

Deposition Testimony of:

Eric Neal

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Page 7:08 to 7:09

00007:08 ERIC NEAL,
09 having been duly sworn, testified as follows:

Page 10:13 to 17:22

00010:13 Q. So you've been working with
14 the -- actually, it's not -- you went to work
15 with the Mineral Management Service, right?
16 A. That's correct.
17 Q. It's now BOEMRE, correct?
18 A. Correct.
19 Q. You went to work with MMS in
20 2003?
21 A. I believe so.
22 Q. Okay. And between 2003 and
23 2000 -- and April of 2010, did you have any
24 specialized training?
25 A. Yes.
00011:01 Q. What -- what -- well, before
02 even that did you have any particular
03 specialized training courses while working
04 offshore?
05 A. Yes.
06 Q. What type of courses did you
07 take?
08 A. T2 for production, crane
09 operations, HazCom, HAZWOP, water survival,
10 rigger's -- rigger training.
11 Q. Now, explain what each one of
12 those is. T2 is what?
13 A. T2 is basic production
14 operation. It gives you a guide for all
15 production.
16 Q. And how long is that training?
17 A. Four days.
18 Q. And then you did crane
19 operations training, also, or -- or class?
20 A. Crane operations training, two
21 days; rigger's one day, so a three-day
22 course. You do it all together. HazCom,
23 HAZWOP, one-day training; water survival, one
24 day --
25 Q. And what is -- what is involved
00012:01 in HazCom?
02 A. It's hazardous material and
03 handling.
04 Q. Okay. And did you say hazops,
05 also?
06 A. HazCom and HAZWOPER. It's all
07 the same thing.
08 Q. Okay.
09 A. It's learning -- one side is the
10 technical, and then the other side -- as far

11 as chemicals and learning what to look for,
12 and the second part is how to dispose and
13 such.
14 Q. And -- and the work that you did
15 before going to MMS you said was entirely in
16 production --
17 A. That's correct.
18 Q. -- is that right?
19 Did you work entirely on fixed
20 platforms?
21 A. Yes.
22 Q. Were any of them on land?
23 A. No.
24 Q. All offshore?
25 A. Correct.
00013:01 Q. Any in shallow water or
02 marshlands --
03 A. Yes.
04 Q. -- of Louisiana?
05 A. Not marshlands, no.
06 Q. But shallow --
07 A. Off --
08 Q. -- in Louisiana?
09 THE REPORTER:
10 Please wait.
11 MR. LEGER:
12 I'm sorry. I'm sorry.
13 MS. ROSA:
14 Make sure you let him finish the
15 question. She can't get it all down.
16 THE WITNESS:
17 Okay.
18 EXAMINATION BY MR. LEGER:
19 Q. Was some of the work in the
20 waters of the territory, the state of
21 Louisiana?
22 A. No.
23 Q. Was all offshore?
24 A. Correct.
25 Q. Okay. All on the outer
00014:01 continental shelf, right?
02 A. That is correct.
03 Q. And you understand the
04 distinction between the outer continental
05 shelf and federal waters and US waters,
06 correct?
07 A. Yes, sir.
08 Q. Did you know them at -- know
09 that at the time or is that something you --
10 you know as a result of your work with MMS?
11 A. Yes, I knew that at the time.
12 Q. Okay. Did you ever have any
13 particular training in -- in drilling
14 operations?
15 A. No.

16 Q. Have you had any particular
17 training in drilling since you've been
18 working with MMS?
19 A. Yes.
20 Q. What kind of training have you
21 had in drilling?
22 A. The T1, T3, and that's basic
23 supervisory. It's for observations and
24 stuff. And I've been to a BOP school where
25 they just go over the basics of the BOP.
00015:01 Q. And in the context of the BOP
02 training, do you actually work on a BOP?
03 A. No.
04 Q. It's just really a
05 classroom-type thing?
06 A. That's correct.
07 Q. Now, you've had experience
08 inspecting BOPs, correct?
09 A. That's correct.
10 Q. And you had -- you had that kind
11 of experience before April 20th of 2010?
12 A. That's correct.
13 Q. Okay. And -- so most of that
14 type -- that -- that training would have been
15 on -- on-the-job training, not particularly
16 formalized classroom, that is, on actual
17 BOPs, correct?
18 A. Correct.
19 Q. Did you -- give me an idea
20 generally since you went to work with -- with
21 MMS what your experience involved between
22 2003 and April of -- of 2010?
23 A. As far as?
24 Q. For example, when -- did you do
25 both production inspections -- production
00016:01 platform inspections and drilling inspections
02 before 2010, for example?
03 A. Yes.
04 Q. And when did you first -- was it
05 a mixture? Is that the way you guys worked?
06 A. I worked nine months' production
07 to start training, and then I trained in
08 drilling for six months, and then went back
09 to production for five and a half years, and
10 then two months back into drilling when --
11 before this happened.
12 Q. So would it be fair to say that
13 one of your first -- the first rigs you
14 inspected in drilling in the -- the second
15 time around was in February of 2010?
16 A. Roughly, not certain --
17 Q. That wasn't --
18 A. -- but rough.
19 Q. -- the first, though --
20 A. No.

21 Q. -- the -- the DEEPWATER HORIZON?
 22 A. No.
 23 Q. Okay. So -- but -- but
 24 basically what you -- had you returned to
 25 drilling, inspecting drilling vessels in
 00017:01 February?
 02 A. I had returned to training in
 03 drilling.
 04 Q. So you were still -- you were
 05 training in February, right?
 06 A. Correct.
 07 Q. You were training in March,
 08 correct?
 09 A. Correct.
 10 Q. And you -- you actually
 11 inspected the DEEPWATER HORIZON in April,
 12 correct?
 13 A. Correct.
 14 Q. Were you in training at that
 15 time?
 16 A. Correct.
 17 Q. Did you go aboard with another
 18 inspector on -- on -- in April of 2010?
 19 A. Not at that time.
 20 Q. Okay. But -- but you
 21 nonetheless were technically in training?
 22 A. Correct.

Page 18:25 to 19:05

00018:25 Q. Now, in the course of -- of your
 00019:01 work inspecting drilling vessels, did you
 02 look at records -- daily records of pore
 03 pressure and fracture gradient
 04 determinations?
 05 A. No.

Page 20:20 to 30:12

00020:20 Q. Now, you weren't -- your visit
 21 to the DEEPWATER HORIZON was on April 1st of
 22 2010, correct?
 23 A. Correct.
 24 Q. So even if that -- this -- even
 25 if PPFG reports were available to you for
 00021:01 your inspection, you wouldn't have seen this
 02 one?
 03 A. It wouldn't have existed.
 04 Q. Right.
 05 Now, were you ever told or
 06 taught that you were supposed to look at PPFG
 07 reports?
 08 A. No.
 09 Q. Is that -- had you ever even

10 heard of a PPFG report before you and I
11 started talking about it?
12 A. After the HORIZON we -- I
13 discussed.
14 Q. But -- but you -- I mean, before
15 April --
16 A. No, sir.
17 Q. -- 20, 2010, in any training you
18 took part in, PP -- the existence of PPFG
19 reports weren't -- weren't told to you,
20 correct?
21 A. No.
22 Q. Okay. It wasn't your job to
23 inspect them, right?
24 A. That's correct.
25 Q. Now, as a matter of fact, you
00022:01 probably know that BP produces a whole bunch
02 of information on a drilling vessel that you
03 never get to see, right?
04 A. That's their -- I don't -- I
05 wouldn't know what they keep.
06 Q. Are you -- do you -- are you
07 told that there's a specific set of documents
08 or a specific group of documents that you're
09 supposed to look at as a -- a drilling
10 inspector?
11 A. Yes.
12 Q. And can you give me an idea of
13 what they are?
14 A. We look at the records, the
15 daily log, that the driller has, and the
16 charts, BOP casing, and we look at the
17 approvals.
18 Q. Okay. Let -- let's take --
19 let's go to -- let's go to April 1st. And let
20 me show you an exhibit that's been previously
21 marked as Exhibit 4127.
22 MS. SEVIN:
23 Tab 23.
24 EXAMINATION BY MR. LEGER:
25 Q. Now, there's a big old black
00023:01 doc -- black rectangle --
02 A. Okay.
03 Q. -- in there which seems to be
04 blocking out the name of an inspector, right?
05 A. It would seem.
06 Q. Do you know who that would be?
07 A. My number's on the side.
08 Q. Right.
09 A. It's me.
10 Q. Your -- your code number's 166,
11 correct?
12 A. That is correct.
13 Q. And on the -- you've -- you
14 would have filled out the original of this

15 form, right?
16 A. Yes.
17 Q. And you would have written your
18 name where that black --
19 A. Yes.
20 Q. -- rectangle is?
21 So this is your handwriting,
22 correct?
23 A. That is correct.
24 Q. Is this -- when -- when --
25 let's -- let's talk about it generally,
00024:01 April 1st, if we may.
02 You went aboard -- do you recall
03 going aboard the deep -- DEEPWATER HORIZON on
04 April 1st?
05 A. Nothing specific.
06 Q. Okay. You know that you did,
07 though, right?
08 A. Yes, sir.
09 Q. And how'd you get there?
10 A. Helicopter.
11 Q. Did anyone go with you?
12 A. No.
13 Q. Pilot and you -- pilot lands,
14 you get off, right?
15 A. Yes.
16 Q. Okay. Now, the helicopter you
17 go on is a helicopter of the MMS?
18 A. That is correct.
19 Q. Correct?
20 You're not carrying any other
21 crew or any equipment or anything for the oil
22 company or the drilling company, right --
23 A. I --
24 Q. -- ordinarily?
25 A. That depends.
00025:01 Q. It does happen sometimes?
02 A. Well, we go out in groups and
03 drop off --
04 Q. Okay.
05 A. -- you know -- okay.
06 Q. Now, on -- on this particular
07 occasion or -- or on an occasion like the
08 April 1st visit to the DEEPWATER HORIZON,
09 what other documents or things would you
10 bring with you?
11 A. What I bring on any inspection.
12 Q. And what's that?
13 A. My blank reports.
14 Q. Okay. So you bring one of these
15 but --
16 A. Blank.
17 Q. -- in blank form, correct?
18 A. Yes, sir. I would also bring my
19 regulations.

20 Q. Okay. At Tab 10 I'm going to
21 show you a document which has been previously
22 marked as Exhibit 4122. Is that what you're
23 talking about is your regulations?
24 A. Yes, sir.
25 Q. So you carry a set like this
00026:01 with you when you're visiting, right?
02 A. That is correct.
03 Q. Okay. Anything else?
04 A. AP --
05 Q. Now, that's also referred to as
06 a PINC list, right?
07 A. That's correct.
08 Q. Okay. Anything else?
09 A. I would carry my PINC list.
10 I'll carry my Code of Federal Reg -- the
11 CFRs.
12 Q. Okay.
13 A. And I carry the API.
14 Q. The -- the code -- the API
15 code --
16 A. Correct.
17 Q. -- American Petroleum Institute?
18 A. It's a small book.
19 Q. Now, as far as forms to be
20 filled out, the only thing you -- you carry
21 is a blank form like the one we just looked
22 at, right?
23 A. I carry my blank form -- there
24 is more. I'm sorry.
25 Q. All right.
00027:01 A. I will carry out the folder of
02 the rig that will have the previous
03 inspections, and I will also have the
04 approval in that folder to know what to look
05 for when I get there that they're following.
06 I will also carry my INC pad, which is a
07 blank form, if I were to find anything.
08 Q. And INC pad, meaning like a
09 ticket book, right?
10 A. Yes, sir.
11 Q. You could write them a ticket --
12 A. Correct.
13 Q. -- basically, write them an INC?
14 A. Correct.
15 Q. And when you say an ink form,
16 it's I-N-C form, right, not I-N-K?
17 A. Yes, sir, incident of
18 noncompliance.
19 Q. Uh-huh. Now, in the context of
20 this folder that you bring with you, does
21 it -- did I understand you to say it would
22 contain copies of the APDs, previous APDs on
23 this vessel, on this well?
24 A. It would have the current well

25 APD.

00028:01 Q. For example, the original APD --
02 and APD is -- is what? What does APD stand
03 for?
04 A. The approval from our office to
05 drill.
06 Q. Approval for permit to drill,
07 correct?
08 A. Yes, sir.
09 Q. And every well -- it was your
10 understanding that every -- the leaseholder
11 or the oil company in every well has to
12 submit an application -- I'm sorry, called it
13 an approval -- an application for permit to
14 drill, correct?
15 A. That is correct.
16 Q. And then it gets signed --
17 before the drilling can take place, the
18 office of the MMS back then -- now it's
19 BOEMRE -- would have to sign off on -- on
20 that application for permit to drill, right?
21 A. Our engineering department, yes,
22 sir.
23 Q. Okay. And, now, after that, the
24 leaseholder or the oil company may amend,
25 modify, revise, or -- or basically, you know,
00029:01 request for changes in its permit, correct?
02 A. They would have to submit it to
03 our office --
04 Q. And --
05 A. -- and wait for approval.
06 Q. And -- and you would carry with
07 you the original APD and any revised APDs,
08 correct?
09 A. That would be correct.
10 Q. Okay. And is it fair to say
11 that your job is to study those, look at
12 them, and see that that vessel, that well, is
13 in compliance with the APD -- the existing
14 APD and the -- the original APD and -- and
15 the APD as amended?
16 A. Yes. They would have to follow
17 that guideline.
18 Q. Okay. So, now, once aboard --
19 once aboard, what do you do to assure that
20 that -- well, first of all, what do you see
21 as your job on that rig? What -- what are
22 you trying to achieve in the big picture?
23 A. Safety. I'm trying to make sure
24 they're following the law.
25 Q. You're -- you're trying to make
00030:01 sure they're following -- following federal
02 law, federal regulations, which is designed
03 to prevent -- to protect life, property, and
04 the environment; is that correct?

05 A. That is correct.
06 Q. Okay. Now, what do you do
07 actually once you're aboard the vessel in the
08 context of -- of trying to accomplish that
09 goal?
10 A. I would review records, walk
11 around the rig, check for safety, and make
12 sure that they're following those rules.

Page 40:01 to 40:15

00040:01 How about fracture gradient? Do
02 you look on -- on a chart or a document on
03 the -- on the drilling rig to see that the
04 fracture gradient at this interval matched up
05 with what they predicted?
06 A. No, sir.
07 Q. That's not something you look
08 for, right?
09 A. That's for the engineers.
10 Q. Okay. Do you know what a
11 fracture gradient is?
12 A. Generally, nothing specific.
13 Q. The engineers know, though,
14 right?
15 A. Yes, sir.

Page 40:20 to 41:17

00040:20 Q. I'm going to show you an exhibit
21 that's been previously marked as Exhibit 4135
22 at tab -- that was -- do you know what that
23 is?
24 A. It would be a blank drilling
25 inspection form.
00041:01 Q. It has also got a -- a list
02 of -- kind of an INC list on it, too -- or a
03 PINC list on it, doesn't it?
04 A. Correct.
05 Q. Do you use this form or do you
06 use --
07 A. No, we did not have this form.
08 Q. Okay. Have you ever seen that
09 form -- that one before?
10 A. It was used sometime before I
11 went back into drilling. It was -- I was
12 told it was used.
13 Q. Okay. But -- but once you went
14 back in, you didn't -- you weren't using
15 those forms, right?
16 A. It wasn't even used whenever I
17 went in the first time.

Page 41:23 to 48:04

00041:23 Q. Gotcha. Now, back to the -- the
24 actual form that you used on April 1, 2010,
25 Exhibit No. 4127, did you note anything at
00042:01 all out of the ordinary?
02 A. At the time I wouldn't recall
03 specifics, but looking at this report right
04 now, I would say no.
05 Q. Okay. You would have looked at
06 previous reports, right?
07 A. That would be correct.
08 Q. And you -- you were on the
09 vessel on February 17th with Robert Neal,
10 right?
11 A. I don't know the date exactly.
12 Q. At Tab No. 15 -- I'm sorry, Tab
13 No. 14, I'll show you Exhibit No. -- that's
14 been previously marked Exhibit No. 4121.
15 Now, again, there's one of those
16 little rectangular boxes blocking out the
17 names, but that's your code, 166, right?
18 A. That is correct.
19 Q. And that's Robert Neal's code,
20 No. 53, right?
21 A. That's correct.
22 Q. And Robert Neal is your father,
23 correct?
24 A. That's correct.
25 Q. And as I appreciate it, you come
00043:01 from a -- you're kind of a legacy as an
02 offshore inspector right?
03 A. I suppose.
04 Q. Your grandfather was also an
05 inspector?
06 A. Yes, sir.
07 Q. So this is a very serious
08 business or profession in your family, right?
09 A. Yes, sir.
10 Q. Okay. Is that your handwriting?
11 A. I believe it is, yes, sir.
12 Q. Okay. I'm also going to show
13 you at Tab 16 a drilling report -- I'm sorry,
14 an inspection report that's been previously
15 marked as Exhibit No. 4126 dated March 3rd.
16 And that code shows the inspector was No. 53.
17 That would be Robert Neal, correct?
18 A. That is correct.
19 Q. His handwriting's a good bit
20 better than yours, right?
21 A. Yeah.
22 Q. That -- that's his handwriting?
23 A. That is correct.
24 Q. Now, on April -- on -- on the
25 form -- on the inspection report of

00044:01 April 17th, were you kind of in training --
02 A. Yes, sir.
03 Q. -- at the time?
04 That's why the two of you went
05 together, right?
06 A. That is correct.
07 Q. But both of you kind of looked
08 through things together. Is that a -- is
09 that fair?
10 A. Very fair.
11 Q. Down at the bottom, you -- you
12 made a comment on February 17th. What does
13 that say, sir?
14 A. "Continuing drilling on a
15 preexisting well, have not run any new casing
16 yet."
17 Q. Okay. So they weren't -- I
18 mean, they were drilling, but they were just
19 redrilling basically what they'd already
20 done, right?
21 A. All I can base it off is what it
22 says. I don't know the specifics of what
23 they were doing.
24 Q. Okay. Now, on March 3rd you
25 were not there, but Robert Neal did an
00045:01 inspection, right?
02 A. Yes.
03 Q. You would have looked at this
04 document in the course of doing your
05 inspection on April 1st, right?
06 A. Yes.
07 Q. It would have been in that file
08 or a copy of it, right?
09 A. It would have been in --
10 Q. What -- what --
11 A. Our basic procedure would have
12 had me look at that.
13 Q. Is there anything that would
14 have been of interest to you on that
15 inspection report, 4 -- Exhibit 4126?
16 A. I'm not sure exactly what --
17 what you mean.
18 Q. As a -- as a guy -- as a -- as a
19 professional inspector on April 1st on the
20 rig looking at your file, is there anything
21 in this report that you would have found
22 important?
23 A. I would have looked here at the
24 casing information to see what he captured
25 the inspection before.
00046:01 Q. Okay. And would you have
02 compared the records of what he -- he
03 noticed --
04 A. I would have --
05 Q. -- or would you have just

06 started there?
07 A. I would have started there --
08 Q. Okay.
09 A. -- continued where they were
10 going.
11 Q. How about under remarks?
12 A. We normally generally read the
13 remarks they had.
14 Q. And did you read those remarks
15 at the time?
16 A. I -- I can't recall
17 specifically.
18 Q. But in -- in the course of your
19 ordinary job of -- of inspecting, would you
20 have read the remarks?
21 A. Our -- our routine would lead us
22 to do that.
23 Q. Okay. And -- and what do the
24 remarks say there?
25 A. "Rig drilled through cement and
00047:01 lost circulation, conditioning wall bled
02 accumulator and testing -- tested alarms."
03 Q. And is there anything
04 significant in what's reported there under
05 remarks?
06 A. It just says what they were
07 doing at the time.
08 Q. Okay.
09 A. It -- when I was there, I would
10 find out what they were doing at that time.
11 Q. Anything concern -- of concern
12 about drilling through cement and losing
13 circulation?
14 A. If -- I would look to see if he
15 had wrote an INC. If there was no INC, then
16 I would know there would be no concern.
17 Q. Okay. The -- the loss of
18 circulation alone is not a major concern to
19 you, right?
20 A. I would look and see if it was
21 wrote up. If there was a serious condition,
22 it would have been issued, and I can go from
23 that.
24 Q. Now, would you have looked at
25 and determined -- on April 1st would you have
00048:01 looked at the daily drilling reports from
02 basically March 3rd up until April 1st?
03 A. That's our procedure that we
04 would follow.

Page 65:24 to 66:11

00065:24 Q. How did you track outstanding
25 INCs?
00066:01 A. As -- I just reviewed the

02 previous INCs from the last inspection.
03 Tracking is done by the regional department.
04 We have a whole department for that.
05 Q. It's your job to identify the
06 INCs and then someone else follows up to make
07 sure that they're remedied?
08 A. They have to submit that they've
09 corrected their INCs to our offices, to our
10 engineers, and get approvals to go back to
11 normal operation.

Page 71:22 to 72:02

00071:22 Q. Are you well control certified?
23 A. I -- I don't have a
24 certification.
25 Q. Okay. Have you ever had a
00072:01 certification for well control?
02 A. No, sir.

Page 72:21 to 74:13

00072:21 Q. Okay. And you specifically --
22 have you ever had any issues dealing with
23 BP's representatives on rigs?
24 A. None that I can recall.
25 Q. Have you ever found them
00073:01 difficult to deal with?
02 A. None that I can recall.
03 Q. Have you ever found them
04 difficult to communicate with?
05 A. None that I can recall.
06 Q. And that's at both the drilling
07 and the production facilities, correct?
08 A. That would be correct.
09 Q. Have you ever heard of anybody
10 at -- at the MMS who had difficulty dealing
11 with BP's well site leaders on the rigs?
12 A. Not that I can recall.
13 Q. Do you know Ronnie Sepulvado?
14 A. No.
15 Q. Do you know Murry Sepulvado?
16 A. No, sir.
17 Q. Bob Kaluza?
18 A. No, sir.
19 Q. Don Vidrine?
20 A. No, sir.
21 Q. Okay. Never heard anything
22 about Mr. -- prior to the incident, never
23 heard anything about Mr. Ronnie Sepulvado and
24 his capabilities as a well site leader?
25 A. Never.
00074:01 Q. And prior to April 20, 2010,
02 never heard anything regarding Murry

03 Sepulvado and his capabilities as a well site
04 leader?
05 A. No.
06 Q. And prior to April 20th, never
07 heard anything regarding Don Vidrine and his
08 capabilities as a well site leader?
09 A. No.
10 Q. And prior to April 20th, you
11 never heard anything about Bob Kaluza and his
12 capabilities as a well site leader?
13 A. No.

Page 75:16 to 77:07

00075:16 Q. What kind of supervision was
17 there for the April inspection that you did
18 of the DEEPWATER HORIZON?
19 A. I went by myself.
20 Q. Okay. Did you talk to anybody
21 back -- onshore when you came back?
22 A. I reported my inspection to my
23 lead inspector, turned it in, and he reviewed
24 it for -- to -- to approve it.
25 Q. And who's your lead inspector?
00076:01 A. Mr. David Emilien.
02 Q. I want to talk about your
03 inspections in February and April 2010 of the
04 DEEPWATER HORIZON.
05 Have you ever been reprimanded
06 for the work you did in your inspections in
07 either February or April at the DEEPWATER
08 HORIZON?
09 A. Never.
10 Q. Have you ever been criticized
11 for the work you did in the February or April
12 inspections of the DEEPWATER HORIZON?
13 A. That's strictly within the
14 government?
15 Q. Yes.
16 A. Never.
17 Q. You were not suspended after the
18 DEEPWATER HORIZON incident?
19 A. No, I was not.
20 Q. You were not disciplined after
21 the DEEPWATER HORIZON incident?
22 A. No, I was not.
23 Q. Are you aware of any
24 investigation into the inspections that were
25 done of the DEEPWATER HORIZON?
00077:01 A. As far as -- all I'm aware of is
02 that they're using the inspection forms to
03 help in the process of the investigation.
04 Q. To the best of your knowledge,
05 nobody at BOEMRE thinks that you did a bad
06 job at those inspections, right?

07 A. Not at all, no.

Page 79:13 to 80:24

00079:13 Q. Okay. You said you take the CFR
14 with you when you go to do inspections?
15 A. Yeah, we take a copy.
16 Q. And you take the -- the PINC
17 book that we identified earlier?
18 A. We carry that as well.
19 Q. And -- and you basically use
20 those as checklists to make sure that the
21 operations are being done safely?
22 A. We use those as guidelines to
23 conduct an -- the inspection.
24 Q. Okay. And the purpose of your
25 inspection is to verify that the operations
00080:01 are being done according to the regulations,
02 the permits, the leases, and -- and the
03 rules, right?
04 A. That would be correct.
05 Q. Okay. And the purpose of the
06 inspection is also to determine whether the
07 equipment designed to prevent or ameliorate
08 blowouts, fires, spillages, or other major
09 accidents has been installed and is operating
10 properly according to the requirements of the
11 CFR?
12 A. According to the charts and
13 stuff that we check, yes.
14 Q. Okay. And when you go to the
15 rig, you -- you do a physical inspection of
16 rig facilities?
17 A. We do a physical walk-through
18 inspection to visually inspect.
19 Q. And you review documents
20 provided to you on the rig, correct?
21 A. Correct.
22 Q. And you also review the
23 documents that you bring with you?
24 A. That would be correct.

Page 81:16 to 82:12

00081:16 Q. Can you get that big binder
17 there. Let's take a look at Tab 13, please.
18 Mr. Neal, can you take a look at
19 Paragraph A there.
20 A. Okay.
21 Q. Have you had a chance to look at
22 Paragraph A?
23 A. Yes.
24 Q. Okay. Would you agree with me
25 that under Paragraph A of Section 250.427 of

00082:01 the CFR that the test results and hole
02 behavior observations made during the course
03 of drilling related to formation integrity
04 and pore pressure must be recorded in the
05 driller's report?
06 A. Based off of Sentence A?
07 Q. Yeah.
08 A. According to Sentence A, yes.
09 Q. Okay. So the fact that -- that
10 there's a daily PPFG report that you may or
11 may not see doesn't matter for this
12 regulation, right?

Page 82:15 to 82:16

00082:15 A. That particular form's not one
16 that I would look at.

Page 82:18 to 82:23

00082:18 Q. You would look at -- if you
19 wanted to know about the pore pressure and
20 fracture gradient information, observations
21 made during the course of drilling about hole
22 behavior, you'd look at the driller's report?
23 A. Correct.

Page 85:07 to 87:19

00085:07 Q. Okay. So how would you take --
08 how would you ensure that the BOP was being
09 maintained consistent with the API?
10 A. I was trained to look at the
11 charts and make sure the -- the integrity
12 tests, the pressures were holding. Those
13 tests is how they maintain the BOP.
14 Q. Okay. And you did that on both
15 of your inspections, correct?
16 A. According to the charts, yes --
17 according to the inspection form. Excuse me.
18 Q. Yeah.
19 And based on your inspections of
20 the BOP records, was there any indication to
21 you that the BOP would not function properly
22 if a blowout in the -- in the case of a
23 blowout?
24 A. All I can go off of is the
25 previous inspection, and the results would
00086:01 state that. As far as remembering what was
02 on the structure at the time, no. I -- I
03 don't recall.
04 Q. If you had had concerns about
05 the ability of the BOP to function, you would

06 have issued an INC, right?
 07 A. That is correct.
 08 Q. Okay. And you didn't issue any
 09 INCs on either the February or April visit,
 10 right?
 11 A. No, sir.
 12 Q. So is it fair to say that based
 13 on your inspection of BOP records, you didn't
 14 have any indication that the BOP would not
 15 function in the event of a blowout?
 16 A. That would be correct.
 17 Q. Okay. And it's fair to say that
 18 based on your inspections of the BOP records,
 19 there was no indication to you that the BOP
 20 was not suitable for the conditions at the
 21 Macondo 252 well?
 22 MR. VIGEN:
 23 Objection to form.
 24 A. Based off of what I've seen, I
 25 would say no.
 00087:01 EXAMINATION BY MR. KEEGAN:
 02 Q. And it's fair to say that based
 03 on your inspections of the BOP records, there
 04 was no indication to you that the BOP did not
 05 comply with all applicable MMS regulations?
 06 MS. ROSA:
 07 Object to the form.
 08 You can answer.
 09 A. I would say no.
 10 EXAMINATION BY MR. KEEGAN:
 11 Q. And if -- if you had thought
 12 that it wasn't in compliance with MMS
 13 regulations, you would have issued an INC?
 14 A. Definitely.
 15 Q. And it's fair to say that based
 16 on your inspections of the BOP records, there
 17 was no indication that the BOP should have
 18 received an INC?
 19 A. No, there wasn't.

Page 89:20 to 90:11

00089:20 You would use the most recent
 21 application that was approved when you did
 22 your inspections, correct?
 23 A. I would use the most recent APD
 24 form.
 25 Q. Most recent APD. And if there
 00090:01 was an application for a bypass, you'd use
 02 the most recent application for a bypass,
 03 right?
 04 A. I'm not sure what you're -- what
 05 you're saying the difference would be. It
 06 would be a new APD form?
 07 Q. I think it's officially titled

08 Application For Bypass, but it's -- it's a
09 permit to drill, to continue drilling.
10 A. I would review any approvals
11 that they were granted.

Page 90:20 to 92:08

00090:20 Q. In a typical situation where
21 there's a revised document later on, would
22 you review both the original and the revised
23 or just the revised?
24 A. I would ask when I get to the
25 rig if they have any changes made, and if
00091:01 they had a new form, it would be for them to
02 give it to me.
03 Q. Okay.
04 A. They would be required to show
05 it to me.
06 Q. So for this -- this chart, the
07 data titled Form Field Information Casing,
08 that comes from the IADC reports when you
09 visit the rig?
10 A. That comes from their daily
11 logs. That's correct.
12 Q. Okay. Who puts those daily logs
13 together?
14 A. It's -- it's from the rig. I --
15 Q. Is it a Transocean document?
16 A. I believe so.
17 Q. Okay. And then you've got BOP
18 test there. That's data you obtained from
19 the rig?
20 A. Yes. That is correct.
21 Q. And pressure integrity test,
22 casing shoe test, do you see that?
23 A. Yes.
24 Q. That's data that you obtained
25 from the rig?
00092:01 A. That is correct.
02 Q. What's the source for the
03 pressure integrity casing shoe test?
04 A. We use their chart and make sure
05 that the pressures held.
06 Q. Okay. I'm going to hand you
07 what's been previously marked as
08 Exhibit 4025.

Page 92:13 to 93:08

00092:13 Q. Mr. Neal, can you flip a couple
14 of pages into that? Is this the chart that
15 you look at when you determine the casing
16 shoe test?
17 A. It depends on where you're at.

18 Certain rigs have a round circular chart.
19 Some have computer charts.
20 Q. And -- and do you recognize this
21 as the chart that you reviewed on the
22 DEEPWATER HORIZON in either February or
23 April?
24 A. I would not recall specifically.
25 I mean, I look at a lot of these.
00093:01 Q. Okay. If you want to take a
02 look at -- which -- which page are you on?
03 A. I am on -- there's no page
04 number.
05 Q. Okay. It's the -- well, how
06 about we do it this way? Can you turn to the
07 last page? And that's the 9 and 7/8-inch
08 liner integrity test?

Page 93:12 to 93:17

00093:12 Q. And that is the 9 and 7/8-inch
13 liner integrity test?
14 A. 9 and what?
15 Q. 7/8-inch liner. If you look at
16 the casing size OD type.
17 A. 18?

Page 94:09 to 94:23

00094:09 Q. OD type. It's in the --
10 A. Okay.
11 Q. -- 1, 2, 3, 4 -- fifth box over,
12 the second line.
13 A. 18 liner.
14 Q. Okay. And can you read the
15 number in the box that says, "MMS value
16 measured pit EMW"?
17 A. 11.78.
18 Q. Okay. And how about the
19 downhole number?
20 A. The downhole number.
21 Q. 11.88 right next to the 11.78?
22 A. Yeah. Okay. Yes. 11.88 is
23 correct.

Page 95:16 to 95:24

00095:16 Q. Okay. As you -- as you look at
17 this chart here, can you identify for me
18 which data point needs to be reported to the
19 MMS?
20 A. 11.78.
21 Q. And do you in your -- in your
22 day-to-day jobs and responsibilities actually

23 interpret these or do you just confirm that
24 the data has been reported accurately?

Page 96:02 to 96:03

00096:02 A. I -- I confirm that the pressure
03 test held --

Page 96:05 to 96:22

00096:05 Q. Okay. But you're not --
06 A. -- on the charts.
07 Q. -- required to interpret what
08 the results of the pressure tests are?
09 A. The results is that it didn't
10 have a drop-off. It did hold. That's what we
11 record. Then we use the IADC to record the
12 actual numbers here on the form, the casing
13 test.
14 Q. Okay. And do you know the
15 difference between a casing test -- or sorry.
16 What is the difference between a casing test
17 and a formation integrity test?
18 A. The FIT test? I'm still in
19 training as far as the actual definition for
20 the FIT, so --
21 Q. Okay. Why don't we put that
22 aside, then.

Page 98:04 to 98:16

00098:04 Q. Okay. So you would have
05 inspected the well control drill plan on the
06 DEEPWATER HORIZON, correct?
07 A. We would generally inspect that.
08 Q. Okay. And -- and is that a
09 Transocean document or a BP document?
10 A. I believe it would be the
11 contractor, but I'm not -- I don't remember
12 specifically if BP or Transocean conducted
13 it.
14 Q. And do you know who has primary
15 responsibility for well-control activities on
16 the DEEPWATER HORIZON?

Page 98:19 to 98:19

00098:19 A. I would say Transocean.

Page 98:21 to 98:24

00098:21 Q. And it's the driller who has the

22 primary responsibility for well-control
 23 operations?
 24 A. Yes.

Page 99:05 to 99:11

00099:05 Q. A driller is required to monitor
 06 the well continuously?
 07 A. That would be correct.
 08 Q. And shut in the well promptly if
 09 there's any indication of a well-control
 10 event?
 11 A. That would be correct.

Page 99:17 to 100:06

00099:17 If you pull out the daily
 18 drilling reports documents. The last binder
 19 I'm going to put in front of you. And you
 20 said earlier that for the April inspection
 21 you would have reviewed the IADC reports from
 22 the previous inspection forward, right?
 23 A. I would have reviewed our
 24 previous inspection and the driller's IADC
 25 form.
 00100:01 Q. So from -- if the previous
 02 inspection were March 3rd, you would review
 03 IADC reports from March 4th until the day you
 04 were there?
 05 A. Generally speaking, yes, we
 06 would.

Page 100:21 to 105:24

00100:21 (Exhibit No. 4084 marked for
 22 identification.)
 23 EXAMINATION BY MR. KEEGAN:
 24 Q. Thank you, Mr. Neal.
 25 You see at the bottom where
 00101:01 there's the regulatory other line?
 02 A. Okay.
 03 Q. Can you read that into the
 04 record, please?
 05 A. "Approval from Frank Patton (MMS
 06 New Orleans) to drill hole section with
 07 up" -- and there's a signature over the
 08 writing. I believe that says "with up to
 09 12.3 ppg mud weight."
 10 Q. Okay. Do you know why that
 11 regulatory other line is on the IADC report?
 12 A. I imagine it's to note their --
 13 what had taken place.
 14 Q. Okay.

15 A. The approval.
16 Q. Are you aware that the MMS
17 provides oral approval to change the mud
18 weight at various times?
19 A. That is correct.
20 Q. Okay. That's a common practice
21 for the MMS?
22 A. It is a common practice.
23 Q. When you reviewed this IADC
24 report, did you have any concerns about the
25 fact that Frank Patton had allowed them to
00102:01 increase the mud weight to 12.3 ppg?
02 A. No. No, sir.
03 Q. Nothing surprising about having
04 that kind of an indication on an IADC report?
05 A. Frank -- that's Frank's job to
06 do. I just verify that they're following the
07 suit that Frank did. Frank -- I'm not
08 trained to -- to approve or disapprove. I
09 only verify what Frank approved.
10 Q. Okay. But seeing that didn't
11 make you think, I need to call Frank and find
12 out what's going on?
13 A. No. If they have approval, that
14 means Frank has already approved it.
15 Q. And -- and -- and no surprise to
16 you that -- that Frank's name is there and
17 that he would have approved that?
18 A. If I have questions, I would ask
19 to see the approval. If they normally would
20 generally have an e-mail.
21 Q. And did you have any questions
22 about this one that you recall?
23 A. I cannot remember specifically
24 the details of this inspection.
25 Q. Okay. Can you just take a
00103:01 minute or two and identify for me in the IADC
02 reports leading up to your April 1st
03 inspection the well-control drills that were
04 conducted?
05 A. Are you wanting me to, when I
06 find something, stop and say or review all
07 the way to the 1st?
08 Q. Why don't you stop and say?
09 A. Okay. Well, we've got the --
10 where are we at here?
11 Q. What tab are you on, sir?
12 A. I'm on 105.
13 Q. Okay. And that's March 21,
14 2010? Mr. Neal, did you find something on
15 that tab?
16 A. Correct. On -- from 0100 hours
17 to 130.
18 Q. Okay.
19 A. And from 130 to 230 -- well,

20 that's it. From 130 to 230, after they set
21 the cement, they did the kill test, tested to
22 2500. Good test. Close up annulars and test
23 liner to 1500 psi for five minutes. Straight
24 line monitor riser on trip tank.
25 Q. Okay.
00104:01 A. So they did their -- their test
02 there.
03 Q. Understood. I'm -- I'm looking
04 for the well-control --
05 A. Okay.
06 Q. -- testing.
07 A. Okay. We'll keep going, then.
08 Q. And that's not well-control
09 testing.
10 A. Correct.
11 Q. That's the casing shoe test.
12 A. I misunderstood the question.
13 Q. No problem.
14 A. So I will continue.
15 Q. And let me ask you this: What
16 section are you looking at?
17 A. The daily logs on the -- on the
18 back page. This is where they document
19 everything that's conducted throughout the
20 day.
21 Q. Okay. You're not looking at the
22 remarks on the front page or are you looking
23 at that, too?
24 A. We will review it, but I'm --
25 I'm looking for the actual test and all the
00105:01 steps that were taken, which would be on
02 page -- on the second page.
03 Q. So at some point I'm going to
04 assume -- I don't think we have enough time
05 for you to go through all of these?
06 But fair to say that you would
07 expect to have the type of drill, the
08 reaction time from the moment the kick is
09 simulated until the designated crew member's
10 ready to start the shutting in procedure, and
11 the total time taken to complete the drill
12 recorded in those reports?
13 A. We would expect to have that
14 done.
15 Q. And those would be in the
16 remarks?
17 A. Correct.
18 Q. And there's no other place on
19 this IADC report that you would look for to
20 have that identified?
21 A. I won't say there wouldn't be
22 another place, but I -- I like to read the --
23 the remarks they put so you can see the steps
24 they take.

Page 107:05 to 109:02

00107:05 Q. Okay. And so you would
 06 anticipate that -- that the IADC reports
 07 should contain an entry for each well control
 08 drill including the time that it required for
 09 a response, right?
 10 A. I would assume, yes.
 11 Q. Okay. And if those are not
 12 present in the IADC reports, what would that
 13 tell you?
 14 A. That they weren't conducting the
 15 drill.
 16 Q. And would that be a violation of
 17 the MMS regulations?
 18 A. Yes.
 19 Q. And something that you would
 20 issue an INC for?
 21 A. Most definitely.
 22 Q. Because well control training is
 23 critical?
 24 A. Very critical.
 25 Q. And do you give any well control
 00108:01 tests -- have you given well control tests?
 02 A. We're not allowed to give tests.
 03 Q. Have you conducted well control
 04 drills while on the rig?
 05 A. We witness -- we just verify
 06 that they respond and that they take the
 07 proper steps just to -- to react.
 08 Q. Can you take a look at your
 09 April 1st summary. Does that one have the
 10 exhibit number on it?
 11 A. They didn't give me a copy with
 12 the exhibit number.
 13 Q. All right. Exhibit 4127, Tab 23
 14 in the plaintiffs.
 15 Mr. Neal, on that one you wrote,
 16 "Drilling ahead."
 17 What does that mean?
 18 A. They're drilling -- they're in
 19 the process of drilling the well. They're --
 20 they -- they're drilling down, I -- I
 21 guess --
 22 Q. The bit's turning?
 23 A. Yeah, the bit's turning and
 24 they're drilling the well.
 25 Q. They're doing -- they're making
 00109:01 a new hole?
 02 A. They're making headway.

Page 109:20 to 112:01

00109:20 Q. Do you know what the MMS safe

21 award is?
22 A. I do.
23 Q. What is the MMS safe award?
24 A. It is awarded to companies that
25 show exemplary work ethic, and they -- based
00110:01 off of their records in the Gulf, they're
02 awarded accordingly.
03 Q. And is there a district level
04 award?
05 A. There is.
06 Q. And a national level award?
07 A. There is.
08 Q. Do you know who won the district
09 safe award for large producers in 2009?
10 A. Not offhand.
11 Q. Would you be surprised to learn
12 that it was a BP company?
13 A. Not at all.
14 Q. Do you know who won the district
15 award for safe operations or the district
16 safe award for 2010?
17 A. We're not involved in the
18 actual -- we -- we give our recommendations,
19 they take them, and the region selects who
20 they wish. So we don't really pay attention
21 as much to who actually receives the awards.
22 Q. Would you be surprised if BP
23 received that award in 2010?
24 A. Not at all.
25 Q. Did you make recommendations
00111:01 that BP receive a -- the safe award?
02 A. I do not recall.
03 Q. Okay. And what's the difference
04 between the -- the district or regional award
05 and the national award?
06 A. The district award is awarded by
07 our district, the engineers, and our
08 supervisors. The national is awarded from
09 Washington, which we don't -- they -- they
10 review numbers and go off of that.
11 Q. And are you aware of -- of
12 whether BP was nominated -- one of three that
13 was nominated for the national safe award in
14 2009?
15 A. I'm not 100 percent sure, but I
16 believe they were.
17 Q. And the same for 2010?
18 A. I do believe they were, but I'm
19 not positive.
20 Q. And is --
21 A. We don't keep up with it as much
22 as they do.
23 Q. And does that surprise you that
24 BP would be a candidate for the national safe
25 award?

00112:01 A. Not at all.

Page 112:15 to 114:15

00112:15 Q. Mr. Neal, are you aware that --
16 that BP issued its internal investigation
17 report last fall?

18 A. That's not something I'm
19 involved with.

20 Q. Have you ever reviewed the
21 internal investigation report from BP?

22 A. No.

23 Q. Okay. Are you aware that a
24 group called the Presidential Commission on
25 the DEEPWATER HORIZON Oil Spill, what we
00113:01 shorthand call the Presidential Commission,
02 issued a report last November?

03 A. I don't know exactly when. I
04 heard they had done an investigation and did
05 a report.

06 Q. Did you review that report?

07 A. No.

08 Q. You don't recall reading any of
09 the report, a couple hundred pages?

10 A. No.

11 Q. Okay. Are you aware that a
12 subgroup of the Presidential Commission
13 called the Chief Counsel's Group, the Chief
14 Counsel report, was issued in the spring of
15 2010?

16 A. No.

17 Q. Did you review that report at
18 all?

19 A. Not to my knowledge.

20 Q. Okay. And are you aware that
21 Transocean has released an investigation
22 report recently?

23 A. I think I heard something that
24 they had, but I have not reviewed it.

25 Q. Did you -- you did not review
00114:01 Transocean's report?

02 A. (Moving head side to side.)

03 Q. The last one so far is the
04 Coast Guard's report that came out earlier
05 this year. Did you review the Coast Guard's
06 report?

07 A. No, I did not.

08 Q. And are you aware that the
09 Marine Board of Inquiry has yet to review --
10 or yet to release an additional report?

11 A. No, not to my knowledge.

12 Q. You haven't been involved in any
13 way in that report that's coming out at the
14 end of this month?

15 A. No.

Page 115:07 to 115:07

00115:07 Q. Okay. I'm sorry if I missed

Page 116:03 to 116:08

00116:03 Q. Okay. So you don't have any
04 knowledge about how BOP inspections are
05 conducted now as opposed to before April 20,
06 2010, do you?
07 A. Any of the upgrades I'm not
08 involved in. I am strictly production now.

Page 118:09 to 124:17

00118:09 Q. Okay. And if you turn back --
10 turn to Tab 5. That's Exhibit 4135. Now, I
11 understand that -- you mentioned that the --
12 the list of --
13 A. Can I see something real
14 quick --
15 Q. Sure.
16 A. -- please?
17 Q. Yes.
18 A. Okay. I was just verifying.
19 Q. Sure. Okay. If you -- if you
20 will turn to Tab 5 for me, and that's
21 Exhibit 4135 that was -- we already
22 mentioned.
23 A. Okay.
24 Q. And now I understand that you --
25 you -- you testified that the -- the list of
00119:01 PINCs that's attached to this document were
02 out of date as of the time you started
03 inspecting drilling rigs; is that right?
04 A. I simply testified that they
05 were not included with the form.
06 Q. Not included with the form.
07 Okay.
08 If you -- can you review these
09 PINCs and tell me if they were -- one, if
10 they were field PINCs or office PINCs and,
11 two, if they were applicable as of April 1,
12 2010?
13 MS. ROSA:
14 Object to the form.
15 A. It's not a really good copy to
16 make out any of the words. But they do have
17 the INC numbers that we would verify.
18 EXAMINATION BY MR. ALEXANDER:
19 Q. So -- so they're field INCs?
20 A. Yes, sir.

21 Q. Or field PINCs?
22 A. Yes.
23 Q. But you just don't know if --
24 if -- what -- what revision it is and whether
25 they applied as of April 1, 2010, do you?
00120:01 A. What revision this specific one
02 is?
03 Q. Right.
04 A. It would normally be titled at
05 the top, and it's not titled, so I could not
06 verify that at all.
07 Q. Okay. Can you turn to Page 4 of
08 8 of that document? It's the same exhibit
09 number.
10 A. Oh, I'm sorry.
11 Q. And if you look down one, two,
12 three, four, five -- six rows at D-153. Do
13 you see that?
14 A. Do you have a copy clearer that
15 you could read it to me, please?
16 Q. Yeah.
17 MR. KEEGAN:
18 There should be a clean copy in
19 that -- in that pile.
20 EXAMINATION BY MR. ALEXANDER:
21 Q. Well, let -- let me read it to
22 you, and you -- you tell me if I'm reading it
23 correctly, if you can follow.
24 MR. LEGER:
25 That's a little better copy.
00121:01 EXAMINATION BY MR. ALEXANDER:
02 Q. Okay. D-153 says, "Are drilling
03 operations suspended when the safe margin, as
04 approved by the District Supervisor, between
05 the mud weight in use and the equivalent mud
06 weight at the casing shoe is not maintained?"
07 A. Sorry. I was looking it up.
08 I'd like to read along with you.
09 Q. Sure. Can you read that --
10 A. Yes.
11 Q. -- copy?
12 A. "Are drilling operations
13 suspended when the safe margin, as approved
14 by the District Supervisor, between the mud
15 weight in use and the equivalent mud weight
16 at the casing shoe is not maintained?"
17 Q. Okay. Do you know if that PINC
18 or INC was -- was applicable to your field
19 investigation to drilling rigs as of April 1,
20 2010?
21 MS. ROSA:
22 Object to the form.
23 EXAMINATION BY MR. ALEXANDER:
24 Q. All right. Let me ask it
25 another way. Is that something you would

00122:01 check for during your inspections of drilling
02 rigs in the spring of 2010?

03 A. I would make sure that they
04 are -- if they did have an issue, they would
05 suspend the operation, yes.

06 Q. Okay. And so that would require
07 you to determine whether they were breaching
08 or -- or going under the safe drilling
09 margin; is that right?

10 A. That would require me to check
11 their reports to make sure that they were
12 following the approved plan.

13 Q. Okay. And what is the safe
14 drilling margin as defined by MMS?

15 A. That's predetermined on the
16 approval that they have to follow.

17 Q. Okay. So that would be on the
18 APM or --

19 A. APD.

20 Q. -- APD that you're reviewing?

21 A. APD.

22 Q. Okay. Do you know of --
23 what the reporting requirements are for
24 operators when they would go below the safe
25 drilling margin during well operations?

00123:01 MS. ROSA:

02 Object to the form.

03 A. As far as if they had an issue?

04 EXAMINATION BY MR. ALEXANDER:

05 Q. Yes.

06 A. Their process would be to call
07 our engineers and explain what's happening
08 and request approval for any changes that may
09 need to be taking place.

10 Q. Okay. If you noticed a problem
11 with maintaining the safe drilling margin
12 during your inspection, what would you do?

13 A. I would call my engineer and
14 explain to him what I have.

15 Q. Okay. Do you know whether
16 they're all -- the operator is also required
17 to report any issues pertaining to
18 maintaining the safe drilling margin when
19 they submit cementing plans for an interval
20 where those sort of problems exist?

21 MR. KEEGAN:

22 Objection to form.

23 MS. ROSA:

24 Object to the form.

25 A. Could you repeat the question?

00124:01 EXAMINATION BY MR. ALEXANDER:

02 Q. Sure. If you -- do you know
03 what the requirements are, the reporting
04 requirement for an operator, if in a given
05 well interval they have a problem maintaining

06 the safe drilling margin, if they're required
07 to report that to MMS when they submit a
08 cementing plan for that well interval?
09 MR. KEEGAN:
10 Objection to form.
11 A. And we are talking about BP --
12 EXAMINATION BY MR. ALEXANDER:
13 Q. Yeah.
14 A. -- the operator?
15 Q. The operator. If you know.
16 A. Anything that goes out of the
17 APD would have to be reported to MMS.

Page 126:03 to 127:24

00126:03 Q. Okay. When you conducted
04 drilling rig inspections, you mentioned some
05 of the documents that review -- you reviewed.
06 You mentioned APDs, casing test reports; is
07 that right?
08 A. That's correct.
09 Q. IADC reports, BOP test charts.
10 Would you also review mud reports?
11 A. Yes.
12 Q. Would you review well control or
13 emergency drill reports or would you only
14 review the IADC entries regarding those
15 drills?
16 A. We would review the IADC to
17 verify that they were conducted and on that
18 IADC they will have the numbers listed.
19 Q. Okay.
20 A. We also do -- check the records
21 for gas detection as well.
22 Q. Okay. Okay. And -- and do you
23 remember whether you reviewed all of those
24 documents during either of your -- either
25 your February 2010 inspection or April 1,
00127:01 2010 inspection of the DEEPWATER HORIZON?
02 A. It's our -- our procedures to
03 review those records, so I would say I did.
04 But I can't specifically say yes, I did --
05 Q. All right. But under --
06 A. -- the specifics of that
07 inspection.
08 Q. Under normal circumstances
09 that's what you would review?
10 A. Yes, sir.
11 Q. Okay. And if you noticed any
12 violations or any substandard conditions, any
13 problems with the reports or records, you
14 would indicate that on your report?
15 A. Yes, I would.
16 Q. And you would issue an INC?
17 A. It would be indicated by the

18 INC.
19 Q. Okay. And you did not issue an
20 INC regarding your inspection of the
21 DEEPWATER HORIZON on either your
22 February 2010 inspection or your April 1,
23 2010 inspection, did you?
24 A. No, I did not.

Page 131:04 to 132:24

00131:04 Q. Did you ever visit the well site
05 leader's office on the DEEPWATER HORIZON rig?
06 A. I cannot recall.
07 Q. What was the DEEPWATER HORIZON's
08 reputation in terms of safety and performance
09 as a drilling rig in the Gulf of Mexico
10 within MMS?
11 A. From what I -- from my
12 experience they're one of the best.
13 Q. Did you find the crew to be
14 competent to perform the operations or any
15 operations you may have witnessed safely and
16 effectively?
17 A. I don't recall the specific
18 details.
19 Q. Did you ever observe any
20 problems or issues with crew competency on
21 the DEEPWATER HORIZON?
22 A. I would say no, simply because I
23 haven't had any issues with Transocean.
24 Q. Okay. Do you find the crew or
25 believe the crew to be safety conscious?
00132:01 A. I would say Transocean as a
02 whole safety conscious is very good.
03 Q. Okay. You believe Transocean
04 strives to remain in full compliance with all
05 MMS regulations?
06 A. Yes.
07 MS. ROSA:
08 Object -- object to the form.
09 EXAMINATION BY MR. ALEXANDER:
10 Q. And when you conducted your rig
11 inspections on the DEEPWATER HORIZON, you did
12 so to the best of your ability, fairly and
13 objectively and without bias or prejudice for
14 any of the companies working on that rig?
15 A. Yes.
16 Q. And you take your inspections
17 very seriously because worker safety is at
18 stake?
19 A. Yes.
20 Q. Okay. And, again, during those
21 inspections you found no issues of
22 noncompliance with any federal regulations,
23 did you?

24 A. Based off of my report, no.

Page 142:24 to 143:16

00142:24 Q. Okay. At what point would the
25 existence of lost returns ever -- ever be
00143:01 something that you would then discuss on --
02 on a subsequent inspection?
03 A. When my dad did his inspection,
04 he discussed it with them, and being he
05 didn't write an INC, there was nothing for me
06 to address.
07 Q. So it would be only if there was
08 an INC written?
09 A. It would depend on what my
10 engineer would ask me to do. If there was a
11 specific INC to that effect, he would come to
12 me or whoever's doing drilling at that time
13 and say, Look, we had this issue. Let's
14 backtrack it.
15 Other than that, no INC issued,
16 they're -- they're okay.

Page 151:01 to 151:20

00151:01 Q. On any of your inspection
02 visits, whether it be drilling or production,
03 did you notice any Cameron personnel on any
04 of the rigs?
05 A. I've seen them.
06 Q. Okay. So you do know what they
07 look like?
08 A. Yes.
09 Q. Did you observe any during your
10 February 17th visit to the DEEPWATER HORIZON?
11 A. I can't recall.
12 Q. Okay. Do you recall seeing any
13 Cameron personnel on your visit to the
14 DEEPWATER HORIZON on April 1, 2010?
15 A. I can't recall.
16 Q. So I, therefore, assume you did
17 not have any contact or communication with
18 any Cameron personnel during one of your
19 visits?
20 A. I -- I wouldn't recall if I did.

Page 156:05 to 156:06

00156:05 (Exhibit No. 4086 marked for
06 identification.)

Page 158:15 to 159:04

00158:15 Q. Now, as an inspector your --
16 your duty is to try to make sure the drilling
17 company and the oil company, the -- the --
18 the leaseholder are complying with federal
19 regulations, correct?

20 A. They're -- they're complying
21 with federal regulation, and they're
22 following the approved plan.

23 Q. And they have an obligation to
24 tell you -- well, first of all, they have an
25 obligation to follow the federal regulations,
00159:01 right?

02 A. That's correct.

03 Q. And they're supposed to tell you
04 when they're not following them, right?

Page 159:07 to 159:07

00159:07 A. That's correct.

Page 159:15 to 159:21

00159:15 Q. Is it your understanding as a
16 trained inspector for the United States of
17 America, Department of Interior, Mineral
18 Management Service, that the -- the
19 leaseholder is supposed to tell you when
20 they've deviated from the APD?

21 A. It is required.