

ONE HUNDRED ELEVENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
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July 8, 2010

Mr. Lamar McKay
President and CEO
BP America, Inc.
501 Westlake Park Boulevard
Houston, Texas, 70779

Dear Mr. McKay:

I write to request additional information regarding BP's exploration plans for the relief wells. Your July 2nd response to my letter of June 23rd provided the exploration plan for the relief wells and revisions to it. These documents, along with the exploration plan for the original well and the regional spill response plan, raise further questions.

As you know in the March 2009 Initial Exploration Plan¹ for the Macondo well, BP was required to provide information to the Mineral Management Service on a variety of issues including potential oil spills and their impact on the wildlife, their habitat and the resources in the Gulf of Mexico. Since the well was being drilled in the central planning region of the Gulf, a site specific oil spill response plan was not required; instead all activities and facilities were covered by BP's Gulf of Mexico Regional Oil Spill Response Plan.² The exploration plan did have to indicate deviations from the regional plan. One such deviation was in the worst-case scenario determination, which the original Macondo plan indicated would be 162,000 barrels per day (bpd). The initial April 24th, 2010 relief wells exploration plan also included the 162,000 bpd worst-case scenario. The relief well plan was amended on April 27th, 2010,

¹ BP's Initial Exploration Plan, March 2009, available at:
<http://www.gomr.mms.gov/PI/PDFImages/PLANS/29/29977.pdf>

² BP's Gulf of Mexico Regional Oil Spill Response Plan, June 2009, available at:
http://docs.house.gov/energycommerce/Docs_06152010/BP.Oil.Spill.Response.Plan.pdf

and the worst-case scenario was increased to 240,000 bpd, just 10,000 bpd below the regional response plan's scenario of 250,000 bpd.³

Please answer the following questions that arise from examination of your regional response plan and the exploration plans submitted for the original well and relief wells:

1. Since the start of the drilling of the relief wells, BP officials have indicated that they would be finished in August. Today the *Wall Street Journal* reports that BP official Bob Dudley says the relief wells could be finished as early as July 27th. In the relief wells exploration plan, BP indicates a finish date for the relief wells of July 15th. Please explain the discrepancy between BP's public statements and what was submitted to the Minerals Management Service.
2. Please explain the April 27th change raising the relief well worst-case scenario from 162,000 bpd to 240,000 bpd. How has the flow from the now blown-out original well influenced the revision of this number? Please provide all documents relating to the change in the worst-case scenario.
3. The revised worst-case scenario is now just 10,000 bpd less than the 250,000 bpd worst-case scenario in the regional response plan. What differences exist between the relief wells and the regional response plan well (MC 462) that account for this difference? Please provide all documents relating to these scenarios.
4. The original well exploration plan relied on a regional response plan approved in November 2008 in which the worst-case scenario was 300,000 bpd. The subsequent regional response plan approved in July 2009 lowered that number to 250,000 bpd. Please explain this change and provide all documents relating to the change.
5. The environmental impact analysis in the relief wells exploration plan is essentially the same as that in the original exploration plan. For example, both plans section 14.2.3.1 Beaches begin with the statement:

An accidental oil spill from the proposed activities could cause impacts to beaches. However, due to the distance to shore (48 miles) and the response capabilities that would be implemented, no significant adverse impacts are expected.

This is clearly not the experience in the aftermath of the original Macondo well blowout. Why have you used the same language for the impact of a spill from the relief wells despite the experience of the spill from the original well? What is the basis for BP's stated belief that an accidental oil spill from the relief well

³ BP's Supplemental Exploration Plan and revisions (for relief wells), April 2010, available at: <http://www.gomr.mms.gov/PI/PDFImages/PLANS/30/30979.pdf>

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would not result in significant adverse impacts to beaches, when it is abundantly clear that the spill from the original Macondo well has in fact resulted in significant adverse impacts to shorelines, notwithstanding the 48 mile distance from the well to the shoreline?

Thank you very much for your attention to this important matter. Please provide your response no later than Wednesday July 14, 2010. If you have any questions or concerns, please have your staff contact Dr. Michal Freedhoff of the Energy and Environment Subcommittee staff at 202-225-2836.

Sincerely,



Edward J. Markey
Chairman
Energy and Environment Subcommittee

cc: Honorable Henry Waxman, Chairman
Honorable Joe Barton, Ranking Member
Honorable Fred Upton, Ranking Member