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June 8, 2010

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

Dear Mr. McKay:

BP is now collecting oil through a cap placed on the top of the blowout preventer at the Deepwater Horizon/ Macondo well accident site. However, as is evident from the live video feeds being shot on the ocean floor, substantial quantities of oil continue to escape from around the sides of the cap and from vents on the cap.

One question that remains unanswered is the rate at which oil is still spilling into the Gulf of Mexico. BP is stating that the cap is capturing 10,000 barrels a day and the Coast Guard is moving another ship into the area to increase containment capacity to nearly 20,000 barrels per day. Conservative flow-rate estimates indicate that the flow rate before the riser was severed was between 12,000 and 19,000 barrels per day, with the potential for a 20 percent increase in flow after removing the kinked and broken riser pipe.

As my letter yesterday stated, I am concerned that we still do not know the total amount of oil that is flowing out of the well. Experts will be able to determine the current total flow rate if they have access to archived high quality video of the period after the riser was severed and before the cap was installed.

It has come to my attention that the Flow Rate Technical group has not yet received archived video data for this period. Since I have previously requested that you archive all video, I expect that you have stored a copy of all the chronological video feeds. Any

efforts on your part to prevent experts from determining the size of this spill is unacceptable.

I request that you immediately release the archived video to the Flow Rate Technical Group and to me so that the size of this spill can be determined. Five days have passed since BP severed the riser. We need to know the amount of total oil flowing from the well to determine the efficacy of the temporary cap solution and to know the size and extent of the needed spill response.

Therefore, please provide to me and the flow rate technical group, archived, high-quality video showing the flow of oil from the top of the blowout preventer, after the point in time when the riser pipe was completely severed and prior to placement of the temporary cap.

In order to be able to assess the ongoing situation in real time I request that you release this video within 24 hours of receipt of this letter. I would ask that such video be of the highest possible quality and that it include all available camera angles.

Sincerely,



Edward J. Markey
Chairman
Energy and Environment
Subcommittee
Energy and Commerce Committee

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