

# Deposition Testimony of:

## **Cindi K. Skelton**

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Created by:



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13 CINDI K. SKELTON,  
14 after having been first duly sworn by  
15 the above-mentioned Certified Court  
16 Reporter, was examined and testified as  
17 follows:  
18 EXAMINATION BY MR. BRUNO:  
19 Q. Good morning. My name is Joseph  
20 Bruno and I'm here on behalf of the  
21 plaintiffs.  
22 For the record, would you please  
23 state your full name?  
24 A. Cynthia K. Skelton.  
25 Q. By whom are you currently  
1 employed?  
2 A. BP.  
3 Q. And do you know what BP entity  
4 that is?  
5 A. BP Gulf of Mexico.  
6 Q. It's called BP Gulf of Mexico?  
7 A. Gulf of Mexico region.

Page 11:12 to 11:14

12 Q. Do you know what BP entity  
13 employs you? BP America or BP?  
14 A. No.

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16 much. But I gather from your testimony  
17 that you work in the Gulf of Mexico region?  
18 A. Yes.  
19 Q. And within the company, how is  
20 that region described? Does it have a name  
21 or a descriptor?  
22 A. The region is the Gulf of Mexico  
23 region under exploration and production for  
24 BP.  
25 Q. Is exploration and production,  
1 is that the name of some division of BP or  
2 some component of BP?  
3 A. It's a segment of BP.

Page 12:07 to 12:13

7 And is there a person in charge  
8 of the segment, currently?  
9 A. Of the -- there are different  
10 aspects of the segment. Bob Dudley, the  
11 CEO, he's responsible for BP exploration  
12 and production and other aspects of BP,  
13 other entities.

Page 12:20 to 14:09

20 Q. Okay. I realize he has other  
21 segments but he is the man in charge of  
22 exploration and production?  
23 A. He has people underneath of him  
24 that are responsible for exploration and  
25 production.  
1 Q. And you are within the  
2 exploration and production umbrella, if you  
3 will?  
4 A. Yes.  
5 Q. That's what I'm trying to  
6 understand. I want to confine my questions  
7 as much as I possibly can but I need to  
8 learn a little.  
9 So can you help us understand  
10 where you are on the ladder between  
11 yourself and Mr. Dudley?  
12 A. In my current role?  
13 Q. Yes, ma'am. Your current role.  
14 A. In my current role I have two  
15 reporting lines. One reporting line, I  
16 report up to Gordon Beiro (spelled  
17 phonetically), he was the head of  
18 production safety and operational risks.  
19 He then in turn reports to Mark Bly, who is  
20 the head of safety and operational risks  
21 for the company, and he then in turn  
22 reports to Bob Dudley.  
23 Q. Okay. Now, is there another  
24 reporting line?  
25 A. Yes. It's up through James  
1 Dupree, who is the Gulf of Mexico regional  
2 president.  
3 Q. And does Mr. Dupree also report  
4 in some fashion through others, perhaps, to

5 Mr. Dudley?

6 A. Yes.

7 Q. So who does Mr. Dupree report  
8 to?

9 A. I'm not entirely sure. I

Page 14:12 to 18:22

12 Q. That's fine. That's fine.  
13 Can you help us understand, very  
14 generally, the business of two different  
15 lines of reporting? Is it two different  
16 functions that you perform, two different  
17 jobs, or can you give me some sense of why  
18 there would be two lines of reporting?

19 A. So I'm, in the one line of  
20 reporting, it's to go up through the safety  
21 and operational risk head for production.  
22 To perform my duties under the safety and  
23 operational risks.

24 And the other is linked into  
25 the, tied into the president for the Gulf  
1 of Mexico region, more as an integrating  
2 role.

3 Q. And once again, some of the  
4 corporate nomenclature is a little foreign  
5 to me. What does integrating role mean?

6 A. It would be to work with  
7 Mr. Dupree to help him see the integration  
8 of different aspects on some metrics or  
9 things that cross the entire region. We  
10 have programs that cross, not just  
11 production, but cross the entire region  
12 like crisis management, security aspects  
13 like that.

14 Q. Okay. What is your current job  
15 title?

16 A. My current job title is  
17 vice-president of safety and operational  
18 risk, Gulf of Mexico region.

19 Q. For how long have you had that  
20 title?

21 A. I can't tell you the number  
22 of days, but I went into the role on  
23 April 14th, 2010.

24 Q. Okay. And you've been in that

25 role since?

1 A. No. I haven't been in that role  
2 the entire period.

3 Q. Okay. Can you help us -- after  
4 the catastrophe did the role change? Is  
5 that it?

6 A. The role -- actually can I go  
7 back and change for the record?

8 Q. Yes.

9 A. Actually that particular title  
10 and that dual reporting, if I'm not  
11 mistaken that particular title was March  
12 31st of this year.

13 Q. Okay. So that is a dual  
14 reporting?

15 A. In that title.

16 Q. In that title. So let's go back  
17 to the title that you had before your  
18 current title. Okay. What was the title  
19 that you had before you became  
20 vice-president of safety and operations?

21 A. It was vice president of HSSE &  
22 Engineering in the Gulf of Mexico.

23 Q. HSS&E is?

24 A. Health, safety, security,  
25 environment.

1 Q. All right. And for how long did  
2 you have that title, ma'am?

3 A. I had that title, not  
4 continuously, but I had that title from  
5 March 31st of this year back to April 14th  
6 of 2010. There was a period during the  
7 summer in the response where I had handed  
8 over the delegation to that, of that role  
9 to another person, or to while I was  
10 performing other duties on the response.

11 Q. Okay. And I have to ask you  
12 this. When did you start with BP?

13 A. June 16th, 1980.

14 Q. So you've been there for a long  
15 time?

16 A. Yes.

17 Q. Okay.

18 A. Actually that was with Amoco and  
19 then BP.

20 Q. And BP acquired Amoco. What was

21 your position before BP of HSS&E &  
22 Engineering for the Gulf of Mexico?

23 A. It was program manager, Backbone  
24 and business improvement.

25 Q. Okay. And how long did you hold  
1 that title?

2 A. Almost a year. Before the  
3 vice-president of HSSE & Engineering.

4 Q. And forgive me for jumping  
5 around. I was just trying to orient myself  
6 in terms of time.

7 What does the vice-president of  
8 HSS&E & Engineering do, exactly?

9 A. That role was responsible for  
10 ensuring that the requirements and  
11 standards were up-to-date and clear for,  
12 mainly for production. The standards that  
13 applied to our production facilities, but  
14 also some standards that also applied  
15 across region wide, such as crisis  
16 management and regulatory compliance.

17 It was responsible for providing  
18 environmental expertise and permitting.  
19 Security responsibilities and deep  
20 technical experts so it was a few engineers  
21 that were deep technical experts for  
22 production.

Page 18:24 to 19:13

24 such a broad area. What component parts of  
25 environmental did your work  
1 responsibilities cover?

2 A. There were a few deep  
3 environmental technical experts that  
4 covered things like compliance with  
5 greenhouse gas regulations. Compliance for  
6 our production facilities with waste  
7 requirements. Water regulations. And  
8 reporting anything to the government to the  
9 regulator.

10 Q. And the permitting, was the  
11 permitting limited to the production side  
12 or did it also cover the exploration side?

13 A. It covered exploration, also.

Page 19:21 to 21:13

21 Q. Yes. Maybe I'm wrong, but is it  
22 not a fact that permitting for exploration  
23 has some environmental component?

24 A. I do not ever seen one of the  
25 permits so I can't validate whether it does  
1 or it doesn't.

2 Q. All right. Well, what is, then,  
3 your role with regard to permitting as it  
4 relates to exploration?

5 A. There are environment -- I mean,  
6 permitting advisors that work in my team  
7 that support and help the teams in  
8 exploration to prepare the permits and get  
9 them submitted.

10 Q. Okay. So these are folks who  
11 simply report to you?

12 A. The permitting advisors do.

13 Q. Right. But you don't have any  
14 hands-on responsibility with regard to the  
15 permits for exploration, is what I'm  
16 gathering?

17 A. You mean myself?

18 Q. Yourself?

19 A. No. I've never even seen one of  
20 the permits.

21 Q. Help us understand. If you have  
22 some overall responsibility for permitting,  
23 how it would be that you could discharge  
24 that responsibility without ever having  
25 seen a permit?

1 A. Because they're deep experts in  
2 their fields and they know what they're  
3 doing, they sign it. They get the permit  
4 approved and agreed and it's the people in  
5 exploration that are providing the context.

6 Q. Now, when you say deep experts,  
7 one might assume that refers to deepwater.  
8 I'm getting the sense that that's not what  
9 you're using the word to mean?

10 A. No. It means they have a lot of  
11 experience.

12 Q. A depth of knowledge?

13 A. Yes.

Page 21:15 to 21:20

15       Okay. So they have, you have these folks  
16       who work for you, who have a lot of  
17       knowledge, a depth of knowledge with regard  
18       to permitting and with regard to some  
19       environmental components of that  
20       permitting?

Page 21:23 to 22:04

23           A.     Yes.  
24           Q.     And is it your responsibility to  
25       hire these folks?  
1           A.     It's my responsibility to ensure  
2       that there are people in the role. There  
3       are people below me that report to me that  
4       hire and interview those folks.

Page 22:19 to 23:02

19           Q.     Okay. What I'm trying to learn  
20       is, I sort of got the impression from your  
21       testimony -- and, again, I'm trying to link  
22       it to what I read.  
23                 Those BP rigs, they do drilling  
24       and they do production, they do both?  
25           A.     I don't know about production.  
1       That's not, not my expertise. I don't have  
2       any expertise in drilling, so.

Page 24:08 to 24:14

8           Q.     All right. In your capacity as  
9       the HSS&E for the Gulf of Mexico, did you  
10       have any responsibility at all with regard  
11       to drilling -- I hate to use the word  
12       vessels -- should I call them facilities,  
13       too?  
14           A.     No.

Page 24:18 to 25:09

18           Q.     What should I call them?  
19           A.     I don't have the expertise with  
20       drilling. I've heard them referred to as



21 rigs.  
22 Q. Rigs? Okay. I'm just trying to  
23 find some words so I can talk to you, that  
24 you and I are talking about the same thing.  
25 Obviously you're talking about, among other  
1 things, the HORIZON. Is that a rig, a  
2 drilling rig?  
3 A. I believe it is.  
4 Q. And we also -- do you know that  
5 it's a rig owned by some entity other than  
6 BP?  
7 A. Yes.  
8 Q. Do you know who it's owned by?  
9 A. Transocean.

Page 26:15 to 26:21

15 I thought you told me that you,  
16 for the time period April 14th, 2010 until  
17 March 31st of this year, held the role of  
18 VP for HSS&E -- I'm sorry, HSSE &  
19 Engineering for the Gulf of Mexico?  
20 A. With the exception to the period  
21 roughly between May 1st and August 15th.

Page 27:09 to 27:12

9 Q. So when I say HSSE role, I'm  
10 referring to what you described to me as  
11 the vice-president of HSSE & Engineering  
12 for the Gulf of Mexico, which quite frankly

Page 27:21 to 28:07

21 is: What role, if any, did you have when  
22 you were in this HSS&E position, which  
23 we've just described, for the Gulf of  
24 Mexico with regard to drilling rigs owned  
25 by Transocean that may have been doing work  
1 for BP?  
2 A. So the Transocean drilling rigs  
3 were only operating for us six days when I  
4 had that role. They were not -- we had no  
5 rigs in operation after the incident and  
6 still don't. So if you're wanting to  
7 narrow it down to that six days.

Page 28:12 to 28:16

12 Q. Although, actually, after the  
13 catastrophe there were Transocean rigs  
14 doing the drilling for the kill wells?  
15 A. They were, but they weren't  
16 under -- that, I wasn't in my role.

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20 Q. So your role with regard to any  
21 rigs could only have been from April the  
22 14th until the catastrophe. Let's start  
23 there. We narrow that window down  
24 substantially.

25 So within that six days what, if  
1 any, role would you have had with regard to  
2 Transocean-owned rigs doing work for BP?

3 A. So the key role, the one of the  
4 roles I had, we had called it a drilling, a  
5 drilling -- I can't remember the exact  
6 title of the team but it was drilling and  
7 completions HSE team leader and site  
8 advisors.

9 Some of those, that staff  
10 supported our drilling and completions  
11 operations teams in HSE type, health,  
12 safety and environment, more from an  
13 occupational health and safety and support.

14 Q. Okay. Did you have any risk  
15 management responsibilities for rigs  
16 operated by Transocean for BP during that  
17 time frame?

18 A. The only -- not for rigs  
19 operated by Transocean.

20 Q. Okay.

21 A. No.

22 Q. All right. Let's switch, then,  
23 to rigs owned by BP. Okay?

24 A. (Witness nods head).

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24 Q. Okay. Back then, is what I'm  
25 referring to so let's talk about the rigs

1 that would have been in operation during  
2 the time frame that you were this HSSE  
3 vice-president.

4 Back then, how many BP-owned  
5 rigs would have been within the ambit of  
6 your responsibility?

7 A. None of them were in my  
8 responsibility.

9 Q. Okay. Which BP rigs would you  
10 have had anything to do with in your role  
11 as HSSE VP?

12 A. Well, as I mentioned previously,  
13 my health and safety team provided coaching  
14 and support from an occupational standpoint  
15 for the non-owned rigs.

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20 easily confused. Let's just talk about  
21 BP-owned rigs and I'm just trying to  
22 identify the rigs that you have anything to  
23 do with.

24 How many rigs owned by BP that  
25 you had any contact with while HSSE VP?

1 A. The two -- there's two rigs that  
2 were on the facilities at the time I had my  
3 role.

4 Q. Okay. And they were?

5 A. The Holstein rig and the Thunder  
6 Horse rig. At that period of time I don't  
7 know if they were operating.

8 Q. That's fine. All right. Those  
9 are rigs -- and forgive me but I need to  
10 sort of get a better handle on what you  
11 refer to when you talk about a facility as  
12 opposed to a rig. May I know the  
13 distinction that you're making between  
14 those two things?

15 A. Well, yeah. The rig is what  
16 actually does the drilling. And the  
17 facility is the production facility, has  
18 all the quarters and the equipment so that  
19 the oil and gas can produce through.  
20 Includes things like helipads.

21 Q. All right. How many BP-owned  
22 facilities did you have any contact with,

23 or any connection with while HSSE  
24 vice-president?  
25 A. Eight.  
1 Q. Eight facilities?  
2 A. Offshore.  
3 Q. Offshore?  
4 A. (Witness nods head).  
5 Q. And we can confine the question  
6 to offshore.  
7 A. Yeah. We have some onshore.  
8 Q. Let's just focus on the  
9 offshore. You may not be able to name all  
10 eight of them but just give me a few names  
11 so I can relate to these documents.  
12 A. Thunder Horse.  
13 Q. Thunder Horse is a facility and  
14 a rig?  
15 A. It has a rig on it, yes.  
16 Q. And I only ask the question --  
17 forgive me, I'm not trying to be rude but  
18 when I asked you about rigs, Thunder Horse  
19 was one of the vessels or things that you  
20 mentioned and now on the facility we're  
21 mentioning Thunder Horse again.  
22 But when we say that, we're  
23 talking about the same thing, the same  
24 vessel, the same piece of equipment; is  
25 that correct?

Page 34:04 to 34:06

4 The Thunder Horse facility has a  
5 rig on it. Thunder Horse can still  
6 continue to operate without the rig.

Page 34:08 to 34:10

8 Q. Can it break apart?  
9 A. I don't know. I don't know  
10 enough about them.

Page 34:12 to 34:13

12 other facilities?  
13 A. Mad Dog.

Page 34:15 to 34:15

15           A.     Holstein.

Page 34:17 to 34:18

17           A.     Horn Mountain, Pompano, Marlin,  
18     Atlantis.

Page 34:21 to 35:12

21     six, seven. Seven of the eight?  
22           A.     Yeah.  
23           Q.     Can the Atlantis, does it have a  
24     rig on it?  
25           A.     I don't believe it does.  
1           Q.     Marlin?  
2           A.     No.  
3           Q.     Pompano?  
4           A.     No.  
5           Q.     Horn Mountain?  
6           A.     No.  
7           Q.     Holstein, we know it does. Mad  
8     Dog?  
9           A.     No. It came off.  
10          Q.     Meaning it had one?  
11          A.     It had one and it came off  
12     during a hurricane.

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15     Okay. Now, let's talk about the  
16     position that you held before HSSE  
17     vice-president. Okay? And let's find a  
18     way, a short form to describe that. What  
19     can I use? You were --  
20           A.     The program manager of Backbone  
21     and business improvement.  
22           Q.     How about if I call you Backbone  
23     manager? Is that okay?  
24           A.     Okay. Uh huh.  
25           Q.     All right. First of all, I saw  
1     many documents that referenced Backbone.  
2                   Is that a term which had some  
3     particular meaning at BP?  
4           A.     Yes.

5 Q. All right. So what does  
6 Backbone mean at BP?

7 A. It's a system that was being  
8 implemented in E&P to improve our  
9 procurement systems and have our  
10 maintenance and work is scheduled and  
11 aligned with procurement.

12 Q. E&P, what does E&P mean?

13 A. Exploration and production.

14 Q. So as I, again, look at these  
15 documents and trying to understand, this  
16 related to, this Backbone thing seemed to  
17 relate to how to organize the use of  
18 equipment like vessels and boats and  
19 helicopters in a way that maximized  
20 efficiency. Is that accurate?

21 A. No.

22 Q. No? All right. I missed it,  
23 then. So what, what was the ultimate  
24 purpose of the Backbone system?

25 A. It was to put more rigor in our  
1 procurement of equipment and how it was  
2 requisitioned. And standard specifications  
3 and a standard way of purchasing equipment  
4 in line with our maintenance.

5 Q. And what do you mean when you  
6 use the particular word rigor?

7 A. A standardized approach.

8 Q. Now, when was the system put  
9 into place? When was it implemented?

10 A. It's not complete, it's -- we're  
11 still in the implementation.

12 Q. Did the Backbone system have as  
13 a component a goal to standardize operating  
14 procedures, as well?

15 A. No.

16 Q. Did it have as a goal to have  
17 written procedures that governed operating  
18 activities?

Page 37:22 to 37:23

22 No. It was about procurement of  
23 equipment maintenance.

Page 37:25 to 38:06

25 Q. Just procurement?

1 A. (Witness nods head).

2 Q. While in this role as the  
3 Backbone manager, was there any effort that  
4 had been undertaken, or was in the planning  
5 stages to come up with written operating  
6 procedures for use in offshore drilling?

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10 I don't know. I wasn't involved

11 on the drilling part of the business.

Page 38:14 to 40:12

14 what did you do as the -- and, again, I'm  
15 using the short form, Backbone manager. I  
16 just asked you what Backbone was, but  
17 obviously you had more responsibilities  
18 than that.

19 What did you do? What was your  
20 role?

21 A. As part of that role, it was to  
22 oversee the programs to implement Backbone.  
23 In addition, it was also to coordinate the  
24 implementation, or the work on our  
25 operating management system and also to  
1 engage employees to learn more about  
2 continuous improvement, problem solving  
3 techniques.

4 Q. So when you refer to operating  
5 management systems, does that cover  
6 drilling?

7 A. At what period? During that  
8 time, or what period?

9 Q. Yes. We're only talking about  
10 one time again. It's when you were the  
11 Backbone person.

12 A. Yes. It did cover drilling.

13 Q. What would be the proper way for  
14 me to describe your operating management  
15 system? I mean, for example, does it have  
16 a particular name, or is there a particular  
17 variety of operating system?

18 A. Most people refer to it as OMS,

19 using the acronym.

20 Q. OMS. And you have indicated an  
21 acronym for?

22 A. Operating management system.

23 Q. Is it peculiar to BP or is this  
24 a system that one can get off the shelf  
25 somewhere?

1 A. It's particular to BP.

2 Q. And for how long has BP operated  
3 under the OMS?

4 A. I can't speak for other aspects  
5 of BP because I don't know when they've all  
6 operated, switched over.

7 In the Gulf of Mexico, our  
8 production facilities have been operating  
9 under OMS since the end of 2008. And our  
10 drilling and exploration groups started  
11 operating under OMS at the end of 2009.

12 Q. Okay. Who created it?

Page 40:19 to 41:01

19 A. I don't know. It wasn't done at  
20 the local level, no.

21 Q. Do you know where it was done?

22 A. I know it was done more at a  
23 group level, which would be at the  
24 corporate level.

25 Q. All right. Where is this  
1 corporate level located?

Page 41:05 to 41:06

5 That, do you mean individuals in  
6 the corporation?

Page 41:09 to 41:18

9 A. Well, they're located all over  
10 the world.

11 Q. All right. So all that we know,  
12 group level, at the corporate level -- help  
13 me understand what you mean when you say  
14 corporate level. Is that a certain  
15 position within the company?

16 A. It would be a group of people,



17 generally, that would be working across the  
18 entire company to create a common system.

Page 42:13 to 42:19

13 Q. Okay. So it could be a group of  
14 people who have a variety of different  
15 titles?

16 A. Yes.

17 Q. And a group of people who have a  
18 variety of different responsibilities?

19 A. Yes.

Page 45:17 to 45:19

17 Q. So who would have been in a role  
18 who might have come up with the OMS in  
19 2008?

Page 45:23 to 45:24

23 The OMS was developed prior to  
24 2008.

Page 46:02 to 46:04

2 A. So one of the individuals that  
3 was involved in the development of OMS is  
4 John Sieg.

Page 46:09 to 46:25

9 Q. Thank you. Can you think of any  
10 other names?

11 A. John? No. I don't know who  
12 else was all involved in the details.

13 Q. Now, help us understand. What  
14 is the operating management system at BP?  
15 And let's use that term -- I'm sorry, let  
16 me ask you to define that term as you  
17 understood it when you were this Backbone  
18 person.

19 A. It's a system of continuous  
20 improvement. It lays out a set of minimum  
21 standards, requirements for the entities,  
22 for operating groups in our company to

23 comply with and to continually improve. It  
24 sets out a performance improvement cycle so  
25 it's a common set of requirements.

Page 47:09 to 49:11

9 Q. What position did you hold in  
10 December of 2007?

11 A. I was a program manager for  
12 safety and operational integrity, or the  
13 acronym was S&OI.

14 Q. S&OI?

15 A. Yes.

16 Q. But you still had some  
17 responsibility for HSSE?

18 A. No.

19 Q. So what does the acronym mean?

20 A. Safety and operational  
21 integrity.

22 Q. How long did you have that  
23 position?

24 A. I had this position, I joined  
25 the group roughly August of -- excuse me.  
1 My recollection at that time. It was the  
2 S&OI manager. I had it roughly one year.  
3 That's the best I can remember.

4 Q. You were in the position a year?

5 A. As far as I can remember. I  
6 don't have a good recall as to the exact  
7 number of months.

8 Q. Were you in that -- was there --  
9 before you became the Backbone person, was  
10 this the job you had?

11 A. No.

12 Q. What job did you have before you  
13 had the Backbone job?

14 A. I was the OMS and continuous  
15 improvement manager.

16 Q. And how long were you in that  
17 role?

18 A. I had that role, roughly -- I  
19 can't remember exactly. I believe it was  
20 about a year and a half.

21 Q. So would you have had this S&OI  
22 position before the OMS position?

23 A. Uh huh.

24 Q. So it's S&OI, then OMS, then  
25 Backbone, then BP HSSE; right?

1 A. And my current role.

2 Q. And your current role?

3 A. (Witness nods head).

4 Q. Now, when you -- the OMS  
5 manager, I'm shortening that, I know it's  
6 longer -- did you have any responsibility  
7 for drilling activities?

8 A. No.

9 Q. Or did you cover, or did your  
10 role include drilling activities?

11 A. No.

Page 49:13 to 51:11

13 A. I never worked with drilling in  
14 my entire career. I have no expertise in  
15 drilling.

16 Q. I didn't ask you that, now. I'm  
17 just saying did whatever you do -- I'm  
18 sorry. Whatever you did in the OMS  
19 position, did it implicate exploration and  
20 drilling activities?

21 A. Can you define what you mean by  
22 implicate?

23 Q. Well, I mean, if you had a  
24 standard, did you have any reports, did you  
25 have any procedures that may have affected  
1 the operations within drilling and  
2 exploration?

3 A. We had some, some practices or  
4 programs that they were expected to comply  
5 with.

6 Q. And would those practices or  
7 programs have been the same for the  
8 BP-owned rigs and facilities?

9 A. Yes.

10 Q. Okay. So -- and I'm just trying  
11 to glean something here. It seems like  
12 from my reading that your focus was on,  
13 during the time that you were the OMS  
14 person, the S&OI person, the Backbone  
15 person, that the focus of your work was  
16 with regard to the BP-owned facilities and  
17 rigs.

18 Not that's the sole purpose of  
19 your job, but what you did implicated some  
20 activities of some operations on those  
21 rigs?

22 A. It wasn't with the BP-owned  
23 rigs. That wasn't the main part of my job.  
24 It was more with the production facilities.

25 Q. Okay. And to the extent that  
1 you had some role with regard to the  
2 production facilities, those things,  
3 procedures, whatever they might have been,  
4 they would also have had application on the  
5 BP-owned rigs. Isn't that true?

6 A. No. Not all of them, no.

7 Q. Some of them?

8 A. Some of them applied to drilling  
9 in general. It wasn't up to me to decide  
10 what rigs, or how they were implemented in  
11 drilling.

Page 52:05 to 57:15

5 Q. All right. Let's go to a  
6 document. Let's go to the Gulf of Mexico  
7 SPU top major health hazard risks,  
8 December 2007.

9 It is going to be the second  
10 document. I see you have it.

11 A. 620 on the bottom right?

12 Q. Right.

13 A. Okay.

14 Q. If you could look briefly at the  
15 page before, the page before would indicate  
16 that the, the document was attached to an  
17 e-mail that you sent to a Mr. Chris Harper.

18 A. Yes.

19 Q. And the attachment is called the  
20 top risks document?

21 A. Yes.

22 Q. Now, and this is December of  
23 2007, so you would have been in this OMS  
24 position; right?

25 A. Yes.

1 Q. Okay. And so tell us, this  
2 document, top major hazard risks, what part  
3 of the business does it cover?

4           A.     It covered all aspects of  
5 operations in the Gulf of Mexico.  
6           Q.     Including drilling?  
7           A.     Yes.  
8           Q.     Okay. So here's an example of  
9 where your job did touch on drilling  
10 activities; correct?  
11          A.     Yes. From my reporting of the  
12 risk, only.  
13          Q.     I understand. And this covers  
14 BP drilling rigs as well as non-owned BP  
15 drilling rigs; right?  
16          A.     I can't remember how drilling  
17 determined the risk. I only reported it.  
18 It's up to drilling to determine how it was  
19 applied.  
20          Q.     What was the purpose of the  
21 document?  
22          A.     It was to -- as more of a role  
23 across region, it was to take the different  
24 risks of each of the groups that I  
25 identified and just put them on one, I  
1 guess, visual for people to see and  
2 aggregate.  
3          Q.     So this information was reported  
4 to you or your group?  
5          A.     Yes.  
6          Q.     I can't imagine you did actually  
7 type the words but it came to your group.  
8 Is that the right word, group?  
9          A.     It would have been myself or  
10 someone in my team. I can't remember.  
11          Q.     All right. And if you look, and  
12 I forgot.  
13          MR. BRUNO:  
14                 We're going to mark this as  
15 Exhibit 2393 and the pages encompassed by  
16 that Exhibit number are BP HZN 2179 MDL  
17 01536619 in seriatim all the way to 45 and  
18 then what follows are the color slides of  
19 the same document and it has its own single  
20 Bates number of BP HZN 2179 MDL 01536620.  
21 Does that look right?  
22          THE WITNESS:  
23                 Uh huh.  
24                 (Whereupon, the document

25 referred to was marked as Exhibit No. 2393  
1 for identification.)

2 EXAMINATION BY MR. BRUNO:

3 Q. I see these small pages and they  
4 look the same as the color pages. Does  
5 that look right to you?

6 A. I'd have to go through each one.

7 Q. Okay.

8 A. To a particular format.

9 Q. All right. Let's look at page  
10 21, page 2 of the document.

11 And it's Bates numbered 621.

12 What is this? What are we  
13 looking at?

14 A. This is a diagram of a hazard  
15 risk management system that was put in  
16 place for the Gulf of Mexico.

17 Q. Okay. A hazard management  
18 system?

19 A. A major hazard risk management  
20 system.

21 Q. Major hazard risk management  
22 system. Okay.

23 We say major hazard risk  
24 management system, what are we talking  
25 about? Is it --

1 A. It's a process.

2 Q. It's a process. And is the  
3 process written down somewhere?

4 A. Well, I mean, this spells it  
5 out. It's, the process is in the risk  
6 management policy. Defined in the risk  
7 management policy there.

8 Q. So the policy is spelled out?

9 A. Yes.

10 Q. And what is the document name  
11 that spells out the policy for the  
12 implementation of the major hazard risk  
13 management system, if you know?

14 A. I'd have to have it right in  
15 front of me to give you the exact name.

16 Q. Does it have a number?

17 A. Oh, I don't know.

18 Q. I'm not asking you if you  
19 remember the number, but some of these  
20 things say 202.789.

21 A. It might.  
22 Q. It might. So it might have a  
23 number but the name that you recall, it's  
24 just a policy; right?  
25 A. I'd have to see it in front of  
1 me to confirm the title.  
2 Q. Okay. But if we look at the  
3 document it says Gulf of Mexico SPU major  
4 hazards and risk management policy.  
5 You believe that to be a  
6 document?  
7 A. Yes.  
8 Q. And then the system is how the  
9 policy is implemented; is that correct?  
10 A. It more describes the process,  
11 not how it's implemented.  
12 Q. Okay. So in order for me to  
13 know what I'm supposed to do, in order to  
14 make my contribution to the system, what do  
15 I look at? Where do I go for guidance?

Page 57:18 to 58:01

18 THE WITNESS:  
19 If you were in -- do you mean  
20 specifically which group?  
21 EXAMINATION BY MR. BRUNO:  
22 Q. Anybody who might be covered  
23 by -- that's exactly why I'm asking the  
24 question. How would I even know that I, as  
25 a BP person, would be someone expected to  
1 do anything with regard to this system?

Page 58:04 to 58:05

4 EXAMINATION BY MR. BRUNO:  
5 Q. How could I know that?

Page 58:08 to 58:20

8 EXAMINATION BY MR. BRUNO:  
9 Q. You understand?  
10 A. It's a policy that was developed  
11 in the leadership. Knew it was there,  
12 their responsibility to communicate it.  
13 And to have their employees as it pertains

14 to follow it.

15 Q. All right. So the written  
16 policy document, that's transmitted to the  
17 folks that the policy document is intended  
18 to cover; right?

19 A. It's covered through. I can't  
20 tell you exactly who it was transmitted to.

Page 60:07 to 61:22

7 Q. So let's talk first about the  
8 program manager Backbone and business  
9 improvement. I believe you held that for  
10 about a year prior to your position as  
11 vice-president HSSE & Engineering?

12 A. Yes.

13 Q. And we talked a little bit  
14 earlier about the Backbone system. Is it  
15 correct to say that was, that involved  
16 standardization of procurement?

17 A. Generally, yes. And also how we  
18 order parts and linking that into our  
19 maintenance program.

20 Q. What else did your role as  
21 program manager Backbone and business  
22 improvement entail?

23 A. It included the program  
24 management of coordination for our OMS  
25 system to keep making sure that it was  
1 running and starting to get it embedded.  
2 And also continuous improvement programs.

3 Q. When you say continuous  
4 improvement programs, what do you mean by  
5 that?

6 A. It's more or less a way of  
7 thinking or operating around understanding  
8 more deeply what defining problems and then  
9 getting data to better understand the  
10 problem and then finding the solution.

11 So it equates to some programs  
12 like Six, Six Sigma, similar type of  
13 efforts.

14 Q. What is Six --

15 A. Six Sigma.

16 Q. What is that?

17 A. The continuous improvement



18 program that many in the industry use.

19 Q. Does it relate to a particular  
20 area of focus or is it just --

21 A. It's just a general broad way to  
22 problem solve.

Page 62:08 to 64:20

8 Q. Let's ask it this way. When you  
9 were program manager Backbone and business  
10 improvement, what was the title of the  
11 person whom you reported to?

12 A. I believe, if memory serves me  
13 correct, the time, it was vice-president of  
14 Thunder Horse.

15 Q. Okay. So was this an asset  
16 based structure at that point?

17 A. It was Thunder Horse production  
18 facility.

19 Q. Did the title VP HSSE &  
20 Engineering, did that exist at the time  
21 that you were program manager of Backbone?

22 A. No.

23 Q. That was a new position as far  
24 as you understand it?

25 A. Yes.

1 Q. When you talk about the Thunder  
2 Horse facility -- Mr. Bruno asked you a  
3 little bit about this earlier -- what  
4 exactly does the facility entail? And  
5 we'll just limit it to the Thunder Horse  
6 since you worked specifically on that, so.

7 A. Well, I didn't specifically work  
8 on it.

9 Q. Oh, you didn't?

10 A. No. I just reported to the  
11 vice-president of Thunder Horse.

12 Q. Okay. So you had -- have you  
13 ever been affiliated with one particular  
14 facility?

15 A. No.

16 Q. Never? Okay. Can you give me  
17 an idea of what a facility entails?

18 A. Well, the terminology that I use  
19 of facility would be the structure  
20 offshore. That is there to produce oil and

21 gas and has the equipment on it to produce  
22 oil and gas. And two of the facilities  
23 have rigs on them.

24 So that would be a rig on the  
25 facility. And that includes quarters for  
1 the men, and a helipad.

2 Q. Aside from quarters and the  
3 helipad, are there any other particular  
4 pieces of equipment that you consider part  
5 of the facility?

6 A. Well, all of the equipment on  
7 the facility, such as compressors and pumps  
8 and separators. There's many pieces of  
9 equipment.

10 Q. Would that include subsea pieces  
11 of equipment?

12 A. They're not on the facility.  
13 That would be a subsea piece of equipment.

14 Q. So that would not be part of the  
15 facility when you speak of a facility?

16 A. The way I define the facility;  
17 correct.

18 Q. Okay. All right. So a riser or  
19 something connecting the platform or rig?

20 A. The riser's connected to the

Page 64:23 to 64:23

23 A. That's my definition.

Page 65:03 to 65:07

3 When you were a program manager  
4 of Backbone and business improvement, did  
5 you have people reporting to you?

6 A. Yes.

7 Q. How many?

Page 65:18 to 65:21

18 A. Between 10 and 20.

19 Q. And in your role as VP HSSE &  
20 Engineering, how many people reported to  
21 you?

Page 66:02 to 66:11

2           A.     Roughly between a hundred and a  
3 hundred and probably ten BP employees.  
4           Q.     Did you have contractors  
5 reporting to you as well?  
6           A.     Yes.  
7           Q.     Are they included in this  
8 number?  
9           A.     No. I think there's probably  
10 another 20 to 30. But I don't have the  
11 exact number.

Page 66:13 to 70:09

13 between your duties as -- well, what were  
14 your duties as vice-president HSSE &  
15 Engineering?  
16           A.     The responsibilities there were  
17 program coordination across the region.  
18 Some specific to just production. And  
19 support to production such as our technical  
20 facility support.  
21                 Some specific to just general  
22 things across the region such as regulatory  
23 compliance, security, crisis management.  
24 There's a range because it's a big  
25 multidisciplinary team and it covers a lot  
1 of aspects of the business.  
2           Q.     When you talk about technical  
3 authority support, what do you mean by  
4 that?  
5           A.     We could have a rotating  
6 equipment, technical specialist with many  
7 years experience and a deep technical  
8 knowledge. So one individual will be a  
9 technical authority.  
10           Q.     Okay. And your role as it  
11 applies to technical authority support  
12 would be what?  
13           A.     To manage that group of people  
14 and ensure that they're providing the  
15 support as needed. To the producing  
16 facilities, or to the projects.  
17           Q.     And this was primarily for  
18 production facilities; correct?  
19           A.     Production and projects. New

20 projects under development, that was under  
21 HSSE & Engineering.

22 Q. What about exploration, would  
23 your role regarding technical authority  
24 support have --

25 A. No.

1 Q. No? Do you know if there was a  
2 person whose job duties did entail the  
3 technical authority support for  
4 exploration?

5 A. No. I was not involved in that  
6 part of the business.

7 Q. As VP of HSSE & Engineering,  
8 what did the safety component of your job  
9 entail?

10 A. That aspect's more around what  
11 would typically in the industry be called  
12 occupational safety. It's a type of thing  
13 the team looks at, are helping to report  
14 incidents and get them into our action  
15 tracking system. They help around, they  
16 help the operating staff around compliance  
17 with control work.

18 It's like safe isolations and  
19 confined entry, lifting, dropped objects,  
20 personal protection such as wearing  
21 hardhats.

22 Q. Had you had experience with this  
23 type of occupational safety, or these types  
24 of issues prior to becoming vice-president?

25 A. I'm not a deep technical expert  
1 in safety. I've had experience with  
2 operations in a previous role.

3 Q. And what was that experience?

4 A. I had operations staff reporting  
5 to me.

6 Q. What do you mean when you say  
7 operations?

8 A. People that were running some of  
9 our pipelines onshore, the actual  
10 operators. And so it was about them,  
11 ensuring that they were safe. Again, it  
12 was at a broad role.

13 Q. What did the security aspect of  
14 your job as VP HSSE & Engineering entail?

15 A. I have one security manager and

16 she, she gets involved. We have a -- I  
17 don't know the exact name of the group  
18 standard, but there's a security standard  
19 for the company to make sure that we're  
20 compliant with it.

21 She works and keeps in touch  
22 with many of the government agencies around  
23 town. And we have requirements under  
24 regulations for security, so she helps our  
25 operating staff to ensure that they are  
1 complying with regulations and she also  
2 monitors our heliport drug and alcohol  
3 testing.

4 Q. Had you had prior experience  
5 with security before you became  
6 vice-president of HSSE & Engineering?

7 A. None other than the interfacing  
8 with the security manager in a previous  
9 job.

Page 71:07 to 71:09

7 Q. Okay. The environmental aspect  
8 of your job as vice-president HSSE &  
9 Engineering, what did that entail?

Page 72:03 to 75:15

3 Q. So let's talk about prior to the  
4 incident, then. What did the environmental  
5 component of your job entail?

6 A. We have less than ten, I can't  
7 remember the exact number of environmental  
8 advisors. And they would be the experts on  
9 certain aspects of environmental policies  
10 and regulations that we have to comply with  
11 in the Gulf of Mexico. Including, we also  
12 get certified each year for 2001 so they  
13 also developed an environmental management  
14 system.

15 Q. The same ten environmental  
16 advisors?

17 A. Yes. It's somewhere between  
18 five and 10. Some of them work on that.

19 Q. How many facilities do those  
20 five or ten advisors have responsibility

21 for?

22 A. They have responsibility --  
23 well, not each one of them, but the group  
24 looks after all the operating facilities in  
25 the Gulf of Mexico.

1 Q. How many is that?

2 A. Well, the eight producing  
3 facilities which I mentioned before, and  
4 they also support drilling. And projects,  
5 they support projects, too.

6 Q. What do you mean by projects?

7 A. New developments. So it could  
8 be you're going to tie back a well to an  
9 existing facility, or build an entire new  
10 facility. Or a major modification on an  
11 existing facility.

12 Q. When you -- the six days prior  
13 to the incident when you were  
14 vice-president HSSE & Engineering, do you  
15 know how many facilities overall the  
16 environmental advisors dealt with in the  
17 Gulf of Mexico?

18 A. Well, they were responsible for  
19 supporting the eight producing facilities.  
20 I don't know which projects they were  
21 supporting or working on. And I don't know  
22 their exact involvement in working with  
23 which drilling rigs.

24 Q. Were there environmental  
25 advisors in any other area of the Gulf of  
1 Mexico or BP's Gulf of Mexico operations  
2 that dealt with environmental issues that  
3 you're aware of?

4 A. I don't know. I don't know. I  
5 only know the group that report to me now.

6 Q. Prior to coming on as  
7 vice-president HSSE & Engineering, what  
8 experience, if any, did you have with  
9 environmental regulations?

10 A. Very little.

11 Q. By very little, what does that  
12 mean?

13 A. Other than in a previous job,  
14 understanding that it's in the pipelines  
15 group that I was in, which was not part of  
16 E&P. That was environmental regulations

17     which we had to comply with and that was,  
18     there was the whole team that ensured that  
19     we did.

20           Q.     Were you part of that team that  
21     ensured compliance with the environmental  
22     regulations?

23           A.     No. I was the general manager  
24     over the operations. I delegated and  
25     expected that it was being done.

1           Q.     Were you, did you have  
2     independent knowledge of the regulations  
3     when you were the general manager on the  
4     pipeline?

5           A.     Excuse me? Can you define what  
6     you mean?

7           Q.     Yes. Did you have independent  
8     knowledge? Had you looked at the  
9     regulations, the environmental regulations  
10    yourself?

11          A.     No.

12          Q.     Have you ever looked at the  
13     environmental regulations yourself to see  
14     what would apply to the operations that you  
15     oversee?

Page 75:19 to 75:20

19     In any job in 30-years or a  
20     particular time frame?

Page 75:22 to 76:01

22          Q.     Any job in 30 years.

23          A.     I can't remember. I may have.  
24     I can't remember.

25          Q.     Okay. How about in the last  
1     five years?

Page 76:05 to 76:06

5     In the last five years I don't  
6     believe I have, but I can't remember.

Page 76:08 to 78:09

8           Q.     In your role as vice-president

9 of HSSE & Engineering, what did the  
10 engineering component of your job entail?

11 A. It entailed a, a team of  
12 technical authorities working under  
13 engineering authority that provided deep  
14 technical support. And we were responsible  
15 for looking at, or I'll say setting out to  
16 clear engineering standard requirements for  
17 production and for projects.

18 Q. Okay. So not for exploration?

19 A. No.

20 Q. Do you know if there was an  
21 equivalent group that dealt with  
22 exploration?

23 A. I don't know.

24 Q. Let's talk a little bit now  
25 about your current role, which I understand  
1 is vice-president of safety and operational  
2 risks?

3 A. Yes.

4 Q. How does that differ from your  
5 prior role as vice-president HSSE &  
6 Engineering, other than being easier to  
7 say?

8 A. So, with my reporting lines are  
9 different. And some of the  
10 responsibilities have been, I guess,  
11 prioritized or strengthened and some things  
12 we're still trying to define with regards  
13 to integration with other groups.

14 Q. Okay. Your reporting lines  
15 being different, is that the dual reporting  
16 that you mentioned earlier?

17 A. Uh huh.

18 Q. Do you know what the purpose of  
19 having the dual reporting mechanism is?

20 A. Yes. The one -- well, one is to  
21 provide independent assurance or  
22 intervention, if needed. So if there was  
23 to be something that my authorities or  
24 experts in my team and I felt was not being  
25 adhered to as far as a requirement or being  
1 addressed, we have a way to independently  
2 go up and get that escalated, separate from  
3 the operating entity.

4 Q. Have you used that authority?



5           A.     No, not, not to this day.  
6           Q.     In terms of substance, the  
7     prioritization of certain responsibilities,  
8     can you give me an idea of what was  
9     prioritized?

Page 78:12 to 78:15

12    THE WITNESS:  
13           I would say one thing was  
14    prioritized was to set out requirements but  
15    to set out clear requirements.

Page 78:17 to 79:11

17           Q.     Clear requirements for what?  
18           A.     For anything that the team's  
19    responsible for, such as an engineering  
20    standard for production.  
21           Q.     And does this, your current role  
22    also deal primarily with production and  
23    projects?  
24           A.     Primarily production. We are in  
25    the process of moving away from support for  
1    projects.  
2           Q.     Do you know if there is somebody  
3    within the BP organizational structure who  
4    has your type of job, but dealing with  
5    exploration?  
6           A.     Not with exploration, no.  
7           Q.     Drilling generally?  
8           A.     With -- yes. With drilling,  
9    there is.  
10          Q.     Do you know what that person's  
11    title is?

Page 79:13 to 79:19

13    mean, I may not get it exactly correct,  
14    vice-president global wells, SOR. And SOR  
15    is the acronym for safety and operational  
16    risks.  
17          Q.     Do you know the name of that  
18    person who is in that position?  
19          A.     Yes. Al Vickers.

Page 79:24 to 81:02

24 Q. Sure. Do you have regular  
25 communications with him? Do you have  
1 meetings with him?  
2 A. I haven't -- I've only met with  
3 him once or twice since he took the role  
4 and we will sometimes e-mail each other,  
5 but I wouldn't call it regular.  
6 Q. Do you coordinate the issues  
7 that you're working on with him?  
8 A. Do you mean do I coordinate  
9 activities or do I --  
10 Q. Yes.  
11 A. No. Not the activities, not the  
12 day-to-day activities.  
13 Q. When you're coming up with  
14 your -- the clear requirements, do you run  
15 those past Mr. Vickers to see if they're  
16 consistent with what he is working on in  
17 his group?  
18 A. No.  
19 Q. Do you know what he works on in  
20 his group?  
21 A. Do I know all of what he's  
22 working on?  
23 Q. Yes.  
24 A. No.  
25 Q. Do you have specific, do you  
1 have knowledge of specific projects that  
2 he's working on in his group?

Page 81:06 to 81:06

6 No, not specific projects.

Page 81:08 to 82:18

8 Q. In your current role, do you  
9 still oversee safety?  
10 A. Well, there's many aspects of  
11 safety.  
12 Q. Right.  
13 A. And as I defined before, the  
14 team that I have working for me under  
15 safety is more occupational health and

16 safety, control or dropped objects and  
17 lifting.

18 Q. And you still oversee that  
19 occupational safety component?

20 A. Uh huh.

21 Q. How many people do you oversee  
22 now?

23 A. It's roughly the same number as  
24 I stated before. Somewhere in, like a  
25 hundred to a hundred 20 BP employees and  
1 probably 20 to 30 contractors.

2 Q. Is this essentially the same job  
3 that you had before with just a different  
4 title?

5 A. I'd say it's not essentially the  
6 same job, it's essentially the same,  
7 similar people, the same people, we've  
8 added some. And there's always attrition  
9 in adding new people.

10 Q. Are you still responsible for  
11 security?

12 A. Yes.

13 Q. And are you still responsible  
14 for environmental compliance?

15 A. Yes.

16 Q. Do you still have any role with  
17 respect to the engineering aspect?

18 A. Yes.

Page 82:20 to 83:06

20 answered this already -- did the  
21 vice-president of safety and operational  
22 risk position exist prior to the Macondo  
23 blowout?

24 A. No. It just -- I just, I did  
25 the management of change. It was  
1 March 31st of this year.

2 Q. Do you know whether the new  
3 position was a result of the Macondo  
4 blowout?

5 A. Do you mean the vice-president  
6 of safety operational risk?

Page 83:11 to 83:13

11 I can't, I can't, I can't  
12 speculate. You know, I didn't put the  
13 position into place myself.

Page 83:15 to 84:21

15 Q. Do you have an understanding of  
16 what process safety is?

17 A. I have my own definition, my own  
18 understanding of what process safety is.

19 Q. How would you define it?

20 A. I think of it as maintaining or  
21 the integrity of your pipes and your  
22 equipment and your systems in an operating  
23 facility to prevent hydrocarbons or  
24 flammable material or other significant  
25 energy -- I'll say events from happening  
1 and escalating.

2 Q. Does your job as vice-president  
3 of safety and operational risk involve  
4 process safety?

5 A. I have a process safety  
6 technical authority working for me.

7 Q. That is one person?

8 A. Yes. And the metrics in  
9 reporting to me, the team that works for me  
10 gathers information from other teams and  
11 develops the scorecard with process safety  
12 events.

13 Q. And are those production-related  
14 process safety events?

15 A. They have been. And I believe  
16 she will start to also show those for  
17 drilling and projects, but we haven't yet.

18 Q. Do you know if there is somebody  
19 currently who is providing information  
20 regarding the drilling process safety  
21 matters?

Page 84:23 to 85:07

23 process? Drilling hasn't been in  
24 operations since the incident, so there  
25 hasn't been anything to report as far as a  
1 leak since the incident.

2 Q. Okay. So this person who you

3 mentioned might be starting to report to  
4 you on the drilling side.  
5 Is this the same person that's  
6 reporting to you on the production side?  
7 A. Uh huh.

Page 85:09 to 85:17

9 A. Yes. She integrates. It's a  
10 scorecard integrator.  
11 Q. Had she done that prior to the  
12 incident, to your knowledge, on the  
13 drilling side?  
14 A. She was in her role of six days.  
15 And then there were no reporting. So I  
16 can't remember if she reported anything in  
17 those six days.

Page 85:19 to 86:13

19 In your current role as  
20 vice-president S&OR, are you responsible  
21 for ensuring that operations are done in  
22 compliance with environmental laws and  
23 regulations?  
24 MR. MONICO:  
25 Objection, form.  
1 THE WITNESS:  
2 The actual operations manager,  
3 or anyone that's responsible for the staff  
4 or for that activity that has that control  
5 is always the person responsible for  
6 compliance.  
7 What my team does is it helps  
8 provide clarity on what those regulations  
9 are, and do any of the formal reporting.  
10 If there is anything that would happen,  
11 they also would do some checks.  
12 But, mainly, the responsibility  
13 for compliance is with the operations.

Page 86:15 to 87:16

15 Q. The operations folks, are they  
16 in your chain of command?  
17 A. No.

18 Q. You testified earlier that you  
19 rely on the expertise of your permits staff  
20 to prepare the permits and determine what  
21 permits are needed; is that right?

22 A. Yes.

23 Q. Are these the ten permit  
24 advisors that we talked about a little bit  
25 earlier?

1 A. Well, we also have regulatory  
2 advisors. Permitting, I should say,  
3 regulatory permitting advisors. They work  
4 hand in hand together.

5 Q. And these are people who you  
6 oversee?

7 A. Yes.

8 Q. How many people total for the  
9 regulatory permitting and --

10 A. I had roughly 10 or 12.

11 Q. Okay. Do you know what type of  
12 training these 10 to 12 people have in  
13 environmental compliance?

14 A. No, I don't.

15 Q. Have you worked with these 10 to  
16 12 people directly in the past?

Page 87:18 to 87:21

18 Q. Well, prior to your role as VP  
19 S&OR.

20 A. Yes. In my role as BP HSSE &  
21 Engineering.

Page 87:23 to 90:13

23 question. And prior to that, had you  
24 worked with them in that work?

25 A. I had worked around them and  
1 knew some of them but I had not worked with  
2 them directly on the role of regulatory  
3 permitting.

4 Q. Do you know how much experience  
5 these 10 to 12 permitting advisors have  
6 with respect to environmental compliance  
7 issues?

8 A. No. I'd to look at each one's  
9 resumi and ascertain that from their

10 resumi.

11 Q. Did you look at any of these  
12 permitting advisors' resumis when you came  
13 on as vice-president HSSE & Engineering?

14 A. I didn't look at their resumis,  
15 no.

16 Q. Have you ever looked at any of  
17 the resumis of the permitting advisors in  
18 your capacity as vice-president, either  
19 HSSE or S&OI?

20 A. It's possible one or two of them  
21 may have sent me their resumi and if I  
22 scanned it, I did. I don't remember a  
23 significant amount from any of them. But  
24 it's possible they may have sent them to  
25 me.

1 Q. What have you done to determine  
2 the level of expertise for these 10 to 12  
3 permitting advisors?

4 A. What have I done to determine  
5 the level of expertise to these? Prior to  
6 when? Or when?

7 Q. Any time.

8 A. Any time? I don't believe I've  
9 looked at their expertise.

10 Q. So what is the basis for your  
11 statement that they have expertise in  
12 environmental permitting matters?

13 A. Because they're manager team  
14 lead, I delegate to him. And many of these  
15 people have been in the role for many  
16 years.

17 Q. Have you asked -- who is their  
18 direct supervisor?

19 A. Well, there is a team leader, or  
20 has been team leaders over some of them and  
21 they, in turn, report to the person that  
22 reports to me now.

23 Q. Who is the person who reports to  
24 you?

25 A. Jim Grant.

1 Q. And what is his title?

2 A. Currently it's regulatory and  
3 compliance -- regulatory -- I can't  
4 remember the exact words. Regulatory  
5 compliance and environmental manager.

6 Q. Have you had any discussion with  
7 Mr. Grant, or anybody in his position as  
8 regulatory compliance and environmental --  
9 A. Manager.  
10 Q. Manager, regarding the  
11 qualifications of the permitting advisors  
12 on his staff?  
13 A. Not that I can remember.

Page 92:09 to 93:12

9 Q. Are you aware of what permits  
10 rigs in the Gulf of Mexico are required to  
11 have in order to operate? What  
12 environmental permits? I'm sorry.  
13 A. No, I do not.  
14 Q. And who would know that? Who  
15 would you rely on to get that information  
16 from?  
17 A. Jim Grant.  
18 Q. Have you ever asked Mr. Grant  
19 what permits are required in the Gulf of  
20 Mexico for environmental compliance?  
21 A. I can't remember that specific  
22 question, if I've asked that. I can't  
23 remember.  
24 Q. Are you familiar with the  
25 national pollution discharge elimination  
1 system permit?  
2 A. Is there an acronym for that  
3 one?  
4 Q. There is. The NPDES permit.  
5 A. I've heard of it and I'm aware  
6 of it. I don't know all the details of it.  
7 Q. Do you have a general  
8 understanding of what it permits?  
9 A. No.  
10 Q. Do you know whether the  
11 facilities operating in the Gulf of Mexico  
12 require coverage under an NPDES permit?

Page 93:19 to 94:25

19 A. I don't know specifics on that.  
20 Q. Is there -- do you know if  
21 there's somebody on, on Mr. Grant's staff



22 whose responsibility relates to NPDES  
23 permits?

24 A. I don't remember which person.  
25 I know we talked about it and I cannot  
1 remember which individual, or there may be  
2 more than one.

3 Q. Are the permitting advisors, are  
4 they divvied up according to media, or  
5 according to facilities?

6 A. Are you talking about the  
7 regulatory permitting advisors or the  
8 environmental advisors?

9 Q. Let's talk regulatory permitting  
10 advisors first.

11 A. They are, there are some. It's  
12 mainly based on area.

13 Q. Okay. So water, air?

14 A. No. Facilities or operations.

15 Q. So Thunder Horse would have one  
16 person who deals with whatever air  
17 permitting requirements there might be,  
18 water permits?

19 A. I don't know how they're divided  
20 up as far as permitting responsibilities  
21 within the environmental team.

22 Q. And who is responsible for  
23 reporting incidents of noncompliance with  
24 environmental regulations to the  
25 appropriate governmental authorities?

Page 95:04 to 95:05

4 Do you mean in the Gulf of  
5 Mexico?

Page 95:07 to 95:07

7 Q. Yes.

Page 95:10 to 96:19

10 Q. Sure. In your little  
11 organization who, if anybody, would be  
12 responsible for reporting noncompliance of  
13 environmental regs?

14 A. I don't know for sure. Some of

15 the responsibilities actually lie with the  
16 actual operations staff.

17 Q. Okay. So as far as you know,  
18 Mr. Grant is not responsible for making  
19 reports on --

20 A. I don't know. I don't know how  
21 they divide up the different types. I  
22 don't know.

23 Q. And Mr. Grant reports directly  
24 to you; correct?

25 A. Right.

1 Q. But you don't know whether he  
2 has responsibilities --

3 A. I don't know.

4 Q. -- for that?

5 A. I don't know specifically know  
6 what he reports versus the person in charge  
7 of operations.

8 Q. Do you know if anybody is  
9 responsible for reporting noncompliance?

10 A. Yes. I do know that someone's  
11 responsible but I believe there's more  
12 than -- there's many different aspects and  
13 I think it could be divided up based on  
14 what it could be. So, no, I don't know the  
15 exact information as to who does what.

16 Q. Does somebody within your group  
17 conduct periodic reviews of spills and  
18 leaks that have occurred?

19 A. Yes.

Page 97:02 to 97:10

2 Q. So why don't you tell me where  
3 those people -- what building, who they  
4 report to.

5 A. I can tell about production.

6 Q. Okay.

7 A. In production, yes, there's a  
8 team that every, every spill -- well, let's  
9 start with leaks. Any type of leak is  
10 reported.

Page 97:12 to 98:06

12 A. Into our system. And put into

13 our, our scorecard system so that we can  
14 monitor the types and the fluid and when  
15 and where.

16 Q. Are you aware of a similar,  
17 similar structure relating to drilling?

18 A. No.

19 Q. Exploration, are you aware of a  
20 similar reporting of leaks and spills on  
21 the exploration side?

22 A. Can you give me a time frame for  
23 exploration?

24 Q. Just right now.

25 A. Right now, exploration has no  
1 accountability for operations so they would  
2 not have any operating equipment that could  
3 have a leak or a spill.

4 Q. Generally speaking, are you  
5 aware of any program relating to leaks and  
6 spills on the exploration side?

Page 98:10 to 98:10

10 No.

Page 99:09 to 99:10

9 Q. Do you know whether BP provides  
10 training on environmental compliance?

Page 99:14 to 99:14

14 Yes.

Page 99:25 to 100:03

25 Q. Do all employees in the Gulf of  
1 Mexico have to take these environmental,  
2 have to have some sort of environmental  
3 training?

Page 100:07 to 100:08

7 I can't, I can't remember who  
8 all has to take it.

Page 100:16 to 100:19

16 Q. Does your group have authority  
17 for determining what training, what  
18 environmental compliance training is  
19 offered?

Page 100:23 to 100:23

23 Can you be specific to where?

Page 100:25 to 101:25

25 Q. In the Gulf of Mexico.  
1 A. In the Gulf of Mexico. Yes. I  
2 do believe they do.  
3 Q. Okay. Who would that be who has  
4 responsibility for it?  
5 A. Are we speaking about  
6 environmental?  
7 Q. Yes.  
8 A. Training?  
9 Q. Yes.  
10 A. It would be somebody under Jim  
11 Grant's team.  
12 Q. Do you know whether somebody  
13 within your, within your group is  
14 responsible for the environmental  
15 curriculum, coming up with that?  
16 A. I'm not sure how that  
17 responsibility's shared. We have a  
18 organizational capability team but I can't  
19 answer exactly how the curriculum is  
20 developed.  
21 Q. Have you taken environmental  
22 compliance training?  
23 A. I've taken whatever's on the  
24 screen that's mandatory for my particular  
25 well.

Page 102:04 to 102:10

4 Q. Did you have a segment on marine  
5 and trash debris?  
6 A. Yes. I believe so.  
7 Q. Do you recall having -- do you  
8 recall any other topics that were addressed

9 in your most recent training?  
10 A. I can't -- I can't remember.

Page 102:14 to 102:23

14 Q. Did anybody within your group  
15 perform audits of environmental compliance  
16 at the various facilities in the Gulf of  
17 Mexico?  
18 A. I believe there, they do do an  
19 environmental systems audit for production.  
20 Q. And that's just a computerized  
21 system; right, that EMS --  
22 A. It's not computerized. As far  
23 as I know, they go out to the facility.

Page 102:25 to 103:22

25 A. I'm not sure what computerized  
1 portion that you mean.  
2 Q. And that's somebody within your  
3 group who goes out and does that EMS audit?  
4 A. I can't recall whether it's  
5 always a BP employee or it could be a  
6 contractor.  
7 Q. But either employee or  
8 contractor, they would report to you;  
9 correct, indirectly?  
10 A. Yes.  
11 Q. Would they report to Mr. Grant,  
12 who then reports to you?  
13 A. Yes.  
14 Q. Do you know how frequently  
15 audits of the -- EMS audits of the  
16 facilities are done?  
17 A. No. I don't remember the  
18 period.  
19 Q. Do you review the findings of  
20 the EMS audits?  
21 A. I don't remember if I read the  
22 findings last year. I was in the role -- I

Page 104:02 to 104:20

2 Q. Do you recall reviewing any EMS  
3 audit reports?

4 A. I can't remember.  
5 Q. Are you aware that BP has a  
6 group that performs rig safety audits?  
7 A. I'm not entirely sure. No.  
8 Q. Have you heard of a containment  
9 audit?  
10 A. No.  
11 Q. Is your group responsible for  
12 conducting root cause failure analyses on  
13 major spills?  
14 A. My group is accountable for the  
15 process that then others are accountable  
16 for following to conduct root cause  
17 analysis on incidents. And those incidents  
18 are defined, we have an exact definition on  
19 what those -- or somewhat of an exact  
20 definition on what those would be.

Page 105:01 to 105:16

1 Q. It's a document entitled Gulf of  
2 Mexico strategic performance unit oil and  
3 gas operations verified site report, 2007  
4 to 2009.  
5 Have you seen this document  
6 before?  
7 A. Yes.  
8 Q. Did you have any involvement in  
9 the preparation of this document?  
10 A. Not the preparation. I did  
11 review it.  
12 Q. Okay. Did you review, did you  
13 have an approval role with respect to this  
14 document?  
15 A. Yes, I did. I did review it. I  
16 provided comments and I approved it.

Page 106:14 to 106:17

14 Okay. Tab 1, we're going to  
15 mark that Exhibit 2394 and that is the  
16 verified site report 2007 to 2009 that we  
17 were looking at right before the break.

Page 106:25 to 107:17

25 Q. Can you tell me if this applies  
1 to the entire SPU or whether it applies  
2 just to production?

3 A. So at the time it was written it  
4 appears that it applied to drilling to the  
5 rigs and to the production. And it  
6 references group defined practice for  
7 projects, also.

8 Q. What was your position, or what  
9 was your title at the time that this report  
10 was written or at the time that you  
11 approved it?

12 A. Thank you. It was  
13 vice-president of HSSE & Engineering for  
14 the Gulf of Mexico.

15 Q. So this addressed drilling as  
16 well as production; correct?

17 A. It does.

Page 108:11 to 108:16

11 Q. If you flip to page 7 of 7 on  
12 the top, Bates number 669. It talks about  
13 the Gulf of Mexico SPU discharges.

14 Did you have any knowledge  
15 relating to the Gulf of Mexico SPU  
16 discharges?

Page 108:22 to 109:23

22 Q. Prior to reading this report?

23 A. Not much. And this report was  
24 2007 to 2009 before I was in that position.

25 Q. Did you do anything to verify  
1 that the information contained in this  
2 report was accurate?

3 A. I depended on the experts in my  
4 group.

5 Q. And who are the experts in your  
6 group at that time?

7 A. It was environment, Virginia  
8 Parks and Jim Grant.

9 Q. Do you recall having any  
10 conversations with either Ms. -- I'm  
11 sorry -- Mr. Grant or Ms. Parks regarding  
12 the accuracy of the statements in this

13 report?

14 A. No. But I do remember that we,  
15 also, had DNV verify the accuracy before it  
16 was finalized.

17 Q. DNV reviewed it after you  
18 reviewed it; is that correct?

19 A. They verified the figures in the  
20 report before we finalized it. I can't  
21 remember if they did it before or after I  
22 reviewed it. I just know it's a  
23 requirement.

Page 110:07 to 112:11

7 Q. At the bottom of the page it  
8 reads, the GoM SPU remains committed to  
9 reporting all environmental events and  
10 reducing its environmental footprint. GoM  
11 SPU will continue to conduct periodic  
12 reviews of spills and leaks and communicate  
13 lessons learned.

14 Did I read that right?

15 A. Yes.

16 Q. Okay. Have you undertaken any  
17 steps to make sure that periodic reviews of  
18 spills and leaks is conducted?

19 A. Yes.

20 Q. What have you done?

21 A. Well, continuing on with the  
22 practice we've had for years, we report  
23 spills and leaks internally and externally  
24 as applicable, required by the regulatory  
25 agencies. We do investigations, root cause  
1 investigations. As a group. Not my team,  
2 necessarily. We have a process laid out,  
3 or a practice that's adhered to in the  
4 business where these investigations are  
5 done.

6 And root cause analysis and  
7 reports put together. We have a one-page  
8 lessons learned report on the ones that are  
9 investigated that it's applicable to, we  
10 have a threshold.

11 Q. What is that -- I'm sorry. What  
12 is that threshold?

13 A. Well, it's a lot of primary



14 containment. It would be, in our  
15 terminology, a level G process safety  
16 incident, which could be a leak or an  
17 emission. And there's a specific  
18 definition for what that is.

19 And then we've also, in a way of  
20 continuous improvement to continue  
21 investigating even more and further, we  
22 also now do what we call the H level, which  
23 is the next level down as far as volume,  
24 gas releases.

25 And we produce a one-page lesson  
1 learned from the investigation and it's  
2 reviewed with the leadership team in the  
3 weekly meetings that we have.

4 And we have actions from each of  
5 these reports that are then entered into  
6 our action tracking system and monitored  
7 for closure. And we also have actions  
8 across the whole business, depending on the  
9 incident, so that other entities in our  
10 business can learn from that leak or spill  
11 and what caused it.

Page 120:01 to 120:12

1 Q. I thought you testified earlier,  
2 though, that you oversaw the eight  
3 different production facilities.

4 A. I think to be clear, I'm in a  
5 functional role. So there's functional  
6 roles and then there are groups that  
7 actually are accountable for operations.

8 Q. Okay.

9 A. So I'm in a function.

10 Q. Do the people who are  
11 responsible for operations report to you?

12 A. No.

Page 122:05 to 122:13

5 Q. Do you, in your current role,  
6 receive these safety key performance  
7 metrics charts monthly?

8 A. I believe I do. I can't tell  
9 you for sure.

10 Q. Do you review them when you  
11 receive them?

12 A. Sometimes I do and sometimes I  
13 don't.

Page 122:19 to 122:25

19 Q. So would you look in the comment  
20 section and would you review all of the  
21 losses of primary containment?

22 A. As I get them today?

23 Q. Yes.

24 A. I would look to see where they  
25 were. And numbers.

Page 124:05 to 124:23

5 Q. Do you do anything to ensure  
6 that spills are reported to the appropriate  
7 regulatory agencies?

8 A. We have the regulatory team or  
9 the environmental team. I believe they  
10 work with the offshore staff so they  
11 understand the protocol, or the -- what  
12 they must do. And there's a pager that  
13 they get called when there's any type of  
14 spill, and notified.

15 Q. Do you personally do anything to  
16 make sure that spills and leaks are  
17 reported to the appropriate regulatory  
18 agency?

19 A. No. I delegate down to the  
20 environmental and regulatory team to ensure  
21 that that's happening.

22 Q. What would you describe your  
23 priorities at your current position to be?

Page 125:02 to 125:02

2 In my current position?

Page 125:04 to 127:02

4 Q. Yes.

5 A. Priorities are to fully  
6 integrate my team. And understand that

7 there are accountabilities and roles with  
8 the new organization transition. And how  
9 we interface with the drilling  
10 organization, or wells and projects.

11 Another priority is to ensure  
12 that the resources are in place to fulfill  
13 the roles that we have. And my other  
14 priority is compliance with the new BOEM  
15 regulations, the SEMS, safety,  
16 environmental management system regulations  
17 that we are to comply with in November.

18 Q. Do you consider instituting cost  
19 saving, cost cutting measures a priority in  
20 your current position?

21 A. No. No.

22 Q. Did you consider cost cutting  
23 measures, implementing cost cutting  
24 measures a priority in your position as VP  
25 HSSE & Engineering?

1 A. No.

2 Q. Did you consider implementing  
3 cost cutting measures an important part of  
4 your job as program manager Backbone and  
5 business improvement?

6 A. Do you mean cost cutting  
7 measures for my direct reports, from my  
8 team?

9 Q. Within the group that you  
10 oversee or oversaw.

11 A. No.

12 Q. And did you consider  
13 implementing cost cutting measures an  
14 important part of your job as OMS and  
15 continuous improvement manager?

16 A. No.

17 Q. Was implementation of cost  
18 cutting measures an important part of your  
19 job as program manager for safety and  
20 operational integrity?

21 A. No.

22 Q. Has cost cutting measures ever  
23 been an important part of your job within  
24 the last 10 years?

25 A. As a priority?

1 Q. As a priority.

2 A. No.

Page 127:12 to 129:17

12 Q. Sure. In the past 10 years,  
13 have you felt pressure to reduce costs for  
14 BP?

15 A. Yes.

16 Q. What positions were you in when  
17 you felt those pressures to reduce costs?

18 A. I can't recall exactly which  
19 position it was.

20 Q. What can you tell me about the  
21 pressures that --

22 A. We were asked to look at travel  
23 and different committees that some of our  
24 staff were on and having to be asked to  
25 travel around the world to attend meetings.

1 Q. What did you do as a result of  
2 that pressure to cut costs?

3 A. I met with the managers and  
4 discussed it. We need to approve travel on  
5 a critical need basis versus just letting  
6 everybody go wherever they wanted to  
7 whenever they wanted to, yes.

8 Q. Is your performance rated or  
9 evaluated based on the amount of money that  
10 you save for the company?

11 A. In my current role it is not.

12 Q. In prior roles, has that been  
13 part, one of the factors that is considered  
14 in your performance evaluation?

15 A. In prior roles it would be one  
16 of many metrics that were considered.

17 Q. What prior roles considered cost  
18 savings?

19 A. It would have been the general  
20 manager in pipelines.

21 Q. And when were you general  
22 manager in pipelines?

23 A. I believe I started that role  
24 roughly early 2003 to, I think it was early  
25 2006.

1 Q. So 2003 to 2006 you were a  
2 general manager pipeline?

3 A. For the U.S. crude and oil. I  
4 mean, oil and gas pipelines.

5 Q. And your job as a general  
6 manager pipelines has not involved cost  
7 savings as one of your performance factors?

8 A. Can you say that again?

9 Q. Yes. Since you've moved on from  
10 general manager pipelines, has none of your  
11 other jobs, none of your other jobs have  
12 used cost savings as a factor in evaluating  
13 your performance?

14 A. They've all had cost as a  
15 factor, as in any group or business that  
16 has expenses, it would be measured. It was  
17 one of many measures.

Page 129:21 to 130:03

21 Do all of your positions have  
22 the cost cutting as a factor in the  
23 evaluation of your performance?

24 A. I didn't say that it was cost  
25 cutting. You asked if it was a cost  
1 measure to evaluate performance.

2 The current role I have today  
3 has not been one performance measured.

Page 130:14 to 130:15

14 And we're going to mark this the  
15 next exhibit.

Page 131:01 to 131:05

1 Yes. And it's a document  
2 entitled draft 2008 performance contract.  
3 (Whereupon, the document  
4 referred to was marked as Exhibit No. 2395  
5 for identification.)

Page 131:07 to 131:08

7 Q. Have you seen this document  
8 before?

Page 131:12 to 131:12

12 Q. Is this a performance contract

Page 131:15 to 131:15

15           A.     Yes.

Page 132:07 to 133:14

7           Q.     Did you draft the performance  
8 contracts for yourself?

9           A.     It's sometimes a combination of  
10 things that I'll add and then things that  
11 I'm told should be standardized.

12          Q.     Do you recall whether you added  
13 the bullet points in Part 3 or whether  
14 those were standardized?

15          A.     It was a combination.

16          Q.     Do you recall which ones you  
17 added?

18          A.     I believe I added the first  
19 bullet, complete OMS gap closure plans. I  
20 believe I added drive clarity, line of  
21 sight and asset ownership of remaining IM  
22 standard implementation. And I believe I  
23 added lead development of team continuous  
24 improvement plan.

25          Q.     So in the second bullet that  
1 reads embed a culture of every dollar  
2 matters by zero basing Houston based PU  
3 teams and responding decisively to the Ziff  
4 Benchmark study to create the path to top  
5 quartile field lifting costs, to your  
6 recollection that is not something that you  
7 provided?

8          A.     I may have included it in here  
9 but those were not my words.

10          Q.     Can you explain to me what that  
11 means, that second bullet?

12          A.     Okay. I didn't write it so I  
13 can't tell you factually exactly what it  
14 means. I can tell you how I interpret it.

Page 133:16 to 135:16

16          A.     It was to get the operations  
17 more efficient and as to how we're actually  
18 spending money and expenses. So that we

19 could compete and be in the top quartile  
20 against our competitors in the industry.

21 Q. What did you do to embed a  
22 culture of every dollar matters?

23 A. One of the things was the  
24 example that I gave about looking at the  
25 travel. Another thing was to start to look  
1 at the number of contractors in our -- that  
2 worked in my team. And if they were  
3 long-term contractors and going to be with  
4 us for sometime, it would be about trying  
5 to get them on, make the position a  
6 full-time BP position. Because there's an  
7 extra cost in having a contractor above a  
8 cost of a BP position.

9 I think it was, also, about ways  
10 to more efficiently do our inspections  
11 offshore.

12 Q. What do you mean about, what do  
13 you mean by changing the way the  
14 inspections offshore were done?

15 A. To schedule better so that the  
16 inspectors aren't sitting around waiting.  
17 Just to be able to schedule time better so  
18 that they don't have wasted time.

19 I didn't have a big budget.

20 Q. When you were evaluating the  
21 performance of people who reported to you,  
22 did you look at cost savings as one of the  
23 factors in your evaluation?

24 MR. MONICO:

25 Objection, form.

1 THE WITNESS:

2 At this period of time, or when?

3 EXAMINATION BY MS. CHANG:

4 Q. Sure. Let's start at this  
5 period.

6 A. It could be one of many things  
7 that would be on their performance contract  
8 that you would consider.

9 Q. Do you specifically recall  
10 during this time period considering cost  
11 cutting measures as a factor for evaluating  
12 people who report to you?

13 A. It's the same answer. It would  
14 be one of many things that's in their

15 performance contract that they need to work  
16 on that you evaluate against.

Page 136:18 to 140:25

18 Q. Let's move on and talk a little  
19 bit about your involvement post-blowout.

20 I believe -- when did you get  
21 pulled out of your role as VP HSSE &  
22 Engineering to work on the post-spill  
23 matters?

24 A. Informally, the night of the  
25 spill. Not the night of the spill. Excuse  
1 me. The night of the explosion.

2 Q. So April 20th?

3 A. Yes.

4 Q. And formally?

5 A. Formally, as I took on the role  
6 of leading the resources. It was roughly  
7 early May.

8 Q. How long did you have that role?

9 A. Until mid-August.

10 Q. With that role you just  
11 mentioned, leading resources, was there  
12 anything else that you did while looking on  
13 the post-spill, post-explosion matters?

14 A. Yes. The first week of the  
15 incident I was on the Gulf of Mexico  
16 business support team.

17 Q. What is that?

18 A. It's a, a team of leadership in  
19 the Gulf of Mexico to support our incident  
20 management team. There to help them with  
21 whatever needs that they have.

22 Q. Logistics types of needs?

23 A. No.

24 Q. What type of needs?

25 A. It could be do they need --  
1 generally, we stay out of the incident  
2 command. That team, the BST, stays out of  
3 the incident command. It could be  
4 reporting back to other parts of the  
5 organization's status. It could be helping  
6 people.

7 For instance, in a hurricane,  
8 help to get our HR organization up and



9 aligned to support families, which isn't  
10 part of our incident command.

11 It's to help, also, ensure that  
12 the rest of the business continues to keep  
13 running safely.

14 Q. Who asked you to get involved  
15 post-spill?

16 A. As part of the BST, or what  
17 role?

18 Q. April 20th and beyond.

19 A. I had a phone call from the  
20 crisis manager to come into the crisis  
21 center.

22 Q. Who directed your activities?  
23 What can we call this, your role during  
24 this time frame?

25 A. Which time frame? I had two or  
1 three roles.

2 Q. Okay. Well, let's talk  
3 April 20th through mid August generally.  
4 What can we call that time frame?

5 A. The incident response.

6 Q. Okay. We'll call it incident  
7 response.

8 Who did you talk to regarding  
9 your role initially in the incident  
10 response?

11 A. Do you mean once I got to the  
12 crisis center, or who called me?

13 Q. Who tasked you with your  
14 activities in the incident response  
15 initially?

16 A. On the BST, I can't remember for  
17 sure. I believe Simon Todd, but I can't  
18 remember exactly who was the BST leader at  
19 the time.

20 Q. What is BST again?

21 A. Business support team. For the  
22 Gulf of Mexico, business support team. I  
23 just can't remember.

24 Q. Did you work at all with any of  
25 the investigators working with Mark Bly?

1 A. No.

2 Q. Have you read any, have you read  
3 the Bly report?

4 A. I have not read it thoroughly,

5 I've scanned it.  
6 Q. Have you read any reports  
7 relating to causes of the blowout at the  
8 Macondo well?  
9 A. No. Other than scanning the Bly  
10 report.  
11 Q. Have you been asked whether  
12 there are any changes that could be made in  
13 your organization that would have helped  
14 prevent the blowout on April 20th?  
15 A. Not specifically.  
16 Q. Have you offered any opinions on  
17 things that could be implemented in your  
18 group that would have helped to prevent the  
19 blowout on April 20th?  
20 MR. MONICO:  
21 Objection, form.  
22 THE WITNESS:  
23 It's a pretty broad statement,  
24 so not that I, not into any specifics I can  
25 recollect.

Page 142:05 to 142:16

5 Q. If you flip to Tab 33 in your  
6 book, Bates numbers MDL 01636801. A  
7 PowerPoint presentation entitled embedding  
8 DEEPWATER HORIZON learning through OMS EMP  
9 segments draft action plan, dated  
10 September 2010.  
11 Do you see that?  
12 A. Yes, I see it.  
13 Q. Do you recall whether you've  
14 seen this document before, or this  
15 presentation before?  
16 A. I have seen it.

Page 143:01 to 144:14

1 Q. Did you see it in draft form or  
2 final form? Do you know?  
3 A. I don't know what form it was.  
4 I know that it was e-mailed to me. That's  
5 all I know.  
6 Q. Do you recall that you reviewed  
7 this?

8           A.     I believe I scanned it because  
9     it was just sent to me for a quick have a  
10    look and I may have printed it and scanned  
11    it or I might have scanned it on my  
12    computer.

13          Q.     Would this presentation apply to  
14    your group?

15          A.     It could apply if it came down  
16    from the leaders I worked for, to do  
17    something with it.

18          Q.     Have you received instructions  
19    to do anything to embed DEEPWATER HORIZON  
20    learning through OMS EMP segments?

21          A.     Do you mean the things specific  
22    in this presentation?

23          Q.     Well, generally right now.  
24    Generally. This idea of embedding  
25    DEEPWATER HORIZON learning. Have you been  
1    instructed to embed any DEEPWATER HORIZON  
2    learning in your group?

3          A.     Not specific to the things laid  
4    out in here.

5          Q.     Okay. What have you been  
6    instructed to do with respect to DEEPWATER  
7    HORIZON learning?

8          A.     Nothing in particular to the  
9    DEEPWATER HORIZON learnings. There's a lot  
10   of things that we're going through in  
11   general as attempting to learn. But I  
12   can't, I can't relate the specifics to what  
13   we're doing now to the exact learnings from  
14   the DEEPWATER.

Page 159:19 to 159:25

19          Q.     Okay. Now, your job title  
20    presently is vice-president of safety and  
21    occupational risk; correct?

22          A.     No.

23          Q.     No? What is it now?

24          A.     Vice-president of safety and  
25    operational risk.

Page 160:06 to 160:09

6          Q.     All right. Before that you were

7 the vice-president of HSSE & Engineering  
8 for the Gulf of Mexico; correct?  
9 A. Yes.

Page 160:17 to 161:03

17 Q. No? What's the difference  
18 between the two jobs?  
19 A. The, one of the key differences  
20 is additional reporting lines.  
21 Q. All right. I remember that.  
22 As far as functionality, what  
23 you do from day-to-day, regardless of  
24 reporting or to whom you report, is your  
25 functional day-to-day job different now  
1 than it was before March of this year?  
2 A. There has been a few changes,  
3 but I would say generally, it's similar.

Page 161:17 to 163:01

17 Q. All right. And before that you  
18 were the OMS and continuous improvement --  
19 what?  
20 A. Manager.  
21 Q. Manager?  
22 A. Uh huh.  
23 Q. What time frame did you hold  
24 that position?  
25 A. Starting, or ending in May of  
1 2009. Starting that position, I'm not for  
2 sure of the exact date. But I think it was  
3 early 2008.  
4 Q. Was there anyone in that  
5 position at BP Gulf of Mexico before you in  
6 '08?  
7 A. Which position?  
8 Q. OMS and continuous improvement  
9 manager.  
10 A. No. It was a new position.  
11 Q. It was a new position?  
12 A. (Witness nods head).  
13 Q. Was that concurrent with the  
14 Gulf of Mexico's implementation of OMS?  
15 A. They were at the same time or  
16 because of?

17 Q. Yes. At the same time.  
18 A. It was at the same time.  
19 Q. Your job was created in order to  
20 implement OMS?  
21 A. It wasn't the only job  
22 responsibility in that title.  
23 Q. What were other job  
24 responsibilities?  
25 A. The responsibility for the  
1 mechanical integrity team.

Page 163:03 to 164:21

3 explain that, first of all. What is a  
4 mechanical integrity team?  
5 A. It was the corrosion specialist  
6 for the production facilities. It included  
7 the chemical production engineers or  
8 specialists that put, identify what  
9 chemicals to put into the system to protect  
10 it for corrosion. And some of our piping  
11 inspection team.  
12 Q. Did that have any relationship  
13 to your new job as OMS and continuous  
14 improvement manager?  
15 A. It was a part of that role.  
16 Q. Had you had that role for  
17 maintenance integrity, had you had that  
18 role before becoming the OMS manager?  
19 A. Yes.  
20 Q. So that was your old job and you  
21 kept it?  
22 A. Yes.  
23 Q. Okay. Do you have an  
24 engineering background?  
25 A. Yes.  
1 Q. Do you have a degree in  
2 engineering?  
3 A. Yes.  
4 Q. What specialty?  
5 A. Chemical engineering.  
6 Q. Chemical engineering?  
7 A. (Witness nods head).  
8 Q. Do you have any higher degrees,  
9 masters, Ph.D.?  
10 A. No.

11 Q. You went directly from  
12 graduation to Amoco?  
13 A. Yes.  
14 Q. And you worked for Amoco all the  
15 way through the merger and then became a BP  
16 employee?  
17 A. Yes.  
18 Q. You have any specific training  
19 in health, safety, security or  
20 environmental issues?  
21 A. No.

Page 166:16 to 166:24

16 Q. Okay. When you were  
17 vice-president of HSSE & Engineering in the  
18 Gulf of Mexico SPU, were there any other  
19 vice-presidents that were in charge of  
20 health, safety, security, environmental  
21 issues?  
22 A. In the Gulf of Mexico SPU?  
23 Q. Yes.  
24 A. No.

Page 167:08 to 167:12

8 In your job as vice-president of  
9 HSSE, was there anyone else in BP GoM SPU  
10 with similar responsibilities for either  
11 health, safety, security or environmental  
12 issues?

Page 167:23 to 167:24

23 A. There were none with my same  
24 title.

Page 168:08 to 169:01

8 right? You were a vice-president of  
9 health, safety, security and environment;  
10 correct?  
11 A. (Witness nods head).  
12 Q. What does that term mean to you?  
13 A. It means a functional role with  
14 respect to production and to some aspects

15 of projects, not all, mainly supporting  
16 production in a functional capacity to set  
17 out certain processes in a standardized way  
18 for the operations staff to comply with to  
19 ensure safety and health requirements were  
20 met, but not all aspects of safety.

21 Q. What aspects of safety were not  
22 included in that job description that you  
23 just gave?

24 A. Process safety engineers.

25 Q. Why is that? Why was process  
1 safety separate from your department?

Page 169:07 to 169:08

7 I can't answer that because it  
8 wasn't my decision.

Page 169:10 to 170:23

10 Q. Was process -- I assume process  
11 safety was not part of your department as  
12 HSSE/engineering?

13 A. We had one process safety  
14 technical authority.

15 Q. And who was that?

16 A. Donnie Carter.

17 Q. What was Donnie Carter's job in  
18 that role?

19 A. He was technical expert over  
20 process safety, supporting production and  
21 projects.

22 Q. And you keep saying production  
23 and projects. I presume you're excluding  
24 drilling and completions from that  
25 description?

1 A. Yes.

2 Q. All right. Was there a  
3 vice-president in charge of health, safety,  
4 security and environment for drilling and  
5 completions?

6 A. No.

7 Q. Was there anyone in charge of  
8 health, safety, security and environment  
9 for drilling and completions?

10 A. There are people, as I said

11 before, across the organization that have  
12 responsibility for operations --  
13 Q. Was there --  
14 A. -- with regard to safety.  
15 Q. I'm sorry. Was there an SPA?  
16 A. Was there one individual?  
17 Q. A single person --  
18 A. That had --  
19 Q. -- in charge of health, safety,  
20 security and environment for drilling and  
21 completions in the Gulf of Mexico?  
22 A. Not that I know of.  
23 Q. And do you know why?

Page 171:03 to 171:04

3 THE WITNESS:  
4 I can't answer that.

Page 171:06 to 173:02

6 Q. Who was your predecessor in your  
7 job as vice-president of health, safety,  
8 security, environment/engineering?  
9 A. There was no predecessor. It  
10 was a new role.  
11 Q. Okay. Was there any single  
12 point of authority for HSSE in the Gulf of  
13 Mexico SPU before your job was created as  
14 vice-president?  
15 A. Not to have the same exact role  
16 that I have.  
17 Q. What was the difference? Were  
18 there separate roles? Was this a  
19 consolidation?  
20 A. There were -- yes, it was a  
21 consolidation of groups. So there were  
22 individual teams.  
23 Q. Can you explain that in more  
24 detail? Describe the teams. Why were they  
25 individual groups?  
1 A. And the time frame is? Can you  
2 be specific?  
3 Q. Pre-creation of your job.  
4 A. There was a -- I don't know of  
5 the exact title of the team. I can't



6 remember the name of the team. It could  
7 have been called HSSE but I can't remember  
8 exactly. The team that had responsibility  
9 as a function for crisis management,  
10 regulatory compliance, the environmental  
11 experts. I don't remember what else was in  
12 this role. I can't remember exactly what  
13 was in that role.

14 There was another team that was  
15 the drilling and completions health and  
16 safety advisors. There was another team  
17 that was the production health and safety  
18 advisors. And the engineering team was in  
19 a separate group, too.

20 Q. Were any of these teams that  
21 you've just described, did they all report  
22 to a single person above them?

23 A. No. You mean did all those  
24 teams report to one, the same individual?

25 Q. Yes.

1 A. No.

2 Q. Why not?

Page 173:06 to 173:07

6 Q. You don't know?

7 A. I don't know. I can't answer

Page 173:09 to 175:19

9 Q. How were you trained, or  
10 informed about your new job as  
11 vice-president of HSSE/engineering before  
12 you took the job over?

13 A. Can you be specific about  
14 training? Training for what aspects of the  
15 job?

16 Q. All aspects of the job. As far  
17 as -- you're right. As far as health,  
18 safety, security and environment goes.

19 A. I had no specific training in  
20 each of those areas. My job is to be a  
21 manager that coordinates people and  
22 priorities and more around coordination.

23 Q. I understand.

24 Did you have any specific

25 training in the processes, procedures, that  
1 might be involved in managing HSSE  
2 department?

3 A. I had no specific training in  
4 those procedures prior to accepting that  
5 role at that time.

6 Q. Did you have any training after  
7 accepting the role?

8 A. No.

9 Q. So you just sort of learned it  
10 on your own?

11 A. No.

12 Q. How did you learn it?

13 A. Some of it is experience. I've  
14 been with the company 31 years.

15 Q. And in that role, you know all  
16 about HSSE procedures?

17 A. No, I don't.

18 Q. No? How did you learn them in  
19 order to be the vice-president of HSSE?

20 MR. MONICO:

21 Objection, form.

22 THE WITNESS:

23 A manager has to rely on the  
24 experts in their team to be the ones  
25 knowledgeable to each of those procedures.  
1 There's many procedures to running a big  
2 organization. And any one individual can't  
3 be expert in every single one of them.

4 EXAMINATION BY MR. DART:

5 Q. So essentially you delegated  
6 responsibility?

7 A. Some areas, I delegate.

8 Q. But the ultimate responsibility  
9 was yours as vice-president; was it not?

10 A. Mine for what?

11 Q. For anything relating to HSSE  
12 while you were vice-president of HSSE.

13 MR. MONICO:

14 Objection, form.

15 THE WITNESS:

16 No.

17 EXAMINATION BY MR. DART:

18 Q. No?

19 A. Be specific as to what the exact

Page 176:02 to 177:22

2 Q. All right. Now, define  
3 operations for me. You said you had a  
4 functional role, not an operational role?  
5 A. Yes.  
6 Q. What's the difference between a  
7 function and operation?  
8 A. A function is, has no people.  
9 To start with operations, operations have  
10 your technical operators, your technician,  
11 the OIM, your maintenance teams reporting  
12 straight through them. The ones that  
13 control and direct the operation of the  
14 facility.  
15 Q. And what is the functional part?  
16 A. The functional part is generally  
17 more deep discipline experts that provide  
18 guidance to those people in operations.  
19 Q. All right. So you do deal with  
20 operations, you're just not an operator?  
21 A. I'm not an operator.  
22 Q. Right. Is that how you  
23 distinguish function? You say function,  
24 we're deep thinkers and we advise the  
25 operations people?  
1 MR. MONICO:  
2 Objection.  
3 EXAMINATION BY MR. DART:  
4 Q. Is that what you do?  
5 MR. MONICO:  
6 I'm sorry. Objection to form.  
7 THE WITNESS:  
8 No. I said as a function we  
9 help to support the operations team  
10 understand the requirements. They are  
11 accountable for executing and complying  
12 with those.  
13 EXAMINATION BY MR. DART:  
14 Q. Okay. But you as the functional  
15 person give the rules and regulations to  
16 the operations people so that they can  
17 execute those?  
18 A. Let's be clear. Which group are  
19 you speaking to?  
20 Q. HSSE.

21           A.     For production and for projects  
22     and some aspects and projects, you have to

Page 178:01 to 178:03

1     before, there is no comparable setup for  
2     drilling and completions, as far as you  
3     know?

Page 178:07 to 178:14

7           Q.     Or there was not back in 2009,  
8     2010?

9           A.     What I can say is there's no  
10    exact same position with that title.

11          Q.     Was there a management of change  
12    document executed when you became  
13    vice-president of HSSE/engineering?

14          A.     Yes.

Page 178:17 to 178:25

17          Q.     Were the risks of that job  
18    assessed in the management of change  
19    document?

20          A.     Yes.

21          Q.     Did you participate in the  
22    creation of that document?

23          A.     Yes.

24          Q.     Tell me what the risks were in  
25    that management of change document.

Page 179:04 to 179:04

4     I can't remember.

Page 179:09 to 180:02

9           Q.     Who else participated in the  
10    creation of it?

11          A.     I can't remember.

12          Q.     Okay. Was there a management of  
13    change document prepared when you became  
14    vice-president of safety and -- I'm going  
15    to get it wrong again -- organizational  
16    risks?

17 A. Operational risks.  
18 Q. Operational risks. Okay.  
19 A. Yes.  
20 Q. There were? And the same  
21 question, did you participate in the  
22 creation of it?  
23 A. Yes.  
24 Q. And there were risks assessed in  
25 that process?  
1 A. I believe so. I can't remember  
2 exactly what the document looks like.

Page 182:05 to 182:05

5 Q. Let me show you this document.

Page 182:12 to 182:22

12 MR. HASSINGER:  
13 This is a BP document entitled  
14 an overview of OMS, the BP operating  
15 management system framework. The Bates  
16 numbers are not clear on the bottom. It  
17 looks to me like the beginning number is BP  
18 HZN 2179 MDL 00333196.  
19 (Whereupon, the document  
20 referred to was marked as Exhibit No. 2396  
21 for identification.)  
22 EXAMINATION BY MR. HASSINGER:

Page 183:04 to 185:03

4 So let me ask you, have you seen  
5 this document before?  
6 A. I've seen this in a different  
7 form. Not in this exact form. I've seen  
8 the, I believe I've seen the material in a  
9 different form.  
10 Q. What is it?  
11 A. This is a document with the  
12 requirements for our operating management  
13 system.  
14 Q. The operating management system  
15 at BP sets out the principles for  
16 operations and provides a framework to  
17 deliver safe, reliable operations.

18 Is that right?  
19 A. It's one aspect of it.  
20 Q. The purpose of it is to reduce  
21 HSSE risks. True?  
22 A. Not the entire purpose of it.  
23 It's one purpose of it.  
24 Q. And the second purpose is to  
25 continuously improve the quality of your  
1 operations. Right?  
2 A. It would be one aspect of it,  
3 it's not the only aspect.  
4 Q. Turn to the third page of the  
5 document, it has the No. 2. Flip it  
6 around.  
7 A. This way?  
8 Q. Yes. Why don't you turn it the  
9 other way?  
10 A. What other way? Like this?  
11 Q. Not that page, the whole  
12 document. It may be easier to follow.  
13 A. Oh, okay.  
14 Q. You see in big print in the big  
15 quote on the left side, the OMS has two  
16 purposes. To further reduce HSSE risks and  
17 to continuously improve the quality of  
18 operating activities.  
19 A. (Witness nods head).  
20 Q. You see that?  
21 A. Yes.  
22 Q. Those are the two purposes of  
23 the OMS system; right?  
24 A. It's what's written here from  
25 Tony Hayward.  
1 Q. Who is Tony Hayward?  
2 A. As it states here, Tony Hayward  
3 at that time was the group chief executive.

Page 185:11 to 185:24

11 EXAMINATION BY MR. HASSINGER:  
12 Q. Mr. Hayward tells us in this  
13 document that the OMS framework is  
14 fundamental to delivering safe and reliable  
15 operations. Do you see that?  
16 A. Not exactly those words.  
17 Q. You want me to quote it? Quote,

18 the operating management system, OMS, is  
19 fundamental to delivering safe and reliable  
20 operating activities in BP, close quote.

21 Did I read that right?

22 A. Yes.

23 Q. You agree with that, obviously?

24 A. This is his statement.

Page 186:03 to 186:12

3 Q. Do you agree with what he says?

4 A. Is it fundamental to delivering?

5 I think it's one thing that is a great  
6 system for us to work through and improve  
7 on. To help us deliver safe and reliable  
8 operating activity.

9 Q. Do you agree with Mr. Hayward  
10 that the OMS system is fundamental to  
11 delivering safe and reliable operating  
12 activities in BP?

Page 186:16 to 186:16

16 I don't have an opinion on that.

Page 186:18 to 186:23

18 Q. Do you have any reason to  
19 dispute Mr. Hayward's next sentence, which  
20 is, it is the foundation for a responsible  
21 and high performing BP where our goals are  
22 simply stated. No accidents, no harm to  
23 people and no damage to the environment.

Page 187:02 to 187:03

2 I can't speak for all of BP. I  
3 can't speak for Mr. Hayward's words.

Page 187:05 to 187:20

5 Q. Well, as a vice-president at BP,  
6 someone who's been there for 31 years, who  
7 has had a variety of very important  
8 positions in the company, leadership  
9 positions involving safety and so forth,

10 you don't dispute the fact that the OMS  
11 system provides the foundation for a  
12 responsible and high performing BP; do you?  
13 MR. MONICO:  
14 Objection, form.  
15 THE WITNESS:  
16 This is his quote and his words.  
17 I think there's many aspects of safety. I  
18 think OMS is one of those ways, in my  
19 personal opinion, to help us improve in  
20 safety.

Page 190:18 to 190:23

18 Q. The framework set out in  
19 Exhibit 2396 is the framework that is  
20 supposed to be implemented across every  
21 segment of BP. Isn't that true?  
22 A. No.  
23 Q. Why not?

Page 191:02 to 191:04

2 I can't answer that. I wasn't  
3 responsible for how it was going to be  
4 implemented.

Page 191:06 to 192:22

6 Q. Well, how do you know, then,  
7 that it's not supposed to be applied across  
8 BP?  
9 A. What I do know is that it was  
10 initially to be applied or implemented in  
11 the production facilities.  
12 Q. It's your testimony, as a former  
13 vice-president of HSSE & Engineering for  
14 BP, that this OMS, operating management  
15 system framework was initially intended  
16 only to apply to production facilities in  
17 the Gulf of Mexico?  
18 A. I believe I said it was to be  
19 implemented initially in the production  
20 facilities in the E&P segment.  
21 Q. When you say initially, do you  
22 mean implemented first in production



23 facilities and then in other operating  
24 units?

25 A. I don't know what division was  
1 with Tony Hayward and others as to beyond  
2 the production facilities, where they  
3 intended across the company to have it  
4 implemented.

5 Q. You were the OMS and continuous  
6 improvement manager from early 2008 through  
7 May of 2009. Right?

8 A. Yes.

9 Q. This, what's the date on this  
10 Version 2 OMS framework, November 3, 2008?

11 A. Correct.

12 Q. Right smack in the middle of  
13 your tenure as the OMS and continuous  
14 improvement manager. True?

15 A. For the Gulf of Mexico, that's  
16 true.

17 Q. Back then, as the manager of OMS  
18 and continuous improvement and involved in  
19 this OMS system, you had no understanding  
20 of whether this OMS framework was to be  
21 implemented across all business units in  
22 the Gulf of Mexico?

Page 194:14 to 194:21

14 asking you as the former vice-president of  
15 HSS&E, the former manager of OMS and  
16 somebody who's been with the company for  
17 31 years and as an executive for Gulf of  
18 Mexico operational area, you know, don't  
19 you, that this framework was intended by BP  
20 to be implemented across every business  
21 unit in the Gulf of Mexico?

Page 194:25 to 194:25

25 At that time I did not.

Page 195:02 to 195:03

2 Q. You know that today?

3 A. I know that today?

Page 195:12 to 195:19

12 The fact is, this framework, OMS, was not  
13 meant to be implemented only on production  
14 facilities, it was meant to apply, be  
15 implemented, followed and updated as  
16 necessary in every operating unit in the  
17 Gulf of Mexico; right?

18 A. That is not accurate at that  
19 time. I cannot speak for BP as a company.

Page 199:16 to 199:23

16 Q. All right. List every segment  
17 of BP between early 2008 and March 11th,  
18 let's say, 2011 that was not required to  
19 implement this OMS system.

20 A. I'm not in a position to be able  
21 to list that. It's not my job  
22 responsibility, nor was it my understanding  
23 who was not. I can't give that to you.

Page 200:04 to 200:10

4 about common sense, you know, and based on  
5 your long history with the company, we  
6 know, don't we, that the operational  
7 sections, you know, drilling, production,  
8 all of those types of business units in the  
9 company were expected to comply with this;  
10 right?

Page 200:14 to 200:14

14 No, I cannot say that.

Page 200:16 to 200:22

16 Q. You don't know one way or the  
17 other?

18 A. I cannot tell you who was not  
19 and who was to do it exactly at that time.  
20 I have one area that I know I was  
21 responsible for doing, implementing, I was  
22 told to do for my job.

Page 203:12 to 206:03

12 Q. What I'd like you to do is tell  
13 us what lessons you've learned as the  
14 former OMS and continuing improvement  
15 manager and former vice-president of HSSE &  
16 Engineering for the Gulf of Mexico, tell us  
17 what lessons you've learned as a result of  
18 the death and destruction that occurred on  
19 April 20, 2010?

20 MR. MONICO:

21 Objection, form.

22 MR. LANCASTER:

23 Objection, form.

24 THE WITNESS:

25 It's an extremely broad, broad  
1 statement. There are many things that I  
2 feel deeply about as far as the people that  
3 are no longer with us.

4 I can't give you any specific  
5 lessons learned, though.

6 EXAMINATION BY MR. HASSINGER:

7 Q. Can you give me one specific  
8 lesson learned?

9 A. I think I need to understand the  
10 context that you're asking about as far as  
11 the lessons learned in particular to my  
12 role.

13 Q. You can't answer the question as  
14 I've asked it?

15 A. I have no opinion.

16 Q. Can you, as -- you're currently  
17 a vice-president of safety and operational  
18 risks; right?

19 A. Yes.

20 Q. As a vice-president of one of  
21 the biggest oil companies on the planet,  
22 can you tell me what lessons BP has learned  
23 as a result of the death and destruction  
24 that occurred on April 20, 2010?

25 A. I can't speak for BP.

1 Q. Can you list for me any lessons  
2 BP's learned as a result of the incident?

3 MR. MONICO:

4 Objection, form.

5 THE WITNESS:

6 I have no opinion as to lessons  
7 learned.  
8 EXAMINATION BY MR. HASSINGER:  
9 Q. None of the presidents and chief  
10 executive officers, none of those people  
11 above you have given you any information on  
12 that?  
13 MR. MONICO:  
14 Objection, form.  
15 EXAMINATION BY MR. HASSINGER:  
16 Q. Told you, here, vice-president,  
17 here are the lessons that we learned as a  
18 result of the catastrophe?  
19 MR. MONICO:  
20 Sorry. Objection to form.  
21 THE WITNESS:  
22 There could be specific  
23 documents passed on. I'd have to look at  
24 them.  
25 EXAMINATION BY MR. HASSINGER:  
1 Q. You don't remember any offhand?  
2 A. Not offhand. I'd like to look  
3 at them.

Page 207:02 to 207:06

2 Q. Have you read this OMS  
3 framework?  
4 A. I have read through it. I can't  
5 say I've read every single word.  
6 Q. Why not?

Page 207:16 to 207:17

16 Why haven't I not read every  
17 single word?

Page 207:19 to 208:04

19 Q. Yes.  
20 A. Because not every single  
21 requirement in there applies to what I do.  
22 Q. How do you know if you don't  
23 read it?  
24 A. I scanned through it and I  
25 looked at some of the requirements. I said

1 I didn't read every single word.  
2 Q. Do you have any plans to do  
3 that, read it, every single word?  
4 A. At this moment I have no plans.

Page 208:09 to 208:23

9 This OMS framework, in order to  
10 identify and mitigate risks, HSSE risks, it  
11 takes action. That is, you can't just  
12 identify dangers, you have to take specific  
13 actions to address those dangers; right?  
14 A. I agree that you do have to  
15 identify actions to address dangers that  
16 have been identified.  
17 Q. In other words, we don't want to  
18 just put nice PowerPoints together or draft  
19 a bunch of documents or slideshows, we want  
20 people out in the field actually doing  
21 something to mitigate the dangers; right?  
22 A. We always want people in our  
23 operations to be mitigating danger.

Page 209:10 to 209:11

10 Let's look at what's been  
11 previously marked as Exhibit 866.

Page 209:18 to 210:07

18 Q. This is a document titled Gulf  
19 of Mexico SPU operating plan, OMS handbook.  
20 You see that?  
21 A. Yes.  
22 Q. Updated December 3, 2008. You  
23 see that?  
24 A. Yes.  
25 Q. Have you ever seen this document  
1 before?  
2 A. Yes.  
3 Q. Have you read it?  
4 A. Yes.  
5 Q. Front to back?  
6 A. I have read every page at one  
7 point.

Page 210:11 to 210:17

11 Before we talk about those things  
12 specifically, explain to us what this  
13 document is, this operating plan.  
14 A. So this document is a  
15 description of how the Gulf of Mexico SPU  
16 production facility and functions operate  
17 for that given period of time.

Page 210:25 to 211:21

25 Q. -- Exhibit 866 was drafted  
1 because the OMS framework that we looked at  
2 a few minutes ago required that it be  
3 drafted. That is, it requires local  
4 entities throughout the company to draft  
5 OMS handbooks.  
6 A. It required it for the  
7 production facilities, I wanted to specify  
8 that.  
9 Q. All right. The page now,  
10 page 38 has at the top, it's a chart and it  
11 has at the top, priority SPU level gaps for  
12 2009.  
13 You see that?  
14 A. Yes.  
15 Q. What this is is a list, a gap  
16 assessment showing what things need to be  
17 corrected in the following months.  
18 Is that right?  
19 A. Not necessarily in the following  
20 months. They are identified as areas that  
21 were gaps.

Page 212:06 to 212:20

6 Q. Listen to my question. What's  
7 set out in the OMS framework in  
8 Exhibit 2396 sets out what's supposed to  
9 be; right? And the gaps identify what  
10 actually is?  
11 A. I wouldn't say the gaps are  
12 exactly what it is. They are the  
13 difference between meeting those  
14 requirements and how the MC is operating

15 the production facilities and functions at  
16 that time.

17 Q. In layman's terms, it's the  
18 stuff that isn't getting done that needs to  
19 be fixed and the stuff that's being done  
20 wrong that needs to be fixed. Right?

Page 212:24 to 213:04

24 No. I wouldn't agree with that.

25 EXAMINATION BY MR. HASSINGER:

1 Q. Why not?

2 A. You'd have look at each one  
3 individually and understand the context  
4 behind it. It's not that simple.

Page 214:07 to 216:10

7 Q. So before the break we started  
8 to look at Exhibit 866 which is the  
9 December 3, 2008 OMS handbook for the Gulf  
10 of Mexico SPU.

11 Turn to page 3. There's an  
12 introduction paragraph at the top and then  
13 the statement of intent. You see that?

14 A. Yes, I see it.

15 Q. The introduction tells us that  
16 this document outlines key aspects of how  
17 the Gulf of Mexico SPU delivers performance  
18 and manages risks on a regular basis;  
19 correct?

20 A. That's what it says.

21 Q. And the intent section of the  
22 document lays out the scope of the document  
23 and tells us that the SPU and this document  
24 applies to or includes exploration,  
25 production, development. You see that  
1 continuing on to the next page?

2 A. Yes, I see it.

3 Q. Would you turn to page 10. I'm  
4 sorry, it's not 10. Page 11. This is  
5 extremely confusing to me, so I'm going to  
6 ask you some questions about it.

7 A couple of paragraphs from the  
8 bottom, BP's Gulf of Mexico OMS handbook  
9 tells us that risk assessment and

10 management in the Gulf of Mexico was  
11 defined as a key gap area during the 2008  
12 SPU gap assessment process.

13 Do you see that?

14 A. I see it.

15 Q. And here's the key. There are  
16 many risk processes in action, but they  
17 have become too complicated and cumbersome  
18 to effectively manage. You see that?

19 A. Yes.

20 Q. You don't disagree with that; do  
21 you?

22 A. I don't disagree with, that  
23 there are a lot of risk processes.

24 Q. Do you agree that they have  
25 become too complicated and cumbersome to  
1 effectively manage?

2 A. I don't necessarily agree in all  
3 aspects of the business in every location  
4 or every team in the business that it was  
5 too complicated and cumbersome to manage.

6 Q. When risk assessment processes  
7 become too complicated and cumbersome to  
8 effectively manage, then you have an  
9 ineffective risk management process.

10 Isn't that true?

Page 216:13 to 216:19

13 THE WITNESS:

14 It doesn't mean that it's  
15 necessarily ineffective. I think it means  
16 it could be managed more efficiently. I  
17 can't say for sure, but it's a general  
18 statement so it doesn't apply to every  
19 aspect of the business.

Page 218:16 to 218:23

16 Q. In your estimation, the risk  
17 processes aren't too complicated and aren't  
18 too cumbersome?

19 A. No. What I had said is there  
20 were many risk processes and sometimes by  
21 having so many, they're identifying risks.  
22 But it then becomes what, in my opinion,



23 how these are then prioritized.

Page 220:19 to 221:04

19 Q. HAZOP, MAR, HAZID. Do you know

20 what those are?

21 A. Yes. Those are tools that can

22 help us assess risks in operations.

23 Q. Have you ever read a HAZOP?

24 A. No.

25 Q. A MAR?

1 A. Yes, I have read some reports in

2 the past.

3 Q. A HAZID?

4 A. No.

Page 223:01 to 226:08

1 Let's turn to page 38.

2 These are the gaps for 2009 that

3 we started to talk about a few minutes ago.

4 And so that the record's clear, these are

5 gaps between what the OMS system requires

6 and what is currently, then, at the time of

7 this writing, currently in place and needs

8 attention; right?

9 A. To clarify, these are gaps in

10 the function, in the production facilities,

11 the seven production facilities that were

12 identified in the scope up front.

13 In general, they are more of an

14 aggregated gap. We don't necessarily have

15 these gaps at every single facility.

16 Q. What you're saying is there is

17 no consistency among the various operating

18 units in BP Gulf of Mexico?

19 A. No. I didn't say that.

20 Q. The gaps are different from unit

21 to unit?

22 A. You could have variations on how

23 certain things are implemented or

24 performed.

25 Q. Show me in the beginning of the

1 document the production facilities that you

2 just referenced.

3 A. It's under the OMS scope.

4 Q. Give me a page, please.

5 A. It's page 4.

6 Q. All right.

7 A. Of the document, 158, Bates.

8 And it talks about it's being implemented

9 in eight of the BP operating facilities.

10 And it says Thunder Horse, which is one of  
11 the eight, will follow in 2009.

12 So there were seven, seven  
13 production facilities that this scope was  
14 for and those gaps were, that the analysis  
15 was done for.

16 Q. So in your estimation, what  
17 would be excluded from this?

18 A. The drilling and projects,  
19 exploration, subsea.

20 Q. Do you have any information that  
21 tells you that you can share with us, any  
22 information that tells you that the gaps in  
23 the drilling operations were fewer, less,  
24 better, more controlled than in these  
25 production facilities that you just  
1 referenced in 2008?

2 MR. MONICO:

3 Objection, form. Objection,  
4 form.

5 THE WITNESS:

6 I have not seen the gaps for the  
7 drilling and whether -- I don't know  
8 whether they have been compared, whether  
9 they're more or less, I have not done that.  
10 We did a phased implementation in the Gulf  
11 of Mexico. I can only speak for the Gulf  
12 of Mexico, for OMS.

13 So the first, as required by the  
14 company, the first facilities to go forward  
15 were the production facilities and drilling  
16 and exploration and some of the other  
17 entities in the Gulf of Mexico initiated  
18 OMS the following year.

19 EXAMINATION BY MR. HASSINGER:

20 Q. So the first section of BP's  
21 operations that this system was implemented  
22 in ended up revealing several major gaps in  
23 performance. Is that true?

24 A. I would not say they were major.

25 And this was particular to, at the  
1 functional level or aggregated up from some  
2 of those seven facilities, operating  
3 facilities, the production facilities.

4 Q. Do you agree with me that it's a  
5 really big problem if your people don't  
6 fully understand hazards, major hazards and  
7 risks, particularly your engineering and  
8 line operating personnel?

Page 226:16 to 227:25

16 Q. Well, let's look at this  
17 document, your company's document.  
18 Exhibit 866. You see the sub-element, risk  
19 assessment and management/process safety?

20 A. Yes, I do.

21 Q. This document identifies the  
22 need for stronger major hazard awareness.  
23 Do you see that?

24 A. Yes, I do.

25 Q. Do you have any evidence that  
1 your drilling operations in 2008 had a  
2 stronger major hazard awareness than the  
3 production facilities?

4 MR. MONICO:

5 Objection, form.

6 THE WITNESS:

7 I wasn't working with drilling  
8 and I don't know -- I didn't have the  
9 context or experience with drilling to know  
10 how they compared.

11 EXAMINATION BY MR. HASSINGER:

12 Q. Did you receive this document  
13 when it was published in 2008?

14 A. Yes.

15 Q. Then you would have read page 11  
16 at that time?

17 A. At that time I would have, yes.

18 Q. And I assume you would have been  
19 alarmed and recognized the need for  
20 immediate action to address these problems.  
21 Is that true?

22 A. I can't say I was alarmed at the  
23 time. There was -- I did work with staff  
24 to make sure that we were putting actions

25 in place.

Page 228:02 to 228:02

2 None of the items on page 11 alarmed you?

Page 228:04 to 228:05

4 You're referring to page 11 but  
5 you seem to be looking at page 38.

Page 228:07 to 228:08

7 I'm sorry, I said 11. 38.  
8 That's right. 38. Thank you very much.

Page 228:10 to 228:10

10 What's the question?

Page 228:12 to 229:12

12 Q. None of the problems identified,  
13 none of the gaps identified on page 38  
14 alarmed you?

15 A. I can't say at the time how I  
16 felt when I saw this.

17 Q. The items listed on page 38 are  
18 not significant enough for you to remember?  
19 Is that true?

20 A. I can't say at the time, you  
21 know, how I felt or what I did.

22 Q. Let's look at the statement, the  
23 problem statement related to risk  
24 assessment, again, on page 38.

25 You see that there?

1 A. Yes.

2 Q. Quote, it's become apparent that  
3 process safety major hazards and risks are  
4 not fully understood by engineering or line  
5 operating personnel. Insufficient  
6 awareness is leading to missed signals that  
7 precede incidents and response after  
8 incidents, both of which increases the  
9 potential for and severity of process  
10 safety related incidents.

11 Do you see that?

12 A. Yes, I see that.

Page 229:20 to 232:03

20 Q. We'll break it down a whole  
21 bunch of ways. Did you take any steps  
22 personally as the -- I guess you were the  
23 OMS and continuing improvement manager at  
24 the time; right?

25 A. Yes.

1 Q. Tell us, then, what steps you  
2 personally took to address this problem.

3 A. So one of the things that I  
4 personally did was to work with the teams  
5 to ensure that they got action plans in  
6 place to address these.

7 Q. Can you tell me what those  
8 action plans consisted of?

9 A. So one of the action plans was  
10 to form a team and go out to, I believe,  
11 two of the facilities, the team did, and do  
12 a deep assessment and interview and ask  
13 people sets of questions and sit with them  
14 and try to understand what was the basis,  
15 or what was their understanding so they  
16 would have a better frame for them to set  
17 in what actions to put in place.

18 Q. And so your people went out and  
19 talked to other people?

20 A. It wasn't just my people.

21 Q. Some people went out and talked  
22 to some other people?

23 A. That's one of the things that  
24 they did was, it wasn't just to talk to  
25 some people, it was to try to assess their  
1 awareness.

2 Q. Was their awareness assessed?

3 A. There was -- it was some things  
4 found as to degree of awareness or not.

5 Q. Can you give us any detail?

6 A. I can't remember. I didn't see  
7 the, the report coming out of there.

8 Q. You didn't?

9 A. No.

10 Q. Why not?

11 A. I can't answer at the time why.

12 Q. Did you, at any time after this  
13 document was given to you, did you ever see  
14 any reports showing the action, the walking  
15 the walk, what was done to address these  
16 problems?

17 MR. MONICO:

18 Objection, form.

19 EXAMINATION BY MR. HASSINGER:

20 Q. Did you ever see any reports on  
21 that?

22 MR. MONICO:

23 Objection, form.

24 THE WITNESS:

25 I've seen many actions put in  
1 place to address this over the past two or  
2 three years. I can't say there was one  
3 specific report.

Page 232:05 to 234:09

5 Q. The actions needed to address  
6 the problems identified on page 38, those  
7 actions were taken over a period of two to  
8 three years?

9 A. It's about continuous  
10 improvement and we keep improving on all  
11 the time and keep putting more actions in  
12 place to address it because you can't, you  
13 can't stop.

14 Q. Let's look at another document.  
15 Hold that one out, if you would.

16 This document was previously  
17 marked as Exhibit 785. At the top it says  
18 2010 SPU OMS gaps ranking matrix.

19 You see that?

20 A. Yes.

21 Q. Have you ever seen this before?

22 A. Yes.

23 Q. What is it?

24 A. It's a ranking matrix to  
25 determine prioritization of the gaps so you  
1 know which ones that you want to work on  
2 first or prioritize.

3 Q. When did you see this document  
4 for the first time?

5           A.     I believe it was in the fourth  
6 quarter of 2010.  
7           Q.     These are gaps that were  
8 identified when?  
9           A.     Sometime in 2010.  
10          Q.     Well, actually, these are gaps  
11 that were identified in the fourth quarter  
12 of '09 that were to be addressed in 2010;  
13 isn't that true?  
14                 Just like in the last document  
15 we looked at, Exhibit 866, this is an '08  
16 document but it gives the gap assessment  
17 things to be addressed in '09, the  
18 following months.  
19          A.     No. That's not true. These  
20 were gaps identified in 2010. Some could  
21 be carryovers from 2009 but this work was  
22 done in 2010.  
23          Q.     How do you know that?  
24          A.     I just remember seeing it in  
25 2010.  
1          Q.     Were you involved in the work  
2 that's reflected in this document?  
3          A.     To some degree.  
4          Q.     How so?  
5          A.     Some of my teams supported. You  
6 can see it says HSSE/engineering. Some of  
7 my teams supported the work to help  
8 identify some of the gaps and help  
9 prioritize.

Page 234:11 to 234:14

11       second page -- well, let's go to the first  
12 page first. It's another one of these  
13 color chart things that y'all do. Explain  
14 to us --

Page 234:18 to 235:13

18       Q.     -- how we read this matrix here.  
19       A.     The way that it's intended to  
20 read is that the gaps would be plotted on  
21 here relative to importance, the kind of  
22 sub-element, what its importance is, is to  
23 the business at that time. That year.

24                   And then what they identified.  
25 Not all gaps are equal as far as risk.  
1       Q.       Some are very low risk, you get  
2 to it when you get to it kind of thing.  
3 Other things are most dangerous, need to be  
4 addressed immediately; is that true?  
5       A.       I wouldn't use the word  
6 dangerous, but if they -- from a risk  
7 standpoint, they could be.  
8       Q.       And when we look at this matrix,  
9 the items that fall in the upper right  
10 corner in the maroon section, what's  
11 numbered as block No. 10, that's the  
12 highest priority, most important stuff?  
13       A.       Yes. This would have been for

Page 236:12 to 236:20

12       Q.       Do you have any information that  
13 you can share with us that tells us that  
14 drilling in the first quarter of 2010,  
15 prior to the death and destruction that  
16 occurred on April 20th, before then, do you  
17 have any evidence that the drilling folks  
18 were doing a much better job at assessing  
19 risks and dealing with these gaps than  
20 production?

Page 236:24 to 237:03

24 I don't have any information  
25 that I ever compared them together. I know  
1 that they had done a gap assessment and  
2 were assessing risks, but I never compared  
3 theirs to the ones here.

Page 237:05 to 238:02

5       Q.       Let's continue to the second  
6 page.  
7                   Here we have part of that matrix  
8 that shows the dark maroon blocks,  
9 primarily. You see that?  
10       A.       Uh huh.  
11       Q.       And it has little circles with  
12 letters in it. A, B, C, D, E, F and all



13 the little circles are different colors?  
14 A. Uh huh.  
15 Q. Light blue, gray, light purple,  
16 some would say magenta, Hank would say  
17 magenta, beige, black. You see that?  
18 A. Yes.  
19 Q. Everything up in square 10,  
20 those are the most important things?  
21 A. Those were identified on this  
22 sheet as the most important things that  
23 somebody identified.  
24 Q. Identified as the highest risk,  
25 the highest priority, those items that  
1 present the greatest risk of danger.  
2 Is that true?

Page 238:06 to 240:21

6 No. I would not use the word  
7 danger.  
8 EXAMINATION BY MR. HASSINGER:  
9 Q. Why not?  
10 A. Because I'd have to read each  
11 one and assess whether it was an immediate  
12 danger.  
13 Q. You haven't done that up to this  
14 point?  
15 A. Not in that context, I haven't.  
16 Q. All right. All of the light  
17 blue circles up in the highest importance  
18 block relate to procedures and practices.  
19 You see that?  
20 A. Yes, I do.  
21 Q. And one, two, three, four, five,  
22 six, seven are HSSE engineering.  
23 Is that true?  
24 A. I see six. And then I see one  
25 with HSSE in it, so six and a half.  
1 Q. All right. I'll give you the  
2 half.  
3 A. Okay.  
4 Q. Does that mean that the gap  
5 that's identified is a gap in processes or  
6 systems in HSSE?  
7 A. I'd have to read each one. It,  
8 it -- to understand it. It could be the

9 engineering, HSSE in engineering identified  
10 gap and another team, also. It doesn't  
11 have to just be HSSE engineering. It could  
12 be that team identified a gap.

13 Q. Have you ever read this before?

14 A. Yes.

15 Q. Did you understand it when you  
16 read it?

17 A. At the time I did.

18 Q. All right. What was your  
19 understanding of what HSSE/engineering  
20 meant when it was in the column next to,  
21 for example, all the light blue circles  
22 that are rated as most important to  
23 address?

24 A. As I just said, it meant that  
25 the HSSE and engineering team may have  
1 identified a gap in another team's  
2 requirements. It doesn't necessarily mean  
3 it's an HSSE engineering requirement.

4 Q. So you say it may mean that. At  
5 this point you're not sure?

6 A. Well, there's seven of them on  
7 here, so you need to walk through each one.

8 Q. All right. Let's start with,  
9 let's pick a good one. Since we're running  
10 short on time, we'll pick -- let's see.

11 3.3 B. Turn to 3.3 B. That's the pink  
12 one. Activities associated with  
13 hydrocarbon risks are not totally  
14 understood by offshore staff and  
15 engineering.

16 Now, when you read this and you  
17 read that line in particular in 2010, you  
18 were alarmed; weren't you?

19 A. No. I can't say I was alarmed  
20 when I read that.

21 Q. Seriously?

Page 241:01 to 241:03

1 THE WITNESS:

2 I told you I cannot say I was  
3 alarmed when I read that at that time.

Page 241:05 to 243:21

5 Q. Are you alarmed when you read it  
6 now?

7 A. I understand it and I understand  
8 the actions that we have in place to  
9 mitigate that.

10 Q. When did BP implement actions to  
11 fix the problem of hydrocarbon risks not  
12 being totally understood by its offshore  
13 staff and engineering personnel?

14 A. Can you explain that to me? Can  
15 you say that again, when did what?

16 Q. You told me that you're not  
17 alarmed today because you know that BP has  
18 implemented some mitigation to address this  
19 problem.

20 A. I didn't say implemented, I said  
21 we're implementing.

22 Q. All right. Let me ask this --

23 A. We are continually  
24 implementing --

25 Q. Got you.

1 A. -- actions to improve in this  
2 area.

3 Q. Are you aware of any steps that  
4 BP has implemented, has implemented at any  
5 time since early 2008 to make sure that its  
6 offshore staff and engineering personnel  
7 totally understand activities associated  
8 with hydrocarbon risks?

9 A. This gap assessment in this  
10 particular gap is specific to our  
11 production facilities. So I can speak to  
12 those.

13 We have required all of the team  
14 leaders and OIMs in our production offshore  
15 facilities to attend a safety culture  
16 two-day training leadership. They've  
17 attended other operations, courses with  
18 process safety focus and training. We  
19 investigate hydrocarbon leaks.

20 We review the investigation  
21 reports of these hydrocarbon leaks with the  
22 engineering staff and the other area  
23 operations managers. And develop actions  
24 to look at to improve.

25                   Those are just a couple of the  
1   things, two or three things.  
2       Q.       Those things that you just  
3   listed for me, the safety culture training  
4   leadership and all that other stuff you  
5   just said, those are things that have been  
6   implemented as a result of this gap  
7   assessment?  
8       A.       They are things that have been  
9   implemented over the last few years. You  
10   know, we are continuously implementing  
11   things. It's a continuing process.  
12       Q.       The safety culture training and  
13   leadership, that was implemented when?  
14       A.       That particular training was  
15   implemented in January.  
16       Q.       Of what year?  
17       A.       Or initiated. This year.  
18       Q.       January 2011?  
19       A.       Yes. That's one thing.  
20       Q.       All right. Bear with me for a  
21   minute. Look at 2.5 --

Page 243:24 to 244:01

24   THE WITNESS:  
25                   -- purple section, working with  
1   contractors.

Page 244:05 to 245:15

5       Q.       F is lack of systematic process  
6   to verify contractor employee competency  
7   post initial verification. You see that?  
8       A.       Yes.  
9       Q.       G is a lack of process to  
10   confirm contractor embedment of ETPs, SOPs  
11   and lessons learned.  
12               What does, what's the problem  
13   identified in 2.5 F?  
14       A.       I believe there's a problem and  
15   I was informed or identified this gap. I  
16   believe what they're referring to, the  
17   person that did it, write this, was that  
18   once the contractor's competency is  
19   assessed and they come to work for us,

20 they're currently -- we have a lack -- or  
21 at the time this was written, had a lack of  
22 a process to go back and continually  
23 reverify.

24 Q. You have a process for that in  
25 place now?

1 A. I believe it's being worked. I  
2 can't say for sure.

3 Q. Being worked, what does that  
4 mean? In place or being done?

5 A. The action. I can't tell you.  
6 I don't know the status of this particular  
7 one.

8 Q. All right. So you don't know if  
9 that one's been addressed or not?

10 A. I can't tell you.

11 Q. What about G, what does that  
12 mean in simple terms?

13 A. That particular one, I can't  
14 answer. I don't know exactly what that one  
15 means.

Page 246:04 to 248:19

4 Q. You have Exhibit 866 in front of  
5 you?

6 A. Yes.

7 Q. That's the operating plan for  
8 the Gulf of Mexico SPU?

9 A. Yes.

10 Q. We were talking about this a few  
11 minutes ago. Look on the front cover  
12 there, document owner, it says initial T.  
13 Joslin and C. Skelton. Is that you?

14 A. One of them's me.

15 Q. What does that mean, you're the  
16 owner of this document, Exhibit 866?

17 A. It means I'm part of the control  
18 on it as far as who can change it and who  
19 can't. So people can't just access it and  
20 change it up. They have to come through me  
21 to approve changes.

22 Q. Is Joslin a man or a woman?

23 A. She's a woman.

24 Q. So you and Ms. Joslin wrote this  
25 document?

1           A.     We didn't write all the  
2 document. We had others write their pieces  
3 as it pertained to their area and we  
4 collected it all and put it in this format.

5           Q.     Did you approve each of the  
6 sections that these other folks put  
7 together for you?

8           A.     Not necessarily. If it was  
9 their section, they owned it. I might  
10 question how it was worded if it wasn't  
11 clear, but I'm not going to reword, say,  
12 somebody else's section. I left it just  
13 not clearly written.

14          Q.     I assume the really important  
15 parts of this document, you looked at it  
16 before you decided to include it in this  
17 document? You looked at the draft that  
18 whoever it is sent to you, make sure it was  
19 complete and accurate and so forth?

20          A.     I did look at the draft.

21          Q.     Ms. Joslin, what was her  
22 position back in December 2008?

23          A.     She worked in my team and she --  
24 I can't remember her exact title. It might  
25 have been an OMS advisor. She was an  
1 individual contributor that helped with the  
2 process to implement OMS.

3          Q.     Was one of your responsibilities  
4 as OMS and continuing improvement manager  
5 in 2008 to put together this OMS handbook?

6          A.     One of my responsibilities was  
7 to ensure it was put together and get the  
8 various participants in the business to  
9 write their section and then get it  
10 coordinated. So it was more of a  
11 coordination role.

12          Q.     Even in a quote coordination  
13 role, you understand that you have a  
14 responsibility as the manager to make sure  
15 things are accurate, timely, complete and  
16 address the issues that need to be  
17 addressed; right?

18          A.     No. Not necessarily in that  
19 role.

13 Q. But anyway, Ms. Skelton, will  
14 you tell us what the major accident risks  
15 for D&C are in the Gulf of Mexico?

16 A. Can you tell me what year and in  
17 what context?

18 Q. How about on April 19, 2010?

19 A. I didn't have the specific  
20 information for registers from drilling.

21 Q. So you can't tell us as you sit  
22 here today what the major accident risks  
23 were for D&C in the Gulf of Mexico in  
24 April 2010?

25 A. I can't tell you specific to  
1 each facility what the major accident risks  
2 were.

3 Q. Are you aware of any major  
4 accident risks that are common to all D&C  
5 operations in the Gulf of Mexico?

6 A. Yes.

7 Q. What are they?

8 A. It was loss of well control.

9 Q. That's it?

10 A. That's the only one that I've  
11 ever seen, other than a common risk that  
12 occurs across all the operations like  
13 helicopter crash or like a major marine  
14 vessel that could collide with a production  
15 facility or a rig. Or a MODU collision  
16 that went loose in a hurricane.

Page 253:09 to 255:13

9 Q. Going back to the documents that  
10 we had referred you this morning, what you  
11 remember is 2393, it's entitled Gulf of  
12 Mexico SPU major hazards risk management  
13 system. What does SPU mean?

14 A. At the time, strategic  
15 performance unit.

16 Q. What does that encompass? In  
17 other words, is that everything that  
18 happens in the Gulf of Mexico for BP, or is  
19 it a portion of what happens in the Gulf of  
20 Mexico?

21 A. I'm trying to remember if it

22 changed at different periods or different  
23 years.

24 Q. Well, to refresh your memory,  
25 the year --

1 A. At this time?

2 Q. Of course, let's recall that you  
3 sent this document on Monday, December 3rd,  
4 2007. Now, that does not -- and if you  
5 look at the document itself, there is a  
6 December 2007 date on the document itself.  
7 Okay.

8 A. So I believe from my  
9 recollection from 2007 that SPU in the Gulf  
10 of Mexico included the eight production  
11 facilities, and there was an exploration  
12 team.

13 Q. Right. Well, of course that's  
14 where I was going.

15 A. All right.

16 Q. I'm sorry, I didn't mean to  
17 interrupt, step on your answer.

18 Does this document include  
19 drilling by subcontractors like Transocean  
20 who would employ a rig like the HORIZON to  
21 drill for BP?

22 A. I'd have to walk through the  
23 specifics slides to get the context of who  
24 it would apply to. I know for sure it  
25 applied to the eight producing facilities.

1 Q. Right.

2 A. I can't remember the extent  
3 beyond that.

4 Q. Okay.

5 A. But it may be in here.

6 Q. All right. We'll walk through  
7 it in a second. But as we sit here today  
8 and without you having had an opportunity  
9 to walk through it completely, you don't  
10 know whether this document applies to the  
11 drilling, let's call it, it's exploration,  
12 it's exploration and completion.

13 Isn't that correct?

Page 255:16 to 256:17

16 EXAMINATION BY MR. BRUNO:



17 Q. Is that what it's called?  
18 A. No. At that time I don't know  
19 what the rig was called.  
20 Q. Well, if I describe exploratory  
21 drilling, will you know what I mean?  
22 A. Generally.  
23 Q. Okay.  
24 A. Yes.  
25 Q. And so when I ask you does this  
1 document cover exploratory drilling, either  
2 done by BP or on its behalf by a  
3 subcontractor, you don't know whether this  
4 document covers that because you haven't  
5 had a chance to go through it?  
6 A. That's correct and I can't  
7 remember. I mean, it may be in here.  
8 Q. All right. So now, having  
9 established that, what is the purpose of  
10 this document?  
11 A. I believe, if I remember  
12 correctly, it was a means to communicate or  
13 discuss with a group, and I can't remember  
14 if it says which group that it was  
15 developed for, to communicate, it was a  
16 means to explain the process for risk  
17 management, the risk management system.

Page 256:22 to 257:12

22 Q. Can you help us understand what  
23 your role may have been with regard to this  
24 document in any respect?  
25 A. At the time I may have -- and I  
1 can't remember for sure -- helped to edit  
2 or cocreate or present. I can't remember  
3 that far back.  
4 Q. Is it fair for me to conclude  
5 that you had the expertise to edit the  
6 document like this?  
7 A. It depends on which section.  
8 Q. Is it fair for me to conclude  
9 that you had the requisite expertise to  
10 make a presentation with this document?  
11 A. At a general high level, I think  
12 I would.

Page 257:17 to 258:03

17 Q. Cocreate. So, and you also  
18 believe as you sit here today that you  
19 would have had the experience and training  
20 and knowledge to be a co-creator of this  
21 document; is that true?

22 A. No. I said there might be  
23 certain pieces of it that I may have done,  
24 or helped with. Not the entire thing.

25 Q. Now, do you know to whom this  
1 presentation would have been made back in  
2 December of '07?

3 A. I can't recall exactly.

Page 258:06 to 258:08

6 Q. All right. If you look at  
7 page 2, and unfortunately it's going to be  
8 page 2 of the non-colored version.

Page 259:03 to 264:10

3 Q. That's why -- the only speaker  
4 notes that I can find in the whole  
5 presentation was page 2. I didn't find any  
6 other speaker notes.

7 But it says speaker notes. Is  
8 that a page like this accompanied by  
9 slides? Does that help you remember what  
10 this thing was all about?

11 A. I mean, I vaguely remember what  
12 it was. I can't specifically remember if  
13 this was a final copy or who the  
14 presentation was given to or by whom. I  
15 vaguely remember the slides, though.

16 Q. Well, it says that it came into  
17 effect on the first of September, 2007.

18 Do you remember that?

19 A. It says the risk management  
20 policy came into effect on the first of  
21 September, 2007, not this.

22 Q. Okay. And many have received  
23 presentations from leadership outlining the  
24 policy expectations?

25 Do you know what that means,

1 what reference is being made there?  
2 A. Exactly what it says. I mean,  
3 it just says many, I assume it means many  
4 in the business.  
5 Q. All right. So the policy is  
6 different from this presentation?  
7 A. Yes.  
8 Q. Is there a written -- forgive  
9 me. Was there a written major hazards and  
10 risk management policy in December of 2007?  
11 A. Yes.  
12 Q. And obviously, this is not that  
13 document; is that correct?  
14 A. Correct.  
15 Q. Okay. And did you have any role  
16 in the creation of that document?  
17 A. Yes.  
18 Q. What role did you have?  
19 A. I helped in editing in some of  
20 the language.  
21 Q. All right. So, again, not  
22 meaning to be rude, but you are just asking  
23 as an editor? I mean, are you looking for  
24 language changes and to improve the  
25 presentation, or are you offering technical  
1 expert input into the document?  
2 A. No. I didn't offer technical  
3 expert. It was more from a management  
4 review of the document to make sure the  
5 language was clear and addressed the things  
6 that I felt were necessary.  
7 Q. Okay. And to put this into  
8 context, at that time you are the S&OI --  
9 A. Uh huh.  
10 Q. -- person?  
11 A. Uh huh.  
12 Q. Which was what, again?  
13 A. Safety and operational integrity  
14 program manager.  
15 Q. And what did you do in that  
16 capacity?  
17 A. In that role, at that time in  
18 2007 I was responsible for coordinating at  
19 a functional role the -- this is the  
20 processes necessary for implementation of  
21 our integrity management standard.

22 Q. Okay. So that sounds like you  
23 would receive information from those who  
24 would report and kind of put it together in  
25 these kinds of presentations?

1 A. No. We had a standard that was  
2 to be implemented over a three-year period.  
3 Called the integrity management standard.

4 Q. All right. Does this  
5 presentation fit into that in any way?

6 A. Aspects of this presentation  
7 did. The risk management policy was a  
8 requirement under that standard.

9 Q. Okay. Now, it says here that  
10 there are five boxes.

11 Are you familiar with these  
12 five boxes which are referenced?

13 A. Yes.

14 Q. All right. And why would you be  
15 familiar with them? How did that  
16 familiarity relate in any way to your work  
17 as the S&OI manager?

18 A. I believe I remember working  
19 with another couple of individuals to help  
20 create this continuous improvement loop.  
21 To continuously reduce risk and try to put  
22 words against each of these as to what they  
23 meant.

24 Q. All right. And when you say you  
25 worked to create the loop, are you  
1 describing the demonstrative here or are  
2 you saying that you were a person who  
3 created the concept of this loop?

4 A. I didn't create the concept of  
5 that loop. It actually comes from the  
6 operations management system.

7 Q. I'm with you there but I'm just  
8 trying to learn. Are you just, frankly,  
9 the person who's making these pictures, or  
10 are you more than that?

11 A. I helped to put the words in the  
12 policy. As I said previously, I helped to  
13 comment, edit, cocreate some of the  
14 language in the policy that goes along with  
15 the picture.

16 Q. Well, so, for example, would you  
17 have suggested that hazard identification,

18 risk assessment and prioritization would be  
19 a good component part of this system?

20 A. Yes.

21 Q. Okay. And help me understand,  
22 by training or experience, where you get  
23 the knowledge to reach such a conclusion.  
24 Is that something you learned in school, is  
25 that something you learned on the job, is  
1 that something was taught to you by  
2 superiors? Where does that knowledge base  
3 come from?

4 A. Well, I think I need  
5 specifically what you're asking because you  
6 said is that an important part of a risk  
7 management policy and I think, yes. I  
8 mean, I think common sense and experience  
9 tells you, yes, hazard identification is a  
10 key component.

Page 265:25 to 266:19

25 Q. All right. So you've got an  
1 engineering background, you're doing a  
2 whole lot more than just editing for  
3 grammar; isn't that true?

4 A. I told you I helped cocreate and  
5 comment. I didn't say I just edited for  
6 grammar.

7 Q. Okay. Perhaps I got the wrong  
8 impression and I apologize for that.

9 So it is your belief that hazard  
10 identification, risk assessment and  
11 prioritization is an important component  
12 part of a major hazards risk management  
13 system. Isn't that correct?

14 A. I do believe it's an important  
15 part of a risk management system.

16 Q. Okay. And why?

17 A. Well, you can't implement the  
18 controls or take action if you haven't  
19 identified the risks or prioritized it.

Page 267:15 to 267:17

15 Q. All right. Now, help us  
16 understand, what are the triggers that are

17      referenced in here again? You might

Page 268:04 to 268:13

4           Q.      Does that mean that there are  
5      certain things that trigger the need for  
6      hazard identification, risk assessment and  
7      prioritization?

8           A.      What it was referring to was  
9      that these could be some of the triggers  
10     that you would want to look at or consider  
11     every year, or periodically to see if  
12     there's any new risk that you should be  
13     assessing.

Page 269:03 to 270:25

3      Then from triggers there are  
4      some arrows pointing to the right and it  
5      talks about tools. Can you help us  
6      understand what that means, the tools, or  
7      what that refers to?

8           A.      Well, they're just different  
9      tools or assessments that can be done.  
10     There also could be a trigger, and they can  
11     be done to assess risks on a facility, or  
12     hazards. And they may come up with new  
13     findings that you hadn't seen before to  
14     help you identify these.

15          Q.      Okay. And then the arrow  
16      points, again, to this major hazard and  
17      risk register. What is that?

18          A.      It's a matrix that the company  
19      uses to plot risks based on severity or  
20      frequency.

21          Q.      All right. Now, this whole  
22      subject is called major hazards.

23                 What is the meaning of that  
24      phrase, major? Is there something, for  
25      example, called a minor hazard or other  
1      hazard?

2           A.      I can't give you the exact  
3      definition. It may be defined somewhere.  
4      But in my own words?

5           Q.      Sure.

6           A.      I wouldn't consider a sprained

7 ankle type of risk, a risk that could  
8 create a sprained ankle or a strained back  
9 such as, you know, from lifting a heavy  
10 box, the risks that could present itself or  
11 the event that would fit on this.

12 This would be things such as a  
13 potential -- could be, as I mentioned  
14 earlier, a MODU that could be loose from a  
15 hurricane with the potential to possibly  
16 hit a facility. That could be what we  
17 would call a major hazard.

18 Q. So we're not talking about a  
19 dropped objects kinds of things. We're  
20 talking about -- well, I hate to use the  
21 word major in the definition of major, but  
22 a catastrophic type of risk that could  
23 cause large loss of property or loss of  
24 life. Wouldn't that be fair for us to  
25 conclude from this?

Page 271:04 to 271:06

4 It's meant to identify things  
5 that could be significant in to maybe  
6 multiple injuries.

Page 271:13 to 271:21

13 Q. And this obviously would include  
14 a catastrophe like the catastrophe that  
15 occurred April 20th of last year; right?

16 A. It's one of the potential events  
17 that it could include.

18 Q. All right. Let's go to the next  
19 slide, which for the record's sake is Bates  
20 number 622 of the same exhibit number. And  
21 it's this slide here.

Page 271:23 to 272:20

23 Q. Okay. Now, here we see a 2006  
24 higher risk area summary. Just based upon  
25 your knowledge of the document, such as it  
1 is, can you tell us what information is  
2 conveyed here?

3 A. It looks to be a summary of

4 the -- what would, at the time, someone's  
5 assessment of what they considered the  
6 highest risks in 2006.

7 For that, for the Gulf of Mexico  
8 business. And it's got some activities  
9 that occurred in 2007.

10 Q. Okay. You see, what confused me  
11 about this was I couldn't understand  
12 whether or not this document was based upon  
13 things that had occurred in 2006 or whether  
14 or not this was someone's assessment of  
15 what risks they were able to define by  
16 simply understanding the business.

17 Do you know whether or not this  
18 piece of paper is totally based upon past  
19 experience, or is it based upon a risk  
20 assessment?

Page 272:24 to 272:25

24 I believe, in my opinion, it's  
25 based on a risk assessment.

Page 273:02 to 275:20

2 Q. And for the record, what is risk  
3 assessment as you understand it?

4 A. Well, there's different ways to  
5 assess risk. There's many different ways.

6 Q. I know there may be a variety of  
7 ways but all of the ways have the same  
8 goal; don't they?

9 A. To identify potential risks.

10 Q. Okay. Right. And does this  
11 help you understand whether or not this  
12 whole document relates to exploratory  
13 wells?

14 A. I don't know if it does or if it  
15 doesn't. It could but I can't say for  
16 sure.

17 Q. All right. Hydrocarbon release  
18 topsides. Do you know what that means?

19 A. Generally it would be a release  
20 on the top side of a facility. Versus  
21 subsea.

22 Q. Okay. And by the way, I should



23 ask, is it your belief that this is all  
24 Gulf of Mexico area, or are we talking  
25 about a larger area than the Gulf of  
1 Mexico?

2 A. I believe this pertains to the  
3 Gulf of Mexico.

4 Q. Can we conclude, then, it  
5 relates to offshore?

6 A. I believe it does.

7 Q. Okay. Would a hydrocarbon  
8 release topside be something that would  
9 describe the catastrophe that occurred in  
10 April of last year?

11 A. It could describe that.

12 Q. The next item is hydrocarbon  
13 release and they have in paren, blowouts,  
14 close paren.

15 What does that refer to?

16 A. I don't believe that I  
17 necessarily wrote this, so I'm not exactly  
18 sure, but I believe it would be the blowout  
19 of a well, resulting in a hydrocarbon  
20 release.

21 Q. And would that describe the  
22 catastrophe which occurred last year on  
23 April 20th?

24 A. Yes, it could.

25 Q. Quickly, the bottom three,  
1 hydrocarbon release from the riser. What  
2 is your appreciation of what that means?

3 A. As far as I know, the way that I  
4 would describe that could be a release from  
5 the, the pipe that goes up into the  
6 facility, the riser that carries  
7 hydrocarbons, carries it from the facility  
8 to the seabed floor.

9 Q. And does that describe in any  
10 way the catastrophe that occurred on  
11 April 20th last year?

12 A. I don't know enough about that  
13 one to know if it was the riser.

14 Q. Okay. Thank you. Loss of  
15 facility stability, what does that refer  
16 to?

17 A. It could be if potential for a  
18 facility to lose the stability and start to

19 lean, or it could potentially, you know,  
20 sink.

Page 276:03 to 276:05

3 Now, do you have any knowledge  
4 as to when the risk of hydrocarbon release  
5 is at its highest for a topside release?

Page 276:09 to 276:09

9 Could you be more specific?

Page 276:11 to 277:23

11 Q. Well, for example, some say the  
12 highest risk is when you transition from  
13 exploratory drilling to production, or to  
14 temporary abandonment. It's that  
15 transition period.

16 And I'm just asking you, without  
17 being specific to that question, if you  
18 have an opinion as to when these kinds of  
19 risks are at their highest?

20 A. I don't have any expertise in  
21 drilling so I couldn't answer it.

22 Q. Do you have any expertise in  
23 risk assessment?

24 A. Not deep, deep expertise, no.

25 Q. All right. But you have a  
1 general knowledge of the need for risk  
2 assessment?

3 A. Yes.

4 Q. And your role as the S&OI person  
5 was to do what, if anything, with regard to  
6 risk assessment? What was your job as it  
7 related to risk assessment?

8 A. There was a requirement in the  
9 integrity management standard to develop a  
10 policy for the business.

11 Q. All right.

12 A. Around risk management. And how  
13 it would be done on an ongoing basis. And  
14 there was a requirement to develop risk  
15 registers.

16 Q. Now, not having expertise to the

17 degree necessary, for example, to evaluate  
18 the risk of the transition from exploratory  
19 well to a temporary abandonment, you've  
20 acknowledged that.

21 How, then, can you do your job  
22 with regard to communicating these risks,  
23 as you just pointed out?

Page 278:01 to 279:05

1 THE WITNESS:

2 It wasn't my job to assess the  
3 risk.

4 EXAMINATION BY MR. BRUNO:

5 Q. Well, you said that you -- your  
6 job was to develop a policy for the  
7 business; right?

8 A. (Witness nods head).

9 Q. Well, if you're developing a  
10 policy for the business, you have to have  
11 some understanding of the nature of risk  
12 within the Gulf of Mexico area; right?

13 A. I didn't particularly have to  
14 have that expertise myself. There were  
15 others in the organization that did have  
16 that expertise.

17 Q. All right. And they brought  
18 that information to you in order to help  
19 you do your job?

20 A. In order to help all of us do  
21 our jobs here.

22 Q. Okay. Well, help me understand  
23 how that works. I mean, I realize that  
24 you're not the person who would be most  
25 knowledgeable about drilling, you're not  
1 the most knowledgeable about, perhaps, even  
2 production.

3 How does what those people know  
4 relate to what you do? Help me understand  
5 that.

Page 279:08 to 281:10

8 THE WITNESS:

9 Can you be more specific about  
10 what I do when?

11 EXAMINATION BY MR. BRUNO:

12 Q. Well, you just told me that you,  
13 you are developing a policy, which to me is  
14 pretty important stuff. Is that important  
15 to develop a policy?

16 A. Yes.

17 Q. It's very important?

18 A. (Witness nods head).

19 Q. So this policy has to be  
20 understood and put in and implemented by  
21 everybody in the Gulf of Mexico; right?

22 A. There were -- not everybody in  
23 the Gulf of Mexico. There were certain  
24 aspects.

25 Q. But a whole lot of folks; right?

1 A. Correct. Yes.

2 Q. And we're talking about, you  
3 know, trying to prevent explosions like  
4 that which occurred on the HORIZON; right?

5 I mean, it's not nickel and dime  
6 stuff, this is serious business.

7 So I am trying to learn how you  
8 do your job in creating policy, which we  
9 recognize to be such an important job,  
10 without having this specific knowledge of  
11 these specific risks.

12 What is the process that you use  
13 to do the job of developing policy?

14 A. I bring in expertise, expertise  
15 as I've already said, that have experience  
16 in risk assessment and process safety to  
17 develop this. And there were guidelines as  
18 set out in our integrity management  
19 standard as to what is expected to be  
20 in the policy.

21 Q. All right. So your contribution  
22 to this process would be what? They come  
23 to you and they say okay, we got rigs over  
24 here, we got production facilities over  
25 here. And then they tell you. So what do  
1 you do with that information?

2 A. Are you speaking about  
3 developmental policy?

4 Q. Yes, ma'am.

5 A. Okay. Well, that's not part of  
6 what they do and come to me.

7 Q. Well, that's why I'm struggling.  
8 A. Okay.  
9 Q. I want to know how do you  
10 develop the policy? What is the process?

Page 281:22 to 281:22

22 Q. So how do you do it?

Page 282:01 to 282:24

1 As I said for the third time, I  
2 had requirements in the integrity  
3 management standard that laid out what we  
4 needed to do to provide risk management  
5 policy. There were guidelines, I had  
6 experts sit down and talk about how we're  
7 going to develop these risk registers, what  
8 documents to process on how we do this.  
9 I coordinated the effort. I got  
10 the expertise to start to draft the  
11 process. There are many others that then  
12 have additional expertise to review the  
13 process and comment.  
14 EXAMINATION BY MR. BRUNO:  
15 Q. All right. Well, let's go to  
16 the next document, which is 623. This one  
17 says major hazard and risk register  
18 generation.  
19 So I guess this information,  
20 this is where the information comes from in  
21 order to create this risk register?  
22 Is that accurate?  
23 A. Yes. That's how I would  
24 interpret it.

Page 286:23 to 287:15

23 Q. All right. Well, but this is  
24 the risk register generation slide so this  
25 tells us how the risk register was  
1 generated; right?  
2 A. Not for wells or drilling.  
3 Q. Okay. Well, it says deepwater  
4 risk reviews. What's that refer to?  
5 A. I can't say explicitly but I

6 believe it included things that were  
7 extraordinary to working in deepwater like  
8 some of our subsea systems, some of the  
9 flex joints and materials with some of the  
10 pipe.

11 Q. Okay. All right. Now, based  
12 upon your knowledge of risk assessment, is  
13 it a, an appropriate practice to do a risk  
14 assessment based solely upon past  
15 experience?

Page 287:19 to 287:22

19 I think I indicated here on this  
20 first slide that I would look at these  
21 triggers, not just -- and some of this does  
22 include past experience.

Page 289:13 to 290:17

13 Q. Okay. Let's see. All right.  
14 All right. The question was: Based upon  
15 your knowledge, is it appropriate to do a  
16 risk assessment solely, and I said that's  
17 the key word here, solely on past  
18 experience?

19 That was the question.

20 A. I agree, it's not a good thing  
21 to just do risk assessment based upon past  
22 incidents only.

23 Q. Okay.

24 A. And where I wanted to clarify  
25 was the word experience. And so your  
1 definition of experience and my definition  
2 of experience were probably not the same.  
3 And so you always want to look at potential  
4 incidents that could occur.

5 Q. I'm sorry, I didn't know what  
6 you referenced with experience. When I use  
7 the word experience, I said based on your  
8 experience and training. I meant your body  
9 of knowledge. I wasn't using the word  
10 experience in any other respect.

11 A. But you're assuming, then, that  
12 I'm the one doing the assessment so I  
13 didn't do the assessment.

14           Q.     No. No, ma'am. I'm not  
15 assuming that at all. I asked you for your  
16 opinion as a person sitting in that chair,  
17 based upon what you know. Don't overthink

Page 290:22 to 291:12

22 When I say experience, I mean  
23 you, based upon the degree that you got,  
24 based upon the time that you have been  
25 employed by your company and other  
1 companies. Based upon the books that  
2 you've read, based upon the TV that you've  
3 watched. I asked your opinion. So I  
4 wasn't asking you anything about  
5 experience.  
6           So just for this record to be  
7 crystal clear, you're agreeing with me that  
8 you don't do risk assessments solely on  
9 past experiences, that is, based upon those  
10 things that have occurred in your business  
11 or in other businesses in the past; right?  
12         A.     Not solely.

Page 292:15 to 292:21

15 I said the whole purpose is to,  
16 when you do risk assessment, is to try to  
17 understand what hazards may present  
18 themselves in the future, based upon your  
19 understanding of the process that you're  
20 evaluating? That's all I asked you.  
21           Isn't that true?

Page 292:24 to 292:25

24 THE WITNESS:  
25           I said yes.

Page 293:05 to 307:04

5 THE WITNESS:  
6           You assess risk based on  
7 experience and you also base it on things  
8 that could potentially occur. And some of  
9 those are from experiences in the industry

10 and other parts of the world, such as  
11 terrorist attacks have occurred in other  
12 places but not necessarily in the Gulf of  
13 Mexico. So we do assess risks for  
14 potential terrorists attacks, even though  
15 they never occurred.

16 EXAMINATION BY MR. BRUNO:

17 Q. All right. Now, let's go to the  
18 next slide, which is something called the  
19 integrity management standard risk matrix.

20 A. Can you tell me which Bates  
21 number you're looking at so I can --

22 Q. 624.

23 A. -- refer to it?

24 Q. The very next one. Is it  
25 missing?

1 A. No. I just wanted to tie it up  
2 with the color one.

3 Q. Yes. This one's kind of hard to  
4 read.

5 A. Uh huh. Okay.

6 Q. Can we get a piece of paper or  
7 something?

8 A. I'm fine.

9 Q. What is this?

10 A. Okay. This is a matrix that was  
11 being used in the exploration and  
12 production part of the company at this time  
13 in 2007. For the different entities to be  
14 able to plot their risks against each  
15 other.

16 Q. Okay.

17 A. The prioritization of severity.

18 Q. So this document does include  
19 exploration; right?

20 A. You mean does it include it or  
21 could it be used for it?

22 Q. No. This includes exploratory  
23 drilling.

24 A. Where does it say that?

25 Q. Well, E&P, what does that refer  
1 to?

2 A. Exploration and production. But  
3 there's a lot of operated even in  
4 exploration and production.

5 Q. So do you think that exploration



6 would exclude exploratory drilling?

7 A. I said it was the exploration.  
8 What I meant to say was exploration and  
9 production segment.

10 Q. Fair enough. And I'm just  
11 simply, again, on the same thing that I was  
12 on before in trying to understand whether  
13 these documents or these presentations  
14 related to exploration, in particular  
15 exploratory wells.

16 And I'm having a hard time  
17 understanding you now, because now, because  
18 I said the word exploration, do you see a  
19 footnote that says everything but  
20 exploratory drilling?

21 A. It could be used for that. It  
22 doesn't say if it could or it couldn't be  
23 used. I said the exploration and  
24 production segment.

25 Q. All right.

1 A. Uses this.

2 Q. So, again, I'm a BP employee at  
3 your seminar and I'm trying to listen to  
4 this presentation. How do I know whether  
5 or not this refers to exploratory drilling?

6 A. It could refer to it. It could  
7 be used for assessing risk. It could be.

8 Q. It could be? Okay. So insofar  
9 as a policy is concerned that you're  
10 charged to create, you don't know whether  
11 or not the policy, which this is in part  
12 intended to describe, even covers  
13 exploratory drilling; right?

14 A. So are we talking about the  
15 policy or are we talking about this  
16 particular presentation?

17 Q. We're talking about both because  
18 I thought you told me that this  
19 presentation was in part discharging the  
20 obligations that you had to write this  
21 policy. This is a component part of the  
22 policy?

23 A. I believe I've said a few times  
24 I wasn't exactly sure how this presentation  
25 was used and if it was even the final  
1 draft.

2 Q. All right. So we don't -- do we  
3 know how the, what the standard risk matrix  
4 was used for?  
5 Do we know that?  
6 A. Yes. I just explained that.  
7 That it was used to be able to plot  
8 different risks on here so you can  
9 understand priority and severity.  
10 Q. All right.  
11 A. Or focus.  
12 Q. Well, let's just look at health  
13 and safety. Greater than 200 acute or  
14 chronic actual or alleged fatalities.  
15 And how do we know whether or  
16 not that applies to exploratory drilling?  
17 Do we just simply conclude that it doesn't?  
18 A. No. I don't think you can  
19 conclude one way or the other. I think it  
20 could be used for drilling.  
21 Q. So I can, as a person in the E&P  
22 segment, I can use this document to help me  
23 understand something about risk from this  
24 matrix; right?  
25 A. If you were in the role to  
1 actually have expertise to assess risk and  
2 figure out the frequency and where to plot  
3 it, you could use this.  
4 Q. Okay. Then it says,  
5 environmental impact greater than a hundred  
6 thousand barrels of oil in sensitive  
7 coastal water, greater than a million  
8 barrels of oil in other coastal waters  
9 prolong regional global contamination.  
10 What does that mean?  
11 A. It means just what you said. I  
12 don't have any more to add to that. It  
13 just seems that would be the impact of --  
14 Q. Of the event?  
15 A. -- the event.  
16 Q. This is an event?  
17 A. Yes.  
18 Q. Okay. Financial loss could  
19 exceed 10 billion. And then there's  
20 something called reputation.  
21 Why is that there?  
22 A. I can't answer that because I

23 didn't develop this.

24 Q. Okay. But it's there; right?

25 A. It's there.

1 Q. And it says global outrage,  
2 global brand damage and/or affecting  
3 international legislation.

4 Okay. Would we agree or  
5 disagree that the catastrophe that occurred  
6 on April 10, 2010 falls within this  
7 category?

8 A. Are you asking my opinion?

9 Q. Yes, ma'am. I sure am.

10 A. Which category specifically?

11 Q. The first line. Go across the  
12 top of the page.

13 A. From an environmental impact,  
14 yes.

15 Q. Okay.

16 A. From a reputation, yes. And a  
17 financial loss, yes.

18 Q. Yes. All right. Now, so help  
19 me understand how you're supposed to use  
20 this matrix. What information do I get  
21 from this document?

22 A. Well, you would plot up your  
23 risk on here and put helicopter crash or a  
24 loose MODU and see where you think it would  
25 fit and it will tell you generally which  
1 ones to prioritize, put in action in place  
2 first, or just how you want to be aware of  
3 looking at them. It can be used in many  
4 different ways.

5 Q. Fair enough. But let's be  
6 specific to this case. We've already  
7 established that hydrocarbon release  
8 topside and hydrocarbon release blowout  
9 would be the two items, the two risk areas,  
10 to be specific, that we would be concerned  
11 about.

12 We are in the exploration and  
13 production section, or segment of the  
14 business and we want to know about the risk  
15 of hydrocarbon release topside. Tell me  
16 how I use this chart with that first line  
17 to help me appreciate my risk.

18 A. Well, you would determine what

19 the event was and plot it based on what you  
20 expected the frequency to be, or  
21 probabilities to be on the top, along the  
22 top.

23 Q. So this has to have been an  
24 event that occurred in the past?

25 A. Not necessarily. It says it's  
1 possible. One of the categories is it's  
2 possible but not known to have occurred.

3 Q. Okay. Possible but not known to  
4 have occurred in the E&P industry. So, my  
5 gosh, hydrocarbon release topsides that  
6 would have resulted in the loss of a,  
7 greater than a hundred thousand barrels of  
8 oil, and that certainly has occurred in the  
9 past; hasn't it? This is not the first  
10 one?

11 A. I don't know all the incidents  
12 that have occurred in the past.

13 Q. You don't know?

14 A. But a release a hundred thousand  
15 barrels due to hydrocarbons, we've talked  
16 about.

17 Q. All right. But in any case,  
18 whoever's using this matrix, they, in their  
19 mind, they've got to look in the past and  
20 they've got to pick a particular event.

21 So if I'm worried about  
22 hydrocarbon release topsides, if I cannot  
23 point to an event in the past then I look  
24 at column No. 1; right?

25 A. Yes.

1 Q. Okay. Now, the next column says  
2 has not occurred in the E&P industry.

3 What's the difference between  
4 those two columns, if you know?

5 A. Well, it means something that  
6 could have occurred in the finding of  
7 marketing or chemical industry.

8 Q. I see. But just not in E&P?

9 A. Correct.

10 Q. So that this event did occur,  
11 but not in the exploration and production  
12 end of the business?

13 A. Yes.

14 Q. Okay. Then the next column is

15 has not occurred in the exploration and  
16 production industry in the past, last  
17 10 years and so on, so on, so on. Okay?

18 A. Uh huh.

19 Q. Now, once I do that, what  
20 information do I get from this chart? What  
21 is it telling me? Let's assume that, okay,  
22 I believe that this is an event that I'm  
23 worried about, a well blowout.

24 A. Uh huh.

25 Q. And I conclude, well, a well  
1 blowout could happen and it's a pretty --  
2 and there have been some bad well blowouts.  
3 And let's say, but one hadn't occurred in  
4 the last 10 years. So I'm in column 3. So  
5 I'm in column 3. What does that tell me?

6 A. Based on this, all the things  
7 that were in the box there that say major  
8 hazards, black box, the things that we are  
9 looking at specifically.

10 Q. So I found my box, I'm in --

11 A. You're in the box.

12 Q. I'm in column 3 of the top line.  
13 So now that I'm in the box, what does that  
14 mean?

15 A. What it means is that there were  
16 risk mitigation plans. To be developed.

17 Q. Okay.

18 A. And actions around that  
19 potential risk.

20 Q. I hear you. So if I discover,  
21 based upon my analysis, that I'm in the  
22 box --

23 MR. MONICO:

24 I don't have a copy of the  
25 document.

1 EXAMINATION BY MR. BRUNO:

2 Q. All right. Once you find  
3 yourself in this black box, anywhere in  
4 this black box, that means you have to do  
5 something; right?

6 A. I'd have to go back to the  
7 original risk policy and see exactly what  
8 it said to do back in 2007.

9 Q. Well, I just said something, I  
10 wasn't -- I knew you were going to say

11 that. You have to do something, you're not  
12 going to sit on your hands; right?

13 Correct?

14 A. Yes. I just said the  
15 expectations were to put a risk mitigation  
16 plan or action in place.

17 Q. What is a risk mitigation plan  
18 or action in place, generally? What does  
19 that mean?

20 A. It would mean activities or  
21 things that you would monitor to mitigate  
22 that event from happening.

23 Q. All right. So step 1, you have  
24 to do a risk assessment and step 2 is  
25 you've got to see where that risk  
1 assessment puts you on this matrix?

2 A. Uh huh.

3 Q. And once you discover that  
4 you're on this matrix, then you have to do  
5 this -- I'm sorry -- risk --

6 A. Mitigation plan.

7 Q. A risk mitigation plan. Okay.  
8 All right.

9 Let's go to the next page. And  
10 it is Bates number 625.

11 A. Uh huh.

12 Q. And then we have a nice pretty  
13 color picture. What does this tell us?

14 A. It's telling us MODU facility,  
15 project, drilling units. It's giving you  
16 an example of the progression of developing  
17 these risk registers from the individual  
18 facility and then aggregating up to look  
19 more at the strategic performance unit.

20 Q. All right. Now, does this help  
21 us understand who is supposed to be using  
22 this?

23 A. This slide, if you were to take  
24 it on its own, is giving an example of a  
25 drilling unit. It doesn't say they're  
1 supposed to use it, it just says if they  
2 were using it this is how you would see the  
3 progression of building up the -- to look  
4 at the major risks.

5 Q. All right. The facility would  
6 be those production facilities that we

7 talked about this morning, we won't go over  
8 it again.

9 A. Yes. Thank you.

10 Q. The project would be -- what's a  
11 project?

12 A. That could be building a new  
13 platform or a new tie-back or a subsea  
14 connection.

15 Q. And a drilling unit would be a  
16 MODU?

17 A. It could be. I would interpret  
18 that personally as a MODU. Or it could be  
19 a rig on an existing production facility.

20 Q. All right. Now, if I'm in the  
21 exploration side of the business, even  
22 though it's not my MODU, I'll lease it from  
23 somebody else, I'm supposed to still do  
24 this risk analysis, find out if I'm on that  
25 register -- I'm sorry -- on this matrix,  
1 and then if I am, then I'm supposed to do  
2 this risk mitigation thing; correct?

3 A. I believe that's how it was  
4 intended to work back in 2007.

Page 307:17 to 313:04

17 Q. Okay. On this piece of paper,  
18 help me understand the arrows. You see how  
19 they move to the right?

20 A. (Witness nods head).

21 Q. Do I understand that the  
22 facility/project/drilling unit would be a  
23 component part of a business unit?

24 A. I'm sorry. Can you repeat that?

25 Q. Yes. You see the arrows?

1 A. Yes.

2 Q. And so I'm just trying to figure  
3 this out to save us a little time. It  
4 looks to me like a facility or project or a  
5 drilling unit could be a component part of  
6 a business unit?

7 A. Yeah. They are separate  
8 individual business units.

9 Q. All right. And then a business  
10 unit is a part of a strategic performance  
11 unit?

12           A.     Yep.  
13           Q.     And then apparently there's an  
14     annual engineering plan for the strategic  
15     performance unit?  
16           A.     Yes.  
17           Q.     And so if I'm in exploration and  
18     production and I'm in the box, I need to  
19     do, for each of the top, the 20 -- I'm  
20     sorry -- top 20 to 30 risks, I have to do  
21     this risk reduction plan. Am I reading  
22     this correctly?  
23           A.     It doesn't -- I don't believe --  
24     let's see. Is it saying it? I don't see  
25     where it says you have to do a risk  
1     reduction plan. What this slide's about is  
2     trying to show how the particular major  
3     hazard gets aggregated up to look at the  
4     top 20 of the strategic performance unit.  
5           Q.     Well, I see under business unit  
6     the phrase understand and develop plans  
7     addressing the top 20-30 risks within the  
8     business unit.  
9           A.     Okay.  
10           Q.     That's why I said that.  
11           A.     Okay. Yeah. That just wasn't  
12     the meaning of what this slide's about,  
13     though.  
14           Q.     Okay. This is just to show that  
15     at the end of the day that there should be  
16     an annual engineering plan for the SPU,  
17     which we've already talked about, there is  
18     an SPU for the Gulf of Mexico?  
19           A.     Uh huh.  
20           Q.     And so for the top five risks,  
21     there should be mitigation plans fully  
22     understood by the strategic performance  
23     unit XT. Who's that?  
24           A.     I'm not sure who the XT was on  
25     this. I'm sorry. I don't recall.  
1           Q.     Well, not who, but do we know  
2     what it means, XT?  
3           A.     No. I don't.  
4           Q.     Okay. I apologize. I thought  
5     you were trying to think of a name.  
6           A.     No. I could assume it would be  
7     maybe the leadership team but I don't know



8 what the initials or the acronym means.  
9 Q. And in any case, whoever that  
10 is, they need to incorporate it into the  
11 annual engineering plan; right?  
12 A. That's what it says, yes.  
13 Q. Okay. And then it says progress  
14 on closing mitigation plans reviewed by the  
15 same people biannually; right?  
16 A. Yes. That's what it says.  
17 Q. Let's skip over to -- okay.  
18 640. Here's the picture.  
19 A. Okay.  
20 Q. It's a ways down.  
21 A. Oh, it's back here?  
22 Q. Yes.  
23 A. What's the right-hand box?  
24 Q. It says next steps.  
25 A. Okay. With mitigation planning  
1 and control. Okay. I found it. Develop  
2 risk reduction plans and --  
3 Q. Yes. And you'll see most  
4 prominently, your name.  
5 A. I wouldn't say that's prominent  
6 but it's one of a few names.  
7 Q. All right. So this is under the  
8 category develop the risk reduction plans.  
9 It says categorize the actions and then  
10 you're on. So tell us what you do to  
11 categorize the action.  
12 A. I'm trying to remember. I can't  
13 remember what categorize actions means.  
14 Sorry.  
15 Q. All right. Then it says  
16 determine if the risk has SPU wide  
17 implications, or is specific to the asset.  
18 A. Yes.  
19 Q. All right. And that's pretty  
20 self-explanatory, I would think?  
21 A. Maybe that's a bullet under --  
22 that's probably one of the bullets under  
23 categorize actions.  
24 Q. But for the record, asset would  
25 be what?  
1 A. An asset was being defined at  
2 that period of time to be one of the  
3 producing facilities such as NaKika.

4 Q. And it says define teams to  
5 address the action, which of course is to  
6 make sure it gets done; right?

7 A. Yes.

8 Q. And then review the underlying  
9 factors determining the risk and then to  
10 develop mitigation plans with the VP of  
11 production to approve. So we now know who  
12 has to approve it?

13 A. These would be for the assets  
14 specific for production facility.

15 Q. Now, as the person who had the  
16 responsibility to develop policy, would you  
17 agree with me that this kind of risk  
18 assessment we've just walked through should  
19 be done by those in exploration and  
20 production, who are working with leased  
21 rigs?

22 A. I can't give my opinion about  
23 whether it should or it shouldn't, but I  
24 believe it was part of the policy to do  
25 those with -- I don't know about the words  
1 leased rigs, but it said rigs.

2 Q. Rigs, which would include leased  
3 rigs by BP to drill for BP; right?

4 A. It could potentially be that.

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7 Q. What was the IM, implementation  
8 plan, was it supposed to do?

9 A. It was the plan to comply with  
10 the integrity management standards.

11 Q. And the integrity management  
12 standard was what?

13 A. It was a set of requirements of,  
14 which to me appears to be based largely off  
15 of the API recommended practice 75. Which  
16 is now regulation.

17 Around different aspects. It's  
18 a three-year standard implementation.

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23 I'm going to mark this as  
24 Exhibit No. 2398.

25 (Whereupon, the document  
1 referred to was marked as Exhibit No. 2398  
2 for identification.)  
3 EXAMINATION BY MR. BRUNO:  
4 Q. This is an e-mail from Neil Shaw  
5 to a bunch of folks, including you. Take a  
6 quick look at it for me, please.  
7 A. You're talking about the e-mail  
8 on 149?  
9 Q. Yes, ma'am.  
10 A. Okay.  
11 Q. It says here attached, find a  
12 brief summarizing the status of our safety  
13 performance which has been deteriorating  
14 over the past two years and the actions we  
15 decided to take in 2008 to get our safety  
16 performance back on track. Please use this  
17 context to engage your teams. Okay?  
18 So I'm just curious to know how  
19 you used the context to engage your team?  
20 A. How did I use the context of  
21 these slides?  
22 Q. I don't know. It says please  
23 use this context to engage your teams and  
24 he's talking to you, among other folks. So  
25 what is he saying to you?  
1 A. Are you asking me what is he  
2 saying to me or how did I engage my team?  
3 Q. Well, both. I mean, I just want  
4 to understand what's going on here. What  
5 did you do or not do in response to this  
6 e-mail?  
7 A. I can't remember exactly what I  
8 did with my team on this particular slide  
9 at the time.  
10 Q. All right. Did you know that  
11 safety performance had been deteriorating  
12 or was this --  
13 A. Yes. I had been told that the  
14 recordable injury rate had been going up.  
15 Q. All right. Well, what, if  
16 anything, could your team have done about  
17 that?  
18 A. Well, at the time that, that  
19 this came out I was responsible for the OMS  
20 implementation. And for the integrity

21 management standard.

22 So and I also had, I had the  
23 inspection team. So it was to continue  
24 pursuing or continue moving forward the  
25 plan.

1 Q. Okay. And in that context, does  
2 this help us learn whether this was just  
3 for the production facilities alone, or was  
4 it also for the exploratory drilling side?

5 A. I can't say exactly exploratory  
6 drilling. I just think in terms of  
7 drilling and I see some of the people that  
8 were in drilling. I would see at least one  
9 name on here. If I look closely I may see  
10 more. That was, had a responsibility in  
11 drilling.

12 Q. All right. There is a  
13 difference between drilling and exploratory  
14 drilling; isn't there?

15 A. In my mind, it's drilling. I  
16 mean, are you speaking about drilling  
17 existing reservoirs?

18 Q. Sure.

19 A. Or exploratory new wells?

20 Q. Yes. Of course.

21 A. I assume that's it. I'm not an  
22 expert in drilling, I never worked in  
23 drilling.

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9 Q. All right. Next document is  
10 document number 61219 in seriatim to 61221.

11 This is the 2008 Gulf of Mexico  
12 performance assessment that Mr. Shaw  
13 submitted to Andy Inglis. And he indicates  
14 that it's going to be reviewed by Andy and  
15 the VPP score will agreed with Tony Hayward  
16 and he says I'll be able to confirm our VPP  
17 score.

18 What is the VPP score, if you  
19 know?

20 A. I believe in the context that  
21 he's using here it would be a, a score of  
22 how well the phase of management Andy or  
23 others or Tony Hayward would believe how

24 the business, the SPU in the Gulf of Mexico  
25 performed against meeting its target.

1 Q. Would it have anything to do  
2 with bonuses?

3 A. Yes.

4 Q. And that bonus would affect you?

5 A. Yes.

6 Q. So you're one of the managers?

7 A. Yes.

8 Q. Okay. And on, at 1.6 I see  
9 there the subtitle every dollar counts.  
10 You see that?

11 A. Yes.

12 Q. All right. And it says a major  
13 focus was to strengthen the performance  
14 culture within the SPU.

15 And that's the Gulf of Mexico;  
16 right?

17 A. Yes.

18 Q. And in particular, to focus  
19 on -- and there's, it appears in quotes --  
20 every dollar counts.

21 A. Yes.

22 Q. Okay. So does every dollar  
23 counts a program or a policy, or something  
24 like that, that it deserves quotes?

25 A. I believe at that time, I can't  
1 remember exactly, it was just a phrase.

2 Q. Okay. And what did the phrase  
3 mean, as you understood it?

4 A. It was a phrase to be efficient  
5 in our costs. And reduce where it was  
6 possible, or make some of our operations or  
7 the way that we worked more efficient to  
8 reduce expenses.