?

00580:01 A. Yes.

02 Q. And who within your team would  
 03 have provided the health and safety support  
 04 and the support for the drilling and  
 05 completions team?

06 A. Well, that team was led by Steve  
 07 Tink and there was somewhere, eight to 10  
 08 people or more that worked underneath him.

Page 597:01 to 600:21

00597:01 What is an SPA?

02 A. Is there a context that you've  
 03 got it in, or -- I could give you the  
 04 general.

05 Q. Well, is an SPA a single point  
 06 of accountability within the BP structure?

07 A. That's one way it could be used.

08 Q. And what were the  
 09 responsibilities of an SPA at BP between  
 10 December 2008 and April 2010?

11 A. I can't answer that. That's too  
 12 broad. Can you break it down?

13 Q. What did an SPA do during that  
 14 time period? What were his or her  
 15 responsibilities? In a functional sense.

16 A. In what function? It's too  
 17 broad.

18 Q. You think it's too broad?

19 A. Yes, I do.

20 Q. What does an SPA do?

21 A. I can't answer the question,  
 22 it's too broad. I don't know.

23 Q. All right. You were the SPA at  
 24 BP for process safety; correct?

25 A. No.

00598:01 Q. Do you have in front of you a  
 02 document that's been marked as Exhibit 866?  
 03 I can hand you another copy. Turn to the  
 04 page bearing the Bates number 3180, please?

05 A. 3180?

06 Q. Yes, ma'am.

07 A. Okay.

08 Q. And your name is Cindi Skelton;  
09 correct?  
10 A. That is correct.  
11 Q. Okay. And you see that this  
12 page is entitled Appendix 2 sub-element  
13 ownership. You see that?  
14 A. Yes.  
15 Q. And under that it says OMS  
16 single points of  
17 accountability/responsibility.  
18 Do you see that?  
19 A. Yes.  
20 Q. And if you go down on the  
21 left-hand side, where you see 3.0 risk?  
22 A. Yes.  
23 Q. And then 3.1 risk assess. So I  
24 think it's risk assessment and management.  
25 Do you see that?  
00599:01 A. Yes, I do.  
02 Q. Now, if you follow that across,  
03 and you look under the heading for SPAs,  
04 you see your name?  
05 A. Uh huh. Yes.  
06 Q. Okay. And did you serve as an  
07 SPA with respect to risk assessment and  
08 management?  
09 A. In this context, I did for the  
10 production team.  
11 Q. Okay. So what were your  
12 responsibilities as an SPA with respect to  
13 risk assessment and management?  
14 A. So in this particular context  
15 the -- let's see. I believe this document  
16 may even spell it out as to what the SPA  
17 definition is. What they did. As I'm  
18 looking for this particular context on how  
19 this was an SPA, it meant that for this gap  
20 assessment that was done against those  
21 requirements in the OMS, you would get a  
22 team together or ensure others working for  
23 you would get a team together to do a gap  
24 assessment of those requirements at that  
25 time. And then to have those gaps  
00600:01 documented. And this was for production.  
02 Q. You say this was for production,  
03 but that also includes drilling; correct?  
04 A. No, it does not.  
05 Q. Oh? Does it include  
06 exploration?  
07 A. No.  
08 Q. Now, if you look at this same  
09 chart -- I'm sorry. Let's talk generally  
10 about this document which is the Gulf of  
11 Mexico SPU operating plan.  
12 Does this document apply to

13 drilling?  
14 A. This document, the scope is  
15 listed on page 4 of the numbers for this  
16 and it says on scope. And this was about  
17 the gap assessments that that SPA would  
18 have been for the seven producing  
19 facilities.  
20 Q. Does this document apply to  
21 drilling, ma'am?

Page 600:25 to 603:15

00600:25 This single point of  
00601:01 accountability?  
02 EXAMINATION BY MR. BRODY:  
03 Q. No. Does this Gulf of Mexico  
04 SPU operating plan apply to drilling?  
05 A. In what context? What  
06 specifically?  
07 Q. In any context, ma'am. Is it  
08 applicable to the drilling function at BP  
09 in the Gulf of Mexico?  
10 A. In this particular context on  
11 how this was developed, this was developed  
12 as a result of the production facility's  
13 MOC over to the OMS system. There were a  
14 few things in here that may have described  
15 exploration and production, but this was  
16 specifically put together for the  
17 production facility to MOC over to the OMS  
18 system.  
19 Q. So is your answer that this  
20 operating plan does not apply and did not  
21 apply to drilling in the Gulf of Mexico?  
22 A. It's not that clearcut. I said  
23 what my answer was, that this was put  
24 together about gap closure plans and  
25 priorities for the production facilities.  
00602:01 Q. Okay. So does it apply with  
02 respect to drilling as to gap closure plan?  
03 A. No, it does not.  
04 Q. Okay. And what are designations  
05 in here for the single point of  
06 accountability, does that relate to  
07 drilling?  
08 A. No, it does not.  
09 Q. Let's go back to page bearing  
10 the Bates number 3180. And if you look at  
11 the third column that's called LT member.  
12 Do you see that?  
13 A. Yes.  
14 Q. And LT is a leadership team?  
15 A. Yes.  
16 Q. And if you just scan that  
17 column, do you see, oh, more than a dozen

18 entries that lists the LT team member as  
 19 being the VP of drilling?  
 20 A. Yes, I do.  
 21 Q. And now let's look at 3.3, which  
 22 is another risk item here, and it's called  
 23 process safety. Do you see that?  
 24 A. Are you still looking at this  
 25 Appendix 2?  
 00603:01 Q. I am, ma'am, yes.  
 02 A. Okay.  
 03 Q. The document that you have right  
 04 in front of you.  
 05 A. Uh huh.  
 06 Q. You see that?  
 07 A. Yes.  
 08 Q. Now, if you go along a few  
 09 columns you see that you were the SPA for  
 10 process safety; right?  
 11 A. For this particular gap  
 12 assessment that was done, it was for  
 13 production.  
 14 Q. Ma'am, that's not my question.  
 15 Try to listen a bit more carefully.

Page 603:19 to 603:23

00603:19 Q. Okay? What were your  
 20 responsibilities as SPA of process safety?  
 21 A. To do a gap assessment for  
 22 process safety as it related to production.  
 23 I stated that.

Page 608:21 to 609:08

00608:21 Q. Okay. Well, not just process  
 22 safety; right? We go back to 3180, there's  
 23 also for risk assessment in management;  
 24 right?  
 25 A. That's correct. For production.  
 00609:01 Q. And you keep saying for  
 02 production. Does the word, do the words  
 03 for production appear somewhere under that  
 04 heading for 3.0 risk?  
 05 A. No. But I can tell you the  
 06 intent and what was done was that this was  
 07 for the producing, seven producing  
 08 facilities to MOC over OMS in 2008.

Page 612:17 to 612:22

00612:17 Now, this document bears Bates  
 18 numbers BP HZN 2179 MDL 01555164 through  
 19 174. Tab 24.



20 (Whereupon, the document  
21 referred to was marked as Exhibit No. 2513  
22 for identification.)

Page 612:24 to 617:06

00612:24 Q. And this is an e-mail from  
25 Richard Morrison. Now, is he your  
00613:01 supervisor at this time?  
02 A. At this time, no, he is not.  
03 Q. Who was Mr. Morrison at that  
04 time?  
05 A. I believe, but I can't say for  
06 sure, I believe he may have been the  
07 vice-president of production on that date.  
08 Q. And the date of this is  
09 January 27, 2008; correct?  
10 A. Well, the first e-mail's  
11 January 28, 2008 but the one from Richard  
12 is January 27, 2008.  
13 Q. And then on the to line it's G  
14 space Gulf of Mexico space DWP space LT.  
15 What does that line mean?  
16 A. So the definition of that  
17 distribution would be the deepwater  
18 production leadership team.  
19 Q. Let's go, please, to the page  
20 bearing the Bates number with the last four  
21 digits 5170, please. Do you see that's an  
22 organization chart, ma'am?  
23 A. Yes.  
24 Q. And you're at the top of the  
25 organization chart as the OMS/IM manager?  
00614:01 A. That's what it says.  
02 Q. And did you, in fact, hold that  
03 position?  
04 A. I was thinking it was CI, but  
05 it's what it says at this time. It may  
06 have changed, the title may have changed to  
07 OMS/CI but that's what it says at this  
08 time.  
09 Q. And did you hold that position,  
10 ma'am?  
11 A. Yes, I did hold that position.  
12 Q. Okay. And then if you take the  
13 line below, below your name, you see it  
14 says process safety and IM program?  
15 A. Yes.  
16 Q. So are you supervising at this  
17 time process safety and IM program?  
18 A. I was supervising process safety  
19 engineers. There was nobody with the title  
20 IM programmer, I believe, at that time. I  
21 think this describes more job  
22 responsibilities of the people.

23 Q. And IM means integrity  
24 management, yes?  
25 A. Yes.

00615:01 Q. And under that you see a box  
02 that lists various folks who fall  
03 underneath that process safety -- not  
04 various folks, I'm sorry, various functions  
05 that fall under that process safety and IM  
06 program, yes?  
07 A. Yes. That is correct.  
08 Q. Are you able to read those?  
09 A. Barely.  
10 Q. Why don't I read them for you,  
11 then?  
12 A. I can read them.  
13 Q. The first one is sustain major  
14 hazard risk assessment process. What was  
15 your role with respect to supervising that  
16 function?  
17 A. Well, it says risk management  
18 process. And my role was --  
19 Q. I'm sorry, I misread it. Did I?  
20 A. Yes.  
21 Q. I apologize.  
22 A. So my role was to maintain the  
23 practice of the policy and to provide  
24 guidance or support to the teams that were  
25 assessing the risk and developing the risk  
00616:01 registers.  
02 Q. What is major hazard risk  
03 assessment?  
04 A. Just in general, or do you mean  
05 the risk management?  
06 Q. I'm reading it wrong again  
07 because I have it --  
08 A. That's okay.  
09 Q. I had it blown up for my eyes.  
10 A. Okay.  
11 Q. Yes. What is major hazard risk  
12 management?  
13 A. That would most likely relate  
14 back to that major hazard risk policy, risk  
15 management policy.  
16 Q. That's the piece that you're  
17 responsible for from 2006 to 2009; right?  
18 A. To develop. To develop the  
19 process. It wasn't my responsibility to  
20 implement it or to utilize it.  
21 Q. And another item in this box for  
22 you is steward major hazard and formal  
23 safety assessments (HAZOP, MAR, LOPA);  
24 right?  
25 A. Yes. That's what it says.

00617:01 Q. What was that function?  
02 A. That function meant that the

03 process safety engineers in the team would  
04 support the operations staff in carrying  
05 out for production HAZOPs for the layers of  
06 protection analysis.

Page 617:18 to 625:02

00617:18 Q. And one of the items that you  
19 were responsible for stewarding was  
20 something called HAZOP; right?  
21 A. Yes. For the production  
22 facilities.  
23 Q. Right. And you testified  
24 yesterday that you never read a HAZOP in  
25 your life; correct?  
00618:01 A. A HAZOP report out?  
02 Q. Yes, ma'am.  
03 A. I haven't read one from the Gulf  
04 of Mexico. I may have read one in my  
05 younger days when I was doing engineering  
06 design.  
07 Q. Okay. Let me just confirm that  
08 the other areas that you are supervising,  
09 according to this document, were IM -- is  
10 that standard, STD?  
11 A. Yes.  
12 Q. Standard implementation  
13 oversight, monitoring, action closure.  
14 Next, supports IM incident investigation.  
15 Next, IM incident trending and lessons  
16 learned. Next, IM engineering project  
17 management. Next, IM training. And next,  
18 IM assurance on sustained basis.  
19 Is that right?  
20 A. That's correct, sir.  
21 Q. And those are all areas that you  
22 were supervising during that time period;  
23 correct?  
24 A. Yes.  
25 Q. Okay. So now that we've gone  
00619:01 through some of your responsibilities,  
02 let's turn to Exhibit 866 again, which is  
03 the Gulf of Mexico SPU operating plan,  
04 please.  
05 Do you have that in front of  
06 you?  
07 A. Yes.  
08 Q. And let's go to page -- let's  
09 talk about the first page for a second.  
10 What is the purpose of this operating plan?  
11 A. The purpose was it's a -- well,  
12 first job is a requirement under the  
13 operating management system framework to  
14 develop one of these and update it each  
15 year.

16                   The purpose is to actually,  
17 almost, describe the way we work or the way  
18 the business works. And for this  
19 particular case it was an overall  
20 description of the business.  
21                   But then specifically to gaps  
22 more or less around production. And things  
23 that were to be prioritized so somebody new  
24 coming into the business, into a new role,  
25 could have a better understanding of some  
00620:01 of the practices and the way that the  
02 governance structure of the business and  
03 meeting metrics.  
04           Q.       Now, you, according to this  
05 first page of the document, were one of the  
06 two document owners; right?  
07           A.       Yes.  
08           Q.       And did you review this document  
09 before it was finalized?  
10           A.       I believe I did.  
11           Q.       And you would not include any  
12 statements in here that you believed were  
13 false; would you?  
14           A.       Not knowingly. But I didn't  
15 write all the content.  
16           Q.       Well, that wasn't my question.  
17 My question was: You would not include any  
18 statements in here that you believed were  
19 false; would you?  
20           MR. MONICO:  
21                   Objection, form.  
22           THE WITNESS:  
23                   My answer was not knowingly.  
24 EXAMINATION BY MR. BRODY:  
25           Q.       That was built into the question  
00621:01 but that's okay, ma'am.  
02                   Did you have to approve this  
03 operating plan before it was distributed to  
04 others?  
05           A.       Yes.  
06           Q.       And did you, in fact, approve  
07 it?  
08           A.       Yes.  
09           Q.       Let's go to page 3192, please.  
10 Okay. You see there's a heading on a chart  
11 there that says priority SPU level gaps of  
12 2009; right?  
13           A.       Yes.  
14           Q.       And this is the gap analysis  
15 that you were testifying about earlier?  
16           A.       This is just the summary of a  
17 few gaps from an aggregate from some other  
18 production facilities.  
19           Q.       And these are identified as  
20 priority gaps; correct?

21 A. That's what it says.  
22 Q. And priority meant the items in  
23 this chart were important and it was a  
24 priority to fix them; right?  
25 A. It meant that it was, yes, it  
00622:01 was important. I wouldn't say fix. It was  
02 important to get to work on and put  
03 mitigation plans in place to continue to  
04 improve in that area.  
05 Q. It was important to close the  
06 gap; right?  
07 A. Yes, it was.  
08 Q. And how were the priorities  
09 selected?  
10 A. There was a system or a process  
11 that we used to risk rate the different  
12 gaps.  
13 Q. And who was involved in that,  
14 ma'am?  
15 A. A lot of people. People in each  
16 of the production facilities.  
17 Q. Let's turn to the language of  
18 this document and if you see in the  
19 left-hand column under sub-element, the  
20 heading risk assessment and  
21 management/process safety.  
22 Do you see that?  
23 A. Yes, I do.  
24 Q. And then the next column which  
25 is entitled gap, it says risk assessment  
00623:01 processes/results are not integrated and  
02 need for stronger major hazard awareness.  
03 Do you see that?  
04 A. Yes, I do.  
05 Q. And then if we go to the problem  
06 statement, which is the next column, it  
07 says a significant number of risk  
08 assessments are carried out by multiple  
09 groups in the SPU which are not integrated  
10 or planned and the outcomes and mitigation  
11 plans are not linked up or visible.  
12 Do you see that?  
13 A. Yes.  
14 Q. Was that an accurate statement  
15 of the problem that existed in the GoM at  
16 the time?  
17 A. I can't say right now. At the  
18 time, you know, it looks like it could have  
19 been. But I can't speak for that period of  
20 time today.  
21 Q. And let's go to the paragraph  
22 that follows that one, and I'm going to  
23 read it. As we have started to more deeply  
24 investigate process safety incidents, it's  
25 become apparent that process safety major

00624:01 hazards and risks are not fully understood  
 02 by engineering or line operating personnel.  
 03 Insufficient awareness is leading to missed  
 04 signals that precede incidents and response  
 05 after incidents, both of which increases  
 06 the potential for and severity of process  
 07 safety related incidents.  
 08 Did I read that correctly?  
 09 A. Yes.  
 10 Q. And is that an accurate  
 11 statement of the problem that existed at  
 12 this time in the GoM?  
 13 A. I can't say. I didn't write  
 14 that particular statement.  
 15 Q. Okay. Who wrote it?  
 16 A. Right now, I can't remember who  
 17 wrote that exact statement.  
 18 Q. How do you know it wasn't you?  
 19 A. Because I do remember it wasn't  
 20 me. I don't remember the individual. I  
 21 wasn't writing these.  
 22 Q. Do you remember viewing it  
 23 before this document was --  
 24 A. I probably reviewed it.  
 25 Q. Was this the first time those  
 00625:01 problems had been identified?  
 02 A. I don't know. The first time

Page 625:16 to 630:19

00625:16 Q. Ms. Skelton, I'm going to hand  
 17 to you a document that's been marked as  
 18 Exhibit 2514. And this document bears  
 19 Bates numbers BP HZN 2179 MDL 01556392  
 20 through 6403. And it's some e-mail  
 21 strings, initially, and if we can go to the  
 22 second page of the document, please, to the  
 23 e-mail at the bottom. And this is Tab 33.  
 24 (Whereupon, the document  
 25 referred to was marked as Exhibit No. 2514  
 00626:01 for identification.)  
 02 EXAMINATION BY MR. BRODY:  
 03 Q. The third e-mail at the bottom  
 04 of that second page, you see there is an  
 05 e-mail from you dated June 2nd, 2009;  
 06 correct?  
 07 A. Yes.  
 08 Q. And it's going to various  
 09 individuals and it's entitled OMS SPU gap  
 10 closure status, review with Richard.  
 11 And Richard was Mr. Morrison; is  
 12 that right?  
 13 A. Yes.  
 14 Q. Was he your boss at this point?  
 15 A. I believe he was.

16 Q. So this document is then about  
17 six months after the Gulf of Mexico SPU  
18 operating plan, which was Exhibit 866;  
19 right?  
20 A. Yes.  
21 Q. Let's go, please, to page 6398,  
22 and there's a heading there, GoM SPU gap  
23 closure status.  
24 Do you see that?  
25 A. Yes, I do.  
00627:01 Q. And it says SPU; right? It's  
02 not limited to assets; correct?  
03 MR. LANCASTER:  
04 Object to form.  
05 THE WITNESS:  
06 This, as I said before, was for  
07 the production facilities.  
08 EXAMINATION BY MR. BRODY:  
09 Q. On the face of this document,  
10 it's not limited to assets or to production  
11 facilities. On this page it just says GoM  
12 SPU gap closure status. Right?  
13 A. That is the title on there.  
14 Q. So this is six months later and  
15 I want to direct your attention to the  
16 chart which has the heading process  
17 safely/major hazard awareness.  
18 Do you see that?  
19 A. Yes.  
20 Q. And the problem statement  
21 appears under that. I think you're going  
22 to find it familiar because it's the very  
23 same language that we saw six months ago;  
24 correct?  
25 A. Yes.  
00628:01 Q. You can read it. Yes? So six  
02 months later this is still a problem;  
03 correct?  
04 A. I can't tell you whether it was  
05 still a problem or not. It states the  
06 same, the problem statement six months  
07 later.  
08 Q. And then under that is root  
09 cause. Do you see that?  
10 A. Yes, I do.  
11 Q. And what is a root cause in BP  
12 speak?  
13 A. It just means getting down to  
14 the reason why there may be a problem.  
15 Q. Let's go to the next column and  
16 it lists a few root causes.  
17 And the second one is inadequate  
18 understanding of process safety hazards.  
19 Do you see that?  
20 A. Yes, I see that.

21 Q. Was that, in fact, a root cause  
22 of the problem identified on this document?  
23 A. The way it reads to me is that  
24 when individuals did site visits to  
25 Atlantis and Holstein producing facilities,  
00629:01 it says that they, through interviews and  
02 some interrogation, through a different  
03 system on incident, that they found that to  
04 be one of the potential root causes.  
05 Q. It doesn't say potential; does  
06 it?  
07 A. That's what I used.  
08 Q. You're inserting that word?  
09 A. Yes.  
10 Q. Now, if you go down two lines  
11 below that it says inadequate/incomplete  
12 lessons learnt process. Do you see that?  
13 A. Yes, I see that.  
14 Q. And that was also one of the  
15 root causes that was identified at this  
16 time for the problem; correct?  
17 A. It appears that's what it says  
18 for the site visit to Atlantis and  
19 Holstein.  
20 Q. And this was, this document was  
21 dated June 2009; right?  
22 A. I have to go back and look at  
23 the e-mail.  
24 Q. Yes.  
25 A. Yes.  
00630:01 Q. Okay. What was done about these  
02 root causes, by BP, if anything?  
03 A. Well, it's got some solutions  
04 down there and it talks about different  
05 action plans.  
06 Q. I'm asking you about what was  
07 actually done, ma'am. What was actually  
08 done?  
09 A. I'd have to read through it to  
10 see what was actually done. It says  
11 farther down what was actually done.  
12 Q. Well, where does it say what was  
13 actually done further down?  
14 A. Well, for instance, it says six  
15 OE 1 training session scheduled, four were  
16 completed.  
17 Q. These are action plans. Those  
18 are the things that's going to happen in  
19 the future; right?

Page 630:22 to 633:22

00630:22 THE WITNESS:  
23 No. It says four were completed  
24 as of May 27th. Which appears to be before



25 this document was written.

00631:01 EXAMINATION BY MR. BRODY:

02 Q. And then it says additional

03 three to four sessions planned for 4Q;

04 right?

05 A. That's what it says.

06 Q. What was done after June 2009

07 about the problem that was identified in

08 the problem statement?

09 A. Well, one of the things here

10 says that the process safety hazard

11 checklist draft was developed and issued to

12 all eight assets May 26. So that was an

13 action that was done.

14 Q. Anything else?

15 A. It talks about there's a new

16 team member to work RCFA improvement

17 that -- starting June 1st. And then --

18 MR. MONICO:

19 Are you done with your answer?

20 THE WITNESS:

21 No. It was talking about

22 planning for some offshore site visits by

23 the process safety engineers.

24 EXAMINATION BY MR. BRODY:

25 Q. Planning means something that

00632:01 would happen in the future; right?

02 A. Well, it says second half so

03 that was pretty near the future because

04 June was midway through the second half.

05 Q. It was the future; isn't it,

06 ma'am? It says planning, it's not

07 reporting on something that happened;

08 right?

09 A. For that particular thing, I

10 would agree. But also, I do know that

11 process safety engineers went out and did

12 the site visits on Atlantis and Holstein to

13 gather this information.

14 Q. If we go to the second from the

15 bottom entry, do you see where it says

16 specific issues or risk in resolving this

17 gap? Do you see that?

18 A. Yes.

19 Q. And then it says must be clear

20 on using current offshore work processes

21 rather than building new processes. What

22 does that mean?

23 A. The way I would interpret that

24 means is try to integrate some of the new

25 actions or things for improvement into

00633:01 existing processes that the offshore staff

02 already have. So you would build on their

03 activities or their plans or their --

04 whatever it is you're trying to improve,

05 such as training.

06 If they already have a training  
07 program in place, then you want to enhance  
08 their training or major hazard awareness.  
09 You might add a process safety section to  
10 the existing training course.

11 Q. But this says, must be clear on  
12 using the current offshore work processes  
13 rather than building new processes. You're  
14 saying they were going to try to save some  
15 of those old processes and hold on to them?

16 A. No. It says they can use some  
17 rather than building on new processes.  
18 It's just, you know, I can't say exactly.  
19 That's pretty broad.

20 It's a broad statement about how  
21 they're going to use the actions, or  
22 implement some of these things.

Page 638:23 to 639:04

00638:23 Q. Ma'am, were those, did those  
24 gaps exist in any part of the Gulf of  
25 Mexico as of the time of the Macondo

00639:01 blowout?

02 A. I can't answer that. They may  
03 have or they may not. I don't know at that  
04 particular time.

Page 641:19 to 642:24

00641:19 Q. The gap still existed as of the  
20 date of that document; correct?

21 A. I can't tell you.

22 Q. You don't know?

23 A. If the gap existed at that time.

24 Q. Given all those responsibilities  
25 you had, did you ever follow up and make  
00642:01 sure the gap had been closed?

02 A. At this particular time I moved  
03 into a different role in transition to a  
04 different position.

05 Q. So your answer is you never  
06 followed up; right?

07 A. Yeah, from a process safety  
08 position, for accountability for this  
09 particular gap.

10 Q. You can't remember if you ever  
11 followed up to make sure that that problem,  
12 which had been reported as early as  
13 December 2008, whether that gap had been  
14 closed?

15 A. I don't believe I checked back  
16 to say which was the status of all these

17 exact actions because I had transferred  
18 over accountability as the spot for this  
19 gap and this problem statement to another  
20 individual at that time.  
21 So as this relates specifically  
22 to this language in this gap, I did not go  
23 back and, and check exactly all these  
24 things were being closed out.

Page 644:07 to 645:23

00644:07 Q. Let's go back to the Gulf of  
08 Mexico SPU operating plan, please? That's  
09 Exhibit 866. If we go to 3192, please, you  
10 see the second entry from the bottom refers  
11 to operating procedures.  
12 Do you see that?  
13 A. Yes, I do.  
14 Q. And then the next box under gap,  
15 it says incomplete site operating  
16 procedures; right?  
17 A. Yes, I do. See that.  
18 Q. And then you have the problem  
19 statement. And by the way, you see in the  
20 problem statement in the third line that  
21 D&C is mentioned. You see that?  
22 A. Yes, I see that.  
23 Q. And D&C was drillings and  
24 completion?  
25 A. Yes.  
00645:01 Q. And in your mind, drillings and  
02 completion is distinct from production; is  
03 that right?  
04 A. Yes.  
05 Q. And you think this document only  
06 applies to drillings and -- I'm sorry --  
07 only applies to production; is that right?  
08 A. The gap assessment that was done  
09 for this document was for production.  
10 Q. Okay. But the words D&C appear  
11 there; correct?  
12 A. They do appear there.  
13 Q. What are site operating  
14 procedures?  
15 A. The procedures that the  
16 locations on site used to operate, perform  
17 maintenance or startup, shutdown.  
18 Q. And what was the nature of the  
19 gap that existed at this time with respect  
20 to site operating procedures?  
21 A. I can only tell you what I'm  
22 reading here. It just says that they were  
23 incomplete.

Page 646:23 to 647:23

00646:23 Q. Can you turn to the page with  
24 the last four numbers 3188, please? And  
25 this is the request for an extension with  
00647:01 respect to the site operating procedures;  
02 correct?  
03 A. That's what it says.  
04 Q. And if you go to the plan -- do  
05 you see the plan?  
06 A. Yes, I do.  
07 Q. It says by July 1, 2010, all  
08 production, drilling and maintenance  
09 procedures will be complete.  
10 Do you see that?  
11 A. Yes, I see that.  
12 Q. So you see another mention of  
13 the drilling there; right?  
14 A. Yeah, I see the name.  
15 Q. And why was, why were those  
16 functions delayed for completion until  
17 July 1, 2010?  
18 A. I can't give you any specifics  
19 other than that they wanted to go back  
20 through all the procedures and verify they  
21 were in place, or modify them, or -- I  
22 can't give you the specifics. I don't  
23 know. I wasn't responsible for them.

Page 648:06 to 650:10

00648:06 Q. Okay. Now, OMS, that's  
07 operating management system; is that right?  
08 A. That's correct.  
09 Q. And that was developed after the  
10 Texas City incident; is that correct?  
11 A. Yes. Well, it was, it may have  
12 been initiated prior to, I don't know. But  
13 the actual requirements and the  
14 implementation with the different groups  
15 started post-Texas City.  
16 Q. And was the Gulf of Mexico  
17 intended to be the first SPU to go live  
18 under the OMS?  
19 A. The producing facilities for the  
20 Gulf of Mexico were one, in what we call  
21 wave one in the exploration and production  
22 part of the business.  
23 Q. And it was limited to the  
24 producing facilities; is that what you're  
25 saying?  
00649:01 A. In this initial. We did -- the  
02 following year in 2009, drilling and  
03 completions did produce the same book and  
04 go through OMS and implement it.

05 Q. Was the GoM, in fact, the first  
06 SPU to go live under the OMS?  
07 A. No. It wasn't the first. It  
08 was one of the first.  
09 Q. It was one of the first; is that  
10 what you're saying?  
11 A. Yes. It wasn't the first, it  
12 was one of the first.  
13 Q. Was OMS live at Macondo at the  
14 time of the blowout?  
15 A. I can't speak for Macondo. I  
16 can tell you what I do know is that the  
17 drilling and completions group had gone  
18 through a gap assessment and had developed  
19 an operating plan like this and had done a  
20 gap assessment.  
21 Q. Now, who did that?  
22 A. Well, it would have been under  
23 the -- when Kevin Lacy was responsible for  
24 the BP group drilling and completions.  
25 Q. Mr. Lacy would be the best  
00650:01 person to talk about that?  
02 A. He would be one individual.  
03 There were other individuals within  
04 drilling under him that worked on it.  
05 Q. He was the senior person?  
06 A. He was the vice-president at the  
07 time.  
08 Q. So the answer is yes? He was  
09 the senior person?  
10 A. Yes.

Page 653:17 to 655:13

00653:17 Q. Well, who was responsible for  
18 developing practices and standards in the  
19 Gulf of Mexico in connection with process  
20 safety?  
21 A. The, the standards for process  
22 safety in the Gulf of Mexico were generally  
23 developed at either the corporate level or  
24 the segment level and in the Gulf of  
25 Mexico, we then localized those and  
00654:01 communicated those in the Gulf of Mexico.  
02 But most of the standards and  
03 practices were developed above the SPU so  
04 that they would be standardized across the  
05 company.  
06 Q. So could you please name the  
07 individuals who had that responsibility?  
08 A. For developing some of the --  
09 Q. For developing practices and  
10 standards in the Gulf of Mexico in  
11 connection with process safety.  
12 A. I just said that in my answer,

13 that many of the standards and practices  
14 were not developed in the Gulf of Mexico  
15 for process safety.

16 Q. I see. So I should have said  
17 for the Gulf of Mexico. Not whether the  
18 folks were actually located in the Gulf of  
19 Mexico.

20 Who was responsible for  
21 developing these standards and practices  
22 for use in the Gulf of Mexico in connection  
23 with process safety?

24 A. Some of the standards and  
25 practices were developed at the corporate  
00655:01 level. That would be then applied across  
02 all operating entities in BP. And I don't  
03 have the name of the person who did that at  
04 that time.

05 There were some that were  
06 particular to exploration and production.

07 Q. You have names? Well, who are  
08 those people?

09 A. Well, one individual would be  
10 Cheryl Grounds.

11 Q. Anybody else?

12 A. I don't know who else prepared  
13 the document.