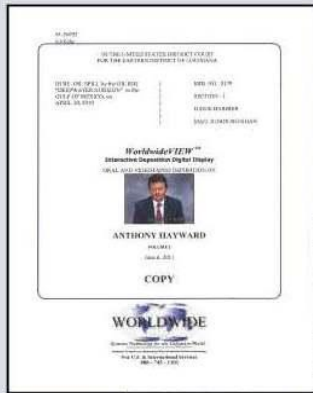


# EFFECT of Failure to Implement OMS

Tony Hayward



13 Q. Now, is it true that the risk of a deepwater blowout  
 14 was one of the highest risks for BP --  
 15 A. That's true.  
 16 Q. -- in its business?  
 17 A. That's correct.  
 18 Q. And was it also true that the risk of a deepwater  
 19 blowout in the Gulf of Mexico was a very serious and a high  
 20 risk for the company?  
 21 A. That's correct.

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Deposition of Tony Hayward at 782:13-21, June 6-7, 2011

1 question.  
 2 MR. GOSNEY: Same objection.  
 3 A. The answer is I don't know, I don't know.  
 4 Q. By Mr. Beck, there is certainly --  
 5 A. In your mind -- excuse me, do you think I  
 6 have a thought about that? Of course, I have. But  
 7 do -- can I all been today and say one way or the  
 8 other? The answer is I can't.  
 9 Q. If it had been implemented by April 20, 2010,  
 10 by drilling, which would have included the Gulf of  
 11 Mexico, would you agree that at least there's the  
 12 potential, no question, that this terrible catastrophe  
 13 would have been avoided?  
 14 MR. GOSNEY: Objection as to form.  
 15 MR. WOOD: Object to the form of the  
 16 question.  
 17 A. There's line of assumption in your question.  
 18 Q. By Mr. Beck, shaking.  
 19 A. There -- in the basis of your assumption, it  
 20 is potentially possible that it may have been avoided.  
 21 There are many other things that potentially possibly  
 22 may have prevented the accident.  
 23 Q. Sir -- oh -- and, again, I'm not saying  
 24 that's -- that's not -- but -- but -- but -- but,  
 25 right, to get back to my two questions: **is that**

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1 been implemented in the Gulf of Mexico before April 20,  
 2 2010, is there not the potential for having avoided  
 3 this terrible catastrophe?  
 4 MR. GOSNEY: Objection, form.  
 5 MR. WOOD: Objection, form.  
 6 A. There is possible potential --  
 7 Q. By Mr. Beck, All right.  
 8 A. -- undoubtedly.  
 9 Q. All right. And, similarly, if OMS had been  
 10 implemented during a three-year period instead of a  
 11 five-year period, from now at least the potential that  
 12 one April 20, 2010 incident could have been avoided?  
 13 MR. GOSNEY: Objection as to form.  
 14 MR. WOOD: Objection to the form of the  
 15 question.  
 16 A. There's potential for all sorts of things in a  
 17 theoretical world, which is the one we're talking  
 18 about.  
 19 Q. (By Mr. Beck) so would you agree --  
 20 A. It wasn't the real world. It was a  
 21 theoretical world.  
 22 Q. All right. So would you agree, then, that at  
 23 least there's the potential?  
 24 MR. GOSNEY: Object as to form.  
 25 MR. WOOD: Objection, form.

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Deposition of Tony Hayward at 793:25-794:8, June 6-7, 2011

Q. **If OMS had been implemented in the Gulf of Mexico before April 20, 2010, is there not the potential for having avoided this terrible catastrophe?**

\* \* \*

A. **There is possible potential -**  
 Q. **All right.**  
 A. **Undoubtedly.**