

Deposition Testimony of:

Gregory Meche

Date: October 6, 2011

Created by:



www.indatacorp.com

Page 6:09 to 6:11

00006:09 GREGORY LUKE MECHE
10 was called as a witness by the Plaintiffs and,
11 being first duly sworn, testified as follows:

Page 6:16 to 6:19

00006:16 Would you state your full name and your
17 residence address for the record, please, sir?
18 A. Gregory Luke Meche, [REDACTED]
19 [REDACTED]

Page 6:23 to 7:05

00006:23 Q. All right, sir. Your current occupation?
24 A. Is Compliance Specialist.
25 Q. And you work for M-I SWACO; is that
00007:01 correct?
02 A. Yes, sir, I work for M-I SWACO.
03 Q. Okay. Now, that was your occupation in
04 April of 2010?
05 A. Yes.

Page 16:17 to 16:22

00016:17 Q. Okay. And what's your educational
18 background?
19 A. I have a -- a Bachelor's of Science in
20 Industrial Technology.
21 Q. And -- and you got that from what school?
22 A. University of Louisiana Lafayette.

Page 17:01 to 18:17

00017:01 Q. Okay. We have a lot of your background,
02 so I won't -- I don't want to spend a lot of
03 time. But before you went to M-I SWACO, did you
04 work in the oil patch or did you do something
05 else?
06 A. Yes. I worked offshore for Weatherford
07 for one year.
08 Q. Okay.
09 A. And previous to that, I was -- I was on
10 an eighteen-month deployment in Iraq.
11 Q. Ah, okay.
12 A. So I kind of -- kind of missed the -- the
13 oil field for that year and a half time.
14 Q. Yes, sir. So you were in the military?
15 A. National Guard.
16 Q. Okay. And -- and, indeed, was -- you
17 were deployed in Iraq?
18 A. Yes, sir.

19 Q. Okay. All right. And then when you came
20 back, you went to work with Weatherford?
21 A. I -- I went back to a job at my first job
22 out of school, which was Petroquip Energy
23 Services, and from there, when I got back, I got
24 laid off from that position, and that -- that's
25 when I went to Weatherford, and that was in '06.
00018:01 Q. Okay.
02 A. Early '06. And that lasted a year. And
03 then from March '07 until now, I've been employed
04 with M-I SWACO.
05 Q. And throughout that time you've been
06 what M-I SWACO calls a Compliance Specialist,
07 correct?
08 A. Compliance Specialist, yes.
09 Q. There's a -- a crew of M-I SWACO guys who
10 go out to rigs that are comprised of Compliance
11 Specialists, Drill -- Drilling Fluid Specialists?
12 A. Yes.
13 Q. And -- and is there another category of
14 worker?
15 A. Solids Control Technician --
16 Q. Okay.
17 A. -- or something -- the like.

Page 19:06 to 19:10

00019:06 Q. Because you rig -- worked aboard the
07 DEEPWATER HORIZON the entire time you were
08 working for M-I SWACO until she was lost in April
09 of '0 -- of 2010, correct?
10 A. Correct.

Page 20:18 to 21:07

00020:18 Q. Okay. Now -- so in terms of the time
19 that you've actually worked for M-I SWACO, you --
20 the -- the entire time that you've been a
21 Compliance Specialist you worked aboard the
22 DEEPWATER HORIZON?
23 A. All -- yes, sir. All except for a couple
24 of times I filled in on another rig for maximum
25 of 10 days at a time.
00021:01 Q. Okay.
02 A. I did that twice. Once on the BP
03 Holstein, and another on BP MARIANAS.
04 Q. Okay. So the entire time you've been
05 working for M-I SWACO, the company you've worked
06 for is BP?
07 A. Correct.

Page 21:16 to 22:14

00021:16 Q. Now, when you did go to work for
 17 M-I SWACO, you received some training, correct?
 18 A. Correct.
 19 Q. And that training was -- was given to you
 20 in Houston; is that correct, or was -- was it
 21 somewhere else?
 22 A. It was -- it was here in -- in Harvey.
 23 Q. In -- in Louisiana?
 24 A. Yes.
 25 Q. In Harvey, Louisiana?
 00022:01 A. Harvey, yes, sir.
 02 Q. And it was a week-long program, was it?
 03 A. Approximately.
 04 Q. And -- and this was specific training for
 05 Compliance as opposed to Drilling Fluid
 06 Specialist --
 07 A. Correct.
 08 Q. -- or -- or Solids Specialist, for that
 09 matter?
 10 A. Correct, yeah.
 11 Q. Now, who actually provided your training,
 12 was it M-I SWACO, itself, or was it an
 13 independent, third-party educational facility?
 14 A. M-I SWACO personnel.

Page 23:18 to 24:09

00023:18 Q. All right. Let me ask you some questions
 19 about the actual job of Compliance Specialist for
 20 which you received that training that you've just
 21 told us about.
 22 A. (Nodding.)
 23 Q. As our occupation is with you, you know,
 24 strange terms, things that don't necessarily make
 25 sense, the same thing applies between a lay
 00024:01 person such as myself and -- and a -- and a
 02 specialist, so forgive me if I don't use these --
 03 these words correctly. But does a -- does a
 04 Compliance Specialist actually perform what I've
 05 had described to me as a mud check?
 06 A. No.
 07 Q. Okay. That's the Mud Engineers which is
 08 the -- the Drilling Fluids Specialist, correct?
 09 A. Yes, sir.

Page 24:12 to 24:24

00024:12 Q. Well, when -- when a Mud Engineer straps
 13 a -- a -- a pit, what -- what is -- do you know
 14 what that is?
 15 A. Yes.
 16 Q. Okay. And tell me what that is.
 17 A. That would be a -- a measurement of -- a
 18 tape measurement from where the pit -- from the

19 floor level straight down to where the top of the
20 mud line is.
21 Q. Okay.
22 A. And that -- that -- that distance between
23 gives you a -- is a pre -- precalculated fluid
24 amount in that pit.

Page 25:01 to 25:03

00025:01 But, now, as the Compliance Specialist,
02 that's not your responsibility, either, correct?
03 A. Correct.

Page 25:07 to 27:23

00025:07 Q. All right. We've heard from various
08 employees of M-I SWACO about something called a
09 One-Trax.
10 A. (Nodding.)
11 Q. Do you know anything about that, the
12 One-Trax System?
13 A. It's -- it's the -- the software that the
14 Mud Engineers use. I personally didn't have much
15 to do with it.
16 Q. Understood.
17 Is any -- are any of the data components,
18 though, of the One-Trax things that you do as a
19 Compliance official -- I mean, as a Compliance
20 Specialist use?
21 A. I -- I used it for one thing and one
22 thing only. It was to enter my -- well, I
23 forget. I entered one bit of information per
24 day. It was my -- my retention on cutting
25 number, the ROC number. I entered all three
00026:01 intervals, if applicable, into their software
02 each night.
03 Q. Okay. Is that an actual volume
04 measurement or --
05 A. No. No, sir.
06 Q. Okay. So your ROC, retention on cutting
07 number, how was that calculated by you?
08 A. It's -- I have my own software that does
09 the calculation for me. I enter the numbers that
10 I get from the tests that I do.
11 Q. Okay.
12 A. (Nodding.)
13 Q. Now, what software program did you use as
14 a Compliance Specialist?
15 A. Ours is called Apex.
16 Q. Apex. And part of your training at the
17 M-I SWACO facility in Harvey was the use of the
18 Apex System?
19 A. Yes, sir.
20 Q. And not -- not to get a tutorial on it,

21 but can you give us generally what the Apex
22 System does and how you use it as a Compliance
23 Specialist?
24 A. Yes, sir. It -- I receive a sample of
25 cuttings, and I burn it in a retort, which I'm
00027:01 sure you've heard from a Mud Engineer. Basically
02 I have -- I weigh it beforehand. I burn it at
03 950 degrees. It gives me numbers. I take
04 these -- the before and after numbers and enter
05 it into the software, and it gives me a running
06 tally or a running number of retention on cutting
07 percentage for the entire well.
08 Q. And -- and that particular calculation,
09 the running total, that calc -- that calculation
10 is performed by the software for you?
11 A. Yes.
12 Q. And -- and you just plug in the data, and
13 it gives you what the -- the ROC is. Is that --
14 A. Correct.
15 Q. -- a fair --
16 A. (Nodding.)
17 Q. -- statement?
18 A. Yes, sir.
19 Q. All right. What else, if anything, does
20 the Apex System do in your function as -- as a --
21 A. That is its main function.
22 Q. As a Compliance Specialist?
23 A. Yes.

Page 28:13 to 28:20

00028:13 Q. Okay. Now, aboard the DEEPWATER HORIZON,
14 what was the actual configuration of workers on
15 each hitch that M-I SWACO had?
16 A. We would have two Mud Engineers, a day
17 and a night; we would have one Compliance
18 Specialist; and in most cases we would have two
19 Solids Control guys, day and night. So five
20 people.

Page 32:02 to 33:22

00032:02 Q. But you did have a responsibility as a
03 Compliance Specialist for evaluating certain
04 drill fluids from time to time, correct?
05 A. Not evaluating. I -- the only testing
06 that I did was either at a third -- an on --
07 on-land third party. I would collect a sample of
08 it, reserve it for the night, and have it sent to
09 these -- these third-party testing facilities.
10 Q. Okay.
11 A. And I would do a weekly test, the weekly
12 static sheen on the fluids and the wet cuttings.
13 Q. Okay. That was going to be my next

14 question: What is a statics sheen -- a static
15 sheen test?

16 A. A static sheen test is a -- is a test
17 that we conduct that simulates -- basically what
18 it is, is a -- like a 5-gallon bucket. I line it
19 with a trash bag, so it's not contaminated. And
20 what it is, is I take a syringe of whatever
21 material I'm looking to test, I inject the fluid
22 beneath the water surface which simulates the
23 overboard discharge, or the shunt line, and I
24 inject it at a -- at a rate that is as consistent
25 as possible to the discharge rate.

00033:01 And it's -- it -- the test, what I'm
02 looking for is if it sheens on the water. The
03 test is run over a period of 60 minutes, of
04 observation every ten minutes in -- on the hour.
05 I mean, every ten minutes within the hour.

06 Q. Okay. And if you see a sheen, what does
07 that mean?

08 A. Then the material that I'm testing is not
09 dischargeable.

10 Q. And why is that?

11 A. That's an EPA Regulation, or EPA
12 Standard.

13 Q. So maybe the better question is -- I
14 mean, in your training they didn't give you the
15 scientific background for the evaluation
16 performed in a -- in a sheen test. Is that a
17 fair statement?

18 A. The -- the training that we received was
19 50 -- if -- if the water sheens 50 percent or
20 more, then it is a fail, and you cannot discharge
21 the material. That's -- that was the extent of
22 it. That's -- that's what the Standard states.

Page 34:05 to 39:14

00034:05 Q. They didn't teach you the difference, for
06 example, between a sheen created by an oil-based
07 chemical, as opposed to a sheen created by some
08 other chemical?

09 A. No.

10 Q. "No."

11 A. No.

12 Q. And it's -- it is a very objective-type
13 thing; that is, if you see a sheen, it doesn't
14 matter what causes it, it fails the test,
15 correct?

16 A. That's correct, yes.

17 Q. If -- if it meets that certain level of
18 qualification of percentage, correct?

19 A. Correct.

20 Q. And, I mean -- so one of the important
21 things that a Compliance Specialist with
22 M-I SWACO does, is to perform this sheen test on

23 various fluids that are going to be put
24 overboard?
25 A. That is correct.
00035:01 Q. A couple of questions about that. One is
02 that -- who -- is it fair -- strike that.
03 Who is the source of instruction to
04 perform a -- a -- a static sheen test to the
05 M-I SWACO Compliance Official -- Compliance
06 Specialist?
07 A. Who is the "source"?
08 Q. Yeah. Who tells you to do it?
09 A. I -- either -- either it's a
10 predetermined test, being a weekly test, or a --
11 something of the like, or it's -- it's simply
12 requested. Because, see, I -- I can test any --
13 any fluids that are going overboard, I -- can be
14 tested.
15 Q. Yes. So there's a routine which doesn't
16 come with an instruction that says, "Greg, go do
17 a sheen -- a static sheen test," correct?
18 A. Correct.
19 Q. You have to do that routinely?
20 A. (Nodding.)
21 Q. Who do you report -- who did you report
22 those static sheen test results to in the
23 routine?
24 A. In the routine, the only place that
25 they're -- well, let me take that back. It is
00036:01 reported on my Daily Activity Report, and it is
02 also kept a hard copy in -- in the -- the rig
03 binder that is -- stays on the rig.
04 Q. Okay. But the -- this is you -- that is,
05 when you do enter this information regarding the
06 routine test, you are giving that information to
07 someone. Is that a fair statement? Is that
08 correct? I'm just trying to find out who gets
09 that information.
10 A. Ah, who is it? It -- it -- like I said,
11 it's part of my Report. Also, I do -- there was
12 an Envir -- a BP Environmental sheet in the
13 hallway --
14 Q. Yes.
15 A. -- that had a -- a daily "Yes" or "No"
16 question for the Compliance Specialist, which
17 was: "Did you conduct a sheen test today?" Pass
18 or Fail?"
19 Q. Okay.
20 A. When I did my weekly sheen tests, I would
21 obviously enter a pa -- a passing mark on -- on
22 BP's Environmental Sheet.
23 Q. Yes.
24 A. As well as, like I said earlier, my -- my
25 Daily Report and the -- the hard copy. So nobody
00037:01 really gets it, it's -- it's just documented.
02 Q. Okay. What if you get a positive sheen

03 test; that is, one that fails the Environmental
04 requirements, what would happen then?

05 A. Well, it depends on what I'm -- what I'm
06 testing. For example, if I'm -- if I'm testing
07 the drilling fluids --

08 Q. Yes.

09 A. -- if I get a negative sheen test, then
10 there's a -- a potential for -- to stop
11 discharging overboard.

12 Q. And how would that potential be
13 fulfilled? Would you, as a Compliance
14 Specialist, go to the BP Company Man and tell him
15 about the problem?

16 A. Yes.

17 Q. Okay. And then it would be up to him to
18 make the decision as whether -- as to whether to
19 discontinue the discharge or not, correct?

20 A. That is correct.

21 Q. And you would not, as an M-I SWACO
22 Representative, have the ability to stop the
23 discharge; is that a fair statement?

24 A. That is correct.

25 Q. Okay. Do you remember, in the entire
00038:01 three years that you were aboard the DEEPWATER
02 HORIZON, whether you ever got a positive, that
03 is, a -- a failing static sheen test that -- that
04 then had the BP Company Man stop the discharge,
05 at any time?

06 A. Not a failing sheen test, no.

07 Q. Okay. There are other ways in which a
08 discharge may be stopped, correct?

09 A. Correct.

10 Q. What are -- are there other tests that
11 are run, or how -- how would a discharge be
12 stopped, from a Compliance standpoint?

13 A. It would be from -- from a rising
14 retention, or ROC number. If it was -- if it got
15 close to the EPA limit of 6.9 percent --

16 Q. Understood.

17 A. -- then we would make arrangements to get
18 equipment that we could discharge into -- we
19 could vacuum -- instead of discharging overboard,
20 we could vacuum it and put it into boxes.

21 Q. And this 6.9 percent is solids within --
22 are they suspended solids, or how -- how --

23 A. The -- the 6.9 percent is an -- is an EPA
24 number that is -- it's -- I'm pretty sure it's --
25 what it says, is 6.9 percent of the synthetic
00039:01 oil-based fluid can be retained on the cuttings
02 that we discharge, per 100 grams of cuttings.

03 Q. Okay.

04 A. H'm --

05 Q. For our purposes, there's a formula
06 that's imposed by EPA and that you, as a
07 Compliance Specialist, must follow, correct?

08 A. That's correct.
 09 Q. And so if you get above the 6.9 percent,
 10 then you report that to the BP Company Man,
 11 correct?
 12 A. If I get close to it, and -- and it --
 13 we're on -- and the -- and the trend is moving
 14 up, yes, I would report it.

Page 39:19 to 40:03

00039:19 Q. (By Mr. Palmintier) Well, you wouldn't
 20 have the ability to stop the discharge, would
 21 you?
 22 A. All I can do is -- is work it up the
 23 Chain of Command, and let them know wha --
 24 where -- where the number is trending. And then
 25 their decision is -- it's out of my hands.
 00040:01 Q. Understood. And the persons that you
 02 would be talking to would be the BP Company
 03 people, correct?

Page 40:05 to 40:07

00040:05 A. In some cases. Mostly, I would work the
 06 M-I SWACO chain because of the Mud Engineers, you
 07 know, have a closer contact with the Company Men.

Page 40:13 to 41:01

00040:13 Q. (By Mr. Palmintier) Now, just really,
 14 pretty much continued background relative to the
 15 way you worked aboard the DEEPWATER HORIZON. How
 16 long were your hitches?
 17 A. Fourteen days.
 18 Q. And you've already told us that the
 19 Compliance guy was pretty much on call at all
 20 times, correct?
 21 A. Correct.
 22 Q. But now, on a typical day while Drilling
 23 Operations were going on, how often would you be
 24 called out as a Compliance Specialist?
 25 A. It -- it varied; varied quite a bit.
 00041:01 Some days, not at all.

Page 45:23 to 46:16

00045:23 spacer. Are you at all familiar with that
 24 concept, that the spacer was something different
 25 than what is normally used as a spacer?
 00046:01 A. I -- I can't comment on it. It's -- it's
 02 outside of the scope of compliance.
 03 Q. Okay. I'm not asking you as an expert,
 04 but you are -- you were made familiar with the

05 fact that it was a different kind of spacer than
06 usually used, right?

07 A. The only thing that I was told was that
08 it was over 400 barrels, as opposed to a 180- to
09 200-barrel standard spacer.

10 Q. Yes.

11 A. That's all I was told about it.

12 Q. Okay. Now, since the explosion and --
13 and sinking of the DEEPWATER HORIZON, have you
14 inquired about, you know, why that spacer was the
15 way it was?

16 A. No.

Page 47:25 to 51:21

00047:25 Q. Okay. One of the things I'm getting at
00048:01 is, you know, we've taken a lot of depositions
02 now, and we've heard the Macondo Project
03 described as the "well from hell," and, you know,
04 that kind of thing.

05 A. (Nodding.)

06 Q. I want to know, just from a Compliance
07 Specialist's standpoint for M-I SWACO, whether
08 you picked up on any of that?

09 A. It -- it may have been the -- the hitch
10 before, I -- I don't remember exactly, but I did
11 know that we lost quite a bit of fluid to -- to
12 the formation, and I think then I left. And when
13 I came back, I learned that we lost another
14 basically hole volume, you know, plus or minus.

15 Q. Yes.

16 A. And other than that, that was -- that was
17 about it. We just -- we lost a lot of mud to the
18 formation.

19 Q. Loss of returns were significant, were
20 they not, at least as far as you knew?

21 A. As far as I knew, yes.

22 Q. But now, that wasn't your job as a
23 Compliance Specialist, that is, dealing with loss
24 of returns, correct?

25 A. Correct.

00049:01 Q. But when loss of returns begins to
02 happen, Compliance gets involved, because various
03 methods for trying to resolve the loss of returns
04 problem be -- begin to be used. Is -- is that an
05 accurate statement?

06 A. No, it's not.

07 Q. Okay. So it's still business as usual,
08 even though pills are being used to try to stop
09 the loss of returns, and other methods for
10 stopping the loss of returns are being used?

11 A. My involvement in that process is not
12 necessary.

13 Q. Okay. Fair enough. And -- and so to the
14 extent that you knew anything about the loss of

15 returns and -- and what was causing them, that
16 would have just been anecdotal, just something
17 that you heard, correct?
18 A. It -- yes, sir. It is a significant
19 event when you lose returns.
20 Q. Yeah.
21 A. And I think even the -- the guy who's
22 baking our cakes knows about it.
23 Q. Understood. Okay. They know about it in
24 the galley?
25 A. Sure.

00050:01 Q. Now, but do they -- that -- but do
02 Compliance Specialists, when the loss of returns
03 are happening, do -- do their ro -- routines get
04 disrupted? In other words, are there extra tests
05 that you have to run, increased static sheen
06 tests, for example?
07 A. No.
08 Q. Okay. By the way, I didn't ask you about
09 the nonroutine. I just remembered that I didn't
10 complete that loop of questions.
11 The nonroutine static sheen tests that a
12 Specialist might run, first, why would that
13 happen? It would -- it would come as a result of
14 a -- a request for a static sheen test from
15 someone?
16 A. Correct.
17 Q. And who would usually give you that?
18 Would that be the BP Company Man?
19 A. It can come from various -- various
20 people. In most cases, it was from one of the
21 Transocean Rig Hands.
22 Q. Okay.
23 A. We have -- we keep cuttings boxes, which
24 is a 25-barrel tote, I guess, which is all the --
25 everything that gets vacuumed off the rig floor,

00051:01 which can be flu -- you know, any type of fluid,
02 hydraulic fluid, whatever --
03 Q. M-h'm.
04 A. -- they vacuum up or just -- it's just
05 basically waste, fluid waste gets vacuumed from
06 wherever and pumped into these boxes. Once these
07 boxes get to a -- a point where they're almost
08 full and they need more space, they'll -- they
09 will call me and say, "Hey, can you come and test
10 this box?" I'll run a static sheen, and if the
11 static sheen passes, then we'll pump that box
12 overboard.
13 Q. Okay.
14 A. And if not, it gets a red flag, and it
15 goes back to the bank and we'll reorder fresh
16 boxes to replace them.
17 Q. Okay. So that's one form of static sheen
18 test that you would be asked to do is to test the
19 various boxes of -- of cuttings and waste from

20 the rig floor?
21 A. Correct.

Page 53:16 to 53:20

00053:16 Q. Now, did BP or anyone else aboard the
17 DEEPWATER HORIZON have their own Compliance
18 employees, or did they always rely on M-I SWACO's
19 Compliance Specialists when it came to discharge
20 overboard?

Page 53:22 to 53:23

00053:22 A. I was the only onboard Compliance
23 Specialist.

Page 54:04 to 54:06

00054:04 Q. Well, if somebody discharged something
05 without going through you, that would have been
06 inappropriate, wouldn't it have?

Page 54:08 to 55:03

00054:08 A. Yes.
09 Q. (By Mr. Palmintier) Were there occasions,
10 however, when, indeed, on the DEEPWATER HORIZON
11 things went overboard without your Compliance
12 evaluation?
13 A. No.
14 Q. Not that you know of anyway, correct?
15 A. Correct.
16 Q. Just as a general question: Do you know
17 of any occasion during the three years that you
18 worked as Compliance aboard the DEEPWATER HORIZON
19 whether there was a discharge or an issue of a
20 discharge without prior approval by an M-I SWACO
21 Compliance individual?
22 A. No, sir.
23 Q. Okay. During those three years that you
24 worked aboard the DEEPWATER HORIZON, you got to
25 know the Company Man aboard the vessel fairly
00055:01 well. Is that an accurate statement?
02 A. I wouldn't say "fairly well." Just in
03 passing mostly.

Page 55:05 to 55:09

00055:05 Q. (By Mr. Palmintier) All right. But you
06 did interface; that is, you -- you -- you talked
07 with, in your job, the Company Man for BP from
08 time to time, correct?

09 A. Occasionally, yes.

Page 55:15 to 55:17

00055:15 Q. -- what about, did you know a guy named
16 Bob Kaluza?
17 A. I met Bob Kaluza on April 20th, 2010.

Page 55:23 to 56:16

00055:23 Did you receive any requests during the
24 time that you worked with Mr. Vidrine for
25 Compliance work to be done, that you recall?
00056:01 A. Yes.
02 Q. Would you tell me about those.
03 A. On the -- on the day of April 20th, he
04 requested that we -- that I conduct a static
05 sheen of the spacer to be discharged once we
06 displaced the -- the well.
07 Q. Okay. Did he -- Mr. Vidrine explain to
08 you why he wanted this static sheen test to be
09 done?
10 A. No.
11 Q. Was it routine for a static sheen test to
12 be done on a water-based spacer?
13 A. No, sir.
14 Q. No. And so did you ask why -- "This is a
15 water-based spacer. Why are we worried about
16 that?" Did you ask?

Page 56:18 to 57:13

00056:18 A. I -- I didn't ask. I -- I mentioned the
19 fact that it was -- it was not protocol. I
20 didn't question why he wanted to do it. I
21 just -- I let him know that it wasn't completely
22 necessary.
23 Q. (By Mr. Palmintier) And he said, "Do it
24 anyway"?
25 A. Correct.
00057:01 Q. Okay. Did all that he request of you --
02 was all that he requested of you a static sheen
03 test, or did he ask you to look at this material
04 that was the spacer in other ways?
05 A. Static sheen test only, yeah.
06 Q. Okay. Do you know whether or not any
07 other M-I SWACO individual was asked to look at
08 this specific spacer in any other nonprotocol
09 ways?
10 A. No.
11 Q. You -- you don't know one way or the
12 other?
13 A. I don't know one -- yeah, correct.

Page 58:03 to 58:15

00058:03 Q. In -- in attempt to kind of get a feel
04 for the nature of your work, would the fact that
05 a kick had occurred be significant to your job as
06 a -- as a -- as -- as a Compliance Specialist, or
07 would it have just been significant just because
08 you were aboard the rig that received a kick?
09 A. It would have been -- it would have been
10 significant in the same sense that losing
11 returns, both of which are the extreme
12 opposite of -- polar opposite of each another.
13 So, yeah, it would just -- it would just be
14 knowledge. It would -- it has nothing to do with
15 my job.

Page 58:17 to 58:19

00058:17 So during any kick, you wouldn't have
18 been asked to analyze anything, correct?
19 A. Not normally, no.

Page 60:25 to 62:01

00060:25 Q. Do you remember how many hitches you
00061:01 caught on -- on the DEEPWATER HORIZON at the
02 Macondo Well?
03 A. I -- I would -- I think it would be two.
04 Q. Okay.
05 A. Two, and then one day --
06 Q. Okay.
07 A. -- on April 20th.
08 Q. On those two hitches, do you recall -- as
09 we sit here today, do you recall anything out of
10 the ordinary in terms of what you do as a
11 Compliance Specialist for M-I SWACO?
12 A. No.
13 Q. Then on April 20th, after your vacation,
14 you flew in -- flew out to the DEEPWATER HORIZON
15 and -- to begin a two-week hitch, correct?
16 A. I was going out for one week.
17 Q. Okay. Understood.
18 A. To get our time -- my relief and I's time
19 straight, yeah.
20 Q. Yes. And tell me the crew that was out
21 there on the 20th.
22 A. For which company?
23 Q. I'm sorry. For M-I SWACO?
24 A. It would be -- it would have been me, Leo
25 Lindner, Gordon Jones, Blair Manuel, and John
00062:01 Quebedeaux.

Page 62:20 to 65:05

00062:20 Q. Okay. Now, let's think about that day.
21 You flew in, you went to quarters, got situated,
22 correct?
23 A. Correct.
24 Q. We have your testimony before the MBI.
25 I'd like to walk through it with you. As far as
00063:01 I recall, you probably took an early lunch around
02 10:30, correct?
03 A. That's correct.
04 Q. Is that what you recall?
05 A. That's correct.
06 Q. And then what did you do after lunch?
07 A. I, like you said, got situated. I went
08 over all of my Relief's 22 days' worth of
09 paperwork.
10 Q. Okay.
11 A. And dur -- during the afternoon, I can't
12 recall what time exactly it was, but we -- we had
13 our standard displacement meeting on the rig
14 floor that I attended. I think that wasn't
15 mentioned in my -- in my Marine Board testimony.
16 I just forgot to mention that.
17 But yeah, I did -- I did attend the --
18 the displacement meeting on the rig floor, which
19 was held by Leo Lindner.
20 After that, I just -- I waited until
21 the -- the time was right for us to -- for me to
22 collect my sample.
23 Q. Okay. Before going out there, had you
24 been debriefed in any way about the -- the
25 situation that you were coming into?
00064:01 A. As far as?
02 Q. Your work in general. I mean, did it --
03 and really I'm asking it in -- in terms of
04 your gen -- your -- your routine. Would you have
05 received E-mails, would you have received some
06 kind of information about where the rig was or
07 where your job was when you went out?
08 A. Yes, sir. I -- I receive -- ev -- every
09 time I get on the rig, I receive a -- a relief
10 note from Brad Hardy. That's -- it's a hard
11 copy, just a printed piece of paper, that tells
12 me basically where -- where we were, and, to my
13 recollection, all it said was -- or the bulk of
14 it said, "We should be displacing the well at
15 some point during the day."
16 Other than that, the rest was, you know,
17 I did this with the paperwork, and I did that
18 with the paperwork, and things of that nature.
19 But, yeah, in -- in his relief notes, I
20 was -- it was known that I was going to be -- we
21 were going to be displacing sometime during the
22 day.

23 Q. And when displacement happens, the -- the
24 work of the Compliance Specialist increases,
25 correct?
00065:01 A. Yes.
02 Q. I mean, you've got to catch samples and
03 do other things to make sure that any discharge
04 meets EPA requirements, correct?
05 A. Correct.

Page 65:17 to 66:10

00065:17 Q. -- doesn't do your work asking, is it
18 more -- is there a greater level of activity for
19 a man in your position in Compliance when
20 displacement has happened than, for example, when
21 just regular Drilling Operations are going on?
22 A. Probably the opposite. When Drilling
23 Operations are going on, I have quite a bit more
24 to do. During displacement, my main job is to
25 catch the interface between the spacer, and, in
00066:01 this case, it was the spacer and the -- and the
02 synthetic fluid --
03 Q. Okay.
04 A. -- and weigh it. That's base -- that's
05 all I really have to do with it is weigh it.
06 Q. Whereas, when the Drilling Operations are
07 going on, you've got to deal with cuttings,
08 and -- and do the kind of work you've described
09 to us previously?
10 A. Correct.

Page 68:04 to 69:23

00068:04 Q. Okay. Now, about how long do you recall
05 that you spent after lunch working on what you've
06 described as "paperwork"?
07 A. Well, because we were getting close to
08 the end of the well, there's a -- some different
09 things that we have to do to turn the binders
10 over to BP, on the rig.
11 Q. Okay.
12 A. So we had -- I had some other paperwork
13 to do.
14 With that said, a couple of hours, maybe,
15 after lunch, you know, just kind of sewing up
16 the -- tying up the loose ends to -- to be done
17 with the well.
18 Q. Yes. What kind of extra paperwork would
19 that have entailed?
20 A. We just -- I have a chain of custody for
21 the binder. Has to be -- you know, certain
22 things have to be signed. I have a -- an End of
23 Well Report that would have been printed after I
24 entered the displacement information. Just

25 getting it all lined up, ready to go for whenever
00069:01 we displace. That's the last thing I have to do.

02 Q. Okay. And the binders, what's in the
03 binders?

04 A. The binders have all -- it -- it's --
05 it's an EPA -- it's -- it's guided by the EPA.
06 It has 25 tabs. I can't tell you all of them,
07 but it's all the information necessary in the
08 event of -- if we had an audit, you know, if
09 some -- if some Environmental person came out, it
10 would all be within the binders, which shows, you
11 know, weekly, daily, monthly all the testing that
12 we've done, all the -- all the discharge
13 information. Everything is in -- within the
14 binder.

15 Q. Understood. Essentially, it's a -- it's
16 a diary of -- of the work of the Compliance
17 Specialist, correct?

18 A. That is correct.

19 Q. And at the -- and the end of well kind of
20 thing, you are basically putting these binders
21 together, kind of labeling them, and handing them
22 off to BP?

23 A. Basically --

Page 69:25 to 70:06

00069:25 A. -- the End of Well Report is a summary of
00070:01 the Apex report of all the discharge numbers
02 across the -- during the course of the well, and,
03 yeah, that's -- it's handed over once I'm -- once
04 it's done.

05 Q. (By Mr. Palmintier) To BP?

06 A. To BP.

Page 70:08 to 71:05

00070:08 Q. (By Mr. Palmintier) Okay. All right.
09 Now once that work was completed, what did you
10 do?

11 A. I just sat around and waited. I waited
12 for -- for my time to go and collect the sample.

13 Q. You were watching a computer screen and
14 the -- and the stroke count, correct?

15 A. I was watching the -- the -- our closed
16 circuit TV screen off and on for the stroke
17 count. And I just -- it was just a window, I
18 think it was 13 to 14,000 strokes, start making
19 my way up.

20 Q. Because that's a way for you -- the --
21 the -- the number of pump strokes is a way to
22 calculate the amount of fluids that have -- have
23 been --

24 A. Moved.

25 Q. -- brought up in the displacement
00071:01 process, correct?
02 A. Correct.
03 Q. And who told you about the third --
04 the -- that range of 13 to 14?
05 A. Gordon Jones.

Page 73:21 to 74:24

00073:21 Q. But the catching of that sample, what --
22 the -- the -- the -- what did you -- how did you
23 describe it, the -- however you described it,
24 getting of the -- the sample, that was unusual,
25 correct?
00074:01 A. No. The collection of the sample is done
02 on every displacement.
03 Q. Okay.
04 A. The static sheen test requested by
05 Mr. Vidrine --
06 Q. Yes.
07 A. -- was the only out-of-the-ordinary thing
08 that I was going to be doing that day.
09 Q. Understood. I stand corrected. I -- the
10 sample is captured, or caught, or however you
11 describe it, by the Compliance Specialist anytime
12 displacement is taking place?
13 A. Correct.
14 Q. How many times would a sample be taken
15 during a displacement, just once?
16 A. Just once.
17 Q. Okay. But here you were asked to do it
18 at a specific time, correct?
19 A. Not a -- not at a specific time, no.
20 Q. By -- well, let me put it another way: A
21 specific point in the displacement process,
22 correct?
23 A. Yes.
24 Q. And that was not routine?

Page 75:01 to 75:23

00075:01 A. It was routine for me to collect that
02 sample --
03 Q. (By Mr. Palmintier) Yes.
04 A. -- at -- at -- at that particular point.
05 Q. Okay.
06 A. Whenever we knew that the -- that the --
07 the top of the spacer was where -- where it was.
08 Q. Okay.
09 A. The -- the out-of-the-ordinary part was
10 for me to take that sample and go --
11 Q. Okay.
12 A. -- and do the static sheen test on it.
13 Q. Okay. Good. And part of the purpose of

14 these depositions is for you to educate us on
15 the -- on the minutia of what you did. So it
16 wasn't unusual for you to capture a sample, it
17 was unusual for you then to go and run the static
18 sheen test?

19 A. (Nodding.) That's correct.

20 Q. Okay. And you've already told us that
21 you really were not told why you were doing that,
22 you were just asked to do it by Mr. Vidrine?

23 A. That's correct.

Page 76:22 to 83:12

00076:22 Q. You could have called up to the drill
23 floor and asked for the stroke count up there,
24 correct?

25 A. I could have, yes.

00077:01 Q. But the best way, at least from your
02 perspective for you to have done it, is just to
03 not call anybody, just keep an eye on it
04 yourself?

05 A. Yes, because that's the -- that's what
06 they're looking at, as well. It's the same drill
07 screen.

08 Q. Understood. All right. What did you do
09 when the number began to approach the number at
10 which they asked you to capture your sample?

11 A. I made my way up to the shaker house in
12 the gumbo box, where I found Gordon Jones, Blair
13 Manuel, and Karl Kleppinger.

14 Q. Okay. Who is Karl Kleppinger?

15 A. Karl Kleppinger was the shaker hand.

16 Q. Okay. All right. And then what -- when
17 you got up there, what did you do?

18 A. It's -- in the gumbo box, it's -- it's
19 extremely loud, so there's not a whole lot of
20 verbal communication. It's more, you know,
21 yelling in the ear, or -- well, I guess that's
22 verbal, but, you know, kind of sign language kind
23 of thing. And I -- I got -- I got -- I got
24 the -- the feeling that we were getting close, I
25 had -- I had walked up at a good time.

00078:01 And from there, we -- we -- there's a
02 talk back between the drill floor and -- and the
03 shaker hand, in the gumbo box, and they -- they
04 were -- you know, they started looking for it --
05 in 30 seconds start looking for it, you know, two
06 minutes, a minute and 30 seconds. And that --
07 well, that's it up to that point.

08 Q. Okay. So in your routine, in capturing a
09 sample like this, you would actually be
10 visualizing the flow of fluids into the gumbo
11 box, correct?

12 A. I am looking at the flow into the gumbo
13 box.

14 Q. You're assisted in paying attention to
15 the change in fluids by people on the drill
16 floor, correct?
17 A. I -- I can't say that for sure. They
18 have a screen that sees -- they -- they see us on
19 camera -- well, not us, but they see the -- they
20 see the flow line, they see it spewing out of the
21 same hole that I'm looking at.
22 Q. Okay. And -- but who is it that tells
23 you "Okay, 20 seconds, 10 seconds"?
24 A. The drill floor is basing it on the --
25 the calculation that -- that has been done either
00079:01 by them or the Mud Engineer. Like I say, I don't
02 know who -- who does their particular
03 calculation, but whenever it starts, everybody's
04 on the same page. I do know that.
05 The Mud Engineer has a -- has a -- or had
06 a -- I forget if he was looking at his watch or a
07 stop -- stopwatch.
08 Q. Okay.
09 A. And then -- and it came back on time.
10 Q. Okay.
11 A. And --
12 Q. When you say "came back," the -- the
13 fluids --
14 A. The -- the 16-pound spacer came back as
15 close to on time as I've ever experienced in all
16 of the 12 or 13 wells that I've been present for
17 displacement.
18 Q. Okay. And the guy with the timer was
19 Gordon Jones?
20 A. I -- I think so.
21 Q. Okay. All right. And then what does the
22 Compliance Specialist do when you begin to see
23 the 16-pound spacer come?
24 A. Well, I -- you know, I'm -- I have -- I
25 have a bucket ready to collect the sample.
00080:01 Q. Yes.
02 A. And the change in the consistency of the
03 fluid is so apparent, I mean, anybody can tell
04 the difference. But basically, I -- I wait for
05 them. The Mud Engineer advises, "Okay. Now go
06 and grab it." But you don't really -- I don't
07 really need him to tell me that. It's -- it's --
08 it's equivalent -- it's probably like chocolate
09 milk versus fudge. When the -- when the 16-pound
10 comes out, it -- it's -- it's very -- it's a very
11 noticeable change.
12 Q. Okay.
13 A. Collect the sample. From there, I left
14 and went straight to the -- to the mud lab to do
15 Mr. Vidrine's static sheen test.
16 Q. Okay. Before we get to that, you had --
17 had you ever seen a 16-pound spacer before?
18 A. I had seen a six -- Ah, I can't say

19 exactly 16-pound, no.
20 Q. Okay. So you took the sample and you
21 went where?
22 A. To the mud lab where we conduct our
23 static sheen test.
24 Q. And the mud lab is how far from the
25 shaker floor?
00081:01 A. It's the very next door --
02 Q. Okay.
03 A. -- out on the deck. You have to come out
04 on the deck, and it's the very next door.
05 Q. All right. And you went into the mud
06 lab?
07 A. M-h'm.
08 Q. And what did you do?
09 A. I was followed by Gordon Jones and Blair
10 Manuel, and I already had my -- my five-gallon
11 bucket ready.
12 Q. Yes.
13 A. I injected the -- the interface -- the
14 fluid that I retrieved, I injected the fluid, and
15 we looked at it, you know, in the first 30
16 seconds to a minute, and I realized it wasn't --
17 it wasn't going to sheen, or it hadn't sheened
18 yet.
19 Q. Yes.
20 A. And from there, we -- Gordon Jones and
21 Blair left, and then all I did was I -- I took
22 the bucket and I dumped it down the sink, because
23 the test was, you know, was good.
24 From there, I went back into the shaker
25 house, I weighed the sample, which is my main
00082:01 focus during a displacement sample collection.
02 Q. The routine thing that you --
03 A. The routine, yes, sir.
04 Q. -- would normally do?
05 A. Right.
06 Q. Okay.
07 A. I weighed it. I have to have this weight
08 to enter into my Apex software. That's the main
09 reason.
10 Q. Yes.
11 A. I weighed it. It weighed 15.4 pounds per
12 gallon.
13 Q. Okay.
14 A. From there I walked over to -- well, I
15 walked out of the shaker house and noticed that
16 Blair Manuel was -- is still in the gumbo box
17 with Karl Kleppinger, but no Gordon Jones. So I
18 walked to the mud shack just to -- to get his
19 blessing, that 15.4, we did catch it in the right
20 place. Basically, no matter what they say, I put
21 in what I got.
22 Q. Yes.
23 A. But for -- I mean, as long as it's

24 between whatever the mud weight was and the
 25 spacer weight was, then you know you got what you
 00083:01 wanted to. So I just let him know, and he said,
 02 "Yeah, sounds -- sounds great, sounds perfect."
 03 And then from there I walked down into
 04 the living quarters where -- where my office is,
 05 and I started doing my paperwork.
 06 Q. All right. Now -- and at any time during
 07 the capture of this sample, either from Vidrine
 08 through Jones or anyone in between, did anyone
 09 tell you, "This is a -- a spacer made out of two
 10 pills that they didn't use, and -- and -- and
 11 it's an unusual thing"? Did anyone talk about
 12 that at all?

Page 83:14 to 83:21

00083:14 A. No.
 15 Q. (By Mr. Palmintier) I mean, they didn't
 16 tell you the reason it's so heavy or the reason
 17 it's so voluminous, 400 barrels, I think you
 18 said, is because they were -- they mixed two
 19 pills that they didn't use and -- and they're
 20 sending it with the discharge if -- if you get a
 21 positive sheen test? No one ever told you that?

Page 83:23 to 83:23

00083:23 A. No.

Page 84:08 to 84:13

00084:08 Q. In terms of evaluating contaminant in a
 09 sample, though, it -- is -- is -- is the fact
 10 that one sample might be 200 barrels, and the
 11 other 400 barrels, does that play a role in your
 12 calculations of appropriateness of discharge?
 13 A. No.

Page 99:11 to 99:16

00099:11 Q. (By Mr. Palmintier) Okay. All right.
 12 Now, briefly describe the impact on the water
 13 and -- up to the time when you were picked up by
 14 the vessel from the DAMON BANKSTON.
 15 A. It was -- because, you know, you could
 16 see -- the water underneath the rig was on fire.

Page 106:24 to 107:23

00106:24 (Exhibit No. 5561 marked.)
 25 Q. (By Mr. Chakeres) And I don't expect that

00107:01 I have that you've seen this E-mail before. It's
 02 a -- it's an E-mail, should be in front of you,
 03 from a Brian J. Martin to a -- someone named
 04 Kimberly Teweleit, and there's some interview
 05 spreadsheets that look like they're attachments
 06 to that E-mail. Is that what you have in front
 07 of you?

08 A. Yes.

09 Q. Okay. And then if you flip the page, one
 10 of the attachments, at the top, it says:
 11 "13-May-2010 Gregory Luke Meche MI SWACO -
 12 Compliance Specialist."

13 And I'll represent to you it appeared
 14 in -- in the production that this was -- these
 15 were notes taken by a BP Interviewer of an
 16 interview with you, and I just wanted to see if
 17 this might refresh your -- refresh your
 18 recollection as to whether you had spoken with
 19 anyone from BP about the incident after the
 20 incident, do you know?

21 A. No. I -- I had -- I had interviews
 22 immediately after it happened. I say
 23 "immediately," within a two-week period.

Page 108:05 to 109:19

00108:05 I want to go back now to the events on --
 06 on the day of the explosion. And the first thing
 07 I want to ask about is you said there was a
 08 displacement meeting sometime in the afternoon
 09 that Leo Lindner presided over, and I just wanted
 10 to get a little bit more detail about that.

11 First, who was at that meeting, if you
 12 remember?

13 A. I don't remember specific people. Gordon
 14 Jones was there, Leo was there, I was there. I
 15 don't remember the -- the exact people, but
 16 who -- oh, the same Toolpusher who broke his leg
 17 in three places. What's that guy's name?

18 Q. Would it have been Wyman Wheeler?

19 A. Wyman Wheeler, yeah.

20 Q. Okay.

21 A. He was -- he was the -- it was the -- it
 22 was the -- the crew that was on tour at that
 23 time.

24 Q. Would that have included the Transocean
 25 drill crew?

00109:01 A. Yes. I don't remember all their names,
 02 but basically the -- all the -- all the drill
 03 crew, the Toolpusher. I know that Lee Lambert,
 04 BP I think he was a Well Site Leader Trainee, was
 05 up on the rig floor. And, yeah, that's -- that's
 06 about all the names I can give you.

07 Q. Thanks. Did you -- do you have a
 08 recollection of what was discussed at that

09 meeting?

10 A. Basically, it was Leo just reading -- he
11 was reading the procedure off to everybody, and
12 everybody had a copy of it, so they was following
13 along.

14 Q. Okay. Do you remember if anybody had any
15 questions or anything was unclear to anyone?

16 A. No, I can't recall that.

17 Q. Okay. Any disagreements that you can
18 recall?

19 A. Not -- not that I remember, no.

Page 109:24 to 113:05

00109:24 Q. Okay. Now, I want to fast-forward to the
25 time period where you testified that you were
00110:01 waiting for the -- the spacer to come up.

02 A. (Nodding.)

03 Q. And you had a stroke count that you
04 expected to hit, and that would be about the time
05 when -- when the spacer would come up.

06 A. (Nodding.)

07 Q. You were monitoring, I think your
08 testimony was, the drill screen to -- to watch
09 the stroke count --

10 A. This is --

11 Q. -- from time to time?

12 A. Well, this is before I made my way up to
13 the shaker house and gumbo box. I was monitoring
14 that screen in the office.

15 Q. Okay. And is there also a channel
16 available that would be a -- a camera on the --
17 on the flow line out?

18 A. Yes.

19 Q. Okay. And I want to -- I'm going to ask
20 you a -- a lot of questions about that camera.

21 Where, exactly -- what -- what could --
22 what part of the flow line could you see from
23 that camera?

24 A. You can see the -- you can only see --
25 you can't see anybody. All you can see is the

00111:01 actual flow line itself pour --

02 Q. Okay.

03 A. -- I mean, and maybe in a box. If the
04 flow line is -- I forgot, I don't know the
05 diameter. But if the flow line is this big
06 (indicating), then the box is three or four feet.

07 Q. Okay. And just so --

08 A. And, basically, it's a chute. Like,
09 it -- it all flows into a chute, and it goes down
10 to the next step, the next phase, the next
11 process.

12 Q. Okay. So just -- so we're -- we have
13 a -- a transcript that, you know, has -- has
14 figures and -- in it, so the chute may be two

15 feet wide?
 16 A. I guess -- I guess it would be maybe --
 17 maybe 18 -- 12 to 18 inches in diameter where
 18 the -- where the fluid is flowing out of --
 19 Q. Okay.
 20 A. -- into a box that's approximately
 21 four -- between four and six feet, almost a
 22 square -- rectangular shape.
 23 Q. And can you see -- how -- how much of
 24 that chute can you see lengthwise?
 25 A. Through the camera?
 00112:01 Q. Yes.
 02 A. Probably half of it.
 03 Q. Is that the half that's going into the
 04 box, or the half that's -- that's coming out of
 05 wherever the fluids are coming out of?
 06 A. The -- the camera is from -- in my
 07 opinion, the -- the camera's perspective is -- is
 08 the flow line itself, not so much the box that it
 09 goes into.
 10 Q. Okay. Can you --
 11 A. The hole -- the hole, in other words,
 12 that the fluids is -- the fluids are coming out
 13 of.
 14 Q. So it's -- it's on the hole that the
 15 fluids are coming out of? That's the -- that's
 16 the --
 17 A. The camera is --
 18 Q. -- focus of the camera?
 19 A. The camera is focused on where the fluids
 20 come out of, not so much the box that the fluids
 21 are dropped into.
 22 Q. Okay. And when fluids are discharged
 23 overboard, do you have a basic understanding that
 24 there's a -- that there's a valve up there that
 25 shuts off that line so the fluids go in a
 00113:01 different direction?
 02 A. That -- a basic understanding, yes.
 03 Q. Okay. Do you know if you can see if that
 04 gate is closed through that camera?
 05 A. To my knowledge, no, you cannot.

Page 113:10 to 113:13

00113:10 Q. Okay. How would you -- if you wanted to
 11 know if -- if returns were going overboard or
 12 coming into the shaker room, how would you figure
 13 that out?

Page 113:15 to 118:24

00113:15 A. It is -- it would have to be by word of
 16 mouth. I would -- I would have to ask, "In which
 17 direction are we going with these fluids?"

18 Q. (By Mr. Chakeres) And who would you ask?
19 A. I would probably -- I think in the past I
20 would have called the rig floor.
21 Q. Okay.
22 A. Yeah.
23 Q. Thanks. Now, I'm going to fast-forward a
24 little bit again to the time when you're up
25 there, and you see the change in -- in fluids.
00114:01 You said the spacer was a lot thicker than the
02 mud that it was displacing?
03 A. Correct.
04 Q. And then was it -- was it testimony
05 that -- that Gordon told you, "Okay, go ahead and
06 catch a sample"?
07 A. Well, because -- because it's a timed
08 calculation, that's -- that's just the -- the
09 basis for which we -- from which I collect the
10 sample. The main focus is the visual. I mean,
11 if -- if -- you -- you can definitely tell the
12 difference.
13 Q. Okay.
14 A. The -- the thing about this displacement
15 was that it was -- it was as close to on time as
16 I've -- as I've -- and I've probably attended,
17 over the course of three years, you know, at
18 least a dozen displacements. And, you know, I'm
19 not saying they're -- they're ever way off, but
20 this one was, I mean, a minute, a minute, plus or
21 minus, when I think the most, maybe four, five
22 minutes --
23 Q. Okay.
24 A. -- you know, so it was -- it was on time.
25 And, according to that, according to
00115:01 the -- the talk-back to the rig floor to the
02 shaker hand, you know, just letting us know,
03 "Hey, start looking for it in 30 seconds," "Start
04 looking for it in 10 seconds."
05 And Gordon Jones, you know, on his --
06 whether it was a watch or a clock, it -- it
07 all -- it all happened in sequence.
08 So whenever they said, "Okay, start
09 looking," it looked with -- like I said, within
10 seconds it started and went from a -- from a flow
11 of water-like brown fluid to lava just spewing
12 out.
13 Q. Okay.
14 A. You know, the consistency is completely
15 different.
16 Q. Okay.
17 A. So after that, we waited -- you know,
18 waited a couple of seconds, just to -- just to
19 get in position to capture the sample, and caught
20 it, and that -- that was it.
21 Q. Now, when you caught the sample, the
22 fluids were still moving?

23 A. Yes.
24 Q. Do you know when the pumps were shut off
25 in relation to when you caught the sample?
00116:01 A. No.
02 Q. Did you recall hearing -- overhearing any
03 interaction between Gordon or the shaker hand and
04 the rig floor saying, "Okay, we got the sample,
05 you can shut off the pumps"?
06 A. Basically -- no. The answer is no.
07 Basically, what happened was, I got the sample
08 because it was -- it was to be done as -- as
09 quickly as possible. I caught the sample, and
10 I -- I left. So I -- I don't know who -- who
11 gave the directive to divert, shut down, what --
12 whatever. Whatever the next step of that
13 happened, I don't know.
14 Q. Did you see the shaker hand taking any
15 steps to divert while you were still in the -- in
16 that room?
17 A. No.
18 Q. Okay. You just said a second ago that
19 you were trying to do this as quickly as
20 possible, and I'd like to -- to ask a couple of
21 followup questions about that.
22 Who told you to -- to do this as quickly
23 as possible?
24 A. Well, it's -- nobody told me to do it as
25 quickly as possible. The reason why is because,
00117:01 as I mentioned before, it was a test that we
02 don't -- a static sheen test isn't normal
03 protocol for this -- in this particular case.
04 Because the rig -- essentially, the rig
05 shutting -- if -- if they shut down the pumps,
06 were shutting them down for me and my test. I
07 guess the best way to say is because it wasn't
08 completely necessary and time is money out there,
09 no sense in wasting time. Catch the sample, go
10 do what they ask you to do, and do it as quickly
11 as possible. That's -- that's what I meant by
12 that.
13 Q. Okay. Thank you.
14 I'd like to -- to -- now we've
15 talked about the -- that sheen test. You said
16 earlier today that the normal static sheen test
17 takes an hour and you look at the sample every
18 ten minutes during that hour to see if a sheen of
19 big enough size has -- has formed. Is that
20 basically the idea?
21 A. It's a -- it's a -- a sheen of 50 percent
22 of the water, of the sampling bucket or more.
23 Q. Okay. And in this case, you looked for a
24 very short amount of time.
25 A. (Nodding.)
00118:01 Q. You didn't look for a full hour, and --
02 and you didn't look for a full ten minutes.

03 A. Correct.
04 Q. How could you tell in that short amount
05 of time that the sheen wasn't going to form?
06 A. Ba -- based on just general experience,
07 especially coming -- especially testing the --
08 the cuttings boxes, which many times have
09 contained hydraulic fluid, and this is ju -- like
10 I said, it was a directive from the Company Man
11 to do this. And he -- however he knows, he
12 knows -- he knew that you can tell a sheen, if --
13 if something's going to sheen within the first
14 matter of seconds or minutes.
15 So -- let me -- let me back up. So
16 basically what I'm getting at is, he -- that was
17 his directive, just inject it as normal, and we
18 should -- we should be able to tell within the
19 first -- you know, within -- within minutes, and
20 that's why we didn't run the full test
21 Q. Is that -- so you just assumed that he
22 understood that it would have -- take a few
23 minutes to figure out if there was going to be a
24 sheen?

Page 119:01 to 119:22

00119:01 A. Not -- not -- no, that's -- that's not
02 what I said.
03 Q. (By Mr. Chakeres) Okay. I'm sorry.
04 A. He -- because the test wasn't necessary
05 by any standard that's written, he wanted it to
06 be a -- an abbreviated test, I guess, if you
07 will. He wanted it to be -- well, I -- I can't
08 say that.
09 Basically he asked for the test, and
10 whether or not it was -- was to be documented, I
11 can't recall. It was just a -- a good -- a -- a
12 feel-good test for good measure, just for -- just
13 for him to know that it didn't sheen in the first
14 30 seconds to two minutes, four minutes,
15 whatever, that we can -- we can discharge it
16 overboard.
17 Q. Okay. And I just -- what I was trying to
18 get at with my previous question, which wasn't --
19 wasn't a very clear question was: Did he
20 actually out loud express to you that, "We could
21 do an abbreviated test here"?
22 A. Ye -- yeah. Yes.

Page 120:06 to 120:06

00120:06 (Exhibit 5562 was marked.)

Page 120:12 to 120:13

00120:12 Q. Okay. What are these forms?
13 A. This is --

Page 120:20 to 122:13

00120:20 A. (Reviewing document.)
21 Okay. They're all static sheen test
22 forms.
23 Q. (By Mr. Chakeres) Okay. And are these
24 kept in binders on the rig?
25 A. Yes.
00121:01 Q. Okay. Now, I'd like -- you see in the
02 corner there's a couple of strings of
03 letters/numbers, but the -- the one above where
04 it says "M-I 00058994." Do you see that number?
05 A. Yes.
06 Q. Okay. If you could flip to where the
07 last five digits there are 59021.
08 MR. TANNER: Look at the back.
09 A. Okay.
10 Q. (By Mr. Chakeres) Okay. This appears to
11 be a -- a static sheen test form for a test
12 performed by you; is that correct?
13 A. Yes.
14 Q. On -- or, perhaps, two tests on July
15 19th, 2008?
16 A. Yes.
17 Q. Okay. And I'd like you to look at the
18 first test. And if you can't read the -- the
19 reproduction, because it's pretty faint, that's
20 fine. But you see Observation 1 it says "Pass,"
21 and then Observation 2 it says "Fail"?
22 A. Correct.
23 Q. What's happening in this situations where
24 the -- after the first ten minutes it's a "Pass,"
25 but then it's a "Fail" later on?
00122:01 A. I mean, the only thing I can say about
02 this, it comes from a -- from one of the cuttings
03 boxes, because -- because there's no way for me
04 to know what the exact mixture of fluid is in
05 these boxes, and I'm not -- not a chemist by any
06 means. There's -- whatever was injected into my
07 bucket obviously passed the first ten minutes,
08 and -- you know, like I said, I'm not -- it
09 failed -- it failed the next ten. And -- and,
10 you know, once it fails, it's a fail, so --
11 Q. So is it fair to say when you don't know
12 what your testing your normal protocol is you --
13 you -- you run the full test?

Page 122:15 to 122:23

00122:15 A. I -- I'm -- I'm onl -- I only test what

16 they ask me to test, but --
17 Q. (By Mr. Chakeres) M-h'm.
18 A. -- whether it -- I have -- have no clue
19 sometimes what it is. Cuttings, like I say, a
20 cuttings box can be a mixture of who knows what.
21 It can have mu -- it can have mud in the bottom
22 of it. You know, it can have -- I'm sorry. Did
23 I -- did I answer?

Page 123:20 to 125:06

00123:20 When you're running these routine --
21 is -- is this a record of a routine static sheen
22 test?
23 A. It's routine in the sense of -- yeah.
24 It's -- it's fluids that I have tested probably
25 multiple cuttings boxes before, yes.
00124:01 Q. Okay. And every time you run a routine
02 test, you run it for the full hour?
03 A. Yes.
04 Q. Okay. When you are requested to run
05 sheen tests on -- of a nonroutine basis -- I
06 think those are the words that my fellow attorney
07 used this morning -- do you always run them for
08 the full hour?
09 A. Yes.
10 Q. Okay. And the reason why on April 20,
11 2010 you didn't run a sheen test for the full
12 hour was because the request to you was just to
13 run an abbreviated test?
14 A. Yes.
15 Q. Okay. Would you have liked to known what
16 the substance was that you were testing?
17 A. It -- it's -- it's not -- it really has
18 nothing to do with my job. All -- all my job is
19 to do is to test what I'm asked, the substance
20 that I'm asked to test.
21 Q. Okay.
22 A. So, no.
23 Q. Okay. I asked you earlier if there were
24 any disagreements at that displacement meeting,
25 and you said you don't -- you don't recall any?
00125:01 A. I don't recall any, no.
02 Q. Do you recall anybody referring to or
03 talking about other disagreements that were going
04 on on the rig on that day, even if you didn't
05 personally witness them?
06 A. No.

Page 127:12 to 127:22

00127:12 In your role as Compliance Specialist, do
13 you run any testing for M-I SWACO on the mud
14 properties?

15 A. No.
 16 Q. You run any of the FANN 35 or FANN 70
 17 testing?
 18 A. No.
 19 Q. Are you familiar with those tests?
 20 A. Yes.
 21 Q. What is your level of familiarity?
 22 A. I -- I attended M-I's basic Mud School.

Page 129:21 to 130:12

00129:21 Q. Are you familiar with any testing of the
 22 mud properties for mud downhole in the Macondo
 23 Well done by M-I SWACO?
 24 A. Yes.
 25 Q. What mud -- what mud properties were
 00130:01 tested?
 02 A. Well, it -- it -- never tested by me.
 03 Q. Okay.
 04 A. Through -- through the basic Mud School,
 05 I just know that a -- a basic mud check, and I
 06 know that they performed, you know, the Standard
 07 checks. I -- I never did them.
 08 Q. Who -- who did those?
 09 A. The Drilling Fluid Specialist.
 10 Q. Would be Leo Lindner or his -- his
 11 replacement?
 12 A. Correct.

Page 132:13 to 133:11

00132:13 Q. Did you talk to Mr. Lindner or others
 14 about the upcoming operations?
 15 A. Yes.
 16 Q. Who did you talk to about that?
 17 A. I talked to Leo. My only main
 18 recollection of it was the -- the size of the
 19 spacer was going to be different, that -- and
 20 that really has no -- no bearing on what I'm
 21 going to do. I -- it was just part of a like
 22 sitting-and-eating conversation, that the spa --
 23 the spacer size was in the 400 barrel range as
 24 opposed to the 180 to 200 barrel range.
 25 Q. You understood at that time that during a
 00133:01 Displacement Procedure typically the size of the
 02 spacer is 180 to 200 barrels?
 03 A. Typically, yes.
 04 Q. And in this case it was going to be in
 05 the neighborhood of 400, 425 barrels?
 06 A. Yes.
 07 Q. Did that cause you any concern?
 08 A. No. I guess my -- my knowledge of the
 09 overall operation is that you have to accept
 10 change, so I didn't -- I didn't question it, I

11 didn't think anything different about it.

Page 133:15 to 134:01

00133:15 Q. Do you remember Leo or anybody telling
 16 you why there was a greater size volume spacer?
 17 A. No.
 18 Q. Did he tell you the composition of the
 19 spacer?
 20 A. No.
 21 Q. Did you know that FORM-A-SET AK was a
 22 part of the spacer?
 23 A. No, I did not.
 24 Q. Did you know FORM-A-SQUEEZE was part of
 25 the spacer?
 00134:01 A. No.

Page 134:07 to 134:17

00134:07 Q. Do you have any understanding of the
 08 properties or characteristics of either
 09 FORM-A-SET AK or FORM-A-SQUEEZE?
 10 A. No.
 11 Q. In your basic Mud School you took in
 12 May-June of '09, did it talk about those two
 13 products?
 14 A. Only -- only in the sense -- in a -- a --
 15 a vocabulary sense, in the school. The school
 16 was -- was -- is completely based on water-based
 17 mud.

Page 134:24 to 135:02

00134:24 Q. Do you have any appreciation for how
 25 those products work or what they do?
 00135:01 A. All I know is that they -- they were lost
 02 circ -- circulation materials.

Page 135:07 to 135:14

00135:07 Q. I think in your testimony earlier, you
 08 said you had been on the HORIZON for 12 to 13
 09 different wells, was that about accurate?
 10 A. Approx -- approximately, yeah.
 11 Q. In any of those 12 to 13 wells, had you
 12 seen either FORM-A-SET AK or FORM-A-SQUEEZE used
 13 as a spacer?
 14 A. No.

Page 135:22 to 136:13

00135:22 Q. When you say you were involved in 12 to

23 13 wells, that's -- at some point you caught a
 24 hitch while the rig was drilling that well?
 25 A. Either displacing seawater to mud, or mud
 00136:01 back to seawater, because you displace, you know,
 02 going both ways, going in or coming out.
 03 Q. And in each of those displacement
 04 operations, you would be involved in collecting a
 05 sample?
 06 A. Collecting a sample to weigh it.
 07 Q. Okay. And when you do that, collect a
 08 sample to weigh it, are you interested or told
 09 about what the composition of that sample is?
 10 A. No.
 11 Q. Okay. Do you recall, at any of those
 12 times, either FORM-A-SET AK or FORM-A-SQUEEZE
 13 be -- being in any of the samples you caught?

Page 136:15 to 136:21

00136:15 A. Not that I'm aware of.
 16 Q. (By Mr. Hartley) Do you recall in your
 17 three years on the DEEPWATER HORIZON whether you
 18 heard any conversations from Leo, other M-I SWACO
 19 employees, about potentially using either
 20 FORM-A-SET AK or FORM-A-SQUEEZE as a spacer?
 21 A. Not -- no, I -- not that I know of, no.

Page 137:12 to 137:25

00137:12 You know at least now that the spacer
 13 that was utilized on April 20th was a mixture of
 14 the FORM-A-SET AK and FORM-A-SQUEEZE, right?
 15 A. Ah, I --
 16 Q. You know that now, you didn't --
 17 A. I've heard that -- yeah, I've heard it,
 18 yes.
 19 Q. Okay. Do you know whether that is
 20 material that is permitted to be discharged
 21 overboard if it is not run downhole?
 22 A. No, I don't.
 23 Q. Okay. Who on the -- on the rig from
 24 M-I SWACO's perspective would be knowledgeable
 25 about that aspect of the materials?

Page 138:02 to 138:07

00138:02 A. It hasn't happened often, if ever, but
 03 if -- if it's -- if there's a question on what
 04 can and can't be discharged and what's the
 05 criteria to be able to or not, I would -- I would
 06 have to make a call to my Supervisor that's on
 07 land.

Page 138:22 to 139:01

00138:22 Q. (By Mr. Hartley) In the -- in the three
23 years you were on the DEEPWATER HORIZON, had you
24 ever seen lost circulation material discharged
25 overboard?
00139:01 A. I -- I can't recall.

Page 139:07 to 140:13

00139:07 Q. Okay. As you understand, what is your
08 role as a Compliance Specialist at the time on
09 the DEEPWATER HORIZON?
10 A. As I understand it, my main role is to
11 monitor the discharge mainly -- mainly from the
12 cuttings generated from Drilling Operations.
13 Q. Do you know of anybody on the rig who is
14 responsible for monitoring discharges of fluids,
15 other than cuttings from Drilling Operations?
16 A. Yes. I -- I can't remember exactly who
17 they were, but on -- on the BP Environmental
18 sheet that I had mentioned earlier that I had to
19 sign off for my weekly static sheen test.
20 Q. Was it John LeBleu?
21 A. No. It was -- it was a -- they were
22 Trans -- Transocean personnel that -- if I
23 remember right. It was -- I would have to see
24 that sheet to be able to answer that.
25 Q. Fair enough. Now -- now, your job title
00140:01 is Compliance Specialist. What -- what are you
02 ensuring Compliance with in your role?
03 A. The EPA Standard.
04 Q. EPA Standards relating to what?
05 A. Discharge.
06 Q. Discharge of what?
07 A. Discharge of -- like I said, the main
08 focus is -- is the -- the cuttings, because
09 that's the largest discharge that we generate.
10 Q. Is a part of your job ensuring that the
11 treatment of M-I SWACO-created fluids is done in
12 Compliance with EPA Regulations?
13 A. Yes.

Page 140:25 to 141:11

00140:25 Q. Okay. In your three years or so on the
00141:01 DEEPWATER HORIZON, had you ever been in a
02 position where lost circulation material was
03 built in a pill, but was not used?
04 A. No.
05 Q. So every time an -- an LCM pill was
06 built, it was actually pumped downhole?
07 A. Yes.
08 Q. Okay. If it weren't, are you familiar

09 with what EPA Regulations would require as to the
10 disposal of that LCM pill?
11 A. No.

Page 142:09 to 146:21

00142:09 Q. I think you -- you've testified earlier
10 that when -- when you were talking about going up
11 to the gumbo box to collect your sample, that
12 there was a noticeable change when the 16-pound
13 spacer came up; is that right?
14 A. That's correct.
15 Q. Was it a -- a viscosity difference, a
16 color difference, or both?
17 A. Both.
18 Q. Okay. Can you describe the difference in
19 color between the 14-pound mud and the 16-pound
20 spacer?
21 A. Just a matter of dark brown versus light,
22 or, you know, medium dark to -- dark brown to
23 medium brown, I guess.
24 Q. Which one was dark brown?
25 A. The -- the synthetic mud, 14-pound.
00143:01 Q. So the 14-pound mud was a dark brown?
02 A. A little bit darker than the 16-pound
03 spacer, yeah.
04 Q. I think I misspoke. The 14-pound mud was
05 darker than the 16-pound spacer?
06 A. Correct.
07 Q. So from a color perspective, you could
08 see, when you're watching that flow line, when
09 the spacer came up?
10 A. Yeah. And honestly, it may be -- it may
11 be just that the -- the drastic change in the
12 consistency of it, that may skew one's eye to say
13 that it has a color difference. But as I see it,
14 it does have a color difference, but it -- it's
15 mainly the consistency of the fluids --
16 Q. Okay.
17 A. -- that -- that -- you -- you can't
18 mistake it.
19 Q. You talked about this sheen test you were
20 going to conduct during the Displacement
21 Procedure, that you were instructed to do that by
22 Don Vidrine. Did I hear that correctly?
23 A. Correct.
24 Q. When did you have your conversation with
25 Mr. Vidrine?
00144:01 A. It had to be between lunch and the
02 displacement meeting.
03 Q. Do you recall what time the displacement
04 meeting was?
05 A. Not exactly. It was -- it was somewhere
06 between lunch and dinner.
07 Q. Okay. Where was this conversation with

08 Mr. Vidrine?
09 A. In his office.
10 Q. Did he call you there?
11 A. I can't recall if I went in or if he
12 asked me to come in.
13 Q. Okay. How long was that conversation?
14 A. It had to be under 10 minutes.
15 Q. Okay. What did he say?
16 A. I, basically -- well, I said -- I told
17 him that it was a difficult situation because I'm
18 not -- I wasn't trying to question his authority
19 or intelligence, but I just had -- I wanted to
20 let him know that, you know, because our
21 Procedure -- well, because our Procedure states,
22 "Don't shut the pumps down," which I don't write,
23 but I've read, "During displacement, do not shut
24 the pumps."
25 I guess I went in there to ask him -- I
00145:01 did -- I did go in there, and I -- that answers
02 that question.
03 Q. Okay.
04 A. I went in there to ask him if it was --
05 just to let him know that it wasn't completely
06 necessary by the Regulation to conduct a sheen
07 test because of the -- the default numbers that
08 are allowed, that -- the discharge default
09 numbers that are allowed, and just to -- I -- I
10 just let him know that it was unnecessary.
11 And he -- basically, he -- he heard me
12 out, and then he, in not so many words, said, "It
13 doesn't matter, do it anyway."
14 Q. I'm a -- I'm a little confused on the
15 timing. You met with Mr. Vidrine between lunch
16 and the displacement meeting?
17 A. I think so, yes.
18 Q. Okay. At that time, you were already
19 apprised of what the Displacement Procedure was
20 going to be that evening?
21 A. I hadn't received a copy yet, no.
22 Q. Okay. How do you know that the pumps
23 were going to be shut down for a sheen test
24 during the Displacement Procedure?
25 A. If I remember right, I think it was Leo
00146:01 had mentioned to me, "Hey, Mr. Vidrine" --
02 "Mr. Don wants you to" -- "wants us to do a sheen
03 test to ensure that, you know, that we can
04 discharge the" -- "the spacer."
05 Q. When was that conversation with
06 Mr. Lindner?
07 A. Somewhere in between lunch and dinner.
08 Q. So if I have the timing right, you had
09 lunch. At some point after lunch, you talked to
10 Mr. Lindner.
11 A. (Nodding.)
12 Q. At some point after talking to

13 Mr. Lindner, you talked to Don Vidrine. And then
14 at some point after that, you have the
15 displacement meeting. Do I have the chronology?
16 A. That -- that's -- yeah. That's correct.
17 Q. Obviously we don't have the times, but
18 that's the --
19 A. Correct.
20 Q. -- sequence of events?
21 A. Yes.

Page 147:05 to 147:13

00147:05 Q. Okay. At some point you talked to
06 Mr. Lindner, and he said you're going to use a
07 spacer about 400, 425 barrels rather than the
08 typical 180 to 200, right?
09 A. Correct.
10 Q. Was -- did he tell you that in the same
11 conversation where he told that Mr. Don wants you
12 to do a sheen test on the spacer?
13 A. I -- I -- I don't know.

Page 147:16 to 147:25

00147:16 Q. When Mr. Lindner told that you that
17 Mr. Don wanted to do a sheen test on the spacer,
18 what -- how did you respond?
19 A. Probably I said -- I think I said, "Why,
20 you know, it's not necessary?"
21 Q. What how did Mr. Lindner respond to your
22 question?
23 A. Leo said, "He just wants it done."
24 Q. Did Mr. Lindner tell you at that point
25 that it was an unusual spacer in composition?

Page 148:03 to 148:03

00148:03 A. No.

Page 148:10 to 148:19

00148:10 Q. Okay. When you told him that it was not
11 necessary, did he have any response to that?
12 A. Who? Who?
13 Q. Mr. Lindner.
14 A. H'm, I -- I can't recall exactly, but
15 I -- no, I have to say "No."
16 Q. So Mr. Lindner tells you, "Don Vidrine
17 wants you to do a sheen test."
18 Your response is, "That's not necessary."
19 Leo says nothing in response?

Page 148:21 to 149:13

00148:21 A. It would be a -- Leo -- I know what he
22 said, but I -- I don't remember exactly, you know
23 what I mean? I -- he -- he said -- he probably
24 said, "Well, of course, it's not necessary." He
25 probably agreed. I know he agreed, because he
00149:01 and I actually talked -- he was, at some point,
02 in the office with me and Mr. Vidrine talking
03 about the static sheen and how it was
04 unnecessary.
05 Q. (By Mr. Hartley) Okay. So -- so Leo was
06 in the office with you and Mr. Vidrine?
07 A. At one point, yes.
08 Q. Okay. At -- at one point in the
09 10-minute meeting?
10 A. I think so, yeah.
11 Q. Was he there for the entirety of that 10
12 minutes?
13 A. No.

Page 150:14 to 150:25

00150:14 Q. Okay. If -- if you don't know what the
15 composition of the spacer is, how do you know
16 that a sheen test is not necessary on it?
17 A. The composition of the spacer is -- is
18 not within the -- the scope of what I'm there
19 for. I'm not --
20 Q. Well, but part of your job is to ensure
21 that -- that the materials LC -- that M-I SWACO
22 prepares discharge are -- in compliance with EPA
23 Regulations, so isn't it important in that sense
24 to understand what the composition of the
25 material is?

Page 151:02 to 151:07

00151:02 A. No. You know, it -- however it may
03 sound, if -- if it was a non -- if it was an
04 issue, or if it was a nondischargeable material
05 or a questionable material, I would have known
06 about it through my relief notes. Again, I got
07 on the rig that day at 10:30 in the morning.

Page 151:11 to 154:06

00151:11 Q. Did you review the Relief Notes when you
12 got on the rig at 10:30 that morning?
13 A. Yeah, it was about a -- a paragr -- I
14 mean a paragraph -- less than a paragraph Relief
15 Notes.
16 Q. Okay. In -- in order to ensure the

17 material is discharged in Compliance with the EPA
18 Regulations, is it at all -- all important in
19 your mind, based on your training and experience,
20 to understand the nature of the fluids at issue?
21 A. That, I can't answer, but I -- I will --
22 I will say that the fact that I wasn't informed
23 about what the composition was, because it's not
24 within the realm of what I'm supposed to be
25 doing, was enough to -- to let -- to tell me that
00152:01 it was no different from any other spacer --
02 water-based spacer that we discharge -- or have
03 discharged in the past.
04 Q. Okay. So -- so if I -- if I understand,
05 then, your assumption was it was no different
06 because nobody told you there was a difference?
07 A. Correct.
08 Q. Other than the volume of the spacer?
09 A. Correct.
10 Q. Okay. So you talked to Leo sometime
11 after lunch. He tells you Mr. Don wants to --
12 you to conduct a sheen test. You think in your
13 mind, we're not supposed to shut down the pumps
14 during displacement, so then you go to talk to
15 Mr. Vidrine about it?
16 A. Correct.
17 Q. Okay. And what do you say when you walk
18 into Mr. Vidrine's office?
19 A. I don't recall exactly, but it -- again,
20 it was -- I -- I wasn't in there to insult the
21 guy, he is our -- everybody's boss. I
22 basically --
23 Q. Wouldn't be a wise career move?
24 A. -- what's that?
25 Q. Wouldn't be a wise career move?
00153:01 A. Correct. Yeah. Basically just wanted to
02 make sure that he knew that, by the -- by the
03 protocol, by the Standard, it was not necessary.
04 And the only reason why I was concerned about it,
05 was because of what I've known our Procedure to
06 have said in the past, which is, do not shut down
07 the pumps.
08 So my thought process going in there was,
09 if this sheen test is not necessary, according to
10 what I know about this spacer, and -- and the --
11 the whole process, if the sheen test is not
12 necessary, why would we shut the pumps to do
13 something that you just want to do to have a -- a
14 warm, fuzzy feeling inside? Because there's
15 absolutely no reason, by the Standard, to do it.
16 So I just -- I just basically wanted to
17 feel him out and see -- I wanted to know why.
18 Why?
19 Q. Did he give you an answer to that
20 question?
21 A. No. Not -- not a specific answer.

22 Q. Did he --
23 A. Bas -- basically, the feeling was, just
24 do it.
25 Q. Okay. Did he explain anything about why
00154:01 he wanted it done?
02 A. No, he did not.
03 Q. Did you tell him that, based on your
04 experience, the Standard Procedure during
05 displacement is not to stop the pumps?
06 A. I can't recall if I did or not.

Page 154:25 to 155:10

00154:25 Q. (By Mr. Hartley) Okay.
00155:01 A. Leo was in there arguing the same point.
02 Now, basically saying, you know, what -- there
03 is -- "There really is no reason, we just want
04 you to know that, Mister -- Mr. Vidrine,
05 Mr. Don."
06 And as I recall the -- he -- we got the
07 same answer, whenever Leo was in there with me,
08 as well.
09 Q. And that answer being, "Just do it"?
10 A. "Just do it."

Page 155:20 to 157:14

00155:20 Q. I think I heard in your testimony
21 earlier, that -- that he instructed you to do an
22 abbreviated test? Did I -- did I hear that
23 correctly?
24 A. That's correct.
25 Q. Was that conveyed to you at that same
00156:01 time, in that 10 minutes or so that you were in
02 Mr. Vidrine's office?
03 A. Yes.
04 Q. Was that conveyed to you at the same time
05 Mr. Lindner was present?
06 A. That, I can't say for sure.
07 Q. Okay. Can you tell me exactly what
08 Mr. Vidrine told you, as best you can recall,
09 with respect to doing an abbreviated test?
10 A. Not exactly, but I can tell you that
11 he -- it was along the lines of something --
12 something to the effect of "We all know that if a
13 material is going to sheen, you -- in -- in most
14 cases -- in most cases, you can know -- you can
15 see it almost immediately. Therefore, just do
16 this abbreviated test, because we'll know --
17 we'll either know 'Yes' or 'No' within a matter
18 of minutes, or seconds."
19 Q. Was -- was that something that
20 Mr. Vidrine brought up on his own, or was that
21 something that you and/or Mr. Lindner told him

22 that you could typically do to determine the
 23 sheen within a matter of minutes, we can do it
 24 quickly?
 25 A. It's my opinion, but I think that's just
 00157:01 general rig knowledge about sheen testing; that
 02 you can find out pretty quick.
 03 Q. Okay. And in the course of your
 04 conversation with Mr. Vidrine, was that something
 05 that he volunteered in the first instance, or was
 06 that something that you proposed saying something
 07 along the lines of "This is not necessary, but if
 08 you real -- if want us to do it, we can do an
 09 abbreviated one, because you can typically
 10 determine sheen within the first minute or two"?
 11 A. No, that was his suggestion, not my --
 12 not ours, not mine.
 13 Q. Okay. How did you respond to that? Did
 14 it give you any concern?

Page 157:16 to 158:04

00157:16 A. No, not at that point. I mean, again, he
 17 is the -- he's the Company Man.
 18 Q. (By Mr. Hartley) Well, you understand
 19 that there are times, like the -- the exhibit
 20 that Mr. Chakeres showed you, that the sheen is
 21 not apparent in the first instance, but then
 22 later, the second test, after 10 minutes, it is.
 23 You understand that that happens at times?
 24 A. Sure. That was my test.
 25 Q. Okay.
 00158:01 A. Yes.
 02 Q. Okay. "Yes." Did you tell Mr. Vidrine
 03 that?
 04 A. No.

Page 158:10 to 158:14

00158:10 Q. (By Mr. Hartley) Did you tell Mr. Vidrine
 11 that it might not be sufficient to look at the --
 12 look it after a minute or two, to determine
 13 whether it would sheen?
 14 A. No. No.

Page 160:23 to 161:07

00160:23 Q. You -- you talked about the Displacement
 24 Procedure meeting, and as I understood it, that
 25 that was led by Mr. Lindner?
 00161:01 A. Correct.
 02 Q. He walked through the Displacement
 03 Procedure and handed out copies to everybody?
 04 A. He handed out copies, and then just

05 basically read the Procedure.
 06 Q. Okay. I'm going to hand you what was
 07 previously marked as Exhibit 967. (Tendering.)

Page 161:10 to 161:15

00161:10 Q. (By Mr. Hartley) And if -- if I have it
 11 correct, this is a copy of the Displacement
 12 Procedure that Mr. Lindner drafted and circulated
 13 at that meeting. Does it look familiar to you?
 14 A. (Reviewing document.) It's been a long
 15 time, but, yes, it does.

Page 161:22 to 166:25

00161:22 Q. Do you recall Mr. Vidrine being present
 23 at this meeting?
 24 A. I don't know.
 25 Q. Was there a Well Site Leader on behalf of
 00162:01 BP present for the meeting?
 02 A. Becau -- yeah -- because it was before
 03 their -- their shift change, I -- I would have to
 04 say it was Bob Kaluza, but I don't -- I can't say
 05 that for sure. I'm sure he was there, but I
 06 don't know.
 07 Q. Okay. Do you know whether -- best you
 08 can recall -- anybody asked Mr. Lindner a
 09 question as to the depth of displacement?
 10 A. No.
 11 Q. Did you know at the time that the well
 12 was being displaced to 8367 feet, 8367 feet below
 13 mud line?
 14 A. Yes.
 15 Q. Who told you that?
 16 A. I don't recall. That's -- it's a number
 17 that I -- that I have to obtain for my paperwork
 18 only. Just simp -- it's a handwritten document.
 19 Q. Do you recall whether you -- where you
 20 got that number?
 21 A. Not exactly. But in most cases, I would
 22 get it from the Mud Engineer, whoever is on -- on
 23 shift, tour.
 24 Q. Did -- did that depth of displacement
 25 cause you any concern or give rise to any
 00163:01 questions?
 02 A. No.
 03 Q. Had you ever been involved in the
 04 Displacement Procedure at that depth below mud
 05 line before?
 06 A. I can't recall.
 07 Q. Looking at Exhibit 967, the Displacement
 08 Procedure that Mr. Lindner drafted, my
 09 understanding is that your involvement is
 10 primarily focused on Step 9, at the very bottom;

11 is that right?
12 A. Well, Step 8, as well. I mean, my -- I'm
13 listed in Step 8.
14 Q. Okay. And that's the "Compliance
15 Engineer will take sample for Static Sheen test
16 and ROC and shut down pumps. Switch to overboard
17 discharge"?
18 A. Correct.
19 Q. Okay. So you -- you went up to the gumbo
20 box. You waited for the proper time and took
21 your sample; is that right?
22 A. That's correct.
23 Q. And did you call anybody to order the
24 pumps to be shut down while you conducted the
25 static sheen test?
00164:01 A. No.
02 Q. Do you know whether the pumps were, in
03 fact, shut down?
04 A. No, I do not.
05 Q. Did you at any point while you were at
06 the gumbo box see the fluid stop?
07 A. No.
08 Q. All right. How long were you at the
09 gumbo box where you could see the flow line and
10 fluids flowing out of the well?
11 A. Ten -- 10 to 15 minutes.
12 Q. That was before taking your sample to
13 conduct the static sheen test?
14 A. Yeah, well -- well, yes, because I walked
15 up -- you know, again, I was looking at my stroke
16 counter, and I walked up a little bit early. So
17 it -- it was anywhere from, yeah, 10 to -- 10 to
18 15 minutes I was there waiting.
19 Q. After taking your sample to go do your
20 static sheen test, did you ever go back to the
21 gumbo box again?
22 A. I went -- no, not to the gumbo box. I
23 went to the shaker house, which is in the same
24 room, but --
25 Q. When you went to the shaker house, was
00165:01 the flow line visible to you?
02 A. No.
03 Q. At any point after collecting your
04 sample, did you ever physically place eyes on the
05 flow out line again?
06 A. No.
07 Q. Did you ever look at the closed circuit
08 TV video camera display showing the flow line
09 after conducting your static sheen test?
10 A. No.
11 Q. When you conducted your static sheen
12 test, did you call anybody or orally advise
13 anybody of the results?
14 A. No. I was in -- when I was in the mud
15 lab conducting the test, Gordon Jones and Blair

16 Manuel were with me just observing.
17 So the answer is, no, I -- I didn't make
18 any calls.
19 Q. Did you document it electronically that
20 it passed?
21 A. Not electronically, not -- not that I'm
22 aware of, no.
23 Q. Did you document it on a written piece of
24 paper?
25 A. Yes.
00166:01 Q. What written piece of paper was that?
02 A. That would be the -- it was our -- a
03 field notebook, and it -- it's at the bottom of
04 the Gulf.
05 Q. Did you tell Mr. Lindner that the static
06 sheen test had passed?
07 A. He was asleep. No.
08 Q. Did you tell Mr. Kaluza or Mr. Vidrine
09 that the static sheen test had passed?
10 A. I did not.
11 Q. Did you call the -- the Driller, Dewey
12 Revette, and tell him the static sheen test had
13 passed?
14 A. No.
15 Q. Did you ever talk to anybody about the
16 static sheen test you conducted, prior to
17 evacuating the rig?
18 A. No.
19 Q. Did you switch the valve to discharge the
20 fluid overboard?
21 A. No.
22 Q. Do you know who did?
23 A. No.
24 Q. Do you know when that was done?
25 A. No.

Page 167:05 to 167:08

00167:05 Q. Okay. In your prior experience on the
06 rig, these -- these 12 to 13 wells, had you ever
07 discharged spacer overboard during a Displacement
08 Procedure before?

Page 167:10 to 167:10

00167:10 A. I personally have not, no.

Page 167:13 to 167:24

00167:13 During any prior Displacement Procedure
14 you were involved in, are you aware of spacer
15 being discharged overboard as a part of that
16 Displacement Procedure?

17 A. Yes.
18 Q. That's standard practice, to discharge
19 the spacer overboard?
20 A. Yes.
21 Q. Are you familiar with how mechanically or
22 physically that that fluid is discharged
23 overboard?
24 A. No.

Page 169:08 to 170:12

00169:08 Q. Okay. When you conducted your static
09 sheen test, how long did you wait to look at the
10 fluid to see whether a sheen had formed?
11 A. It would be a guess. The answer to that
12 question would be a guess. It's an
13 approximation. I -- I -- well, you know what, I
14 looked at it for longer after the supposed word
15 was given back to the rig floor.
16 Q. What do you mean by "the supposed word
17 was given back to the rig floor"?
18 A. Well, whenever Gordon Jones -- this is --
19 and I -- this is just -- I probably shouldn't say
20 this, because it's an assumption. Whenever
21 Gordon Jones and Blair Manuel left the mud lab as
22 observers to my test, I -- I would have to assume
23 that they -- somebody let the rig floor know that
24 the static sheen test was a pass.
25 Now, I'm -- I'm answering your question
00170:01 with, yeah, I stayed in there a couple of more
02 minutes to look at it. My assumption is it
03 was -- that was no longer relevant. Me looking
04 at it any longer was no longer relevant, because
05 whenever they left, I assume that they let the
06 rig floor know that it was a pass because I never
07 made the call myself
08 Q. Okay. So you go to the gumbo box about
09 10, 15 minutes before collecting your sample
10 based on the -- based on the pump strokes. You
11 collect your sample. You go where to do the
12 sheen test?

Page 170:14 to 171:15

00170:14 Q. (By Mr. Hartley) In the shaker house?
15 A. I conducted the sheen test in the mud
16 lab.
17 Q. In the mud lab?
18 A. M-h'm.
19 Q. Gordon Jones and Blair Manuel are in the
20 mud lab with you while you conduct the sheen
21 test; is that right?
22 A. That's correct.
23 Q. Did the three of you discuss the sheen

24 test?
 25 A. No.
 00171:01 Q. Did you discuss the composition of that
 02 spacer?
 03 A. No.
 04 Q. Did you discuss the next steps in the
 05 Displacement Procedure?
 06 A. No.
 07 Q. Did you discuss anything while the three
 08 of you were in the mud lab during the course of
 09 the sheen test?
 10 A. It was nothing more than a thumbs up kind
 11 of thing. They looked at it, I looked at it, and
 12 they left, meaning that it was good.
 13 Q. Do you recall any words being spoken by
 14 and among the three of you about that sheen test?
 15 A. Other than "it's good," no.

Page 171:20 to 172:07

00171:20 Q. Okay. Looking at -- back at Exhibit 967
 21 that I handed you before, the Displacement
 22 Procedure drafted by Mr. Lindner, the -- Step No.
 23 9 reads: "If static sheen is an apparent pass,
 24 discharge remaining spacer and seawater down
 25 overboard line. Mud Engineer will advise."
 00172:01 Do you see that step?
 02 A. Yes.
 03 Q. Do you know whether any of the Mud
 04 Engineers did advise anybody on the DEEPWATER
 05 HORIZON that the static sheen was an apparent
 06 pass?
 07 A. No.

Page 173:18 to 173:21

00173:18 Q. Okay. Did you have any sense of the --
 19 the rig undergoing more activities than is usual
 20 during a typical Displacement Procedure?
 21 A. No.

Page 175:10 to 175:16

00175:10 Q. First, I'd like to talk to you about your
 11 experience on the -- over the three years on
 12 DEEPWATER HORIZON.
 13 Did you ever get the impression that
 14 Transocean personnel aboard the DEEPWATER HORIZON
 15 deliberately wanted to harm the environment?
 16 A. No.

Page 175:20 to 175:22

00175:20 Q. Did you ever get the impression that
21 Transocean personnel aboard the DEEPWATER HORIZON
22 deliberately wanted to harm any person?

Page 175:24 to 176:03

00175:24 A. No.
25 Q. (By Ms. Shushan) Did you ever get the
00176:01 impression that Transocean personnel aboard the
02 DEEPWATER HORIZON were malicious or didn't care
03 about causing injury to the environment?

Page 176:05 to 176:17

00176:05 A. No.
06 Q. (By Ms. Shushan) Or any person?
07 A. No.
08 Q. Did the Transocean crew ab -- aboard the
09 DEEPWATER HORIZON make safety a priority?
10 A. Yes.
11 Q. Did you feel that Transocean was a safety
12 conscious company?
13 A. Yes.
14 Q. Did you feel that the Transocean
15 personnel aboard the DEEPWATER HORIZON were
16 competent?
17 A. Yes.

Page 176:19 to 176:24

00176:19 Q. (By Ms. Shushan) While onboard the
20 DEEPWATER HORIZON, did you participate in Safety
21 Drills?
22 A. Yes.
23 Q. How often?
24 A. At a minimum, once a week.

Page 177:03 to 177:17

00177:03 Q. Based on your participation on the Safety
04 Drills, did you feel that you knew what your
05 responsibilities were in the case of -- of an
06 event that called for such a dr -- an action?
07 A. Yes.
08 Q. Did you feel that you were adequately
09 trained on Safety Procedures?
10 A. Yes.
11 Q. Do you have any complaints about the
12 Safety Drills that you participated in aboard the
13 DEEPWATER HORIZON?
14 A. No.
15 Q. I'd like to refer you back to an exhibit
16 that's previously been marked as 967.

17 (Tendering.)

Page 177:20 to 177:23

00177:20 Q. (By Ms. Shushan) I understand this was
21 Mr. Lindner's Displacement Procedure that he
22 discussed at the meeting on April 20th, correct?
23 A. That's correct.

Page 177:25 to 178:06

00177:25 Q. (By Ms. Shushan) Step 8 mentions that
00178:01 both a static sheen test and an ROC would be
02 conducted, correct?
03 A. (Reviewing document.) That's -- that's
04 what it says, yes.
05 Q. Was an ROC performed?
06 A. No.

Page 178:13 to 178:19

00178:13 Q. Other than within this Displacement
14 Procedure, did anyone discuss verbally with you
15 the need to conduct an ROC analysis?
16 A. No. An ROC analysis is a -- is a -- is a
17 retention of fluid on -- on cuttings, which we
18 had no cuttings. And I don't -- I -- that's the
19 first time I ever noticed that.

Page 178:25 to 179:15

00178:25 Q. Let me refer you to Tab 8 in this binder.
00179:01 It's an exhibit that's previously been marked as
02 Exhibit 331. The copy at Tab 8 is a clean, more
03 legible copy of Exhibit 331.
04 Would you please take a minute to look at
05 these and let me know if you've ever seen them.
06 A. (Reviewing document.) This is Tab 8,
07 correct?
08 Q. Yes.
09 A. (Reviewing document.) Okay.
10 Q. These notes are dated May 13th, 2010, and
11 are signed by Brian -- I believe it's Martinez.
12 They note that you arrived at the gumbo box at
13 9:16. Does that refresh your recollection as to
14 a time when you might have pulled the sample from
15 the box?

Page 179:17 to 179:23

00179:17 A. That time, the 9:16 time is, I think, may
18 have been what I entered in as my sample time.

19 The watch that I wore -- wore on the rig was
20 always kept five minutes fast. So, yeah, I
21 recognize the 9:16 or 21:16 as the -- as what I
22 documented as the sample time. Whether that
23 coincides with the rig clock, I -- I don't know.

Page 180:17 to 181:09

00180:17 Q. Now, in these notes, it also mentions
18 that you returned to the shaker house to weigh
19 the mud after the sheen test was conducted and
20 that you stopped to talk to Gordon for two
21 minutes to give the results. Do you remember
22 speaking to Gordon Jones at that time?
23 A. Yes. I -- after I got the sample --
24 after I tested -- or let me back up.
25 The static sheen, after I conducted the
00181:01 static sheen, I walked back to the shaker house
02 to weigh the sample. After I weighed the sample,
03 I walked out of the shaker house and went to
04 Gordon Jones' mud shack, which is their outdoor
05 portable office, and that's where we had that
06 two- or three-minute conversation about what the
07 weight was. And from there, I -- I went into
08 the -- went into the -- into my office, which is
09 in the living quarters.

Page 181:16 to 181:22

00181:16 Q. Now, you mentioned that both Gordon Jones
17 and Blair Manuel left the mud room after the
18 static sheen test appeared to have passed after a
19 certain number of minutes, correct?
20 A. They left the -- the mud lab as -- yeah,
21 as soon as -- as soon as we had deemed it to have
22 appeared to have passed, yes.

Page 182:02 to 182:15

00182:02 Q. (By Ms. Shushan) It was under five
03 minutes?
04 A. Under five minutes, as a -- as a
05 guesstimate, yes.
06 Q. Do you have any reason to believe that it
07 was longer than five minutes?
08 A. If it was, it wasn't much longer.
09 Q. Okay. So under --
10 A. I'd -- I'd say inside of 10 minutes to be
11 safe. I didn't --
12 Q. Okay. So under -- under 10 minutes?
13 A. Definitely under 10 minutes.
14 Q. Okay. What did they know about the
15 abbreviated nature of the test?

Page 182:17 to 184:25

00182:17 A. I think I -- I, you know, stated earlier
18 that it's -- it's general knowledge that if
19 something is going to sheen, it usually happens
20 pretty quickly. You know, oil is lighter than
21 water. It's going to come to the surface, and
22 whatnot. So just I -- I'm guessing based on
23 their general knowledge of that. Does that
24 answer?

25 Q. (By Ms. Shushan) Did you give them any
00183:01 indication like "Good to go," or "Go report," or
02 "You can leave now," was there any discussion
03 between you three indicating that it was
04 appropriate for them to go and report that the
05 test was passed?

06 A. I injected the material, this -- the --
07 my sample, and within that -- that time frame,
08 which is -- I'm not sure of, I -- I can't
09 remember what was said, but I -- it was basically
10 a thumbs up all the way around, like
11 (indicating), you know, a nod of a head or
12 whatever it may have been. It was just we -- we
13 all agreed, basically.

14 Q. Earlier today you were asked if you know
15 of anybody on the rig responsible for monitoring
16 the discharges other than cuttings from Drilling
17 Operations. And you mentioned the BP
18 Environmental Sheet --

19 A. Correct.

20 Q. -- that you signed off on after a static
21 sheen test was a pass or fail on --

22 A. Right.

23 Q. And that -- and that covered the weekly
24 static sheen test results, correct?

25 A. For -- for my tab, for the Compliance
00184:01 Specialist Tab, yes, it was -- it was for my
02 weekly test. For others, there was certain daily
03 observations that they -- that they made.

04 Q. Can you describe this sheet for me?
05 You're referencing tabs. I'm picturing something
06 attached to a wall, but it sounds like a binder.

07 A. It -- it was.

08 Q. Okay.

09 A. It was -- it was attached to a -- to a --
10 you know, a right -- I guess it was a "right to
11 know" station, or -- or what, basically all about
12 the well, where we were, what the time versus
13 depth versus days, and things like that. And,
14 yeah, it basically was a -- was just a eight --
15 eight -- you know, a regular size sheet of paper.
16 Everybody had their -- their section.

17 Q. Was it columns or rows?

18 A. Yeah. Just, you know, this -- this is
19 yours, this is his, this is mine, this is -- you

20 know. It had a place for the Company Man, a
21 place for the -- the -- certain Transocean
22 personnel that handled a certain -- you know,
23 like the -- the Mechanical Supervisor maybe,
24 somebody like in that capacity, a -- a
25 supervisory capacity for Transocean.

Page 186:19 to 186:19

00186:19 Q. And this was a BP required sheet?

Page 186:21 to 187:15

00186:21 A. It was a NPDES requirement, N-P-D-E-S. I
22 forget what that stands for. But it's a -- it
23 was a NPDES requirement, and it had a BP
24 letterhead on the -- on the form itself.
25 Q. (By Ms. Shushan) So do you know who
00187:01 collected the sheet after it was completed?
02 A. After it was completed, it was a -- it
03 was a BP, usually the performance coordinator or
04 the dispatcher collected that.
05 Q. Who would have filled those roles?
06 A. Filled which roles?
07 Q. The performance coordinator roles.
08 A. I --
09 Q. Do you remember the names?
10 A. On which? On April 20th?
11 Q. (Nodding.) Any of the names that you can
12 recall.
13 A. Michael Dunn, BP, or EPS, Nicholas
14 Wilson, Ricky Dendy, and Robert something, I
15 forget his last name.

Page 189:05 to 189:09

00189:05 The first question is, you were saying --
06 you were referencing before NPDES. Does that
07 stand for the National Pollutant Discharge
08 Elimination System?
09 A. Yes.

Page 196:07 to 196:25

00196:07 Q. How would you describe your relationship
08 with the BP employees you just mentioned?
09 A. I was a little bit closer with the --
10 with the Performance Coordinator, simply because
11 our offices were right next door to each other.
12 Q. Okay.
13 A. I only spoke to the Company Man on an
14 as-needed basis.
15 Q. So you would say it was pretty minimal?

16 A. Yeah. I mean, I -- I had -- one of
17 our pre -- one of the previous BP employees on
18 the rig was a pretty good friend of mine, but --
19 Q. Okay.
20 A. Michael Dunn, which I think I mentioned
21 his name already.
22 Q. So you were friendly with certain
23 people --
24 A. Friendly --
25 Q. -- from BP?

Page 197:09 to 197:17

00197:09 A. Yeah. Friendly with certain ones and
10 just working -- working relationship with the
11 rest.
12 Q. (By Ms. Garthwaite) But in terms of your
13 working relationship, would you describe that as
14 very minimal, your working relationship with
15 individuals from BP?
16 A. Yeah. I would describe it as minimum,
17 yeah.

Page 200:02 to 201:16

00200:02 Q. I want -- I actually just want to try to
03 make sure I understand how this works. If you're
04 going to conduct the sheen test on the spacer --
05 A. M-h'm.
06 Q. -- or any other fluid, and it will be
07 diverted overboard, as a result of the sheen test
08 being a pass --
09 A. (Nodding.)
10 Q. -- wouldn't you need to stop once that
11 fluid comes to the top, to sort of determine
12 whether or not you can go overboard, because you
13 sort of stop the flow and then allow it to
14 continue if it's a pass? Is that --
15 A. Yes.
16 Q. -- accurate?
17 A. Yes.
18 Q. Okay. So when you talked to Mr. Vidrine
19 on the 20th, did he say that he wanted as part of
20 the sheen test for the pumps to be shut down
21 or did --
22 A. I -- I don't recall us -- he and I
23 talking about particularly having the pumps shut
24 down. But, as we just talked about, they had to
25 be.
00201:01 Q. They had to be.
02 A. Because that was the whole purpose of the
03 test.
04 Q. Right. And so doing that, obviously,
05 shutting down the pumps slows down the process of

06 whatever was happening that day, because it's a
07 break?
08 A. Correct.
09 Q. It's a pause in the -- in the operations?
10 A. Right.
11 Q. And it would slow -- on the 20th it would
12 have been slowing down the displacement
13 process --
14 A. That's right.
15 Q. -- right?
16 A. (Nodding.)

Page 202:03 to 204:09

00202:03 A. I need to -- I need to back up to your --
04 Q. Sure.
05 A. -- last question. Did I speak to
06 anyone -- did I speak to Mr. Vidrine about any
07 other flow monitor -- monitoring --
08 Q. M-h'm.
09 A. -- during April 20th?
10 Q. M-h'm.
11 A. And I think I've testified to this
12 before, when we -- whenever we got on the DAMON
13 BANKSTON, whenever he arrived on the BANKSTON
14 from one of the lifeboats, Mr. Vidrine asked
15 me -- he asked me whenever you got -- you know,
16 quote -- to the effect of, "Whenever you
17 collected your sample, did you see any flow?"
18 And my answer was, "No, sir, I couldn't see any
19 flow because I got it and I left to" --
20 Q. M-h'm.
21 A. -- "go and do the static sheen test." So
22 I just wanted to add that, because I -- I
23 didn't -- I -- I had forgotten about that. And
24 that was the extent of that conversation. I told
25 him the answer to his question was "No."
00203:01 Q. Because I assume you had not seen
02 actually any flow?
03 A. I didn't. No, I didn't. I was -- I -- I
04 was leaving to do his test --
05 Q. Okay.
06 A. -- to do that static sheen test that he
07 requested.
08 Q. Is there any -- is it possible for you to
09 see the flow from where you were conducting
10 the -- catching the spacer?
11 A. That's where I -- yeah. Yes. Yeah,
12 definitely. That's where I get it from, the flow
13 from the gumbo box.
14 Q. So when he was asking you if you saw any
15 flow, what did you understand him to be asking
16 about?
17 A. I understood it to be -- I understood it
18 to be -- well, I under --

19 Q. What did you think he meant?
20 A. What he meant was, I caught -- like he
21 doesn't know what I see down there.
22 Q. M-h'm.
23 A. He thinks -- he's asking if I caught the
24 sample, did I stay long enough to see them shut
25 down the pumps.
00204:01 Q. M-h'm.
02 A. And if I did, was there any -- any
03 dribble, like any -- anything still coming out,
04 after the valve was closed.
05 And my answer was, simply, no, because I
06 was gone.
07 Q. Because you were not there.
08 A. But that -- that's what -- that's what I
09 understand he meant by that.

Page 204:22 to 205:03

00204:22 Q. And, in general, did you have limited --
23 limited interaction with Mr. Vidrine, otherwise?
24 A. Previously?
25 Q. Yes.
00205:01 A. Yeah, it was very -- very limited.
02 Q. Okay.
03 A. On an as-needed basis.

Page 206:17 to 206:25

00206:17 Q. But when you learned of the lost returns
18 on the DEEPWATER HORIZON, you said it was
19 significant, but it -- would you describe it as
20 something that was totally unusual?
21 A. It's not very common to lose the amount
22 that I was told that we lost.
23 Q. But you didn't know personally about how
24 much had been lost; is that right?
25 A. That is correct.

Page 210:12 to 210:15

00210:12 Q. Okay. So after lunch, you testified
13 earlier that you had met with -- that was when
14 you met with Mr. Vidrine?
15 A. It was a while after lunch.

Page 211:01 to 212:13

00211:01 Q. Sure. And after lunch, after you're
02 getting yourself reacquainted in the office,
03 sometime after lunch, you met with a Team on the
04 rig for the Displacement Procedures meeting; is
05 that right?

06 A. That's correct. I --
07 Q. Did you have -- I'm sorry.
08 A. I was going to say that I know that that
09 occurred before 5:00 p.m.
10 Q. M-h'm.
11 A. That's one thing I can say for sure,
12 because -- because of the Toolpusher -- I forgot
13 his name again -- Wyman Wheeler.
14 Q. Mr. Wheeler, yeah.
15 A. Mr. Wheeler was on tour, and I know he
16 was getting off. I think they changed at 5:00
17 o'clock.
18 Q. Okay.
19 A. So it was somewhere between that and
20 after lunch when I spoke to Mr. Vidrine.
21 Q. Did you have a separate meeting any time
22 in that afternoon with just the employees from
23 SWACO?
24 A. No.
25 Q. So the only times that you were talking
00212:01 about -- talking with other people from SWACO
02 would have been when you talked with Mr. Lindner
03 in the meeting with Mr. Vidrine, and then as --
04 at the larger Displacement Procedures Meeting; is
05 that right?
06 A. I think I testified earlier that I spoke
07 to Leo, and Leo mentioned that -- mentioned, for
08 whatever reason, not that it was for me to know,
09 but that the spacer was upward of 400 barrels, as
10 opposed to the 180, 200 barrels.
11 Q. M-h'm.
12 A. That occurred, I think, either right
13 before lunch or right after lunch.

Page 216:02 to 217:21

00216:02 Q. Was the -- the screen showing the stroke
03 count, do you know if that was connected to the
04 rig's CCTV?
05 A. CCTV?
06 Q. Closed circuit television.
07 A. Closed -- closed circuit? As far as I
08 know, yeah.
09 Q. So you could see other -- could you see
10 other pictures of things on the rig?
11 A. Yes.
12 Q. Like what?
13 A. The heliport, the gumbo box, the -- there
14 was one camera that was fixed on one of the
15 shakers in the shaker house. I think the -- you
16 could see up -- up in the what they call the
17 fingers, up in the derrick. I think that's about
18 it. There was -- there was a few of them, but it
19 just -- you know, or -- and the moon pool in the
20 bottom the rig.

21 Q. Okay.
22 A. You could see that, too.
23 Q. Do any of those images allow you to see
24 the flow coming up from the well?
25 A. Only the gumbo box.
00217:01 Q. Do you know if the images that you were
02 able to see on your screen were available to
03 anyone else on the rig?
04 A. They would have been available to anyone
05 that has a TV.
06 Q. Do you know if the Drillers have a TV?
07 A. Yes.
08 Q. Do you know if the screens would have
09 allowed you to switch between different images,
10 or -- or was the gumbo box, shakers, fingers, and
11 moon pool the fixed set of things that you could
12 watch?
13 A. I'm sorry, yeah, they -- they are --
14 they -- those cameras stay fixed.
15 Q. Right. I'm sorry.
16 A. Different chan -- it's a different
17 channel.
18 Q. But you can switch to another channel --
19 A. You can, yes.
20 Q. -- and see different things?
21 A. Yes.

Page 219:01 to 219:09

00219:01 Q. Okay. Now, you talked a lot before about
02 actually catching the sample of spacer and
03 running the sheen test, and I, as I understand
04 it, both of those were your responsibilities,
05 right?
06 A. Correct.
07 Q. And you said you actually collect the
08 sample in the gumbo box?
09 A. Yes.

Page 221:16 to 223:09

00221:16 Q. (By Ms. Garthwaite) You testified earlier
17 about how you knew when it was time to catch the
18 spacer, that it was based on the stroke count and
19 also calls; is that right?
20 A. That's -- that's right, yeah.
21 Q. Okay. You said that someone called
22 you -- was it from the rig floor?
23 A. They didn't call me specifically. They
24 called into the shaker house, which they would be
25 looking for the -- the shaker hand, the
00222:01 Transocean guy's response. Well, he's the one
02 that -- that does the talk-back. We can hear
03 what they're saying, but they're not talking to

04 us specifically.
 05 Q. So when you say "talk-back," is that an
 06 intercom system or something?
 07 A. It's an intercom system.
 08 Q. Okay.
 09 A. Yeah. It's just a little -- yeah.
 10 They're -- they're just giving you a heads-up, I
 11 mean, the calculation is -- everybody is on the
 12 same page --
 13 Q. Okay.
 14 A. -- as far as when it's supposed to --
 15 when it's supposed to be coming, and the rig
 16 floor has the screen. We can't -- we don't have
 17 any screens down in the gumbo box --
 18 Q. M-h'm.
 19 A. -- but they do. And they have, you know,
 20 as the strokes get to the number, that -- that
 21 has been predetermined, they let us know how
 22 close we are.
 23 Well, down there, all we have is a -- is
 24 a time and what we see.
 25 Q. Okay.
 00223:01 A. So whenever they said, "Okay, it's" --
 02 and this is not a quote, but it's -- usually this
 03 is how it goes -- "Okay, you -- you start looking
 04 for it, it's -- it's here, it's close."
 05 Q. M-h'm.
 06 A. "Should be close." In this case, it was
 07 very close to time. And like I say, I can't say
 08 the stroke count, but obviously, it was, because
 09 they wouldn't have been saying that.

Page 223:14 to 226:01

00223:14 Q. Do you know if they have any ability to
 15 visually see the fluids coming up from the well,
 16 from the rig floor?
 17 A. Not coming up from the well, no.
 18 Q. Coming in some direction from --
 19 A. They can --
 20 Q. -- the well?
 21 A. -- they can see what we -- what I'm
 22 looking at, through the -- through the camera,
 23 through the closed circuit system.
 24 Q. So the rig floor has a screen that will
 25 show them the stroke count, either another or the
 00224:01 same screen that will show them a video of what's
 02 going on in the gumbo box; is that right?
 03 A. That's right.
 04 Q. And so based on what you know, some
 05 combination of that -- those factors contribute
 06 to their decision to call the shaker hand, to
 07 tell him to tell you that it's time to catch the
 08 spacer; is that right?
 09 A. Not exactly, no. They're --

10 Q. Please correct me.
 11 A. -- they're call -- they're calling down
 12 just to let us know that, based on all the -- all
 13 the calculations that the Mud Engineers have
 14 made, that the spacer -- the top of the spacer
 15 should be here --
 16 Q. M-h'm.
 17 A. -- within a short period of time. So be
 18 on the lookout, because you've been sitting up
 19 there -- you know, like in my case, for maybe --
 20 I don't know, 10 minutes. And it's just a
 21 heads-up, because they can see more information
 22 than we can.
 23 Q. Sure. Do you know whether the
 24 calculation of stroke count is targeted to reach
 25 the beginning of the spacer when it first
 00225:01 arrives?
 02 A. Yes, that's correct.
 03 Q. That's correct. It's not the middle or
 04 the end or some sort of portion?
 05 A. It's the interface. It's -- it's where
 06 the -- where the -- the change in fluid is,
 07 basically. In this case, it would be the
 08 14-pound turns into 16-pound water-base.
 09 Q. Can you describe what you mean by
 10 "interface"?
 11 A. The mixing of the two different fluids,
 12 if any, mixture.
 13 Q. But in addition to the stroke count that
 14 you're following in terms of when to collect the
 15 spacer, you also have -- I think as you
 16 testified -- the ability to see what's coming
 17 out, right?
 18 A. That -- in -- in my opinion, that is the
 19 ultimate tell-all, is the -- is the visual
 20 change.
 21 Q. And you said earlier, I believe it was --
 22 A. Chocolate milk --
 23 Q. -- chocolate milk to fudge?
 24 A. -- versus fudge.
 25 Q. Okay.
 00226:01 A. Yeah.

Page 228:06 to 228:21

00228:06 Q. So along the path that you walked up the
 07 stairs and around towards the gumbo box, do you
 08 remember seeing anyone else there at that time?
 09 A. No.
 10 Q. Was it completely empty?
 11 A. Well, the -- the -- the path that I
 12 traveled from my office to outside, there's
 13 really nothing in between it, other than me,
 14 the -- the coffee shop, which is where people
 15 smoke. It's the only indoor smoking that they

16 have. The change room, which is a bathroom.
17 There's -- there's really nothing in between me
18 and that staircase, and there's nothing -- when I
19 get outside, from that staircase, there's nobody
20 really to see except for maybe somebody coming
21 off the rig floor stairs right here.

Page 231:13 to 231:25

00231:13 Q. Okay. So going back to the path that you
14 took from the gumbo box, you've testified a
15 little bit about actually catching the spacer,
16 but I wanted to understand exa -- what you do to
17 weigh it. How do you actually conduct that test?
18 A. To weigh the -- the -- my sample?
19 Q. M-h'm.
20 A. There's a -- it's simply called a mud
21 scale, that the Transocean shaker hand uses.
22 Q. M-h'm.
23 A. And I weighed it using their scale.
24 Q. Where -- and where is that located?
25 A. That's in the shaker house.

Page 232:06 to 233:09

00232:06 Q. Did anyone else check the weight, or was
07 it just you?
08 A. Just me.
09 Q. Okay. And then you conducted the sheen
10 test by going from the gumbo box?
11 A. No.
12 Q. So --
13 A. -- the sheen test was conducted before I
14 weighed the sample.
15 Q. Oh, okay. So tell me how that works.
16 You catch your sample, and then what happens?
17 A. The sheen test?
18 Q. M-h'm.
19 A. I catch the sample from the gumbo box. I
20 walk into the mud lab.
21 Q. Can you show me where that is?
22 A. Right next door. If I were here
23 (indicating), I walk out of this door and I walk
24 into this door. (Indicating.)
25 Q. Okay.
00233:01 A. And I conduct it in this back corner
02 right here. (Indicating.)
03 Q. Okay.
04 A. Yeah. Like I said, I have a -- I have
05 a -- a five-gallon bucket of water that is a --
06 has a trash bag for -- to eliminate
07 contamination, and it's filled up. I inject
08 the -- the fluid into the water, and conducted
09 the -- the test that Mr. Vidrine asked for.

Page 235:03 to 235:14

00235:03 Q. Okay. Can you turn to Tab 18 in your
04 binder? And this is a document that was
05 previously marked Exhibit 3213. It's an E-mail
06 with some attachments, and I'm going to ask you
07 to turn to -- one, two, three, four -- the sixth
08 page. It was produced in native format so the
09 Bates ends 1085, but the pages after it don't
10 actually have a Bates stamp because of the nature
11 of the production.
12 The top of the page I'm referring to
13 starts: "13-May-2010 Gregory Luke Meche."
14 A. Okay.

Page 235:17 to 235:19

00235:17 Q. Do you mind taking a look through and
18 reading it to see if it sounds -- if the
19 information within it sound familiar to you?

Page 235:21 to 236:05

00235:21 Q. Does this look familiar?
22 A. Some of it is accurate; others, I
23 don't -- did -- I mean, is this -- like I said,
24 I've never -- never seen it before.
25 Q. Right. I -- I think it's probably
00236:01 someone else's notes.
02 A. Yeah. Who produced it, or from what --
03 Q. Right. But can you -- just since you've
04 read through it now, can you point to what you
05 think in here was not accurate?

Page 236:07 to 237:16

00236:07 A. Okay. Well, I can tell you, at the time,
08 four years' offshore experience, three years'
09 Compliance Specialist, that's accurate.
10 Q. (By Ms. Garthwaite) All right.
11 A. "Arrived on" the "Horizon April
12 20th...10:00 to 10:30," that's accurate.
13 "Unpacked, had lunch, hooked up" my
14 "computer" is accurate.
15 "Talked with Leo, was told..." the "job
16 was to collect...sample of the spacer when
17 displacing the riser."
18 Leo "...said go to the gumbo box...13,000
19 strokes," that, I -- I don't -- I can't remember
20 if it was Leo or Gordon, I think I testified
21 earlier that I --
22 Q. Sure.

23 A. -- probably was more like Gordon than Leo
 24 because Leo was getting off. So, okay.
 25 Next: "He had" -- "he had his monitor
 00237:01 screen on where he could see measured depth..."
 02 (Reviewing document.) "...screen...",
 03 that's correct.
 04 Q. Okay. And just to stop you there, "MD"
 05 and "TVD" stand for what?
 06 A. Measured depth, true vertical depth.
 07 Q. Okay.
 08 A. "Watched the screen and played video
 09 games to pass the time." That's most -- mostly
 10 accurate.
 11 Q. Is there something else you'd like to add
 12 about it that would make it more accurate?
 13 A. I don't think I was playing video games,
 14 but that really doesn't matter. No, I -- it --
 15 in this -- in this -- if this comes from my
 16 Marine Board testimony, or wherever --

Page 237:18 to 238:13

00237:18 A. Okay. Again, I -- I said this earlier in
 19 my testimony, that I -- I failed to mention that
 20 I attended the displacement meeting that day --
 21 Q. (By Ms. Garthwaite) M-h'm.
 22 A. -- in my original testimony.
 23 Q. M-h'm.
 24 A. I don't why it slipped my mind, but --
 25 Q. Sure.
 00238:01 A. -- it -- it's not in here.
 02 Q. Sure.
 03 A. So that -- that right there accounts for
 04 some of the time where I "watched the screen and
 05 played video games to pass the time."
 06 Q. Okay. Well, I can tell you just to --
 07 A. Yeah.
 08 Q. -- try to make this clearer, the document
 09 is attached to an E-mail sent internally at BP,
 10 among some people at BP. The sender is Brian
 11 Martin. Does that name sound familiar to you at
 12 all?
 13 A. No.

Page 238:23 to 239:14

00238:23 Q. Okay. We don't have to go through the --
 24 the rest of the document, unless you -- there are
 25 other individual things that you saw that were
 00239:01 specifically inaccurate and you would like to
 02 clarify?
 03 A. Yes, actually -- "When the
 04 shutdown..." -- well, I mean, it's -- like you
 05 said, if it's -- if it's -- if this is not from

06 my testimony, then I -- I -- 'cause I -- there's
07 nobody saying that I said this, correct?

08 Q. Well, from the way -- from the looks of
09 it, it seems like notes from an interview on
10 May 13th, or interview or meeting of some sort
11 with you.

12 A. Yeah.

13 Q. So I'd presume it would be someone's
14 notes from a meeting with you?

Page 239:16 to 241:13

00239:16 A. "The spacer came back on strokes
17 and...time. Had a bucket, caught a sample." It
18 doesn't mention that I made a visual -- we made
19 a -- a sure visual confirmation that the spacer
20 was -- was back.

21 Q. (By Ms. Garthwaite) Okay.

22 A. "Handed the bucket to Gorden for his
23 test." Don't know what that means.

24 "Took a sample in a cup to conduct a
25 static sheen test. Blair accompanied..." Gordon
00240:01 was also there.

02 "Verified the test was good." That was
03 the -- the whole thumbs-up moment --

04 Q. M-h'm.

05 A. -- that we talked about.

06 "He caught the interface between the" --
07 "the 14 and the 16..." I'm assuming -- well,
08 I'm not -- I don't want to assume, but is that
09 the mud weights? It's not very specific.

10 "...he agreed" -- "...he agreed the pump
11 shut down for the sheen test." I didn't agree.
12 That's -- that's not my call to make, for -- for
13 pump on or off.

14 Q. But do you know if the pumps were
15 actually shut down for this test?

16 A. No, I do not.

17 Q. Okay.

18 A. "...company man was not there" is
19 accurate.

20 "He injected to run the static sheen test
21 for 60 minutes." That is incorrect.

22 "After 5 minutes he observed it and
23 it" -- "and it was good." The five minutes I
24 testified earlier, I don't know exactly how long
25 I stayed to look at it, but I know that Gordon

00241:01 Jones and Blair Manuel weren't in there for --

02 Q. Right.

03 A. -- very long at all.

04 Q. Right.

05 A. But nowhere was it ever said that I was
06 going to run it for 60 minutes --

07 Q. Sure.

08 A. -- because Don Vidrine was not going to

09 shut the pumps off for a whole hour.
10 Q. Okay. Can I actually ask you about
11 the -- the difference between a "pass" and an
12 "apparent pass" in terms of a sheen test?
13 A. I have no clue what the difference is.

Page 241:21 to 242:12

00241:21 Q. Okay. Is there anything else from this
22 that you wanted to correct or -- does it
23 otherwise seem accurate?
24 A. (Reviewing document.) I "...later
25 recanted that the lights went out after the first
00242:01 bump." I don't recall that.
02 Q. Okay.
03 A. I mean, that's -- in all honesty, it's
04 pretty difficult to remember that particular
05 moment --
06 Q. Sure.
07 A. -- in time, what -- if the lights were on
08 or not. I mean, whether you can see or not, you
09 still don't know what is going on.
10 "Went out into the hallway; there was
11 smoke and insulation everywhere...galley walls
12 had collapsed." (Reviewing document.)

Page 242:14 to 242:25

00242:14 A. Ah, yeah, I don't -- I wouldn't consider
15 what I did panicking. I "ran back to my room
16 to..." receive a -- to -- it's -- it's -- the
17 statements are true. They're just -- they're --
18 they're -- I mean, they're not true. They're --
19 when the lights -- when the lights went out, I --
20 I was on my way to get my life vest outside, as
21 opposed to my room like I always do --
22 Q. M-h'm.
23 A. -- because I'm treating it like a fire
24 drill.
25 Q. Right.

Page 246:02 to 246:07

00246:02 Q. And after you observed the sheen test as
03 a pass initially, Gordon and Blair left the room?
04 A. That's correct.
05 Q. And you understood that to be because
06 they thought that it had been a pass based on
07 your gestures to each other?

Page 246:09 to 247:06

00246:09 A. It -- ultimately, it was -- it was -- I

10 guess it was my call to say whether it was a pass
11 or a fail.
12 Q. (By Ms. Garthwaite) Okay.
13 A. But as I've stated before, everybody kind
14 of knows what a sheen looks like on the water.
15 Q. Right.
16 A. So it was just an extra set of eyes. We
17 all looked at it, and everybody was like --
18 (indicating).
19 Q. Right.
20 A. So they had business to attend to. My
21 next order of business was to dump the bucket,
22 throw away the trash bag, and go weigh the
23 sample, and then do my paperwork.
24 Q. Okay. But you testified earlier that you
25 stayed a few minutes longer watching the sheen;
00247:01 is that right?
02 A. I said that, yes. Yeah. I -- I mean,
03 it's -- yes, I guess I did.
04 Q. And you didn't notice any sheen over the
05 course of the time that you were watching it?
06 A. No.

Page 247:12 to 247:24

00247:12 Q. You would have -- if you saw a sheen, you
13 would have reported it to someone?
14 A. Yes.
15 Q. Is that right?
16 A. (Nodding.)
17 Q. Right?
18 A. Yes.
19 Q. But you didn't actually see any kind of
20 sheen because -- and you thought it was a pass,
21 at the time?
22 A. Yes.
23 Q. And you still think it was a pass, right?
24 A. Yes, I do.

Page 248:04 to 248:23

00248:04 Q. If you were doing a sheen test on
05 something that had the Rheliant mud in it,
06 drilling fluid in it, would that have shown a
07 sheen?
08 A. We do the weekly test on -- we do a
09 weekly test, a static sheen test, on the -- the
10 actual fluid that has been circulated in the
11 hole --
12 Q. M-h'm.
13 A. -- in the wellbore. Whether I catch the
14 sample from the flow line, that means we're
15 pumping, I can get it from there, or I can get
16 from it an active pit that's been circulated

17 downhole. And the same thing for the cuttings,
 18 I -- I collect a sample of -- of wet cuttings,
 19 and I -- I inject -- I do two separate buckets,
 20 and -- and -- and I think almost all of my three
 21 years, or I'd have to say all of my three years,
 22 I've never had the synthetic mud or the -- or the
 23 cuttings fail a weekly static sheen test.

Page 250:11 to 252:05

00250:11 Q. Okay. Well, I'll tell you that they did
 12 prepare a Report, and it's -- if you look at Tab
 13 16, this is a document called "Transocean
 14 Investigation Report June 2011," previously
 15 marked 3808. If you could turn to Page 103.

16 A. Okay.

17 Q. If you look at the third paragraph down,
 18 can you read the first sentence for me, please,
 19 starting with "Although"?

20 A. "Although the compliance engineer
 21 concluded that the sheen test was successful, and
 22 the BP well site leader accepted his conclusion,
 23 analysis of the data indicates that the spacer
 24 had" notched -- "not reached the surface."

25 Q. Okay. Do you believe that that's -- that
 00251:01 it's accurate to say, as it does in this
 02 document, that the spacer had not reached the
 03 surface?

04 A. Absolutely not.

05 Q. Okay. Can you turn to Page 126 of this
 06 Report.

07 A. (Complying.)

08 Q. Looking at the very last paragraph on
 09 this page, starting with "...sample," can you
 10 read please first that sentence?

11 A. "The sample used by the mud engineer to
 12 conduct the sheen test weighed 15.4" pounds per
 13 gallon.

14 Q. Sorry. The next sentence, as well?

15 A. "This is an indication that the interface
 16 between the 14-" pound per gallon synthetic
 17 oil-based mud "and the 16-" pound per gallon
 18 "spacer was at surface, but the sample would have
 19 contained nearly 30% oil-based mud."

20 Q. Do you think that that's an accurate
 21 statement?

22 A. No, I do not.

23 Q. Thank you. After you have concluded that
 24 the sheen test is a pass, do you know what
 25 happens next, what the next operations are on the
 00252:01 rig?

02 A. All I know is what I did next.

03 Q. Which was what?

04 A. Which was I wor -- walked back into the
 05 shaker house and weighed the sample.

Page 252:17 to 252:22

00252:17 Q. (By Ms. Garthwaite) Sure. Do you know
 18 the purpose of conducting the sheen test?
 19 A. In this particular case?
 20 Q. M-h'm.
 21 A. The purpose of conducting the sheen test
 22 was for Don Vidrine.

Page 253:20 to 254:02

00253:20 Q. So one of the reasons for the sheen test
 21 is to determine whether or not it contains -- the
 22 fluid that you're checking contains any oil?
 23 A. Correct.
 24 Q. Okay.
 25 A. The discharge of a water-based spacer is
 00254:01 allowed without -- without the presence of a
 02 sheen test.

Page 256:18 to 257:06

00256:18 Q. Okay. In terms of the type of vessel
 19 that the DEEPWATER HORIZON was, or MODU that it
 20 was, how would you describe it?
 21 A. How would I describe the vessel?
 22 Q. M-h'm.
 23 A. It's an Engineering marvel.
 24 Q. Pretty sophisticated?
 25 A. Very sophisticated.
 00257:01 Q. And it looks like from the different
 02 places you were gesturing to before, that there's
 03 some interesting things, there's a movie theater,
 04 cinema room --
 05 A. (Nodding.)
 06 Q. -- gym, other sorts of things?

Page 257:08 to 257:20

00257:08 Q. (By Ms. Garthwaite) Kind of like a mobile
 09 city?
 10 A. Yeah, like a -- like a -- a little hotel,
 11 yeah.
 12 Q. Yeah. When you were on the DEEPWATER
 13 HORIZON, did you ever visit the Driller's Shack?
 14 A. Yes.
 15 Q. Can you describe it for me?
 16 A. Describe the Driller's Shack?
 17 Q. M-h'm.
 18 A. Lots of technology. Buttons everywhere.
 19 Looks like a -- like a cockpit of an airplane, I
 20 guess.

Page 258:01 to 258:09

00258:01 Q. (By Ms. Garthwaite) In terms of the
02 Technology that was in the Driller's Shack, are
03 you familiar with what sorts of things -- can you
04 be more specific about what was there, or -- or
05 do you know?
06 A. No. All I can say is that because I'm
07 not familiar with it, it -- it can be
08 intimidating because you know nothing about it.
09 It's -- it's pretty -- pretty sophisticated.

Page 261:03 to 261:10

00261:03 Q. Okay. Are you familiar with the phrase
04 "stop the job"?
05 A. Yes.
06 Q. What does it mean to you?
07 A. It means that I have the authority, as
08 does anyone else, to completely shut down an
09 operation for unsafe acts, or anything of the
10 like.

Page 262:23 to 263:01

00262:23 Q. (By Ms. Garthwaite) In terms of the sheen
24 test, when you've concluded that the -- there is
25 no sheen or there is sheen, is BP required to
00263:01 sign off on your conclusion?

Page 263:04 to 263:04

00263:04 A. No.

Page 274:03 to 275:04

00274:03 Q. Very good. When you went and caught the
04 sample on April 20th, of the spacer, I'm -- I'm
05 still trying to get a good feel for physically
06 what's going on there.
07 How -- how big was the -- approximately
08 the pipe that -- that -- the flow line that --
09 that you caught this -- the sample from?
10 A. Approximately, whew, 16 to 20 inches.
11 Q. How big was the bucket that you used?
12 A. The -- our -- our protocol says a gal --
13 we have a gallon bucket that we use.
14 Q. Okay. So you're kind of sticking the
15 edge of the bucket in -- into it and -- with
16 your -- your hand out of the flow?
17 A. What it is, is there's -- there's a

18 gallon bucket attached to a -- a stick --
19 Q. Okay.
20 A. -- that the Shaker Hand uses, that we use
21 from him. And you just take the stick and stick
22 it out over the -- you know, because if it's --
23 from -- you and I can't reach it, like this.
24 Q. M-h'm.
25 A. Well, I guess we could, if we had to,
00275:01 but, you know, a lot more practical to use the
02 bucket on a stick. And we'll get -- we'll fill
03 up that bucket, and then from there, I'll remove
04 a -- a sample from the sample, if you will.

Page 275:19 to 279:01

00275:19 How -- how much material do you use when
20 you do your sheen test? Is it a standard amount?
21 A. Materials?
22 Q. How much of the sample do you use to
23 perform the -- the sheen test?
24 A. Okay. I -- it -- the -- the -- we catch
25 it as a gallon, as I stated before.
00276:01 Q. M-h'm.
02 A. And of that gallon, the syringe that we
03 use, I think, is a 20 mil or a 20 cc syringe.
04 Q. M-h'm.
05 A. And I fill it up -- I think the -- I
06 think the procedure was 11 mils. Where they got
07 that number, I don't know, but it was -- it was
08 11 ccs of fluid --
09 Q. M-h'm.
10 A. -- out of the gallon. That's injected
11 into the bucket.
12 Q. But you stick the -- the -- the -- the
13 end of the syringe below the surface line, or
14 above? I mean --
15 A. Below -- below. It simulates the shunt
16 line --
17 Q. Okay.
18 A. -- or the ov -- the overboard discharge
19 line.
20 Q. When -- when you -- when the sample
21 was -- was taken, how much time had elapsed
22 between in -- your first noticing that the spacer
23 material was flowing? I'm trying to get an idea
24 of where in that interface you caught the sample.
25 A. Okay. As I said earlier, we -- we were
00277:01 getting the -- the talkback. We knew that the
02 time was -- the timing was correct.
03 Q. M-h'm.
04 A. Within a matter of, I don't know, it --
05 it -- sec -- seconds -- 30 seconds, you start --
06 we started noticing the -- the difference from
07 the synthet -- from the 14-pound to the 16-pound
08 spacer. As I mentioned earlier, it was flowing

09 like water or chocolate milk, and then it turned
 10 into fudge or like lava, lava-like. And your
 11 question is: How long after that point --
 12 Q. Right.
 13 A. -- did we wait?
 14 Q. Yeah.
 15 A. Another minute, maybe.
 16 Q. Okay. So by that point, do you have any
 17 feel for how much would have flowed out of that
 18 line between the time that the -- that the
 19 spacer -- you first saw indications of the spacer
 20 arriving and the time you actually took the
 21 sample?
 22 A. There's no way I can estimate that.
 23 Q. Okay.
 24 A. No.
 25 Q. Is a 16-pound spacer unusual, in your
 00278:01 experience?
 02 A. No. And I -- I think I was asked this
 03 earlier today, if a 16-pound spacer was -- was
 04 unusual, or was heavy, or -- or whatnot.
 05 Q. M-h'm.
 06 A. I -- I responded to the question: "Had
 07 you ever worked with a 16-pound spacer before?"
 08 "Possibly."
 09 "Do" -- "Are" -- "Do they always exactly
 10 16.0 pounds per gallon?"
 11 The answer is "No."
 12 Q. Okay. What -- what range have you worked
 13 with?
 14 A. Ah, I -- I can't recall. I just know
 15 that it's never exact; it's never -- it's never
 16 exactly the same.
 17 Q. Did the fact that it was 16 pounds, was
 18 that curious to you at all, or was that just par
 19 for the course?
 20 A. Par for the course.
 21 Q. Okay. You'll agree that the 15.4-pound
 22 weight measurement that you took indicates that
 23 there was some mixing, at least on the sample you
 24 took, between the synthetic oil-based mud and the
 25 spacer, correct?
 00279:01 A. I agree --

Page 279:11 to 280:04

00279:11 Q. How big of a variance have you
 12 experienced, approximately, in the amount of time
 13 that elapsed from when you expected to see a
 14 spacer to when you actually saw it?
 15 A. I can -- I can -- I feel good saying that
 16 probably never more than -- than five to six
 17 minutes' difference.
 18 Q. Okay.
 19 A. Whether it was early or late.

20 Q. Okay.
21 A. Never plus or minus.
22 Q. And this one was a plus or minus one
23 minute, I think you said?
24 A. Sec -- I would say seconds.
25 Q. Okay.
00280:01 A. More -- more than a minute.
02 Q. So we know --
03 A. It would -- it would be less than a
04 minute is what I mean, yeah.

Page 281:19 to 281:24

00281:19 Q. Relative to Mr. Vidrine's request for the
20 sheen -- or instruction for the sheen test in
21 your discussions, and Mr. Lindner's discussion
22 with him, were you annoyed or frustrated that you
23 were required to do this, because you felt it was
24 a waste of time?

Page 282:01 to 282:06

00282:01 A. A little -- a little frustrated, I'll --
02 I'll say that. A little frustrated.
03 Q. Okay.
04 A. Not because I had to do the work, just
05 because it was a -- we -- we couldn't find a real
06 reason for its -- it having to happen.

Page 282:09 to 282:13

00282:09 Do you have a recollection as to how -- or you
10 didn't know when the pumps got turned off and on,
11 so you can't tell us how long they were off,
12 correct?
13 A. That's correct.

Page 283:07 to 283:13

00283:07 Q. Okay. I'm going to -- I'm going to
08 interrupt. I have one more I want to ask you.
09 When the spacer arrived, and you grabbed your
10 sample, did you notice anything unusual that
11 might be described as "crosslinking" of that
12 spacer?
13 A. No.

Page 285:12 to 286:14

00285:12 Q. And this is a BP Well Site Leader,
13 Mr. Kaluda -- Kaluza, right?
14 A. Yes, sir.

15 Q. Now, when you did see him, was there a
16 verbal exchange between the two of you, a
17 greeting, or something along those lines?
18 A. Not that I recall, no.
19 Q. What was he doing when you first saw him?
20 A. I don't remember.
21 Q. All right. Now, during that day, up
22 until the time of the -- of the abandonment of
23 the rig itself, did you see him again? Did you
24 see him on more than one occasion?
25 A. I think I testified earlier that I knew
00286:01 that we had one of the Well Site Leaders in
02 the -- in on the Displacement Meeting.
03 Q. Yes.
04 A. I have to assume that he was there. Do I
05 actually physically remember seeing -- seeing him
06 standing there? No.
07 Q. Okay.
08 A. I know he was there. I just don't
09 remember seeing him there.
10 Q. All right. And -- and you know he was
11 there for what reason?
12 A. Because one of them is always present --
13 Q. Okay.
14 A. -- in my experience, in the past.

Page 288:22 to 289:04

00288:22 Q. Okay. And so if called upon to testify,
23 you would say that you had no exchange of
24 substance regarding your position as a Compliance
25 Specialist with Robert Kaluza, correct?
00289:01 A. That's correct.
02 Q. With any of the other BP workers that you
03 knew on the rig on that day?
04 A. That is correct.