

Deposition Testimony of:

Michael Saucier

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Page 8:12 to 8:19

00008:12 MR. FLYNN: Before we start, I just
13 wanted to point out that Mr. Saucier is being
14 produced in his individual capacity as well as a
15 30(b)(6) witness for two categories of BP's
16 30(b)(6) deposition notice.
17 MICHAEL SAUCIER,
18 having been first duly sworn, testified as
19 follows:

Page 8:22 to 8:25

00008:22 Q. Mr. Saucier, my name is Walter Leger. And
23 along with Christine Sevin, we're members of the
24 Leger & Shaw firm and here on behalf of the
25 Plaintiffs' Steering Committee in this case.

Page 10:17 to 17:07

00010:17 Q. Now, let me just get a little bit of
18 information about your background. Will you
19 please tell us about your educational background?
20 A. I have a Bachelor of Science degree I
21 received from LSU in 1984.
22 Q. And is that your entire formal education?
23 A. Yes. And that's in petroleum engineering.
24 Q. In petroleum engineering.
25 And do you have any other specialized
00011:01 training in the context of what you do for a
02 living?
03 A. No.
04 Q. Okay. What did you do -- where are you
05 from originally, by the way?
06 A. From Raceland, Louisiana.
07 Q. And what did you do after graduating in
08 1984?
09 A. Went to work for the then Minerals
10 Management Service and took a position in the
11 Houma District.
12 Q. And what -- what was your job when you
13 started there?
14 A. A staff engineer in the Houma District.
15 Q. And as a staff engineer, what were your
16 responsibilities?
17 A. Helping other engineers review permits and
18 kind of learning, at that point, the processes.
19 Q. How long did you work as a staff engineer
20 with MMS?
21 A. From '84 until '88.
22 Q. And, by the way, MMS is the Minerals
23 Management Service of the Department of Interior
24 of the United States of America, correct?
25 A. That is correct.

00012:01 Q. And MMS no longer exists, correct?
02 A. That's correct. The name changed.
03 Q. And is -- it's a name change, but also
04 there was an evolution of -- of splitting out of
05 some of the responsibilities, as I appreciate it,
06 correct?
07 A. Well, I guess MMS changed to the Bureau
08 of -- B-O-E-M-R-E, and then the royalty part of
09 MMS was split out. The rest of MMS stayed in
10 B-O-E-M-R-E.
11 Q. So you -- you work for -- we've been
12 calling it "BOEMRE." Is that what --
13 A. Yes.
14 Q. -- how you guys refer to it?
15 So, you work for BOEMRE now, correct?
16 A. Correct.
17 Q. But between 1984 and, say -- was it 2010
18 that the name changed?
19 A. Correct.
20 Q. -- you worked for MMS, correct?
21 A. That is correct.
22 Q. Okay. Now -- I'm sorry. How long again
23 did you work as a staff engineer?
24 A. Until 1988.
25 Q. And in your capacity of -- you say you
00013:01 were reviewing permits. What did you do in those
02 days in the context of reviewing permits?
03 A. I looked at drilling permits. I looked at
04 workover permits and production safety system
05 permits.
06 Q. Now, in '84 to '88, were there any
07 deepwater drilling permits being requested?
08 A. There may have been a couple. I don't --
09 Q. Okay. What were -- what was kind of the
10 general spread of the type of permits that you
11 were reviewing in those days?
12 A. Generally, it was shallow water permits.
13 Q. Shallow water and drilling vessels or
14 platforms, or what was it?
15 A. A combination --
16 Q. Combination.
17 A. -- of platform and vessel.
18 Q. Did you do only drilling permits?
19 A. No, sir. Also workover permits and
20 production safety system permits.
21 Q. Okay. Now, did you ever work as a
22 drilling inspector?
23 A. Well, as -- as an engineer in the
24 district, you would go out on inspections with the
25 inspectors but not officially called a drilling
00014:01 inspector; but you're still an engineer.
02 Q. Now, was that as part of your
03 responsibility, or was -- or was it more or less
04 part of training?
05 A. Part of training.

06 Q. Okay. So in 19 -- has there been a
07 substantial change in the context of what a staff
08 engineer would do in terms of reviewing drilling
09 permits since 1984 and, say, today?
10 A. Differences in technology.
11 Q. Okay. The -- have the regulations changed
12 significantly -- and let's talk about between 1984
13 and April of 2010. And -- was there any
14 significant change in -- in regulations on which
15 you reviewed drilling permits?
16 A. The review process, for the most part,
17 is -- I would say would be pretty much the same.
18 Q. And what is that process?
19 A. Well, the operator is submitting the
20 permit to drill, for example. And, of course, the
21 regulations -- it's stated in the regulations the
22 operator has to submit, and the engineer reviews
23 the permit and ensures that they are complying
24 with the regulations. When they review the permit
25 to see what -- you know, what they state in their
00015:01 permit.
02 Q. So -- and let's talk -- you know, let's
03 talk about back in that time, back in the '80s.
04 As I appreciate it now, permits were submitted
05 electronically; is that correct?
06 A. Correct.
07 Q. And they were submitted in 2009 or 2010
08 electronically, correct?
09 A. Correct.
10 Q. Meaning by -- I guess by Internet or by
11 E-mail, correct?
12 A. Yeah, by -- through the Internet.
13 Q. And -- and the software that's used, as I
14 appreciate it, is a software called e-Wells?
15 A. Correct, e-Well.
16 Q. And so, in that context -- when did --
17 when did MMS start using this electronic
18 submission of permits, approximately?
19 A. From what I recall, it was probably -- I
20 believe in about 2003 --
21 Q. Okay.
22 A. -- the operator had the ability to --
23 electronically or in paper form.
24 Q. Can they still do it in paper form today?
25 A. I think we're still at that point, but I
00016:01 know we either have transitioned or will
02 transition to where it has to be all electronic.
03 Q. Okay. So -- but if an operator -- say in
04 2009, 2010, if an operator wanted to submit it in
05 paper, he could do so, correct?
06 A. I think so.
07 Q. Okay. Now, back in the day -- in the --
08 in the '80s when you were reviewing permits -- you
09 described that you reviewed permits. The --
10 but -- but what did you physically and actually do

11 in that context?

12 Did you just look to see that the
13 paperwork they submitted complied with the
14 regulations, or did you do any further
15 investigation?

16 A. We actually ran calculations to determine
17 maximum anticipated surface pressures and compared
18 that to the BOP test and the casing test and just
19 ensured everything on the permit seemed in order
20 for the well they want to drill.

21 Q. Now, I'm assuming -- and we're going to
22 look in a few minutes, but I'm just trying to get
23 some general context at the actual applications
24 here in -- in the DEEPWATER HORIZON. But I -- I'm
25 assuming that in terms of the information provided
00017:01 back in the '80s and the information provided,
02 say, in 2009, 2010, in connection with the Macondo
03 Well, the type of information provided by the
04 operator or the lessee has remained pretty much
05 the same; is that correct?

06 A. For the most part. There has -- there has
07 been some changes.

Page 17:22 to 21:08

00017:22 Q. Okay. Now, did -- let's do it this way,
23 too. As I appreciate it, you have been produced
24 by the United States of America in response to a
25 rule -- what we call a Rule 30(B)(6) Deposition

00018:01 Notice to testify regarding participation in the
02 inspection, audit, evaluation of, or any rig
03 business on TransOcean's DEEPWATER HORIZON rig,
04 including the blowout preventer on the DEEPWATER
05 HORIZON. Is that your understanding, sir?

06 A. Yes.

07 Q. I mean, that's been read to you and you
08 understand that you've been proposed as a
09 representative of the United States of America in
10 that regard?

11 A. Yes.

12 Q. You also are offered as a representative
13 in connection with the 30(b)(6) deposition, as I
14 appreciate it, in the context of the BOEMRE's --
15 B-O-E-M-R-E's -- policies, procedures, guidelines,
16 or requirements regarding maintenance, safety, and
17 equipment on deepwater drilling rigs in the Gulf
18 of Mexico, including blowout preventers. Is that
19 your understanding, sir?

20 A. Yes.

21 Q. So, as we talk about these things today,
22 we're going to assume you're -- you're speaking on
23 behalf of the United States and also on behalf of
24 yourself personally in the context of your
25 personal knowledge, correct?

00019:01 A. Correct.

02 Q. And it's in that context that I'm asking
03 you about your -- your -- your processes and your
04 procedures.
05 Now, in -- after 1988, sir, what
06 did -- what did you do with MMS? And I assume
07 you've worked since -- continuously since '84 to
08 today with MMS and -- and its successor, BOEMRE,
09 correct?
10 A. Correct.
11 Q. What did you do after 1988?
12 A. In 1988, I became the Houma District
13 drilling engineer.
14 Q. And how did your responsibilities change
15 as the district drilling engineer?
16 A. I was the one responsible for reviewing
17 the permits for drilling in the Houma District
18 area.
19 Q. Now, up until then, you were a staff
20 engineer and you assisted the district drilling
21 engineer; is that correct?
22 A. The district drilling engineer and, at
23 times, the district workover engineer and at other
24 times the district production engineer.
00020:01 Q. So, as the district drilling engineer,
02 you're now focused entirely on drilling and not
03 workover and production; is that correct?
04 A. That's correct.
05 Q. Okay. And there was a separate workover
06 engineer -- district workover engineer and a
07 district production engineer; is that right?
08 A. Correct.
09 Q. Now, in the context of even back in the
10 '80s, the required inspections, were drilling
11 operations required to be inspected every
12 fourth -- I'm sorry, every 30 days back then?
13 A. Yes. That was the goal we tried to
14 accomplish.
15 Q. So, that -- that hasn't changed
16 significantly to today, correct?
17 A. Correct.
18 Q. And that has been the case with respect to
19 shallow water or marsh or deepwater drilling
20 operations, correct?
21 A. Our responsibility is offshore waters, not
22 in -- not inland marsh.
23 Q. Oh, only offshore -- beyond the 3-mile
24 limit?
25 A. Well, off Louisiana, Mississippi, Alabama,
00021:01 3 miles --
02 Q. And then 9 miles for Texas?
03 A. Correct.
04 Q. Texas gets 9 miles of revenue, Louisiana
05 gets -- well, not even 3 miles, really, right?
06 A. I'll take the 3 miles.
07 Q. We get 3 miles; but we don't get anything

07 beyond that, right?
 08 A. Correct.

Page 23:09 to 23:11

00023:09 Q. So that -- that is the -- and you're in
 10 the New Orleans District today, right?
 11 A. No, sir. I'm at the regional office.

Page 23:19 to 25:01

00023:19 Q. Okay. We'll get to that, then. I'm
 20 getting ahead of myself, I guess.
 21 In the context of the work that you
 22 did as sup -- as a drilling engineer for the Houma
 23 District, you are now responsible for viewing all
 24 drilling applications, correct?
 25 A. In the Houma District.
 00024:01 Q. In the Houma District.
 02 You were also responsible for
 03 reviewing any applications for modification; is
 04 that correct?
 05 A. That's correct.
 06 Q. And -- and were there other applications
 07 that you were responsible for? Like an
 08 application for bypass, is that considered an
 09 application for modification?
 10 A. Anything with respect to drilling
 11 operations.
 12 Q. Now, beyond the permits themselves, did
 13 you have any other responsibilities as a district
 14 drilling engineer?
 15 A. Primarily reviewing permits and, you know,
 16 any operations that were going on.
 17 Q. Now, do you have -- do you have any -- did
 18 you have any supervisory responsibility over
 19 drilling inspectors?
 20 A. No.
 21 Q. Do you today?
 22 A. I guess, yes, indirectly, as I'm over all
 23 the districts.
 24 Q. Okay. But they don't report directly to
 25 you, correct?
 00025:01 A. Correct.

Page 25:13 to 31:09

00025:13 Q. So in '88, as district drilling engineer,
 14 you reported to who -- who was your boss?
 15 A. The district supervisor.
 16 Q. Okay. So each of the drilling, workover,
 17 and production engineers reported to the district
 18 supervisor, correct?

19 A. Correct.
20 Q. The rig inspector reported to the
21 supervisor, correct?
22 A. The supervisor inspector.
23 Q. I'm sorry, supervisor inspector reported
24 to the --
25 A. Supervisor inspector --
00026:01 Q. -- supervisor of the district?
02 A. -- reported to the district supervisor.
03 Q. Okay. Now, how long did you remain in the
04 capacity as a drilling engineer?
05 A. Until 1995.
06 Q. And then what did you do in 1995?
07 A. In 1995, I became district supervisor.
08 Q. And how long were you in the position of
09 district supervisor?
10 A. Until 2007.
11 Q. And then you became?
12 A. In 2007, I became Deputy Regional
13 Supervisor For Field Operations; and I worked out
14 of the regional office here in New Orleans.
15 Q. And when did you become regional
16 supervisor?
17 A. In 2008.
18 Q. Forgive me if I don't quite follow all
19 that chronology, but -- but let me go back to --
20 in '95, you became district supervisor, correct?
21 A. Correct.
22 Q. And in your capacity as district
23 supervisor, how had your -- how -- did they and
24 how did your responsibilities expand?
25 A. They changed in that I was responsible for
00027:01 the whole district.
02 Q. And responsible in what way? What were
03 you responsible for?
04 A. The operation of the district over the
05 engineers and inspectors.
06 Q. Now, how many engineers would you say you
07 were responsible for at that time, between '95 and
08 2007, at any given time, roughly?
09 A. It's between four and six. It would vary.
10 Q. And how many inspectors?
11 A. Approximately 13.
12 Q. And were there other staff that -- that
13 you were responsible for?
14 A. The clerical staff.
15 Q. Okay. Now, in terms of day-to-day work as
16 district supervisor, what did you do? Did you
17 review permits then?
18 A. I did review some permits. After the
19 engineer would review the permit and deemed it was
20 ready for approval, I would --
21 Q. I'm sorry. Go ahead.
22 A. No, that would be it.
23 Q. Who would actually approve the permit?

24 A. It was either myself or the workover
25 drilling or production engineer, GS 13 engineer.

00028:01 Q. But it could be any one of you, correct?

02 A. Correct.

03 Q. In the context of inspections or record
04 inspections of, for example, BOPs, was there any
05 particular sign-off on those inspections?

06 A. The -- once the inspector came back from
07 offshore, he would hand in the inspection form to
08 the supervisory inspector, who would review the
09 form before it was filed.

10 Q. Okay. Were there -- back then, between
11 '95 and 2 -- and 2007, were there any particular
12 requirements that anything beyond review of the
13 inspector's work be done in the office with
14 respect to reviewing records regarding BOP
15 functions?

16 A. Could you repeat that?

17 Q. Yes, sir.

18 As I appreciate it, one of the things
19 that was done -- done during that period of time
20 was that inspectors would go out to, say -- and
21 we're talking about -- I'm going to focus
22 particularly on drilling.

23 As I -- as I appreciate it,
24 inspectors would go out to a drilling vessel or a
25 drilling rig, and they would do their inspection

00029:01 following a -- a PINC list, correct?

02 A. Well, following their inspection form.

03 Q. Their inspection form and -- and using a
04 PINC list, correct?

05 A. They would -- they could reference a PINC
06 list, correct.

07 Q. Correct. And -- but their -- their actual
08 responsibility was to use the -- and fill out the
09 inspection form, right?

10 A. Correct.

11 Q. Now, part of the inspections were --
12 involved looking into records of maintenance and
13 testing of BOPs, correct?

14 A. They really wouldn't look at any records
15 for specific maintenance, but they would look at
16 the testing frequency of the BOPs and actual test
17 results of the BOP.

18 Q. So have -- have they never looked at
19 records of maintenance of BOPs?

20 A. Not that I'm aware of.

21 Q. Okay. So their job was to look at records
22 of actual testing of BOPs, whether on the surface
23 or subsea, correct?

24 A. Correct.

25 Q. Okay. And then they would report -- on

00030:01 their inspection report, they -- they would fill
02 out information on the inspec -- inspection report
03 regarding their inspection, correct?

04 A. Correct.
05 Q. Now, back at the office, a supervisor
06 would review their inspections, right?
07 A. To ensure it was filled out correctly.
08 Q. Did any drilling engineers look at their
09 inspection reports?
10 A. Generally, no.
11 Q. Okay. Did drilling engineers have any
12 responsibility back then for review of -- of any
13 data provided by the lessee with respect to BOPs?
14 A. On the permits to drill. The -- the
15 operator would provide information on the BOPs on
16 the permits to drill, and that's the -- the
17 information they would review.
18 Q. And -- and what would the engineer do with
19 respect to the information on the permit to drill?
20 A. Ensure that, for example, the BOP test
21 pressures are above anticipated surface pressures.
22 Q. And where did the information for the test
23 pressures come from?
24 A. The operator would recommend the test
25 pressure.
00031:01 Q. Okay. So would the engineer do anything
02 to test or determine whether the operator's
03 reported test pressures were correct and accurate?
04 A. Well, what I'm saying is on the -- on the
05 permit they submitted, it's -- it's the proposed
06 test pressure, and it's compared to anticipated
07 surface pressure that MMS calculates. And so they
08 would verify the test pressure is sufficient for
09 that section of hole they were drilling.

Page 37:14 to 40:17

00037:14 Q. Okay. Now, in 2007, you became deputy
15 regional supervisor, correct?
16 A. For field operations.
17 Q. For field operations.
18 And what does -- what does that mean?
19 A. Basically --
20 Q. A pretty fancy title.
21 A. Actually, I guess it's deputy regional
22 supervisor for the district part of field
23 operations, which I was -- I was kind of over the
24 districts more working with all five districts.
25 Q. Okay. And what -- what did you do? What
00038:01 were your responsibilities?
02 A. Handling any issues they had, any
03 questions they had, ensuring the districts had,
04 you know, what they need to operate.
05 Q. Did -- did you at that point have any
06 direct involvement in reviewing permits?
07 A. No.
08 Q. Did you have any direct involvement in
09 reviewing inspections?

10 A. No.
11 Q. And as deputy regional supervisor of field
12 operations over the districts, did you have --
13 basically, you had the district directors of the
14 district -- what do they call it, district
15 managers -- reporting directly to you?
16 A. Right. I just want to clarify one thing.
17 Q. Yeah.
18 A. In '95, when I became regional -- district
19 supervisor, that term changed to district manager,
20 so they use those terms interchangeably.
21 Q. And so -- so once you -- once you got
22 promoted in 2007, the district managers reported
23 to you, right?
24 A. Correct.
25 Q. The five district managers?
00039:01 A. That's right.
02 Q. And then you reported to the district
03 supervisor?
04 A. No, I reported to the regional
05 supervisor --
06 Q. I'm sorry.
07 A. -- for the -- for the field operations.
08 Q. Right. Which you -- and you became the
09 regional supervisor in 2008, right?
10 A. Correct.
11 Q. If you did all -- if everybody reported to
12 you in 2007, what did the district -- the regional
13 supervisor do?
14 A. Handled a lot of stuff with budget and
15 actually -- still did a lot of work with the
16 districts and -- on the district side and the
17 regional side.
18 Q. Okay. So your job as deputy regional
19 supervisor was a -- an operational role primarily?
20 A. It involved a -- yeah, a lot of things,
21 operations and a multitude of whatever needed to
22 be done.
23 Q. Did your responsibilities change
24 significantly when you became the actual regional
25 supervisor?
00040:01 A. Yes. In that I was now also in charge of
02 the district portion of field operations, which
03 included plans, pipelines, office of structural --
04 the structural office, technical assessment,
05 Office of Safety Management.
06 Q. Okay. So it was -- but it was in 2007
07 that you moved out of home land into offices in
08 New Orleans, right?
09 A. Correct.
10 Q. So at the time of the explosion of the
11 Macondo Well, you were the regional supervisor for
12 MMS, right?
13 A. For field operations, correct.
14 Q. For field operations.

15 And what is -- what is this region
 16 referred to as?
 17 A. The New Orleans -- Gulf of Mexico Region.

Page 47:15 to 48:20

00047:15 Q. Gotcha. You're the regional supervisor of
 16 Field Operations and you report to a guy who is
 17 titled "regional director"?
 18 A. Correct.
 19 Q. And who is that? What's his name?
 20 A. Lars Herbst.
 21 Q. Okay. How do you spell that?
 22 A. First name Lars, L-A-R-S; last name
 23 Herbst, H-E-R-B-S-T.
 24 Q. And is there -- is there anyone else -- as
 25 regional supervisor for Field Operations -- are
 00048:01 there other regional supervisors for something
 02 other than Field Operations?
 03 A. Yes.
 04 Q. And what -- what are they?
 05 A. A regional supervisor for Production &
 06 Development, a regional supervisor for Leasing and
 07 Environment, and a regional supervisor for
 08 Resource Evaluation.
 09 Q. Who is the regional supervisor for
 10 Production & Development?
 11 A. Kevin Karl.
 12 Q. And who is the regional supervisor for
 13 Leasing and Environment?
 14 A. Joseph Christopher.
 15 Q. And who is the regional supervisor for
 16 Resource Evaluation?
 17 A. David Cook.
 18 Q. What is the job of the supervisor -- of
 19 Kevin -- what was his last name?
 20 A. Karl, K-A-R-L.

Page 49:24 to 50:15

00049:24 Q. Do any of -- do any of them or people
 25 under them have responsibility for -- for
 00050:01 reviewing the Oil Spill Response Plan that the
 02 lessee or operator provides?
 03 A. The Oil Spill Response Plan is reviewed
 04 under the "Plan" section of Field Operations.
 05 Q. Under -- under your --
 06 A. Correct.
 07 Q. -- your guidance?
 08 A. Correct.
 09 Q. So, the Environmental people wouldn't be
 10 involved in the review of the Oil Spill Response
 11 Plan, right?
 12 A. They do -- well, indirectly they do in

13 that they -- they can comment because the -- it's
14 all done through the plans and then, you know,
15 Environmental comments on the plan.

Page 62:07 to 62:10

00062:07 Q. Now, E -- and by the way, the DEEPWATER
08 HORIZON and the Macondo Well was in the New
09 Orleans District, right?
10 A. Yes.

Page 64:21 to 64:24

00064:21 Q. I'm going to ask you, sir, to take a look
22 at an exhibit that is found at Tab 53, which will
23 be marked for identification as Exhibit No. 4723.
24 (Marked Exhibit No. 4723.)

Page 65:03 to 65:09

00065:03 Q. And were you involved in any way in the
04 drafting of this NTL?
05 A. I did comment on it.
06 Q. And -- and what does that mean, you
07 commented on it?
08 A. I did have an opportunity to review it and
09 present comments.

Page 65:25 to 66:09

00065:25 Q. Do you -- do you generally agree with the
00066:01 provisions of this notice to lessee?
02 A. Yes.
03 Q. Now, are there -- and -- and we're
04 referring to an exhibit, 4723. It's indicated as
05 NTL No. 2010-N06, correct?
06 A. Yes.
07 Q. And it's -- it's indicating the effective
08 date is June 1st, 2010, correct?
09 A. Yes.

Page 68:19 to 68:21

00068:19 Q. Was -- was that a requirement before
20 April 20th of 2010?
21 A. No.

Page 69:25 to 70:05

00069:25 Q. (BY MR. LEGER) So, the -- the -- the
00070:01 requirement in this notice to lessee that there be
02 testing after the activation of these rams simply

03 puts into requirement form by the MMS what would
 04 have been good, sound safety practice even before
 05 April of 2010, right?

Page 70:10 to 70:15

00070:10 A. It clarifies what we expect.
 11 Q. (BY MR. LEGER) Okay. And it also
 12 clarifies what would have been the opinion of --
 13 of yours and people at MMS as to what sound safety
 14 practice would have been even without a specific
 15 requirement of it, correct?

Page 70:17 to 70:17

00070:17 A. Yes.

Page 72:15 to 72:16

00072:15 Q. (BY MR. LEGER) Is that a correct
 16 statement, that a BOP is a fail-safe --

Page 72:18 to 72:19

00072:18 Q. (BY MR. LEGER) -- to avoid blowouts?
 19 A. No.

Page 75:05 to 75:19

00075:05 Q. Now, the ROV system today and before April
 06 of 2010 plays a critical role potentially in --
 07 in a well control event, correct?
 08 A. It could.
 09 Q. Does the -- the ROV system has a hot stab
 10 ability or capacity, correct?
 11 A. That's what it -- it should have, yes.
 12 Q. And does MMS do anything to -- or did MMS,
 13 before April of 2010, do anything to inspect
 14 whether or not the ROV's hot stab capacity was
 15 workable?
 16 A. No.
 17 Q. Now, would it have been good safety
 18 practice for the operator to make sure that it was
 19 workable?

Page 75:21 to 75:21

00075:21 A. Yes.

Page 76:15 to 76:19

00076:15 Q. (BY MR. LEGER) Have you seen that
16 document before? It bears a -- I'm not sure
17 that's a Bates number or what that is, MI --
18 IMS172-012079 at the bottom.
19 A. I do not recall seeing this document.

Page 83:02 to 83:08

00083:02 Q. (BY MR. LEGER) Next in terms of risk
03 factors to be evaluated would include -- it says:
04 "Exploratory vs. development wells." Correct?
05 A. Yes.
06 Q. Is an exploratory well a higher risk well
07 than a development well?
08 A. Typically, they are.

Page 84:04 to 84:12

00084:04 Q. Now, next page, Exhibit 0- -- I'm sorry,
05 Exhibit 2724, Page 081. At the top, it says
06 "Subsea BOP Systems," and in red are the words
07 "Most critical." Now, there are numbered
08 sentences: D-240, D-241, D-242, D-250, D-251,
09 D-257, and D-269. And I ask you: What are those
10 things, if you know?
11 A. They may be referring to potential
12 incidents of noncompliance in the system.

Page 85:20 to 86:21

00085:20 Now, if the -- there's also a
21 question, under D-241, that there is an -- an
22 accumulator to provide fast closure in case of a
23 loss of power. That's a requirement of the
24 Federal Regulations as well, correct?
25 A. Yes.
00086:01 Q. And the lack of an accumulator to provide
02 fast closure in case of a loss of power would be
03 an incident of noncompliance, correct?
04 A. Correct.
05 Q. Now, absent an accumulator, rams can be
06 closed, for example, by a hot stab, correct?
07 A. Correct.
08 Q. But it takes a lot longer, right?
09 A. Using the ROV with a pump, correct.
10 Q. And -- and why is that?
11 A. The volume.
12 Q. Because the volume of the hydraulic fluid
13 is so low, it -- it takes a long time to close,
14 right?
15 A. It could, depending on the pump.
16 Q. And is there concern that the longer it
17 takes to close a ram, the greater the chance that

18 the ram become ineffective because of pressure and
 19 erosion of the ram by pressure of hydrocarbon
 20 flowing out?
 21 A. That could be a possibility --

Page 86:23 to 87:01

00086:23 A. -- but I don't know specifically.
 24 Q. (BY MR. LEGER) And that's one of the
 25 reasons that the regulation requires fast closure,
 00087:01 in case of a loss of power, correct?

Page 87:03 to 87:08

00087:03 A. Fast closure is to stop hydrocarbons from
 04 coming up to the rig.
 05 Q. (BY MR. LEGER) All right. And,
 06 obviously, fast closure is better than slow
 07 closure, right?
 08 A. Yes.

Page 91:06 to 93:12

00091:06 Q. I'm going to ask you some questions. And
 07 bear with me. I'm trying to get an understanding
 08 of what you guys do with this specific
 09 application.
 10 It -- it appears that -- as I
 11 appreciate it, what would have happened here is
 12 that BP, as the lessee and the operator, would
 13 have submitted in the e-Well software an
 14 application for permit to drill, correct?
 15 A. Yes.
 16 Q. And that application would have
 17 electronically contained all of this information
 18 except the approval, actual approval comments, and
 19 other information, correct?
 20 A. Right.
 21 Q. And the things that -- that -- that MMS
 22 put into this -- this document, correct?
 23 A. Right.
 24 Q. Now, this document would actually appear
 25 in a computer and -- and would obviously have been
 00092:01 printed, correct? I mean, does -- does it
 02 ordinarily come out in hard copy? Does it -- do
 03 you guys store it in hard copy?
 04 A. It's stored in the e-Well system
 05 electronically.
 06 Q. It's stored electronically, not hard copy?
 07 A. Correct.
 08 Q. So this is an -- you know, a hard copy --
 09 a printed production of what is electronically
 10 stored at the MMS?

11 A. Yes.
 12 Q. Okay. And would -- this particular
 13 document indicates that a -- is that a Scherie
 14 Douglas transmitted to -- on -- on May 26th to
 15 others, noted on the first page, the Macondo APD
 16 approval, correct?
 17 A. Yes.
 18 Q. Now, back to the front -- first page of
 19 the approval, it suggests under "General Well
 20 Information" that it was approved by Frank Patton?
 21 A. Correct.
 22 Q. And who is Frank Patton?
 23 A. The New Orleans District drilling
 24 engineer.
 25 Q. And so that -- that indicates he would
 00093:01 have reviewed the actual application, correct?
 02 A. It indicates he approved it and by -- so
 03 he would have reviewed it.
 04 Q. I mean, you would assume --
 05 A. Yeah.
 06 Q. -- as his superior, that he didn't just
 07 approve it; that he reviewed it, correct?
 08 A. Yes.
 09 Q. And ordinarily he or a staff -- or -- or
 10 an engineer would have reviewed the application
 11 and done what he was supposed to do, right?
 12 A. That's correct.

Page 93:24 to 94:05

00093:24 Q. And in the line above that, it says
 25 approval date 5-22-2009, correct?
 00094:01 A. Yes.
 02 Q. Is that the date indicating that that's
 03 when Mr. Patton and/or the MMS approved this
 04 application for drilling?
 05 A. Yes.

Page 127:21 to 129:25

00127:21 Q. (BY MR. LEGER) Can you give me a general
 22 idea of what your involvement was with respect to
 23 the Macondo Well after the explosion of
 24 April 20th?
 25 A. After the incident occurred, I reported,
 00128:01 you know, to the regional office; and eventually,
 02 I was on the -- a unified command.
 03 Q. And what did you do in that context?
 04 A. I was the deputy person on the Unified
 05 Command for MMS.
 06 Q. And -- and what were your
 07 responsibilities? What did you actually do?
 08 A. As far as the Unified Command goes?
 09 Q. Yes, sir.

10 A. We would meet, have, you know, meetings in
 11 the morning, 7:30, and I think one in the
 12 afternoon, 5:00, 5:30, updates from the incident
 13 command post and just to keep informed of
 14 what's -- what's going on and whatever it -- you
 15 know, things that we needed that we could help get
 16 done; and in between that is mainly focusing on
 17 source control.

18 Q. What do you mean by "source control"?

19 A. What -- what were the plans to attempt
 20 to con- -- put -- bring the well back under
 21 control.

22 Q. So, you were involved in the actual
 23 planning or decisions regarding "top kill" and
 24 "junk shot" and all of those things we heard so
 25 much about in the news media?

00129:01 A. I reviewed some of those procedures from
 02 Unified Command.

03 Q. During the -- at what point were you
 04 guys -- and I say "you guys" -- and ladies, I
 05 guess the Unified Command, the officials of the
 06 United States Government -- able to determine what
 07 the -- the flow rate of the well was after the
 08 explosion?

09 A. I was never involved in the determination
 10 of flow rate.

11 Q. Did you ever -- who was involved in the
 12 determination of flow rate?

13 A. My understanding, I guess, it was a team
 14 put together headed by USGS, a director.

15 Q. Did you ever hear any information
 16 regarding what the maximum flow rate was at any
 17 given point in time?

18 A. We've -- you've always heard numbers being
 19 told but --

20 Q. Did you ever hear a number as much as
 21 100,000 or more barrels per day?

22 A. No, I didn't.

23 Q. Sorry?

24 A. I did not hear anyone mention a number
 25 like that.

Page 138:23 to 139:01

00138:23 Q. (BY MR. KRAUS) Well, let me ask you this:
 24 As it relates to operators in the Gulf of Mexico,
 25 training of rig personnel is audited by MMS?

00139:01 A. Yes.

Page 145:18 to 150:11

00145:18 Q. Okay. I want to start with just a little
 19 bit more about your background. You were
 20 appointed as the deputy to Lars Herbst --

21 Herbst -- is that correct? -- for the Unified
22 Command.
23 A. That is correct.
24 Q. Okay. If you turn to Tab 5 in this
25 binder, it's an exhibit that's been previously
00146:01 marked as 2427.
02 And on this Organization Chart, it
03 shows you as the -- the Unified Area Command
04 representative for the MMS; is that correct?
05 A. That's what it shows.
06 Q. And were you still the deputy to Lars
07 as -- as of the date of this Organization Chart?
08 A. Yes.
09 Q. And where would Lars be on this
10 Organization Chart?
11 A. He should be where my name is.
12 Q. Okay. And if you can turn to Tab 4 for
13 me, it's a document that's been previously marked
14 as Exhibit 1483. If you turn to the Bates
15 No. 122510 -- and again, that's another
16 Organization Chart showing you as the MMS
17 representative for the Unified Area Command.
18 A. That's what it shows.
19 Q. And -- and, again, where would Lars be?
20 A. In that spot where it's showing my name.
21 Q. Okay. What does the "AC" next to "MMS"
22 mean?
23 A. Area Command.
24 Q. Can you turn to Tab 6 for me.
25 MR. KEEGAN: And for the record, this
00147:01 will be marked as Exhibit -- what's our next
02 number?
03 (Marked Exhibit No. 4727.)
04 MR. KEEGAN: -- 4727. The Bates
05 number on the first page is IMS17201-015915.
06 Q. (BY MR. KEEGAN) Do you recognize this
07 document?
08 A. This one specifically, no.
09 Q. Do you recognize this form of document?
10 A. Yes.
11 Q. Is this a daily report that you would
12 receive in your role as the MMS representative on
13 the Area Command -- on the Unified Area Command?
14 A. Yes.
15 Q. Okay. And the purpose of this daily
16 report was to provide information to the Unified
17 Area Command related to a number of different
18 topics?
19 A. Correct.
20 Q. Including Critical Resource Containment
21 Boom?
22 A. Yes.
23 Q. And including Source Control on Bates
24 No. -015932?
25 A. Yes.

00148:01 Q. And Source Control is both containment and
02 the relief well efforts?
03 A. Yes.
04 Q. And you worked on the relief well
05 operations as part of your role at the Unified
06 Area Command?
07 A. I kept up with it.
08 Q. Kept up with them? You were aware of the
09 relief well operations?
10 A. Yes.
11 Q. As the MMS or BOEMRE representative at
12 that time, I believe, did you review any permits
13 related to the relief well operations?
14 A. I looked at the permit, but not in depth.
15 Q. Okay.
16 A. I would look at the permit.
17 Q. Who looked at the permits in depth?
18 A. The district manager for the New Orleans
19 District.
20 Q. And who is the district manager for the
21 New Orleans District? Is that David Trocquet?
22 A. David Trocquet.
23 Q. Okay. Was David Trocquet the one that
24 approved the permits for the relief wells?
25 A. From what -- from what I recall, he did.
00149:01 Q. Okay. Fair to say that you were aware of
02 the relief well operations while the relief wells
03 were being drilled?
04 A. Yes.
05 Q. And that you were aware of the engineering
06 plans that the relief well entailed?
07 A. Engineering plans? Can you be more
08 specific?
09 Q. Casing design plans.
10 A. I was aware of the casing setting depths
11 and whatnot. A specific plan, no.
12 Q. And you were aware of the number of
13 intervals?
14 A. Yes.
15 Q. And the type of casing that was being
16 used?
17 A. No.
18 Q. Someone at the MMS was aware of that?
19 A. Yes.
20 Q. And someone at the MMS was carefully
21 monitoring all of the relief well operations,
22 correct?
23 A. Yes.
24 Q. That includes the proposed casing depths?
25 A. Yes.
00150:01 Q. And it includes the cementing plans?
02 A. Yes.
03 Q. And it includes the pressure integrity
04 tests?
05 A. Well, the pressure integrity test may be

06 picked up on the inspection and on the weekly
 07 activity reports.
 08 Q. Even for the relief wells, there were no
 09 discussions about the pressure integrity tests,
 10 that you can recall?
 11 A. That I was involved in? No.

Page 154:12 to 156:01

00154:12 Q. (BY MR. KEEGAN) Okay. Could BP drill
 13 forward without the Unified Area Command or the
 14 MMS approving the results of the leak-off tests at
 15 the -- on the relief wells?
 16 A. Yes.
 17 Q. It's your opinion that nobody at the MMS
 18 was reviewing the leak-off tests as they occurred
 19 on the relief wells?
 20 A. That's what I -- as far as I know, that's
 21 correct.
 22 Q. Okay. So it's fair to say that you were
 23 not reviewing them?
 24 A. That's correct.
 25 Q. Absolutely.
 00155:01 Will you agree with me that the
 02 relief wells were drilled safely?
 03 A. Seems to be.
 04 Q. Would you agree with me that the relief
 05 wells were drilled quickly?
 06 A. You'd have to expand on what you mean by
 07 "quickly."
 08 Q. When was -- when were the relief wells
 09 spudded?
 10 A. I don't know the exact date.
 11 Q. Roughly.
 12 A. I don't know the exact date.
 13 Q. Mid-May?
 14 A. That's around the time frame.
 15 Q. Okay. And when were the relief wells
 16 plugged and abandoned?
 17 A. August or September time frame.
 18 Q. And for a well to go from spud to plug and
 19 abandon in that time frame, is that quick in your
 20 experience in 25-plus years with the MMS?
 21 A. It's difficult for me to tell you if it's
 22 quick or not.
 23 Q. Are you aware of any incidents of
 24 noncompliance at the relief wells related to
 25 drilling operations?
 00156:01 A. I'm not aware of any.

Page 167:24 to 169:03

00167:24 Q. Do you know who Scherie Douglas is?
 25 A. Yes.

00168:01 Q. Who is Scherie Douglas?
 02 A. Regulatory agent for BP.
 03 Q. And how do you know Scherie Douglas?
 04 A. We've been in meetings and telephone
 05 calls.
 06 Q. You've worked with Scherie Douglas?
 07 A. Through meetings and telephone calls.
 08 Q. You've found her to be honest?
 09 A. From my work with her, yes.
 10 Q. Found her to be trustworthy?
 11 A. I have no reason to doubt.
 12 Q. How about Terry Jordan, do you know who
 13 Terry Jordan is?
 14 A. Yes.
 15 Q. And who is Terry Jordan?
 16 A. He works at BP.
 17 Q. And have you worked with Terry Jordan in
 18 the past?
 19 A. A limited amount.
 20 Q. And do you have any reason to doubt
 21 Mr. Jordan's honesty?
 22 A. No.
 23 Q. Do you have any reason to doubt
 24 Mr. Jordan's trustworthiness?
 25 A. No.
 00169:01 Q. Never had any problems dealing with either
 02 Scherie or Terry?
 03 A. I haven't.

Page 192:21 to 192:24

00192:21 Q. -- and redundant systems to monitor the
 22 well?
 23 The driller is one person that
 24 monitors the well, right?

Page 193:01 to 194:05

00193:01 A. Yes.
 02 Q. (BY MR. KEEGAN) And the mudloggers who
 03 are monitor- -- are people who monitor the well
 04 conditions, correct?
 05 A. To my knowledge, yes.
 06 Q. And it's your expectation that the driller
 07 or the drilling crew continuously monitor well
 08 conditions while -- while the rig is latched up?
 09 A. That's expect- -- it's my expectation that
 10 someone is monitoring the well condition.
 11 Q. And that's in the regulations, right?
 12 A. The well shall be monitored.
 13 Q. Agree that kicks are more common while
 14 drilling exploration wells than development wells?
 15 A. It's possible.
 16 Q. It's not a surprise when a kick occurs on

17 an exploration well?
 18 A. No.
 19 Q. It's not an anomaly when a kick occurs on
 20 an exploration well?
 21 A. No.
 22 Q. And not every kick turns into a blowout,
 23 correct?
 24 A. Yes.
 25 Q. Because people on the rig are well control
 00194:01 certified?
 02 A. It -- it was controlled.
 03 Q. Right. You can control a kick before it
 04 becomes a blowout, right?
 05 A. That's the expectation.

Page 197:18 to 197:20

00197:18 Q. No, I'm sorry. There were no INCs for
 19 the -- the operations on the MC252 No. 1, right?
 20 A. I'm not aware of any.

Page 199:08 to 203:02

00199:08 Q. What are the -- tell me a little bit about
 09 the National SAFE Award.
 10 A. The National SAFE Award is -- is an award
 11 presentation for different operators, large
 12 operators and moderate operators, along with
 13 drilling contractors and production contractors,
 14 based on the activities of the previous year.
 15 Q. And the SAFE Award selection criteria is
 16 the result of MMS inspections?
 17 A. Part of it.
 18 Q. And the -- the company's record of events?
 19 A. Part of it.
 20 Q. And operational considerations?
 21 A. Part of it.
 22 Q. And technology?
 23 A. Part of it.
 24 Q. Are there any other parts besides those
 25 for the award's selection criteria?
 00200:01 A. That seems to cover all of the areas.
 02 Q. I'm at Tab 58, if you want to follow along
 03 with me.
 04 MR. KEEGAN: I -- we'll mark this as
 05 Exhibit 4739. It's IMS063-004475.
 06 (Marked Exhibit No. 4739.)
 07 Q. (BY MR. KEEGAN) And I'm on Page 4481 now.
 08 You see there where it says "District
 09 SAFE Award Process"? Can you explain to me how
 10 you -- a company goes from a District SAFE Award
 11 nominee to a National SAFE Award nominee?
 12 A. An operator or anyone nominated or wins
 13 the SAFE Award in a district could potentially be

14 a candidate for the National SAFE Award.

15 Q. And do you have any involvement in
16 nominating companies for either the District,
17 Regional, or National SAFE Award?

18 A. I don't have any involvement with the
19 nomination for district, but I usually sit in on
20 the meeting to discuss the potential candidates
21 for the national.

22 Q. And can you turn to Tab 54, which is
23 BP-HZN-2179MDL00302808.

24 MR. KEEGAN: And mark that as
25 Exhibit 4740.

00201:01 (Marked Exhibit No. 4740.)

02 Q. (BY MR. KEEGAN) And if you'll see there,
03 the -- the first sort of underlined entry, "High
04 OCS Activity."

05 It says above that: "The MMS has
06 announced the finalists for the MMS SAFE" Awards
07 "to be presented on OTC on May 6.

08 "The 2010 SAFE finalists are: BP
09 Exploration & Production, Inc."

10 Is that the first one there?

11 A. Yes.

12 Q. And does that refresh your recollection
13 that they were a nominee for the 2010 National
14 SAFE Award?

15 A. Yes.

16 Q. And if you turn to the next page, 2809,
17 and a March 22nd, 2010, E-mail from James Grant to
18 a number of people, the second full sentence:
19 "This award recognizes and commends companies for
20 exemplary conduct of safe and pollution-free
21 operations by adhering to all regulations,
22 employing trained and motivated personnel, and
23 going the extra mile to enhance safety and
24 environmental production."

25 Did I read that correctly?

00202:01 A. Environmental protection, yes.

02 Q. Protection, yes.

03 And do you agree with Mr. Grant's
04 description of the SAFE -- National SAFE Award?

05 A. Yes.

06 Q. And the next line there says: "This is
07 the second year in a row that BP has been a
08 National SAFE Award finalist."

09 Do you see that there?

10 A. Yes.

11 Q. Does that refresh your recollection that
12 BP was also a 2009 National SAFE Award finalist?

13 A. I guess they could have been.

14 Q. No reason to dispute that?

15 A. No.

16 Q. Just don't recall?

17 A. Right. Correct.

18 Q. Does it surprise you that prior to the

19 incident, BP was a nominee two years in a row for
 20 a National SAFE Award?
 21 A. No.
 22 Q. They had safe operations?
 23 A. Based on the criteria, yeah.
 24 Q. And you're not aware of any problems with
 25 BP prior to the incident related to its operations
 00203:01 in the Gulf of Mexico?
 02 A. No.

Page 209:12 to 215:18

00209:12 Q. (BY MR. KEEGAN) As part of your job
 13 responsibilities, did you review BP's exploration
 14 plan?
 15 A. No.
 16 Q. Did somebody on your staff review BP's
 17 exploration plan?
 18 A. Yes.
 19 Q. Who was that?
 20 A. I don't know specifically who it was.
 21 Q. But somebody within the MMS approved BP's
 22 exploration plan, correct?
 23 A. Yes.
 24 Q. And it's your understanding that, by
 25 approving the exploration plan, the MMS determined
 00210:01 that it was consistent with all applicable
 02 regulations?
 03 A. For approval of the exploration plan, yes.
 04 Q. All right. MMS personnel would not
 05 approve the exploration plan if it wasn't
 06 consistent with MMS regulations, right?
 07 A. They would not knowingly approve it if it
 08 wasn't.
 09 Q. At the time it was approved, any reason to
 10 believe that the MMS didn't believe the
 11 exploration plan was consistent with all
 12 regulations?
 13 A. No.
 14 Q. Okay. As you sit here today, do you have
 15 any reason to believe that the exploration plan
 16 that was submitted by BP and approved by the MMS
 17 was not consistent with all MMS regulations?
 18 A. No.
 19 Q. And in your role at the Unified Area
 20 Command, you were involved in source control,
 21 correct?
 22 A. Yes.
 23 Q. Are you -- and in your role at the BOEM
 24 today, are you generally familiar with exploration
 25 plans of other operators in the Gulf of Mexico?
 00211:01 A. Aware of them, yes.
 02 Q. And do you agree that no operator in the
 03 Gulf of Mexico referenced a capping stack in
 04 exploration plans prior to the Macondo incident?

05 A. Repeat the question.
06 Q. Do you agree that no other operator -- no
07 operator in the Gulf of Mexico referenced a
08 capping stack in their exploration plans prior to
09 the Macondo incident?
10 A. Agree.
11 Q. And based on your knowledge from the
12 Unified Area Command, you would agree that no
13 other operator in the Gulf of Mexico had a capping
14 stack built prior to April 20th, 2010?
15 A. Not that I was aware of.
16 Q. And people were looking everywhere to --
17 to see what resources were available for source
18 control, right?
19 A. Correct.
20 Q. And -- and Shell didn't offer a capping
21 stack?
22 A. Not that I know of.
23 Q. And Chevron didn't offer a capping stack?
24 A. Not that I'm aware of.
25 Q. Do you think if Shell or Chevron had
00212:01 offered a capping stack, you would have been aware
02 of it?
03 A. Probably.
04 Q. Is it fair to say that as of April 20,
05 2010, that none of the other operators in the Gulf
06 of Mexico told BOEM MMS that they intended to use
07 a deepwater capping stack in the event of a
08 blowout?
09 A. As far as I know, that would be correct.
10 Q. You testified earlier that you didn't have
11 any involvement in the flow rate calculations
12 after the incident.
13 A. Right.
14 Q. Do you have any expertise or experience in
15 calculating flow rates?
16 A. No.
17 Q. Do you have any understanding of the
18 formulas that are used to calculate flow rates?
19 A. No.
20 Q. Do you want to have any understanding of
21 those?
22 A. No.
23 Q. To the extent that you have E-mails
24 referencing flow rates, that was just for an
25 information purpose?
00213:01 A. Right.
02 Q. In your role at the Unified Area Command?
03 A. Correct.
04 Q. And you agree that there was a -- a group
05 of scientists headed by the USGS who was making
06 flow rate determinations?
07 A. Yes.
08 Q. The -- BP's oil spill response plan was
09 filed and approved by the MMS as well, correct?

10 A. Yes.
11 Q. Did you have any involvement in BP's
12 regional oil spill response plan?
13 A. No.
14 Q. You're aware that the regional oil spill
15 response plan was approved by the MMS?
16 A. Yes.
17 Q. Was that somebody on your staff?
18 A. Yes. In the Plans unit.
19 Q. In the Planning unit?
20 A. Plans.
21 Q. Plans unit.
22 Do you know who in the Plans unit
23 reviewed the oil spill response plan?
24 A. I would be speculating. No, I don't know
25 who exactly reviewed them.
00214:01 Q. Who are the potential people who reviewed
02 the oil spill response plan?
03 A. Rusty Wright.
04 Q. Anyone else besides Rusty Wright?
05 A. I'm trying to -- it probably was him.
06 Q. And what is Rusty Wright's position?
07 A. Oil spill response coordinator.
08 Q. Has anyone else held the position of oil
09 spill response coordinator in the Plans division
10 in the last four years?
11 A. No.
12 Q. Okay. It's your understanding that MMS
13 would not approve an oil spill response plan
14 unless it complied with all of the applicable
15 regulations?
16 A. Correct.
17 Q. And at the time that MMS approved the oil
18 spill response plan, did you have any reason to
19 believe that BP's oil spill response plan did not
20 comply with all of the applicable regulations?
21 A. I don't have any reason to believe it
22 didn't.
23 Q. And as you sit here today, do you have any
24 reason to believe that BP's oil spill response
25 plan did not comply with all the applicable
00215:01 regulations?
02 A. No.
03 Q. And you're aware that the oil spill
04 response plan was a regional plan?
05 A. Yes.
06 Q. And you agree that -- that it was
07 appropriate for BP to have and utilize a regional
08 oil spill response plan for the MC252 No. 1 well?
09 A. Repeat that, please.
10 Q. Sure.
11 You agree that it was appropriate for
12 BP to have a regional oil spill response plan
13 covering the operations at the MC252 No. 1 well?
14 A. Yes.

15 Q. And you agree that it was appropriate for
16 BP to utilize the regional oil spill response plan
17 to cover the operations of the MC252 No. 1 well?
18 A. Yes.

Page 228:08 to 229:08

00228:08 Q. (BY MR. KEEGAN) Are you aware that Frank
09 Patton approved the applications and revisions to
10 the applications for the MC252 No.1 well?
11 A. Yes.
12 Q. And are you aware that Robert Neal
13 inspected the DEEPWATER HORIZON in 2010?
14 A. Yes.
15 Q. And are you aware that Eric Neal inspected
16 the DEEPWATER HORIZON in 2010?
17 A. Yes.
18 Q. And are you aware that no INCs were issued
19 for any of the operations related to the MC252 No.
20 1 well?
21 A. I'm not aware of any that were issued.
22 Q. Have there been any disciplinary actions
23 against Frank Patton related to his work on the
24 MC252 No. 1 well?
25 A. No.
00229:01 Q. Have there been any disciplinary actions
02 related to the work of Robert Neal tied to the
03 MC252 No. 1 well?
04 A. No.
05 Q. Have there been any disciplinary actions
06 to Eric Neal related to his work on the MC252
07 No. 1 well?
08 A. No.

Page 230:01 to 230:15

00230:01 Q. Okay. As you sit here today, any reason
02 to believe that Frank Patton didn't properly do
03 his job as the drilling -- district drilling
04 engineer related to the MC252 No. 1 well?
05 A. No.
06 Q. As you sit here today, any reason to
07 believe that Robert Neal didn't properly do his
08 job as a rig inspector related to his work at the
09 MC252 No. 1 well?
10 A. No.
11 Q. And as you sit here today, any reason to
12 believe that Eric Neal didn't properly do his job
13 as a rig inspector related to his work at the
14 MC252 No. 1 well?
15 A. No.

Page 232:20 to 235:04

00232:20 Q. How did you first become aware of the
21 DEEPWATER HORIZON explosion?
22 A. I received a phone call from James Grant.
23 Q. James Grant is a BP employee?
24 A. Yes.
25 Q. And do you recall when that was?
00233:01 A. Approximately between 5:15, 5:30,
02 April 21st.
03 Q. And after you received the call from James
04 Grant, what did you do?
05 A. I was actually in my vehicle leaving my
06 house to go to work when I received the call and
07 went into the regional office.
08 Q. And what was your first role when you went
09 to the regional office on April 21st, 2010?
10 A. To just assess what was going on.
11 Q. When were you appointed as the deputy to
12 Lars?
13 A. You talking about for a Unified Command?
14 Q. Yes, sorry.
15 A. That would have been as soon as Unified
16 Command was established.
17 Q. And do you recall roughly when that was?
18 A. It would have been approximately either
19 the 22nd or 23rd.
20 Q. And -- and were you located in Houma to
21 start?
22 A. Houma?
23 Q. I never can get that one, right.
24 Were you located in Houma to start?
25 A. No.
00234:01 Q. Were you located in Roberts [sic] to
02 start?
03 A. Actually, it's the Coast Guard
04 headquarters here in New Orleans for a day or two
05 and then to Robert.
06 Q. You were never in Houma --
07 A. No.
08 Q. -- as part of the Unified Area Command?
09 Were you ever stationed in the
10 Houston Incident Command?
11 A. Houma was an Incident Command, not a --
12 not a Unified Command.
13 Q. Sorry. Fair point.
14 All right. Were you ever stationed
15 in the Houston Incident Command office?
16 A. Yes. I did go there.
17 Q. When were you in the Houston Incident
18 Command office?
19 A. I know I was there around mid-August, I
20 believe it was, and again maybe in September.
21 Q. And how long were you there in mid-August?
22 A. Probably a week. And then the next time,
23 I believe it was about two weeks.
24 Q. And -- and other than the week or two and

25 then two weeks in Houston, where were you
00235:01 stationed? Where were you doing your day-to-day
02 work?
03 A. Either -- either Robert, Louisiana, or
04 here in New Orleans in Unified Command room.

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00237:01 Q. Okay. Let's go back to some of the
02 unified command work. When you were in New
03 Orleans, how did you stay aware of what was
04 happening in Houston?
05 A. We talked with our MMS staff that were in
06 Houston.
07 Q. And other people as well?
08 A. Yes.
09 Q. The Unified Command itself had morning
10 calls and evening calls?
11 A. Right. They would have a 7:00 -- it was
12 either a 7:00 or 7:30 morning call and a 5:00 or
13 5:30 evening call.
14 Q. And how -- how much before the 7:30
15 morning call would a typical day start for you?
16 A. I usually arrived at approximately 5:30,
17 6:00 o'clock.
18 Q. And how much after the 5:30 p.m. call
19 ended would a typical day end for you?
20 A. I'd leave about 9:00 or 10:00 o'clock.
21 Q. And that was for April through July,
22 August, September?
23 A. April through about October.
24 Q. And that was everybody in the Unified
25 Command?
00238:01 A. I don't know what everybody's hours were,
02 but...
03 Q. People were putting in an extraordinary
04 effort to --
05 A. Yes.
06 Q. -- to work at the Unified Command and the
07 other relief operations, right?
08 A. Yes.
09 Q. That includes the BP people that you
10 worked with, too?
11 A. There were always BP people there.
12 Q. Were you ever told by anyone at BP that
13 the Unified Command shouldn't try a particular
14 source control option because of cost?
15 A. Repeat that.
16 Q. Were you ever told by anyone at BP that
17 the Unified Command should not try a certain
18 source control option because it might cost too
19 much?
20 A. No.
21 Q. Was -- was cost ever a factor in
22 determining what response efforts to take for BP?

23 A. Not that I'm aware of.
 24 Q. Part of your responsibilities included
 25 reviewing and approving source control procedures?
 00239:01 A. Correct.
 02 Q. And you reviewed -- you personally signed
 03 off on several procedures, like the top kill?
 04 A. It's possibly one of them.
 05 Q. The capping stack installation?
 06 A. Could be.
 07 Q. The well integrity test procedures?
 08 A. Could have been.
 09 Q. How was it decided as between you or Lars
 10 who would sign off on a particular procedure?
 11 A. Depend what was going on that -- well, if
 12 we were both there at the same time, it depends
 13 what we were doing and which one of us had -- was
 14 going to review that particular procedure, if not
 15 both of us.

Page 240:02 to 242:15

00240:02 Q. So the Unified Command had to -- to give
 03 final approval for any of the procedures?
 04 A. Yes.
 05 Q. And by the time a procedure or source
 06 control procedure came to your desk, it had been
 07 reviewed ex -- by BP?
 08 A. Yes.
 09 Q. And reviewed by other members of BOEM?
 10 A. Yes.
 11 Q. And reviewed by -- they conducted peer
 12 reviews or peer assists with industry experts?
 13 A. That's my understanding.
 14 Q. And they conducted hazard identification
 15 sessions before the -- the proposal came to you?
 16 A. Yes.
 17 Q. The source control teams developing the
 18 various procedures were careful in considering the
 19 potential risks of the different options?
 20 A. That's my understanding.
 21 Q. And the -- the decision to proceed with
 22 any source control method included the input of
 23 BOEM?
 24 A. We had to sign off.
 25 Q. And you were never -- BOEM was not
 00241:01 excluded from the decision-making process?
 02 A. For final sign-off, no.
 03 Q. Do you feel that you were excluded from
 04 other decision-making process parts of the -- of
 05 what source control options were going to be used?
 06 A. I don't think so, no.
 07 Q. Were there ever disagreements about which
 08 source control options should be a -- the next
 09 priority?
 10 A. There was always discussions about the two

11 or three potential top options in discussions as
 12 to which one eventually would become the one to
 13 try.
 14 Q. And it's not surprising that there are
 15 discussions, as you put it, when you've got
 16 hundreds of different experts working around the
 17 clock?
 18 A. Right.
 19 Q. But everybody was working towards the same
 20 goal, right?
 21 A. That's correct.
 22 Q. Just a discussion about which step next?
 23 A. The goal of getting the well shut in.
 24 Q. And you agree with me that as of
 25 April 20th, 2010, the only proven option to shut
 00242:01 in a well that had a subsea blowout was to drill a
 02 relief well, right?
 03 A. That was the primary option. Once -- once
 04 the well control event began.
 05 Q. And -- and BP, in fact, started planning
 06 and drilling two relief wells shortly after the
 07 April 20th incident, right?
 08 A. Yes.
 09 Q. And then at the same time, with -- along
 10 with Unified Area Command, explored a number of
 11 different source control options?
 12 A. Correct?
 13 Q. And your understanding was always that the
 14 only proven and reliable method to shut any subsea
 15 blowout was through the relief wells?

Page 242:17 to 244:01

00242:17 A. Correct.
 18 Q. (BY MR. KEEGAN) Do you agree that both
 19 the -- BP and the government carefully considered
 20 all available options for source control?
 21 A. As far as I know, yes.
 22 Q. And fair to say that the decision to
 23 pursue a specific source control method was not
 24 made with reckless disregard for the consequences?
 25 A. As far as I know, yes.
 00243:01 Q. And fair to say that a decision to forego
 02 a specific source control method was not made with
 03 reckless disregard for the consequences?
 04 A. Correct.
 05 Q. You don't have any evidence or opinion
 06 that BP acted recklessly or with gross negligence
 07 during its response effort?
 08 A. Not that I know of.
 09 Q. Do you recall what involvement you had
 10 with the development of the three ram capping
 11 stack?
 12 A. Other than maybe reviewing the procedure
 13 to be used. That was about it.

14 Q. And the source control teams were working
 15 on the capping -- on various capping ideas from
 16 the very beginning of the UAC?
 17 A. I don't know when it began, but early on
 18 at the beginning.
 19 Q. Are you aware of the concerns regarding
 20 capping the well with a second BOP might introduce
 21 too many risks?
 22 A. Yes.
 23 Q. All right. It's risky to -- to put a
 24 second BOP on top of the BOP that was damaged
 25 during -- in the explosion?
 00244:01 A. Yes.

Page 244:03 to 249:22

00244:03 Q. (BY MR. KEEGAN) And you personally signed
 04 off on the procedures to install the capping stack
 05 on June 28th, right? Tab 60. It's not a memory
 06 test. Let's look at Tab 60.
 07 MR. KEEGAN: And it's
 08 2179MDL01522652. We'll mark this as Exhibit 4747.
 09 (Marked Exhibit No. 4747.)
 10 A. That's what it looks like.
 11 Q. (BY MR. KEEGAN) And that's your name,
 12 "MMS approval: Michael J. Saucier"?
 13 A. Correct.
 14 Q. I apologize if I mispronounced that.
 15 A. Saucier.
 16 Q. Saucier.
 17 Okay. And turn to -- and do you
 18 recall when the capping stack was shipped out of
 19 Port Fourchon?
 20 A. No.
 21 Q. Did I say that one, right?
 22 A. Yes.
 23 Q. Around July 2nd sound right to you?
 24 A. That's around that time frame.
 25 Q. And do you recall that the capping stack
 00245:01 was actually installed and completely installed by
 02 July 12th?
 03 A. I don't recall the exact date.
 04 Q. Okay. Can you turn to Tab 62, which we've
 05 looked at previously. And turn back to that Page
 06 80 for me. And this is -- notes at the top that
 07 say July 13th, 2010. Do you see that there?
 08 A. Yes.
 09 Q. "5:30 UC meeting." That's Unified Command
 10 meeting?
 11 A. Yes.
 12 Q. It says: "Houston - as of 4:00 p.m., SI
 13 on hold by Secretary Chu" -- S-E-C, period, Chu."
 14 Fair to say that on July 13th, as of
 15 2010, the -- the shut-in procedures were on hold
 16 pending approval by Secretary Chu?

17 A. Yes.
18 Q. And do you recall that -- that the capping
19 stack had been installed and the shut-in
20 procedures were prepared to go forward, but
21 Secretary Chu asked for further time to review?
22 A. Yes.
23 Q. And then the next day, Secretary Chu
24 approved the shut-in procedures?
25 A. I believe it was the next day, yes. You
00246:01 mentioned approve shut-in procedures. I think
02 they wanted to take some pressure diagnostics
03 before the shut-in procedures were initiated.
04 Q. Fair enough. BP was prepared to go
05 forward with the shut-in procedures on July 13th,
06 2010?
07 A. As far as I recall, yes.
08 Q. And Secretary Chu requested additional
09 information before allowing the shut-in procedures
10 to go forward?
11 A. That's what I recall.
12 Q. And would it surprise you to learn that
13 permission to close the stack and shut-in the well
14 was delayed for over 30 hours to get the approval
15 from Secretary Chu?
16 A. No.
17 Q. Sir, you were designated as a 30(b)(6)
18 witness for -- for two different topics, correct?
19 A. Yes.
20 Q. What documents did you review to educate
21 yourself about the 30(b)(6) topics?
22 A. Do you have the topics?
23 Q. Sure. The topics are the participation in
24 the inspection, audit, evaluation of, or any rig
25 visits on TransOcean DEEPWATER HORIZON rig
00247:01 including the blowout preventer on the DEEPWATER
02 HORIZON?
03 What documents did you review to
04 prepare for your testimony for that topic?
05 A. I might have looked at the inspection
06 form.
07 Q. Do you recall looking at an inspection
08 form?
09 A. I recall looking at an inspection form. I
10 don't specifically recall if it was in reference
11 to 30(b)(6).
12 Q. All right. When was the first time you
13 learned that you would be the testimony -- the
14 testifier on these topics?
15 A. About two weeks ago.
16 Q. Okay. And how much time have you spent
17 preparing for your testimony on Topic No. 4
18 related to the inspection, audit, evaluation, or
19 rig visits of the DEEPWATER HORIZON, including the
20 DEEPWATER HORIZON's BOP?
21 A. May have been an hour or two.

22 Q. Did you speak with Justin Jocey?
 23 A. No.
 24 Q. Darrell Williams?
 25 A. No.
 00248:01 Q. J. Moore? J. Moore, it's either Joel or
 02 Joe, I don't know.
 03 A. No.
 04 Q. Robert Neal?
 05 A. No.
 06 Q. Eric Neal?
 07 A. No.
 08 Q. Ashton Blackhead?
 09 A. No.
 10 Q. Do you know who those people are?
 11 A. Yes.
 12 Q. And who are they?
 13 A. Some are -- some are inspectors, and some
 14 are engineers.
 15 Q. Okay. Did you review any deposition
 16 transcripts or deposition testimony of the people
 17 who inspected the rig?
 18 A. No.
 19 Q. Did you review any E-mails relating to the
 20 inspections of the DEEPWATER HORIZON?
 21 A. Not that I recall.
 22 Q. Did you review any spreadsheets or other
 23 information showing the dates of the inspections
 24 of the DEEPWATER HORIZON?
 25 A. Yes.
 00249:01 Q. And what were the dates of the inspections
 02 of the DEEPWATER HORIZON, to the best of your
 03 recollection?
 04 A. One was on April 1st, and there was one
 05 in -- I guess one in February and one in March,
 06 but I don't remember the specific dates.
 07 Q. And you recall that there were no INCs
 08 issued after those inspections, correct?
 09 A. I don't specifically recall them.
 10 Q. Okay. Let's talk about Topic 5 as well.
 11 Topic 5 is the policies, procedures, guidelines,
 12 or requirements regarding maintenance, safety, and
 13 equipment on deepwater drilling rigs in the Gulf
 14 of Mexico, including blowout preventers.
 15 Are you prepared to testify on
 16 Topic 5?
 17 A. Yes. I have limited knowledge of that,
 18 but yes.
 19 Q. And what is your limited knowledge of the
 20 policies relating to maintenance, safety, and
 21 equipment on deepwater drilling rigs in the Gulf
 22 of Mexico?

Page 249:24 to 250:19

00249:24 A. The regulations require that they have to

25 adhere by APRP53, the maintenance of the BOP.
00250:01 Q. (BY MR. KEEGAN) Did you review any of the
02 FOPOTS manual in preparation for your testimony?
03 A. Yes.
04 Q. And that is a policy, procedure, or
05 guideline regarding maintenance, safety, and
06 equipment on the deepwater drilling rigs; is that
07 right?
08 A. Yes.
09 Q. Do you remember what sections of FOPOTS
10 you looked at?
11 A. I kind of glanced at all of them.
12 Q. How many section are there in FOPOTS?
13 A. There's different topics.
14 Q. Okay. And do you recall what topics you
15 looked at?
16 A. I just looked -- actually, I didn't even
17 look at anything concerning maintenance, not
18 concerning this topic. I was looking at if we had
19 anything on leak-off tests.

Page 251:08 to 253:09

00251:08 Q. Okay. Let's talk about the inspections of
09 the DEEPWATER HORIZON.
10 What is the experience level of the
11 auditors who audited the DEEPWATER HORIZON?
12 A. The experience level of the inspectors?
13 Q. Uh-huh.
14 A. Bob Neal was considered an experienced
15 drilling inspector. Eric Neal's primary area was
16 production, but he did perform several drilling
17 inspections. And as we've seen that, he did
18 perform some drilling inspections.
19 Q. And what steps go on during a drilling
20 inspection? Do they interview crew members?
21 A. Primarily, the paperwork check of -- from
22 the last time they were there on an inspection,
23 you know, going back in -- from the inspection
24 form and filling in what occurred since the last
25 time they were there.
00252:01 Q. And what paperwork are they inspecting?
02 A. They're looking at the IADC report, the
03 mud report, the BOP test; and it's recording now
04 what has been performed since the last time they
05 were there.
06 Q. And -- and is it your testimony that,
07 prior to April 20th, 2010, they were not looking
08 at maintenance records on the rig?
09 A. Correct.
10 Q. And today, after April 20th, 2010, you're
11 instructing the inspectors to review maintenance
12 records?
13 A. No. I don't think we've specifically
14 instructed them to review maintenance records.

15 Q. Are you familiar with the Federal
 16 regulations for BOPs and BOP systems?
 17 A. I've seen them, yes.
 18 Q. And the MMS auditors should be familiar
 19 with the Federal regulations for a BOP?
 20 A. The inspectors, yes.
 21 Q. And if you turn to Tab 44, I've included
 22 that CFR 250.440 through 250.450. These are the
 23 regulations that relate to BOPs, to the best of
 24 your recollection?
 25 MR. KEEGAN: It's Exhibit 4748.
 00253:01 (Marked Exhibit No. 4748.)
 02 A. Yes.
 03 Q. (BY MR. KEEGAN) And the MMS inspectors
 04 verify a rig's compliance with these Federal
 05 regulations during their inspections, right?
 06 A. Repeat that.
 07 Q. The MMS inspectors verify a rig's
 08 compliance with these Federal regulations during
 09 their inspections, right?

Page 253:12 to 253:14

00253:12 A. On the inspection, they check some of
 13 these items but not all of them.
 14 Q. (BY MR. KEEGAN) Which ones do they check?

Page 253:16 to 259:02

00253:16 A. Reviewing the IADC report, you're going to
 17 know that they did install the BOP stack before
 18 you drilled below surface casing.
 19 Q. (BY MR. KEEGAN) We'll actually do it this
 20 way: If you can turn to 250.442 --
 21 A. Okay.
 22 Q. That's the one you're on.
 23 250.442(C): "The accumulator system
 24 must meet or exceed the provision of Section 13.3
 25 in API RP 53." Do you see that there?
 00254:01 A. Yes.
 02 Q. What is the BOEM's policy, procedure, or
 03 guideline or requirement regarding 250.442(C)?
 04 A. We could require the operator to
 05 demonstrate the accumulator volume capacity, but
 06 it's not a commonly -- common item that an
 07 inspector is going to go out and check.
 08 Q. If you can, look at CFR 250.446; and the
 09 first line of Paragraph A is: "You must maintain
 10 your BOP system to ensure that the equipment
 11 functions properly."
 12 Do you see that there?
 13 A. Yes.
 14 Q. What do the MMS inspectors do to ensure
 15 that the BOP system is functioning properly?

16 A. Review the BOP tests.
17 Q. Anything else?
18 A. No.
19 Q. And reviewing BOP tests is sufficient to
20 show an MMS inspector that the BOP is being
21 maintained to ensure that the equipment functions
22 properly?
23 A. It's the operator's responsibility to
24 ensure that's being done, but the check we're
25 doing is ensuring that the BOP tests are being
00255:01 conducted.
02 Q. And that's what the MMS does to ensure
03 that the BOP is being maintained to ensure that
04 the equipment functions properly?
05 A. And this was being done to ensure that BOP
06 tests have been properly performed and the BOP
07 stack performed -- you know, passes the test.
08 Q. Well, then, my question is a little
09 different: What does the MMS do to ensure that
10 the BOP is being maintained so that the equipment
11 functions properly?
12 A. It's not an item that's checked on the
13 inspection.
14 Q. If the MMS inspectors believe that the BOP
15 was not functioning properly, they would have
16 issued an INC, correctly -- correct?
17 A. That's correct.
18 Q. And they may have shut in the well, right?
19 A. That's correct.
20 Q. And they didn't do that, right?
21 A. That's correct.
22 Q. Okay. So, fair to say that the MMS
23 inspectors concluded that the -- that this
24 regulation, 250.446, was being complied with?
25 A. I would say that they didn't have any
00256:01 reason to think -- at that time, they didn't have
02 any -- anything that indicated to them that it --
03 that it stood out that it wasn't being complied
04 with.
05 Q. Did the MMS inspectors make any finding
06 that you're aware of that the DEEPWATER HORIZON's
07 BOP was not in compliance with Federal regulations
08 regarding maintenance or testing?
09 A. They didn't find anything.
10 Q. And it's MMS policy that a BOP stack have
11 at least one annular, correct?
12 A. It's -- the regulations require that.
13 Q. And it's MMS policy as well?
14 A. As part of the regulations, yes.
15 Q. Okay. And if the DEEPWATER HORIZON BOP
16 did not have at least one annular ram -- or one
17 annular, your inspectors would not -- would have
18 shut in the well, right?
19 A. If they would have found that, that's
20 correct.

21 Q. And the Application for Permit to Drill
22 includes a BOP schematic, correct?
23 A. Yes.
24 Q. And it identifies the two annulars on the
25 DEEPWATER HORIZON BOP?
00257:01 A. It probably did, yes.
02 Q. If you want to take a look at Tab 45, it's
03 been previously marked as Exhibit 4008; and if you
04 turn to the second-to-the-last page there. You
05 see that schematic?
06 A. Yes.
07 Q. And on it, it says "10K upper annular"?
08 A. Yes.
09 Q. And "5K lower annular"?
10 A. Yes.
11 Q. And as you sit here today, you understand
12 that there are two annulars disclosed on this BOP
13 schematic?
14 A. Yes.
15 Q. And there's a blind shear ram disclosed on
16 this schematic?
17 A. Yes.
18 Q. Casing shear ram?
19 A. Yes.
20 Q. Two VBRs?
21 A. Yes.
22 Q. And what's a VBR?
23 A. Variable bore ram.
24 Q. And then a third variable bore test ram,
25 correct?
00258:01 A. Yes.
02 Q. Okay. It's -- regulations require that
03 there be two sets of variable bore rams, correct?
04 A. I have to go back and look.
05 It requires two rams, not necessarily
06 two sets of variable bore rams; but that depends
07 on which piping is going to be used.
08 Q. You would consider the casing shear, blind
09 shear, and the two VBRs to all be rams?
10 A. Rams in general, yes.
11 Q. And would you agree that the DEEPWATER
12 HORIZON BOP met the requirement of 30 CFR 250.442
13 that a BOP have two sets of pipe rams?
14 A. Yes.
15 Q. Would you agree that the DEEPWATER HORIZON
16 BOP met the requirement of 30 CFR 442 -- 250.442,
17 that a BOP have at least one set of blind shear
18 rams?
19 A. Yes.
20 Q. And would you agree that the BOP --
21 DEEPWATER HORIZON BOP had two independent control
22 pods intended to function the BOP?
23 A. Yes.
24 Q. And that's -- the DEEPWATER HORIZON BOP
25 met the federal regulation in 30 CFR 250.442

00259:01 related to independent control pods?
02 A. Yes.

Page 259:10 to 259:20

00259:10 Q. And you're -- you're aware that the
11 inspectors reviewed the BOP schematic, your
12 drilling engineers reviewed the BOP schematic, and
13 that they approved the permits and issued no INCs,
14 right?
15 A. I'm aware the drilling engineer reviewed
16 the schematics, and, again, I'm not sure if -- I
17 don't think any INCs were issued, but I'm not --
18 Q. And if there were no INCs issued, that
19 means that the MMS believed that the DEEPWATER
20 HORIZON BOP met the regulations?

Page 259:22 to 260:04

00259:22 A. It meant that the item they had checked,
23 they didn't find any instance of noncompliance.
24 Q. (BY MR. KEEGAN) And would they check to
25 see if there was an accumulator closing system to
00260:01 provide fast closure?
02 A. They would probably check that there was
03 an accumulator system, but they couldn't determine
04 if it was fast closure.

Page 262:23 to 262:25

00262:23 Q. Are you aware that Frank Patton approved
24 the use of the DEEPWATER HORIZON BOP?
25 A. Yes.