

Deposition Testimony of:

Mark Hafle

Date: July 22, 2011

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Page 8:07 to 8:09

7 MARK HAFLE,
8 having been first duly sworn, testified as
9 follows:

Page 8:16 to 8:22

16 Could you state your full name
17 for the record, please?
18 A. Mark Edwin Hafle.
19 Q. And what is your address,
20 Mr. Hafle?
21 A. [REDACTED]
22 [REDACTED]

Page 10:15 to 10:18

15 And what is your educational
16 background, sir?
17 A. I went to Marietta College, and
18 I have a petroleum engineering degree.

Page 11:07 to 11:13

7 Q. And when you left Marietta
8 College, what did you do?
9 A. I went to work for Standard Oil.
10 Q. Okay. And how long did you work
11 for Standard Oil?
12 A. Until they changed their name to
13 BP. That's the only company I worked for.

Page 11:16 to 13:06

16 A. I'd like to make a statement.
17 Q. Sure.
18 A. The events of April 20th, 2010,
19 which occurred on the DEEPWATER HORIZON in
20 the Gulf of Mexico were tragic and should be
21 investigated thoroughly to assist in the
22 understanding and underlying causes and
23 contributing to future safety in all
24 deepwater drilling operations.
25 I would very much like to
1 contribute to that effort by providing

2 information to all investigations into the
3 occurrence. However, due to the special
4 circumstances existing at this time, I have
5 been explained to me by my attorney, I must
6 decline to answer questions at this time.

7 Based on the advice and
8 admonition of my attorney, I respectfully
9 decline to answer in reliance on the rights
10 and privileges granted to me by the Fifth
11 Amendment to the United States Constitution.

12 The United States Supreme Court
13 have emphasized that one of the Fifth
14 Amendment's basic functions is to protect
15 innocent men who otherwise might be ensnarled
16 by ambiguous circumstances.

17 This is not an easy decision for
18 me because I personally would like to
19 testify, and I know that BP, my employer,
20 would definitely like for me to testify. It
21 would be my hope that the investigation being
22 conducted by the Department of Justice will
23 soon be completed or progressed to a stage
24 where I can freely and openly discuss the
25 case with all concerned.

1 At that time, I'll be glad to
2 answer all questions about whether --
3 whatever information I may have. But until
4 that point, I must follow my attorney's
5 advice and invoke my Fifth Amendment rights
6 and privileges.

Page 15:09 to 16:09

9 Q. Sir, this document purports to
10 be your testimony before the -- your
11 testimony before the joint United States
12 Coast Guard Minerals Management Service
13 investigation sometimes known as the marine
14 investigation board.

15 Do you recognize this, sir?

16 A. Same answer.

17 Q. Okay. It's dated May 28th,
18 2010.

19 Did you give testimony before
20 the MBI on April May 28th, 2010?

21 A. Same answer.

22 Q. Okay. Sir, did -- have you had
23 the opportunity to review this, sir?
24 A. Same answer.
25 Q. Are the questions that you
1 gave -- the answers to the questions that you
2 gave under oath during that proceeding true
3 and correct, sir?
4 A. Same answer.
5 Q. Are they complete, sir?
6 A. Same answer.
7 Q. And I'm going to mark it as
8 exhibit number 4448.
9 (Exhibit Number 4448 marked.)

Page 17:11 to 19:07

11 Q. Were you independently
12 interviewed by individuals who were employed
13 at BP?
14 A. Same answer.
15 Q. And were you interviewed
16 concerning the DEEPWATER HORIZON incident
17 that occurred on or about April 20th, 2010?
18 A. Same answer.
19 Q. Sir, I'd ask you to turn to tab
20 number 43 in the white book. Okay. Sir,
21 this is a document which purports to be a BP
22 incident investigation team, notes of
23 interview with Mark Hafle, July 8th, 2010, at
24 BP Westlake offices, 1, 2:00 p.m., Central
25 Daylight Time.
1 Do you recognize this document,
2 sir?
3 A. Same answer.
4 Q. I'm going to mark this document
5 as exhibit number 4447.
6 (Exhibit Number 4447 marked.)
7 Q. Excuse me just a moment,
8 Mr. Hafle.
9 Sir, I'd ask you to look at tab
10 number 42.
11 I'll go ahead and mark this as
12 exhibit number 4449.
13 (Exhibit Number 4449 marked.)
14 Q. Sir, this purports to be a draft
15 dated, 7-12-2010, of the BP incident

16 investigation team notes of the interview of
17 Mark Hafle, dated July 8th, 2010, at
18 Westlake 1 offices, at 2:00 p.m., Central
19 Daylight Time.

20 Sir, do you recall giving this
21 interview, sir?

22 A. Same answer.

23 Q. Do you recall seeing the draft
24 of this interview, sir?

25 A. Same answer.

1 Q. Do you recall seeing the final
2 interview notes, sir?

3 A. Same answer.

4 Q. Sir, do you recall, sir, that
5 you were informed that no legal privilege was
6 attached to your interview at BP?

7 A. Same answer.

Page 19:16 to 20:18

16 Q. Sir, when you gave this
17 interview on July 8th, 2010, were you honest
18 and truthful?

19 A. Same answer.

20 Q. Okay. Sir, in that interview,
21 you noted that -- on page 2, that the
22 long-string was the original plan for the
23 well; is that true?

24 A. Same answer.

25 Q. And that from the full
1 life-cycle perspective, the team felt that
2 the long-string was a better option, but they
3 kept working all the options as a fallback,
4 pending completion of the OptiCem modeling;
5 is that correct, sir?

6 A. Same answer.

7 Q. Sir, wasn't it a fact that there
8 were many OptiCem modelings run on this
9 particular job?

10 A. Same answer.

11 Q. And wasn't it a fact that you,
12 sir, and other members of your team, were
13 concerned that Jesse Gagliano was not keeping
14 an accurate record of all of the variables
15 that were being used in the Opti modeling --
16 OptiCem modeling that he was performing over

17 the course of -- of the life cycle of this
18 particular well?

Page 20:20 to 20:25

20 A. Same answer.
21 Q. And, sir, you and your team
22 members knew that there -- there might be
23 problems with the variables that Jesse
24 Gagliano was using in this OptiCem modeling,
25 didn't you?

Page 21:02 to 21:05

2 A. Same answer.
3 Q. And, sir, you and your team also
4 knew that you had a narrow window to get a
5 successful cement job; is that correct?

Page 21:07 to 21:18

7 A. Same answer.
8 Q. Okay. And, sir, I direct your
9 attention to this second to last paragraph
10 on -- or the last full paragraph on page 2
11 where it states, although the team understood
12 they had a narrow window to get a successful
13 cement job, they thought it would be
14 manageable, based upon Halliburton model
15 output.
16 Is that what you told the
17 members of the investigation team?
18 A. Same answer.

Page 21:20 to 21:24

20 Q. And so, sir, your reliance in
21 terms of running a long-string and doing a
22 cement job -- doing a successful cement job
23 was based upon Halliburton model outputs, was
24 it not?

Page 22:02 to 22:05

2 A. Same answer.
3 Q. And that's what you told this

4 investigative committee in July of 2010,
5 isn't it, sir?

Page 22:07 to 22:15

7 A. Same answer.
8 Q. And, in fact, you and Mr. Brian
9 Morel were the lead BP cement program
10 engineers on this job, were you not?
11 A. Same answer.
12 Q. And, in fact, you told that on
13 page 3 to the investigative committee, did
14 you not?
15 A. Same answer.

Page 22:20 to 24:18

20 Q. And, sir, it is a fact that on
21 the final cement job, you do not recall
22 seeing any lab test results from Jesse
23 Gagliano that were run on the slurry that was
24 used on the final cement job, did you?
25 MR. MORRISS: Objection, form.
1 MR. SCHWARTZ: Objection, form.
2 A. Same answer.
3 Q. And, sir, in fact, you stated
4 that to the investigators, didn't you?
5 A. Same answer.
6 Q. And, in fact, you stated that
7 you did not recall seeing any lab test
8 results from Jesse on the last cement test
9 run on the slurry.
10 Is that what you told the
11 investigators?
12 A. Same answer.
13 Q. And isn't it a fact, sir, that
14 lab tests were usually run on slurries that
15 you do on cement jobs?
16 A. Same answer.
17 Q. And isn't it a fact, sir, that
18 it is -- it was good practice to review such
19 lab results prior to the cement job being
20 finished; is that correct, sir?
21 MR. MORRISS: Form.
22 A. Same answer.
23 Q. Now, sir, you -- you went on to

24 state that you had prepared a decision tree
25 regarding the final T&A of the well; is that
1 correct, sir?
2 A. Same answer.
3 Q. And you reduced that decision
4 tree logic to what are called drilling --
5 DWOP; is that correct?
6 A. Same answer.
7 Q. And, sir, part of -- was part of
8 that decision tree a cement bond log?
9 A. Same answer.
10 Q. And who, sir, decided that a
11 cement bond log would or would not be run on
12 the final cement job?
13 A. Same answer.
14 Q. Now, sir, you told the
15 investigative committee that you had
16 discussions relating to DWOP zonal isolation
17 requirements, didn't you?
18 A. Same answer.

Page 24:20 to 24:25

20 Q. And that -- that you were
21 consulted on the -- that they asked you the
22 question about whether or not the casing
23 cement was above the top hydrocarbon bearing
24 layer -- bearing zone pursuant to BP policy,
25 didn't they?

Page 25:02 to 25:12

2 A. Same answer.
3 Q. And BP has a policy and the MMS
4 has a policy of where the top of the cement
5 should be above a hydrocarbon-bearing zone;
6 is that correct, sir?
7 A. Same answer.
8 Q. And you stated in this that
9 the -- it was 100 feet and 500 feet
10 respectively, being the MMS and BP
11 regulations, didn't you, sir?
12 A. Same answer.

Page 25:14 to 25:23

14 Q. And, sir, EPT GP 10-60 governs
 15 zonal isolation, does it not, sir?
 16 A. Same answer.
 17 Q. And you're familiar with that,
 18 as a drilling engineer, sir?
 19 A. Same answer.
 20 Q. And that calls for zonal
 21 isolation -- that calls for the top of the
 22 cement to be a thousand feet above the --
 23 above a distinct permeable zone, does it not?

Page 25:25 to 26:09

25 A. Same answer.
 1 Q. And in the case of the Macondo
 2 well final cement job, that didn't take
 3 place, did it, sir?
 4 A. Same answer.
 5 Q. And if it doesn't take place
 6 pursuant to EPT GP 10-60, sir, that call --
 7 that requirement calls for a proven -- a
 8 proven evaluation technique to determine the
 9 top of cement, correct, sir?

Page 26:11 to 26:15

11 A. Same answer.
 12 Q. Okay. And, sir, no proven
 13 evaluative technique was performed of the
 14 Macondo well to determine the top of cement,
 15 was there?

Page 26:17 to 33:24

17 A. Same answer.
 18 Q. Okay. In fact, there was A
 19 Schlumberger crew onboard who could have run
 20 a cement bond log, which would have been a
 21 proven evaluation technique; is that correct,
 22 sir?
 23 A. Same answer.
 24 Q. Sir, you were on duty at BP on
 25 the day of April 20th, 2010, were you not?
 1 A. Same answer.
 2 Q. And, sir, at that time, you had
 3 actually spoken to the rig on several

4 occasions, had you not, sir?

5 A. Same answer.

6 Q. I'd ask you to turn to tab
7 number 21 in the white book. I'm sorry.
8 It's 22 of the white book. It's been
9 previously marked as exhibit 3575.

10 Sir, I'll represent to you this
11 is a phone log that is -- that has been
12 produced by BP.

13 Have you ever seen it before,
14 sir?

15 A. Same answer.

16 Q. And, sir, it indicates that on
17 April 20th, 2010, that you made calls to the
18 wellsite leader on the DEEPWATER HORIZON at
19 8:08 a.m., at 8:52 a.m., at 9:36 -- I'm
20 sorry -- at -- there was a call of you at
21 9:36 a.m., another call at 10:26 a.m.,
22 another call at 10:27 a.m., another call at
23 5:26 p.m., another call at 8:52 p.m., another
24 call at 8:52 p.m., another call at -- that's
25 all to you.

1 Sir, do you remember those phone
2 calls?

3 A. Same answer.

4 Q. Sir, did you make those phone
5 calls?

6 A. Same answer.

7 Q. Sir, did you make those phone
8 calls that you --

9 A. Same answer.

10 MR. MORRISS: What is the exhibit
11 number for that?

12 MR. BICKFORD: Pardon me?

13 MR. MORRISS: What is the exhibit
14 number?

15 MR. BICKFORD: It's 3575. It's tab
16 number 22.

17 Q. Sir, the -- in fact, sir, you
18 had many discussions through the course of
19 the day on the cement procedure and the
20 negative-pressure testing, did you not?

21 A. Same answer.

22 Q. And, in fact, you talked to
23 Mr. Kaluza several times during that period
24 of time, sir, did you not?

25 A. Same answer.
1 Q. And you knew, sir, that
2 Mr. Kaluza was new to this wellsite, did you
3 not?
4 MR. MORRISS: Form.
5 A. Same answer.
6 Q. And you knew that Mr. Kaluza had
7 substituted on arriving at the DEEPWATER
8 HORIZON on April 16th, 2010, to replace Murry
9 Sepulvado, did you not?
10 A. Same answer.
11 Q. And the reason -- and you knew,
12 sir, that Mr. Kaluza was not familiar with
13 this particular well, the Macondo well; is
14 that correct?
15 MR. MORRISS: Form.
16 A. Same answer.
17 Q. And you knew, sir, that
18 Mr. Kaluza had problems with the -- with the
19 flow rate in which the cement was pumped in
20 the well, do you not?
21 MR. MORRISS: Form.
22 A. Same answer.
23 Q. And you know, sir, that his
24 concern was that you weren't going to get a
25 proper good cement job at the flow rate that
1 was being used, correct, sir?
2 MR. MORRISS: Form.
3 A. Same answer.
4 Q. And you knew that Mr. Kaluza
5 also had some problems with the
6 negative-pressure test, did you not, sir?
7 MR. MORRISS: Form.
8 A. Same answer.
9 Q. And, in fact, you spoke to
10 Mr. Vidrine, also, about the
11 negative-pressure test, did you not, sir?
12 MR. MORRISS: Form.
13 A. Same answer.
14 Q. And you knew that Mr. Vidrine
15 had some problems with the negative-pressure
16 test, did you not, sir?
17 MR. MORRISS: Form.
18 A. Same answer.
19 Q. And, in fact, you told the
20 investigators, noting page 6 of your

21 statement, sir -- of the interview notes,
22 sir, that later on April 20th, Don Vidrine
23 called Mark at 8:52 p.m., to talk about how
24 the test -- how to test the surface plug and
25 whether they should apply a pressure test or
1 a weight test.

2 Mark noted that Don also talked
3 to him about the negative test. Vidrine told
4 Mark that the crew had zero pressure on the
5 kill line, but they still had pressure on the
6 drill pipe.

7 So you knew -- you knew, sir,
8 did you not, that the rig was reporting
9 pressure on the drill pipe at the conclusion
10 of the negative test, didn't you?

11 MR. MORRISS: Form.

12 A. Same answer.

13 Q. And you knew, sir, there
14 shouldn't have been any pressure on the drill
15 pipe on the negative test; isn't that
16 correct, sir?

17 MR. MORRISS: Form.

18 A. Same answer.

19 Q. In fact, you told Mr. Vidrine
20 that you can't have pressure on the drill
21 pipe and a zero pressure on the kill line in
22 a test that's properly lined up, didn't you?

23 MR. MORRISS: Form.

24 A. Same answer.

25 Q. And, in fact, the report -- the
1 interview note states specifically that,
2 quote, Mark said he told Don that you can
3 have pressure on the drill pipe and a zero
4 pressure on the kill line in the test that's
5 properly lined up.

6 Is that what you told the
7 interviewer, sir?

8 A. Same answer.

9 Q. And is that what you told
10 Mr. Vidrine, sir?

11 A. Same answer.

12 Q. And so you knew, sir, sitting
13 at -- onshore at BP at the headquarters, that
14 the negative-pressure test was not
15 successful, didn't you, sir?

16 MR. MORRISS: Form.

17 A. Same answer.
18 Q. And, sir, you let operations go
19 forward on the rig at that time, didn't you,
20 sir?
21 MR. MORRISS: Form.
22 A. Same answer.
23 Q. And you let them complete a
24 displacement of the riser, didn't you, sir?
25 MR. MORRISS: Form.
1 A. Same answer.
2 Q. And you let them complete -- let
3 them displace seawater mud, didn't you, sir?
4 MR. MORRISS: Form.
5 A. Same answer.
6 Q. And you let the well go
7 underbalanced, sir?
8 MR. WILLIAMS: Form.
9 A. Same answer.
10 Q. And in doing so, you put the rig
11 at risk, sir?
12 MR. MORRISS: Form.
13 A. Same answer.
14 Q. You put the people on the rig at
15 risk, sir?
16 MR. MORRISS: Form.
17 A. Same answer.
18 Q. You put the environment at risk,
19 sir?
20 MR. MORRISS: Form.
21 A. Same answer.
22 Q. And, sir, you had the capacity
23 to monitor real-time data on the second floor
24 at BP, didn't you, sir?

Page 34:01 to 34:04

1 A. Same answer.
2 Q. And wasn't there a control room
3 set up at Westlake offices to monitor the
4 Macondo well, sir?

Page 34:06 to 34:09

6 A. Same answer.
7 Q. And you had the ability to go
8 into that -- that room and monitor real-time

9 data, didn't you, sir?

Page 34:11 to 34:18

11 A. Same answer.
12 Q. And were you monitoring
13 real-time data at that time, sir?
14 A. Same answer.
15 Q. Okay. And, in fact, BP actually
16 had the ability to monitor 24 and 7 real-time
17 data on the 10th floor of Westlake, didn't
18 they?

Page 34:20 to 35:06

20 A. Same answer.
21 Q. And this well wasn't monitored
22 on the 10th floor of Westlake like Thunder
23 Horse, was it?
24 A. Same answer.
25 Q. You chose to monitor this well
1 on the second floor, didn't you?
2 A. Same answer.
3 Q. Okay. And, in fact, in doing
4 so, BP gave up the ability to have a 24 and 7
5 monitoring of the Macondo well, didn't it,
6 sir?

Page 35:08 to 35:14

8 A. Same answer.
9 Q. And there was nobody in the
10 conference room, sir, on the second floor
11 where you were monitoring the Macondo well
12 when it blew up on or about -- on or around
13 10:00 p.m., on the night of April 20, 2010,
14 was there?

Page 35:16 to 35:23

16 A. Same answer.
17 Q. So if -- if Mr. Kaluza is new to
18 the rig, unfamiliar with the negative test
19 procedures that -- that y'all are having,
20 uncomfortable with the cement procedure, why
21 didn't you spend more time with him,

22 confirming that you had a good negative test,
23 sir?

Page 35:25 to 36:07

25 A. Same answer.
1 Q. Were you not the lead well
2 designer, sir?
3 MR. MORRISS: Form.
4 A. Same answer.
5 Q. Wasn't Mr. Kaluza and
6 Mr. Vidrine relying upon you, sir?
7 A. Same answer.

Page 36:09 to 40:08

9 Q. You also knew, sir, didn't you,
10 that the Halliburton models, that the OptiCem
11 models that -- OptiCem models that you were
12 relying on to manage the well, in fact,
13 called for 21 centralizers to be used during
14 the final cement job; isn't that correct,
15 sir?
16 MR. MORRISS: Form.
17 A. Same answer.
18 Q. And you knew, sir, that night,
19 April 20th, 2010, that 21 centralizers hadn't
20 been used, sir; is that correct?
21 MR. MORRISS: Form.
22 A. Same answer.
23 Q. And you knew, sir, that Jesse
24 Gagliano had prepared a report on April 18th,
25 2010, sir, which informed BP drill team,
1 including yourself, that failure to use 21
2 centralizers and using 6 or 7 instead would
3 cause a severe gas problem; is that correct,
4 sir?
5 MR. MORRISS: Form.
6 A. Same answer.
7 Q. Sir, and isn't it a fact that
8 this negative test everyone was relying upon
9 to determine whether or not the cement job
10 had been -- was holding at the bottom of the
11 well was, in fact, designed by you?
12 MR. MORRISS: Form.
13 A. Same answer.

14 Q. And I direct your attention to
15 tab number 21, which is exhibit 4448 --
16 page 21 -- I'm sorry. Yeah, it should be
17 page 21. I'm sorry. It's page 35.

18 Well, sir, I just guess I'm not
19 finding it. I apologize.

20 But, sir, did you testify to the
21 MBI that you, in fact, were the person that
22 drafted the negative test, sir?

23 A. Same answer.

24 Q. Sir, the interviewers also
25 raised the issue as to whether or not you, in
1 fact, had concerns about the organizational
2 structure at BP at the time of the -- the
3 DEEPWATER HORIZON well blew; isn't that
4 correct?

5 A. Same answer.

6 Q. And, sir, in fact, there had
7 been a significant change of management
8 structure in the last 20 to 30 days prior to
9 the Macondo well --

10 MR. MORRISS: Form.

11 Q. -- blowing up, sir; isn't that
12 correct?

13 A. Same answer.

14 Q. And, sir, despite the fact that
15 during these last few days you're heavily
16 relying on the -- on Halliburton to produce a
17 cement slurry that will create a successful
18 cement job on the Macondo well, you had
19 ongoing concerns about Jesse Gagliano, did
20 you not?

21 A. Same answer.

22 MR. SCHWARTZ: Objection, form.

23 Q. And, in fact, you expressed the
24 view that you were having problems with Jesse
25 Gagliano to the interviewers; isn't that
1 correct, sir?

2 A. Same answer.

3 Q. And, in fact, you expressed
4 concerns that you had previous -- the rig had
5 previously experienced problems with
6 Halliburton, specifically the Sperry --
7 Sperry-Sun mudloggers, didn't you?

8 MR. SCHWARTZ: Objection, form.

9 A. Same answer.

10 Q. And you believe, actually, sir,
11 don't you, that the Sperry-Sun mudloggers
12 were, in fact, one of the causes of the
13 failure to monitor the well properly on the
14 March 8th, 2010, well-control event; isn't
15 that correct, sir?

16 MR. SCHWARTZ: Objection, form.

17 A. Same answer.

18 Q. And you believed that
19 Halliburton was stretched thin, didn't you,
20 sir?

21 MR. SCHWARTZ: Objection, form.

22 A. Same answer.

23 Q. And that's exactly what you told
24 the interviewers, isn't it, sir?

25 MR. SCHWARTZ: Objection, form.

1 A. Same answer.

2 Q. So when the interviewer stated,
3 Mark's view is that Halliburton is stretched
4 thin, it doesn't have enough qualified
5 mudloggers, that's what you told the
6 interviewers, isn't it, sir?

7 MR. SCHWARTZ: Objection, form.

8 A. Same answer.

Page 40:19 to 45:13

19 Q. Sir, I'm going to ask you to
20 flip to tab number 44 in the white book.

21 And I'll go ahead and mark that
22 as exhibit number 4450.

23 (Exhibit Number 4450 marked.)

24 Q. Sir, have you seen these
25 interview notes before, sir?

1 A. Same answer.

2 Q. Have you reviewed these
3 interview notes, sir?

4 A. Same answer.

5 Q. Are they accurate -- are they
6 accurate in terms of the information that you
7 provided the individual who wrote down the
8 notes?

9 A. Same answer.

10 Q. I'm going to ask you to turn to
11 tab number 45, which I'm going to mark as
12 exhibit number 4451.

13 (Exhibit Number 4451 marked.)
14 Q. These are interview notes --
15 these are notes with your name on the top,
16 dated 5-1-2010, and ask you if you've seen
17 this document before?
18 A. Same answer.
19 Q. Okay. And, sir, this -- the
20 notes that are contained in here, are they
21 notes of an interview that you gave --
22 A. Same answer.
23 Q. -- on 5-1-2010?
24 A. Same answer.
25 Q. And, sir, are the -- do the
1 notes accurately set forth what you -- the
2 information that you gave the interviewer,
3 sir?
4 A. Same answer.
5 Q. And were you truthful, sir?
6 A. Same answer.
7 Q. I ask you to turn to tab
8 number 46, sir. This purports to be a
9 May 2nd, 2010, interview with Mark Hafle,
10 senior drilling engineer at BP.
11 Have you seen this document
12 before, sir?
13 A. Same answer.
14 Q. Do you recall giving this
15 interview, sir?
16 A. Same answer.
17 Q. Is the information that's set
18 forth in these notes an accurate description
19 of the information that you provided the
20 interviewer, sir?
21 A. Same answer.
22 Q. Who was the interviewer, sir?
23 A. Same answer.
24 Q. Who was there, sir?
25 A. Same answer.
1 Q. Were you truthful, sir?
2 A. Same answer.
3 MR. MORRISS: Scott, did you mark that
4 as an exhibit?
5 MR. BICKFORD: I did not yet. It is
6 exhibit 4452.
7 (Exhibit Number 4452 marked.)
8 MR. BICKFORD: Thank you.

9 Q. Turn to tab -- sir, I ask you to
10 turn to tab 48. Sir, tab 48 is a typed
11 version of a May 2nd, 2010 -- or purports to
12 be a typed version of a May 2nd, 2010,
13 interview with yourself, sir.

14 Do you recognize that document,
15 sir?

16 A. Same answer.

17 Q. I'm going to go ahead and mark
18 this as exhibit number 4453.

19 (Exhibit Number 4453 marked.)

20 Q. And, sir, who was the -- this
21 interview with?

22 A. Same answer.

23 Q. And, sir, did you -- was it true
24 that the primary objective was -- on the
25 Macondo well, was to make it a discovery
1 well?

2 A. Same answer.

3 Q. And the secondary objective was
4 to make it a keeper well?

5 A. Same answer.

6 Q. Sir, did you tell the
7 interviewer that during logging, had a
8 week-long session on what casing to run?

9 A. Same answer.

10 Q. Did you tell the interviewer
11 that you were debating the pros and cons of a
12 liner?

13 A. Same answer.

14 Q. And did you tell the interviewer
15 that they could and should have run a cement
16 plug?

17 A. Same answer.

18 Q. And were you concerned, sir,
19 that the culture trained in 1989 didn't
20 support that?

21 A. Same answer.

22 MR. MORRISS: Form.

23 Q. And, sir, what did you mean, was
24 the Lone-Wolf on wanting to do the P&A, David
25 Sims, John Guide, Morel, Doris Reiter --
1 that's R-e-i-t-e-r -- Brad Simpson?

2 A. Same answer.

3 Q. What does that mean, sir?

4 A. Same answer.

5 Q. And, ultimately, it was David
6 Sims who decided to do an MOC to run the
7 liner?
8 A. Same answer.
9 Q. Sir, was it a fact that in the
10 middle of deciding what the cement program
11 for this particular well was going to be,
12 that the system that was running the
13 simulations crashed?

Page 45:15 to 45:18

15 A. Same answer.
16 Q. And, sir, you're not even sure
17 that the entire T&A process got a final MOC,
18 were you?

Page 45:20 to 46:02

20 A. Same answer.
21 Q. Sir, were all the statements
22 that you made during that interview truthful
23 and correct?
24 A. Same answer.
25 Q. And, sir, were they taken down
1 accurately?
2 A. Same answer.

Page 47:10 to 49:23

10 I'll go ahead and mark that as
11 exhibit number 4454.
12 (Exhibit Number 4454 marked.)
13 Q. Sir, this document purports to
14 be a PDP, or personal data profile, of Mark
15 Hafle.
16 Is that you, sir?
17 A. Same answer.
18 Q. Okay. And is it correct that
19 your job title, as of January 2010 and during
20 the course of the drilling of the Macondo
21 well, was senior drilling engineer, sir?
22 A. Same answer.
23 Q. And is it true, sir, that you
24 worked for BP for 20 -- 23 years, sir?
25 A. Same answer.

1 Q. And is it true, sir, that you
2 worked in engineering roles in the Gulf of
3 Mexico and other places, sir?

4 A. Same answer.

5 Q. And, sir, did you fill out the
6 information in this particular personal data
7 profile?

8 A. Same answer.

9 Q. Are they true, sir?

10 A. Same answer.

11 Q. And, sir, as the senior drilling
12 engineer, your team had design of the well
13 control on the Macondo well, did it not?

14 A. Same answer.

15 MR. MORRISS: Form.

16 Q. And you were responsible for
17 designing the Macondo well, were you not?

18 A. Same answer.

19 Q. And, sir, your team designed the
20 casing on the Macondo well, did it not?

21 A. Same answer.

22 Q. And your team approved of the
23 cementing job on the Macondo well, did it
24 not?

25 MR. MORRISS: Form.

1 A. Same answer.

2 Q. And your team approved of the
3 manner and type of cement that were to be
4 used on the Macondo well, particularly in the
5 final cement job; is that correct, sir?

6 MR. MORRISS: Form.

7 A. Same answer.

8 Q. And your team monitored the well
9 as it was being drilled, sir; is that
10 correct?

11 MR. MORRISS: Form.

12 A. Same answer.

13 Q. And when I say "your team," sir,
14 I mean you and the drilling engineers, such
15 as Brian Morel, that worked with you, sir.

16 A. Same answer.

17 Q. Okay. And Mr. Morel did work
18 with you, sir, did he not?

19 A. Same answer.

20 Q. And your team also oversaw and
21 approved such procedures as a cement bond

22 log?

23 A. Same answer.

Page 49:25 to 50:02

25 Q. A negative test?

1 A. Same answer.

2 Q. Positive test?

Page 50:04 to 50:06

4 A. Same answer.

5 Q. And other well integrity tests,

6 did you not?

Page 50:08 to 50:17

8 A. Same answer.

9 Q. And, sir, you also sought and
10 received management of change when the
11 circumstances called for it, sir; is that
12 correct?

13 A. Same answer.

14 Q. And, sir, it was your
15 responsibility, as senior drilling engineer,
16 to make sure, in designing this well, the rig
17 was kept safe; is that correct?

Page 50:19 to 50:23

19 A. Same answer.

20 Q. And it was your responsibility
21 in designing this well, that the personnel
22 aboard the rig were kept safe; is that
23 correct, sir?

Page 50:25 to 51:04

25 A. Same answer.

1 Q. And it was your responsibility,
2 as senior drilling engineer, to make sure
3 that the environment was kept safe; is that
4 correct, sir?

Page 51:06 to 51:10

6 A. Same answer.
7 Q. And it was your responsibility,
8 sir, to prepare reports and permits to the
9 MMS concerning the Macondo well; is that
10 correct, sir?

Page 51:12 to 51:16

12 A. Same answer.
13 Q. And it was your responsibility
14 to keep the MMS apprised of well operations
15 where -- where regulations required that,
16 sir; is that correct?

Page 51:18 to 51:21

18 A. Same answer.
19 Q. And, sir, you knew that this was
20 a very problematic well from the beginning,
21 sir, did you not?

Page 51:23 to 52:22

23 A. Same answer.
24 Q. In fact, your -- the drilling
25 engineers on the Macondo well made numerous
1 changes to the temporary abandonment
2 procedure during the last week of operations
3 on the DEEPWATER HORIZON, did they not?
4 A. Same answer.
5 Q. And, in fact, there was an
6 initial plan on April 12th, wasn't there,
7 sir?
8 A. Same answer.
9 Q. And there was a modification of
10 that plan on April 14th, wasn't there, sir?
11 A. Same answer.
12 Q. And there was another
13 modification on April 15th, was there not,
14 sir?
15 A. Same answer.
16 Q. And an MMS permit was filed with
17 a different variation on April 16th; isn't
18 that correct, sir?
19 A. Same answer.
20 Q. And yet a different procedure

21 was e-mailed to the rig for T&A on
22 April 20th, sir; is that correct?

Page 52:24 to 53:03

24 A. Same answer.
25 Q. And the final procedure that was
1 e-mailed to the rig for temporary abandonment
2 was never approved by the MMS, was it, sir?
3 A. Same answer.

Page 53:05 to 53:07

5 Q. It was never submitted to the
6 MMS, was it, sir?
7 A. Same answer.

Page 53:09 to 53:12

9 Q. And, in fact, sir, many, if not
10 all, of those numerous changes to the T&A
11 procedure were not subject to any formal risk
12 assessment, were they, sir?

Page 53:14 to 53:17

14 A. Same answer.
15 Q. They were not -- they were not
16 subject to any formal MOC process, were they,
17 sir?

Page 53:19 to 54:05

19 A. Same answer.
20 Q. Sir, and the T&A procedure that
21 was actually put forth on April 14th,
22 actually called for the establishment of a
23 secondary cement barrier, or a surface plug
24 being set in mud, did it not?
25 A. Same answer.
1 Q. And if that had happened, sir,
2 when the well was underbalanced on April 20th
3 with a displacement of seawater, there would
4 have been a surface plug in place; is that
5 correct, sir?

Page 54:07 to 54:13

7 A. Same answer.
8 Q. And, in fact, sir, the final
9 modification to the T&A procedure was, in
10 fact, a full displacement to 8,367 feet, some
11 3300 feet below the mud line, prior to
12 setting the surface cement plug; is that
13 correct, sir?

Page 54:15 to 54:19

15 A. Same answer.
16 Q. And by doing that, sir, the only
17 barrier to hydrocarbon intrusion into the
18 well had -- would have been the primary
19 cement job; is that correct, sir?

Page 54:21 to 55:01

21 A. Same answer.
22 Q. And that was a primary cement
23 job, sir, in which you, or no person on your
24 team, had ever seen any test results on the
25 actual slurry mixture that was used on that
1 cement job; is that correct, sir?

Page 55:03 to 55:07

3 A. Same answer.
4 Q. And, sir, you essentially were
5 relying on a cement barrier where you'd never
6 seen the foam stability test on the cement
7 slurry; isn't that true, sir?

Page 55:09 to 55:11

9 A. Same answer.
10 Q. And that is not best practices,
11 is it, sir?

Page 55:13 to 55:21

13 A. Same answer.
14 Q. Sir, did you ever see a
15 temperature log of the well that was done

16 prior to the cement job?
17 A. Same answer.
18 Q. Do you know what temperatures
19 Jesse Gagliano was using as variables in his
20 cement modeling?
21 A. Same answer.

Page 56:02 to 56:12

2 Q. Were the temperature variables
3 that Jesse Gagliano was using in his OptiCem
4 modeling ever confirmed at the well?
5 A. Same answer.
6 Q. Did Jesse Gagliano ever know
7 what the downhole temperature was of the well
8 on April 17th, April 18th, April 19th, or
9 April 20th?
10 A. Same answer.
11 Q. And is that best practices, sir?
12 A. Same answer.

Page 56:14 to 56:23

14 Q. And, sir, going back to the
15 negative test, isn't it a fact that the team
16 in town, your words, sir, wanted to do a
17 modification which called for the combined --
18 a combined displacement and a negative test?
19 A. Same answer.
20 Q. And there was some concern that
21 this procedure would be in conflict with your
22 APD, your application to permit to drill,
23 wasn't there?

Page 56:25 to 57:04

25 A. Same answer.
1 Q. And, sir, is it not a fact that
2 such a change was being proposed under --
3 isn't it a fact, sir, that that change should
4 have been subjected to an MOC procedure?

Page 57:06 to 57:11

6 A. Same answer.
7 Q. And isn't it a fact that it

8 wasn't?
9 A. Same answer.
10 Q. And isn't it a fact there was no
11 risk assessment done on that, sir?

Page 57:13 to 57:13

13 A. Same answer.

Page 57:24 to 58:02

24 Q. Mr. Hafle, the -- isn't it true
25 that you were an advocate of a process called
1 Fast Drill?
2 A. Same answer.

Page 58:06 to 58:19

6 And, sir, I'm marking this as
7 exhibit number 4455.
8 (Exhibit Number 4455 marked.)
9 Q. And, sir, this is your annual
10 individual performance assessment, is it not?
11 A. Same answer.
12 Q. And this is for the year
13 period -- review period of 2009; isn't that
14 correct, sir?
15 A. Same answer.
16 Q. At the end of 2009, you were
17 involved with the Macondo well, were you not,
18 sir?
19 A. Same answer.

Page 58:24 to 59:08

24 Q. And I direct your attention to
25 what is the last Bates number, 7264, of the
1 individual performance assessment, sir.
2 And note that you are
3 actually -- you are actually praised for
4 utilizing a Fast Drill method to minimize PAD
5 mud usage, were you not, sir?
6 A. Same answer.
7 Q. And that was on the Macondo
8 well, sir; isn't that true?

Page 59:10 to 59:16

10 A. Same answer.
11 Q. And you employed the Fast Drill
12 method on the Macondo well, didn't you, sir?
13 A. Same answer.
14 Q. And it was your decision as
15 senior drilling engineer to do that, sir,
16 wasn't it?

Page 59:18 to 59:20

18 A. Same answer.
19 Q. And, sir, in fact, Fast Drill
20 saved time and money, did it not, sir?

Page 59:22 to 60:09

22 A. Same answer.
23 Q. And sir, the Tiger Team at BP
24 was, in fact, in the lead group of
25 professionals working with BP on different
1 wells; is that not correct, sir?
2 A. Same answer.
3 Q. And the Tiger Team actually
4 reviewed your Fast Drill methods on the
5 DEEPWATER HORIZON Macondo well, did it not?
6 A. Same answer.
7 Q. And isn't it true, sir, that the
8 Tiger Team warned you against fast drilling
9 on the Macondo well, sir?

Page 60:11 to 60:15

11 A. Same answer.
12 Q. And isn't it true that the Tiger
13 Team warned you that fast drilling was
14 overrunning the ability to interpret
15 real-time data, sir?

Page 60:17 to 60:20

17 A. Same answer.
18 Q. And isn't that one of the
19 lessons learned from the March 2010 kick,
20 sir?

Page 60:22 to 61:13

22 A. Same answer.
23 Q. Sir, I'd ask you to look in the
24 black book under tab 19. Sir, this is an
25 e-mail chain which has been previously marked
1 as exhibit 14 and then exhibit 45 -- 214.
2 I'm sorry.
3 Do you recall getting this
4 e-mail from Jonathan Bellow on Friday,
5 March 12th, 2010?
6 A. Same answer.
7 Q. And this regards some thoughts
8 regarding the Macondo well, sir?
9 A. Same answer.
10 Q. And those thoughts were given
11 after the kick that occurred on March 8th,
12 2010, on the Macondo well, did it not, sir?
13 A. Same answer.

Page 61:19 to 62:03

19 Q. And that well had to be
20 sidetracked as a result of that event, did it
21 not, sir?
22 A. Same answer.
23 Q. And that event cost time in
24 terms of drilling this particular well, did
25 it not, sir?
1 A. Same answer.
2 Q. And it cost a lot of money,
3 didn't it, sir?

Page 62:05 to 62:08

5 A. Same answer.
6 Q. Sir, the -- did you note the
7 thoughts of Mr. Bellow?
8 A. Same answer.

Page 62:10 to 63:17

10 Q. Did you agree with Mr. Bellow?
11 A. Same answer.
12 Q. Do you agree that by
13 Macondo-type wells -- do you agree that the

14 Macondo-type well was without a thick salt
 15 section?
 16 A. Same answer.
 17 Q. Do you agree that you had a very
 18 narrow drilling window for a large part of
 19 the well?
 20 A. Same answer.
 21 Q. Was there real-time pore
 22 pressure detection on the Macondo?
 23 A. Same answer.
 24 Q. Sir, do you agree with
 25 Mr. Bellow when he said, we have been spoiled
 1 in the exploration on the DEEPWATER HORIZON
 2 with having wells like Tiber, Freedom,
 3 Kodiak, Big Kahuna, Kaskida, that have salt
 4 sections thick enough to allow us the luxury
 5 of a wider drilling margin? Do you agree
 6 with that, sir?
 7 A. Same answer.
 8 Q. We are very, very good at salt
 9 exit now.
 10 Do you agree with that?
 11 A. Same answer.
 12 Q. We have not drilled a huge
 13 number of these, quote,
 14 no-salt-narrow-drilling window, close quote,
 15 wells.
 16 Do you agree with that, sir?
 17 A. Same answer.

Page 63:22 to 63:24

22 Q. And, sir, in your opinion, was
 23 BP competent to drill a
 24 no-salt-narrow-drilling window well?

Page 64:01 to 64:03

1 A. Same answer.
 2 Q. Did BP have the experience to
 3 drill a no-salt-narrow-drilling window well?

Page 64:05 to 64:20

5 A. Same answer.
 6 Q. Sir, when Mr. Bellow wrote, we

7 can perhaps afford -- we can perhaps afford
8 to wait longer to raise the flag and watch
9 for the PP trend; we are comfortable in thick
10 salt wells; however, in these narrow-window
11 wells, we believe we need to have PP
12 conversations as soon as any indicator shows
13 a change in PP; we also need to be prepared
14 to have some false alarms and not be afraid
15 of it; we need to have the entire team more
16 aware and focused on all -- that's in all
17 caps -- PP indicators with the mentality that
18 a couple of dummy connections and a
19 circulation time costs far less than three
20 kick events, did you agree with that, sir?

Page 64:22 to 64:25

22 A. Same answer.
23 Q. Was -- was Mr. Bellow saying
24 that BP wasn't competent to drill a
25 Macondo-type well, sir?

Page 65:02 to 65:05

2 A. Same answer.
3 Q. Was he saying that you had to
4 reform your practices in order to drill a
5 Macondo-type well, sir?

Page 65:07 to 65:10

7 A. Same answer.
8 Q. Was one of Mr. Bellow's
9 recommendations to slow down the drilling
10 process, sir?

Page 65:12 to 65:15

12 A. Same answer.
13 Q. Sir, wasn't it a fact that the
14 Macondo well was far behind schedule?
15 A. Same answer.

Page 65:17 to 65:18

17 Q. Wasn't it a fact, sir, that the

18 Macondo well was far over cost?

Page 65:20 to 65:25

20 A. Same answer.
21 Q. And wasn't it true that your --
22 that you and the people on the drilling
23 engineering team were anxious to plug and
24 abandon this well and move on to the next
25 project?

Page 66:02 to 66:06

2 A. Same answer.
3 Q. And, sir, at the point that in
4 April of 2010 when your drill team was trying
5 to P&A this well, you were anxious to save
6 time and money, were you not?

Page 66:08 to 66:12

8 A. Same answer.
9 Q. And by not placing
10 21 centralizers in the well as recommended by
11 the Halliburton OptiCem model, you saved time
12 and money, did you not?

Page 66:14 to 66:18

14 A. Same answer.
15 Q. By not waiting for the results
16 of the foam stability test on the cement
17 slurry that was actually used in the well,
18 time and money was saved, wasn't it, sir?

Page 66:20 to 66:25

20 A. Same answer.
21 Q. By not using a spacer -- by
22 using a spacer from combined lost circulation
23 material to avoid transporting that material
24 off the rig into hazardous waste disposal,
25 you saved time and money, didn't you, sir?

Page 67:02 to 67:02

2 A. Same answer.

Page 67:04 to 67:06

4 Q. And, sir, that combined lost
5 circulation material was never tested, was
6 it, sir?

Page 67:08 to 67:11

8 A. Same answer.

9 Q. And you didn't know what the
10 effect of using that spacer on -- in the well
11 would have been, did you, sir?

Page 67:14 to 67:17

14 A. Same answer.

15 Q. By the displacing the mud in the
16 riser before setting the surface cement plug,
17 BP saved time and money, did it not, sir?

Page 67:19 to 67:23

19 A. Same answer.

20 Q. By setting the cement plug
21 3,000 -- some 3300 feet below the mud line in
22 seawater, you saved time and money, didn't
23 you, sir?

Page 67:25 to 68:05

25 A. Same answer.

1 Q. By not performing further well
2 integrity diagnostic tests in -- in light of
3 a troubling unexplained negative-pressure
4 test, BP saved time and money, did it not,
5 sir?

Page 68:07 to 68:10

7 A. Same answer.

8 Q. And you would agree with me,
9 sir, that the negative test results were
10 anomalous, would you not, sir?

Page 68:12 to 68:16

12 A. Same answer.
13 Q. And you would agree with me,
14 sir, that further well integrity diagnostic
15 tests should have been performed in light of
16 that anomalous finding, sir; is that correct?

Page 68:18 to 68:20

18 A. Same answer.
19 Q. And that would have cost time,
20 sir; is that correct?

Page 68:22 to 68:24

22 A. Same answer.
23 Q. And that would have cost money,
24 sir; is that correct?

Page 69:01 to 69:04

1 A. Same answer.
2 Q. By bypassing the pits and
3 pumping mud directly to the DAMON BANKSTON,
4 BP saved time and money, did it not, sir?

Page 69:06 to 69:13

6 A. Same answer.
7 Q. And there was no top to bottom
8 circulation performed on this well prior to
9 the cementing process, was there, sir?
10 A. Same answer.
11 Q. And in not performing a
12 top-to-bottom circulation, sir, BP saved time
13 and money, did it not, sir?

Page 69:15 to 69:18

15 A. Same answer.
16 Q. Okay. By using a long string
17 versus a liner tieback, BP saved time and
18 money, did it not?

Page 69:20 to 69:23

20 A. Same answer.
21 Q. In fact, it saved, by your own
22 estimate 7 to \$12 million; isn't that
23 correct, sir?

Page 69:25 to 70:07

25 A. Same answer.
1 Q. And, sir, if a liner tieback had
2 been used, there would have been a lower ECD;
3 is that correct, sir?
4 A. Same answer.
5 Q. And, sir, that would have more
6 likely provided a better cement job; isn't
7 that correct, sir?

Page 70:09 to 70:14

9 A. Same answer.
10 Q. And, sir, the liner hanger
11 packer would have acted as an additional
12 annular barrier once the tiebacks had been
13 run; is that correct, sir?
14 A. Same answer.

Page 71:03 to 72:04

3 Q. Sir, when you drafted the
4 negative-pressure test procedure in this
5 matter, were there clear instructions as to
6 how to interpret that test?
7 A. Same answer.
8 Q. Did anyone call Mr. Kaluza or
9 Mr. Vidrine to tell them how to interpret the
10 test?
11 A. Same answer.
12 Q. Did anyone tell them exactly
13 what they should expect as a result of the
14 test?
15 A. Same answer.
16 Q. Sir, have you ever heard of a
17 bladder effect?
18 A. Same answer.
19 Q. In fact, sir, during your entire
20 petroleum education and experience, you've

21 never heard of a bladder effect on a
22 negative-pressure test, have you, sir?
23 A. Same answer.
24 Q. And, sir, you wouldn't expect
25 that your wellsite leaders aboard the
1 DEEPWATER HORIZON, Mr. Kaluza or Mr. Vidrine,
2 to have accepted a bladder effect as an
3 anomalous result for a negative test, would
4 you, sir?

Page 72:06 to 72:06

6 A. Same answer.

Page 72:11 to 72:13

11 Q. Were you aware that BP had
12 ranked Mr. Kaluza at the bottom of all of its
13 wellsite leaders in the Gulf of Mexico?

Page 72:15 to 72:18

15 A. Same answer.
16 Q. Sir, going back to Fast Drill,
17 isn't it true that Fast Drill resulted in ECD
18 exceeding leak-off pressures --

Page 72:20 to 72:25

20 A. Same answer.
21 Q. -- on several occasions, sir?
22 A. Same answer.
23 Q. And isn't it true where the ECD
24 exceeded leak-off pressures, those were not
25 reported to the MMS, sir?

Page 73:02 to 73:04

2 A. Same answer.
3 Q. And wasn't that required to be
4 reported to the MMS, sir?

Page 73:06 to 73:10

6 A. Same answer.
7 Q. Isn't it also true that ECD

8 versus leak-offs often violated BP's own
9 written plans and procedures in drilling
10 programs?

Page 73:12 to 73:16

12 A. Same answer.
13 Q. Sir, isn't it true that the top
14 of the hydrocarbon zone, sand was actually at
15 17,476 feet rather -- containing free gas and
16 not 18,260 feet?

Page 73:18 to 73:21

18 A. Same answer.
19 Q. Sir, isn't it true that there
20 was actually fluid losses during the primary
21 cement operation?

Page 73:23 to 73:25

23 A. Same answer.
24 Q. And isn't it true that those
25 were three to nine barrels?

Page 74:02 to 74:02

2 A. Same answer.

Page 74:08 to 74:11

8 Q. If it's true that there were
9 three to eight barrels of losses, sir, would
10 that have been an indicator of a compromise
11 of the cement placement?

Page 74:13 to 74:16

13 A. Same answer.
14 Q. Isn't it true that failure to
15 recognize these losses would have violated BP
16 zonal isolation policies?

Page 74:18 to 74:21

18 A. Same answer.

19 Q. Sir, isn't it true under the BP
20 management-of-change processes, that all of
21 those required risk assessment?

Page 74:23 to 75:03

23 A. Same answer.
24 Q. And isn't it true, sir, that
25 many of the management-of-change processes
1 which occurred in April of 2010 regarding the
2 Macondo well did not have a risk assessment
3 process?

Page 75:05 to 75:05

5 A. Same answer.

Page 75:17 to 75:19

17 Q. Sir, isn't it a fact that the
18 design of the well was driven by rig
19 schedule?

Page 75:21 to 76:01

21 A. Same answer.
22 Q. Sir, isn't it a fact that you
23 and the well design team for the Macondo well
24 knew that there was no cement program that
25 would effectively cement either the long
1 string or liner tieback design?

Page 76:03 to 76:05

3 A. Same answer.
4 Q. Wasn't that told to you, sir, by
5 Jesse Gagliano?

Page 76:08 to 76:08

8 A. Same answer.

Page 78:03 to 78:12

3 (Exhibit Number 4456 marked.)
4 Q. Sir, I'm handing you a document

5 which I've marked as 4456.
 6 That's a decision tree, is it
 7 not, sir?
 8 A. Same answer.
 9 Q. And it's a decision tree for the
 10 final P&A of the Macondo well, is it not,
 11 sir?
 12 A. Same answer.

Page 78:14 to 78:15

14 Q. And, sir, that's the decision
 15 tree that you created, is it not, sir?

Page 78:17 to 78:20

17 A. Same answer.
 18 Q. And this particular Macondo
 19 production casing and T&A forward planning
 20 decision tree is dated 4-14-2010, is it not?

Page 78:22 to 78:22

22 A. Same answer.

Page 79:17 to 80:04

17 It's tab 40 in the black book. It should be
 18 in the white book. And this is
 19 exhibit 140 -- 186. I'm sorry.
 20 Sir, you recognize this
 21 document?
 22 A. Same answer.
 23 Q. And, sir, this is the
 24 April 18th, 2010, production casing design
 25 report which was presented to Brian Morel?
 1 A. Same answer.
 2 Q. Okay. And this was produced by
 3 Halliburton, sir; is that correct, sir?
 4 A. Same answer.

Page 80:09 to 80:12

9 Directing your attention first
 10 to page 16. Halliburton modeling, assumption
 11 in this report was -- was the placement of

12 seven centralizers, was it not, sir?

Page 80:14 to 81:03

14 A. Same answer.

15 Q. And based upon the placement of
16 seven centralizers -- now I direct your
17 attention to page 18 -- was, quote, based on
18 an analysis of the above outlined well
19 condition. This well is considered to have a
20 SEVERE -- and that's in all caps -- gas flow
21 problem. Well -- wells in this category fall
22 into flow condition 3.

23 Did I read that correctly, sir?

24 A. Same answer.

25 Q. Okay. And you were aware, sir,
1 that that was -- it was Halliburton's report
2 that if 21 centralizers were not used, you
3 would encounter severe gas flow conditions?

Page 81:05 to 81:13

5 A. Same answer.

6 Q. And the problem with having
7 severe gas flow conditions on the presence of
8 the cement job, sir, was, among other things,
9 channeling?

10 A. Same answer.

11 Q. And if there were channeling,
12 sir, that it may not lead to a good cement
13 job; is that correct, sir?

Page 81:15 to 81:15

15 A. Same answer.

Page 82:23 to 83:04

23 Q. And, sir, Erick Cunningham was a
24 cement specialist that was available to your
25 well design team, was it -- was he not?

1 A. Same answer.

2 Q. And he was a BP employee, was he
3 not?

4 A. Same answer.

Page 85:15 to 87:11

15 Q. Sir, I've asked you a number of
16 questions concerning the drilling and
17 practices and procedures surrounding the
18 Macondo well.

19 If I continue to ask you more
20 questions concerning the practices and
21 procedures in drilling and designing the
22 Macondo well, is it your intention to
23 continue to invoke your Fifth Amendment
24 privilege not to testify?

25 A. Yes.

1 Q. Sir, I've asked you a number of
2 questions concerning the cement processes and
3 Halliburton's interface with BP during the
4 drilling of the Macondo well.

5 Sir, if I continue to ask you
6 questions concerning the interface between BP
7 and Halliburton and the cement practices on
8 the Macondo well, is it your intention to
9 continue to exercise your right under the
10 Fifth Amendment not to testify?

11 A. Yes.

12 Q. Sir, I've asked you a number of
13 questions concerning drilling techniques,
14 such as Fast Drill and the drilling of this
15 particular type of well.

16 If I continue to ask you
17 questions concerning drilling techniques and
18 the drilling of this particular type of well,
19 referring to the Macondo well, would it be
20 your intention to continue to assert your
21 Fifth Amendment right not to testify?

22 A. Yes.

23 Q. Sir, I've asked you questions
24 about your interviews post accident with
25 various individuals, people associated with
1 the Bly team, people associated with outside
2 prosecutorial offices or federal agencies or
3 state agencies.

4 If I continue to ask you
5 questions about who you have spoken to,
6 absent your attorneys, regarding the events
7 which occurred on the Macondo well or during
8 your well design of the Macondo well, is it

9 your intention to continue to assert your
10 Fifth Amendment privilege not testify?
11 A. Yes, sir.

Page 88:17 to 90:05

17 At the time of the Macondo
18 blowout and explosion, you were the senior
19 drilling engineer working on the Macondo
20 well, correct?
21 A. Same answer.
22 Q. And Brian Morel was also a
23 drilling engineer working on the Macondo well
24 at that time?
25 A. Same answer.
1 Q. You were aware that you had
2 significantly more experience as a drilling
3 engineer than Mr. Morel, weren't you?
4 A. Same answer.
5 Q. Part of your responsibility as a
6 drilling engineer is to take a written
7 drilling program and execute it, correct?
8 A. Same answer.
9 Q. Another one of your
10 responsibilities is to work with the wellsite
11 leaders and answer questions they may have
12 regarding the drilling program, correct?
13 A. Same answer.
14 Q. As part of your
15 responsibilities, you would be consulted in
16 decisions relating to mud weights, correct?
17 A. Same answer.
18 Q. You would also be consulted
19 with -- or regarding pore pressure estimates,
20 correct?
21 A. Same answer.
22 Q. And you would also review
23 leak-off tests?
24 A. Same answer.
25 Q. And formation integrity tests?
1 A. Same answer.
2 Q. As senior drilling engineer, you
3 were responsible for decisions relating to
4 the cement program, correct?
5 A. Same answer.

Page 90:07 to 90:12

7 Q. Isn't it true that the decision
8 was made to use foam -- I'm sorry.
9 Isn't it true that the decision
10 to use foam cement was made prior to ever
11 discussing the Macondo well production casing
12 cement job with Erick Cunningham?

Page 90:14 to 90:18

14 A. Same answer.
15 Q. You were aware that Erick
16 Cunningham had reservations about using foam
17 cement for production casings and liners,
18 weren't you?

Page 90:20 to 90:25

20 A. Same answer.
21 Q. In March of 2010, you were aware
22 that Mr. Cunningham challenged the use of
23 foam cement on the Macondo well production
24 casing interval during A meeting with the BP
25 Macondo well team, correct?

Page 91:02 to 91:07

2 A. Same answer.
3 Q. And despite Mr. Cunningham's
4 concerns regarding the use of foam cement,
5 the BP Macondo well team, including yourself,
6 decided to use foam cement for the production
7 casing?

Page 91:09 to 91:19

9 A. Same answer.
10 Q. Isn't it true that the cement
11 dry blend used on the Macondo production
12 casing had been used on the prior BP well
13 drilled by the DEEPWATER HORIZON?
14 A. Same answer.
15 Q. Isn't it also true that the BP
16 wells team wanted to use the dry blend on the
17 HORIZON for the Macondo well rather than have

18 a new cement dry blend shipped out to the
19 rig?

Page 91:21 to 92:04

21 A. Same answer.
22 Q. And the decision to use the dry
23 blend on the DEEPWATER HORIZON at the time of
24 the Macondo product -- production casing
25 cement job was consistent with BP's general
1 policy to utilize cement already on the rig
2 rather than shipping a new dry blend out to
3 the rig for each production casing cement
4 job, wasn't it?

Page 92:06 to 92:22

6 A. Same answer.
7 Q. As a senior drilling engineer,
8 you are familiar with OptiCem and OptiCem
9 reports, correct?
10 A. Same answer.
11 Q. As a senior drilling engineer,
12 you are also competent to review OptiCem
13 reports, aren't you?
14 A. Same answer.
15 Q. As a senior drilling engineer,
16 you are also competent to interpret the
17 results of OptiCem reports, correct?
18 A. Same answer.
19 Q. You were aware that
20 Halliburton's April 15th, 2010, OptiCem
21 report recommended that BP use
22 21 centralizers, correct?

Page 92:24 to 93:02

24 A. Same answer.
25 Q. You were also aware that that
1 report indicated that there was a minor gas
2 flow potential, correct?

Page 93:04 to 93:08

4 A. Same answer.
5 Q. You were also aware that

6 additional centralizers were ordered based on
7 Halliburton's April 15th OptiCem report and
8 recommendations, correct?

Page 93:10 to 93:23

10 A. Same answer.
11 Q. You were aware that those
12 additional centralizers were sent to the rig
13 in advance of pumping the production casing
14 cement job, correct?
15 A. Same answer.
16 Q. You were also aware of
17 Halliburton's April 18, 2010, OptiCem report
18 which modeled the cement job using several --
19 seven centralizers, correct?
20 A. Same answer.
21 Q. And that report indicated that
22 there was a severe gas flow potential using
23 seven centralizers, correct?

Page 93:25 to 94:04

25 A. Same answer.
1 Q. That report also indicated a
2 significant risk of channeling in the cement
3 job with the use of seven centralizers,
4 correct?

Page 94:06 to 94:11

6 A. Same answer.
7 Q. And after receiving
8 Halliburton's April 18, 2010, OptiCem report
9 which indicated a severe gas flow potential,
10 BP proceeded to pump the cement job with only
11 six centralizers, correct?

Page 94:13 to 94:18

13 A. Same answer.
14 Q. Neither you nor any BP employee
15 ever advised Halliburton before the
16 production casing cement job began on
17 April 19th, 2010, that BP had used only six
18 of the 21 centralizers, did it -- did you?

Page 94:20 to 94:23

20 A. Same answer.
21 Q. Isn't it true that neither you
22 nor -- nor BP ever asked Halliburton to run a
23 new OptiCem model with only six centralizers?

Page 94:25 to 95:08

25 A. Same answer.
1 Q. It's also true that the six
2 centralizer subs on the production casing
3 were placed at irregular intervals, isn't it?
4 A. Same answer.
5 Q. And you never requested that
6 Halliburton model the actual centralizer
7 placement before pumping the cement job,
8 correct?

Page 95:10 to 95:21

10 A. Same answer.
11 Q. You were aware that there were
12 21 centralizers in total available on the rig
13 at the time the production casing was -- was
14 run, correct?
15 A. Same answer.
16 Q. You received a telephone call
17 from Brian Morel during the weekend of
18 April 17, 2010, stating that the pipe was
19 being run without the required amount of
20 centralizers, which was part of the MOC,
21 correct?

Page 95:23 to 96:02

23 A. Same answer.
24 Q. The decision to place only six
25 centralizers on the production casing
1 interval was made to save BP time and money,
2 correct?

Page 96:04 to 96:08

4 A. Same answer.

5 Q. It's true that BP failed to
6 centralize across all of the -- of the
7 hydrocarbon-bearing zones at the Macondo
8 well, isn't it?

Page 96:10 to 96:22

10 A. Same answer.
11 Q. Isn't it also true that pipe
12 centralization reduces channeling in cement
13 and improves mud displacement during a cement
14 job?
15 A. Same answer.
16 Q. Despite your knowledge that
17 Mr. Gagliano routinely provided BP with
18 untimely lab results, the BP Macondo team did
19 not ensure that all lab results for the
20 cement slurry pumped on the Macondo well on
21 April 19th to 20th were received and reviewed
22 before the cement job was pumped --

Page 96:25 to 97:08

25 Q. -- correct?
1 A. Same answer.
2 Q. Isn't it true that BP pumped the
3 cement job on the production casing interval
4 without having lab test results indicating
5 foam stability of the slurry, using .08 GPS
6 or .09 GPS of the retarder additive,
7 SCR-100L, or final UCA strengths for either
8 slurry?

Page 97:10 to 97:15

10 A. Same answer.
11 Q. Isn't it true that the only foam
12 stability lab test the -- the Macondo well
13 team had prior to commencement and completion
14 of the cement job on April 19 through 20,
15 2010, indicated an unstable foam cement?

Page 97:17 to 98:05

17 A. Same answer.
18 Q. Isn't it true that unstable foam

19 can lead to nitrogen breakout and failure to
20 achieve zonal isolation?

21 A. Same answer.

22 Q. Despite the warnings BP received
23 from Halliburton of severe gas flow potential
24 and channeling in the production casing
25 interval cement job, you relied solely on
1 reports of full returns from Transocean and
2 approximately 100 psi of lift pressure
3 observed by Halliburton's cement crew after
4 the bottom plug landed to determine the
5 success of the cement job, didn't you?

Page 98:08 to 98:12

8 A. Same answer.

9 Q. Isn't it true that full returns
10 and lift pressure are not indicative of top
11 of cement?

12 A. Same answer.

Page 98:14 to 98:16

14 Q. Isn't it also true that full
15 returns and lift pressure are not indicative
16 of whether the cement is contaminated?

Page 98:18 to 98:22

18 A. Same answer.

19 Q. Isn't it also true that full
20 returns and lift pressure are not indicative
21 of whether channeling has occurred in the
22 cement?

Page 98:24 to 99:02

24 A. Same answer.

25 Q. Full returns and lift pressure
1 are not indicative of whether the cement has
2 set up, are they?

Page 99:04 to 99:07

4 A. Same answer.

5 Q. You questioned whether the

6 nitrogen in the cement slurry had been
7 injected at the correct time, didn't you?

Page 99:09 to 99:15

9 A. Same answer.
10 Q. You were aware that there was an
11 increased risk of channeling with the
12 production casing interval cement job and
13 severe gas flow potential, but you did not
14 perform a cement bond log after the cement
15 job, did you?

Page 99:17 to 99:21

17 A. Same answer.
18 Q. Isn't it true that the problems
19 establishing circulation pressure were not
20 considered in making the decision not to run
21 a cement bond log?

Page 99:23 to 100:03

23 A. Same answer.
24 Q. Isn't it also true that BP
25 questioned -- questioned Halliburton's
1 addition of a fluid loss additive in the
2 slurry design for the 16.4 and 17.2 ppg
3 plugs?

Page 100:05 to 100:16

5 A. Same -- same answer.
6 Q. Isn't it also true that BP
7 sought Erick Cunningham's input on the
8 decision to include that fluid loss additive?
9 A. Same answer.
10 Q. And isn't it true that in an
11 e-mail dated March 11, 2010, Erick Cunningham
12 indicated that Jesse Gagliano should be
13 challenged to produce static strength
14 measurements from the lab on the 17.2 ppg
15 slurry design and an alternative design
16 without fluid loss in the future?

Page 100:18 to 101:07

18 A. Same answer.
19 Q. And Mr. Cunningham also
20 indicated that if 16.4 ppg Lafarge Class H
21 plug across a shale section was used, he saw
22 no reason for fluid loss additives?
23 A. Same answer.
24 Q. Mr. Cunningham also indicated
25 that he had designed plugs and pumped them
1 successfully, both with and without fluid
2 loss at both of those densities, didn't he?
3 A. Same answer.
4 Q. Mr. Cunningham's advice was
5 sought because you were not going to rely
6 100 percent on Halliburton's recommendations,
7 correct?

Page 101:09 to 102:03

9 A. Same answer.
10 Q. Isn't it true that via e-mail,
11 dated March 15, 2010, Jesse Gagliano
12 recommended using 170 barrels of spacer for
13 the kick-off plug?
14 A. Same answer.
15 Q. Mr. Gagliano's e-mail was
16 forwarded to Erick Cunningham who was asked
17 whether he could, quote, comment on or
18 recommend spacer volumes, end quote, correct?
19 A. Same answer.
20 Q. And Mr. Cunningham e-mailed on
21 March 16th and said that he agreed that
22 running more spacer here is necessary due to
23 hole size and that 90 feet of coverage is not
24 sufficient, didn't he?
25 A. Same answer.
1 Q. And you are aware that John
2 Guide wanted to stay at 75 barrels of spacer,
3 weren't you?

Page 102:05 to 102:09

5 A. Same answer.
6 Q. And you and Mr. Guide agreed
7 that you wanted to use less spacer despite
8 contrary opinions from Halliburton and

9 Mr. Cunningham, correct?

Page 102:11 to 102:15

11 A. Same answer.
12 Q. Isn't it true that by e-mail,
13 dated April 9, 2010, Jesse Gagliano provided
14 you information on fiber lost-circulation
15 materials?

Page 102:17 to 102:21

17 A. Same answer.
18 Q. And you were looking into
19 finding the most effective product for lost
20 circulation during your production cement job
21 for the Macondo well, correct?

Page 102:23 to 103:02

23 A. Same answer.
24 Q. So you, rather than Halliburton,
25 were going to choose a lost-circulation
1 material to mix into the cement for the
2 well -- Macondo well production casing?

Page 103:04 to 103:20

4 A. Same answer.
5 Q. The temporary abandonment
6 procedure in the permit to -- to modify
7 submitted to MMS on or about April 16, 2010,
8 included negative-test procedure, correct?
9 A. Same answer.
10 Q. You were aware that MMS had
11 approved that application for a permit to
12 modify, correct?
13 A. Same answer.
14 Q. You received an e-mail entitled,
15 Ops note from Brian Morel on or about
16 April 20th, 2010, correct?
17 A. Same answer.
18 Q. And that Ops note included the
19 temporary abandonment procedure that the rig
20 was to follow, correct?

Page 103:22 to 104:01

22 A. Same answer.

23 Q. The temporary abandonment
24 procedure sent to MMS for approval was not
25 the temporary abandonment procedure that was
1 performed, was it?

Page 104:03 to 104:06

3 A. Same answer.

4 Q. The temporary abandonment
5 procedure that was performed had not been
6 approved by MMS, had it?

Page 104:08 to 104:11

8 A. Same answer.

9 Q. The temporary abandonment
10 procedure that was performed hadn't been
11 submitted to MMS, had it?

Page 104:13 to 104:17

13 A. Same answer.

14 Q. It was a violation of BP's
15 permit to modify the temporary abandonment
16 procedure without approval from MMS, wasn't
17 it?

Page 104:19 to 104:23

19 A. Same answer.

20 Q. And you did not object to the
21 use of the temporary abandonment procedure in
22 the Ops note, correct?

23 A. Same answer.

Page 105:02 to 105:04

2 Q. You did not change or modify the
3 temporary abandonment procedure so that there
4 was more than one barrier to flow, correct?

Page 105:06 to 105:13

6 A. Same answer.
7 Q. You were aware that the
8 negative-pressure test was a safety critical
9 test, correct?
10 A. Same answer.
11 Q. And you also knew that it was
12 the final test to ensure the integrity of the
13 well prior to temporary abandonment?

Page 105:15 to 105:19

15 A. Same answer.
16 Q. The e-mail from Brian Morel
17 entitled Ops note, sent on 4-20-10, purported
18 to contain the procedure for performing the
19 negative-pressure test, correct?

Page 105:21 to 105:25

21 A. Same answer.
22 Q. And the negative test
23 procedure -- negative-pressure test procedure
24 was not the same as the negative-pressure
25 test procedure approved by MMS, correct?

Page 106:02 to 106:06

2 A. Same answer.
3 Q. And, in fact, you discussed with
4 John Guide whether the change in the
5 negative-pressure test procedure required
6 approval from MMS, didn't you?

Page 106:08 to 106:11

8 A. Same answer.
9 Q. MMS did not approve the
10 negative-pressure test that was in the Ops
11 note, correct?

Page 106:13 to 106:16

13 A. Same answer.
14 Q. MMS did not approve the
15 negative-pressure test procedure that was
16 actually performed on the rig, did they?

Page 106:18 to 106:22

18 A. Same answer.
19 Q. You knew that despite anomalous
20 pressure results observed during the
21 negative-pressure test, the rig crew deemed
22 the test to be successful, correct?

Page 106:24 to 107:02

24 A. Same answer.
25 Q. You also knew there was
1 confusion about the negative-pressure test,
2 correct?

Page 107:04 to 107:06

4 A. Same answer.
5 Q. You did not advise anyone of
6 those concerns, did you?

Page 107:08 to 107:10

8 A. Same answer.
9 Q. And you did not suggest that the
10 negative-pressure test be run again, did you?

Page 107:12 to 107:16

12 A. Same answer.
13 Q. Did you tell anyone at that time
14 that the well should be shut in until the
15 anomalous negative-pressure test results
16 could be explained?

Page 107:18 to 107:25

18 A. Same answer.
19 Q. You were aware that excess
20 lost-circulation material was used as a
21 spacer in the Macondo well, correct?
22 A. Same answer.
23 Q. You were aware that LCM
24 materials are not designed for use as spacer,
25 correct?

Page 108:03 to 108:06

3 A. Same answer.
4 Q. You were not aware of any
5 manufacturer specification indicating that
6 LCM could be used as spacer, were you?

Page 108:09 to 108:12

9 A. Same answer.
10 Q. You were not aware of any
11 information whatsoever indicating that LCM
12 material could be used as spacer, were you?

Page 108:15 to 108:19

15 A. Same answer.
16 Q. If the premixed LCM wasn't
17 circulated through the wellbore, there were
18 restrictions on how the material could be
19 disposed of, correct?

Page 108:22 to 109:01

22 A. Same answer.
23 Q. You were aware that if the LCM
24 wasn't circulated through the wellbore, it
25 would have to be disposed of as a RCRA
1 hazardous substance, correct?

Page 109:04 to 109:08

4 A. Same answer.
5 Q. And you also knew that disposal
6 of LCM as a RCRA hazardous substance was
7 expensive, didn't you?
8 A. Same answer.

Page 109:10 to 109:12

10 Q. You believed that if the LCM was
11 circulated through the wellbore, you would be
12 able to dispose of the material overboard?

Page 109:15 to 109:15

15 A. Same answer.

Page 109:18 to 109:21

18 Q. Even though you were aware that
19 LCM was not designed or intended to be used
20 as a spacer, you approved its use as a
21 spacer, correct?

Page 109:24 to 110:04

24 A. Same answer.
25 Q. Even though you were aware that
1 LCM was not designed or intended to be used
2 as a spacer, you did not perform a risk
3 assessment prior to using it as a spacer,
4 correct?

Page 110:07 to 110:12

7 A. Same answer.
8 Q. Even though you were aware that
9 LCM was not designed or intended to be used
10 as a spacer, you did not request that anyone
11 else perform a risk assessment regarding the
12 use of LCM as a spacer, did you?

Page 110:15 to 110:20

15 A. Same answer.
16 Q. Even though you knew that LCM
17 was not designed or intended to be used as a
18 spacer, you did not do any tests to determine
19 where the LCM was placed prior to performing
20 the negative-pressure test, correct?

Page 110:23 to 111:02

23 A. Same answer.
24 Q. Was the sole purpose for
25 allowing the LCM to be used as spacer to
1 avoid having to -- having to dispose of it as
2 a RCRA hazardous substance?

Page 111:05 to 111:07

5 A. Same answer.
6 Q. You could access INSITE Anywhere
7 day or night, 24 hours a day, correct?

Page 111:09 to 111:12

9 A. Same answer.
10 Q. And INSITE Anywhere was
11 reliable, correct?
12 A. Same answer.

Page 111:14 to 111:19

14 Q. So you and BP, onshore, had
15 access to the real-time data captured by the
16 Sperry-Sun system, correct?
17 A. Same answer.
18 Q. That data included drill pipe
19 pressure, correct?

Page 111:21 to 111:23

21 A. Same answer.
22 Q. It also included kill line
23 pressure?

Page 111:25 to 112:03

25 A. Same answer.
1 Q. The -- the data available on --
2 in INSITE Anywhere also included data from
3 the pit volume sensors, correct?

Page 112:05 to 112:07

5 A. Same answer.
6 Q. And it also included flow-in
7 rates?

Page 112:09 to 112:12

9 A. Same answer.
10 Q. That data was -- continued to be
11 transmitted to shore up until the time of the
12 explosion, correct?

Page 112:14 to 112:18

14 A. Same answer.
15 Q. You knew that the rig personnel
16 were conducting a negative-pressure test the
17 afternoon and evening of April 20th, 2010,
18 correct?

Page 112:20 to 112:24

20 A. Same answer.
21 Q. And you also knew that the
22 process would involve conducting the test
23 after displacement of the mud with seawater,
24 correct?

Page 113:01 to 113:06

1 A. Same answer.
2 Q. A person onshore continuously
3 watching the data from the rig through INSITE
4 Anywhere on April 20th, 2010, could have
5 discerned fluctuations in the drill pipe
6 pressure, correct?

Page 113:08 to 113:11

8 A. Same answer.
9 Q. And you would have seen that
10 pressure mounting, then dropping as fluids
11 were bled off, then mounting again?

Page 113:13 to 114:02

13 A. Same answer.
14 Q. A person watching the -- the
15 data on INSITE Anywhere could also have seen
16 the kill line pressure moving to zero psi,
17 but the drill pipe pressure increasing to
18 around 1400 psi, correct?
19 A. Same answer.
20 Q. The real-time data available
21 through INSITE Anywhere may potentially have
22 revealed anomalies during the
23 negative-pressure test that warranted
24 additional investigation, correct?

25 A. Same answer.
1 Q. Additional investigation was not
2 conducted at that time, was it?

Page 114:04 to 114:07

4 A. Same answer.
5 Q. And you did not direct others to
6 make further investigation of any pressure
7 anomalies?

Page 114:09 to 114:14

9 A. Same answer.
10 Q. The ability of rig personnel to
11 monitor what was taking place during the
12 negative-pressure test may have been impacted
13 by other activities taking place on the rig,
14 correct?

Page 114:17 to 114:21

17 A. Same answer.
18 Q. In evaluating the
19 negative-pressure test results, the fact that
20 nitrogen cement had been used was not
21 considered, was it?

Page 114:23 to 115:02

23 A. Same answer.
24 Q. In evaluating the
25 negative-pressure test results, the increased
1 risk of instability in the cement was not
2 considered, was it?

Page 115:04 to 115:09

4 A. Same answer.
5 Q. In evaluating the
6 negative-pressure test results, you did not
7 consider the increased risk of channeling
8 associated with the use of a long string, did
9 you?

Page 115:11 to 115:11

11 A. Same answer.

Page 115:17 to 115:18

17 You were aware that this was the
18 well from hell, correct?

Page 115:20 to 116:05

20 A. Same answer.
21 Q. And, in fact, you called the
22 Macondo well, quote, one crazy well, end
23 quote, correct?
24 A. Same answer.
25 Q. You also referred to the pore
1 pressures as being, quote, loosey-goosey?
2 A. Same answer.
3 Q. Were decisions at this well on
4 how to proceed made without reference to
5 previously identified problems?

Page 116:07 to 116:12

7 A. Same answer.
8 Q. Decisions on how to proceed at
9 the well were made based on predetermined
10 assumptions rather than with consideration to
11 problems and anomalies that occurred during
12 the cement job, correct?

Page 116:14 to 116:19

14 A. Same answer.
15 Q. Did you ensure that you had --
16 that you had and considered all relevant
17 information before making safety-critical
18 determinations with respect to drilling the
19 Macondo well?

Page 116:21 to 117:04

21 A. Same answer.
22 Q. You were involved in preparing
23 BP's drilling permit applications to MMS,
24 correct?

25 A. Same answer.
1 Q. You were aware of the statements
2 made by BP in those applications to MMS
3 concerning the drilling margins at the
4 Macondo well?

Page 117:06 to 117:09

6 A. Same answer.
7 Q. You were also aware that the
8 Macondo well was a well with a very narrow
9 drilling margin, correct?

Page 117:11 to 117:14

11 A. Same answer.
12 Q. And you knew that a narrow
13 drilling margin makes drilling a well more
14 complicated?

Page 117:16 to 117:19

16 A. Same answer.
17 Q. You also knew that a narrow
18 drilling margin increases the likelihood for
19 well-control events?

Page 117:21 to 117:24

21 A. Same answer.
22 Q. And that well-control events can
23 be either kicks or losses to the formation,
24 correct?

Page 118:01 to 118:05

1 A. Same answer.
2 Q. Well-control events, and in
3 particular kicks, are dangerous because they
4 can allow an influx of hydrocarbons into the
5 wellbore, correct?

Page 118:07 to 118:10

7 A. Same answer.
8 Q. And isn't it true that the

9 narrower the drilling margin, the more
10 likelihood there is for loss of well control?

Page 118:12 to 118:17

12 A. Same answer.
13 Q. When you were working on the
14 Macondo well, you were aware of the contents
15 of subpart D of the MMS regulations
16 pertaining to drilling operations, weren't
17 you?

Page 118:19 to 118:23

19 A. Same answer.
20 Q. You knew that the MMS
21 regulations prohibited drilling without the
22 safe drilling margin identified in the
23 approved permit to drill, correct?

Page 118:25 to 119:09

25 A. Same answer.
1 Q. You knew that in the case of the
2 Macondo well, BP was required to maintain a
3 safe margin between its mud weight and its
4 fracture gradient, correct?
5 A. Same answer.
6 Q. And you knew that BP was
7 required to maintain at least a 0.5 ppg
8 margin at all times unless it had received a
9 waiver from MMS, correct?

Page 119:11 to 119:24

11 A. Same answer.
12 Q. You knew that BP received three
13 waivers to drill within the 0.5 ppg margin,
14 correct?
15 A. Same answer.
16 Q. You also know that those waivers
17 were granted on October 25, 2009,
18 February 15, 2010, and March 18, 2010,
19 correct?
20 A. Same answer.
21 Q. And you knew that the waivers

22 from MMS did not allow BP to drill with a
23 margin of less than 0.3 pounds per gallon,
24 correct?

Page 120:01 to 120:11

1 A. Same answer.
2 Q. In connection with the Macondo
3 well, BP included in its drilling permit
4 applications to MMS, plots of the fracture
5 gradient and estimated pore pressures,
6 correct?
7 A. Same answer.
8 Q. Those plots also included dotted
9 lines to the right of the pore pressure and
10 to the left of the fracture gradient at
11 times, correct?

Page 120:13 to 120:17

13 A. Same answer.
14 Q. You were aware that when those
15 dotted lines were included in the plots, that
16 meant that BP would not drill with a mud
17 weight outside those dotted lines, correct?

Page 120:19 to 121:03

19 A. Same answer.
20 Q. You also knew that when BP
21 submitted a worksheet in its permit
22 application listing mud weights and fracture
23 gradients for intervals that had not yet been
24 drilled, that BP would not drill an interval
25 with a drilling margin less than the
1 difference between the mud weight for that
2 interval and the fracture gradient at the
3 previous shoe, correct?

Page 121:05 to 121:08

5 A. Same answer.
6 Q. You're aware that MMS relies on
7 BP to report accurate and reliable figures in
8 its permit applications, correct?

Page 121:10 to 121:17

10 A. Same answer.

11 Q. When BP filed its October 29,
12 2009, application for revised new well for
13 the Macondo well, it was responsible for
14 disclosing to MMS the actual leak-off test
15 and pore pressure scores it recorded when it
16 set the casing shoe at the previous interval,
17 correct?

Page 121:19 to 121:23

19 A. Same answer.

20 Q. And the previous interval was
21 set at a -- or the casing shoe of the
22 previous interval was at a depth of
23 approximately 8,000 feet, correct?

Page 121:25 to 122:03

25 A. Same answer.

1 Q. You knew that at that depth, the
2 surface mud weight equivalent of the fracture
3 gradient was no more than 10.3 ppg, correct?

Page 122:05 to 122:08

5 A. Same answer.

6 Q. You also knew that BP filed an
7 old plot that dated back to May 11, 2009,
8 correct?

Page 122:10 to 122:14

10 A. Same answer.

11 Q. You were aware that the May 11th
12 plot filed with MMS recorded the fracture
13 gradient at the 8,000-foot casing shoe as
14 11.1 ppg, weren't you?

Page 122:16 to 122:21

16 A. Same answer.

17 Q. You knew that in October 2009,
18 when BP drilled further down the Macondo well

19 after it took a kick at 8,970 feet, it did so
20 without the required drilling margin,
21 correct?

Page 122:23 to 123:04

23 A. Same answer.
24 Q. You knew that whenever BP drills
25 a casing interval, its drilling margin -- I'm
1 sorry -- its kick margin is required to be
2 determined by comparing its current mud
3 weight with the results of the pressure
4 integrity test at the previous casing shoe?

Page 123:06 to 123:11

6 A. Same answer.
7 Q. And you also knew that when it
8 drilled ahead at 8,970 feet after taking the
9 kick, it was drilling with a surface mud
10 weight of 10.1 ppg and a surface fracture
11 gradient of less than 10.3 ppg, correct?

Page 123:13 to 123:17

13 A. Same answer.
14 Q. You knew that the margin between
15 the fracture gradient and mud weight was less
16 than the MMS approved waiver to drill with a
17 margin of 0.3 ppg, correct?

Page 123:19 to 123:23

19 A. Same answer.
20 Q. You also knew that you risked a
21 well-control event by drilling ahead the
22 final 100 feet in the interval with less than
23 a .3 ppg margin?

Page 123:25 to 124:05

25 A. Same answer.
1 Q. When BP set its 13-5/8-inch
2 casing shoe around March 22nd, 2010, its
3 fracture gradient experts did not trust the
4 formation integrity test result of 14.6 ppg,

5 did they?

Page 124:07 to 124:11

7 A. Same answer.
8 Q. You knew that they thought that
9 the 14.G -- 14.6 ppg result was excessive and
10 not reliable as a formation integrity tool,
11 didn't you?

Page 124:13 to 124:19

13 A. Same answer.
14 Q. You had -- you discussed doing
15 an open-hole leak-off test to obtain an
16 accurate fracture gradient measurement, but
17 decided against it because you did not want
18 to risk getting a lower fracture gradient
19 value, didn't you?

Page 124:21 to 125:04

21 A. Same answer.
22 Q. You knew that on April 2nd,
23 2010, BP set its 9-7/8-inch casing shoe at a
24 depth of roughly 17,168 feet, correct?
25 A. Same answer.
1 Q. You also knew that according to
2 BP's Macondo team, the formation integrity
3 test result recorded was much higher than
4 expected, correct?

Page 125:06 to 125:09

6 A. Same answer.
7 Q. In fact, the formation integrity
8 test result recorded was 16.0 pounds per
9 gallon, correct?

Page 125:11 to 125:13

11 A. Same answer.
12 Q. And you knew that that 16.0 ppg
13 was higher than the overburden, correct?

Page 125:15 to 125:20

15 A. Same answer.
16 Q. You knew that one possible
17 explanation for the high formation integrity
18 test result was that BP had been testing
19 casing or cement rather than the formation,
20 correct?

Page 125:22 to 126:02

22 A. Same answer.
23 Q. And despite the questionable
24 formation integrity test result for its
25 9-7/8-inch casing shoe, you reported the 16.0
1 fracture gradient to MMS in your mid-April
2 drilling permit application, correct?

Page 126:04 to 126:08

4 A. Same answer.
5 Q. You knew that on or around
6 April 2nd, 2010, when the well had been
7 drilled to roughly 17,720 feet, it
8 experienced a fracture, correct?

Page 126:10 to 126:15

10 A. Same answer.
11 Q. And you knew at this point that
12 BP did not have a formation integrity test
13 that it could use to determine if it was
14 justified in drilling further into the well,
15 correct?

Page 126:17 to 126:21

17 A. Same answer.
18 Q. And you also knew that despite
19 the lack of a reliable formation integrity
20 test, BP drilled further down the hole,
21 correct?

Page 126:23 to 127:02

23 A. Same answer.
24 Q. You knew that at 18,260 feet,

25 the well suffered a total loss of returns,
1 correct?
2 A. Same answer.

Page 127:04 to 127:07

4 Q. You knew that it, again, lost
5 returns at that depth when the well was
6 static and had a downhole mud weight of -- of
7 approximately 14.5 ppg?

Page 127:09 to 127:13

9 A. Same answer.
10 Q. From that point on, you assumed
11 that the most reliable estimate of the
12 downhole fracture gradient at 18,260 feet was
13 approximately 14.5 ppg, correct?

Page 127:15 to 127:18

15 A. Same answer.
16 Q. BP didn't have a waiver to drill
17 the final interval with a mud weight within
18 0.5 ppg of the fracture gradient, did it?

Page 127:20 to 127:25

20 A. Same answer.
21 Q. You knew that according to MMS
22 regulations, BP was required to stop drilling
23 and remedy the situation in the event that it
24 could not maintain a safe drilling margin,
25 correct?

Page 128:02 to 128:06

2 A. Same answer.
3 Q. You knew that as of April 9,
4 2010, when the well was at 18,260 feet, BP
5 lacked a safe drilling margin, as that term
6 is used in the MMS regulations, correct?

Page 128:08 to 128:11

8 A. Same answer.

9 Q. You also knew that even without
10 the safe drilling margin, BP drilled the
11 final 100 feet of the well, correct?

Page 128:13 to 128:17

13 A. Same answer.
14 Q. You were aware that BP had not
15 informed MMS that it was going to continue to
16 drill 100 feet without a safe drilling
17 margin, correct?

Page 128:19 to 128:24

19 A. Same answer.
20 Q. You were aware that certain
21 traditional best and safest cementing
22 practices were not being used at the Macondo
23 well because BP was concerned about
24 fracturing the formation, correct?

Page 129:01 to 129:12

1 A. Same answer.
2 Q. You also knew that the concern
3 about fracturing the Macondo well formation
4 caused BP to use a variety of techniques in
5 order to minimize ECD during the cementing of
6 the production casing, correct?
7 A. Same answer.
8 Q. You were aware that -- that the
9 engineering team used a pump rate of 4 BPM
10 for the cementing of the production casing at
11 the Macondo well in an effort to minimize
12 ECD, correct?

Page 129:14 to 129:19

14 A. Same answer.
15 Q. And you were aware that BP
16 originally planned to circulate drilling
17 fluid at a flow rate of at least five to
18 eight barrels per minute while attempting to
19 convert the float collar?

Page 129:21 to 130:03

21 A. Same answer.
22 Q. The BP engineering team
23 eventually decided to use a flow rate of only
24 one to two barrels per minute during the
25 float collar conversion because of a concern
1 that a greater flow rate would raise ECD to a
2 level that might fracture the formation,
3 correct?

Page 130:05 to 130:10

5 A. Same answer.
6 Q. You understood that the flow
7 rate during float collar conversion did not
8 reach the minimum flow rate to achieve float
9 collar conversion according to the
10 manufacturer specifications, correct?

Page 130:12 to 130:16

12 A. Same answer.
13 Q. You were also aware that the BP
14 engineering team reduced the volume of cement
15 for the cementing of the production casing in
16 an effort to lower ECD, correct?

Page 130:18 to 130:23

18 A. Same answer.
19 Q. And you knew that BP deviated
20 from its original drilling program when it
21 decided not to run a full bottoms-up
22 circulation of drilling mud prior to
23 cementing the production casing?

Page 130:25 to 131:05

25 A. Same answer.
1 Q. You knew that BP decided not to
2 run a full bottoms-up prior to cementing the
3 production casing because of a concern that
4 doing so could fracture the formation,
5 correct?

Page 131:07 to 131:16

7 A. Same answer.
8 Q. You knew that the engineering
9 team did not consider reducing the mud weight
10 as a way of lowering ECD during the cement
11 job because doing so would increase the
12 likelihood of a kick?
13 A. Same answer.
14 Q. And you knew that the BP
15 engineering team decided to use a small
16 base-oil spacer in an effort to reduce ECD?

Page 131:18 to 131:20

18 A. Same answer.
19 Q. You were on the rig during the
20 March 8th kick event, correct?

Page 131:22 to 131:25

22 A. Same answer.
23 Q. You were in the wellsite
24 leader's office when the Transocean driller
25 called, correct?

Page 132:02 to 132:06

2 A. Same answer.
3 Q. You later found out that the
4 Transocean driller was calling to discuss the
5 gains they had taken with BP's wellsite
6 leader, correct?

Page 132:08 to 132:12

8 A. Same answer.
9 Q. And you expressed surprise that
10 the Transocean driller called the wellsite
11 leader's office before shutting in the well,
12 correct?

Page 132:14 to 132:25

14 A. Same answer.
15 Q. Loss of well control was
16 identified in the risk register for the

17 Macondo well, wasn't it?
18 A. Same answer.
19 Q. The risk register also
20 identified that there was a risk of an
21 uncontrolled situation, correct?
22 A. Same answer.
23 Q. It's also correct that the only
24 type of impact identified by BP for the loss
25 of well control is cost, correct?

Page 133:02 to 133:02

2 A. Same answer.

Page 133:18 to 133:19

18 Isn't it true that you are
19 unfamiliar with BP's elements of OMS?

Page 133:21 to 133:24

21 A. Same answer.
22 Q. Isn't it true that you have
23 never received instruction on BP's elements
24 of OMS?

Page 134:01 to 134:04

1 A. Same answer.
2 Q. Isn't it true that you never
3 received any of the operating essentials
4 training?

Page 134:06 to 134:09

6 A. Same answer.
7 Q. Isn't it true that you are
8 unfamiliar with the contents of the Gulf of
9 Mexico SPU local OMS handbook?

Page 134:11 to 134:14

11 A. Same answer.
12 Q. Isn't it true that you never
13 received instruction on the contents of the
14 Gulf of Mexico SPU local OMS handbook?

Page 134:16 to 134:20

16 A. Same answer.
17 Q. Isn't it true that you are
18 unfamiliar with the contents of the Gulf of
19 Mexico drilling and completions local OMS
20 manual?

Page 134:22 to 135:01

22 A. Same answer.
23 Q. Isn't it true that you've never
24 received instruction on the contents of the
25 Gulf of Mexico drilling and completions local
1 OMS manual?

Page 135:03 to 135:07

3 A. Same answer.
4 Q. Isn't it true that you're
5 unfamiliar with the contents of the Gulf of
6 Mexico drilling and completions OMS gap
7 closure plans?

Page 135:09 to 135:13

9 A. Same answer.
10 Q. Isn't it true that no one at BP
11 discussed with you ways to close gaps
12 identified on the Gulf of Mexico 2010 SPU OMS
13 gaps ranking matrix?

Page 135:15 to 135:21

15 A. Same answer.
16 Q. Isn't it true that there was a
17 lack of -- lack of procedure, review, and
18 development, in drilling and completions
19 organization of the Gulf of Mexico SPU from
20 December 2008 up to and including April 20,
21 2010?

Page 135:23 to 136:04

23 A. Same answer.

24 Q. Isn't it true that there was
25 inconsistent methodology in creating and
1 reviewing operating procedures in the D&C
2 organization of the Gulf of Mexico SPU from
3 December 28th -- I'm sorry -- December 2008
4 up to and including April 20, 2010?

Page 136:06 to 136:12

6 A. Same answer.
7 Q. Isn't it true that the procedure
8 for creation of review process was not
9 followed in the D&C organization of the Gulf
10 of Mexico SPU from December 2008 up to and
11 including April 20, 2010?
12 A. Same answer.

Page 136:14 to 136:18

14 Q. Isn't it true there was no
15 formal process for verifying procedures in
16 the field in the D&C organization in the Gulf
17 of Mexico SPU from December 2008 up to and
18 including April 20, 2010?

Page 136:20 to 136:25

20 A. Same answer.
21 Q. Isn't it true there was a lack
22 of culture to use procedures in D&C -- in the
23 D&C organization of the Gulf of Mexico SPU
24 from December 2008 up to and including
25 April 20, 2010?

Page 137:02 to 137:08

2 A. Same answer.
3 Q. Isn't it true there was a lack
4 of guidance regarding the creation and review
5 of operating procedures in the D&C
6 organization of the Gulf of Mexico SPU from
7 December 2008 up to and including April 20,
8 2010?

Page 137:10 to 137:15

10 A. Same answer.
11 Q. Isn't it true there was a lack
12 of formal new employee training in the D&C
13 organization of the Gulf of Mexico SPU from
14 December 2008 up to and including April 20,
15 2010?

Page 137:17 to 137:23

17 A. Same answer.
18 Q. Isn't it true there was a lack
19 of process -- a lack of process to assess key
20 operating risk decision-makers in the D&C
21 organization in the Gulf of Mexico SPU from
22 December 2008 up to and including April 20,
23 2010?

Page 137:25 to 138:05

25 A. Same answer.
1 Q. Isn't it true that not all
2 assessed risks were addressed by appropriate
3 level of management in the D&C organization
4 of the Gulf of Mexico SPU from December 2008
5 up to and including April 20, 2010?

Page 138:07 to 138:12

7 A. Same answer.
8 Q. Isn't it true there was a lack
9 of understanding on major hazard risks by
10 offshore personnel in the D&C organization of
11 the Gulf of Mexico SPU from December 2008 up
12 to and including April 20, 2010?

Page 138:14 to 138:20

14 A. Same answer.
15 Q. Isn't it true there was an
16 inconsistent hazard identification at the
17 asset level assessment in the D&C
18 organization of the Gulf of Mexico SPU from
19 December 2008 up to and including April 20,
20 2010?

Page 138:22 to 139:02

22 A. Same answer.
23 Q. Isn't it true there was not
24 adequate communication of the risk register
25 in the D&C organization of the Gulf of Mexico
1 SPU from December 2008 up to and including
2 April 20, 2010?

Page 139:04 to 139:09

4 A. Same answer.
5 Q. Isn't it true there was a lack
6 of environmental expertise in risk assessment
7 conversations in the D&C organization of the
8 Gulf of Mexico SPU from December 2008 up to
9 and including April 20, 2010?

Page 139:11 to 139:16

11 A. Same answer.
12 Q. Isn't it true there was a lack
13 of annual gap assessment audit of compliance
14 in the D&C organization of the Gulf of Mexico
15 SPU from December 2008 up to and including
16 April 20, 2010?

Page 139:18 to 139:23

18 A. Same answer.
19 Q. Isn't it true there was a lack
20 of an OMS gap closure process in the D&C
21 organization of the Gulf of Mexico SPU from
22 December 2008 up to and including April 20,
23 2010?

Page 139:25 to 140:05

25 A. Same answer.
1 Q. Isn't it true there was
2 inconsistent hazard identification
3 methodology in the D&C organization of the
4 Gulf of Mexico SPU from December 2008 up to
5 and including April 20, 2010?

Page 140:07 to 140:14

7 A. Same answer.
8 Q. Isn't it true that there was no
9 comprehensive compliance listing and no
10 process to continually check regulatory
11 compliance updates for subsea equipment and
12 operations in the D&C organization for the
13 Gulf of Mexico SPU from December 2008 up to
14 and including April 20, 2010?

Page 140:16 to 140:21

16 A. Same answer.
17 Q. Isn't it true that Houston-based
18 HSSE compliance tasks were not documented in
19 the compliance matrix in the D&C organization
20 of the Gulf of Mexico SPU from December 2008
21 up to and including April 20, 2010?

Page 140:23 to 141:04

23 A. Same answer.
24 Q. Isn't it true that there was
25 limited knowledge of a documented process to
1 identify legal and regulatory requirements
2 outside of HSSE in the D&C organization for
3 the Gulf of Mexico SPU from December 2008 up
4 to and including April 20, 2010?

Page 141:06 to 141:11

6 A. Same answer.
7 Q. Isn't it true there was a lack
8 of accountability for identifying regulatory
9 or legal requirements in the D&C organization
10 of the Gulf of Mexico SPU from December 2008
11 up to and including April 20, 2010?

Page 141:13 to 141:19

13 A. Same answer.
14 Q. Isn't it true there was a lack
15 of documentation of accountability for
16 performing compliance tasks in the D&C
17 organization of the Gulf of Mexico SPU from
18 December 2008 up to and including April 20,
19 2010?

Page 141:21 to 142:01

21 A. Same answer.
22 Q. Isn't it true there was a lack
23 of clarity on employees' roles and regulatory
24 compliance in the D&C organization of the
25 Gulf of Mexico SPU from December 2008 up to
1 and including April 20, 2010?

Page 142:03 to 142:08

3 A. Same answer.
4 Q. Isn't it true there was no
5 verification of compliance with regulations
6 in the D&C organization of the Gulf of Mexico
7 SPU from December 2008 up to and including
8 April 20, 2010?

Page 142:10 to 142:18

10 A. Same answer.
11 Q. Isn't it true that the
12 management-of-change process was not being
13 used for regulatory changes or for the
14 introduction of new operation -- operations
15 controls in the D&C organization of the Gulf
16 of Mexico SPU from December -- I'm sorry --
17 December 2008 up to and including April 20,
18 2010?

Page 142:20 to 143:01

20 A. Same answer.
21 Q. Isn't it true there was a lack
22 of information to provide predictive
23 indication of process safety issues in the
24 D&C organization for the Gulf of Mexico SPU
25 from December 2008 up to and including
1 April 20, 2010?

Page 143:03 to 143:08

3 A. Same answer.
4 Q. Isn't it true there was a lack
5 of clear subsea operations risk management in

6 the D&C organization of the Gulf of Mexico
7 SPU from December 2008 up to and including
8 April 20, 2010?

Page 143:10 to 143:15

10 A. Same answer.
11 Q. Isn't it true there was a lack
12 of alignment with assets in risk management
13 in the D&C organization of the Gulf of Mexico
14 SPU from December 2008 up to and including
15 April 20, 2010?

Page 143:17 to 143:23

17 A. Same answer.
18 Q. Isn't it true that activities
19 associated with hydrocarbon risks were not
20 totally understood by offshore staff and
21 engineering in the D&C organization of the
22 Gulf of Mexico SPU from December 2008 up to
23 and including April 20, 2010?

Page 143:25 to 144:06

25 A. Same answer.
1 Q. Isn't it true there was a lack
2 of support of evidence that HAZOP actions
3 were being tracked to closure in the D&C
4 organization in the Gulf of Mexico SPU from
5 December 2008 up to and including April 20,
6 2010?

Page 144:08 to 144:13

8 A. Same answer.
9 Q. Isn't it true there was a lack
10 of implementation of GP 48-02 HAZOP ETP in
11 the D&C organization of the Gulf of Mexico
12 SPU from December 2008 up to and including
13 April 20, 2010?

Page 144:15 to 144:21

15 A. Same answer.
16 Q. Isn't it true there was a lack

17 of understanding of major hazard risk
18 reduction measures and awareness in the D&C
19 organization of the Gulf of Mexico SPU from
20 December 2008 up to and including April 20,
21 2010?

Page 144:23 to 145:04

23 A. Same answer.
24 Q. Isn't it true there was
25 inconsistent implementation in the Gulf of
1 Mexico SPU risk policy and D&C MOC procedures
2 in the D&C organization for the Gulf of
3 Mexico SPU from December 2008 up to and
4 including April 20, 2010?

Page 145:06 to 145:14

6 A. Same answer.
7 Q. Isn't it true there was a lack
8 of clarity and accountabilities between HSSE
9 and PSCM, which is purchase and supply chain
10 management, in contractor relation --
11 relationship management in the D&C
12 organization of the Gulf of Mexico SPU from
13 December 2008 up to and including April 20,
14 2010?

Page 145:16 to 145:24

16 A. Same answer.
17 Q. Isn't it true there was a lack
18 of standardization documentation of the
19 process for PSCM tendering that incorporates
20 robust HSSE EA, and process safety and
21 contractor relationship management in the D&C
22 organization for the Gulf of Mexico SPU from
23 December 2008 up to and including April 20,
24 2010?

Page 146:01 to 146:08

1 A. Same answer.
2 Q. Isn't it true there was
3 inconsistent and/or absent communication of
4 applicable HSSE EA requirements or

5 specifications to contractor staff in the D&C
6 organization of the Gulf of Mexico SPU from
7 December 2008 up to and including April 20,
8 2010?

Page 146:10 to 146:16

10 A. Same answer.
11 Q. Isn't it true there was a lack
12 of systematic process to verify contractor
13 and employee competency after initial
14 verification in the D&C organization for the
15 Gulf of Mexico SPU from December 2008 up to
16 and including April 20, 2010?

Page 146:18 to 146:24

18 A. Same answer.
19 Q. Isn't it true there was a lack
20 of -- lack of process to confirm contractor
21 embedment of ETPs, SOPs, lessons learned, in
22 the D&C organization of the Gulf of Mexico
23 SPU from December 2008 up to and including
24 April 20, 2010?

Page 147:01 to 147:06

1 A. Same answer.
2 Q. Isn't it true that there was no
3 formal continuous improvement culture or
4 organized process in the D&C organization of
5 the Gulf of Mexico SPU from December 2008 up
6 to and including April 20, 2010?

Page 147:08 to 147:14

8 A. Same answer.
9 Q. Isn't it true there was no
10 formal process in place for verifying the use
11 of procedures in the field in the D&C
12 organization of the Gulf of Mexico SPU from
13 December 2008 up to and including April 20,
14 2010?

Page 147:16 to 147:21

16 A. Same answer.
17 Q. Isn't it true that the
18 stop-the-job culture was not fully embedded
19 in the D&C organization in the Gulf of Mexico
20 SPU from December 2008 up to and including
21 April 20, 2010?

Page 147:23 to 148:04

23 A. Same answer.
24 Q. Isn't it true that training on
25 regulatory requirements and obligations was
1 needed but not provided for key personnel in
2 the D&C organization of the Gulf of Mexico
3 SPU from December 2008 up to and including
4 April 20, 2010?

Page 148:06 to 148:10

6 A. Same answer.
7 Q. Isn't it true that the BP
8 exploration and production group developed a
9 risk assessment tool called the BP RAT, and
10 it's capital RAT?

Page 148:12 to 148:17

12 A. Same answer.
13 Q. Isn't it true that in
14 November 2009, the Gulf of Mexico D&C local
15 OMS manual provided that all risks be
16 recorded in and managed by the BP RAT, the
17 group approved tool for risk management?

Page 148:19 to 148:21

19 A. Same answer.
20 Q. Isn't it true that you're
21 unfamiliar with BP RAT and how it operates?

Page 148:23 to 148:25

23 A. Same answer.
24 Q. Isn't it true that you received
25 no training in the operation of the BP RAT?

Page 149:02 to 149:05

2 A. Same answer.

3 Q. Isn't it true that the BP RAT
4 was not used to record or manage risks for
5 the Macondo well?

Page 149:07 to 149:12

7 A. Same answer.

8 Q. Isn't it true that the negative
9 test procedure used on the Macondo well on
10 April 20, 2010, was never subjected to any
11 risk assessment process before April 20,
12 2010?

Page 149:14 to 149:19

14 A. Same answer.

15 Q. Isn't it true that the
16 drill-the-well on paper, previously marked as
17 exhibit 93, required a written bridging
18 document between BP and Transocean for
19 well-control procedures on the Macondo well?

Page 149:21 to 149:23

21 A. Same answer.

22 Q. Isn't it true that such a
23 bridging document never existed?

Page 149:25 to 149:25

25 A. Same answer.

Page 150:05 to 150:09

5 Q. Isn't it true that a
6 management-of-change document should have
7 been prepared when BP decided to -- to use
8 6 centralizers instead of 21 when cementing
9 the final casing string on the Macondo well?

Page 150:11 to 150:16

11 A. Same answer.

12 Q. Isn't it true that
13 management-of-change procedure requires a
14 documented risk assessment as part of the
15 process?
16 A. Same answer.

Page 150:18 to 150:20

18 Q. Isn't it true that no
19 management-of-change document was prepared
20 for the change to 6 centralizers from 21?

Page 150:22 to 150:25

22 A. Same answer.
23 Q. Isn't it true that no risk
24 assessment was performed for the change of
25 6 centralizers from 21?

Page 151:02 to 151:08

2 A. Same answer.
3 Q. Isn't it true that there was no
4 hazard, HAZOPS, or other risk assessment
5 tools employed for the temporary abandonment
6 of the Macondo well in compliance with BP
7 group-defined practices or engineering
8 technical practices?

Page 151:10 to 151:14

10 A. Same answer.
11 Q. Isn't it true that there was no
12 safety process management system in place in
13 the Gulf of Mexico D&C organization before
14 April 20, 2010?

Page 151:16 to 151:20

16 A. Same answer.
17 Q. Isn't it true there was no
18 process safety engineers employed in the Gulf
19 of Mexico D&C organization before April 20,
20 2010?

Page 151:22 to 151:22

22 A. Same answer.

Page 152:04 to 152:09

4 Q. Isn't it true that the Gulf of
5 Mexico D&C organization should have employed
6 process safety engineers to manage a process
7 safety management system for all exploration
8 and appraisal wells in the Gulf of Mexico
9 before April 20, 2010?

Page 152:11 to 152:18

11 A. Same answer.
12 Q. Isn't it true that none of the
13 design principles or engineering and
14 operating practices to prevent and control
15 incidents that have the potential to release
16 hazardous materials or energy which were used
17 on the Macondo well were subject to process
18 safety management procedures by BP?

Page 152:20 to 152:20

20 A. Same answer.

Page 153:05 to 154:11

5 Q. Mr. Hafle, my name is Richard
6 Hymel, and I represent Transocean.
7 You remember the onshore
8 engineering team supporting the Macondo well,
9 correct?
10 A. Same answer.
11 Q. And your team was responsible
12 for designing the well and specifying in
13 detail how the well was to be drilled,
14 correct?
15 A. Same answer.
16 Q. Okay. One of your
17 responsibilities was to make sure that the
18 well was safe, correct?
19 A. Same answer.
20 MR. MORRISS: Form.
21 Q. Okay. And part of your job was

22 to assess the risk of the Macondo well,
23 correct?
24 MR. MORRISS: Form.
25 A. Same answer.
1 Q. Do you deny --
2 MR. HYMEL: Strike that.
3 Q. Do you deny that you told BP
4 investigators after the blowout that you had
5 no idea who was accountable for ensuring
6 compliance with BP standards on drilling
7 safety?
8 MR. MORRISS: Form.
9 A. Same answer.
10 Q. The drilling margin is very
11 important to safety, is it --

Page 154:13 to 154:17

13 Q. -- isn't it?
14 A. Same answer.
15 Q. Okay. And you agree that a
16 narrow drilling margin raises important
17 health, safety, and environmental issues?

Page 154:19 to 154:22

19 A. Same answer.
20 Q. You agree that a narrow drilling
21 margin makes it much more likely the well
22 will experience a kick?

Page 154:24 to 155:02

24 A. Same answer.
25 Q. And you agree that the narrow
1 drilling margin at Macondo made it harder to
2 get a good cement job?

Page 155:04 to 155:06

4 A. Same answer.
5 Q. You agree that displacement is
6 always dangerous?

Page 155:08 to 155:10

8 A. Same answer.
9 Q. But a questionable cement job
10 makes displacement more dangerous, correct?

Page 155:12 to 155:12

12 A. Same answer.

Page 155:23 to 156:09

23 Q. Now, you were the senior
24 drilling engineer in your group, correct?
25 A. Same answer.
1 Q. And Mr. Morel had about five
2 years of experience?
3 A. Same answer.
4 Q. And it was your responsibility
5 to supervise Mr. Morel, correct?
6 MR. MORRISS: Form.
7 A. Same answer.
8 Q. And it was your responsibility
9 to supervise Mr. Morel on casing design?

Page 156:11 to 156:13

11 A. Same answer.
12 Q. And it was your responsibility
13 to supervise Mr. Morel on running casing?

Page 156:15 to 156:18

15 A. Same answer.
16 Q. And it was your responsibility
17 to supervise Mr. Morel on the number and
18 placement of centralizers?

Page 156:20 to 156:23

20 A. Same answer.
21 Q. And it was your responsibility
22 to supervise Mr. Morel on float-collar
23 conversion?

Page 156:25 to 157:02

25 A. Same answer.

1 Q. It was your responsibility to
2 supervise Mr. Morel on bottoms-up?

Page 157:04 to 157:06

4 A. Same answer.
5 Q. It was your responsibility to
6 supervise Mr. Morel on cement?

Page 157:08 to 157:11

8 A. Same answer.
9 Q. It was your responsibility to
10 supervise Mr. Morel on temporary abandonment
11 procedures?

Page 157:13 to 157:16

13 A. Same answer.
14 Q. It was your responsibility to
15 supervise Mr. Morel on the negative-pressure
16 test?

Page 157:18 to 157:21

18 A. Same answer.
19 Q. It was your responsibility to
20 supervise Mr. Morel on the surface cement
21 plug?

Page 157:23 to 157:23

23 A. Same answer.

Page 158:02 to 158:03

2 Q. Do you deny that you failed to
3 properly supervise Mr. Morel?

Page 158:05 to 158:16

5 A. Same answer.
6 Q. Now, the onshore engineering
7 team initially agreed to run a long string
8 instead of a liner; is that correct?
9 MR. MORRISS: Form.

10 A. Same answer.
11 Q. And you wanted to plug and
12 abandon the well because of the narrow
13 drilling margin created by the pore pressure
14 fracture gradient issues, correct?
15 MR. MORRISS: Form.
16 A. Same answer.

Page 159:20 to 159:25

20 Q. Now, you agree that BP
21 recommends computer modeling for cement jobs?
22 A. Same answer.
23 Q. And you agree that the
24 Halliburton OptiCem modeling was the only
25 computer model that you used for the cement?

Page 160:02 to 160:05

2 A. Same answer.
3 Q. You agree that BP's policy did
4 not allow you to pay attention to the model
5 one day and ignore it the next day?

Page 160:07 to 160:10

7 A. Same answer.
8 Q. Now, isn't it true that
9 Mr. Guide was the one who decided not to use
10 the additional centralizers?

Page 160:12 to 160:16

12 A. Same answer.
13 Q. And that Mr. Guide did not want
14 to use the -- the additional centralizers
15 that was sent to the rig, you could have
16 waited for more centralizers, couldn't you?

Page 160:18 to 160:22

18 A. Same answer.
19 Q. And one of the options you had
20 previously discussed was simply to plug the
21 open hole and not run the production casing,
22 correct?

Page 160:24 to 160:24

24 A. Same answer.

Page 161:04 to 161:05

4 Q. You agree that the number of
5 centralizers to use was totally up to BP?

Page 161:07 to 161:07

7 A. Same answer.

Page 161:19 to 162:05

19 Q. Do you deny that BP made eight
20 attempts to convert the float collar?

21 A. Same answer.

22 Q. Do you deny that circulation
23 through the shoe track was established at
24 3,142 psi?

25 A. Same answer.

1 Q. Do you deny that even after the
2 pressure was increased to 3,142 psi and
3 circulation was established, questions still
4 existed regarding whether the float collar
5 had converted?

Page 162:07 to 162:14

7 A. Same answer.

8 Q. And one of the those questions
9 was that the Halliburton model showed that
10 the circulation pressure after converting the
11 float collar should have been 570 psi at
12 4 barrels per minute, but the circulation
13 pressure after was 350 psi at 4 barrels per
14 minute; is that correct?

Page 162:16 to 162:19

16 A. Same answer.

17 Q. Even though the circulation
18 pressure was lower than modeled, you did
19 nothing to stop the job, correct?

Page 162:21 to 162:25

21 A. Same answer.
22 Q. Do you agree that the risk the
23 cement job would not set properly was
24 increased, that the float collar was not
25 properly converted?

Page 163:02 to 163:10

2 A. Same answer.
3 Q. Are you aware that BP takes the
4 position that the oil and gas float up the
5 shoe track and up the production casing?
6 A. Same answer.
7 Q. You agree that the oil and gas
8 could not have flowed up the shoe track and
9 up the production casing if BP had properly
10 converted the float collar?

Page 163:12 to 163:20

12 A. Same answer.
13 Q. Now, you wrote the temporary
14 abandonment procedure approved by the MMS on
15 April 16th, that called for a
16 negative-pressure test, then displacing mud
17 out of the well down to 8,366 -- 67 feet, and
18 then another -- another negative-pressure
19 test, then the cement job; isn't that
20 correct?

Page 163:22 to 164:01

22 A. Same answer.
23 Q. And the April 20th temporary
24 procedure that was eventually used deviated
25 from the MMS approved temporary abandonment
1 procedure, correct?

Page 164:03 to 164:06

3 A. Same answer.
4 Q. And John Guide made the decision
5 to deviate from the temporary abandonment

6 procedure approved by the MMS?

Page 164:08 to 164:13

8 A. Same answer.

9 Q. The April 20th temporary
10 abandonment procedure was first communicated
11 to the crew at 11 -- at the 11:00 a.m.
12 pre-tour safety meeting on April 20th, 2010;
13 is that correct?

Page 164:15 to 164:21

15 A. Same answer.

16 Q. And the April 20th, 2010,
17 temporary abandonment procedure was so
18 unclear that you called Bob Kaluza and asked
19 him to get Brian Morel out of bed so he could
20 explain the temporary abandonment procedure;
21 is that correct?

Page 164:23 to 165:03

23 A. Same answer.

24 Q. You later called Mr. Kaluza to
25 discuss the negative-pressure test, and you
1 were left with the impression that Mr. Kaluza
2 was not really clear about the
3 negative-pressure test; isn't that correct?

Page 165:05 to 165:10

5 A. Same answer.

6 Q. Did you do anything to notify
7 the MMS that the temporary abandonment
8 procedure used on April 20th, 2010, deviated
9 from the temporary abandonment procedure
10 approved by the MMS?

Page 165:12 to 165:17

12 A. Same answer.

13 Q. Did you ever tell Transocean
14 that the temporary abandonment procedure used
15 on April 20, 2010, deviated from the
16 temporary abandonment procedure approved by

17 the MMS?

Page 165:19 to 165:22

19 A. Same answer.
20 Q. Did you ever determine whether
21 there was actually any need to displace mud
22 out of the well down to 8,367 feet?

Page 165:24 to 166:03

24 A. Same answer.
25 Q. Did you perform any calculations
1 to determine if it was actually necessary to
2 displace the mud out of the well down to
3 8,367 feet?

Page 166:05 to 166:14

5 A. Same answer.
6 Q. Did you do any risk assessments
7 to determine the effect of displacing the
8 well down to 8,367 feet?
9 A. Same answer.
10 Q. Did you ever calculate the
11 amount of stress that would be placed on the
12 downhole cement job if you displaced the well
13 down to 8,367 feet?
14 A. Same answer.

Page 166:19 to 166:22

19 Q. Did you do anything to override
20 Mr. Guide's decision to deviate from the
21 temporary abandonment procedure approved by
22 the MMS?

Page 166:24 to 167:03

24 A. Same answer.
25 Q. You agree that you could have
1 overridden Mr. Guide's decision to deviate
2 from the temporary abandonment procedure
3 approved by the MMS?

Page 167:05 to 167:09

5 A. Same answer.
6 Q. And you agree that you should
7 have overridden Mr. Guide's decision to
8 deviate from the temporary abandonment
9 procedure approved by the MMS?

Page 167:11 to 167:14

11 A. Same answer.
12 Q. Now, do you agree that the API
13 recommends a full bottoms-up before
14 production cement job?

Page 167:16 to 167:19

16 A. Same answer.
17 Q. Were you aware that Halliburton
18 recommended as a best practice, a full
19 bottoms-up before the production cement job?

Page 167:21 to 167:25

21 A. Same answer.
22 Q. The BP onshore engineering team
23 decided not to run a full bottoms-up,
24 correct?
25 A. Same answer.

Page 168:05 to 168:08

5 Q. The BP onshore engineering team
6 decided not to perform a bottoms-up because
7 the well was behind schedule; isn't that
8 correct?

Page 168:10 to 168:15

10 A. Same answer.
11 Q. And the -- the BP onshore
12 engineering team decided to reduce the rate
13 of circulation from eight barrels per minute
14 to four barrels per minute because of the
15 drilling margin, correct?

Page 168:17 to 168:21

17 A. Same answer.
18 Q. The onshore -- the BP onshore
19 engineering team was also concerned that
20 doing a full bottoms-up would have taken an
21 additional 10 to 12 hours, correct?

Page 168:23 to 169:02

23 A. Same answer.
24 Q. You knew that reducing the
25 volume and rate of mud circulation increased
1 the risk contamination of the cement,
2 correct?

Page 169:04 to 169:08

4 A. Same answer.
5 Q. And you knew that increasing the
6 risk of contamination of the cement
7 increased -- increased the risk that the
8 bottomhole cement job would fail, didn't you?

Page 169:10 to 169:13

10 A. Same answer.
11 Q. Did BP perform any formal risk
12 assessments on the decision not to perform a
13 full bottoms-up at a low rate?

Page 169:15 to 169:18

15 A. Same answer.
16 Q. Did BP perform a
17 management-of-change on the decision to not
18 perform a full bottoms-up at a low rate?

Page 169:20 to 169:20

20 A. Same answer.

Page 169:25 to 170:07

25 Q. Do you deny that you told Kent
1 Corser that you thought we were going to get
2 a shitty cement job?

3 MR. MORRISS: Form.
4 A. Same answer.
5 Q. And the reason you thought that
6 was because of the small volume of cement,
7 correct?

Page 170:09 to 170:12

9 A. Same answer.
10 Q. And the reason you thought that
11 was because of the low circulation rate of
12 the cement, correct?

Page 170:14 to 170:17

14 A. Same answer.
15 Q. The reason you thought that was
16 because there was no bottoms-up run before
17 the cement job, correct?

Page 170:19 to 170:19

19 A. Same answer.

Page 171:15 to 171:17

15 Q. Do you agree that it was BP's
16 responsibility to determine how the negative
17 tests should be conducted?

Page 171:19 to 172:03

19 A. Same answer.
20 Q. You agree that it was BP's
21 responsibility to decide whether the negative
22 test was successful?
23 MR. MORRISS: Form.
24 A. Same answer.
25 Q. You agree that it was BP's
1 responsibility to determine whether it was
2 safe to move on after the negative-pressure
3 test to the displacement of the riser?

Page 172:05 to 173:04

5 A. Same answer.

6 Q. You agree that the April 20th,
7 2010, temporary abandonment procedure sent to
8 the rig did not provide specifics for the
9 negative-pressure test?
10 A. Same answer.
11 Q. You agree that the April 20th,
12 2010, temporary abandonment procedure sent to
13 the rig did not specify how the
14 negative-pressure test should be set up?
15 A. Same answer.
16 Q. You agree that the April 20th,
17 2010, temporary abandonment procedure sent to
18 the rig did not provide calculated bleed-back
19 volumes?
20 A. Same answer.
21 Q. You agree that the April 20th,
22 2010, temporary abandonment procedure sent to
23 the rig did not provide success or failure
24 criteria?
25 A. Same answer.
1 Q. You agree that BP had never used
2 or even tested the combination of
3 loss-control materials that were used as a
4 spacer during the negative-pressure test?

Page 173:06 to 173:08

6 A. Same answer.
7 Q. You agree that BP also chose to
8 use an abnormally large volume of the spacer?

Page 173:10 to 173:17

10 A. Same answer.
11 Q. You agree that by choosing to
12 have a spacer, BP increased the risk that the
13 spacer would fall downward through the
14 lighter seawater during displacement and
15 potentially end up beneath the BOP when the
16 lower annular was closed for the
17 negative-pressure test?

Page 173:19 to 173:23

19 A. Same answer.
20 Q. You agree that BP was warned in

21 advance that this loss-control material could
22 cause some of the spacer to congeal in small
23 restrictions in tools and drill pipe?

Page 173:25 to 175:16

25 A. Same answer.

1 Q. Go to tab 21 in the PSC's
2 volume 2, which is the white binder. And it
3 is the MBI testimony that's been marked as
4 exhibit 4448. And, sir, I want you to turn
5 to page 100. No, I'm sorry, sir, page 68.

6 In the testimony that is
7 included in exhibit 4448, specifically on
8 page 68, you gave that testimony under oath,
9 correct?

10 A. Same answer.

11 Q. Okay. And then on line 10, a
12 question was asked to you. And in addition
13 to the pressure testing, which seeks to
14 determine if you have, in fact, a sealed
15 wellbore, there were also two negative tests.
16 Are you aware of that today?

17 And your answer was, I am aware
18 that they were going to be doing negative
19 tests. I'm not sure if they did two or if
20 they did one or if they did three, to be
21 honest.

22 And that was your response to
23 that question, correct?

24 A. Same answer.

25 Q. And then the next question
1 starting on line 18 states, and the testimony
2 on this record has been that the negative
3 tests, both of them, were successful.

4 And your response was, that is
5 my indication from the information that I was
6 given from the rig, also.

7 And that was your response to
8 that question, correct?

9 A. Same answer.

10 Q. Okay. Now, you gave the
11 testimony on page 8 knowing that you had
12 talked to Mr. Vidrine on April 20th, 2010,
13 and Mr. Vidrine had told you that during the
14 negative-pressure test, there was zero

15 pressure on the kill line but still pressure
16 on the drill pipe; isn't that correct?

Page 175:18 to 175:22

18 A. Same answer.
19 Q. And you knew that a
20 negative-pressure test with zero on the kill
21 line but pressure on the drill pipe was not a
22 successful negative-pressure test, correct?

Page 175:24 to 176:06

24 A. Same answer.
25 Q. And you knew that a
1 negative-pressure test with zero on the kill
2 line with pressure on the drill pipe was not
3 a successful negative-pressure test when you
4 testified under oath at the MBI that the
5 negative-pressure test was successful,
6 correct?

Page 176:08 to 176:12

8 A. Same answer.
9 Q. During your conversation with
10 Mr. Vidrine, did he ever say anything to you
11 about the bladder effect?
12 A. Same answer.

Page 176:18 to 176:21

18 Q. Did you ever tell Mr. Vidrine to
19 shut down the operation until he got the
20 pressure on the drill pipe to zero and it
21 stayed at zero?

Page 176:23 to 177:07

23 A. Same answer.
24 Q. The surface cement plug was
25 planned to be set 3300 feet below the mud
1 line so that weight could be hung below the
2 lockdown sleeve, correct?
3 A. Same answer.
4 Q. And isn't it true that heavy

5 weight drill pipe could have been used so the
6 surface cement plug did not have to be set so
7 far below the mud line?

Page 177:09 to 177:14

9 A. Same answer.
10 Q. And isn't it true that weight
11 could have also been placed above the
12 lockdown sleeve so that the cement -- the
13 surface cement plug did not have to be set so
14 far below the mud line?

Page 177:16 to 177:16

16 A. Same answer.

Page 180:19 to 180:24

19 Q. You agree that BP should have
20 told the Transocean crew that the limited
21 volume of cement used for the production
22 casing in the low rate at which that cement
23 was pumped increased the risk of cement
24 failure?

Page 181:01 to 181:01

1 A. Same answer.

Page 181:22 to 181:23

22 Q. Okay. BP has a history of
23 choosing cost saving over safety, doesn't it?

Page 181:25 to 182:03

25 A. Same answer.
1 Q. And cost savings was
2 particularly important to you and your role
3 at BP at the time of the blowout, wasn't it?

Page 182:05 to 182:08

5 A. Same answer.
6 Q. And when making decisions

7 regarding the well design, you considered the
8 associated costs very important, didn't you?

Page 182:10 to 182:14

10 A. Same answer.
11 Q. In fact, at the end of 2009,
12 your performance review commended you for the
13 cost-saving decisions you made on the Macondo
14 well; isn't that right?

Page 182:16 to 183:02

16 A. Same answer.
17 Q. And I'm going to hand you what's
18 previously been marked today as exhibit 4455.
19 It's tab 7 on the CD. I wanted you to look
20 at that for a second.
21 Mr. Hafle, that's your annual
22 individual performance assessment, isn't it?
23 A. Same answer.
24 Q. And under part 2 of your
25 assessment, you can really see that you were
1 really focused on cost at the time of your
2 performance review; isn't that true?

Page 183:04 to 183:15

4 A. Same answer.
5 Q. In fact, bullet point number 3
6 says, complete the Macondo well in under
7 45d/10K with nonproductive time, NPT, less
8 than 25 percent; isn't that true?
9 A. Same answer.
10 Q. So your goal was to get the
11 non-productive time on the Macondo well to
12 below 25 percent?
13 A. Same answer.
14 Q. And y'all did so at any way you
15 could; isn't that true?

Page 183:17 to 184:07

17 A. Same answer.
18 Q. And also under part 2,
19 performance, it says, complete one proposal

20 for NPT reduction on the DEEPWATER HORIZON
21 operation.
22 Did I read that correctly?
23 A. Same answer.
24 Q. And NPT stands for
25 non-productive time; isn't that true?
1 A. Same answer.
2 Q. So one of your goals is to
3 complete a proposal to reduce non-productive
4 time on the DEEPWATER HORIZON operation;
5 isn't that true?
6 A. Same answer.
7 Q. And you did so at any cost?

Page 184:09 to 184:11

9 A. Same answer.
10 Q. Including safety; isn't that
11 true?

Page 184:13 to 184:22

13 A. Same answer.
14 Q. If you go to the fifth bullet
15 point under part 2, performance, it says,
16 work at least one cost savings idea to
17 completion; isn't that true?
18 A. Same answer.
19 Q. So under part 2 of your
20 individual performance assessment, which is
21 performance, three of those bullet points
22 dealt only with cost issues; isn't that true?

Page 184:24 to 185:15

24 A. Same answer.
25 Q. If you go down to midyear
1 performance conversation performance, the
2 first bullet point says, complete the Puma 4
3 well in under 30 days/10K; isn't that true?
4 A. Same answer.
5 Q. And if you go to the fifth
6 bullet point, it says, complete the Macondo
7 well under 45 days, 10K, with NPT less than
8 25 percent?
9 Didn't I read that right?

10 A. Same answer.
11 Q. So the most -- almost entirely
12 of this first page of your annual individual
13 performance assessment dealt specifically
14 with your performance to bring costs down at
15 BP?

Page 185:17 to 186:09

17 A. Same answer.
18 Q. If you go to the second page,
19 sir, and if you go halfway down under
20 year-end assessment, I'm going to read to
21 you -- it is the seventh bullet point,
22 complete one proposal for NPT reduction on
23 the DEEPWATER HORIZON operation.
24 Did I read that correctly?
25 A. Same answer.
1 Q. And the next bullet point,
2 planning for no cement NPT, shoe squeezes for
3 Macondo on MARIANAS.
4 Did I read that correctly?
5 A. Same answer.
6 Q. So you were concerned that any
7 cement that was being run into the Macondo
8 well not put the well's construction at risk
9 for an NPT; isn't that true?

Page 186:11 to 186:14

11 A. Same answer.
12 Q. In fact, you were concerned
13 early on with the well's design, that you not
14 lose any NPT?

Page 186:16 to 186:24

16 A. Same answer.
17 Q. Or that you not have any NPT
18 when you are planning a cement job; isn't
19 that right?
20 A. Same answer.
21 Q. In fact, you -- in your year
22 (sic) performance, it says you were looking
23 to avoid any kind of squeeze jobs on the
24 Macondo; isn't that true?

Page 187:01 to 187:04

1 A. Same answer.
2 Q. And the reason you were trying
3 to avoid squeeze jobs is to save cost; isn't
4 that right?

Page 187:06 to 187:21

6 A. Same answer.
7 Q. If you go down further, one of
8 the bullet points under the year-end
9 assessment performance says, ongoing. To
10 date, one hole section done. Bit/UR
11 combination deal with Hughes working so far.
12 I have specifically been checking invoices to
13 ensure agreed rates are being applied through
14 invoicing process. Estimated savings for the
15 well to be approximately \$500,000.
16 Did I read that right?
17 A. Same answer.
18 Q. So, again, the focus of your
19 performance aspect of your year-end review
20 has to do with saving money for BP; isn't
21 that right?

Page 187:23 to 187:23

23 A. Same answer.

Page 188:06 to 188:13

6 Q. It says under this bullet point
7 I just went over, the next bullet point is,
8 also supported the Fast Drill method for the
9 riserless sections on Macondo. Significant
10 savings by reducing volume of pump and dump
11 mud. Estimated savings, \$250,000.
12 Did I read that correctly?
13 A. Same answer.

Page 188:20 to 189:07

20 Q. If you go to the third to the
21 last bullet point, it says, took on

22 additional responsibility to review all
23 Macondo invoices forwarded from project
24 services. I focused on the Allis-Chalmers
25 rental tools and pipe, and Baker Hughes
1 bit/UR invoices for accuracy. Found errors
2 amounting to over \$60,000 to date.
3 Did I read that right?
4 A. Same answer.
5 Q. Would you agree with me that
6 most of your role at BP dealt with saving BP
7 money?

Page 189:09 to 189:13

9 A. Same answer.
10 Q. When you were working on the
11 Macondo well before the blowout, isn't it
12 true that you were concerned with saving BP
13 all the money you could?

Page 189:15 to 190:07

15 A. Same answer.
16 Q. If you go to page BP-HZN-2179,
17 MDL 382901. And the Bates labels are at the
18 bottom right-hand corner. If I could direct
19 your attention to the bottom right-hand
20 corner where it says, energize people, the
21 second paragraph.
22 It says, since our team has
23 several younger members, it is important to
24 maintain a positive energized atmosphere,
25 even when things seem to be heading in the
1 wrong direction.
2 Did I read that correctly?
3 A. Same answer.
4 Q. Did you maintain that positive
5 energized atmosphere when there were
6 questions regarding the accuracy of the
7 negative test?

Page 190:09 to 190:13

9 A. Same answer.
10 Q. Did you keep that positive
11 energized atmosphere even when there were

12 questions about whether or not this well
13 should be displaced?

Page 190:15 to 190:22

15 A. Same answer.
16 Q. If you go to the next page, sir,
17 where it says line manager. About halfway
18 down the first column, it says, mud losses
19 and a kick on Macondo exposed the degree to
20 which the team needed and relied on Mark's
21 drilling expertise.
22 Did I read that correctly?

Page 190:24 to 191:18

24 A. Same answer.
25 Q. Did the team need you when they
1 were running the negative test?
2 A. Same answer.
3 Q. Did the team need you when they
4 were making decisions as to whether or not
5 the float collar had converted?
6 A. Same answer.
7 Q. Did the team rely on you to
8 offer them advice with regards to the
9 negative test?
10 A. Same answer.
11 Q. Did the team rely on you to
12 determine whether or not the float collar
13 properly converted?
14 A. Same answer.
15 Q. Isn't it true that you basically
16 left the well in the hands of Brian Morel,
17 who had much less experience than you did as
18 a drilling engineer?

Page 191:20 to 192:17

20 A. Same answer.
21 Q. If you would, sir, go halfway
22 through the second column on that same page,
23 and I'm going to read it to you.
24 It says, planning for Macondo
25 met all expectations, another very good well
1 for mentoring Brian Morel. I gave Brian more

2 room to expand his skills and knowledge.
3 We implemented the Fast Drill
4 method on the riserless section to set the
5 performance pace for the well and would
6 surely have finished in the top quartile had
7 it not been for BOP repairs and hurricane rig
8 damage.
9 Did I read that correctly?
10 A. Same answer.
11 Q. If you look at that last clause,
12 it says, and surely would have finished in
13 the top quartile had it not been for BOP
14 repairs and hurricane rig damage.
15 Isn't it true that that's yet
16 another example that your concern was speed
17 over safety with regards to this well?

Page 192:19 to 193:01

19 A. Same answer.
20 Q. On April 20, 2010, while the
21 cement job was being pumped, you didn't
22 observe it, did you?
23 A. Same answer.
24 Q. You left that in the hands of
25 people who were not as experienced as you,
1 such as Brian Morel; isn't that true?

Page 193:03 to 193:08

3 A. Same answer.
4 Q. In fact, at the time that the
5 final cement job was being pumped, you were
6 busy calculating cost estimates for BP; isn't
7 that right, sir?
8 A. Same answer.

Page 193:10 to 194:12

10 Q. Mr. Morel (sic), I'm going to
11 hand you what's already been marked in this
12 case, or referred to in this case, as exhibit
13 4453, and I'll just hand you another copy of
14 that. These are notes from an interview
15 taken of you on May 2nd of 2010.
16 And if you would, sir, go to the

17 second page -- well, the third page of that
18 document, which is the second page of the
19 notes. I'm going to the end of the first --
20 the end of that column, right before the
21 paragraph -- paragraph break.

22 It says, he did not watch the
23 cement job live.

24 Did I read that correctly?

25 A. Same answer.

1 Q. Isn't that what you told them
2 when they interviewed you, that you did not
3 watch the cement job live?

4 A. Same answer.

5 Q. And then the next line says,
6 worked late on Monday until about 8:30, and
7 again on Tuesday night, doing cost estimates.

8 Did I read that correctly?

9 A. Same answer.

10 Q. So you were doing cost estimates
11 instead of observing the cement job; isn't
12 that right?

Page 194:14 to 194:16

14 A. Same answer.

15 Q. Do you think you should have
16 been watching the cement job?

Page 194:18 to 194:22

18 A. Same answer.

19 Q. You'd agree with me, sir, that
20 your design of the production casing and BP's
21 design of the production casing affected the
22 cement job?

Page 194:24 to 195:01

24 A. Same answer.

25 Q. Cementing a long string is more
1 difficult than cementing a liner, isn't it?

Page 195:03 to 195:05

3 A. Same answer.

4 Q. But it's substantially cheaper,

5 isn't it?

Page 195:07 to 195:09

7 A. Same answer.

8 Q. Doing so saved BP around 7 to
9 \$10 million; isn't that right?

Page 195:11 to 195:14

11 A. Same answer.

12 Q. Isn't it true that using a long
13 string rather than a liner increased the risk
14 of cement contamination?

Page 195:16 to 195:20

16 A. Same answer.

17 Q. This risk was further increased
18 by using a tapered long string because the
19 wiper plugs could not wipe it properly; isn't
20 that right?

Page 195:22 to 195:25

22 A. Same answer.

23 Q. Using the long string did not
24 permit moving or rotating the casing during
25 the cement job; isn't that right?

Page 196:02 to 196:05

2 A. Same answer.

3 Q. Rotating the casing would have
4 improved the likelihood of a quality cement
5 job, wouldn't it?

Page 196:07 to 196:13

7 A. Same answer.

8 Q. Cementing the long string
9 required a higher cement pumping pressure and
10 resulted in a higher ECD than cementing a
11 liner.

12 Wouldn't you agree with me on
13 that?

Page 196:15 to 196:18

15 A. Same answer.
16 Q. If you had chosen a liner, you
17 could have obtained a lower ECD; isn't that
18 true?

Page 196:20 to 196:24

20 A. Same answer.
21 Q. In fact, with a liner, you could
22 have ignored the ECD completely because you
23 would have had the mechanical seal as another
24 barrier to the hydrocarbon flow?

Page 197:01 to 197:05

1 A. Same answer.
2 Q. If you had chosen a liner, you
3 would have been more prone to remediate a
4 cement job because remediation is easier with
5 a liner than a long-string; isn't that true?

Page 197:07 to 197:11

7 A. Same answer.
8 Q. And you knew this at the time
9 that BP chose the long-string over the liner
10 for the final production casing; isn't it
11 true?

Page 197:13 to 197:21

13 A. Same answer.
14 Q. In fact, during the week
15 preceding the blowout, when you were making
16 changes to the temporary abandonment
17 procedure, you did not consider how the risks
18 associated with these changes to the
19 temporary abandonment procedure should be
20 mitigated in accordance with the risk
21 register; isn't that true?

Page 197:23 to 198:04

23 A. Same answer.
24 Q. Mr. Hafle, I'm going to hand you
25 what's been previously marked in this case as
1 exhibit 901.
2 And this is the MOC for the
3 final production casing; isn't that right?
4 A. Same answer.

Page 198:08 to 199:06

8 Q. And I ask you to look at the
9 last paragraph on this page, and I'm going to
10 read it to you, or I'm going to try to read
11 it to you.
12 If losses occur during the
13 cement job, possible cement evaluation or
14 remedial cement operations, dispensations
15 and/or MMS approvals will be required prior
16 to performing TA operations due to a lower
17 than required top of cement in the annulus.
18 Possible hydrocarbon zones could
19 be left exposed in the annulus with only the
20 casing hanger seal as a single barrier for
21 the TA.
22 Did I read that correctly?
23 A. Same answer.
24 Q. And that's in tab 3.
25 So you'd agree with me, then,
1 when BP recommended the final long-string
2 design, you knew that possible hydrocarbon
3 zones could be left exposed in the annulus
4 with only the casing hanger seal as the
5 single barrier for the temporary abandonment;
6 isn't that right?

Page 199:08 to 199:11

8 A. Same answer.
9 Q. And you knew this because you
10 were specifically listed on exhibit 901 as
11 the verifier of this MOC; isn't that true?

Page 199:13 to 199:15

13 A. Same answer.
14 Q. But you didn't do anything to

15 mitigate this risk, did you?

Page 199:17 to 199:23

17 A. Same answer.

18 Q. In your -- and senior managers
19 of BP, including Sims, Greg Walz, John Guide,
20 Jonathan Sprague, they reviewed the
21 management-of-change document, they were
22 aware of this risk, but they approved it
23 anyway; isn't that true?

Page 199:25 to 200:06

25 A. Same answer.

1 Q. In fact, using a liner would
2 have mitigated the risk described in this
3 management-of-change at exhibit 901, because
4 it would have provided a mechanical seal that
5 would have served as an additional barrier to
6 the annular flow; isn't that right?

Page 200:08 to 200:11

8 A. Same answer.

9 Q. You agree with me that if you
10 had chosen a liner, you would not have had to
11 use a lower volume cement; isn't that true?

Page 200:13 to 200:16

13 A. Same answer.

14 Q. If you had chosen a liner, you
15 would not have had to use a slower pump rate;
16 isn't that true?

Page 200:18 to 200:22

18 A. Same answer.

19 Q. Mr. Hafle, if you had chosen a
20 liner, you would not have had to use nitrogen
21 cement with reduced density; isn't that
22 right?

Page 200:24 to 201:04

24 A. Same answer.
25 Q. In fact, wouldn't you agree with
1 me, Mr. Hafle, that BP's engineering team did
2 not adequately consider the effect that the
3 long-string design would have on a cement
4 job; isn't that true?

Page 201:06 to 201:11

6 A. Same answer.
7 Q. As we discussed before,
8 Mr. Hafle, BP made numerous cost-saving
9 decisions that increased the chance of a
10 blowout without running a formal risk
11 assessment; isn't that true?

Page 201:13 to 201:18

13 A. Same answer.
14 Q. In fact, isn't it true that in
15 the days preceding the blowout, many of your
16 decisions regarding the well were affected by
17 the fact that the well was over budget; isn't
18 that true?

Page 201:20 to 202:01

20 A. Same answer.
21 Q. And isn't it true that in the
22 days preceding the blowout, many of your
23 decisions regarding the well were affected by
24 the fact that the well was overallocated and
25 was past -- was overallocated in time for its
1 completion; isn't that true?

Page 202:03 to 202:06

3 A. Same answer.
4 Q. Because of that, in the days
5 preceding the blowout, BP made many decisions
6 that were cost-driven; isn't that right?

Page 202:08 to 202:10

8 A. Same answer.
9 Q. And BP made these decisions

10 without any formal risk assessment?

Page 202:12 to 202:14

12 A. Same answer.

13 Q. And these changes were made on
14 an ad hoc basis; isn't that right?

Page 202:16 to 202:20

16 A. Same answer.

17 Q. You discussed today in your
18 testimony, that you decided -- that BP
19 decided not to wait for more centralizers to
20 be delivered to the rig; isn't that correct?

Page 202:22 to 203:02

22 A. Same answer.

23 Q. This saved BP time, didn't it?

24 MR. MORRISS: Form.

25 A. Same answer.

1 Q. And this saved BP money; isn't
2 that true?

Page 203:04 to 203:08

4 A. Same answer.

5 Q. Mr. Hafle, I'm going to hand
6 you what's already been marked in this case
7 as exhibit 2041. Take a second to
8 familiarize yourself with it.

Page 203:14 to 204:23

14 Q. And if you would, Mr. Hafle,
15 look at the e-mail on the first page of this
16 exhibit 2041. It's an e-mail from Brian
17 Morel to you and to others dated April 15,
18 2010.

19 And you see that you are in the
20 "to" of this e-mail; is that correct?

21 A. Same answer.

22 Q. And I'm going to read it to you.
23 It's from Brian Morel to you and others. It
24 says, we have six centralizers. We can run

25 them in a row, spread out, or any
1 combinations of the two. It's a vertical
2 hole, so hopefully the pipe stays centralized
3 due to gravity.

4 As far as changes, it's too late
5 to get any more product to the rig. Our only
6 option is to rearrange placement of the
7 centralizers. Please see attached diagram
8 for my recommendation.

9 Did I read that correctly?

10 A. Same answer.

11 Q. And you received this e-mail,
12 didn't you, Mr. Hafle?

13 A. Same answer.

14 Q. And you received this e-mail
15 approximately five days before the blowout;
16 isn't that right?

17 A. Same answer.

18 Q. And you read this e-mail, didn't
19 you?

20 A. Same answer.

21 Q. But you would agree with me that
22 it's never too late to get more product to
23 the rig; isn't that true?

Page 204:25 to 205:03

25 A. Same answer.

1 Q. The only reason it was too late
2 was because it was going to cost BP time in
3 finishing the well; isn't that true?

Page 205:05 to 205:09

5 A. Same answer.

6 Q. And the only reason it was too
7 late is because if it's going to cost BP
8 time, it's also going to cost BP more money;
9 isn't that true?

Page 205:11 to 205:11

11 A. Same answer.

Page 205:19 to 205:21

19 Q. In fact, you could have told
20 Brian Morel it's not too late; isn't that
21 right?

Page 205:23 to 205:24

23 A. Same answer.
24 Q. But you didn't; isn't that true?

Page 206:01 to 206:01

1 A. Same answer.

Page 206:07 to 206:10

7 Q. And you could have -- or you
8 could have told Brian Morel to shut in the
9 well while you were waiting for the
10 additional centralizers; isn't that true?

Page 206:12 to 206:14

12 A. Same answer.
13 Q. But you didn't; isn't that
14 right?

Page 206:16 to 206:21

16 A. Same answer.
17 Q. Other examples of BP choosing
18 cost over safety is the fact that BP decided
19 not to wait for the foam stability test
20 results before authorizing the cement job;
21 isn't that right?

Page 206:23 to 206:25

23 A. Same answer.
24 Q. And this decision saved BP time;
25 isn't that true?

Page 207:02 to 207:03

2 A. Same answer.
3 Q. And it saved BP money?

Page 207:05 to 207:07

5 A. Same answer.
6 Q. BP decided not to run a cement
7 evaluation log; isn't that true?

Page 207:09 to 207:11

9 A. Same answer.
10 Q. This decision saved BP time;
11 isn't that right?

Page 207:13 to 207:15

13 A. Same answer.
14 Q. And it saved BP money; isn't
15 that true?

Page 207:17 to 207:20

17 A. Same answer.
18 Q. BP decided to use a spacer made
19 from combined lost-circulation materials to
20 avoid disposal issues; isn't that right?

Page 207:22 to 207:25

22 A. Same answer.
23 Q. This decision saved BP time.
24 Wouldn't you agree with me on
25 that?

Page 208:02 to 208:03

2 A. Same answer.
3 Q. And it also saved BP money?

Page 208:05 to 208:08

5 A. Same answer.
6 Q. BP decided to displace mud
7 before setting a surface cement plug; isn't
8 that right?

Page 208:10 to 208:12

10 A. Same answer.
11 Q. This decision saved BP time;
12 isn't that correct?

Page 208:14 to 208:15

14 A. Same answer.
15 Q. And it saved BP money?

Page 208:17 to 208:21

17 A. Same answer.
18 Q. BP also decided not to install
19 additional physical barriers during the
20 temporary abandonment procedure; isn't that
21 right?

Page 208:23 to 208:24

23 A. Same answer.
24 Q. This decision saved BP time?

Page 209:01 to 209:02

1 A. Same answer.
2 Q. And it saved BP money?

Page 209:04 to 209:11

4 A. Same answer.
5 Q. Also, BP decided not to perform
6 additional tests regarding well integrity,
7 given the dubious negative test results;
8 isn't that true?
9 A. Same answer.
10 Q. This decision saved time, didn't
11 it?

Page 209:13 to 209:14

13 A. Same answer.
14 Q. And it saved BP money?

Page 209:16 to 209:19

16 A. Same answer.

17 Q. And you know, as well as I do,
18 that there's no such thing as a bladder
19 effect?

Page 209:21 to 210:01

21 A. Same answer.
22 Q. And if you had heard anyone from
23 the rig telling you that the negative test
24 was showing a bladder effect, you would have
25 tried to find out what in the world they were
1 talking about?

Page 210:03 to 210:08

3 A. Same answer.
4 Q. In fact, if you had heard that
5 they were claiming that the negative test
6 results showed the bladder effect, you would
7 have told them not to proceed further without
8 shutting in the well, wouldn't you?

Page 210:10 to 210:11

10 A. Same answer.
11 Q. But you didn't; isn't that true?

Page 210:13 to 210:17

13 A. Same answer.
14 Q. So all of these cost-saving
15 decisions I've discussed with you today
16 complicated the cement job or rendered its
17 success less likely; isn't that true?

Page 210:19 to 210:22

19 A. Same answer.
20 Q. You never emphasized to the
21 individuals conducting the negative test, the
22 importance of a successful result, did you?

Page 210:24 to 210:24

24 A. Same answer.

Page 211:03 to 211:06

3 Isn't it true that it is better
4 to pump more rather than less cement into a
5 well for production casing jobs such as the
6 Macondo?

Page 211:08 to 211:11

8 A. Same answer.
9 Q. Pumping more cement reduces the
10 risk of contamination of cement by diluting
11 the amount of contaminants; isn't that true?

Page 211:13 to 211:16

13 A. Same answer.
14 Q. Pumping more cement also reduces
15 the impact of various cement placement; isn't
16 that true?

Page 211:18 to 211:20

18 A. Same answer.
19 Q. BP made a conscious decision to
20 pump less cement, though?

Page 211:22 to 211:25

22 A. Same answer.
23 Q. You recognized that this small
24 volume of cement provided little margin of
25 error? Don't you recognize that, Mr. Hafle?

Page 212:02 to 212:06

2 A. Same answer.
3 Q. BP's decision to pump only
4 61 barrels of cement meant that there would
5 be less cement above the hydrocarbon zone;
6 isn't that right?

Page 212:08 to 212:12

8 A. Same answer.
9 Q. In fact, displacement of the

10 cement only 500 feet above the hydrocarbon
11 zone violated BP's own engineering practice,
12 ETP 10-60; isn't that true?

Page 212:14 to 212:19

14 A. Same answer.
15 Q. BP's decision to use less cement
16 also increased the risk that placement errors
17 would leave insufficient cement in the shoe
18 track or in the annular space corresponding
19 to the hydrocarbon zone; isn't that true?

Page 212:21 to 212:24

21 A. Same answer.
22 Q. BP's decision to use less cement
23 also increased the chance of cement
24 contamination; isn't that true?

Page 213:01 to 213:04

1 A. Same answer.
2 Q. BP ignored these risks when it
3 decided to use a low volume of cement; isn't
4 this true?

Page 213:06 to 213:09

6 A. Same answer.
7 Q. In fact, BP's decision to use a
8 lower pump rate affected the cement job;
9 isn't that right, Mr. Hafle?

Page 213:11 to 213:13

11 A. Same answer.
12 Q. BP decided to pump the primary
13 cement at a lower rate; isn't that right?

Page 213:15 to 213:19

15 A. Same answer.
16 Q. The lower rate decreased the
17 efficiency with which the cement displaced
18 the mud from the annular space; isn't that

19 right?

Page 213:21 to 213:24

21 A. Same answer.

22 Q. And this lower rate also
23 increased the risk of channeling; isn't that
24 true?

Page 214:01 to 214:03

1 A. Same answer.

2 Q. It also increased the risk of
3 contamination; isn't that true?

Page 214:05 to 214:07

5 A. Same answer.

6 Q. And it also increased the risk
7 of gas flow?

Page 214:09 to 214:10

9 A. Same answer.

10 Q. Was BP aware of these risks?

Page 214:12 to 214:14

12 A. Same answer.

13 Q. You were aware of these risks,
14 weren't you, Mr. Hafle?

Page 214:16 to 214:19

16 A. Same answer.

17 Q. BP ignored these risks when it
18 decided to pump the cement at a lower rate;
19 isn't that true?

Page 214:21 to 215:01

21 A. Same answer.

22 Q. I want to ask you some
23 questions, Mr. Hafle, about BP's decision not
24 to run a cement bond log.

25 BP decided not to run a cement

1 bond log; isn't that right?

Page 215:03 to 215:06

3 A. Same answer.

4 Q. You'd agree with me that a
5 cement bond log would have determined if
6 there was channeling in the cement?

Page 215:08 to 215:11

8 A. Same answer.

9 Q. And isn't it true that BP's
10 decision not to run a CBL in this specific
11 instance violated BP's own internal policies?

Page 215:13 to 215:16

13 A. Same answer.

14 Q. Without the CBL, BP had no way
15 to verify whether there was any channeling in
16 the cement; isn't that correct?

Page 215:18 to 215:20

18 A. Same answer.

19 Q. But running a CBL would require
20 more time and more money; isn't that true?

Page 215:22 to 215:25

22 A. Same answer.

23 Q. And it was purely BP's decision
24 whether or not to run a CBL in this case;
25 isn't that true?

Page 216:02 to 216:04

2 A. Same answer.

3 Q. In fact, Halliburton had nothing
4 to do with this particular decision?

Page 216:06 to 216:13

6 A. Same answer.

7 Q. And isn't it true that

8 Schlumberger had a crew at the rig site ready
9 to run a CBL but BP sent them home?
10 A. Same answer.
11 Q. In fact, by sending Schlumberger
12 home, BP saved tens of thousands of dollars
13 that day; isn't that true?

Page 216:15 to 216:15

15 A. Same answer.

Page 218:15 to 218:18

15 Q. In fact, when BP sent
16 Schlumberger home, by doing so BP saved tens
17 of thousands of dollars that day; isn't that
18 true, Mr. Hafle?

Page 218:20 to 219:04

20 A. Same answer.
21 Q. Mr. Hafle, you believe the
22 cement job in the production casing was
23 successful, didn't you?
24 A. Same answer.
25 Q. Mr. Hafle, I want to ask you
1 some questions about the centralizers.
2 You'd agree with me that BP's
3 decision to use only seven centralizers
4 affected the cement job?

Page 219:06 to 219:16

6 A. Same answer.
7 Q. On April 18th of 2010, you
8 received an OptiCem report from Jesse
9 Gagliano showing that using only seven
10 centralizers will result in a severe gas flow
11 potential, correct?
12 MR. MORRISS: Form.
13 A. Same answer.
14 Q. However, you never contacted
15 Mr. Gagliano to discuss this information;
16 isn't that true?

Page 219:18 to 219:24

18 A. Same answer.
19 Q. And you did not seek advice from
20 any of BP's internal experts regarding this
21 information, did you?
22 A. Same answer.
23 Q. Nevertheless, BP proceeded with
24 using only six centralizers, didn't it?

Page 220:01 to 220:04

1 A. Same answer.
2 Q. If you could do it again, would
3 you still have run six centralizers,
4 Mr. Hafle?

Page 220:06 to 220:10

6 A. Same answer.
7 Q. If you could do it again, would
8 you have contacted Mr. Gagliano to discuss
9 the issues with regards to running
10 6 centralizers as opposed to 21?

Page 220:12 to 220:12

12 A. Same answer.

Page 220:17 to 220:21

17 Q. As well, you knew that a
18 previous OptiCem report from Jesse Gagliano
19 showed that using 21 centralizers would
20 result in only a minor gas flow potential;
21 isn't that true?

Page 220:23 to 221:01

23 A. Same answer.
24 Q. But BP decided that it was not
25 necessary to use this many centralizers;
1 isn't that right?

Page 221:03 to 221:06

3 A. Same answer.

4 Q. You did not tell Jesse Gagliano
5 that you were going to use only six
6 centralizers, did you?

Page 221:08 to 221:12

8 A. Same answer.
9 Q. But you'd agree with me that
10 reduced pipe centralization increases the
11 risk of poor mud displacement; isn't that
12 right?

Page 221:14 to 221:17

14 A. Same answer.
15 Q. In fact, it increases the risk
16 that mud channels will compromise zonal
17 isolation; isn't that true?

Page 221:19 to 221:23

19 A. Same answer.
20 Q. It also increases the risk that
21 hydrocarbons will migrate into and through
22 the annular cement as it sets; isn't that
23 true?

Page 221:25 to 222:05

25 A. Same answer.
1 Q. But you, on behalf of BP,
2 consciously assumed all those risks by
3 choosing to use only six centralizers despite
4 Halliburton's recommendation; isn't that
5 true?

Page 222:07 to 222:07

7 A. Same answer.

Page 222:13 to 222:16

13 Q. You, as the senior drilling
14 engineer, and Brian Morel's mentor, assumed
15 this risk?
16 A. Same answer.

Page 222:20 to 223:05

20 You're aware -- you were aware
21 of the difficulties with the float-collar
22 conversion; isn't that true?
23 A. Same answer.
24 Q. In fact, you knew that it took
25 nine attempts and 3,140 psi pressure to
1 establish circulation; isn't that right?
2 A. Same answer.
3 Q. And you followed the float
4 conversion data via INSITE Anywhere; isn't
5 that true?

Page 223:07 to 223:10

7 A. Same answer.
8 Q. Even after the circulation was
9 established, you had doubts that the
10 float-collar actually converted, didn't you?

Page 223:12 to 223:12

12 A. Same answer.

Page 223:17 to 225:10

17 (Exhibit Number 4457 marked.)
18 Q. Mr. Hafle, I'm handing you
19 what's been marked as exhibit 4457. Take a
20 second to look at that document.
21 That's an e-mail from you to an
22 address of [REDACTED]; isn't that true,
23 Mr. Hafle?
24 A. Same answer.
25 Q. And your communications in this
1 e-mail are as follows: The bottom e-mail
2 says, this model is more debris tolerant.
3 The top e-mail from you in return says,
4 shifted at 3140 psi, or we hope so. We are
5 CIRC now.
6 Did I read that correctly?
7 A. Same answer.
8 Q. And CIRC stands for circulating;
9 isn't that right?

10 A. Same answer.
11 Q. So this e-mail that has been
12 marked as exhibit 4457 shows that you knew
13 something had shifted at 3140 psi, but you
14 didn't know what it was; isn't that true?
15 MR. MORRISS: Form.
16 A. Same answer.
17 Q. And you were also concerned with
18 this low-circulating pressure at this time;
19 isn't that true?
20 MR. MORRISS: Form.
21 A. Same answer.
22 Q. So you weren't really sure how
23 the float collar had converted, or if it had
24 floated correctly; isn't that true?
25 MR. MORRISS: Form.
1 A. Same answer.
2 Q. Despite your doubts, as shown in
3 this e-mail marked as exhibit 4457, you did
4 not try to verify in a meaningful way that
5 the float collar had converted, did you?
6 MR. MORRISS: Form.
7 A. Same answer.
8 Q. In fact, unconverted float
9 valves could have compromised the bottomhole
10 cement job; isn't that true?

Page 225:12 to 225:14

12 A. Same answer.
13 Q. But you assumed that risk,
14 didn't you?

Page 225:16 to 225:19

16 A. Same answer.
17 Q. And you were also concerned that
18 there might have been a breach somewhere in
19 the casing; isn't that true?

Page 225:21 to 225:23

21 A. Same answer.
22 Q. But you didn't do anything to
23 verify that, did you?

Page 225:25 to 226:04

25 A. Same answer.
1 Q. Isn't it true, Mr. Hafle, that
2 BP was drilling too fast to allow for full
3 testing of pore pressure variations from
4 predicted pore pressure?

Page 226:06 to 226:08

6 A. Same answer.
7 Q. And isn't it true that you knew
8 that BP was drilling too fast?

Page 226:10 to 227:09

10 A. Same answer.
11 Q. I'm handing you what's
12 previously been marked in this litigation as
13 exhibit 1234. It's an e-mail from Kate
14 Paine.
15 Kate Paine is a pore pressure
16 analyst; isn't that true, Mr. Hafle?
17 A. Same answer.
18 Q. In exhibit 1234, I'm going to
19 the second paragraph, and I'm going to read
20 it.
21 It says, after deciding to drill
22 ahead we encountered the losses. We were
23 aware of the upper limit of the ECD and
24 exceeded it because we didn't have the MWD
25 log values. I'm not sure it a lack of
1 communication or awareness as much as a,
2 quote, we can get away with this, quote,
3 attitude. After all, the surface LOT
4 provided an additional .5 ppg of window.
5 Did I read that correctly?
6 A. Same answer.
7 Q. In fact, you were part of this
8 team attitude of we can get away with this;
9 isn't that true, Mr. Hafle?

Page 227:11 to 228:01

11 A. Same answer.
12 Q. She says at the bottom paragraph

13 -- Ms. Paine says quote, I'm sorry to push
 14 back on the lessons learned. I know you've
 15 got to get something out there to make it
 16 look like we wouldn't do this again. But
 17 without obvious indicators and with the real
 18 push to make hole and skip the contingency
 19 liner, I don't see us really learning. The
 20 best bet is to hedge the most likely to have
 21 some centroid built into the plan initially.

22 Did I read that correctly?

23 A. Same answer.

24 Q. Mr. Hafle, this is just one of
 25 many examples of BP trying to get away with
 1 anything they can --

Page 228:03 to 228:04

3 Q. -- with regards to this well;
 4 isn't that true?

Page 228:06 to 228:08

6 A. Same answer.

7 Q. This is another example of BP
 8 putting money over safety; isn't that right?

Page 228:10 to 229:11

10 A. Same answer.

11 Q. Mr. Hafle, I'm going to hand you
 12 what's previously been marked in this -- in
 13 this litigation as exhibit 1555. It's an
 14 e-mail from Stuart Lacy to Jonathan Bellow
 15 dated March 12th of 2010. I'm going to read
 16 the e-mail to you.

17 It says, hi Jon, been on radio
 18 silence all day, hence the delay, but have
 19 successfully severed the drill pipe. I'd
 20 agreed with pretty much everything you say,
 21 and I think we were all a bit complacent
 22 having been drilling subsalt wells. This is
 23 a different kettle of fish. One thought is
 24 that we always use to flow check sands in
 25 exploration wells, but the drive for
 1 increased performance has seen this
 2 abandoned. Likewise, drilling like a bat out

3 of hell in these PP narrow-window wells is
4 perhaps not wise, especially considering the
5 drilling is relatively low percentile of the
6 total time in these wells. Drilling so fast
7 we have to stop and circulate for ECD really
8 doesn't make any sense.
9 Did I read that correctly,
10 Mr. Hafle?
11 A. Same answer.

Page 229:21 to 229:23

21 Q. And this is another example of
22 BP choosing time and efficiency over safety;
23 isn't that true?

Page 229:25 to 230:03

25 A. Same answer.
1 Q. Isn't it true that neither you
2 nor Brian Morel knew the specific procedure
3 for a negative test?

Page 230:05 to 230:08

5 A. Same answer.
6 Q. In fact, as late as April 17th,
7 2010, you and Mr. Morel were still looking at
8 the specific MMS requirements for the test?

Page 230:10 to 230:14

10 A. Same answer.
11 Q. You let the team proceed with
12 the displacement without being sure that the
13 negative-pressure test was successful; isn't
14 that true?

Page 230:16 to 230:20

16 A. Same answer.
17 Q. If you had asked for more
18 detail, you would have not accepted the
19 bladder effect as an explanation of the
20 negative test results; isn't that true?

Page 230:22 to 230:25

22 A. Same answer.
23 Q. And isn't it true that as late
24 as April 12th of 2010, you did not have a
25 temporary abandonment procedure?

Page 231:02 to 231:11

2 A. Same answer.
3 Q. The rig crew and the wellsite
4 leaders were still waiting on this procedure
5 from you; isn't that right?
6 MR. MORRISS: Form.
7 A. Same answer.
8 Q. Would you agree with me that the
9 significant change in organization -- in the
10 organizational structure at BP caused chaos
11 on this well prior to the blowout?

Page 231:13 to 231:19

13 A. Same answer.
14 Q. You'd agree with me that the
15 potential for -- you'd agree with me that all
16 the last-minute changes in the temporary
17 abandonment procedure had many of your
18 engineers, wellsite leaders, and team
19 confused; isn't that true?

Page 231:21 to 232:02

21 A. Same answer.
22 Q. In fact, in a matter of days you
23 changed from a long string to a liner and
24 then back to a long string again with regards
25 to the final production casing; isn't that
1 true?
2 A. Same answer.

Page 232:20 to 234:19

20 Q. You understand that Anadarko was
21 a non-operating party with respect to the
22 Macondo well, don't you?
23 A. Same answer.

24 Q. You're not aware of anyone from
25 Anadarko having made any engineering
1 decisions with respect to the design of the
2 Macondo well, are you?
3 A. Same answer.
4 Q. You're not aware of anyone from
5 Anadarko having made any engineering
6 decisions with respect to the drilling of the
7 Macondo well, are you?
8 A. Same answer.
9 Q. Anadarko did not have any
10 engineering input into the well operations,
11 did it?
12 A. Same answer.
13 Q. Anadarko did not have any input
14 regarding the cement job at Macondo, did it?
15 A. Same answer.
16 Q. You're not aware of anyone from
17 Anadarko participating in developing or
18 approving the cement design for the Macondo
19 well, are you?
20 A. Same answer.
21 Q. Anadarko did not participate in
22 the decision to use the nitrified slurry, did
23 it?
24 A. Same answer.
25 Q. You don't have any evidence that
1 Anadarko had knowledge of the base cement
2 slurry design, do you?
3 A. Same answer.
4 Q. Anadarko did not participate in
5 the decision to use base oil as a spacer for
6 the cement job, did it?
7 A. Same answer.
8 Q. Anadarko did not participate in
9 the decision as to which test to run on the
10 various components of the cement job, did it?
11 A. Same answer.
12 Q. Anadarko did not receive the
13 results of any of the tests on the various
14 components of the cement job, did it?
15 A. Same answer.
16 Q. Anadarko had no role in the
17 decision to start the cement job without BP
18 having a successful foam stability test, did
19 it?

Page 234:21 to 234:24

21 A. Same answer.
22 Q. Anadarko did not participate in
23 the decision to use a small volume of cement
24 with the 9-7/8 production casing job, did it?

Page 235:01 to 235:19

1 A. Same answer.
2 Q. You can't point to any evidence
3 that Anadarko had any knowledge of the volume
4 of cement that BP planned to use on the
5 production casing job, can you?
6 A. Same answer.
7 Q. Anadarko did not participate in
8 the decision as to what pump rate to use for
9 the Macondo cement job; is that correct?
10 A. Same answer.
11 Q. Anadarko did not participate in
12 the decision not to run a full bottoms-up,
13 correct?
14 A. Same answer.
15 Q. Anadarko did not participate in
16 the decision to ignore Halliburton's
17 recommendation to use 21 centralizers and to
18 use only six centralizers instead; is that
19 correct?

Page 235:21 to 236:03

21 A. Same answer.
22 Q. Anadarko did not participate in
23 the decision to call total depth where it was
24 called, did it?
25 A. Same answer.
1 Q. Anadarko did not participate in
2 the decision to use LCM as a spacer on this
3 job, did it?

Page 236:05 to 239:21

5 A. Same answer.
6 Q. Anadarko did not participate in
7 the decision or the determination as to

8 whether the float collar had actually
9 converted after nine tries at conversion, did
10 it?

11 A. Same answer.

12 Q. You have no information
13 suggesting that Anadarko received notice that
14 there had been difficulties converting the
15 float collar, do you?

16 A. Same answer.

17 Q. Anadarko did not participate in
18 conducting or interpreting the negative test;
19 is that true?

20 A. Same answer.

21 Q. Anadarko did not play any part
22 in deciding to when -- when to install the
23 lockdown sleeve, did it?

24 A. Same answer.

25 Q. Anadarko was provided no details
1 of the lockdown procedure, was it?

2 A. Same answer.

3 Q. Anadarko did not participate in
4 the determination of the top of cement, did
5 it?

6 A. Same answer.

7 Q. Anadarko did not participate in
8 the decision not to run a cement bond log,
9 did it?

10 A. Same answer.

11 Q. Mr. Hafle, during the time
12 period prior to April 20, 2010, you're not
13 aware of anyone from Anadarko visiting the
14 DEEPWATER HORIZON rig, are you?

15 A. Same answer.

16 Q. And no Anadarko personnel were
17 stationed on the rig, like BP had its
18 wellsite leaders on the rig; is that correct?

19 A. Same answer.

20 Q. Now, you did not typically
21 communicate with non-operating parties, such
22 as Anadarko; is that true?

23 A. Same answer.

24 Q. You never provided any detailed
25 well plans to non-operators, did you?

1 A. Same answer.

2 Q. In fact, in an e-mail on
3 March 11, 2010, which has previously been

4 marked in this case as exhibit 2840, about
5 the Macondo predrill plan, you told Michael
6 Beirne of BP, quote, we have never given our
7 drilling procedure, close quote, to the
8 non-operators, didn't you?

9 A. Same answer.

10 Q. On September 24, 2009, you sent
11 an e-mail, which has previously been marked
12 as exhibit 2869, to Mr. Beirne and said,
13 quote, here's the AFE document with backup
14 data. Would not want to send this to
15 partners, probably.

16 Do you recall sending that
17 e-mail?

18 A. Same answer.

19 Q. You also expressed to Mr. Beirne
20 in an October 27th, 2009, e-mail that it was
21 not customary to give the non-operating
22 parties much detail, didn't you?

23 A. Same answer.

24 Q. Doesn't that reflect BP's
25 culture of not providing details of the
1 processes and procedures to non-operators?

2 MR. MORRISS: Form.

3 A. Same answer.

4 Q. You've been asked a number of
5 questions today about risk management, and I
6 just have some follow-ups with respect to the
7 risk register.

8 The risk register itself is a
9 tool that's supposed to be used to track and
10 manage risk on a particular well; is that
11 true?

12 A. Same answer.

13 Q. And as the senior drilling
14 engineer, you are -- were actually identified
15 as the owner of 13 of the 23 risks identified
16 on the Macondo risk register; is that true?

17 A. Same answer.

18 Q. You were the owner of the risk
19 of well control and the risk of losing
20 wellbore in an uncontrolled situation,
21 correct?

23 A. Same answer.
24 Q. Were you also the owner of the
25 risk for zonal isolation?

Page 240:02 to 240:05

2 A. Same answer.
3 Q. And as the owner, you were
4 responsible for ensuring the elimination and
5 mitigation of those risks, weren't you?

Page 240:07 to 240:11

7 A. Same answer.
8 Q. Under BP's recommended
9 practices, the risk register was required to
10 be updated at certain points in the project;
11 is that true?

Page 240:13 to 240:17

13 A. Same answer.
14 Q. In fact, the
15 beyond-the-best-practices manual required the
16 team to continually update the register,
17 didn't it?

Page 240:19 to 240:22

19 A. Same answer.
20 Q. And the purpose of updating the
21 register was to assess progress, evaluate and
22 minimize risk; is that true?

Page 240:24 to 241:02

24 A. Same answer.
25 Q. As the risk owner, you were
1 responsible for updating the risk register,
2 correct?

Page 241:04 to 241:08

4 A. Same answer.
5 Q. Prior to the blowout, the last
6 update to the risk register for any risk,

7 including well control and zonal isolation,
8 was June 17th, 2009, correct?

Page 241:10 to 241:13

10 A. Same answer.
11 Q. So at Macondo, there were no
12 updates made to the risk register for almost
13 a year before the incident; is that true?

Page 241:15 to 241:22

15 A. Same answer.
16 Q. There were many issues with the
17 casing design and the cement job that
18 occurred after 2009, weren't there?
19 A. Same answer.
20 Q. But neither you nor anyone else
21 at BP updated the risk register to reflect
22 that, did you?

Page 241:24 to 242:02

24 A. Same answer.
25 Q. Do you agree that not updating
1 the risk register was a violation of BP's
2 recommended practices?

Page 242:04 to 242:09

4 A. Same answer.
5 Q. Do you agree that further
6 evaluation of these risks as was required by
7 BP's recommended practices would have helped
8 to minimize the risk of losing well control
9 and the blowout at Macondo?

Page 242:11 to 242:11

11 A. Same answer.

Page 242:16 to 243:01

16 Would you agree that the
17 management of change is a formalized process
18 that is used to initiate, evaluate, and

19 approve changes to the drilling and
20 completion plans?
21 A. Same answer.
22 Q. BP actually had a written
23 recommended practice for risk management that
24 mandated the use of the MOC process for
25 decisions outside the approved drilling
1 programs; is that correct?

Page 243:03 to 243:06

3 A. Same answer.
4 Q. And will you agree with me that
5 whether an MOC would be run was not
6 discretionary?

Page 243:08 to 243:15

8 A. Same answer.
9 Q. BP also had a written Gulf of
10 Mexico exploration and appraisal
11 communication plan, didn't it?
12 A. Same answer.
13 Q. And the BP communication plan
14 contained information about what types of
15 changes required MOCs, didn't it?

Page 243:17 to 243:20

17 A. Same answer.
18 Q. You believe the BP communication
19 plan is not particularly well-written, don't
20 you?

Page 243:22 to 243:25

22 A. Same answer.
23 Q. And you stated before that the
24 BP communication plan contained errors,
25 correct?

Page 244:02 to 244:06

2 A. Same answer.
3 Q. Do you believe the confusion in
4 the BP communication plan led to mistakes in

5 the decisions about what MOC should be
6 initiated?

Page 244:08 to 244:23

8 A. Same answer.
9 Q. The BP communication plan also
10 addressed, among other things, project
11 organization and accountability, who to call
12 on the onshore team and when, and who makes
13 operational decisions, didn't it?
14 A. Same answer.
15 Q. Do you agree that the BP
16 communication plan was not clear on who was
17 to be contacted with respect to the negative
18 test?
19 A. Same answer.
20 Q. The communication plan was
21 unclear as to whether the rig was supposed to
22 call the shore during the negative test,
23 correct?

Page 244:25 to 245:04

25 A. Same answer.
1 Q. Now, problems with the
2 communication plan at BP had been
3 longstanding before the incident, haven't
4 they?

Page 245:06 to 245:15

6 A. Same answer.
7 Q. About a year before the
8 explosion, you and others at BP exchanged
9 e-mail about the Macondo communications plan
10 and the, quote, unnecessary frustration and
11 miscommunication, close quote, that was
12 occurring; isn't that true?
13 A. Same answer.
14 Q. The communication plan was not
15 revised before the explosion, was it?

Page 245:17 to 245:17

17 A. Same answer.

Page 245:24 to 246:11

24 The reorganization in 2010
25 actually resulted in a change in job
1 accountability and reporting; is that
2 correct?
3 A. Same answer.
4 Q. And prior to the reorganization,
5 you and Brian Morel reported to David Sims,
6 but after, you and Mr. Morel and Mr. Cocalles
7 reported to Greg Walz; is that true?
8 A. Same answer.
9 Q. And would you agree that this
10 reorganization led to questions of authority?
11 A. Same answer.

Page 246:13 to 246:17

13 Q. Were you aware that John Guide
14 told David Sims in April 2010 that with the
15 separation of engineering and operations,
16 quote, I do not know what I can and cannot
17 do?

Page 246:19 to 246:23

19 A. Same answer.
20 Q. Will you agree that there was
21 confusion about who was supposed to review
22 and approve the MOC for reversion back to the
23 long string?

Page 246:25 to 247:06

25 A. Same answer.
1 Q. Now, you've said that Mr. Morel
2 was not the lead drilling engineer, quote, on
3 paper, close quote, for the Macondo well, but
4 he was the lead engineering point of contact
5 for the rig and, in practice, functioned that
6 way, correct?

Page 247:08 to 247:21

8 A. Same answer.

9 Q. Did this result in any confusion
10 among the team or for the people on the rig
11 about who was the lead engineering point of
12 contact?

13 A. Same answer.

14 Q. Now, Greg Walz's new position
15 after the reorganization was drilling
16 engineering team leader, right?

17 A. Same answer.

18 Q. Is it fair to say that there
19 were issues with Mr. Walz's leadership and
20 decision-making on the cement job in
21 April 2010?

Page 247:23 to 248:04

23 A. Same answer.

24 Q. You received several e-mails
25 from Mr. Walz on April 16th and 17th where
1 Mr. Walz acknowledged that he did a, quote,
2 flip-flop, close quote, concerning the use of
3 a spacer on the cement job. Do you recall
4 that?

Page 248:06 to 248:08

6 A. Same answer.

7 Q. He also indicated that he had a
8 misstep with the centralizers, didn't he?

Page 248:10 to 248:13

10 A. Same answer.

11 Q. Mr. Walz also said, quote, I
12 need to do a better job of leadership, close
13 quote, didn't he?

Page 248:15 to 248:17

15 A. Same answer.

16 Q. Do you believe that Greg Walz
17 was not doing a good job of leadership?

Page 248:19 to 248:23

19 A. Same answer.

20 Q. Is it fair to say that shortly
21 before the explosion, there were tensions
22 between engineering and operation groups at
23 BP?

Page 248:25 to 248:25

25 A. Same answer.

Page 249:13 to 249:14

13 Q. Were you aware that Mr. Morel
14 was unhappy in his job in April 2010?

Page 249:16 to 249:19

16 A. Same answer.
17 Q. Do you believe that Mr. Morel's
18 attention to finding a new position affected
19 his job performance?

Page 249:21 to 249:24

21 A. Same answer.
22 Q. Now, you were aware of conflict
23 between John Guide and David Sims in March
24 and April of 2010, right?

Page 250:01 to 250:14

1 A. Same answer.
2 Q. You actually sent an e-mail to
3 Tim Burns, a BP drilling engineering, about
4 the issues between Mr. Sims and Mr. Guide,
5 didn't you?
6 A. Same answer.
7 Q. When you sent him the e-mail you
8 asked, have you been within earshot of any of
9 the Sims/Guide conversations lately, didn't
10 you?
11 A. Same answer.
12 Q. The conflicts between Mr. Guide
13 and Mr. Sims affected the job you were trying
14 to do on Macondo, didn't they?

Page 250:16 to 250:16

16 A. Same answer.

Page 250:19 to 251:02

19 just have some questions about a document
20 that's previously been marked in this case as
21 exhibit 791. And it was called BP's
22 guidelines for cement design and operations
23 in the deepwater Gulf of Mexico.
24 Now, will you agree, Mr. Hafle,
25 that BP as the operator established written
1 guidelines to be followed for the cementing
2 and design operations on its rigs?

Page 251:04 to 251:09

4 A. Same answer.
5 Q. Will you agree with the
6 statement in BP's written guidelines that
7 obtaining a competent cement job and proper
8 tubular placement are the most important
9 aspects of well design and construction?

Page 251:11 to 251:25

11 A. Same answer.
12 Q. The BP guidelines state that
13 they're to be used by drilling engineers in
14 the detailed planning and design of cement
15 job from conception to execution, don't they?
16 A. Same answer.
17 Q. And the purpose of the
18 guidelines is to guide drilling personnel
19 through the cement design process and to
20 identify minimum requirements and standards
21 of cement design and operations, right?
22 A. Same answer.
23 Q. The BP guidelines state that it
24 is imperative that all of the requirements be
25 met, doesn't it?

Page 252:02 to 252:07

2 A. Same answer.
3 Q. As the senior drilling engineer

4 on the Macondo job, will you agree that it
5 was imperative that you follow the
6 requirements in BP's guidelines for cement
7 design and operations?

Page 252:09 to 252:16

9 A. Same answer.
10 Q. The BP guidelines also state
11 that drilling engineers are responsible for
12 reviewing the results of cement slurries and
13 spacer tests as well as the details of cement
14 operations including volumes to be pumped.
15 Will you agree with that
16 statement?

Page 252:18 to 252:22

18 A. Same answer.
19 Q. And it's important that the BP
20 drilling engineer be the responsible party
21 for these cementing standards because BP is
22 the operator, right?

Page 252:24 to 253:02

24 A. Same answer.
25 Q. And the operator should make
1 sure that the requirements for a successful
2 cement job are met, correct?

Page 253:04 to 253:08

4 A. Same answer.
5 Q. Will you agree that the
6 guidelines set forth in the BP cementing
7 guidelines document were not all followed at
8 Macondo?

Page 253:10 to 253:10

10 A. Same answer.

Page 253:14 to 253:20

14 Will you agree with me that base

15 oil was used as a spacer on the cement job at
16 Macondo?

17 A. Same answer.

18 Q. Erick Cunningham of BP was the
19 person who actually suggested adding base oil
20 into the cement job; is that true?

Page 253:22 to 253:25

22 A. Same answer.

23 Q. If base oil commingles with
24 cement, it can lead to destabilization and
25 channeling, can't it?

Page 254:02 to 254:05

2 A. Same answer.

3 Q. And you were aware that Mr.
4 Cunningham expressed those concerns in March
5 2010 to Mr. Morel, weren't you?

Page 254:07 to 254:09

7 A. Same answer.

8 Q. You agree with the sentiments
9 expressed by Mr. Cunningham, don't you?

Page 254:11 to 254:14

11 A. Same answer.

12 Q. Now, prior to the explosion, you
13 had also expressed concern about the use of
14 base oil at Macondo, correct?

Page 254:16 to 254:18

16 A. Same answer.

17 Q. You said you didn't like base
18 oil for this job; isn't that true?

Page 254:20 to 255:02

20 A. Same answer.

21 Q. But BP eventually decided to use
22 base oil on the Macondo job, didn't it?

23 A. Same answer.

24 Q. On April 16th, Brian Morel sent
25 a written direction to Mr. Gagliano to
1 include the addition of base oil in the job
2 procedure, didn't he?

Page 255:04 to 255:07

4 A. Same answer.
5 Q. Mr. Gagliano had actually sent
6 you all the procedures, and it didn't include
7 base oil. Do you recall that?

Page 255:09 to 255:13

9 A. Same answer.
10 Q. And Mr. Morel told you that the
11 procedure was wrong because it didn't include
12 base oil and you responded, oh my; isn't that
13 correct?

Page 255:15 to 255:19

15 A. Same answer.
16 Q. And Mr. Morel then instructed
17 Mr. Halliburton (sic) to add a step in the
18 procedure to, quote, pump seven bbl of base
19 oil, didn't he?

Page 255:21 to 255:25

21 A. Same answer.
22 Q. And Mr. Gagliano followed his
23 direction, because, as the operator, it was
24 your ultimate decision as to what went into
25 the well; isn't that right?

Page 256:02 to 256:07

2 A. Same answer.
3 Q. So BP was aware that base oil
4 could commingle with the foam slurry and lead
5 to destabilization prior to be -- it being
6 used on the job, but it went ahead and used
7 it on the Macondo job; isn't that true?

Page 256:09 to 256:12

9 A. Same answer.
10 Q. BP did not conduct any formal
11 risk assessment before using base oil on the
12 job, did it?

Page 256:14 to 257:05

14 A. Same answer.
15 Q. Now, are you familiar with the
16 BP investigative report that's been referred
17 to as the Bly report?
18 A. Same answer.
19 Q. Would you agree with the finding
20 of the BP Bly report that, quote, important
21 aspects of the foam cement design such as
22 foam stability, possible contamination
23 effects, and fluid loss potential did not
24 appear to have been critically assessed in
25 the pre-job reviews?
1 A. Same answer.
2 Q. And will you agree that as a
3 senior drilling engineer, it was your
4 responsibility to conduct those critical
5 assessments in the pre-job reviews?

Page 257:07 to 257:11

7 A. Same answer.
8 Q. Will you agree that BP was
9 supposed to engage in quality assurance and
10 quality control of the cementing jobs at the
11 wellsite?

Page 257:13 to 258:05

13 A. Same answer.
14 Q. In fact, BP's written guidelines
15 for cement design provided a detailed
16 checklist that was to be completed to ensure
17 the performance of the cement job was as
18 close as possible to the way the job was
19 optimized; isn't that true?
20 MR. MORRISS: Form.
21 A. Same answer.
22 Q. You never completed the

23 checklist required by BP's guidelines for
24 cement design, did you?
25 MR. MORRISS: Form.
1 A. Same answer.
2 Q. You're not aware of anyone else
3 completing the checklist for quality
4 assurance, quality control on the cementing
5 job at the wellsite, are you?

Page 258:07 to 258:11

7 A. Same answer.
8 Q. If the checklist was not
9 completed, will you agree that was a
10 violation of the BP guidelines for cement
11 design?

Page 258:13 to 258:21

13 A. Same answer.
14 Q. Mr. Hafle, were you involved in
15 the decision as to whether to install a
16 lockdown sleeve during the temporary
17 abandonment?
18 A. Same answer.
19 Q. Now, operators do not normally
20 set lockdown sleeves during temporary
21 abandonment, do they?

Page 258:23 to 259:01

23 A. Same answer.
24 Q. Lockdown sleeves are normally
25 set later in the life of the well; isn't that
1 true?

Page 259:03 to 259:12

3 A. Same answer.
4 Q. In fact, the Macondo team had
5 originally planned to leave the job for a
6 completion rig, didn't it?
7 A. Same answer.
8 Q. That plan was later changed
9 after conferring with Merrick Kelley of BP
10 about the cost and time considerations with

11 setting the lockdown sleeve during temporary
12 abandonment, wasn't it?

Page 259:14 to 259:19

14 A. Same answer.
15 Q. Mr. Kelley advised you that by
16 having the HORIZON set the lockdown sleeve
17 during temporary abandonment, BP could save
18 an incremental 5.5 days of rig time and, with
19 it, more than \$2 million; isn't that true?

Page 259:21 to 260:01

21 A. Same answer.
22 Q. You discussed whether to set the
23 lockdown sleeve with David Sims and then you
24 participated in the final decision to set the
25 sleeve during temporary abandonment; isn't
1 that true?

Page 260:03 to 260:10

3 A. Same answer.
4 Q. And you'll agree that BP's
5 decision to set the sleeve during temporary
6 abandonment was based on Mr. Kelley's
7 recommendation that the HORIZON could do the
8 job more quickly and at a lower cost with a
9 completion -- than a completion rig? You'll
10 agree with that, won't you?

Page 260:12 to 260:18

12 A. Same answer.
13 Q. You'll also agree that BP's
14 decision to set the lockdown sleeve during
15 temporary abandonment drove subsequent
16 decisions regarding the temporary abandonment
17 procedures it would employ at Macondo, won't
18 you?

Page 260:20 to 261:04

20 A. Same answer.
21 Q. Now, BP did not have any

22 standard procedure for setting the lockdown
23 sleeve; is that right?
24 A. Same answer.
25 Q. When you were exchanging e-mail
1 with Merrick Kelley in January 2010, he
2 didn't even know whose decision it was as to
3 whether or not you-all would run a lockdown
4 sleeve on the Macondo well, did he?

Page 261:06 to 261:08

6 A. Same answer.
7 Q. And Merrick Kelley was the BP
8 subsea well team leader, wasn't he?

Page 261:10 to 261:13

10 A. Same answer.
11 Q. But he didn't know at the end of
12 the day whose decision it was to run or not
13 run the lockdown sleeve on Macondo, correct?

Page 261:15 to 261:18

15 A. Same answer.
16 Q. And this is because BP did not
17 have a standardized procedure regarding
18 lockdown sleeves; isn't that true?

Page 261:20 to 261:20

20 A. Same answer.

Page 262:09 to 262:23

9 Prior to April 20th of 2010, you
10 were familiar with the DEEPWATER HORIZON and
11 the BOP equipment on the DEEPWATER HORIZON,
12 were you not?
13 A. Same answer.
14 Q. And prior to April 20th, you and
15 BP knew that early kick detection and rapid
16 shut-in are keys to successful well control,
17 did you not?
18 A. Same answer.
19 Q. And prior to April 20th, you and

20 BP knew that the DEEPWATER HORIZON BOP was
21 designed to assist with well control in
22 conjunction with early kick detection; isn't
23 that true?

Page 262:25 to 263:08

25 A. Same answer.
1 Q. And prior to April 20th, you and
2 BP knew that the DEEPWATER HORIZON BOP was
3 designed to rapidly shut in a well in the
4 event that the well starts to flow, correct?
5 A. Same answer.
6 Q. And on April 20th, there was no
7 early kick detection by BP or the people
8 hired by BP to monitor the well, correct?

Page 263:10 to 263:15

10 A. Same answer.
11 Q. And on April 20th, because BP
12 and the people hired by BP did not detect the
13 kick, there was no attempt made to rapidly
14 shut in the well with the BOP when it started
15 to flow, correct?

Page 263:18 to 263:22

18 A. Same answer.
19 Q. In fact, because the kick was
20 not detected, there was no attempt made to
21 activate the BOP until after the hydrocarbons
22 were in the riser above the BOP, correct?

Page 263:24 to 264:03

24 A. Same answer.
25 Q. And because the kick was not
1 detected, there was no attempt made to
2 activate the BOP until after the blowout had
3 actually occurred. You know that, correct?

Page 264:05 to 264:11

5 A. Same answer.
6 Q. And because of BP's well design

7 and its decisions about the integrity of the
8 well, which allowed an uncontrolled flow of
9 hydrocarbons, on April 20th, the blowout
10 preventer was not properly and timely used to
11 prevent a blowout; isn't that correct?

Page 264:14 to 264:20

14 A. Same answer.
15 Q. Rather because of BP's well
16 design and its decisions about the integrity
17 of the well, which allowed the uncontrolled
18 flow of hydrocarbons, the blowout preventer
19 was first activated after the blowout had
20 already occurred; isn't that true?

Page 264:23 to 265:01

23 A. Same answer.
24 Q. And at the time the BOP was
25 first activated following the blowout, the
1 flow from the Macondo was severe, was it not?

Page 265:03 to 265:08

3 A. Same answer.
4 Q. And prior to April 20th, you and
5 BP knew that the DEEPWATER HORIZON BOP was
6 not designed, manufactured, or tested to
7 close and seal on a severely flowing well;
8 isn't that correct?

Page 265:10 to 265:15

10 A. Same answer.
11 Q. And, in fact, prior to
12 April 20th, you and BP knew that the
13 DEEPWATER HORIZON BOP was designed,
14 manufactured, and tested in accordance with
15 API 16; isn't that correct?

Page 265:17 to 265:21

17 A. Same answer.
18 Q. Indeed, you're aware, are you
19 not, that the well flowed for over 45 minutes

20 before any action was taken to activate the
21 blowout preventer?

Page 265:23 to 266:01

23 A. Same answer.
24 Q. And it was not until the well
25 was blowing out that any action was taken to
1 activate the BOP. You understand that?

Page 266:03 to 266:11

3 A. Same answer.
4 Q. You're aware that there were
5 prior kicks on the Macondo well and that the
6 BOP was used to shut in the well and
7 circulate out the kicks, correct?
8 A. Same answer.
9 Q. And each time the BOP worked
10 properly and satisfactorily?
11 A. Same answer.

Page 266:13 to 267:02

13 Q. And it's important to shut in
14 the well before the well starts to flow, is
15 it not?
16 A. Same answer.
17 Q. And, indeed, you -- you shut in
18 the well to shut off the influx of
19 hydrocarbons and to keep those hydrocarbons
20 from getting above the riser and the rig
21 floor, do you not?
22 A. Same answer.
23 Q. And the longer the hydrocarbons
24 are flowing into the well, the more difficult
25 it becomes to control the well; isn't that
1 correct?
2 A. Same answer.

Page 267:09 to 268:06

9 Q. However, you're trained that if
10 there's an indication of a kick, you should
11 immediately shut in the well; isn't that
12 true?

13 A. Same answer.
14 Q. And you would agree with me that
15 activating the blowout preventer quickly
16 after a well control event is discovered is
17 important, correct?
18 A. Same answer.
19 Q. And the sooner the BOP is
20 activated after a well control event, the
21 more likely that the BOP will successfully
22 shut in the well; isn't that true?
23 A. Same answer.
24 Q. And the sooner that the BOP is
25 activated, the less influx above the BOP into
1 the riser and onto the rig floor, correct?
2 A. Same answer.
3 Q. Sir, you have no complaints or
4 criticisms about the blowout preventer that
5 was used on the DEEPWATER HORIZON on
6 April 20th, do you?

Page 268:08 to 268:08

8 A. Same answer.

Page 269:07 to 269:10

7 Q. Nevertheless, you understand, do
8 you not, sir, that the BOP must be used
9 properly in order for it to function as
10 designed, correct?

Page 269:12 to 269:15

12 A. Same answer.
13 Q. And you understand that a BOP
14 must be timely engaged for it to operate.
15 You understand that too?

Page 269:17 to 269:17

17 A. Same answer.

Page 270:08 to 271:16

8 BY MR. LOWENTHAL:
9 Q. Good afternoon, Mr. Hafle. My

10 name is Joe Lowenthal and I represent
11 Weatherford. I will be very brief.

12 You were asked some questions
13 earlier in your testimony concerning float
14 collars, correct?

15 A. Same answer.

16 Q. You were involved as a drilling
17 engineer in the design of the Macondo well
18 and the preparation of the well programs for
19 Macondo, correct?

20 A. Same answer.

21 Q. You have a general understanding
22 of what float collars are and the purposes
23 for which they are used in running casing and
24 cementing casing, do you not?

25 A. Same answer.

1 Q. You would agree that the three
2 purposes for which float collars are used in
3 connection with running casing and cementing
4 casing in wells, such as Macondo or the
5 following, surge reduction, when the running
6 the casing in the hole, providing a landing
7 profile for the cementing plugs, and, three,
8 preventing the backflow of cement after
9 cement pumping stops.

10 A. Same answer.

11 Q. Those three reasons, surge
12 reduction, landing profile for cementing
13 plugs and preventing cement from flowing
14 back, are the only three reasons that BP's
15 engineers ran the float collar in the Macondo
16 well, correct?

Page 271:18 to 273:03

18 A. Same answer.

19 Q. The BP engineers who designed
20 the Macondo well, including Brian Morel and
21 yourself, did not utilize a float collar for
22 any other purpose, correct?

23 A. Same answer.

24 Q. You are not aware of any
25 Weatherford product literature or product
1 documents that represent that Weatherford's
2 float collars, such as the M45AP, are
3 designed, intended, or may be used for any

4 other purpose than those three, correct?

5 A. Same answer.

6 Q. You were not aware of any
7 Weatherford technical information or product
8 literature that states that Weatherford's
9 float collars may be used as a barrier to
10 hydrocarbon formation flow during temporary
11 abandonment, are you?

12 A. Same answer.

13 Q. You are not aware of any BP
14 engineering technical practice, DWOP, or
15 group practice that provides that BP's
16 engineers may use Weatherford's float collars
17 as a barrier to hydrocarbon flow during
18 temporary abandonment of a well, such as
19 Macondo, are you?

20 A. Same answer.

21 Q. You are not aware of any
22 American Petroleum Institute standard, API,
23 recommended practice, or procedure pursuant
24 to which a Weatherford float collar, such as
25 the M45AP, may be used in a deepwater well as
1 a barrier to hydrocarbon flow during
2 temporary abandonment, are you?

3 A. Same answer.

Page 273:10 to 275:07

10 Q. You're familiar with BP group
11 practice 10-60 pertaining to zonal isolation
12 requirements, are you not?

13 A. Same answer.

14 Q. Nowhere in group practice 10-60
15 does BP provide that float collars may be
16 used as a primary barrier or as a secondary
17 barrier during temporary abandonment of a
18 deepwater well, such as Macondo, does it?

19 A. Same answer.

20 Q. BP's well program, dated
21 April 15, 2010, makes no mention that the
22 float collar would be used either as a
23 primary barrier or a secondary barrier to
24 hydrocarbon flow from the formation during
25 temporary abandonment of the Macondo well,
1 does it?

2 A. Same answer.

3 Q. BP's well program for the
4 Macondo well, dated April 15th, 2010, shows
5 that BP's engineers intended that the
6 bottomhole cement job consisting of the shoe
7 track cement and the annulus cement would be
8 the primary barrier to hydrocarbon flow
9 during temporary abandonment of the Macondo
10 well, does it not?

11 A. Same answer.

12 Q. BP's well program for the
13 Macondo well, dated April 15th, 2010, shows
14 that BP's engineers, including Mr. Morel and
15 yourself, intended that the surface cement
16 plugs to be the secondary barrier to
17 hydrocarbon flow from the formation during
18 temporary abandonment of the Macondo well,
19 correct?

20 A. Same answer.

21 Q. You are not aware of any
22 evidence that indicated that Weatherford
23 float collar -- that the Weatherford float
24 collar did not perform the purposes for which
25 it was designed by Weatherford and the
1 purposes for which it was utilized in the
2 Macondo well by BP, namely surge reduction
3 when running in the hole, landing profile for
4 plugs, and prevention of backflow of cement
5 from the annulus after cement pumping
6 stopped, are you?

7 A. Same answer.

Page 275:09 to 276:18

9 Q. You are familiar that the float
10 check test at Macondo indicated that there
11 was no backflow of cement from the annulus in
12 the Macondo well after cement pumping
13 stopped, are you not?

14 A. Same answer.

15 Q. There were only five barrels of
16 flow back during the float check test,
17 correct?

18 A. Same answer.

19 Q. Halliburton's pre-cement job
20 modeling predicted that there could be as
21 much as six barrels of flow back, correct?

22 A. Same answer.
23 Q. Accordingly, the float check
24 test established that there was no flow back
25 of cement, correct?

1 A. Same answer.
2 Q. And you would agree that
3 initially the float valves in the float
4 collar prevent flow back of cement after the
5 cement job, and that once the cement sets,
6 the cement within the shoe track and the
7 annular cement serves as the barrier to
8 prevent the hydrocarbons in the formation
9 from flowing into the well, correct?

10 A. Same answer.
11 Q. BP does not have any ETPs,
12 DWOPs, or group practice or any other
13 practice, procedure, or protocol that would
14 allow BP's engineers to use oil field tools
15 or other products in oil and gas wells, such
16 as Macondo, for purposes other than those for
17 which the manufacturer of the oil field tool
18 or product has designed them for, correct?

Page 276:21 to 276:21

21 A. Same answer.