

# Further evidence of criminal negligence by BP and US government in Gulf disaster

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Evidence of the criminal negligence of BP and the US government in the run-up to the April 20 Deepwater Horizon oil rig explosion continues to mount. BP's decision to ignore important safety warnings for the sake of profit and repeated regulatory green lights from the Bush and Obama administrations made a disaster like that presently overtaking the Gulf of Mexico all but inevitable.

Central to the new revelations are flaws in BP's blowout preventer (BOP) system. The blowout preventer is a device that acts as a measure of last resort to prevent an uncontrolled release of oil. The BOP at the Deepwater Horizon site was five stories tall and contained a shear ram that was designed to cut through the pipe connected to the well on the ocean floor and clamp off the flow of oil in an emergency. The BOP had two control pods containing electronics and hydraulic valve systems that power the device.

Engineers working on the Deepwater Horizon rig have reported a failure in the BOP system during the April 20 blowout. Pressure gauges revealed hydraulic fluid was not flowing into the BOP, leaving the shear without power.

Both BP and the Obama administration have claimed that the failure of the blowout preventer was an unforeseeable event. Coast Guard Commandant Thad Allen has declared, "It's hard to write a plan for a catastrophic event that has no precedent, which is what this was."

This is simply a lie. Studies conducted by independent companies, the US government as well as BP and Transocean, reported Monday by the *New York Times*, reveal significant problems with blowout preventers in general and the equipment at the Deepwater Horizon rig in particular. ("Regulators failed to address risks in oil rig fail-safe device" June 20).

The *Times* cites a study by a Norwegian company, Det Norske Veritas, examining 15,000 wells drilled off the coast of North America and in the North Sea between

1980 and 2006. "It found 11 cases where crews of deepwater rigs had lost control of their wells and then activated blowout preventers to prevent a spill," the *Times* reports. "In only six of those cases were the wells brought under control, leading researchers to conclude that in actual practice, blowout preventers used by deepwater rigs had a 'failure' rate of 45 percent."

The problems surrounding failures of BOPs were "common knowledge in the drilling industry," the *Times* comments.

Measures that could have improved BOP reliability were simply ignored by corporations and the government. A 2001 study of 83 wells requested by the federal Minerals Management Service (MMS) found 117 instances of BOP failures. It concluded that "all subsea BOP stacks used for deepwater drilling should be equipped with two blind-shear rams," in case one of them fails.

The MMS refused to act on the information. No new standards or regulations were put into place. The Deepwater Horizon blowout preventer had only one shear ram.

Not only were BOPs in general considered faulty but specific concerns were repeatedly raised about the BOP used by the Deepwater Horizon rig.

An internal document from 2001 belonging to Transocean, the corporation in charge of operations at Deepwater Horizon, was discovered by the House Energy and Commerce Committee in May. It revealed the Deepwater Horizon blowout preventer contained an alarming 260 "failure modes" and should have been replaced.

In 2005, West Engineering Services conducted an assessment of the Deepwater Horizon well control system for Transocean using a checklist of over 250 items for examination. No less than 72 items on the checklist went unexamined, including important tests of the blowout

preventer. Already considered defective in 2001, the BOP now went untested four years later.

Also in 2005, a Transocean document assessing problems at the Deepwater Horizon rig found that the “hot line,” a hose on the BOP carrying hydraulic fluid which is described as “critical when running and pulling the BOP stack” needed to be replaced due to “frequent failures” and found that the line “was observed to be leaking badly during a rig move.” The report says the leak was not repaired during the investigation because it could not be reached.

Deepwater Horizon worker Tyrone Benton spoke with the BBC in an article published Monday and revealed he had also observed a leak in the rig’s blowout preventer just weeks before the April 20 explosion. Benton is now suing both BP and Transocean for negligence.

“We saw a leak on the pod, so by seeing the leak we informed the company men,” Benton told the BBC, “They have a control room where they could turn off that pod and turn on the other one, so that they don’t have to stop production.” If hydraulic fluid had leaked from the system, the cutting force of the shear would have been compromised or the shear ram would have been unable to operate entirely.

The BBC quoted Tad Patzek, a petroleum expert at the University of Texas, who said the decision not to fix the leak was “unacceptable. If you see any evidence of the blowout preventer not functioning properly, you should fix it by whatever means possible.”

With numerous reports indicating serious problems with the Deepwater Horizon BOP system, BP and Transocean, facing no pressure from government regulations, did not halt drilling and production for essential repair and replacement work. Millions of dollars in profits would have been lost had they done so. Instead, the companies continued to cut corners, utilizing a poor well design which would do little to manage high-pressure “kicks” of natural gas shooting up from beneath the ocean floor. A final test of the integrity of cement seals put in place by Halliburton was also ignored.

While the *Times* documents a litany of evidence of negligence in the run-up to the disaster, it seeks to whitewash the role of the Obama administration, claiming that the new government “failed to grapple with either the well-known weaknesses of blowout preventers or the sufficiency of the nations drilling regulations even as it made plans this spring to expand offshore oil drilling.”

It was not a matter of “failing to grapple,” or, as the *Times* puts it later, a “false sense of security.” In fact, the

administration deliberately sought to undermine attempts to halt offshore oil drilling or increase regulation, as the Bush administration had done before it.

This included intervening in a 2009 court case that ruled that Bush’s 2007-2012 Gulf oil drilling plan did not include sufficient environmental studies and safeguards. The administration specifically cited the BP Deepwater Horizon project as one that had to go forward. It succeeded in getting the court’s approval. (See, “Obama administration helped BP quash environmental challenges to Gulf drilling”).

Later, as problems mounted in the weeks preceding the explosion, the MMS under Obama gave repeated waivers and approvals to BP’s decisions, sometimes within minutes of their submission (See, “Obama signals no end to deep-sea oil drilling”).

While Obama has publicly claimed he will crack down on the abuses of oil companies and do whatever is necessary to prevent another disaster of this kind, his administration continues to approve new leases for offshore drilling in the Gulf of Mexico without adequate analysis of the dangers presented to the environment by such projects.

According to a study carried out by McClatchy Newspapers, since the beginning of June, the Minerals Management Service has approved five offshore drilling projects for the Gulf of Mexico. In three of these cases, the MMS agreed to waivers, or “categorical exclusions,” which allow the oil companies preparing to drill in the Gulf to avoid undergoing detailed environmental safety reviews. The MMS granted the same waiver to BP’s Deepwater Horizon project prior to the oil spill.

Overall, 198 deepwater leases have been approved by the MMS for the Gulf of Mexico since April 20. Ten of these leases were sold to BP. This gift to the oil companies, including the very company responsible for the worst environmental disaster in US history, exposes the real relationship between the administration and the oil giants.



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