

ABates 1/12/09

In Reply Refer To: MS 5231

January 12, 2009

Mr. Ernest Bush  
BP America, Inc.  
200 Westlake Blvd.  
Houston, Texas 77079

Dear Mr. Bush:

In accordance with 30 CFR 254.42(g), the Minerals Management Service (MMS) conducted an unannounced oil spill drill with BP America, Inc. (MMS No. 21591). The purpose of this drill was to test your spill response preparedness and to assess the effectiveness of your Oil Spill Response Plan (O-553). Reference information includes the following:

Drill Date:	November 20, 2008
Qualified Individual (QI):	Mr. Keith Seilhan
Drill Location:	BP America, Inc. 200 Westlake Blvd. Houston, Texas 77079
MMS Drill Administrator:	Mr. Alton Bates
MMS Drill Team Member:	Mr. Craig Pohler Ms. Kathy Gomez
USCG Representative:	LTJG Guillermo Holmes Chief Marine Environmental Response Sector Houston-Galveston

The purpose of this letter is to provide you with an evaluation of this drill. Four broad categories, derived from the National Preparedness for Response Exercise Program guidelines, were used as a basis for this evaluation. We have rated each of these categories, based upon our analysis of your organization's response during the drill, coupled with the review of your internal critique forwarded by your letter dated December 10, 2008. The analysis is as follows:

8975
Exhibit No. _____
Worldwide Court Reporters, Inc.

00016220MMS NOLA 007 0005 0004 0001 1-1-09

TREX 008975.0001

**A. Organizational Design Objectives****Rating: Pass****Observations**

1. The assembly of the Spill Management Team (SMT) was quick and worked very well together.
2. The Incident Commander (IC) properly distributed crucial information, including weather and slick description to the SMT quickly. The work shift change at the 24 hour emergency center caused a miscommunication of vital information, which delayed the timely deployment of the Oil Spill Recovery Vessel NRCC Energy.
3. Safety was the highest priority during the response.
4. Notifications to the proper agencies were completed in a timely manner.
5. The IC conducted briefings that followed an agenda which improved the efficiency and effectiveness of the briefings.

**B. Operational Response Objectives****Rating Pass****Observations**

1. Representatives from the Oil Spill Removal Organizations (OSRO) and contracted SMT members arrived at the Incident Command Post to provide hands-on involvement during the drill.
2. Responders set up to pull a vacuum on the end of the pipeline to prevent additional spillage into the open environment. They also continued to monitor potential spillage and used an ROV, Pipe Lift Frame, and Discharge Containment Tent to mitigate further damage. SMT considered plugging the leak and putting a water bag under the pipeline upstream of the leak to lift the pipeline and make trap to stop additional oil from leaking.
3. The environmental sensitivities of the spill location were taken into account when the IC set the response objectives, strategies and response zones early in the drill.
4. The IC ordered spill trajectories that were helpful in setting response strategies which included shoreline protection.
5. The SMT demonstrated awareness of the offset operators and notified them of the slick movement towards their facilities.

**C. Response Support Objectives****Rating Pass****Observations**

1. The OSRO demonstrated the ability to mobilize the Oil Spill Recovery Vessel NRCC Energy to the designated open area. NRCC also deployed and operated the Vikoma Skimmer appropriately and safely.
2. The OSRO demonstrated detailed knowledge of oil spill response equipment locations and response capabilities.
3. The OSRO responded quickly with mechanical equipment for the recovery of the discharged product including sufficient personnel to sustain an organized response.
4. The wildlife rehab specialists were activated in anticipation of oiled wildlife.
5. The trajectories requested combined with the environmental sensitivity maps aided in identifying resources at risk and implementing an appropriate response to protect those resources.

**D. Requested Documentation****Rating:** Pass**Observations**

1. Conversation logs and other documentations submitted allowed for a consistent evaluation of the response.
2. In the future every SMT member should record a date and time on every page of their conversation log to keep a good sequence of events record.

The documentation that was submitted for the Qualified Individual notification exercises was incomplete.

30 CFR § 254.42 states "... (3) An annual notification exercise for each facility that is manned on a 24-hour basis. The exercise must test the ability of facility personnel to communicate pertinent information in a timely manner to the qualified individual. ..." The documentation of the Qualified Individual notification exercises for all of BP America, Inc. operated offshore facilities that is manned on a 24-hour basis was submitted in a non-requested format. The post drill requirements requested facilities name and MMS complex ID numbers. You submitted facilities name and lease numbers. The MMS records show Mississippi Canyon 127, #876, as being offshore facilities that is manned on a 24-hour basis. Please update our records through the appropriate District Office if the facility is unmanned, or submit the requested Qualified Individual notification exercise documentation for the previous listed facility/complex ID number.

Please be advised this MMS initiated unannounced oil spill drill, with the documentation provided by your letter dated December 10, 2008, satisfies your company's annual spill management team tabletop exercise requirements, as specified under 30 CFR 254.42(b)(1). The MMS staff responsible for monitoring compliance with annual drill requirements have been notified of your participation in an unannounced drill and will credit your organization accordingly, as specified under 30 CFR 254.42(d).

Sincerely,

(Orig. Sgd.) Harold Wright

Michael J. Saucier  
Regional Supervisor  
Field Operations

cc: Mr. Bud Danenberger, Minerals Management Service  
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Herndon, Virginia 20170-4817