

Transcript of the Testimony of
**The Joint United States Coast
Guard/Bureau of Ocean Energy
Management Investigation**

Date taken: December 8, 2010
AM Session

USCG/BOEM Board of Investigation (Re: Deepwater
Horizon)

****Note****

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USCG/BOEM BOARD OF INVESTIGATION
INTO THE MARINE CASUALTY, EXPLOSION, FIRE,
POLLUTION AND SINKING
OF MOBILE OFFSHORE DRILLING UNIT
DEEPWATER HORIZON, WITH LOSS OF LIFE
IN THE GULF OF MEXICO, 21-22 APRIL 2010

WEDNESDAY - DECEMBER 8, 2010

AM SESSION

* * * * *

The Transcript of the Joint United States Coast Guard/Bureau of Ocean Energy Management Investigation of the above entitled cause before James T. Bradle, a certified court reporter authorized to administer oaths of witnesses pursuant to Section 961.1 of Title 13 of the Louisiana Revised Statute of 1950, as amended, reported at the Hilton Houston Hobby Airport, 8181 Airport Boulevard, Houston, Texas 77061, on Wednesday, December 8, 2010, beginning at 8:00 a.m.

1 APPEARANCES :

2

MEMBERS OF THE BOARD :

3

4 CAPTAIN HUNG M. NGUYEN
CO-CHAIR UNITED STATES COAST GUARD

5

6 DAVID DYKES
CO-CHAIR MINERALS MANAGEMENT SERVICE

7

HON. JUDGE WAYNE R. ANDERSEN

8

CAPT. MARK R. HIGGINS
UNITED STATES COAST GUARD

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10 JASON MATHEWS
MINERALS MANAGEMENT SERVICE

11

12 JOHN McCARROLL
MINERALS MANAGEMENT SERVICE

13

14 LCDR. ROBERT BUTTS, COURT RECORDER
UNITED STATES COAST GUARD

15

16

17 REPORTED BY :

18 JAMES T. BRADLE
CERTIFIED COURT REPORTER

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WITNESS - STEVEN W. ROBINSON

(with counsel Hariklia Karis, Esq.)

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1 HON. JUDGE ANDERSEN:

2 Good morning, Mr. Robinson. Good
3 morning, Ms. Karis.

4 MS. KARIS:

5 Good morning.

6 HON. JUDGE ANDERSEN:

7 Would you state your name for the
8 record as representing Mr. Robinson.

9 MS. KARIS:

10 Hariklia Karis for BP.

11 HON. JUDGE ANDERSEN:

12 Mr. Robinson, as I have for all of
13 the witnesses, I need to advise you that
14 because this is a federally convened panel,
15 everything you say needs to be truthful. If
16 you are not to tell the truth, you could be
17 in contempt or commit perjury, and under 18
18 U.S.C. 1001, there could be penalties or
19 fines or imprisonment for that.

20 Having said that, if you could
21 stand and raise your right hand, I will
22 swear you in.

23 * * * *

24 STEVEN W. ROBINSON,

25 after having been first duly sworn by Judge

1 Andersen, did testify as follows:

2 HON. JUDGE ANDERSEN:

3 Okay. Board questions.

4 EXAMINATION BY MR. MATHEWS:

5 Q Mr. Robinson, for the record,
6 could you please state your full name and
7 spell your last?

8 A Yes, sir. My full name is Steven
9 W. Robinson, R-O-B-I-N-S-O-N.

10 Q Thank you, sir. By whom are you
11 employed?

12 A I am employed by BP Exploration
13 Alaska.

14 Q And what current position do you
15 hold with BP Exploration Alaska?

16 A My title is vice president of
17 wells in the Alaska business.

18 Q How long have you held that
19 position, sir?

20 A Since January 1, 2009, so a year
21 and a half.

22 Q And did you have any other
23 previous experience with BP?

24 A Yes, sir. I have 22 total years,
25 22 and a half total years.

1 Q All with -- I'm sorry.

2 A ARCO, and then BP after the
3 acquisition of ARCO.

4 Q All within Alaska?

5 A No, sir. Various assets around
6 the world.

7 Q Ever in the Gulf of Mexico?

8 A Yes, sir. A two-year stint
9 between early 2004 to I believe mid 2006.

10 Q Okay. What is your educational
11 background, sir?

12 A I've got a Bachelor's and Master's
13 Degree in petroleum engineering from
14 Louisiana Tech University.

15 Q And I know you're the vice
16 president of I think you said wells and
17 exploration in Alaska?

18 A BP Exploration Alaska, yes, sir.

19 Q Do you have any special training
20 for the current position? Are you well
21 control certified?

22 A I'm not well control certified. I
23 was back when I worked operations and
24 planning.

25 Q Do you know if BP requires its

1 third party operators to actually have well
2 control certifications, such as Sperry-Sun?

3 A I'm not aware of all third party
4 suppliers. Certain levels of the rig crew
5 are required I know down to at least the
6 driller.

7 Q And what are your job
8 responsibilities currently, sir?

9 A I am accountable for the drilling,
10 completion and intervention operations and
11 planning in Alaska.

12 Q And what is your specific roles to
13 the DEEPWATER HORIZON? I know you don't
14 have any in your day-to-day operations in
15 Alaska, but since April 20th, what has been
16 your role to the DEEPWATER HORIZON?

17 A About April 25th, I was asked to
18 join the investigation team, and I worked
19 throughout the summer on that. There were
20 four teams in investigation. There was an
21 engineering team, operations, process
22 safety, which was an ignition kind of
23 investigation, and then the BOP, and I led
24 the operations portion of that
25 investigation.

1 Q When you say led it, did you
2 participate in interviews?

3 A Yes, sir.

4 Q And who did you interview who was
5 on the operations side?

6 A I interviewed our well site
7 leaders. I'm not sure if I can give you the
8 complete list off the top of my head. I
9 participated, and some of our BP staff in
10 the office, I'm not sure I can give you a
11 full, complete list.

12 Q No, no. I'm just looking
13 ballpark. Like what operational people?
14 People on the rig, from Transocean? Did you
15 interview people from Sperry?

16 A I did not interview anyone from
17 Transocean. The only field people I
18 remember interviewing from the rig were the
19 three well site leaders that were on board
20 at that time.

21 Q Thank you. Can you please just
22 give me a high-level approach of how BP and
23 yourself, actually, what you did to actually
24 come to findings within the DEEPWATER
25 HORIZON incident?

1 A We interviewed as many people as
2 we could get access to. We stayed in touch
3 with all the proceedings from these
4 hearings. I used that heavily. We looked
5 at all the information that came from the
6 vessel that evening and that day and the day
7 or two before, which was the Sperry-Sun
8 real-time data. We looked at documents, the
9 standards and so forth that both Transocean
10 and BP had in place. I think that's about
11 the extent. And we just looked at all that
12 and came to findings. And we employed
13 some -- I'm sorry. We employed some
14 engineering services to look at some special
15 engineering aspects, like modeling of the
16 well and stuff like that.

17 Q And did you look at any of the
18 pieces of equipment that might have failed
19 or did you do any additional testing on
20 components of the wellbore, seal assembly,
21 float collars?

22 A Yes. We have -- Not the seal
23 assembly. We started, toward the end of our
24 investigation, we started doing some testing
25 of float equipment, and I can't speak with

1 authority on that. That aspect, the
2 engineers worked on that aspect of it.

3 Q Okay. Thank you. And in your
4 review of the Sperry data, were you able to
5 determine how many negative tests were
6 actually performed on the evening of
7 April 20th?

8 A Yes, sir. The well was open three
9 times. It has been referred to as two
10 tests. They opened the well the first time,
11 to my understanding, on the drill pipe, and
12 then they opened the well two times on the
13 kill line. And the first time on the kill
14 line, they stopped it and restarted it
15 sometime later after some discussion, and I
16 think those two were combined, were referred
17 to as one test.

18 Q And of those tests, would you
19 consider any of those an acceptable test?

20 A No, sir.

21 Q And why not, sir?

22 A I saw in the analysis excess bleed
23 volumes based on witness accounts. We
24 didn't have any real-time data that
25 supported the volumes that were being

1 reported, so we were relying on witness
2 statements. And then there was a pressure
3 anomaly that occurred late in the test that
4 would not be indicative of a successful
5 test.

6 Q In your review of the data, was
7 there any other anomalies that you may have
8 noted on the evening of the 20th that
9 indicated that the well was flowing?

10 A Yes, sir.

11 Q When did you notice those?

12 A We looked at the real-time data
13 and first saw anomalies beginning to occur
14 at approximately 2058 that evening.

15 Q And what was that anomaly, sir?

16 A The first thing we noticed was the
17 pressure, a pressure increase started. We
18 saw some flow-out responses that did not
19 look right about that same time, also, but
20 it was not easy to use that flow-out
21 information, because the tank was being
22 emptied into a flowline at that time and
23 really it was difficult to use that
24 information.

25 Q And was there any other anomalies

1 prior to the explosion that you saw that the
2 well was definitely coming in?

3 A No, sir. We calculated by
4 modeling that the well began flowing at
5 2052, and the first signs of that flow we
6 believe was about 2058.

7 Q Could you explain that modeling?
8 I'm not familiar with what you're talking
9 about.

10 A Okay. The acronym is OLGA,
11 O-L-G-A, and we employed a company called
12 Add Energy. I believe they're a Norwegian
13 company. And I'm not familiar with the
14 algorithms within the model itself. I just
15 looked at the inputs that were being used to
16 see if they were reasonable inputs, and they
17 looked reasonable to me. That's about it.

18 Q Okay. That's fine. I just was
19 curious as to the modeling that you chose to
20 use.

21 Did you notice at any time when
22 the drill crew or anyone on the rig actually
23 tried to react to the well coming in?

24 A Yes, sir. We believe that at
25 2141, we see what looked to be well control

1 responses.

2 Q And what were those, sir?

3 A We believe we see the diverter at
4 the surface being closed and an annular
5 preventer being closed or a preventer being
6 closed. And based on witness statements, we
7 believe that one to be an annular preventer.

8 Q Do you think the rig crew at that
9 time had timely responded to the well coming
10 in?

11 A I believe it was late. I believe
12 by the time actions are being taken to shut
13 the well in, hydrocarbons were already in
14 the riser, and once they're above the stack,
15 once they're in the riser, they cannot be
16 contained. They can only be diverted.

17 Q And from your review of the data
18 or any of your interviews, was there any
19 indication as to why that was late, why
20 there was such a late response?

21 A No. We actually didn't reach a
22 conclusion on that. I got a section in our
23 report discussing issues that were occurring
24 on the rig that could have caused some
25 distractions to the monitoring, but we

1 actually didn't reach a conclusion why it
2 wasn't seen.

3 Q And what were those distractions,
4 sir?

5 A We observed a tank being emptied
6 in the flowline or the trip tank that was
7 being washed and it was being emptied, we
8 believe, at about that 2058 time frame that
9 I mentioned before.

10 We know from statements that mud
11 was being off-loaded from active pits onto
12 the standby vessel, the DAMON BANKSTON, and
13 that caused pit levels to fluctuate, making
14 it difficult to monitor pit volumes.

15 I recall riser tensioners were
16 being released. I can't tell you exactly
17 what time. We believe that a pump pop-off
18 valve had blown and there were some guys in
19 there trying to reset that pop-off. Lots of
20 stuff like that was occurring.

21 Q Okay. Earlier in your testimony,
22 you told me that I believe you went and
23 looked at some or all of the standards and
24 bulletins and some of the practices that BP
25 and Transocean implement.

1 Did you also go look at some of
2 the data inhouse that would allow you to
3 determine if any of your employees looked at
4 the INSITE Anywhere data that you have
5 available real-time on the rig -- or on the
6 beach? Excuse me.

7 A So let me make sure I understand
8 the question. You're asking if we looked at
9 policies that required people to look at the
10 data? Was that the question?

11 Q No, sir. Earlier you said that
12 you -- I was just stating, I caught that you
13 told me that you were looking at policies
14 and standards that you have within BP and
15 Transocean.

16 My question was, did you look at
17 any data to give you at BP a sense that your
18 employees looked at the INSITE Anywhere data
19 real-time on the beach?

20 A I'm not sure about that. I do
21 know that night that -- Well, I will say no.
22 I don't believe that night it was being
23 looked at, because it was after hours. They
24 don't have 24-hour monitoring in the Houston
25 office that I'm aware of.

1 And so if anyone is looking at it,
2 they're either accessing it from a home
3 computer, you know, if they're doing it at
4 night perhaps, or if they're in the office
5 looking at it from their desk.

6 Q And that's what I was trying to
7 set up and lead into this question. Since
8 you looked at BP's internal policies and
9 procedures, are you familiar with their
10 communication plan?

11 A Yes, sir, I did see that.

12 Q I have in front you a page of it.
13 It's Bates number stamped
14 BP-HZN-MBI00193529.

15 A Yes, sir.

16 Q And it's actually a flow chart of
17 when to call to town. Do you have that in
18 front of you, sir?

19 A Yes, sir, I do.

20 Q It says, "For operational issues,
21 like routine procedural clarifications and
22 day-to-day optimization, call the plan
23 drilling engineer or operations drilling
24 engineer based on the duties scheduled."

25 Do you agree with that, sir?

1 A Yes, sir.

2 Q Following your review of this
3 document, do you believe the well site
4 leader should have called the beach if he
5 had any type of questions about the
6 procedural clarifications with the negative
7 test?

8 A Yes. And I believe that there was
9 conversation in the interviews that we
10 conducted, there was conversation that
11 morning trying to get clarity on how the
12 negative test and the suspension procedure
13 was going to be carried out that day.

14 Q And further on, besides the
15 routine procedural clarifications, if
16 there's issues where the interpretation of
17 the results of these procedures are not
18 being set at the beach, sent to them,
19 wouldn't you expect the well site leader to
20 then call back to the beach?

21 A It would be common if they think
22 that there's something that's wrong, to
23 consult an outside party, whether it be
24 someone else on the vessel or on the beach.

25 Q In your interviews from the well

1 site leaders, were you able to determine
2 that they did actually indeed contact the
3 beach for any type of interpretation
4 assistance?

5 A No, sir. In our interviews, we
6 did not find any evidence that a call was
7 made to town for the interpretation of the
8 negative test.

9 Q I also have an e-mail from -- And
10 you may not be familiar with this, but it's
11 right in front of you and it's Bates stamped
12 BP-HZN-MBI00117574.

13 A Yes, sir.

14 Q And it's discussing a well site
15 leaders' teleconference, and the main theme
16 of that was "We have been hearing that we
17 need to empower the rig more to do their job
18 and let the experience on the rig do their
19 job."

20 Were you aware of this meeting,
21 sir?

22 A No, I was not.

23 Q Would you think that would limit
24 the well site leader's ability or his
25 confidence in himself to call the beach if

1 he's being told to empower the rig more to
2 do his job?

3 A Yeah, I really couldn't comment on
4 that. I don't know what would be in their
5 head after reading something like that.

6 Q Have you spoken to anyone as to
7 why they would have the well site leader
8 empower the rig to do their jobs in the
9 interviews that you conducted?

10 A No, sir, I didn't.

11 Q Did the results of the negative
12 test that you saw on the Sperry-Sun data
13 indicate any problems with the well?

14 A Yes, sir, it did.

15 Q What were those, sir?

16 A During the latter part of what we
17 will call the second test, when they were
18 doing the test on the kill line, we noted
19 that the pressure on the drill pipe rose to
20 1400 p.s.i.

21 In our analysis, we concluded that
22 that 1400 p.s.i. was in communication with
23 one of the discovery sands.

24 Q I believe you looked at the IADC
25 reports and all, I guess, what BP calls the

1 DIMS reports, the operations daily reports?

2 Is that the acronym you all use?

3 A Yes, sir, we did review those.

4 Q Did you look at what time the
5 sheen test was occurring?

6 A Yes, sir. As I recall, it was
7 2108 to 2114.

8 Q Do you believe that when they were
9 making the sheen test overboard and
10 bypassing the flowmeter actually had limited
11 the crew's ability to indicate that the well
12 was possibly flowing?

13 A We believed that the flowmeter for
14 the Sperry-Sun unit was bypassed, and so
15 Sperry-Sun mud loggers would not be able to
16 see flow-out.

17 From the diagrams we have of the
18 vessel, we believe that there was another
19 set of flowmeters that were still in the
20 line of flow that would have been indicating
21 flow in the driller's cabin.

22 Q I know we talked about the trip
23 tank and everything earlier, but did you
24 also review any of the pit management during
25 the data that you were looking at later on

1 in the evening after the negative tests?

2 A We looked at -- Well, other than
3 the --

4 Q I will straighten out my question.

5 A Sure.

6 Q They had the active pits of nine
7 and 10 and they were switching from active
8 pit to active pit. Did you indicate there
9 was any problems from that, from the
10 findings that you looked at?

11 A Yes. We believe that movement of
12 the mud through the pits made it difficult
13 to discern any pit volume changes. Now, any
14 time after 2108, though, there is no flow to
15 the pits, because everything is being
16 overboard at that point, so it becomes
17 irrelevant after 2108.

18 Q And I don't know if this came up
19 in your interviews with the well site
20 leaders, but were they aware that that was
21 actually bypassed?

22 A No, it didn't come up in our
23 interviews.

24 Q Did they address any concerns
25 about the ability to monitor the data that

1 Sperry-Sun was having? Did they have any
2 communication to you that -- Let me back up.
3 Did Sperry-Sun, from the interviews that you
4 had with your well site leaders, indicate to
5 anybody on that rig, the well site leaders
6 that you interviewed, that they had concerns
7 with the monitoring of data?

8 A Yes, sir. In one interview with
9 Ms. Willis, she indicated that she had a
10 concern, I believe it was in the pre-tour
11 meeting, so around the 11:00 or so time
12 frame that morning, that there was a
13 discussion about the off-loading to the
14 boats and so forth, or to the boat, and she
15 raised the concern with the AD that she
16 wouldn't be able to watch the pits. That's
17 what came out in our interview.

18 Q And that was with Ms. Willis?

19 A Yes, sir.

20 Q But that wasn't brought to the
21 attention of the well site leader, to the
22 best of your knowledge?

23 A That's our understanding, yes,
24 sir.

25 Q Would the well site leader be

1 involved in the pre-tour meeting?

2 A I don't know that for sure. I
3 don't know.

4 Q I just didn't know if it came up
5 in your interviews with Ms. Willis that the
6 well site leader was actually at the
7 pre-tour meeting when she told the assistant
8 driller?

9 A She did not mention that, no, sir.
10 And just to be clear, I wasn't in the
11 interview with Ms. Willis.

12 Q Oh, I'm sorry.

13 A All of our interviews, I read all
14 the notes that came from this, and so I'm
15 reciting what I read in the notes.

16 Q Okay. Thank you for the
17 clarification.

18 In your role in Alaska, are you
19 familiar with the acronym "AFE"?

20 A Yes, sir.

21 Q And what does that stand for, sir?

22 A Authorization for expenditure.

23 Q Are you familiar with the acronym
24 "NTE"?

25 A "NTE"? Yes, sir. It escapes me

1 at the moment.

2 Q Not to exceed?

3 A Yes. There you go. Thank you.

4 We also refer to it as P90 or the upper end.

5 Q Do you know what the original NTE

6 value for the Macondo well was in your

7 review of the data?

8 A I saw it. I don't recall it.

9 Q I have a document in front of you,
10 and that's Bates No. BP-HZN-MBI00204449?

11 A Yes, sir.

12 Q And I believe I highlighted the
13 original NTE value at the top of the page.

14 What value is that, sir?

15 A That says \$139.5 million.

16 Q Is that what you recall seeing?

17 A I don't recall the actual numbers.
18 This could be accurate.

19 Q Okay. Can you please explain --
20 I'm not familiar what the P90 NTE account
21 is. Can you explain what that is to me?

22 A It's the upper limit of an AFE.
23 We normally set two numbers on an AFE,
24 what's called P50. It's normally a mean,
25 the average costs that would be expected for

1 a well, and then they set the upper end, of
2 what the high end of the costs should be.

3 Q Okay. And if you need to exceed
4 that NTE, who do you have to contact? Do
5 you have to go to a special person that has
6 access to this?

7 A For GoM or Alaska?

8 Q GoM.

9 A For GoM. I'm not familiar with
10 their financial authorities and what they
11 have to do. But normally they would have to
12 go back to an approval. Normally it would
13 have to -- There's a threshold, also, and it
14 would probably have to go back to partners
15 as well.

16 Q So let me just look here about
17 Alaska, because I'm curious as to how this
18 works and who gets notified. If the well
19 exceeds the NTE value, I mean, somebody has
20 to be notified about it. I'm curious as to
21 who and what ranks they are. So how is it
22 set up in Alaska?

23 A There are certain financial
24 thresholds, and over certain thresholds will
25 have to go higher in the organization, and I

1 don't recall exactly what those thresholds
2 are.

3 Q For example, if a drilling
4 engineer, he's responsible for this well and
5 he produces an AFE, and says the AFE is
6 \$96 million and the NTE is \$139 million, and
7 we have documents that the AFE went up to
8 somewhere around -- at the end of the well,
9 it was around \$155 million, I'm curious to
10 know after the drilling engineer and his
11 supervisor, who does he have to go to to
12 talk to to discuss about the finances of the
13 well?

14 A In Alaska, it would go to the
15 original approver of the AFE, but it's not a
16 very good comparison. We don't drill
17 \$139 million wells.

18 Q Understood. But I'm just trying
19 to get a comparison of business structure of
20 how it's normally handled, because I didn't
21 know if you had to go to a special unit to
22 deal with an NTE account?

23 A I'm not aware of a special unit.

24 Q Is there any ramifications for
25 ever exceeding an NTE amount?

1 A In what regard?

2 Q In regards to performance. Like
3 if you're a drilling engineer, if you go
4 well above and beyond the P90, which you
5 would never expect the drilling engineer or
6 the operations to exceed, is there any
7 ramifications put onto a drilling engineer
8 or the operations people at the rig?

9 A I wouldn't -- I guess I really
10 can't comment on that. I don't know. I do
11 know that, you know, in a continuous program
12 that you have some wells are ahead and some
13 are behind, and it kind of gets looked at
14 kind of as an aggregate, not necessarily on
15 a single well. But I can't speak for GoM,
16 because I haven't worked GoM.

17 Q Understood. I think you said you
18 were in the GoM for about four years, I
19 believe?

20 A Two years.

21 Q Two years. And that's what I'm
22 trying to just base off of, your experience
23 there.

24 Now, my concern is that when you
25 exceed the NTE amount, we have seen

1 performance measures where you require your
2 employees to come in under AFE, and once you
3 start exceeding this NTE amount for people
4 that are on the rig and drilling engineers
5 that are in the office, we want to know if
6 from looking at this, how do you feel if
7 this is a possibility where cost-cutting and
8 time-saving can be implemented to come in
9 under what they're being measured against?

10 A I guess I'm not familiar enough
11 with the group and so forth to comment on if
12 people would feel pressure to cut costs. I
13 guess I wouldn't expect that. I would
14 expect them -- I expect the group to be
15 fiscally responsible, but I wouldn't expect
16 to sacrifice anything for cost.

17 Q In front of you, I think there's
18 another document that I have, and it's Bates
19 stamped BP-HZN-MBI00208179?

20 A Yes, sir.

21 Q Did you receive this e-mail, sir?
22 It went out nationwide to BP employees.

23 A Yeah, I would have. Yes. I'm
24 sure I did if it went out nationwide.

25 Q Who is Mr. Bob Dudley?

1 A He's our CEO.

2 Q And what is this e-mail about? It
3 says "fourth quarter focus on safety and
4 compliance operations"?

5 A Yes.

6 Q Can you please tell me what this
7 e-mail is about?

8 A It's about finishing the year out
9 with a focus on getting safety right and
10 being compliant.

11 Q Is there a reason why this came
12 out and the reference to every dollar counts
13 and AFE requirements, and then removing the
14 liability -- not the liability, but the
15 accountability of the employees to come in
16 under AFE, to make every dollar count, and
17 then concentrate on operational safety, to
18 measure their performance on operational
19 safety alone in the fourth quarter?

20 MS. KARIS:

21 Respectfully, I'm going to make an
22 objection to foundation. Mr. Robinson was
23 not involved in the drafting of this. This
24 came from Mr. Dudley. He can certainly tell
25 you what it meant to him, but to ask him

1 what the reason is that Mr. Dudley issued
2 this, I think this witness lacks foundation
3 for that.

4 MR. MATHEWS:

5 Well, I believe the witness has
6 been involved inside the internal
7 investigation and has probably close
8 communications with Mr. Dudley, but I would
9 assume that he has been paying attention to
10 the hearing process, where the last hearing
11 we presented information about the AFE and
12 every dollar counts in the performance
13 measurements, and within two weeks, this
14 e-mail came out nationwide, and we were just
15 wondering why that e-mail came out for the
16 fourth quarter.

17 EXAMINATION BY MR. MATHEWS:

18 Q My question is, did BP identify
19 the performance measure of having AFE
20 requirements and making every dollar count
21 as a possible issue when you're trying to
22 achieve safety as a performance measure?

23 MS. KARIS:

24 Again, to the extent this witness
25 knows.

1 HON. JUDGE ANDERSEN:

2 Yes, you don't have to guess, but
3 insofar as you might have specific knowledge
4 about why the memo is issued at the time
5 that it was or from your perspective as a
6 high-ranking employee, what you understand
7 the memo to be, all that information would
8 be helpful to the Board, but you don't need
9 to make up anything in response to any
10 question here.

11 THE WITNESS:

12 So I'm not aware of, you know --
13 I'm certainly not a part of creating the
14 e-mail or anything like that. What it means
15 to me is we're going to finish the year out
16 being safety compliant. That's how I took
17 this.

18 EXAMINATION BY MR. MATHEWS:

19 Q Okay. Thank you. In your
20 experience in the Gulf of Mexico, did you
21 ever participate in crew engagement
22 meetings?

23 A I'm sorry. Under what time frame?

24 Q When you were in the Gulf of
25 Mexico.

1 A Oh, yes, I did, yes, sir.

2 Q Can you please explain to me what
3 a crew engagement meeting is?

4 A My operation, which was the OCEAN
5 CONFIDENCE back in that time frame, 2004 to
6 2006, we periodically would bring the crews
7 in and look at -- usually it would be the
8 next well coming up and go through it in
9 detail, go through the objectives and so
10 forth, and just look at how the rig is
11 performing and so forth.

12 Q In your review of all the
13 documents that you have had access to, were
14 you aware of any crew engagement for the
15 Kaskida well that took place in Lake
16 Charles, Louisiana on March 29th and
17 March 30th?

18 A Of which year was this?

19 Q This year.

20 A This year? No, sir, I wasn't.

21 Q For the DEEPWATER HORIZON crew?

22 A No, sir, I wasn't aware of that.

23 Q Is it common to have these crew
24 engagement meetings?

25 A Yes, sir, I would say. Well, it

1 depends on -- I can't speak for all
2 operations in the Gulf of Mexico, but back
3 when I worked the Gulf of Mexico, we would
4 do them fairly frequently.

5 Q And where did they take place?

6 A When?

7 Q Where? What type of location? In
8 the office?

9 A No, sir, it was usually -- We
10 would actually poll the crews and see where
11 they wanted to go. Usually it was like a --

12 Q Like a hotel or resort?

13 A Yes, sir.

14 Q Since you're not familiar with the
15 one on the 29th and the 30th, I won't ask
16 you any direct questions about that event.

17 A Okay.

18 Q But did the well site leaders at
19 any time discuss any type of arrangements
20 that they had with the rig to be on location
21 at the Kaskida well by May 8th?

22 A No, sir, nothing was conveyed to
23 me about that.

24 Q Were you ever aware of any
25 timelines offered to the rig crew to have

1 the well on the Viosca Knoll 914 PA,
2 permanent abandonment?

3 A I don't recall or know anything
4 about that.

5 Q Do you know where the rig was
6 going after Macondo 252?

7 A Yes, sir. I understand it was
8 going to the Nile well. That was the P & A
9 you just referred to?

10 Q Yes, sir. Do you know how long
11 they were going to have to do the P & A
12 operation?

13 A I did see that, but I don't recall
14 the number.

15 Q Did it look like a short time to
16 you for a deepwater PA?

17 A I don't have an opinion. I don't
18 know. I didn't know what the P & A entailed
19 actually.

20 Q Okay. In your investigation and
21 looking at the data, the Sperry data and the
22 logs, all the daily operations reports, your
23 interviews that you said, were there any
24 decisions that were made in the last 24
25 hours on the DEEPWATER HORIZON that saved BP

1 time or money?

2 A Any decisions that saved time or
3 money? I suppose the answer would be "yes"
4 to that. Decisions were taken that were
5 consistent with a plan, and, you know,
6 different routes of the plan, there's a
7 decision tree, for example, on the bond log.

8 If they saw certain results, it
9 would lead them to spend more time and more
10 money, but they had results that led them
11 another path, and they didn't have to spend
12 that time and money. So is that a cost
13 savings? That's what it was. Different
14 operations dictated different activities, as
15 we understood it.

16 Q And earlier we talked on the
17 stress thing, but that was not under the
18 operations? You said that was under the
19 engineering side of the investigation?

20 A The float collar testing?

21 Q Stress engineering of the float
22 collar.

23 A Yes, sir.

24 Q And who was the head of the
25 engineering side of the investigation?

1 A Kent Corser.

2 Q Can you spell his last name?

3 A C-O-R-S-E-R.

4 Q I know there has not been a lot of
5 drilling going on since April 20th, but I
6 know BP has had some operations going on
7 with the relief wells.

8 Have you all implemented any new
9 policies or recommendations from your group
10 from this investigation to your crews in the
11 Gulf of Mexico?

12 A I would assume that there has
13 been -- There has been kind of interim
14 guidance given. There's work being done now
15 to implement the recommendations from the
16 report. I can't tell you exactly where we
17 are in this. I do know some things have
18 come out. I felt some things in Alaska that
19 we have put in place, and I assume that it
20 has occurred in the Gulf of Mexico as well.

21 Q Now, the interim guidance, is that
22 a new document?

23 A It's not out yet actually. It's
24 being worked on. I believe it's an action
25 plan of sorts from the recommendations.

1 Q Are you familiar with BP's
2 Ombudsman Program?

3 A Yes, I am.

4 Q What is that, sir?

5 A It's a program that allows
6 employees or contractors to BP to make
7 confidential concerns or express concerns in
8 confidence.

9 Q Do you know in your investigation
10 if anyone within BP anywhere contacted the
11 Ombudsman Program concerning operations at
12 the DEEPWATER HORIZON?

13 A I'm not aware of that.

14 Q Did you review it or look at that
15 or you're just not aware?

16 A No, sir, I didn't review that.

17 Q In your investigation, what
18 barriers do you think that you could have
19 put in place to prevent the DEEPWATER
20 HORIZON incident from occurring?

21 A We had eight -- We saw as a result
22 of our findings eight key areas. The cement
23 in the annulus failed to isolate the
24 hydrocarbons. The shoe track barriers
25 failed to isolate the hydrocarbons.

1 Negative testing failed to identify a
2 failure in the well. Wellbore monitoring
3 failed to identify the influx early enough.
4 Early well control actions did not contain
5 the well. And then there's a source of
6 ignition, you know, an ignition issue. I'm
7 not sure exactly if that would have
8 prevented it once the hydrocarbons are on
9 the rigs. And then finally, the BOP failed,
10 the emergency response to the BOP did not
11 seal the well.

12 Q Okay. But my question was
13 barriers. I know this is your findings, but
14 what barrier would you place to prevent the
15 cement from not allowing hydrocarbons into
16 the annulus? What barriers could BP have
17 put into place?

18 A In addition to the cement?

19 Q Yes. It's already in addition to,
20 the cement that allegedly failed.

21 A Okay. Well, the float collar had
22 to have failed, also, because we believe it
23 did. Flow did come through the shoe. I
24 suppose some sort of mechanical very deep
25 would be a possibility. You don't want to

1 put mechanical barriers shallow in this
2 well. You want to put them deep.

3 Q Do you believe that the float
4 collar is a barrier?

5 A It's part of the shoe track, the
6 entire shoe track. Some people view the
7 float collar itself as a barrier and some
8 say the cement and float collar are two
9 separate barriers.

10 Q Is the float collar pressure
11 tested at all?

12 A No, sir. It's in place. Normally
13 you use the u-tube from the annulus to the
14 casing side to check and see if the flappers
15 have closed. There's no way to apply
16 pressure to it when it's in place.

17 Q And I think the next one you
18 mentioned was the shoe track?

19 A Yes, sir.

20 Q And what type of barrier could you
21 put in place to allow adequate cement job at
22 the shoe track?

23 A In addition to what was in place
24 at Macondo?

25 Q Yes, sir.

1 A Into the shoe track, an additional
2 barrier? The flappers that you install and
3 the cement are what I'm familiar with being
4 able to install to provide a barrier in a
5 shoe track.

6 Q When you were looking at the
7 location of the shoe track, did you look at
8 the rathole location and the fluid that was
9 in the rathole and compared that density to
10 the tail cement density?

11 A Yes, I did.

12 Q Did you find any problems with the
13 difference in the two densities?

14 A There was 56 feet of rathole,
15 which equated to about four barrels and it
16 weighed 14.17 with the compressibility. It
17 was 14.0 surface, 14.17 downhole.

18 The cement in the shoe track, the
19 cap cement I believe was 16.5 pounds per
20 gallon, so there was a density delta, and
21 when we first looked at this, we were
22 concerned with that four barrels of shoe
23 track is only six and a half barrels. If
24 you get some density swapping, you could get
25 that mud roping up into that shoe track and

1 contaminating the cement.

2 However, then we looked and saw
3 that the shoe that they ran was a ported
4 nozzle shoe, and it's not really
5 conducive -- When you have small ports like
6 that, we didn't believe that we would see
7 density swap. But that's not to say it's
8 not possible.

9 Q Are you familiar with the API
10 documents in the Gulf of Mexico,
11 specifically API RP 65, that makes
12 recommendations of not having a higher
13 density above the shoe track as opposed to
14 the fluid in the rathole?

15 A I'm familiar with the document.
16 I'm not familiar with the entire contents of
17 the document.

18 Q But we do have a barrier in place
19 with the actual recommended practices that
20 industry has to not perform in a situational
21 well condition like this well was. Would
22 you agree that API RP 65 is a potential
23 barrier to prevent that from occurring?

24 A The document is a barrier?

25 Q The document actually makes

1 recommendations that could be a barrier, to
2 not allow to have a delta between the two
3 fluids, between the tail cement and the
4 fluid in the rathole?

5 A Right. We looked at this and
6 asked -- We actually interviewed, and asked
7 why they didn't put a weighted pill down
8 there. It's because the volume was so
9 small, it would have been extremely
10 difficult to get a weighted pill on the
11 spot. The real risk, if you end up with a
12 weighted pill high, then that would cause
13 lost returns when you did the cement job and
14 would ruin the cement job.

15 Q Then I think the next one you went
16 on to was the negative test. What type of
17 barrier did you believe or have any
18 recommendations that you possibly sent out
19 in this interim guidance -- I don't know
20 what's in the interim guidance, but was
21 there any type of barriers to actually
22 perform or interpret a negative test?

23 A In our report, we're recommending
24 that both BP and actually industrywide need
25 better standardization on negative testing.

1 We found through testimony here actually in
2 these hearings that industry does lack
3 standardization. BP lacks standardization,
4 and it is an important test. We need
5 procedures that specify past failed criteria
6 that defines what lead volumes should look
7 like, defines exactly how the tests should
8 be conducted. Not necessarily the plumbing
9 of the test, but actually how the tests
10 should be performed to take the human
11 judgment out of it.

12 Q Then the next one, I might have
13 wrote it down in incorrect order, the eight
14 bullets that you went through, but I think
15 the next one you said was wellbore
16 monitoring?

17 A Yes, sir.

18 Q What type of barriers can you put
19 in place to allow people on the rig to
20 adequately monitor the well that you don't
21 have in place right now?

22 A We need to ensure that there is a
23 robust well monitoring program in place on
24 every rig at all times when that riser is
25 latched. At no time should a well be worked

1 on without having effective monitoring in
2 place. That's not to say pit volumes have
3 to be monitored at all times, but if they're
4 not, there needs to be some other means of
5 ensuring the well -- we can see what's
6 happening with the well.

7 Q And I guess that would get into
8 early well control. Would that be the same
9 barrier?

10 A That's right. The key to well
11 control is early detection. It's getting it
12 shut in quickly. So those two barriers
13 blend together, the monitoring and the well
14 control actions. Well control actions are
15 effective if they occur early enough. The
16 issue of Macondo is we believe well control
17 actions were taken after the hydrocarbons
18 were in the riser, as I mentioned, and there
19 was going to be hydrocarbons on the rig by
20 the time actions were taken.

21 Q Was there any review from the
22 actions that they did take that there were
23 possibly some issues with the actual courses
24 that we have in well control that the steps
25 that they took on the rig were possibly not

1 conducive to deepwater operations?

2 A The steps that they took on the
3 rig were consistent with Transocean's
4 policy. We reviewed Transocean policies on
5 this, and they were consistent.

6 It's hard to comment, you know,
7 how training comes into it. I will say that
8 the training, normal well control training
9 that's in industry is geared toward a
10 detection while drilling and so forth, and
11 then tripping and swabbing, kicks in and so
12 forth like that, less so of events such as
13 occurred here.

14 Q And then the source of ignition, I
15 personally didn't read the Bly report yet,
16 but from some of the stuff that I have seen,
17 I believe you all recognized the ignition
18 source as the engines overspeeding?

19 A I'm not the expert in that aspect
20 of it, but my understanding was that there
21 were hydrocarbons that accumulated in the
22 starboard aft section and there were air
23 intakes into the engines, across the whole
24 aft end of the vessel, and the starboard aft
25 intakes we believe, as I understand it, took

1 hydrocarbons in and perhaps caused an engine
2 to overspeed.

3 But we also concluded that there
4 were so many hydrocarbons on the vessel,
5 that there were a lot of ignition sources
6 for the hydrocarbons to find.

7 Q Did you all make any
8 recommendations on any type of barriers that
9 weren't in place on the rig on April 20th,
10 now taking into consideration the amount of
11 gas that was on the rig? I'm not trying to
12 say this explosion was preventable, but is
13 there any type of barriers that BP
14 recommends to put in place to prevent a
15 smaller volume of gas if it hit the rig
16 floor?

17 A Our recommendations are around
18 looking at the rig design, the design of
19 these systems, the ability to go to the mud
20 gas separator, I guess which we haven't
21 talked about, which we believe exacerbates
22 situations.

23 The recommendation is to look at
24 those designs that allow that, and also the
25 gooseneck, the vent line off the mud gas

1 separator was goosenecked, which forced
2 hydrocarbons back onto the deck. The
3 recommendations are around looking at design
4 of this equipment.

5 Q And then lastly, I think, was the
6 BOP and the emergency response. I know we
7 haven't had any findings yet presented to us
8 from DNV on the BOP work and the forensics,
9 but did you make any recommendations on the
10 BOP side, sir, a barrier?

11 A Yes, there are a number, and I'm
12 not proficient in the BOP end of it, but
13 there are a number of maintenance, testing
14 type of recommendations and design on the
15 BOP.

16 Q Are you familiar with all of the
17 NTLs and new regulations that have come out
18 in regards to the BOP?

19 A I'm aware of the NTLs that are
20 coming out. I'm not completely familiar
21 with all the content that have come out.

22 Q Are you familiar with the work
23 that had to be done on the BOP stacks prior
24 to the relief wells being drilled to
25 recertify and certify all the components of

1 it?

2 A No, sir. I heard that there was
3 work to do, but I'm not familiar with it.

4 Q My next question was, I was
5 wondering if you thought those were adequate
6 barriers to ensure that BOP reliability is
7 adequate in the Gulf of Mexico?

8 A I wouldn't be qualified to comment
9 on that.

10 MR. MATHEWS:

11 Well, thank you for your answers,
12 sir. I have no further questions.

13 THE WITNESS:

14 Thank you, sir.

15 EXAMINATION BY MR. McCARROLL:

16 Q I just have a couple quick
17 questions.

18 On the hydrocarbons coming into
19 the wellbore --

20 A Yes, sir.

21 Q -- do you feel like the
22 hydrocarbons came into the wellbore after
23 the 2108 and completely filled the casing,
24 or do you think some of the hydrocarbons
25 were already in the wellbore at that time?

1 A We believe that hydrocarbons
2 entered the wellbore during the negative
3 test, and then the well began flowing at
4 2052, and so it continued to enter the
5 wellbore from that time.

6 Q So you feel like when they bled
7 down the negative test, they actually drew
8 some of the hydrocarbons into the wellbore,
9 even though the well wasn't flowing at the
10 time?

11 A That is correct.

12 MR. MCCARROLL:

13 Okay. Thank you.

14 EXAMINATION BY MR. DYKES:

15 Q Mr. Robinson, you mentioned back a
16 few minutes ago about the cement in the shoe
17 track you had looked at, the possibility of
18 swapping out with the mud in the rathole,
19 and you mentioned the port sizes on the
20 reamer shoe. Did you all look at the
21 possibility of that cement forcing that mud
22 in the rathole into that lost circulation
23 zone that they had in the well when they
24 drilled that portion of the hole?

25 A We don't believe that there were

1 significant losses during the cement job.

2 We calculated about three barrels from the
3 time -- when the cement was actually being
4 placed in the shoe and in the annulus.

5 Q But you all did consider that, the
6 fact that you had the cement in place, that
7 the delta P and the cement in the shoe track
8 could have forced that mud in the rathole
9 into that LCM, lost circulation zone?

10 A I guess I'm not understanding the
11 question.

12 Q You got a delta P in the rathole
13 from the cement in the shoe track, 16.5 to
14 14.1, correct?

15 A No, sir. The well would be in
16 balance at that point, because the annulus,
17 it's all open. There's no closed system.
18 So the annulus and shoe track are going to
19 be in communication, so the pressure would
20 be the same.

21 Q But you talked about the mud in
22 the rathole swapping out with the cement
23 inside the casing above the reamer shoe.
24 You talked about that, but you decided that
25 the ports on the reamer shoe were such that

1 you probably didn't see that occur or you
2 wouldn't see that occur?

3 A We didn't think that -- It's
4 possible, but we didn't think that occurred.

5 Q But you didn't consider whether or
6 not that cement in that casing above that
7 reamer shoe would force that mud in the
8 rathole into that same zone where they had
9 lost circulation?

10 A I don't understand the physics of
11 that actually. It's an open system, so
12 everything is in equilibrium. If that's
13 losing, the annulus has to be losing, also.

14 MR. DYKES:

15 Okay. Thank you.

16 EXAMINATION BY CAPT. NGUYEN:

17 Q Good morning, Mr. Robinson.

18 A Good morning.

19 Q Are you under any restriction in
20 terms of discussing your interview with the
21 well site leader, sir?

22 A Am I under any restrictions?

23 Q Yes, sir. Because I have a number
24 of questions relating to your interview
25 of -- I understand you interviewed the well

1 site leader, which is Mr. Vidrine,
2 Mr. Kaluza and Mr. Sepulvado; is that right,
3 sir?

4 A And Mr. Lambert.

5 Q And Mr. Lambert. How about
6 Mr. Morel, Brian Morel?

7 A I participated in one interview
8 with Mr. Morel. And I can't remember if I
9 participated in Mr. Sepulvado's interview.
10 I may have.

11 Q Are you under any restrictions in
12 terms of your discussions with the Board?

13 A I'm not aware of any restrictions.

14 Q Then I will proceed in touching
15 some --

16 MS. KARIS:

17 Captain, just so I can be clear,
18 BP is not asserting privilege over
19 Mr. Robinson's work in connection with those
20 interviews and internal investigation.

21 The only thing we would assert
22 privilege with is obviously any work in
23 connection with his testimony before this
24 Board. But we're not asserting privilege
25 over those interviews. And so when you say

1 restrictions, just to be clear.

2 CAPT. NGUYEN:

3 Yes, ma'am. I just wanted to be
4 clear in my mind what the rules of
5 engagement are.

6 EXAMINATION BY CAPT. NGUYEN:

7 Q Now, we discussed about well
8 control training early on. We talked about
9 well control training early on?

10 A Yes, sir.

11 Q In a discussion between you and
12 Mr. Mathews. What is the well control
13 training requirements for well site leader?

14 A They are to comply with the MMS
15 well control certification requirements,
16 which I believe is every -- You have to
17 attend an MMS-approved well control course.
18 I believe it's every two years.

19 Q Every two years, that's
20 specifically specified in the regulations or
21 does that refer to some industry standards
22 for the two years?

23 A I believe that's a regulation.

24 Q For two years, sir?

25 A Maybe I got that wrong.

1 MR. DYKES:

2 You got that wrong.

3 THE WITNESS:

4 Okay.

5 MR. MATHEWS:

6 Just to correct the record,
7 because I don't want the record to be wrong
8 about that, it's up to the operator's
9 Subpart O plan, which defines every year.
10 But just for the Captain, the next witness,
11 Mr. Sprague, he's actually their Subpart O
12 guy. He has a lot of knowledge and he might
13 answer those questions.

14 THE WITNESS:

15 And it's been awhile since I
16 worked the Gulf of Mexico, so I apologize
17 for that.

18 EXAMINATION BY CAPT. NGUYEN:

19 Q Yes, sir. So according to
20 Mr. Mathews, the two years training
21 requirements is up to the operator.

22 Now, when MMS goes out and
23 inspects a vessel and discovered that the
24 well control training is out of compliance
25 with the operator's plan, what would be the

1 normal administrative action?

2 A I'm not familiar with that. I
3 didn't investigate that as part of this
4 response.

5 Q Based on your experience operating
6 with ARCO and BP, what would be the normal
7 course of action when there's a discovery
8 that somebody's well control training is out
9 of compliance?

10 A I don't know.

11 Q The reason I ask is that, you
12 know, there was a question of whether, you
13 know, the replacement of Mr. Sepulvado with
14 Mr. Kaluza, because of well control
15 training, I was just wondering what the
16 consequences of him out of compliance versus
17 stay on the job, you know, during a very
18 critical period is what I'm trying to get
19 to.

20 Now, during your interview of
21 Mr. Kaluza, did you evaluate whether he had
22 the knowledge, skills and experience to
23 serve as a well site leader on the DEEPWATER
24 HORIZON, sir?

25 A In our interviews, we didn't have

1 any evidence to suggest that there was any
2 problem with his capabilities of deepwater
3 wells out there.

4 Q Yes, sir. Do you think that it
5 was a good idea for -- My understanding is
6 that Mr. Kaluza never served on the
7 DEEPWATER HORIZON or involving the Macondo
8 project. Is that your understanding, also?

9 A I'm not sure if he had ever been
10 on the HORIZON before, but I don't believe
11 he was on the Macondo before this hitch.

12 Q Yes, sir. In replacing somebody
13 like Mr. Sepulvado, who was involved in this
14 project and had worked on the DEEPWATER
15 HORIZON, with somebody who has lesser
16 experience, in your opinion, was that a good
17 idea?

18 A Well, again, we had no reason to
19 suspect any issues with his capabilities to
20 run the vessel. Bob came from, to my
21 understanding, another deepwater asset.

22 Q So you didn't have any concern as
23 far as that aspect, the replacement of
24 Mr. Sepulvado with Mr. Kaluza, in your
25 interview of this individual?

1 A I just never had -- Nothing came
2 out in interviews that was cause for
3 concern.

4 Q Yes, sir. But these are kind of
5 items I'm going through here that was not in
6 the internal BP report.

7 Now, in your conversation with
8 Mr. Vidrine, Kaluza and Sepulvado -- Vidrine
9 and Kaluza, did they express any concern
10 about a VIP visit as being disruptive to
11 operations?

12 A I don't recall. They mentioned,
13 of course, that the VIPs were out there. I
14 don't recall if there was concern about
15 being disruptive. They mentioned that there
16 was a meeting held and so forth, and, of
17 course, there was a tour that occurred and
18 stuff like that, but I don't recall if there
19 was a concern about it being disruptive.

20 Q Yes, sir. Did they discuss any
21 concern about the use of the six
22 centralizers instead of 21 centralizers?

23 A There was discussion about -- I
24 don't know if they expressed concern about
25 using six versus the full number, but I know

1 that there was discussion about how many
2 they were going to use.

3 Q Were they in the position to have
4 a say in the decision of using six instead
5 21?

6 A I don't know that. I would assume
7 so, because I know the guys -- In
8 interviews, we learned that they did morning
9 meetings, well site leaders participated in
10 those, and morning meetings were with the
11 beach as well, and I think there would be an
12 opportunity to voice concerns or anything.

13 Q But they did not communicate any
14 concern to you during your interview of
15 them?

16 A I don't recall. I do know there
17 was discussion about the use of
18 centralizers, but I don't recall concerns.

19 Q Did they indicate any concerns
20 with any decision that Mr. Brian Morel made
21 on the scene?

22 A I'm sorry. Could you repeat that?

23 Q Yes, sir. Did Mr. Vidrine or
24 Mr. Kaluza express any concern to you
25 relating to any decision made by Mr. Brian

1 Morel while he was on the scene? Mr. Brian
2 Morel was a field engineer.

3 A Right, he was out there I know in
4 the morning.

5 Q Right. Did Mr. Vidrine or Kaluza
6 have any concern about his decision-making
7 out on the scene?

8 A I'm not -- I don't recall anything
9 like that, no, sir.

10 Q Did they have any concern about
11 these multiple changes near the end of the
12 well completion?

13 MR. CLARKE:

14 Your Honor, let me just note an
15 objection. I think if it's phrased as "did
16 they express to you any concern," that's a
17 legitimate question. Whether they did have
18 concern is asking him to speculate. And the
19 issue is of some concern to me, because with
20 regard to the centralizers, he stated a few
21 moments ago "I assume so," which leads me to
22 conclude he doesn't know, and so he's in the
23 realm of speculation.

24 HON. JUDGE ANDERSEN:

25 Okay. You indicated 42 minutes

1 ago when you were asked a question that, you
2 know, you couldn't read people's minds.

3 THE WITNESS:

4 Right.

5 HON. JUDGE ANDERSEN:

6 That's fine. So I take that to be
7 a good objection, in the sense that
8 questions we ask are not supposed to be --
9 We're not looking for answers in which
10 you're exercising any mind reading, but we
11 need to know what people told you, and if
12 they told you something that bears on the
13 question, there might be follow-up on what
14 you conclude from that. But you don't have
15 to guess or speculate as to what's going on
16 in someone's mind, unless somebody has given
17 you some information regarding that. Okay?

18 THE WITNESS:

19 Okay.

20 HON. JUDGE ANDERSEN:

21 Thanks.

22 EXAMINATION BY CAPT. NGUYEN:

23 Q The question, really, did they
24 express any concern to you with regard to
25 the items I'm asking you? So did they

1 express any concern to you about these
2 multiple changes near the end of the well
3 completion?

4 A I don't recall. I don't recall
5 what specific on the -- What specific steps
6 are you referring to?

7 Q All right. I believe one of the
8 changes, I think, was the six centralizers.
9 It was above approval for Mr. Guide from
10 what I understand, and that's not in
11 accordance with the BP Management of Change
12 process. And I understand with the BP
13 Management of Change process, the well site
14 leader has the final approval; is that
15 correct, sir?

16 A No, sir, not necessarily. It
17 depends on the change, I suppose.

18 Q All right.

19 MS. KARIS:

20 Just for the record, I'm going to
21 object to the statement that it was not in
22 accordance with BP's Management of Change
23 process.

24 Mr. Sprague actually, as the panel
25 probably knows, was one of the authorities

1 of the Management of Change process, and he
2 can certainly speak to whether or not it
3 conformed with that Management of Change.
4 But I don't want the record to indicate that
5 somehow there was already a violation of
6 that process.

7 CAPT. NGUYEN:

8 Yes, ma'am. Mr. Robinson is also
9 a VP, a pretty high-ranking official within
10 BP, and he should know and be familiar with
11 the Management of Change process, and I'm
12 just asking him what his knowledge of the
13 process is and whether the action was in
14 accordance with his understanding of the
15 process.

16 EXAMINATION BY CAPT. NGUYEN:

17 Q So did they express any concern
18 about these multiple changes near the end of
19 completion phase, sir?

20 A There was discussion about there
21 were changes that occurred late. I don't
22 know if they expressed it to me as concern
23 or not. I am aware of interviews that
24 changes were occurring late in the well.

25 Q And did either Mr. Vidrine or

1 Mr. Kaluza express any concern to you?

2 A About the changes?

3 Q Yes, sir.

4 A I would have to go through the
5 notes, Captain. I don't recall if they
6 specifically expressed it as a concern or
7 just pointing out that things were changing
8 a lot.

9 Q Yes, sir. And I didn't see that
10 in the BP internal report, so that's why I'm
11 asking. And we don't have access to the
12 individual right now, so --

13 A And just to clarify, things like
14 that, we did look at a lot of things that we
15 deemed to not be causal, and that's why they
16 didn't end up in the report, just to keep
17 the report succinct.

18 Q Yes, sir, they may not be causal,
19 but they may be latent conditions that
20 allows something to happen.

21 Was there any concern, did
22 Mr. Kaluza or Mr. Vidrine express any
23 concern about stability tests of the
24 nitrified cement?

25 A I don't recall any discussion

1 about that with them.

2 Q Did they express any concern about
3 the use of a combined spacer?

4 A I believe we discussed it.
5 Mr. Kaluza explained to me in an interview
6 what the material was used for, the
7 displacing of the mud. I don't recall if it
8 was expressed as a concern or not. I do
9 know that -- I recall that that had been
10 worked with the beach and so forth to make
11 sure it was compliant and so forth.

12 Q Yes, sir. Relating to the P & A,
13 did they express any concern about leaving
14 the well in an unbalanced condition with the
15 number of barriers in place?

16 A I don't recall that concern.

17 Q Did either Mr. Kaluza or
18 Mr. Vidrine express any concern about the
19 number of times it took to convert the float
20 collar?

21 A Yes. Mr. Kaluza told me that it
22 took nine times, and not necessarily
23 concern, because they called town frequently
24 to get approval to go to higher pressures.

25 Q Was there any discussion in terms

1 of start over, put a new float collar down?

2 A No, sir, I didn't have any
3 conversations like that.

4 Q And they didn't bring it up?

5 A Not that I recall.

6 Q But they were on the bottom of the
7 casing, so it would be very irregular to
8 pull the casing back up to replace the float
9 collar.

10 A Right.

11 Q But if the time comes to convert
12 the float collar, as I understand it,
13 wouldn't that justify doing that, even
14 though it's not normal?

15 A Pulling the casing imposes other
16 risks versus trying to -- You want to
17 exhaust all options, I suppose, to get the
18 float collar converted before you pull the
19 casing back out.

20 Q Yes, sir. And this question may
21 not be exact, but I understand there was
22 more activities on board the rig in terms of
23 movement of mud and also the displacements
24 of the riser. What well control tools were
25 not available to the crew at the time of the

1 casualty, sir?

2 A When the hydrocarbons got in the
3 riser?

4 Q Yes, sir. What tools were not
5 available to them?

6 A After 2108, after the overboard
7 line was opened, that would have bypassed --
8 as we understand, would have bypassed
9 Sperry-Sun's flowmeters and would have
10 rendered the pits unavailable for
11 monitoring. So the volume and flowmeter on
12 the Sperry-Sun meter would be available.

13 We believe that the Transocean,
14 based on the drawings we have, we believe
15 the Transocean flowmeters were in the line
16 of flow up till the end of the event.

17 Q Yes, sir. But that's monitoring,
18 and I understand that, but what about
19 suppressing the flow of oil, of oil and gas,
20 whether it's using -- The amount of mud that
21 was still on the vessel, was that sufficient
22 and was there enough time for them to pump
23 the mud down to suppress the flow of oil and
24 gas, in your opinion? Did you do that
25 evaluation?

1 A Okay. I understand the question
2 now. I did ask Mr. Vidrine this, and the
3 plan was to hold back enough mud in case
4 they needed to put the well back to mud if
5 necessary.

6 Q So they did calculations to
7 determine that, sir, that they have enough
8 mud to do that?

9 A I'm not sure what calculations
10 they did, but Don did convey that they were
11 planning to hold enough mud back in case
12 they needed to.

13 Q Now, at the national commission
14 hearing, I think the one before the last
15 one, Shell and ExxonMobil indicated that
16 their practice is to leave their well in an
17 over-balanced condition with at least two
18 barriers.

19 Does BP have the same practice as
20 Shell and Mobil Exxon?

21 A I didn't look at our Gulf of
22 Mexico-wide practices. We looked
23 specifically at Macondo, and we didn't see
24 anything that was obviously outside industry
25 norms.

1 Q Is BP evaluating that practice and
2 looking at implementing that as a policy?

3 A I don't know if we're looking at
4 leaving wells in an over-balanced condition.
5 In some cases, I suppose it may be difficult
6 to do that if you're in very deep water,
7 because you have to have a very high mud
8 weight to get a balanced weight in the well.

9 Q Yes, sir. Did Mr. Kaluza or
10 Mr. Vidrine indicate to you that they have
11 knowledge that the blowout preventer was not
12 in compliance with MMS regulation 30 CFR
13 250.446, which is three to five years
14 inspection and maintenance requirement? Did
15 they have knowledge of that?

16 A I don't recall that coming up in
17 our interviews, no, sir.

18 Q Did they express to you that they
19 have confidence in the blowout preventer to
20 work as designed?

21 A I don't recall any concerns about
22 the BOP working as intended.

23 Q Yes, sir. Now, moving ahead here,
24 I look at BOEM regulations for the design of
25 the casing program and the cementing

1 program. I understand that there's now a
2 requirement for professional engineer
3 certification. Is that your same
4 understanding?

5 A That's my understanding, yes, sir.

6 Q Yes, sir. Has BP looked at that
7 idea on how you're going to implement that?

8 A Yes, sir. It would ultimately be
9 part of the full plan that's being put
10 together to implement all the

11 recommendations from our report. That
12 regulation would be consistent with some of
13 our recommendations here around having a
14 technical authority review cement slurries.

15 Q A technical review, that would
16 have been within BP?

17 A That's correct.

18 Q But professionals would be a
19 separate entity?

20 A Right. The BOEM regulations, to
21 my understanding, is outside, external
22 authority.

23 Q Yes, sir. And my concern there,
24 and I'm not sure whether BP shared the same
25 concern or not, but not all professional

1 engineers are the same, and I just wonder
2 what does BP plan to do to meet that
3 requirement?

4 A I don't know the details of what
5 we're going to put in place.

6 CAPT. NGUYEN:

7 Yes, sir. Thank you very much. I
8 don't have any further questions.

9 EXAMINATION BY CAPT. HIGGINS:

10 Q Just three quick areas, sir. Sir,
11 you testified twice now about the monitoring
12 that would have been available in the drill
13 shack. Do you know if flow monitoring was
14 occurring?

15 A No, sir, I do not. And to
16 clarify, I don't know what displays would
17 have been in the drill shack. What we're
18 saying is the meters would have been a line
19 of flow that would have to be set up, I
20 suppose. I don't know what the displays
21 look like as far as what was being
22 displayed.

23 Q My understanding of your testimony
24 is you know the meters were in place, but
25 you don't know if they were being monitored

1 or if they could have been monitored?

2 A That's almost correct. I can't
3 guarantee that the flow was visible in the
4 shack, because I was looking at drawings,
5 and the drawings may not be accurate. But
6 based on the drawings we have, we believe
7 that those flowmeters would be in the line
8 of flow.

9 Q And you don't know if anyone was
10 monitoring them?

11 A I don't know, no, sir.

12 Q All right. In response to a
13 question, you answered that the bond log not
14 being run was one of the decisions that was
15 made that would have been more time and cost
16 effective. Would the reduction from 21 to
17 six centralizers also fit in that category?

18 A I'm not sure. Can you give me an
19 example of how so? And to my understanding,
20 the reason not to run the extra centralizers
21 they ran is they thought they had the wrong
22 centralizers out there, and wrong
23 centralizers imposed different risks that
24 would incur more costs.

25 Q Right. They did not have -- Well,

1 whether they had the number or the right
2 type, it would have taken more time and
3 money to have gotten the additional
4 centralizers available to be run, so the
5 decision to run six rather than 21 would
6 have saved time and money; would it not?

7 A I don't know. I don't know what
8 the requirement would have been to get more
9 centralizers. It's my understanding that
10 they had to source those extra centralizers,
11 you know, pretty close to when the casing
12 was run, and I think that they -- Well,
13 that's all I can really comment on that.

14 Q Other than the bond log and
15 potentially the centralizers, are you aware
16 of any other decisions that were made that
17 would have increased -- or decreased the
18 time and money, but may have jeopardized
19 safety?

20 A I don't know of any specific
21 decisions that were intentionally taken to
22 sacrifice safety, if I answered that.

23 Q The question was more to save time
24 and money. It's certainly arguable as to
25 whether or not running the bond log

1 jeopardized safety, but it was one decision
2 that certainly saved time and money and
3 could have provided more information?

4 A It could have provided more
5 information. I will agree with that. But
6 because of the placement of the float
7 collar, the CBL would only be looking at the
8 top half of the discovery sands. You
9 wouldn't be able to see what was in the shoe
10 track and what was from about the middle
11 part of the discovery sands down, and that's
12 where we believe the flow came from.

13 So you could log something and
14 never even be looking at where the flow was
15 coming from. I mean, it's possible you
16 could run the bond log and have good cement
17 up high and none below and it would give you
18 a false-positive.

19 In our report, we actually looked
20 at -- We thought a better risk assessment of
21 everything around the cementing would have
22 led to perhaps a better verification method,
23 but not necessarily. Possibly a CBL, but
24 not necessarily.

25 Q Did Mr. Kaluza in your interviews

1 with him indicate that he was in any way
2 uncomfortable relieving Mr. Sepulvado?

3 A I don't recall concerns expressed
4 to me.

5 CAPT. HIGGINS:

6 Thank you very much, sir.

7 HON. JUDGE ANDERSEN:

8 Any other questions?

9 EXAMINATION BY MR. MATHEWS:

10 Q Yes, I have just one. One very
11 brief question, and it just came up when you
12 answered one of his questions.

13 Why specifically was the float
14 collar located across the hydrocarbon zones?

15 A I don't think it was chosen to be,
16 you know, across -- The depth wasn't
17 selected based on the stratigraphy. It was
18 based on the amount of shoe track that they
19 wanted to achieve, which was about 190 feet.

20 Q And did you see any type of risk
21 associated where it was actually located?

22 A With regard to being across the
23 sands?

24 Q Yes, sir. Was anything identified
25 through your conversations, with any of your

1 interviews, whether it was the engineers or
2 whoever, the notes you might have looked at,
3 I don't know what you looked at, was there
4 anything that they had any concerns about
5 the location of the float collar?

6 A I don't recall anything like that,
7 no, sir. It's not uncommon when you don't
8 have enough -- They had to stop because of
9 the well conditions, to my understanding.
10 Normally you want to get plenty of rathole
11 to be able to get all of your logging tools
12 and bury your shoe track if you can, because
13 you don't want to drill that out, unless you
14 absolutely have to. But they didn't want to
15 push the well, because that poses a safety
16 risk, so they left that shoe track across
17 the reservoir, knowing they were going to
18 have to come drill that back out and spend
19 the money.

20 EXAMINATION BY MR. DYKES:

21 Q I have a couple. Mr. Robinson,
22 following on Jason's question, did you all
23 look at any reasons why they didn't go ahead
24 and dump cement on top of the wiper plugs
25 and set an additional plug on top of that

1 float collar and wiper plugs?

2 A We did not look at -- We didn't
3 look at pushing the top plug out with
4 cement. I don't recall. Now, the engineers
5 looked at the cement program, so they
6 perhaps can answer that better. But as far
7 as putting a mechanical plug on top of all
8 of that, I didn't investigate that aspect.

9 Q As a petroleum engineer, would you
10 consider that an additional barrier in the
11 well?

12 A Oh, yes, it would be an additional
13 barrier.

14 Q Mr. Hafle testified in one of the
15 earlier hearings that the reason that they
16 did not set cement on top of that plug was
17 when they did come back to run the CBL, they
18 would not have been able to get down to look
19 at the top of the cement due to the location
20 and the profile of the tool that they would
21 be running.

22 My question is, when you would
23 come back to complete that well, wouldn't
24 you have to drill out that float collar and
25 part of that cement shoe to get down to your

1 hydrocarbon zones?

2 A I don't know the details --
3 Because there are hydrocarbon sands there, I
4 would expect that's the case, but I don't
5 know the details of the completion plan, to
6 tell you the truth.

7 Q But looking at that and knowing
8 that you would have to drill that out under
9 normal circumstances like that, wouldn't it
10 be reasonable that you would just come in
11 and drill that out first, and then run your
12 CBL second?

13 A If you wanted to access the sands,
14 that's what you would want to do. It could
15 be that they didn't think that -- I don't
16 know the full details of what they planned
17 to complete in the future, but if they
18 wanted to access those sands, they would
19 want to drill it out.

20 MR. DYKES:

21 Okay. Thank you.

22 CAPT. NGUYEN:

23 I just have one follow-up
24 question, and David and Jason may want to
25 help me out, but this has to do with the

1 long string and the angle tie-back design.

2 I think early on in the investigation they
3 indicated there is some concern as far as
4 the crossover?

5 MR. MATHEWS:

6 Correct.

7 CAPT. NGUYEN:

8 Where it was custom-made from a
9 local shop or something. There may be some
10 problem. Would you ask that question if you
11 still have a concern?

12 MR. DYKES:

13 We don't have the concern.

14 MR. MATHEWS:

15 We don't have it anymore.

16 MR. DYKES:

17 Yes, forensics from the -- Oh,
18 that was another question. Thank you. It
19 did prompt another question.

20 EXAMINATION BY MR. DYKES:

21 Q Are you familiar with the
22 forensics that they had determined with the
23 work from the DD-II?

24 A With the seal assembly and so
25 forth?

1 Q Yes, the seal assembly.

2 A No, sir. I have seen a picture of
3 the seal assembly that came out, and that's
4 the extent of my involvement, and that
5 occurred after we finished it.

6 Q But you haven't looked at any of
7 the work that the DEVELOPMENT DRILLER II did
8 when they moved back onto the well?

9 A With regard to the seal assembly,
10 only the pictures.

11 Q Well, the seal assembly and
12 everything that they discovered, even when
13 they cut the casing and circulated out the
14 back side?

15 A I heard stuff, but I haven't
16 looked at any of it yet, sir.

17 Q Okay. Do you know who would be in
18 the best position within BP to answer
19 questions along those lines?

20 A It would have to be in the
21 response team. We were an investigation
22 team. We were completely separated from the
23 other team. And I can't tell you who was
24 heading that up.

25 MS. KARIS:

1 Mr. Dykes, if it's any assistance,
2 Mr. Sprague was involved in some of those
3 operations and may be able to assist you.

4 MR. DYKES:

5 Thank you.

6 EXAMINATION BY HON. JUDGE ANDERSEN:

7 Q A concern that I have had is with
8 the two VIPs on board at the time these
9 important steps were going to be made, the
10 people making these decisions might have
11 felt an incentive to get the job done on
12 time, and then, in interpreting negative
13 test results or other things, always tilted
14 towards the more optimistic, "This is going
15 to be fine. Let's show our bosses that we
16 can complete this important job on a timely
17 basis."

18 "A," do you believe that that's
19 possible, that they felt that way; and "B,"
20 is there any evidence, did anybody state
21 anything that indicates that that might have
22 been going on in their minds?

23 A No, sir. I don't know what was in
24 their mind, but that did not get expressed
25 to me like that. I can say that they spent

1 three hours conducting this negative test,
2 and this is something that would normally
3 take about 45 minutes.

4 HON. JUDGE ANDERSEN:

5 Okay. Any other Board questions?

6 Marshall Islands?

7 Are you feeling comfortable?

8 THE WITNESS:

9 Yes, sir. I'm okay.

10 MR. LINSIN:

11 Thank you, Your Honor.

12 EXAMINATION BY MR. LINSIN:

13 Q Good morning, Mr. Robinson.

14 A Good morning, sir.

15 Q My name is Greg Linsin. I
16 represent the Republic of the Marshall
17 Islands, the flag state for the DEEPWATER
18 HORIZON.

19 A Yes, sir.

20 Q I want to ask some follow-up
21 questions to your testimony so far,
22 Mr. Robinson. How many times did you
23 interview Mr. Kaluza?

24 A I interviewed Mr. Kaluza once.

25 Q And how many times did you

1 interview Mr. Vidrine?

2 A I interviewed Mr. Vidrine once.
3 Other team members I believe called
4 Mr. Vidrine, did a phone interview one other
5 time, I believe, possibly two, as a
6 follow-up.

7 Q And did you take notes of your
8 interviews of those individuals?

9 A Yes, sir.

10 MR. LINSIN:

11 May I ask the Board, have those
12 notes been produced to the Board?

13 MR. MATHEWS:

14 We have received notes from the
15 Bly report team. If that's the witness'
16 notes, I don't know if they're identified as
17 the witness as the author, but we have
18 received handwritten notes from the Bly
19 report team.

20 MR. LINSIN:

21 I do understand that. I have not
22 noticed any notes that I had understood had
23 been created by Mr. Robinson.

24 EXAMINATION BY MR. LINSIN:

25 Q Do you know if your notes have

1 been produced, Mr. Robinson?

2 A I don't know if they have been
3 produced, but all of our notes were put into
4 a SharePoint site and it's up to the
5 lawyers.

6 MR. LINSIN:

7 Well, specifically, if they have
8 not been produced, I would ask that the
9 Board request that they do be produced for
10 our review.

11 MS. KARIS:

12 I will reconfirm, but I believe
13 those have been produced.

14 MR. LINSIN:

15 All right. Thank you, Counsel.

16 EXAMINATION BY MR. LINSIN:

17 Q You testified, if I heard you
18 correctly, sir, that based on your work on
19 this investigation, that it was your
20 judgment that the flow in this well began
21 around 2052; is that correct?

22 A That is correct.

23 Q I want to ask you whether you
24 reviewed certain other aspects of the well
25 activity and the data from the well a little

1 bit earlier in the evening and get your
2 assessment of these events or your judgment
3 about what they indicate or don't indicate.

4 Do you recall taking a look at the
5 hook load values during the course of the
6 evening of April 20th?

7 A Yes, I did look at the hook load
8 values.

9 Q And did you determine that those
10 hook load values were both erratic and
11 trending downward from as early as 1830 that
12 night?

13 A If I may reference, I've got --
14 May I take a look at this?

15 Q Of course, you may. Please do.

16 A Yes, I'm seeing erratic hook load
17 variations, and there is a distinct drop at
18 the end of the event, about 2147 time frame,
19 from 2144 to 2148 time frame as the
20 hydrocarbons were unloading through the
21 riser.

22 Q Going back earlier, though, from
23 1830 forward, do you see a decrease in hook
24 load pressure in that time frame?

25 A I'm not sure if I have that

1 plotted in the report. I will take a look.
2 I don't have hook load going that far back
3 in front of me.

4 MR. LINSIN:

5 All right. May I just display
6 that data for the witness?

7 HON. JUDGE ANDERSEN:

8 Sure.

9 MR. LINSIN:

10 Thank you.

11 EXAMINATION BY MR. LINSIN:

12 Q And for the record, I am
13 displaying again the graph of the Sperry-Sun
14 data from approximately 1700 the night of
15 the -- the evening of the 20th to 1920.

16 Does that help in your ability to
17 evaluate the hook load pressure during that
18 time, sir?

19 A The hook load weight, yes, sir. I
20 can see the hook load plotted, yes, sir.

21 Q All right. And do you see a
22 trending decrease in the hook load pressure
23 from as early as 1830 forward?

24 A 1840 forward? No, sir, it looks
25 flat. I'm seeing it flat.

1 Q And now I'm just going to place
2 the next graph, beginning at 1930. Would
3 you tell us, please, when it is that you
4 detect the first decrease in hook load?

5 A From 1930?

6 Q Well, on this graph. Looking at
7 this graph, where do you first detect a
8 decrease in the hook load?

9 A I see a decrease in the hook load
10 just after 8:00, about 8:30 or so. It's a
11 blip downward.

12 Q So that would be 2030, you're
13 saying?

14 A Yes, sir. 20 -- Hang on. I'm
15 having trouble reading. I'm sorry. Just
16 after 8:00. 2001. Sorry.

17 Q And what does a decrease in hook
18 load suggest to you with regard to potential
19 flowing of this well?

20 A Well, the string is becoming more
21 buoyant. It's got heavier fluids, something
22 coming up around it possibly. It could be
23 something pushing from the bottom and it's
24 becoming lighter.

25 Q So would you agree with me that

1 that is a potential indication of a flowing
2 well at that point?

3 A It's not a good indication. The
4 flow rate, pressure and volume would be
5 better.

6 Q In your discussions with
7 Mr. Vidrine and Mr. Kaluza, did you speak
8 with them about their interpretations of the
9 negative tests that they participated in?

10 A Not necessarily their
11 interpretations. I spoke with them about
12 what they thought could be occurring with
13 the well. It wasn't necessarily their
14 interpretation. It was kind of what was
15 offered as an explanation for this abnormal
16 pressure.

17 Q If I understood your testimony
18 correctly, sir, you said that it was one of
19 your conclusions that the well site leader
20 should have called back to get clarification
21 regarding the negative test?

22 A No, sir, I don't believe I
23 testified to that. I said if -- It would
24 be, I suppose, customary if there was
25 something that there was a concern about,

1 that it would not be uncommon to call town.

2 Q And did you ask them whether there
3 were results about this negative test that
4 they were concerned about or did not
5 understand?

6 A Yes, sir.

7 Q And what did they say to you?

8 A They discussed the 1400 p.s.i. as
9 being a concern and they said that there was
10 a discussion on the rig floor about the
11 source of that pressure, and they thought it
12 was a compression of the annular element
13 that was applying a pressure below, and that
14 was what was causing the 1400 p.s.i. on the
15 drill pipe.

16 Q And was that what had been or some
17 had referred to as a bladder effect?

18 A Yes, sir. They called it a
19 bladder -- Different interviews called it
20 different things. I can't remember which
21 was which. One of them called it an annular
22 compression and the other two I believe
23 called it a bladder effect.

24 Q And did you ask Mr. Vidrine -- Let
25 me ask specifically about Mr. Vidrine. Did

1 you ask Mr. Vidrine why he didn't call back
2 to the beach to get their interpretation of
3 this elevated pressure?

4 A No, I didn't ask him that
5 specifically.

6 Q Why not?

7 A The conversation was really about
8 why they thought it was okay to proceed with
9 the 1400 p.s.i. I didn't really get into --
10 didn't ask if he called town or anything
11 like that.

12 Q Perhaps I misunderstood. I
13 thought you had said, and I thought you just
14 corrected me, that you thought that the well
15 site leaders should have called back in to
16 town if there were certain aspects of the
17 test that they did not understand or had a
18 question about, and then I thought you
19 testified just a moment ago that when they
20 saw this anomalous pressure, that they turn
21 to the crew on the vessel to request a
22 clarification about that?

23 MR. CLARKE:

24 I guess I have to object. It's
25 compound and argumentative.

1 HON. JUDGE ANDERSEN:

2 Well, okay. With that as a
3 background, what's the question?

4 EXAMINATION BY MR. LINSIN:

5 Q Let me back up and try this again.
6 When you spoke to Mr. Vidrine -- I would
7 like to talk about these separately rather
8 than together, and so I'm speaking now about
9 the witness' discussions with Mr. Vidrine.

10 And my question to you is why you
11 did not ask Mr. Vidrine why he did not call
12 the beach to get clarification about this
13 elevated pressure?

14 A I'm not sure if I can really
15 answer that. The interview, the
16 conversation was about why they felt it was
17 okay to proceed, and it wasn't really -- I
18 didn't really auger into that aspect of why
19 not call in town.

20 Q But Mr. Vidrine did tell you that
21 they had turned to the drilling crew to seek
22 an explanation for this 1400 pounds of
23 pressure, didn't he?

24 A Well, what was conveyed was there
25 was a discussion about the 1400 and it was

1 offered up as this was the effect, this
2 bladder effect is what was causing it. It's
3 not that they had necessarily turned to.
4 Everyone was looking at this, and that was
5 the explanation offered.

6 Q And is it your judgment that when
7 there are questions or uncertainties about
8 test results like this, that the well site
9 leader should turn to the drilling crew to
10 seek clarification as to how to interpret
11 that data?

12 A You're asking me if they should?

13 Q Yes.

14 A Well, all parties need to be
15 comfortable that the test is good. It would
16 not be uncommon to have a discussion about
17 what's going on in any particular aspect of
18 the well or the test.

19 Q And tell me again then, what are
20 the circumstances under which you believe a
21 well site leader should call the personnel
22 on the beach to request assistance in
23 interpretation of test results?

24 A Well, if they feel uncomfortable
25 with something, that's why we have a

1 structure of leadership and so forth, to
2 have someone to turn to to ask questions. I
3 don't know. I can't give you specific
4 examples. I'm just saying if they're
5 uncomfortable with something, it would be
6 normal to call their supervisor.

7 Q And in your conversation then with
8 Mr. Kaluza, did you ask him why he decided
9 not to call personnel on the beach to help
10 him and Mr. Vidrine interpret this data?

11 A No, I didn't ask him that.

12 Q Was it your understanding that
13 both Mr. Kaluza and Mr. Vidrine were present
14 on the drill floor and discussing the
15 results of this test with the drilling crew?

16 A At the end of it, yes, sir. It
17 was my understanding that Mr. Vidrine and
18 Mr. Kaluza were both on the floor. I
19 believe the test was started with Mr. Kaluza
20 alone, and then toward the end, Mr. Vidrine
21 joined him or Bob went down and talked to
22 him and brought him up. But, yes, both were
23 up there at the end, as I understand it.

24 Q Did Mr. Kaluza go down and ask
25 Mr. Vidrine to come up?

1 A That was my understanding, that
2 Mr. Kaluza went down, because it was close
3 to change-out time. I believe they were
4 changing at 6:00, and it was about that time
5 frame, and I believe, as I recall, Bob said
6 he went down to get Mr. Vidrine to talk to
7 him about the results they saw the first
8 time.

9 Q And was that because Mr. Kaluza
10 did not understand the results that they
11 were getting?

12 MS. KARIS:

13 Your Honor, I'm going to object.
14 To the extent this witness knows, he can
15 speak to what Mr. Kaluza told him. What the
16 reason was, this witness obviously wouldn't
17 know.

18 HON. JUDGE ANDERSEN:

19 Okay. Well, if he told him, he
20 might have given him a reason.

21 EXAMINATION BY MR. LINSIN:

22 Q What did Mr. Kaluza tell you about
23 why he went down to consult with
24 Mr. Vidrine?

25 A He didn't actually say. He said

1 he just wanted to go get Don, because, as I
2 recall, it was close to change-out. Now, I
3 know the time frame was right, but I don't
4 recall Mr. Kaluza expressing or wanting to
5 discuss the results yet with Mr. Vidrine.

6 Q If I heard your testimony
7 correctly a little bit earlier, you said
8 that you had a discussion, and I believed it
9 was in connection with your interviews with
10 Mr. -- well, with the well site leaders, a
11 discussion about some changes that had
12 occurred late in the day, and that they had
13 expressed some concerns about those changes.
14 Did I hear you correctly?

15 A I don't know if they expressed
16 concerns. They mentioned that changes were
17 occurring. I don't recall a conversation
18 about concerns.

19 Q What were the changes that they
20 discussed with you?

21 A I recall, I believe they discussed
22 the temporary abandonment procedure was
23 being revised possibly as late as that
24 morning. I don't recall exactly.

25 Q And which of the well site leaders

1 mentioned that to you?

2 A Mr. Kaluza mentioned that
3 Mr. Hafle had contacted him that morning of
4 the 20th to discuss the procedure that
5 there's some change I believe in the
6 negative test, and perhaps the entire TA
7 procedure, and then Mr. Kaluza contacted
8 Mr. Morel to get it sorted out and Mr. Hafle
9 and getting it written up. That's how I
10 understood it from the conversation.

11 Q And did Mr. Kaluza express to
12 you -- You said he didn't express concern
13 about those changes. What did he say to you
14 about those changes that had occurred, that
15 were occurring in the negative test
16 procedure on the very day that procedure was
17 scheduled to be run?

18 A The conversation was only that the
19 procedure was still getting lined out that
20 morning.

21 Q Did Mr. Kaluza express any
22 uncertainty to you about how the negative
23 test procedure was to be implemented?

24 A No, sir.

25 Q Did your investigation reach any

1 conclusions as to what may have caused a
2 blockage in the kill line?

3 A Not a firm conclusion, but we
4 believe that because -- A couple of
5 possibilities. The presence of the viscous
6 spacer that was originally placed just above
7 the stack, we believe, because of an annular
8 leakage early in the negative test, brought
9 50 barrels down. That would have put the
10 viscous material across the choke and kill
11 line. Of course, the kill line was the
12 service line used for the negative test, and
13 we believe it's possible that the viscous
14 fluid was drawn into the kill line and
15 plugged it.

16 Secondly, we believe simply a
17 valve was left closed. Early in the
18 investigation, we thought that it did become
19 blocked, but then during the response for
20 the top kill, when they cut the choke and
21 kill line, there was no material in that,
22 and there should have been close to 200 feet
23 if the volumes are correct from witness
24 accounts. And the lack of that material
25 being in there made us think that it was

1 something else, just like simply a valve
2 being left closed.

3 Q A valve left closed. Would
4 formation of hydrates be another possible
5 explanation?

6 A We looked at hydrates. We
7 actually did some calculations, and we don't
8 believe that that's very likely. We didn't
9 see enough. The physical conditions did not
10 appear to be substantial enough to create a
11 hard ice plug, plus you have to have a
12 presence of methane. We don't believe the
13 methane was present at that time.

14 HON. JUDGE ANDERSEN:

15 We have been going an hour and a
16 half. Are we getting close?

17 MR. LINSIN:

18 I am almost done, Your Honor.

19 HON. JUDGE ANDERSEN:

20 Okay. When you're completed, we
21 will take a brief break.

22 MR. LINSIN:

23 Actually, Your Honor, if you don't
24 mind, perhaps if we could recess now, I
25 would like to review this and I will be very

1 brief.

2 HON. JUDGE ANDERSEN:

3 Okay. We will take approximately
4 a 15-minute break.

5 MR. MATHEWS:

6 Hold on. I just want to ask a
7 quick question. Just one quick question.

8 EXAMINATION BY MR. MATHEWS:

9 Q You just said something about when
10 you went back into the well, there was no
11 LCM material in the choke and kill line?

12 A Yes, sir. That's correct.

13 Q Was that your testimony?

14 A That was my understanding from the
15 response. I wasn't involved directly. I
16 didn't physically witness any of the camera
17 shots or anything like that. I was just
18 informed that they did not see material in
19 the kill line.

20 Q In the attempt to kill the well,
21 did BP actually pump back down through the
22 choke and kill line?

23 A That was my understanding, yes.

24 MR. MATHEWS:

25 Thank you. That's all I have.

1 HON. JUDGE ANDERSEN:

2 All right. 15 minutes.

3 (Discussion off the record.)

4 HON. JUDGE ANDERSEN:

5 Mr. Linsin, please proceed.

6 MR. LINSIN:

7 May I approach the witness, Your
8 Honor, just briefly?

9 HON. JUDGE ANDERSEN:

10 Sure.

11 EXAMINATION BY MR. LINSIN:

12 Q Mr. Robinson, I had asked you
13 earlier some questions about hook load and
14 have put certain graphs up that were in a
15 different resolution.

16 I have now put a separate graph up
17 that has this data in a higher resolution.
18 I'm going to ask you to look at this chart
19 that I have now displayed, and ask you
20 whether or not in looking at that chart,
21 from approximately 1830 forward, you see a
22 decrease in hook load based on the data
23 depicted in that chart?

24 A At 1830 --

25 Q I'm sorry. Beginning about 1800.

1 A 1800?

2 Q Yes.

3 A Okay. Let me get a little closer
4 to it.

5 HON. JUDGE ANDERSEN:

6 If you want to move it closer to
7 you, you're welcome to.

8 THE WITNESS:

9 I can see it now. I do see a
10 decrease in hook load from 1800 to 1830,
11 yes, sir.

12 EXAMINATION BY MR. LINSIN:

13 Q And actually, the decrease
14 continues beyond that; does it not, sir?

15 A It appears to go flat from 1830 --
16 Well, it may continue to decrease very
17 subtly up to the 8:00 hour, it appears.

18 Q And just to be clear, I believe
19 you testified earlier that that decrease in
20 hook load would be an indicator that could
21 raise concerns about possible flow in the
22 well; is that correct?

23 A No, sir, not at this time frame,
24 because the well would be shut in at this
25 point, and what you're seeing, I would as an

1 engineer assume that the increasing pressure
2 in the well as the drill pipe is building to
3 1400 p.s.i., it's lightening that string,
4 it's causing that string to become more
5 buoyant, and that's decreasing the hook
6 load.

7 Q So the well is shut in, the pumps
8 are off; is that correct?

9 A Yes, sir.

10 Q And what is it that is causing
11 that increase in pressure then?

12 A Well, we believe that the well was
13 in communication -- the drill pipe was in
14 communication with one of the discovery
15 sands, and it built the 1400 p.s.i., and as
16 the well built the pressure, it would have
17 caused a lightening of the hook load.

18 Q Because there was a communication
19 with one of discovery sands?

20 A Yes, sir.

21 Q All right. Last question. And if
22 you wish, I can display one of the other
23 graphs, but in your review of this data, a
24 little bit later in the evening concerning
25 flow-out, do you recall reviewing the time

1 frame shortly after 2100, 2105 to 2108,
2 where the trip tank had been emptied for the
3 second time, the pumps were shut down to
4 perform the static sheen test, and yet there
5 was a continued flow-out of about
6 two barrels per minute from the well? Do
7 you recall observing that from the data?

8 A I need to clarify the events right
9 there. From 2058 to -- I have to get the
10 time exactly right. 2058 to 2105-ish was
11 when we believe the trip tank was being
12 emptied, and then at 2108, the pumps were
13 then stopped.

14 Q Correct. And my question is, do
15 you recall observing that even though the
16 pumps were stopped at 2108, that you
17 continued to see flow-out data from the well
18 after that?

19 A Yes, sir, for about a minute and a
20 half.

21 Q And is that another indication in
22 your mind that the well was flowing at that
23 point?

24 A From the perspective that the
25 flow-out for that minute and a half period

1 looked abnormal compared to what the
2 flow-out should have looked like, I actually
3 have a graph I could pull up that may be
4 helpful to illustrate this well. Is it okay
5 if I --

6 MS. KARIS:

7 As long as it's okay with --

8 HON. JUDGE ANDERSEN:

9 Sure, you can do that.

10 MS. KARIS:

11 Steve, they're up against that
12 wall.

13 EXAMINATION BY MR. LINSIN:

14 Q Let me just say for the record, we
15 have placed on the easel a chart that has at
16 the top -- It is not marked with a Bates
17 number. It has at the top "Normal flow
18 signature at 1652. Abnormal flow signature
19 at 2108."

20 And would you explain what this
21 depicts, sir?

22 A Yes, sir. We looked at what the
23 flow-out signature looked like earlier in
24 the day when the well was stable at
25 4:52 p.m. The pumps were stopped. This is

1 after displacing in preparation for the
2 negative test, and the green line is the
3 flow-out. The blue line is the flow-in, the
4 pumping of the sea water.

5 Q And with that testimony, sir,
6 you're referring to the left-hand portion of
7 this diagram; is that correct?

8 A Yes, sir.

9 Q All right.

10 A We can see that when the pump is
11 stopped, the blue line, as it drops out
12 rapidly, the green line, the flow-out, stops
13 rapidly, too, meaning the flow from the well
14 stops within seconds of when the pump is
15 stopped.

16 MS. KARIS:

17 If I may interrupt a second,
18 perhaps it would be more helpful if
19 Mr. Robinson stepped up to the chart and
20 tried to keep his voice up.

21 THE WITNESS:

22 I would be glad to do that.

23 MS. KARIS:

24 Why don't we try that first.

25 HON. JUDGE ANDERSEN:

1 We also have another microphone
2 here.

3 THE WITNESS:

4 But then we also looked at the
5 same circumstance at 2108 after we believe
6 the well started flowing. I believe, again,
7 the well started flowing at 2052.

8 We looked at stopping the pump,
9 and we stopped the pump in preparation for
10 the sheen test. This is the blue line
11 dropping out, and we see flow-out. It has a
12 different character anyway compared to the
13 452, but then again that character is also
14 affected by the emptying of the trip tank.
15 That's this portion here. Right here as the
16 pump is stopped --

17 EXAMINATION BY MR. LINSIN:

18 Q And just for the record, you're
19 referring to the left-hand portion of the
20 right side of this diagram; is that correct?

21 A That's correct. The emptying of
22 trip tank goes until about 2106, as I
23 recall. And then when the pump is stopped,
24 we see that the flow-out does not drop right
25 with it as it did earlier that afternoon.

1 And we learned from our interviews
2 that as soon as they stopped for the sheen
3 test, they opened the overboard line, and we
4 believe the only reason, as an investigation
5 team, we believe that the only reason flow
6 even did drop out here is because the
7 overboard line was open and it bypassed
8 these meters.

9 MR. LINSIN:

10 All right. Thank you very much,
11 sir. I have nothing further.

12 Thank you, Your Honor.

13 HON. JUDGE ANDERSEN:

14 Okay. Transocean?

15 MR. HYMEL:

16 Judge, I would ask -- I didn't
17 realize that Mr. Robinson brought documents.
18 If those exhibits are going to be gone
19 through with him by BP's counsel, it may be
20 best that they do that, so we can all see
21 what their points are before they question
22 Mr. Robinson.

23 MR. FANNING:

24 Judge, don't you usually take the
25 witness' counsel first?

1 HON. JUDGE ANDERSEN:

2 Well, that's true, we ask, and
3 then they -- I forgot. You're correct.

4 Counsel, would you like to ask the
5 witness any questions now?

6 MS. KARIS:

7 I have no questions at this time.

8 HON. JUDGE ANDERSEN:

9 You have the documents that she
10 provided, right? If she chooses to examine
11 him last or next to last, as this has
12 happened in the past, if there's anything
13 that you think is substantially unfair, I
14 might consider three questions thereafter,
15 but, you know, we don't want to have this go
16 on forever, but we realize this is important
17 testimony.

18 MR. HYMEL:

19 I have some documents to pass out.

20 May I proceed?

21 HON. JUDGE ANDERSEN:

22 Sure.

23 EXAMINATION BY MR. HYMEL:

24 Q Mr. Robinson, good morning. My
25 name is Richard Hymel. I represent

1 Transocean.

2 A Good morning.

3 Q The first area I want to cover
4 with you is the negative test. I gave you a
5 document that's Bates numbered
6 BP-HZN-BLY00038424, and it's called "Project
7 Spacer." Were you involved in that project?

8 A Yes, sir, I was.

9 Q And your name is down on the front
10 page, showing that you were involved in
11 that, correct?

12 A Yes, that's correct.

13 Q Now, your involvement in this
14 Project Spacer, during that involvement, did
15 you determine whether or not the team, the
16 BP team on the HORIZON considered whether
17 this spacer would work as a spacer?

18 MR. CLARKE:

19 I'm going to object to vague as
20 the meaning of "BP team." Who?

21 HON. JUDGE ANDERSEN:

22 Okay. Fine. Who comprised the
23 team that counsel is referring to; do you
24 know? And if you don't, Mr. Robinson would
25 know.

1 THE WITNESS:

2 Is the question about the
3 personnel on the rig?

4 EXAMINATION BY MR. HYMEL:

5 Q That's correct.

6 A And if they felt that this was
7 suitable, is that the question, as a spacer?

8 Q That's correct, yes.

9 HON. JUDGE ANDERSEN:

10 So the preliminary question, just
11 so that we can evaluate the answers, what
12 was the team that was actually looking at
13 this issue?

14 MR. CLARKE:

15 Well, Judge, that lacks
16 foundation, because there's no testimony
17 that a team on the rig looked at this issue,
18 and my point is, it goes precisely to who is
19 it who allegedly was involved in determining
20 whether this spacer would be used?

21 HON. JUDGE ANDERSEN:

22 Well, we will find out, you know.

23 MR. CLARKE:

24 Or spacer was suitable. Excuse
25 me.

1 HON. JUDGE ANDERSEN:

2 Right. We will find out. But as
3 we go through the questioning, it's
4 important that we know the sources of your
5 information and so on.

6 MR. CLARKE:

7 Your Honor, my reason for concern
8 is simply there is to date no testimony of
9 record, nor do I believe there can be, that
10 Robert Kaluza was involved in determining
11 whether this spacer was suitable.

12 HON. JUDGE ANDERSEN:

13 Fine. Okay. Thanks.

14 Do you want to repeat your
15 question?

16 EXAMINATION BY MR. HYMEL:

17 Q Sure. And precisely, my point is
18 I want to determine if anyone on the rig did
19 determine the suitability of the spacer.
20 And, Mr. Robinson, in your involvement in
21 this Project Spacer, did you determine who
22 from BP was on the rig?

23 A We did note who was on the rig.
24 That's the question, who was on the rig?

25 Q Yes.

1 A Yes, we knew who was on the rig.

2 Q And did you then determine whether
3 anyone on the rig determined whether the
4 spacer they decided to use was suitable to
5 use as a spacer?

6 A It was my understanding that they
7 were comfortable to use this material as a
8 spacer.

9 MR. CLARKE:

10 I will object that the witness'
11 statement may be based on speculation. It
12 is his understanding that "they." What is
13 the basis of his understanding and who are
14 "they"?

15 HON. JUDGE ANDERSEN:

16 Okay. Well, when you get a chance
17 to ask questions, you can ask these
18 follow-up clarifications.

19 However, once again, we're not
20 doing mind reading. And I know you don't do
21 this professionally, thank heaven, but when
22 you use a pronoun at the beginning of
23 testimony, it's hard for everyone to know
24 exactly who you are referring to.

25 MR. DYKES:

1 We have testimony from Leo Lindner
2 in one of the earlier hearings regarding who
3 he talked to with respect to using those two
4 LCM spacers or LCM pills and spacers. So
5 given that, I would assume that Mr. Hymel is
6 referring to Mr. Leo Lindner and whoever he
7 talked to.

8 EXAMINATION BY MR. HYMEL:

9 Q I specifically want to know if
10 this group that did the Project Spacer, did
11 they talk with the people on the rig and did
12 they ask of them, "Did you determine the
13 suitability of the spacer before you used
14 the spacer"?

15 MS. KARIS:

16 Now I have an objection to "the
17 people on the rig." To be clear, I think
18 Mr. Hymel probably inadvertently first asked
19 initially whether he spoke to the BP people
20 on the rig, and then the question, the
21 follow-up question was, and were they or do
22 they consider the spacer, but obviously, the
23 people on the rig were more than just the
24 company men.

25 EXAMINATION BY MR. HYMEL:

1 Q Did the group who did this Project
2 Spacer, did they determine whether any BP
3 people on the rig determined the suitability
4 of the spacer?

5 A We didn't actually investigate
6 that. The purpose of this was to actually
7 look at the engineering of the spacer and
8 see if it could have been causal for
9 impairing the negative test. That was the
10 purpose of the project.

11 Q Did the group that was involved in
12 this Project Spacer determine whether any BP
13 people on shore determined the suitability
14 of the spacer?

15 A I don't recall. I don't recall a
16 concern being raised in our interviews. I
17 don't remember a concern being raised about
18 the suitability of it.

19 Q I want you to look at Page 5 of
20 this document, the middle paragraph on the
21 second bullet point.

22 A Yes, sir.

23 Q There's a statement there,
24 "However, this study found no documentation
25 of compatibility testing of the spacer with

1 the reliant fluid or consideration of the
2 long-term stability of the interface between
3 the 16 ppg spacer and sea water."

4 Was that the conclusion of the
5 group that did Project Spacer?

6 A Yes, sir, that's correct.

7 Q Also, isn't it true that this
8 group that did this Project Spacer
9 determined that it was likely that the
10 16-pound per gallon spacer would not be
11 stable when it was mixed with the sea water?

12 A That is correct.

13 Q And this group further determined
14 that the mixing of the spacer with sea water
15 would be even greater if the spacer was
16 stopped during the displacement, correct?

17 A That may be -- I don't recall that
18 specifically stated in the report, but if
19 you can point me to it, I would be able to
20 confirm it.

21 Q Sure. On Page 12, the fourth
22 bullet point, it states, "It is not standard
23 practice during a displacement to shut down
24 with the spacer train in the annulus.

25 Shut-down will result in fluid swapping due

1 to density differences." And that's what
2 that statement means, correct?

3 A Yes, that's correct. It was
4 16-pound per gallon and 8.6 sea water
5 underneath it, that's correct.

6 Q So, in other words, when you're
7 running a spacer, using a spacer to push
8 fluid out of the well, you have a better
9 chance of the spacer not mixing with
10 whatever fluid it's pushing if you
11 continuously pump that spacer through the
12 well?

13 A Normally that's correct. Or you
14 get it above the stack and you close the
15 stack, and so whatever mixing occurs stays
16 above the stack and it would be okay.

17 Q And the group that did this
18 Project Spacer found that with increasing
19 levels of dilution between the spacer and
20 the sea water, it would result in increased
21 sedimentation? In other words, the fluids
22 from the spacer falling out of the spacer;
23 is that correct?

24 A No, sir, the solids in the spacer
25 falling out had water mixed with it.

1 Q That's what I meant to say. Thank
2 you. And one of BP's initial conclusions,
3 and I think you addressed it earlier, was
4 that you all may have changed your decision
5 based on some of the post-casualty testing,
6 but one of the initial findings was that the
7 kill line could have been clogged with that
8 sediment, correct?

9 A That's correct.

10 Q Now, the investigation either that
11 you were involved in with the Bly
12 investigation or with this Project Spacer,
13 did you determine whether anyone on the rig,
14 even though they did not do any testing, if
15 any BP employees on the rig understood that
16 problems could occur with this spacer when
17 you stopped it or when it got mixed with the
18 sea water?

19 MR. CLARKE:

20 May I just ask that that be read
21 back, so I can decide if I -- I think it
22 calls for speculation.

23 THE WITNESS:

24 I need you to clarify the
25 question. There was an error in your

1 question somewhere.

2 HON. JUDGE ANDERSEN:

3 Okay. What do you think the false
4 premise was?

5 THE WITNESS:

6 You said no testing. My
7 understanding from MBI testimony, that there
8 was an overnight test done. They mixed up
9 the two materials and let it sit overnight
10 to see if it would solidify.

11 EXAMINATION BY MR. HYMEL:

12 Q Then I will refer you back to
13 Page 5 of the report, where the report
14 states, "This study found no documentation
15 to compatibility testing of the spacer with
16 the reliant fluid or consideration of the
17 long-term stability of the interface between
18 the 16 ppg spacer and the sea water"?

19 A That's correct.

20 Q Okay. So you mean you just didn't
21 find any documentation?

22 A That's correct. We didn't know
23 there was any testing done until the MBI
24 hearing.

25 Q Did either your investigation, the

1 Bly report, the Bly group or your
2 participation in this Spacer Project
3 determine whether the testing that was done
4 was sufficient testing to determine whether
5 the spacer was suitable?

6 A I don't know if we concluded if
7 mixing it was suitable or not. What we
8 recommend is you have better compatibility
9 testing as stated here.

10 Q Going back to my original question
11 then, I will try to ask it better. Did
12 anyone, did any BP employee on the rig
13 understand the problems that could occur
14 with this spacer?

15 MR. CLARKE:

16 Objection. It calls for
17 speculation as to what they understood. He
18 can't speak to their state of mind.

19 MR. HYMEL:

20 Sure. I will reask the question,
21 Judge.

22 EXAMINATION BY MR. HYMEL:

23 Q In your investigation, during the
24 Bly investigation or with the Project
25 Spacer, did you discuss with any of the BP

1 employees and did you get an understanding
2 from them whether they had an understanding
3 of the problems that could occur with the
4 spacer?

5 MR. TANNER:

6 Objection, Your Honor. It
7 mischaracterizes the evidence. There's no
8 evidence that there was any problem with the
9 spacer.

10 HON. JUDGE ANDERSEN:

11 Well, the question goes to whether
12 or not he had discussions regarding this
13 with the personnel.

14 Did you?

15 THE WITNESS:

16 No, I did not.

17 EXAMINATION BY MR. HYMEL:

18 Q Do you have any evidence that
19 anyone with BP ever told Transocean about
20 the problems that occurred, that could
21 possibly occur with using this spacer?

22 A No, I'm not aware of any
23 conversations like that.

24 Q You talked about discussions
25 during the negative tests about what could

1 be causing the pressure on the drill pipe,
2 and you said that some people used the term
3 "annular compression" and some people used
4 the term "bladder effect"; is that correct?

5 A That is correct.

6 Q Now, Mr. Vidrine, what term did he
7 tell you he heard the drill crew discuss?

8 A I will have to answer it like
9 this. I can't remember exactly which person
10 used which term. One interview, they used
11 the term "annular compression," and two of
12 them, they used "bladder effect."

13 Q Now, you also testified earlier
14 that you did not have any knowledge of any
15 BP employees on the rig calling shore to
16 discuss any issues with the negative test.
17 Was that your testimony?

18 A That's correct.

19 Q I want to refer you to Don
20 Vidrine's interview notes. It's the
21 typewritten notes that are in that packet
22 there.

23 A Okay.

24 Q At the top of the document, it has
25 "Don Vidrine, Interview, Tuesday, 27 April."

1 21418. Do you see that document?

2 A Yes, sir, I do see this. We were
3 just debating is this the summary version of
4 these handwritten notes or not. They should
5 be.

6 Q Have you ever seen this document
7 before?

8 A I believe so, yes.

9 Q Okay. And so you were involved in
10 the interview with Mr. Vidrine, correct?

11 A The first interview, yes.

12 Q And was the first interview done
13 on April 27th?

14 A That date sounds about right. My
15 notes are not dated. That does sound about
16 right. It was soon. It was soon after the
17 event.

18 Q Now, were you involved in
19 generating this typewritten summary?

20 A I don't recall. Usually we did.
21 After interviews, we tried to come together
22 and compare our notes, and there would be a
23 person facilitating and typing it up on
24 either Excel or a Word document.

25 Q So to the best of your

1 recollection, you would have reviewed this
2 typewritten summary to ensure that it
3 basically correctly stated your
4 understanding or your interview with
5 Mr. Vidrine?

6 A I would have -- My notes I would
7 have made sure were conveyed correctly while
8 we were doing the session. I didn't go
9 through and review all summary notes of all
10 the interviews. I tried to the best of my
11 ability.

12 Q Why don't you flip it to the third
13 page of that document, and up at the first
14 line, it says, "The tour pusher and senior
15 toolpusher told me it was this annular
16 compression thing."

17 Does that refresh your memory as
18 to whether Mr. Vidrine referred to "annular
19 compression" or "bladder effect"?

20 A Yes. That would be Mr. Vidrine
21 then that referred to it as "annular
22 compression."

23 Q Okay. And going down, there's a
24 question, "Steve asked for help to annotate
25 the chart and Don agreed." Do you see that?

1 A Yes.

2 Q The second paragraph below that
3 states, "I talked to Hafle about the 1400.
4 Said that if there had been a kick in the
5 well, we would have seen it."

6 Now, what was that conversation
7 about; do you recall?

8 A That doesn't -- The 1400 must be a
9 typo, because the conversation, as I recall,
10 was that Mr. Hafle and Mr. Vidrine talked
11 that night around 9:00, as I recall, talking
12 about the cement job. There was a question
13 whether to do a weight test or pressure test
14 on the surface cement plug, and there was
15 some discussion about -- Oh, this is talking
16 about the 1400 p.s.i. pressure. That's what
17 that is about. Okay. I thought that was a
18 time.

19 Yeah, there was mention that they
20 saw 1400, according to Mr. Vidrine, that
21 there was a conversation about the pressure
22 on it, but if there was a problem, the well
23 would have been underbalanced at that point
24 and they would have been seeing a problem,
25 but they weren't. That was my understanding

1 of the conversation.

2 Q Your understanding of the
3 conversation Mr. Vidrine had with Mr. Hafle?

4 A That's what Mr. Vidrine conveyed
5 to me, yes, sir.

6 Q So according to this statement in
7 the written summary of the interview with
8 Mr. Vidrine, Mr. Vidrine did talk with
9 Mr. Hafle, and because he's talking about
10 the 1400 pounds, he's talking with Mr. Hafle
11 about the negative test; do you agree with
12 that?

13 A I believe that's correct.

14 Q Okay. And then similarly, if we
15 go to the second part of that statement, it
16 states, "Said that if there had been a kick
17 in the well, we would have seen it."

18 And would you agree that he was
19 talking about the interpretation of the
20 negative test at that time?

21 A I don't recall. I believe that's
22 the case, but I can't be positive.

23 Q Okay.

24 A But the 1400, that's the number
25 that would tie to the negative test.

1 Q Sure. So there have been
2 statements in this case that no one from BP
3 called the beach to talk about the
4 interpretation of the negative test, and
5 this note in this summary of the interview
6 with Mr. Vidrine would seem to indicate that
7 Mr. Vidrine did have a telephone conference
8 with Mr. Hafle about the interpretation of
9 the negative test; would you agree with
10 that?

11 MS. KARIS:

12 I'm going to object to foundation.
13 There's no indication that this discussion
14 took place that night, and we all know that
15 there were subsequent discussions between
16 the night of the event as well as the
17 interview.

18 In fact, I believe Mr. O'Bryan
19 testified specifically about discussions he
20 had had on the rig after the incident, and
21 then discussions he had subsequent.

22 MR. HYMEL:

23 Judge, can I ask --

24 HON. JUDGE ANDERSEN:

25 Correct. You're not the witness.

1 MS. KARIS:

2 Understood.

3 MR. HYMEL:

4 -- Ms. Karis to enter an objection
5 and not tell Mr. Robinson what to testify
6 to?

7 HON. JUDGE ANDERSEN:

8 Sure. But also, Mr. Robinson has
9 a pretty good recollection and he knows he's
10 testifying as to his recollections.

11 So please answer the question. If
12 the timing on any conversation or any
13 conversation that was related to you is
14 significant, obviously, you can let us know
15 and counsel can ask about that.

16 THE WITNESS:

17 The one thing that is important to
18 point out, in our interviews and in our
19 investigation, we didn't necessarily try to
20 distinguish who knew what when. I have kind
21 of learned that people learned things on the
22 back of the boat, and so I don't know what
23 was known at this time versus at that time.

24 HON. JUDGE ANDERSEN:

25 To some extent we're all aware of

1 that. But anyhow, please answer the
2 question, if you can remember it, and then
3 insofar as the timing on any conversation
4 that was reported to you as significant,
5 either counsel is asking you the questions
6 or later on somebody else can ask you about
7 that. If you think it's significant while
8 you're giving the answer, let us know when
9 that took place.

10 MR. HYMEL:

11 I will reask the question.

12 HON. JUDGE ANDERSEN:

13 All right.

14 EXAMINATION BY MR. HYMEL:

15 Q Mr. Robinson, based upon what
16 you're looking at here and you're looking at
17 this summary of Mr. Vidrine's statement and
18 there's clearly a statement there where he
19 talked to Mr. Hafle about the negative test,
20 do you recall whether during your
21 discussions with Mr. Vidrine, he said this
22 conversation took place while he was on the
23 rig and that he called Mr. Hafle from the
24 rig? Do you recall that?

25 A I recall him telling me that he

1 called Mr. Hafle to discuss the cement job,
2 that it was later, after the negative test.
3 They were going to talk about how they were
4 going to test that surface cement block.

5 Q Well, do you recall Mr. Vidrine
6 telling you that he called Mr. Hafle or he
7 talked with Mr. Hafle about the negative
8 test after he had gotten off of the rig?

9 A That he talked to Mr. Hafle about
10 the negative after he was off the rig?

11 Q Yes. Well, that's what Ms. Karis
12 is inferring, and I wondered if her
13 testimony influenced your testimony.

14 MS. KARIS:

15 I object to that.

16 HON. JUDGE ANDERSEN:

17 Okay. It wasn't testimony. Come
18 on.

19 MS. KARIS:

20 I don't want to mislead the
21 witness.

22 HON. JUDGE ANDERSEN:

23 What's your answer to counsel's
24 question?

25 THE WITNESS:

1 Can you repeat the question,
2 please?

3 EXAMINATION BY MR. HYMEL:

4 Q Sure. There's clearly a
5 conversation between Mr. Vidrine and
6 Mr. Hafle regarding the negative test. You
7 would agree with that?

8 A It appears so, if the 1400 matches
9 the negative test pressure. It doesn't
10 state that they're talking about the
11 negative test, but the 1400 would be the
12 number that appeared in the negative test.

13 Q Sure. And I have asked you if you
14 recall him, Mr. Vidrine, testifying that he
15 called Mr. Hafle from the rig to talk about
16 the negative test, and your response was you
17 recalled Mr. Vidrine saying "I called
18 Mr. Hafle to talk about the cement test
19 while I was on the rig"?

20 A That's correct.

21 Q And then my second question, my
22 follow-up is the opposite. When Mr. Vidrine
23 talked about this telephone conversation or
24 this conversation he had with Mr. Hafle, did
25 he tell you that it happened when he had

1 gotten off of the rig?

2 A I don't remember that. I don't
3 remember if that was part of the same
4 conversations talking about the surface plug
5 or it was a conversation that occurred
6 later.

7 Q Did your investigation determine
8 whether what Mr. Hafle apparently told
9 Mr. Vidrine that if there had been a kick,
10 we would have seen it, did your
11 investigation determine whether that was a
12 correct statement?

13 A It depends on the time, because
14 you wouldn't have a kick until after 2052.

15 Q I'm talking about during the
16 negative test. Apparently, they were
17 talking about the negative test in this
18 conversation. If the context of this is
19 that Mr. Hafle told Mr. Vidrine if they had
20 a kick during the negative test, you would
21 have seen it, do you agree with that?

22 A I'm not sure if I can actually
23 answer that. You're referring to the 1400
24 or if a kick occurred, would you see it
25 during the negative test?

1 Q I'm just wondering that if these
2 two statements, these two clauses in the
3 statement go together, that Mr. Hafle said
4 that if there would have been a kick, you
5 would have seen it, and if he said that in
6 relation to the negative test.

7 So if his statement to Mr. Vidrine
8 was if there had been a kick during the
9 negative test, you would have seen it, if
10 that's a statement, do you agree with that?

11 A I can agree that -- I'm not sure.
12 The nomenclature is not working for me. If
13 there was an anomaly in the negative test,
14 that would indicate that hydrocarbons
15 entered the well, and so that would be a
16 kick, I suppose, and the 1400 would be an
17 indication that something is wrong.

18 Q Do you know if any BP employees on
19 the rig considered the effect of this heavy
20 viscous spacer on pump efficiency?

21 A No, I'm not aware of that.

22 Q Did your crew when you were
23 working on the Project Spacer determine the
24 effect of this spacer on pump efficiency?

25 A We looked at volume in and out.

1 We didn't rely on -- As far as we looked at
2 the volumes coming back in the pits. We
3 didn't specifically look at the efficiency.
4 The efficiency would only be impacted as
5 it's being sucked into the pumps. Once
6 you're pumping it, the efficiency I would
7 expect would return to normal.

8 Q Well, you do understand that
9 flow-in is determined by the pump
10 efficiency?

11 A Yes.

12 Q And so if this spacer affected the
13 pump efficiency, you may not be pumping as
14 much as you think you're pumping; would you
15 agree with that?

16 A For the time that you're sucking
17 out of the pits, I would agree with that.

18 Q So you could have a situation
19 where you think you're pumping 100 barrels,
20 but you did not pump 100 barrels, and then
21 let's say you pumped 80 barrels, and your
22 return is 100, and you're really taking a
23 20-barrel gain, you just couldn't see that;
24 would you agree with that?

25 A I would have to see the exact

1 scenario we're talking about. I don't know
2 that that occurred in this well. We didn't
3 see evidence of that occurring in this well.

4 At the time they're pumping the
5 spacer, the well was over-balanced. It
6 wasn't until you have the spacer above the
7 stack and close the stack, take the pressure
8 off the well, then it became underbalanced.
9 So it's after the spacer is in place.

10 Q I understand, but my question was,
11 did your group determine whether this spacer
12 affected pump efficiency?

13 A No, not in that level of detail.

14 Q I want to talk with you about
15 off-loading for a little while now. You
16 mentioned that there was some current
17 concerns about the mud that was coming out
18 of the riser being off-loaded to the boat
19 and that could have caused some problems
20 with monitoring; is that your testimony?

21 A Yes, that's what I understand.

22 Q Now, do you understand that the
23 pumping to the boat stopped at 1712?

24 A 1717 is what we had from our logs,
25 yes, sir.

1 Q I probably can't read my
2 handwriting.

3 A We got that from the BANKSTON log.

4 Q I will go with that, 1717.

5 A We didn't match up the times to
6 the Sperry-Sun, just for clarity. It could
7 be off.

8 Q Now, the negative test went on
9 until about 8:00, which would be 2000?

10 A Yes, sir.

11 Q So the pumping to the boat
12 actually stopped before the negative test
13 was over; would you agree?

14 A I agree.

15 Q So any complaints that Ms. Willis
16 had about there being pumping to the boat
17 during displacement, she's talking about the
18 displacement for the set-up of the negative
19 test; do you agree?

20 A I agree. The problems with the
21 pits as far as the off-loading is concerned
22 is between 1328 and 1717, but there were
23 other pit movements that were occurring
24 because of cleaning of the pits that was
25 causing issues.

1 Q I understand. But my point is
2 that she makes in her Coast Guard statement
3 that there were problems with transferring
4 to the boat during displacement, and she had
5 concerns about that, and I just want to make
6 sure the Board understands that the
7 displacement she's talking about was the
8 displacement or the set-up of the negative
9 test; do you agree with that?

10 A It would have to be in that period
11 between 1328 and 1717.

12 Q Now, the displacement of the
13 riser, which is more important, because
14 you're putting the well under balance, that
15 didn't start until about 8:00; do you agree?

16 A That's correct.

17 Q And the pumping to the boat had
18 finished long before then?

19 A That's correct.

20 Q So there was no pumping to the
21 boat and there were no issues with pumping
22 to the boat during the riser displacement;
23 do you agree?

24 A I agree the transferring had
25 stopped, but there were other pit

1 activities, as I understand, that were
2 taking place.

3 Q I understand that, but I'm talking
4 about whether the pumping to the boat was an
5 issue during the riser displacement, and you
6 agree that it was not?

7 A From the information we have, I
8 don't believe it was an issue after 1717.

9 Q During the displacement -- And
10 Mr. Linsin asked you some questions about
11 anomalies and what you may have seen in the
12 last hour or so forth, and you talked about
13 an increase in drill pipe pressure at a
14 certain period of time. I don't need the
15 details right now, but there was an increase
16 in drill pipe pressure during the last hour,
17 correct?

18 A Yes, sir.

19 Q Okay. Now, Mr. Gisclair, who was
20 the Sperry-Sun employee who testified
21 yesterday, told us that the increase in
22 drill pipe pressure to him was a curiosity.
23 He had some concerns as to whether it really
24 was a kick indicator. I don't need you to
25 argue about that issue.

1 My point is, was a pump schedule
2 prepared for the riser displacement that
3 included the number of pumps plus the
4 pressure that should exist at certain times
5 through the riser displacement?

6 A I'm not aware of a pump schedule
7 prepared.

8 Q Okay.

9 A That's not to say there wasn't.
10 It just didn't come up in the interviews.

11 Q And if a pump schedule had been
12 prepared, then when someone saw, whoever saw
13 it, or if they did, but if they saw an
14 increase in drill pipe pressure at a certain
15 point during the riser displacement, they
16 could simply go to the pump schedule and
17 say, "We're on this number of strokes and we
18 should be at this pump pressure, and we're
19 not," and then it becomes more than a
20 curiosity, it becomes a real issue; do you
21 agree?

22 A I agree with that.

23 Q Now, whose responsibility was it
24 to provide a pump schedule?

25 A We didn't investigate those kind

1 of accountabilities.

2 Q BP clearly could have ordered one
3 of the contractors, such as the mud
4 engineers or the mud loggers, to prepare a
5 pump schedule if they chose to do so?

6 A Again, I hate to speculate. I'm
7 not sure what the accountabilities were out
8 there, but if the company man or Transocean
9 wanted a pump schedule, they could ask
10 somebody to do it.

11 Q Now, I want to talk about the
12 evacuation just a little bit, and I want to
13 refer you back to Mr. Vidrine's statement,
14 the typewritten statement.

15 A Okay.

16 Q Just bear with me, because I
17 thought I had everything highlighted, but
18 apparently I do not. On the last page,
19 about halfway down, there's a statement:
20 "The crews responded well. You could tell
21 they had been drilled."

22 Do you recall Mr. Vidrine saying
23 that?

24 A I don't specifically remember the
25 comment, but there were comments that -- Of

1 course, there's chaos. You know, I heard
2 both, that there was order and chaos. But
3 there was it seemed like some structure,
4 getting people on boats and so forth.

5 Q The paragraph right above that,
6 the summary at least states that "I realized
7 later that the fire alarms were sounding."
8 So at least according to Mr. Vidrine, the
9 fire alarms were engaged and were sounding;
10 is that correct?

11 A If it's in the notes, it's what we
12 heard. I have not seen exactly that
13 statement.

14 Q It's on that same page, just one
15 paragraph up.

16 A The last page? You're on the last
17 page?

18 MS. KARIS:

19 What are the Bates numbers?

20 EXAMINATION BY MR. HYMEL:

21 Q The last page, I think that's
22 21422.

23 A Yeah, I don't see that particular
24 statement on this page.

25 MR. MATHEWS:

1 It's on the previous page.

2 MR. DYKES:

3 At the very bottom.

4 EXAMINATION BY MR. HYMEL:

5 Q It's the fourth paragraph down.

6 Actually, the fifth paragraph down.

7 A Yes, we heard in an interview that
8 the fire alarms, he heard the fire alarms
9 sounding.

10 Q Okay. Now, there's been some
11 discussions in this case about the number of
12 operations that were going on during the
13 displacement. You talked about mud being
14 moved around and so forth.

15 Now, the mud that was being moved
16 around, that was directed by the mud
17 engineers, correct?

18 A I don't know specifically who was
19 directing the activity on moving the mud.

20 Q Do you agree with me that whatever
21 activities were being done simultaneous,
22 that those activities benefited BP?

23 A Well, the activities were in
24 purpose, you know, in service of the
25 project.

1 Q Sure. And they were in service of
2 the project to get the project completed a
3 little earlier by doing operations together;
4 you would agree with that?

5 A Not necessarily. We saw the
6 activities that were occurring as pretty
7 much normal activities. Now, we didn't
8 investigate is it normal to have these
9 activities at the same time on other rigs,
10 but we had no reason to believe that they're
11 not.

12 Q Okay. You made some comments --
13 I'm switching gears now and talking about
14 the ignition source that you referenced
15 briefly during your direct examination. You
16 made a statement that once the gas got in
17 the riser, it was pretty difficult to stop
18 it, correct?

19 A Yes. You can't shut it in. The
20 stack at the sea floor is a primary
21 mechanism to close the well. At the
22 surface, you can only divert, either
23 overboard or through the mud gas system.

24 Q And that was one thing that the
25 Bly group looked at, was whether or not

1 diverting would have prevented one problem
2 or another; is that correct?

3 A That's correct. We looked at what
4 the impact of the mud gas separator would be
5 versus just going overboard.

6 Q Were you involved in that
7 analysis?

8 A No, actually not. I'm somewhat
9 sort of familiar with it, being a part of
10 the team. I agree with the content that's
11 in the report.

12 Q Okay. I just have a few questions
13 on that then. Are you aware or do you know
14 whether or not the Bly group considered
15 whether the diverter packer would have held
16 even if the crew had diverted overboard and
17 not gone through the mud gas separator?

18 A I think that was looked at, but I
19 don't recall. It also depended on what the
20 packer pressure was set at. It had two
21 pressure settings. It had a low and high
22 pressure. The higher pressure would have a
23 better chance, as I understand the
24 equipment.

25 Q Did the Bly group consider whether

1 or not the slip joint packer would have held
2 if the crew had diverted straight overboard
3 and not through the mud gas separator?

4 A That was looked at. It's in the
5 report. We could read it out of the report.

6 Q Okay. Switching gears, just on
7 well design real quickly, do you know
8 whether or not the Bly group determined
9 whether the well design team considered the
10 buoyancy of the long string?

11 A In what respect, for buckling
12 calculations?

13 Q To determine whether or not during
14 this displacement, whether the load on the
15 long string would be lessened to the point
16 where the long string could become buoyant
17 and lift the seal assembly? Do you know if
18 they considered that calculation?

19 A I don't know the details of the
20 calculations, but I do know there were
21 detailed calculations on the "as run"
22 casing. They looked at all the loads is my
23 understanding. I wasn't involved in it,
24 though, so I can't speak powerfully to it.

25 Q I want to talk about the last

1 series of questions in the last hour or so.

2 Do you agree with me that the indicators of
3 a kick, one is flow-out?

4 A Yes.

5 Q And another one is increase in pit
6 gain?

7 A Yes.

8 Q And another one is gas in your
9 mud?

10 A Well, by the time you see gas in
11 mud, it means it's at the surface, and
12 that's not a good place to be.

13 Q Okay. Any other kick indicators
14 that you consider to be traditional kick
15 indicators?

16 A Traditional are the flow-out and
17 pit volume. Pressure can be an indication.
18 I just don't know the extent to which people
19 are expected to rely on pressure.

20 Q And that's exactly where I was
21 going, because Mr. Gisclair testified
22 yesterday that he considered pressure to be
23 a nontraditional kick indicator, and the
24 reason is that sometimes you see the
25 pressure go down, and that indicates a kick,

1 and sometimes you see the pressure go up,
2 and that indicates a kick. Do you agree
3 with that?

4 A I will agree with that, yes. It
5 depends on if you're off bottom. If you're
6 on bottom, you would expect pressure to go
7 down. If you're off bottom, you expect
8 pressure to go up. The issue would be if
9 you have a change in pressure, you have an
10 anomaly that should be interrogated.

11 Q Now, Mr. Linsin asked you some
12 questions about flow-out and you all looked
13 at the schedule and so forth. Do you agree
14 that all of the issues of flow-out that were
15 shown in the last hour or so that may have
16 indicated the flow-out exceeded the flow-in,
17 that they were all accounted for by what was
18 going on on the rig, such as dumping the
19 trip tank and dumping the shale shakers and
20 so forth?

21 A To be clear, we can only see
22 flow-out from up to the 2108.

23 Q Right.

24 A So the question is can we see on
25 the flowmeter?

1 Q The question is, up until 2108,
2 any instances you see where flow-out
3 exceeded flow-in, do you agree that those
4 instances were accounted for by what was
5 happening on the rig, such as the trip tank
6 being dumped or the shale shakers being
7 dumped?

8 A I would have to go through my
9 graphs to look and see if they're all
10 accounted for, but I would expect they would
11 be, because the well shouldn't have been
12 abnormal before 2052.

13 Q Okay. And you made a good point.
14 After 2108, the valve was flipped, so that
15 the sea water and spacer would be pumped
16 overboard, correct?

17 A That is correct.

18 Q And when that was done, the
19 Sperry-Sun sensor was bypassed; you
20 understand that?

21 A That's our understanding.

22 Q And also, do you understand that
23 BP understood that before this casualty?

24 A I don't know that.

25 Q You do not know that?

1 A I do not know that.

2 Q Did you ask that question?

3 A I don't recall answering that
4 question. We didn't have an understanding
5 of where all the flowmeters were arranged
6 until late in the investigation. Once we
7 got the Transocean drawings and so forth,
8 then we could piece together where the
9 meters were located. It was after a lot of
10 those interviews, as I recall.

11 Q Did you understand during your
12 investigation that the Transocean Hi-Tech
13 sensor was before the valve?

14 A That's our understanding from the
15 drawings.

16 Q And do you know if the BP
17 employees on the rig knew that before the
18 casualty?

19 A From the interviews, we didn't
20 discuss that in the interviews.

21 Q And do you know whether or not the
22 BP employees were monitoring whenever they
23 chose to monitor flow-out, whether they
24 monitored the Transocean, Hi-Tech sensor or
25 the Sperry-Sun sensor?

1 A I do not know that.

2 Q Now, in your discussions with
3 Mr. Linsin, you talked about one area where
4 it looked like when the pumps were shut off,
5 the flow-out continued for a short period of
6 time?

7 A About 90 seconds, yes, sir.

8 Q And then the other instances,
9 which could possibly be a kick indicator,
10 are two areas where the pump pressure
11 increased 100 pounds per gallon at one point
12 and a couple hundred pounds, 250 at another
13 point, correct?

14 A Yes. And I got a graph that shows
15 that, if we can pull it up. Is that okay?

16 Q That's okay.

17 A Okay.

18 Q So the pump pressure increases,
19 you would agree with me those are
20 nontraditional kick indicators?

21 A It's hard to define "traditional."
22 I would rather speak to it in terms of
23 anomalous. Pressure increase with the pump
24 off is anomalous. In fact, I can't as an
25 engineer come up with an explanation on why

1 that would occur unless the well was
2 flowing, bringing heavy mud up around the
3 stinger.

4 Q Do you contend that the well
5 should have been shut in when flow-out
6 exceeded flow-in by 90 seconds? Do you
7 contend the well should have been shut in at
8 that point?

9 A I think that would have been
10 difficult to see. We pointed out -- We were
11 interrogating any possible indications of
12 flow. That's not to say everybody should
13 have seen these things. We're just pointing
14 out that that was something anomalous with
15 the well.

16 Q Do you contend that the well
17 should have been shut in when you say there
18 was a 100-pound per gallon increase in
19 pressure?

20 A That's from the 2058 to about --

21 Q 2108?

22 A Yeah, that time frame. The
23 question is, should the 100 p.s.i. be seen
24 or should it be shut in?

25 Q If that was seen, should that have

1 indicated that the well was coming in and
2 caused the driller or should the driller
3 have shut in at that point?

4 A It should have prompted -- That
5 would be the next step. The first step is
6 to interrogate what's going on.

7 When you have these issues, we
8 call them indicators, and it's not that if
9 you see one indicator, you automatically
10 close the well. It causes you to stop, take
11 a look at the well and see if the well is
12 flowing.

13 Normally the first step after you
14 have these indicators is to take a look at
15 the well, look at whatever mechanism -- I'm
16 used to land rigs. You look down the
17 rotary. But you look and see if the well is
18 flowing with the pump off. And then once
19 you get that confirmation, then you close
20 the well.

21 Q Well, we have the first indicator
22 you talked about, which is flow-in
23 increased -- Flow-out exceeded flow-in for
24 about 90 seconds, and you have already said
25 that that would have been hard to see; would

1 you agree?

2 A Well, it's not necessarily just
3 flow-in and flow-out. The point was it took
4 awhile for flow to drop out compared to what
5 was normal. Just to make that
6 clarification.

7 Q I understand. But what I'm trying
8 to establish here is we have a driller,
9 Dewey Revette, and I want to make sure we're
10 fair to him, okay, make sure that we see
11 what he saw and consider what he considered.

12 It's easy for us to sit here and
13 look at these after six months and make
14 determinations. I just want to make sure
15 what your opinions are. Okay?

16 So we talk about the flow-out
17 exceeding flow-in for about 90 seconds, and
18 you have already testified that that would
19 not have caused the driller to shut in at
20 that point. Do you agree?

21 A Not necessarily. I was just
22 pointing out it is an anomaly. I don't know
23 if that's something that would be readily
24 obvious in real-time.

25 Q And you said that when you see an

1 anomaly, it is something that you then
2 should investigate?

3 A Take a look at, right.

4 Q And do you have any evidence that
5 Mr. Revette did not investigate that?

6 A I don't know.

7 Q Okay. Now, let's move on to the
8 second anomaly, which is the increase of
9 100 pounds in stand pipe pressure.

10 A Sorry. Can I interrupt?

11 Q Sure.

12 A So just to be clear, the first
13 indication is the 100. The second is the
14 246.

15 Q I understand.

16 A Okay.

17 Q What I was talking about -- I put
18 the first one as the flow-out, and then I'm
19 talking about the two pump pressures
20 separate.

21 A Okay. I'm sorry.

22 Q I will talk about two pump
23 pressures now.

24 A Okay.

25 Q So the first pump pressure was

1 100 pounds from about 2058 to 2108, correct?

2 A That sounds correct. I would have
3 to look at the exact time. The pumps were
4 being staged down, also, in that time, so
5 there's a couple of minutes that you
6 wouldn't want to look at it. It's that time
7 period where the pump is constant that you
8 want to look at.

9 Q I understand. Do you contend that
10 the driller should have caught that slight
11 increase?

12 A No, I'm not forming an opinion on
13 that. What I'm saying is, what we're
14 pointing out in the report is that there was
15 an anomaly occurring.

16 Q I understand.

17 A That could have been investigated.

18 Q And it could have been
19 investigated. And, of course, if you then
20 have two, you have flow-out and you have a
21 pressure, then maybe those two may have
22 caused some investigation. But do you have
23 any evidence that Mr. Revette did not
24 investigate those?

25 A No, I have no evidence.

1 Q So then we have a third instance
2 where we have an increase in pump pressure
3 of about 246 pounds, 250, whatever it was.
4 Do you contend that the driller should have
5 caught that?

6 A I will contend that that's an
7 anomaly. To have 246 p.s.i. build on drill
8 pipe pressure with the pumps off over five
9 and a half minutes is an anomaly.

10 Q Do you believe that that should
11 have caused the driller to shut in at that
12 point?

13 A I believe it should have prompted
14 an investigation. You keep saying driller.
15 It's whoever is looking at this.

16 Q I understand.

17 A It could be whoever is in the
18 cabin.

19 Q Sure. Okay. So do you have any
20 evidence that Mr. Revette did not
21 investigate the 250-pound increase?

22 A No, other than the well, you know,
23 remained open.

24 Q I understand. Do you know whether
25 or not any BP employee on the rig was

1 monitoring the flow-out and the pressure at
2 this time?

3 A I'm not aware.

4 Q Did you ask each BP employee on
5 the rig whether or not they were monitoring
6 flow-out of the drill pipe pressure at this
7 time?

8 A No, I did not ask them.

9 Q Do you think that would be
10 important?

11 A At the time we're doing the
12 interviews, we didn't actually have an
13 understanding of these pressure responses
14 and so forth. Perhaps later in the
15 investigation, we might have asked that, but
16 in the early going, we did not.

17 Q Do you no longer have access to
18 those employees to ask them?

19 A Well, we have ended the
20 investigation.

21 Q So you don't think that's
22 important enough to maybe check to see if
23 one of them had information that might cause
24 you to amend the investigation or amend the
25 report?

1 A I don't think it would change
2 the -- The investigation was an engineering
3 investigation. We weren't looking to assign
4 blame or liability or anything like that, so
5 we're kind of sticking to causal issues and
6 it wouldn't cause us to reopen the
7 investigation.

8 Q So it doesn't matter to you that
9 you have all the facts when you complete
10 your investigation?

11 A No, it's very important.

12 MS. KARIS:

13 Object to the form.

14 MR. HYMEL:

15 And what's the problem with the
16 form of that question?

17 MS. KARIS:

18 Argumentative.

19 HON. JUDGE ANDERSEN:

20 Well, if you want to ask about a
21 specific fact, you can, but I think to say
22 it doesn't -- Obviously, you're not going to
23 have all the facts about anything, so we all
24 know people have to reach decisions based on
25 not having all the facts.

1 If you want to ask him about
2 whether or not he feels comfortable with
3 reaching a conclusion without exploring
4 certain facts, you're welcome to do that.

5 MR. HYMEL:

6 I will move on.

7 EXAMINATION BY MR. HYMEL:

8 Q Did your group determine whether
9 or not any BP employees on shore were
10 monitoring the data, the flow-out and the
11 pump pressure during the last hour?

12 A No, it was after hours. They
13 don't have -- They didn't have a 24-hour
14 monitoring on shore set up for this well.
15 This was all being done offshore.

16 Q I understand. But you do
17 understand that this data was being streamed
18 in real-time back to the BP office in
19 Houston? Do you understand that?

20 A That's my understanding, yes.

21 Q So if BP chose to have someone
22 stay over and watch this data, even though
23 it was after hours, BP could have chosen to
24 do that; is that correct?

25 A Certainly.

1 Q Okay. Now, are you aware of any
2 problems that were involved with this well
3 when they were trying to convert float
4 collars?

5 A Yes, I am aware that it took nine
6 times to convert the flappers.

7 Q And what's the normal pressure to
8 convert the flappers?

9 A As I recall, it was the 500 to 700
10 p.s.i. range.

11 Q And what pressure did it take
12 after nine times to convert the flappers?

13 A 3142, as I recall.

14 Q Do you know how many calls were
15 made to the office during that time?

16 A I don't remember exactly how many,
17 but more than one.

18 Q Sure. Okay. You understand that
19 Mr. Kaluza had some concerns about the pump
20 pressure after they thought they converted
21 the float collars, where he thought the
22 pressure was a little low, which could have
23 indicated that something was damaged in the
24 float?

25 A There was -- I can't remember if

1 it was Mr. Kaluza or not, but there was
2 discussion about the pump pressure being
3 less than what was modeled.

4 Q Do you know if there were any
5 calls back to the office talking about that
6 issue?

7 A I believe there was. I believe
8 there was.

9 Q Okay.

10 A And that would be from
11 Mr. Kaluza's interview.

12 Q Sure. And then you also
13 understand that from the negative test, the
14 negative test was done, according to your
15 count, at least three times?

16 A Well, the well was open three
17 times. It would count as two tests, the
18 drill pipe and the kill line, but it was
19 open three times, as we understand it.

20 Q Sure. And do you understand that
21 during that time of the negative test, the
22 job was actually shut down for about an hour
23 while they discussed a number of issues,
24 including this annular compression or
25 bladder effect, whatever term you want to

1 use? You understood that?

2 A I didn't know how long they shut
3 down. There was discussion for some time.
4 I agree with that.

5 Q Okay. So considering all of those
6 facts, where we had issues with float
7 collars, we had issues with pump pressures
8 after, we had issues with the negative
9 tests, do you believe that someone from BP,
10 whether somebody on the rig or somebody on
11 land, should have been monitoring this well
12 in the last hour?

13 A Well, I had no information or
14 evidence suggesting that there was a lack of
15 resources to watch the well offshore.

16 Q Do you know who was watching the
17 well offshore?

18 A It was my understanding -- Well,
19 Sperry-Sun personnel were assigned to watch
20 the well, and, of course, from Transocean
21 protocols, the driller or whoever is in the
22 driller's chair is accountable for
23 monitoring the well and getting the well
24 shut in.

25 Q Did you ask Mr. Vidrine whether he

1 was monitoring the well during the last
2 hour?

3 A No, I didn't ask him that. You
4 wouldn't necessarily expect the well site
5 leaders to be monitoring a well, unless they
6 felt there was a resource issue and they
7 couldn't have it monitored.

8 Q Even considering the issues that
9 had occurred with the float collars, the low
10 pump pressure, the negative tests, you
11 wouldn't expect the well site leader to be
12 concerned and maybe monitor the well during
13 the last hour?

14 A Again, only if they thought that
15 there was a resource problem, didn't have
16 enough people available to watch the well,
17 and that's the way I have to answer that.

18 Q Now, going back to the anomalies
19 in the last hour, you would agree with me
20 that any anomaly in flow-out being greater
21 than flow-in or any anomaly in any increased
22 pump pressure would be just that, anomalies,
23 if there was a visual confirmation that
24 there was no flow from the well? Would you
25 agree with that?

1 A Yes. I would say, again, with the
2 pressure rising, with no pump off -- You
3 know, with the pumps off, I'm not sure how
4 you could not have -- you could have a no
5 flow, but anyway. I'm not sure if I
6 answered your question.

7 Q Well, I will ask it again. If you
8 have someone who looks at the well and sees
9 that there is no flow, does a visual check
10 on the well, but you still have this
11 increased pump pressure, then it's pretty
12 clear, you would agree, that whatever that
13 increased pump pressure is, it's not being
14 caused by the well flow, because the well is
15 not flowing? Would you agree with that?

16 A Well, I'm not sure -- Again, I
17 don't know how you can see a no flow. I
18 would have to have another explanation on
19 how we could get a pressure increase with
20 the pumps off.

21 Q Well, were you here yesterday when
22 Mr. Keith testified that he looked through
23 the camera at the flow-out line when they
24 shut down to do the sheen test and he didn't
25 see any flow?

1 A No, sir, I wasn't here. I was
2 sequestered in another room.

3 Q Did anybody ever tell you that the
4 Sperry-Sun employee had done a visual check
5 of the well, confirming there was no flow?

6 A I don't recall that the mud logger
7 in our interviews said that they
8 investigated a no flow.

9 We did ask in one interview if
10 they checked, if they saw flow after taking
11 a sheen test, and they said they did not see
12 flow, but they opened the overboard line
13 immediately and wouldn't be able to see it,
14 and I can't remember the interviewee. It
15 may have been Mr. Meche.

16 Q Did you talk with Mr. Keith about
17 when he contends that he looked at the
18 camera and saw no flow, whether or not he
19 was sure that he looked at that camera
20 before the flow had been diverted overboard?
21 Did you ask him that question?

22 A No. I specifically did not
23 interview Mr. Keith, but we could look at
24 the notes and see if it's in the notes or
25 not.

1 Q Sure.

2 A I'm sorry. Do we have available
3 the notes? I don't have them with me. If I
4 could scan it quickly, I could tell you
5 right away if that was the conversation that
6 was taking place.

7 Q The notes are --

8 A From Mr. Keith, our interviews
9 with Mr. Keith. I don't have that with me.

10 MR. MATHEWS:

11 BOEM doesn't have Mr. Keith's
12 notes available.

13 EXAMINATION BY MR. HYMEL:

14 Q I want to refer you now to
15 Mr. Vidrine's typewritten notes, the second
16 page, the notes we have been looking at.

17 A Yes, sir.

18 Q And six paragraphs up from the
19 bottom --

20 A Yes, sir.

21 Q -- at least this summary states
22 that "Everything was fine. Checked for
23 flow, and it was okay."

24 Do you remember Mr. Vidrine
25 telling you that?

1 A I don't remember the conversation,
2 but that's what we would have heard. If
3 it's typed here, that's what we would have
4 heard and taken notes.

5 Q You don't have any recollection
6 whether or not Mr. Vidrine was told that or
7 whether Mr. Vidrine actually checked the
8 flow himself? You don't know that?

9 A I don't know that. And actually,
10 again, we didn't discern what they knew
11 prior to the explosion. Some of this could
12 have been what they learned at the back of
13 the boat.

14 Q But in any event, according to
15 Mr. Vidrine's statement, he said that
16 "everything was fine" and "checked for
17 flow," so at least Mr. Vidrine believed that
18 there was no flow?

19 MS. KARIS:

20 I'm going to make an objection on
21 two bases: One is I don't think this is
22 Mr. Vidrine's statement. It's certainly
23 somebody's written notes of an interview.
24 To call it a statement, I object to that.
25 And what he thought on this witness is

1 obviously not in Mr. Vidrine's mind.

2 So he can speak to what the notes
3 say, but I object to the reference to them
4 as a statement and to Mr. Vidrine's state of
5 mind.

6 HON. JUDGE ANDERSEN:

7 Okay. You can testify with
8 respect to the notes. Also, just to put
9 this in context for everyone, not just the
10 attorneys asking questions now, but looking
11 forward in case anybody else has questions,
12 our goal is to try to advance the Board's
13 understanding of the events that took place,
14 not to evaluate the completeness, let's say,
15 of the Bly investigation or report.

16 So obviously, things that they did
17 and didn't do in that investigation could
18 shed light on what we're doing, but
19 nevertheless, our goal is to shed light on
20 the events that occurred, so that this Board
21 can try to figure out what really happened
22 and what recommendations to make for the
23 future.

24 So we're not terribly concerned
25 with what the Bly investigation might have

1 done or not done, unless that creates
2 greater knowledge for us. And it's a very
3 fuzzy line, but if we get into investigating
4 the investigation and evaluating it, we will
5 get off task, and so we would like to not do
6 that.

7 EXAMINATION BY MR. HYMEL:

8 Q One last area. I want you to come
9 up and grab each of your exhibits and set
10 them out. We can do them one by one and you
11 can set them all out, and I want to see what
12 they look like.

13 A Okay. I believe they're all here.
14 (Discussion off the record.)

15 EXAMINATION BY MR. HYMEL:

16 Q Mr. Robinson --

17 A Yes, sir.

18 Q -- the first document you have
19 given us is "Based on real-time data."
20 That's the title of it. What you have here
21 is you have flow-in, flow-out and drill pipe
22 pressure, and that's one of your exhibits,
23 correct?

24 A That is correct.

25 Q Okay. Now, will you agree with me

1 that what we're looking at here is not what
2 Mr. Revette would have been seeing?

3 A Well, I don't know exactly what
4 would be on the display screens in the
5 cabin, no, sir.

6 Q But even if this was on the
7 display screen in Mr. Revette's cabin, it
8 would be like this (indicating) and it would
9 be much smaller; do you agree?

10 A I don't know. I don't know
11 actually how it was displayed. I've got
12 some photos in the report of what we think
13 it looked like, but we don't know how it was
14 set up.

15 Q And I was going to go through each
16 one of these and do that exact same thing.
17 So if I turned each one on the side and
18 asked you if it would be like that and
19 smaller, your response would be you don't
20 know?

21 A I don't know what was displayed,
22 that's correct.

23 Q So you don't know what Mr. Revette
24 was looking at, do you?

25 A That's correct. No, I do not

1 know.

2 Q And you're not here to say that
3 when you put up one of these exhibits and
4 you go through it, that you would have
5 expected him to see what you see here and
6 what everybody in this audience sees and it
7 be that obvious? You're not here to say
8 that, are you?

9 A That's correct. Especially on the
10 flow-out signature here that I'm showing.
11 This is an engineering re-creation as well
12 as the gain that we show early in the
13 evening.

14 Q And I have said it before. I just
15 want to say it again, that just to be fair
16 to Mr. Revette, it's much easier to look at
17 these documents when they're not in
18 real-time and they're not moving and they're
19 not on the screen and you're able to sit and
20 look at them for six months with a number of
21 people sitting around a desk trying to
22 figure out what's going on? Do you agree
23 with that?

24 A I agree with that. Just coming at
25 it from a different angle than we did, you

1 know, we came at it as an investigative
2 body, as an engineering approach, just
3 looking at the physical things, the evidence
4 that shows when the oil was flowing and so
5 forth, not trying to really discern who was
6 seeing what when.

7 MR. HYMEL:

8 Sure. Thank you.

9 HON. JUDGE ANDERSEN:

10 Thank you very much.

11 Okay. Next is Doug Brown.

12 COUNSEL REPRESENTING MR. BROWN:

13 No questions.

14 HON. JUDGE ANDERSEN:

15 Steve Bertone?

16 COUNSEL REPRESENTING MR. BERTONE:

17 No questions.

18 HON. JUDGE ANDERSEN:

19 Halliburton?

20 MR. GODWIN:

21 Yes, Your Honor.

22 EXAMINATION BY MR. GODWIN:

23 Q Good morning, Mr. Robinson. How
24 are you?

25 A Good morning, sir.

1 Q My name is Don Godwin and I
2 represent Halliburton. Nice to meet you.
3 We have not spoken before, have we?

4 A We have not.

5 Q Thank you, sir. Sir, I want to
6 briefly ask you -- I'm going to go through
7 some of the things you talked about. The
8 first one I want to ask you about is
9 centralizers you talked about, and then we
10 will go over some other subjects.

11 I wrote down that you said that
12 there were six centralizers that were run
13 rather than 21 because the wrong ones were
14 on the rig. Do you remember testifying to
15 that today?

16 A Well, I should have testified --
17 If I said that, I should have said that the
18 other 15 were not run, as I understand,
19 because they thought they were the wrong
20 centralizers.

21 Q Okay. The wrong ones.

22 A That was my understanding. I
23 didn't have personal knowledge.

24 Q Well, you participated in the
25 drafting of the Bly report, didn't you, sir?

1 A Yes, I did.

2 Q Okay. And at Pages 64 and 65 of
3 the report, the subject of the centralizers
4 is discussed, and it said there that, in
5 fact, the Bly group determined that the 15
6 that were taken out to the rig were not, in
7 fact, the wrong ones. Do you see that
8 reference, sir? I believe that's on
9 Page 64.

10 A I do recall that there was
11 actually confusion there.

12 Q Okay.

13 A Yeah.

14 Q And if you will look at the bottom
15 of Page 64, the last paragraph, so that you
16 will see what I'm referring to, where it
17 says, "The investigation team's opinion when
18 concerns arose over what were thought to be
19 incorrect centralizers, the BP Macondo well
20 team did not follow a documented Management
21 of Change process, and therefore, did not
22 identify that they were, in fact, the
23 correct centralizers"; do you see that, sir?

24 A Yes, I do see that.

25 Q Okay. Sir, can we determine from

1 that and from your testimony that the six
2 were run because of the opinions of those
3 there on the rig was that the 15 were the
4 wrong ones, that if they had thought they
5 were the right ones, the 21 would have been
6 run?

7 MS. KARIS:

8 Objection.

9 EXAMINATION BY MR. GODWIN:

10 Q Was that your determination, sir?

11 Excuse me.

12 MS. KARIS:

13 Let me object to foundation.

14 Mr. Robinson -- this was the concern I
15 raised this morning -- did not work on this
16 part of the report. We would be happy to
17 have him answer questions, but whether
18 there's foundation as to this --

19 HON. JUDGE ANDERSEN:

20 Well, if you have an opinion or
21 you have reached a conclusion based on your
22 knowledge and the facts that you have that
23 enables you to answer his question, you may
24 do it, but just because you worked on part
25 of the report or signed a part of it doesn't

1 mean that you have to verify or guess with
2 respect to other conclusions in the report.

3 You weren't with us this morning,
4 but as I indicated eight minutes ago, we're
5 not here to judge the Bly report or
6 investigate whether or not it was thorough.
7 We're here to try to gain the knowledge
8 ourselves, so that the Board can reach its
9 own conclusions.

10 So with all that in mind --

11 MR. CLARKE:

12 Judge, I also have to object.

13 HON. JUDGE ANDERSEN:

14 Did you want to ask a question,
15 too?

16 MR. CLARKE:

17 No, I want to object. It's
18 compound. Moreover, "those on the rig" is
19 vague, and we are assigning fault to Parties
20 In Interest or individuals. So "those on
21 the rig" isn't a sufficient question to help
22 this Board determine who's the Party In
23 Interest who's involved with that. That's
24 my objection.

25 HON. JUDGE ANDERSEN:

1 Okay. And obviously, sometimes
2 you start with a group and you work your way
3 down to who among that group. Nevertheless,
4 now we have talked enough.

5 MR. GODWIN:

6 Let me state, Your Honor --

7 HON. JUDGE ANDERSEN:

8 Do you want to repeat the
9 question?

10 MR. GODWIN:

11 No. This morning he offered with
12 no limitation that the six were run because
13 the 15 were determined to be the incorrect
14 ones, so it would suggest to me that he has
15 some knowledge of a fact as to why 15 were
16 not run.

17 HON. JUDGE ANDERSEN:

18 Okay. I am not sustaining the
19 objection to the question. I'm just
20 indicating to the witness that because it's
21 in the report and because he has alluded to
22 it does not mean that as he sits here, he
23 needs to make up an opinion for himself that
24 he is not competent to reach. That's all.

25 And with respect to if you have an

1 opinion who the "they" comprises, if we get
2 there, anybody can ask to clarify which
3 people you're referring to.

4 Okay. Do you have an opinion with
5 respect to Mr. Godwin's question?

6 THE WITNESS:

7 And the question being if they
8 found out the 15 were correct, would they
9 have run them?

10 EXAMINATION BY MR. GODWIN:

11 Q Yes, sir.

12 A I don't know. I can't answer
13 that, because I don't know what other
14 circumstances could have been on the rig.

15 Q All right. Thank you, sir. When
16 you made the statement today that the six
17 were run rather than the 21 because the 15
18 were deemed to be the incorrect ones, where
19 did you learn that?

20 A That was -- I just learned that as
21 being part of the investigation. The
22 engineers actually worked the centralizer
23 issue and I just heard this as part of the,
24 you know, forming the report and so forth.

25 HON. JUDGE ANDERSEN:

1 Not to speak for the way more
2 knowledgably technical people on the Board
3 than I am, but we have heard lots about
4 centralizers, and I would say you will
5 notice none of the examination of you
6 earlier was about them, so I don't think
7 that your third-hand guesses regarding why
8 they did what they did is going to advance
9 the knowledge of the Board with respect to
10 centralizers.

11 That's a subject that we have
12 heard about 2.8 times as much as we probably
13 needed to hear of. So not to prejudice any
14 argument you're making later on on
15 centralizers, but this witness doesn't have
16 the independent knowledge. So personally
17 speaking for the Board, I think it would be
18 more productive of our time to move beyond
19 the centralizers issues.

20 MR. GODWIN:

21 One last question on that, if I
22 might, Your Honor, and I will move beyond
23 it.

24 HON. JUDGE ANDERSEN:

25 Okay.

1 EXAMINATION BY MR. GODWIN:

2 Q Sir, were you involved in any part
3 of the preparation of the Bly report that
4 dealt with the subject of centralizers?

5 A The preparation in what regard?

6 Q The Bly report that was prepared,
7 you have seen Pages 64 and 65 that I asked
8 you to look at?

9 A Absolutely.

10 Q And were you involved in any part
11 of gathering the information that was
12 included in the parts of Pages 64 and 65
13 dealing with the centralizer issue?

14 A I was probably involved in some
15 interviews where the centralizer issues came
16 up.

17 Q Okay, sir. All right. Did you
18 participate in the drafting of all or any
19 part of Pages 64 or 65 to the Bly report?

20 A Only in the capacity of reviewing.
21 I reviewed the entire report as many of us
22 did.

23 Q Okay. Thank you, sir. All right.
24 Sir, you said, as I understood it, BP has
25 determined that the results of the negative

1 test were misread. Did I understand you to
2 say that?

3 A That the results were
4 misinterpreted, that's correct. I believe
5 that there was an anomaly in the well and it
6 wasn't understood.

7 Q Right. And my understanding is
8 that you and others on the Bly group team
9 determined that, in fact, there was not a
10 good negative test there on the 20th of
11 April; is that correct, sir?

12 A Yes, I would agree with that.

13 Q You said that the well was open
14 three times and there were two tests, that
15 it was not a good test. Would you agree
16 that if the test had been accurately read by
17 the well site leaders and others, that they
18 would have determined that, in fact, there
19 was not a good negative test and that well
20 control issues could have started earlier
21 than they were?

22 MR. CLARKE:

23 Objection. That's circular. If
24 you determined that they read it correctly,
25 that they would have read it correctly is

1 what the question says.

2 MR. GODWIN:

3 I will rephrase it, Judge.

4 HON. JUDGE ANDERSEN:

5 Well, let me put it this way. The
6 data says what it says.

7 Do you believe that had the people
8 who observed it interpreted it the way you
9 did, that they would have wisely then taken
10 other action?

11 THE WITNESS:

12 I can answer like this.

13 MR. GODWIN:

14 Or earlier, Your Honor.

15 THE WITNESS:

16 If the 1400 was recognized as a
17 communication of the reservoir, different
18 action would have been taken and displaced
19 the sea water, I would expect.

20 EXAMINATION BY MR. GODWIN:

21 Q Okay. Because you said earlier
22 today that the rig -- I wrote down this
23 quote. "The rig crew responded late to the
24 well coming in." And do you remember making
25 that statement?

1 A Well, and the context on that was
2 the key to well control is detecting it
3 early, especially before the hydrocarbons
4 get above the wellhead. That was the
5 reference to the reacting early and to see
6 it react.

7 Q Sir, would you agree that if the
8 negative test had been correctly read, that
9 all activity on the well including those
10 shown on the Sperry chart would have stopped
11 to enable BP to ascertain what the issues
12 with the well were?

13 MS. KARIS:

14 Objection. Calls for speculation.

15 MR. CLARKE:

16 I join.

17 HON. JUDGE ANDERSEN:

18 Well, you know, he's an expert in
19 operating these rigs and wells, and if you
20 agree with that, you can say you can agree
21 with it. If you don't have enough
22 information to say that, that's fine.

23 If you think there's some people
24 who would act because of their roles and
25 other people who wouldn't, you could do

1 that. But you have enormous experience in
2 this, and obviously the Board needs to know
3 what kinds of actions people would take
4 given the information that was available.

5 THE WITNESS:

6 So it is asking for an opinion.

7 HON. JUDGE ANDERSEN:

8 Right.

9 THE WITNESS:

10 And I'm actually not a subject
11 matter expert. There are plenty others that
12 are much better deepwater drilling --

13 HON. JUDGE ANDERSEN:

14 You don't have to guess or
15 speculate. If you don't believe you have
16 the expertise to answer a particular
17 question, you're welcome to say that as
18 well.

19 THE WITNESS:

20 Well, I can answer like this, that
21 I would expect that if the 1400 p.s.i. was
22 recognized as an anomaly, different
23 activities would have taken place instead of
24 putting the well to sea water.

25 EXAMINATION BY MR. GODWIN:

1 Q And what other activities would
2 have taken place?

3 A An interrogation, an investigation
4 of where the 1400 p.s.i. was coming from.

5 Q So just as there was the
6 information here that we went over yesterday
7 dealing with the Sperry data --

8 A Yes, sir.

9 Q -- do you believe that if, in
10 fact, as was said, that when you say other
11 things would have been done, if the negative
12 test had been determined to not have been a
13 good one, would you have expected everything
14 to have stopped until it was determined what
15 was wrong with the well?

16 MR. CLARKE:

17 Objection. It calls for
18 speculation. Asked and answered. And
19 frankly, Judge, he's trying to get a legal
20 conclusion on causation.

21 HON. JUDGE ANDERSEN:

22 Let's go with asked and answered.
23 He said that there should have been an
24 interrogation, and that has been recognized
25 seven times.

1 EXAMINATION BY MR. GODWIN:

2 Q Okay, sir. And what would have
3 been the subject of the interrogation?

4 A To investigate where the 1400
5 p.s.i. was coming from.

6 Q Okay, sir. Did you talk to Bob
7 Kaluza about the reading of the negative
8 test?

9 A Yes, I did.

10 Q Okay, sir. And what did he say to
11 you about that?

12 A That as far as the 1400 or the
13 testing?

14 Q The testing itself, the
15 determination that, in fact, it was a good
16 negative test.

17 A He said it was described and
18 pressure was caused -- It was offered to him
19 that it was something called the bladder
20 effect. He felt that an annular element was
21 squeezing down and applying pressure on the
22 sea water below.

23 Q Okay, sir. Did you talk to Don
24 Vidrine about that subject, that is, the
25 negative test?

1 A Yes. Yes, I did.

2 Q And what did he say to you
3 regarding the negative test?

4 A Similar, that their discussion was
5 on the rig floor, and he referred to it as
6 "annular compression," as I got refreshed in
7 the notes. It was Don who mentioned
8 "annular compression."

9 Q All right. You said earlier today
10 that Cathleenia Willis with Sperry had said
11 in a pre-tour meeting that she was concerned
12 with off-loading of mud to the boat. Do you
13 remember that, sir?

14 A I recall that from the interview.
15 I wasn't in the interview. I read that from
16 the interview notes that my team conducted.

17 Q All right. Did you say that there
18 were any one or more of the well site
19 leaders at that pre-tour interview or
20 pre-tour meeting?

21 A I said I didn't know.

22 Q Do you believe that the well site
23 leaders should have been at the meeting as
24 they were held each day?

25 A I don't know. I don't know how

1 they normally run that on this particular
2 rig.

3 Q All right. Well, did you ask
4 Mr. Kaluza if he was aware that Cathleenia
5 Willis had complained at the pre-tour
6 meeting that they were off-loading or that
7 mud was being off-loaded to the boat?

8 A No. We interviewed Ms. Willis
9 after Mr. Kaluza.

10 Q How about Mr. Vidrine, did you ask
11 him if, in fact, he was aware that
12 Ms. Willis or Sperry had raised a concern
13 about the off-loading of the boat?

14 A It's the same answer. Mr. Vidrine
15 was also before Ms. Willis.

16 Q Okay. Did you glean from anything
17 you saw or with anyone you spoke with as to
18 why Ms. Willis was concerned that the mud
19 was being off-loaded to the boat?

20 MR. CLARKE:

21 I will object. It assumes facts
22 not in evidence. The witness, Ms. Willis,
23 may have stated that she was. It has not
24 been established that, in fact, that
25 occurred or that there isn't contrary

1 testimony.

2 So he's assuming that Ms. Willis'
3 testimony is to be taken as a fact, a
4 foundational fact by this Board, and basing
5 a question on the existence of that fact.

6 MR. GODWIN:

7 Well, the witness said, Your
8 Honor, he was aware that she made the
9 statement at a pre-tour meeting.

10 MR. CLARKE:

11 He's aware that she stated she
12 made the objection in the pre-tour meeting.
13 That does not establish it as a fact that
14 this Board adopts. So it's assuming a fact,
15 a foundational fact that has not been
16 established.

17 HON. JUDGE ANDERSEN:

18 Okay. So what was the question?

19 MR. GODWIN:

20 Did he once he learned from
21 reading the report or an interview that was
22 taken of Ms. Willis, did he ask anyone if,
23 in fact, that is Mr. Vidrine, Mr. Kaluza or
24 anyone, were they aware that she had
25 complained at a pre-tour meeting that there

1 was, in fact, the off-loading of the boat.

2 HON. JUDGE ANDERSEN:

3 Okay. We will modify that to say
4 did anyone else tell you that she had
5 complained? Because she might not have
6 complained.

7 MR. CLARKE:

8 I will offer a friendly amendment.
9 Was he aware that she said she had
10 complained?

11 HON. JUDGE ANDERSEN:

12 Okay. Fine. What's the answer?

13 THE WITNESS:

14 Could you repeat that one more
15 time?

16 HON. JUDGE ANDERSEN:

17 When you were interviewing the
18 other witnesses, did any of them tell you
19 that she had expressed this concern or
20 complaint about this?

21 THE WITNESS:

22 No, sir. We only heard that from
23 Ms. Willis.

24 EXAMINATION BY MR. GODWIN:

25 Q Well, did you attempt to clarify

1 that or determine that, in fact, it didn't
2 occur or speak to anyone else about that
3 subject?

4 A No, we did not.

5 Q Thank you, sir.

6 HON. JUDGE ANDERSEN:

7 Now, also, no one objected, but
8 just to keep the boundaries reasonable for
9 everyone, that's a statement about the
10 investigation, the Bly investigation, which
11 might help us evaluate that investigation,
12 but not help us get at the truth here.

13 So we want to minimize from all of
14 you questions regarding, you know, did the
15 investigation go even further. We just want
16 to try to find out if we can what happened.

17 MR. GODWIN:

18 Thank you, Your Honor.

19 HON. JUDGE ANDERSEN:

20 Sure.

21 EXAMINATION BY MR. GODWIN:

22 Q Sir, you said that at or after
23 2108, that Sperry cannot monitor the flow of
24 mud. Do you remember that statement, sir?

25 A Yes, sir. Once the overboard line

1 is opened, from the diagrams, we believe
2 that the flowmeter would be bypassed,
3 Sperry's flowmeter would be bypassed.

4 Q In fact, on your Bly report there
5 at Page 26, you can turn to that, if you
6 like, there is, in fact, what appears to be
7 a timeline?

8 A Yes, sir.

9 Q Okay, sir. And it shows on
10 April 20 at 2108, "Pump shut down to enable
11 sheen test to be conducted," correct?

12 A That is correct.

13 Q If you drop down two entries, it
14 said, "Overboard dumped into a line opened
15 during sheen test. Sperry-Sun flowmeter
16 bypassed"?

17 A That's correct.

18 Q Okay. Now, my question is, who
19 was it that authorized the bypassing of my
20 client's flowmeter?

21 A I can't answer that.

22 Q Okay. Did you inquire of anyone
23 and perhaps not get an answer? Did you
24 inquire in your investigation of anyone to
25 ask who was it that authorized the bypassing

1 of the Sperry's flowmeter?

2 A No, we did not.

3 Q Okay, sir. Now, when the
4 flowmeter for Sperry was bypassed, do you
5 believe that that inhibited Sperry's ability
6 to monitor the flows?

7 A On the flow-out, yes, sir. From
8 that point, from 2108, from the time they
9 opened that valve, Sperry's ability to see
10 flow-out was impaired. They wouldn't be
11 able to see it at all.

12 Q Right.

13 A Unless they had access to
14 Transocean's flowmeter, which I don't know
15 if they did or not.

16 Q Right. But in terms of my client,
17 Sperry, a part of Halliburton, once the
18 flowmeter was bypassed, its ability to
19 monitor flow-out was completely cut off; was
20 it not?

21 A That's correct.

22 Q Thank you, sir. And how long did
23 that continue, beginning at 2108?

24 A Through to the event.

25 Q Okay. So from 2108 until the

1 event occurred, my client was unable to
2 monitor any of the flow-outs because of the
3 bypassing of the meter, correct?

4 A That's correct.

5 Q Thank you, sir.

6 A Just to be clear, that's flow-out
7 on a flowmeter. Drill pipe pressure would
8 have still been available as far as we know.

9 Q Right. To both the drillers there
10 on the rig floor as well as to Sperry?

11 A That's what we understand.

12 Q Okay, sir. And also, it would
13 have been available to the company men at
14 their monitors as well; would it not?

15 A Yeah, I would assume anywhere that
16 there is a monitor, the drill pipe pressure
17 would be displayed. Again, we don't know
18 how the screens were set up.

19 Q Okay, sir. And did you ask
20 Mr. Kaluza and/or Mr. Vidrine if during the
21 time that my client's flowmeter was
22 bypassed, if either one of them were
23 monitoring the drill pipe pressure on a
24 monitor?

25 MS. KARIS:

1 Objection. Asked and answered.

2 MR. BALL:

3 Your Honor, I apologize. I object
4 just to avoid five minutes of questioning.
5 It has been well established at this point
6 that well before this time, by 8:00
7 Mr. Kaluza was in bed, and we keep going
8 back to "did either of the well site leaders
9 tell you this and this during this time
10 frame," and we could just avoid five minutes
11 of questioning by us if we could just --

12 MR. GODWIN:

13 I'm going to be very brief on
14 that, Your Honor. I'm just trying to find
15 out if any of the BP company men were
16 monitoring the drill pipe pressure after my
17 client's flowmeter was bypassed?

18 MS. KARIS:

19 Your Honor, I'm going to object.
20 Asked and answered several times.

21 HON. JUDGE ANDERSEN:

22 It has been. I think that we have
23 touched on that subject a number of times.
24 So we will accept the testimony we have had
25 previously on it and sustain that objection.

1 MR. GODWIN:

2 Thank you, Your Honor.

3 EXAMINATION BY MR. GODWIN:

4 Q Did you ask the company men, the
5 well site leaders at any time if they
6 ordered a stop work order on the rig on the
7 evening of April 20th for any reason?

8 A No, I don't recall a conversation
9 about stop work order.

10 Q Okay, sir. You, of course, know
11 that the well site leaders had the authority
12 to stop work on the rig if they thought
13 there was a need; do you not, sir?

14 A It's my understanding anyone on
15 board could stop work.

16 Q Okay, sir. Now, if you will look
17 at Page 24 of the Bly report -- Again,
18 that's the timeline.

19 A Yes, sir.

20 Q It says there up at the upper part
21 at 1328 hours -- Do you see that, sir, on
22 April 20?

23 A Yes, sir.

24 Q It says, "DEEPWATER HORIZON
25 started off-loading mud to DAMON BANKSTON"?

1 A That is correct.

2 Q And it goes on to say, "Mud logger
3 told assistant driller that pit levels could
4 not be monitored during off-loading.

5 Assistant driller told mud logger that
6 notice would be provided when off-loading to
7 DAMON BANKSTON ceased." Do you see that,
8 sir?

9 A Yes, sir.

10 Q And the entry there that the mud
11 logger told the assistant driller that pit
12 levels could not be monitored during
13 off-loading beginning at 1328 hours, where
14 did that information come from?

15 A It came from an interview I
16 believe with Ms. Willis.

17 Q Okay, sir. Again, the one you
18 spoke of earlier?

19 A Yes, sir.

20 Q Okay, sir. Thank you. And "the
21 assistant driller told mud logger that
22 notice would be provided when off-loading to
23 the BANKSTON ceased."

24 Where did that information come
25 from, if you know?

1 A The same source, the interview.

2 Q With Ms. Willis?

3 A Yes, sir.

4 Q Okay. And then we go to the next
5 page, if you will, please, in the timeline
6 on April 20 at 1717.

7 A Yes, sir.

8 Q The second entry says, "Mud
9 off-loading from DEEPWATER HORIZON. Mud
10 pits to BANKSTON ceased. The mud logger was
11 not notified."

12 A Correct.

13 Q And where did that information
14 come from?

15 A The same source, that interview.

16 Q All right. Do you believe that
17 the mud logger should have been informed
18 that the off-loading had ceased or the work
19 had been completed in that regard?

20 A Well, that was the arrangement, so
21 I guess one would expect that the
22 arrangement would be fulfilled.

23 Q Well, that would enable, would it
24 not, the mud logger then to go back to
25 monitoring part of his job in that regard;

1 would it not?

2 A Or the mud logger would go ask if
3 they stopped off-loading.

4 Q Okay. Are you aware of there
5 being an issue with regard to 39 barrels, a
6 39-barrel gain? Are you aware of that
7 issue?

8 A Yes, sir, where we calculated a
9 39-barrel gain occurred up to that 2108 time
10 period.

11 Q Okay, sir. And that 39-barrel
12 gain, how was that determined?

13 A We had to analyze the active pits,
14 calibrate the flow-out meter, and then make
15 a comparison from flow-out to flow-in to
16 come up with that, and then back out. There
17 was a trip tank being emptied at that time.
18 Back out the trip tank being emptied, and
19 then you could see it.

20 Q Okay. Well, now, the pit volume,
21 did BP or you determine whether or not there
22 had been a gain based on the pit volumes as
23 opposed to using the flow-in, flow-out
24 meter?

25 A No, it was difficult to tell,

1 because the trip tank was being emptied into
2 active at the time. We had to actually
3 reconstruct that to see the pit gain.

4 Q Okay, sir. I believe you said
5 there was no indication from any data that
6 the mud loggers could have seen or indicated
7 that there was a kick prior to 2058 hours;
8 is that correct, sir?

9 A Prior to -- There wasn't much to
10 see. The well began flowing we believe at
11 2052, so six minutes from 52 to 58, there
12 wouldn't have been much to see, because it's
13 just started coming into the well. From 58
14 forward, we believe we can see the well
15 starting to come on, and that's when the
16 indications begin.

17 Q Okay. And was it at that point
18 that there was the 39-barrel gain, was it
19 after 2052?

20 A Yes, sir.

21 Q Okay.

22 A To the 2108 time period.

23 Q Okay. Do you agree that the
24 emptying of a trip tank masked the purported
25 flow indication in the real-time data?

1 A Yes.

2 Q Okay.

3 A We couldn't see it on the
4 flowmeter, because the volume added from the
5 trip tank made it higher than it should have
6 been.

7 Q Do I understand you to say that
8 there was no determination, no effort made
9 by BP to determine whether or not the pit
10 volume supported the conclusion of the
11 39-barrel gain?

12 A I'm not sure how to answer that.
13 We used the pit volume to calibrate the
14 flow-out. You're saying -- Can you ask that
15 again?

16 Q Well, terms of arriving at the
17 39-barrel gain, I thought you said you used
18 that based on the flow-in, flow-out?

19 A Yes. We calibrated the flow-out
20 looking at -- There were three or four pits
21 that were dedicated active at that moment,
22 and we looked at the rate of change in the
23 active system, and said this is what the
24 flow-out should be reading, and made an
25 adjustment to that flow-out meter, and it

1 turned out to be about a nine percent
2 adjustment. And once we had it calibrated,
3 we just subtracted the two, flow-out from
4 flow-in, took out the trip tank volume, and
5 that's how we got the 39 barrels.

6 Q Okay, sir. But in terms of
7 determining whether or not the pit volume
8 without regard to the flow-in, flow-out
9 meter, whether or not the pit volume
10 supported that, was an effort made to
11 determine that?

12 A I don't know that. I'm not sure
13 if you can. Because I'm not sure if you
14 have a constant, that the pits aren't being
15 affected by anything else.

16 Q Well, there has been testimony
17 before that pit volumes was a way of
18 measuring?

19 A Yes.

20 Q And you would agree with that;
21 would you not?

22 A I would agree, yes.

23 Q Okay. And so my question is -- I
24 understand how you said the 39-barrel gain
25 was arrived at, and I'm just wondering

1 whether or not BP or you or anyone, to your
2 knowledge, made an effort to determine if
3 the measurement of the pit volumes supported
4 or disagreed with that finding?

5 A We tried to look at -- There are
6 18 pits being monitored. We tried to use
7 the pits to determine gain, but it was
8 difficult to do, yes.

9 Q Okay, sir. So then as I
10 understand it, you were unable to make that
11 determination?

12 A I believe that's correct.

13 Q Okay. Thank you.

14 A The point of the 39-barrel gain
15 calculation was we believed from our older
16 modeling the well started flowing, and we
17 were just looking to see what gain could
18 have been occurring over those first few
19 minutes, and then if there was a gain --
20 Well, if any gain was occurring, it should
21 have been visible on a flowmeter. Of
22 course, it's not visible on the flowmeter
23 because the trip tank was being emptied.

24 Q Right. And the flowmeter could
25 not be monitored by my client?

1 A They can monitor it, but because
2 the trip tank was being emptied, it would
3 have given an erroneous reading.

4 Q So then there's no way that Sperry
5 would have been able to determine that there
6 was an issue at that point, because it was
7 not able to monitor that meter; is that what
8 you're saying?

9 A Right, with the flowmeter, I don't
10 believe you could see that first indicator.
11 It would have to be on pressure. That was
12 the only thing that would be noticeable.

13 Q Okay. So then are you saying,
14 also, that with regard to that alleged
15 39-barrel gain, that based upon what you
16 just said, that Sperry could not have
17 determined that from the flowmeter?

18 A Not the gain, because that was an
19 engineering reconstruction. That took us,
20 you know, some time to put all that
21 together. It wasn't the purpose to point
22 out that somebody should have seen a
23 39-barrel gain. The point is this is what
24 we believed occurred up to 2108.

25 Q Okay, sir. Thank you. Now, would

1 you agree that simultaneous rig activity
2 there on the well compromised Sperry's
3 ability to accurately monitor pit volumes
4 and flow?

5 A No, sir, I wouldn't characterize
6 it as that. We didn't actually reach a
7 conclusion on that.

8 Q Okay, sir.

9 A We said that all the activities
10 could have caused some distraction to
11 monitoring. We didn't say that it impaired
12 the ability to monitor.

13 Q Tell me what you mean by "could
14 have," the numerous activities going on
15 could have caused some distraction. What do
16 you mean by that?

17 A Well, you know, we talked about
18 the cleaning of the pits, the off-loading to
19 the boat, that sort of activity that would
20 have impaired the Sperry-Sun folks, and then
21 other stuff occurring on the rig, like
22 resetting the pop-off on No. 2 pump would
23 have diverted rig resources to dealing with
24 that and so forth.

25 Q Do you believe that these numerous

1 rig activities going on that you said would
2 serve as a distraction, would it have made
3 it more difficult for Sperry to have
4 monitored the pits and the volumes?

5 A Yes, I would. The fluctuation of
6 the pit levels and the fact that the trip
7 tank was emptied across the flowline masking
8 the flowmeter, I would say, yes, it would
9 make it more difficult.

10 Q Okay, sir. For Sperry?

11 A Yes.

12 Q Okay. And would you agree that
13 crane movement, for example, would prevent
14 accurate monitoring of pit volumes if the
15 crane is in use?

16 A I didn't study that actually. I
17 heard of that in testimony here. We didn't
18 study what crane movement impacts could be.

19 Q Okay, sir. How about --

20 A But in practice, crane movements
21 can impact pit levels. As I recall, there
22 was some discussion in here about how it
23 impacted a flowmeter and so forth, and I
24 don't have a knowledge of that.

25 HON. JUDGE ANDERSEN:

1 Which illustrates a point, that
2 we're not interested in what you studied.
3 We're interested in what your conclusions
4 are.

5 So when he asked that question, I
6 know since you went through the report, it's
7 understandable you want to say "here's what
8 we did then," but actually we don't care,
9 because we want to find out whether or not
10 the crane movement really would influence
11 the readings, so that we can judge the
12 perspective that people there had at the
13 time, and if you have an opinion on that,
14 then you can express it. If you don't, then
15 you can let us know that and we can move on.
16 Okay?

17 THE WITNESS:

18 All right.

19 MR. GODWIN:

20 Thank you, Judge.

21 EXAMINATION BY MR. GODWIN:

22 Q Mr. Robinson, do I understand you
23 to say that crane movement can have an
24 impact on the measurement of pit volumes?

25 A It's my understanding that it can.

1 Q Okay. How about, would monitoring
2 by Sperry also be made more difficult by
3 dumping to sand traps?

4 A If it's dumped into a pit, an
5 active pit, yes.

6 Q How about dumping of the trip
7 tanks, would that make monitoring more
8 difficult by Sperry?

9 A Yes. In this particular case that
10 we're talking about, going across that
11 flow-out meter would have impaired their
12 ability to see flow-out before that 2108
13 period.

14 Q Okay, sir. Did you determine from
15 your interviews and the work that you did on
16 the Bly report that, in fact, there were
17 activities going on there on the rig that
18 the mud loggers were not made aware of?

19 A Can you give me an example of
20 that?

21 Q Well, did you determine --

22 A Oh, you're asking me did I know.
23 I don't know if they were unaware of the
24 activities going on.

25 Q Okay, sir. One moment, if you

1 will. Look at Page 25 for an example of the
2 timeline there, the Bly report.

3 A Yes, sir.

4 Q Look at the second, and I'm just
5 showing you this to refresh your memory, to
6 see if it helps you remember. April 20th,
7 1717, "mud off-loading from DEEPWATER
8 HORIZON mud pits to DAMON BANKSTON ceased.
9 Mud logger was not notified."

10 That would be an activity I'm
11 talking about. So there were activities.
12 Would you agree with me that there was at
13 least that activity that was going on on the
14 rig that the mud loggers were not made aware
15 of?

16 A No, this is not an activity. This
17 is a notification.

18 Q Okay, sir. All right. Would you
19 agree that the transferring of the mud to
20 the DAMON BANKSTON compromised Sperry's
21 ability to accurately monitor flow based
22 upon your investigation?

23 A No, sir. I think it could have
24 impaired the ability to monitor pit volumes,
25 but not flow.

1 Q Okay. And you then agree that the
2 transferring of the mud to the BANKSTON did
3 affect Sperry's ability to monitor pit
4 volumes?

5 A Yes. The changing of pit levels
6 would make it difficult to use pit volumes
7 to monitor the well.

8 Q Okay, sir. Look at Page 91, if
9 you will, right quick. Look at the third
10 paragraph there on Page 91, paragraph 3.3.
11 It says, "Witnesses indicated in interviews
12 with the investigation team that the
13 transfer of mud from the pits to the boat
14 impaired the ability of the mud logger to
15 monitor pit level's reliability."

16 Did I read that correctly?

17 A "Reliably," yes.

18 Q "Reliably." Excuse me. Okay.
19 Did you determine that from your
20 investigation?

21 A Yes. That's what we were talking
22 about.

23 Q All right, sir. Did you also
24 determine that the pits were not configured
25 in a way so as to allow Sperry to accurately

1 monitor while displacing well to sea water?

2 A Well, we understood from our
3 investigation that the system had the
4 ability to isolate particular pits.

5 Q Right.

6 A And that if you isolated the pits
7 to take returns to, and then used the
8 flow-in calculation and compared the two,
9 you could build a schedule of sorts and
10 compare flow-in versus flow-out and see what
11 the well was doing. That's what that
12 reference is in the report.

13 Q Right. And, in fact, that is
14 addressed at Pages 92 and again at Page 108,
15 where it talks about that the --

16 HON. JUDGE ANDERSEN:

17 Well, if that's the case, fine,
18 but once again, we're not investigating the
19 investigation.

20 MR. GODWIN:

21 Right. I understand, Judge.

22 HON. JUDGE ANDERSEN:

23 You have already made the point
24 there regarding the pits, and I think the
25 fact that the investigation made it doesn't

1 add anything to our inquiry.

2 MR. GODWIN:

3 I understand, Judge. He has
4 answered it. Thank you.

5 EXAMINATION BY MR. GODWIN:

6 Q Now, at 2108, did I understand
7 that's when the sheen test was begun?

8 A Yes, sir.

9 Q And how long did that last?

10 A Six minutes, as I recall.

11 Q Okay, sir. Are you aware from any
12 source that the Sperry mud loggers were not
13 monitoring or fulfilling their duties to
14 monitor any of the activities there on the
15 well on the 20th?

16 MS. KARIS:

17 Object to form and foundation.

18 EXAMINATION BY MR. GODWIN:

19 Q Are you aware of that?

20 HON. JUDGE ANDERSEN:

21 Well, he's not saying there is,
22 but are you aware of any information that
23 would indicate that the Sperry mud loggers
24 were not doing their monitoring job?

25 MR. GODWIN:

1 On the 20th.

2 HON. JUDGE ANDERSEN:

3 On that date.

4 THE WITNESS:

5 Do I have any information that
6 would say they weren't?

7 EXAMINATION BY MR. GODWIN:

8 Q That they were not, right. You
9 have been involved in the investigation.

10 A Yes.

11 Q You conducted interviews of Don
12 Vidrine --

13 HON. JUDGE ANDERSEN:

14 Okay. Wait. He's ready to
15 answer. What is your answer?

16 THE WITNESS:

17 Well, the only thing I can say is
18 there were pressure responses that possibly
19 could have been interrogated.

20 HON. JUDGE ANDERSEN:

21 So your answer is had they been
22 monitoring, maybe they would have done
23 something that they didn't do, but no one
24 has said to you, "Ah-ha. They weren't
25 looking at the monitors"?

1 THE WITNESS:

2 Thank you for that clarification.
3 That's correct. I don't have any evidence,
4 any information to suggest that they weren't
5 watching the monitors.

6 EXAMINATION BY MR. GODWIN:

7 Q That's my point, and that is in
8 all of the work that you have done, the
9 investigation and all of the interviews, has
10 a single person with BP told you -- I'm not
11 talking about lawyers, but --

12 HON. JUDGE ANDERSEN:

13 Wait. You already have that
14 answer.

15 MR. GODWIN:

16 I don't think he did, Judge.

17 HON. JUDGE ANDERSEN:

18 You might drag something out of
19 him, but right now he's saying that nobody
20 has ever said that your clients weren't
21 doing their job.

22 EXAMINATION BY MR. GODWIN:

23 Q Is that accurate, sir?

24 A Yes, that's correct.

25 MR. GODWIN:

1 Thank you, sir. Thank you, Your
2 Honor.

3 HON. JUDGE ANDERSEN:

4 You're welcome. But I did it more
5 in the interest of time than substance.

6 Okay. Thank you.

7 Mike Williams?

8 COUNSEL REPRESENTING MR. WILLIAMS:

9 No questions.

10 HON. JUDGE ANDERSEN:

11 Cameron?

12 COUNSEL REPRESENTING CAMERON:

13 No questions.

14 HON. JUDGE ANDERSEN:

15 M-I SWACO?

16 COUNSEL REPRESENTING M-I SWACO:

17 No questions.

18 HON. JUDGE ANDERSEN:

19 Weatherford?

20 MR. LEMOINE:

21 Just a few, Judge.

22 HON. JUDGE ANDERSEN:

23 Are you comfortable?

24 THE WITNESS:

25 Yes, sir.

1 HON. JUDGE ANDERSEN:

2 Maybe we can get this finished
3 before lunch.

4 EXAMINATION BY MR. LEMOINE:

5 Q Mr. Robinson, hi. My name is Mike
6 Lemoine. I represent Weatherford.

7 You mentioned earlier this morning
8 that you had looked at some information from
9 the relief well that helped BP make their
10 conclusions regarding the barriers that were
11 breached?

12 A You have to refresh my memory on
13 that.

14 Q Specifically, you talked about the
15 kill line?

16 A Oh, yes. Yes, the cutting of the
17 choke and kill for the top kill job, we
18 looked at that, yes.

19 Q How much involvement did you have
20 in the relief wells and the plug and
21 abandonment of the Macondo well?

22 A None actually. I wasn't involved
23 at all in the response. It was completely
24 investigation.

25 Q Did you look at any material, any

1 information from the relief wells and the
2 P & A?

3 A I don't recall. What particular
4 information are you referring to?

5 Q Good. Thank you. Did you look to
6 see whatever happened to the tubing string
7 that was going to be used to set the cement
8 plug?

9 A No, I didn't.

10 Q Would you agree with me that most
11 likely it was severed by the BOP rams and
12 fell down into the production string?

13 A I don't know.

14 Q You don't know that?

15 A No, I don't know that.

16 Q And you don't recall speaking to
17 any of the BP investigation team about where
18 that parted string of tubing is?

19 A I know that we had an explanation
20 in the report. I'm not real steeped in all
21 of the dynamics that were occurring with the
22 drill pipe. I know there was discussion of
23 the drill pipe being pulled back up through
24 the stack soon after the explosion, and then
25 sometime later supposedly it got sheared. I

1 don't know. But I'm not -- I don't have all
2 that information.

3 Q That's fine. You don't know
4 whether or not it's still stuck in the
5 crossover section of the production string?

6 A No, I don't know personally.

7 Q Now, but you do ascribe to BP's
8 theory that the flow came up the shoe track,
9 correct?

10 A Yes.

11 Q Now, have you seen any pieces of
12 the Macondo well that were retrieved in the
13 P & A?

14 A I have seen photographs of the
15 seal assembly or a photograph of the seal
16 assembly.

17 Q Have you seen any photographs of
18 the Weatherford top and bottom plugs?

19 A Which plugs? The wiper plugs?

20 Q Yes.

21 A Oh, no.

22 Q They're bright colored, orange and
23 yellow.

24 A No, I haven't seen them.

25 Q You haven't seen that?

1 A No, sir.

2 Q But you would agree that if the
3 flow came up the shoe track, those plugs
4 would have been pushed up with the flow?
5 You would agree with that?

6 A If they survived.

7 Q Okay. And simply put, factually,
8 you have not seen those plugs, you have not
9 seen pieces of the plugs, and you have not
10 seen photographs of them?

11 A That's correct.

12 MR. LEMOINE:

13 Okay. Thank you.

14 HON. JUDGE ANDERSEN:

15 Anadarko and MOEX?

16 MS. KIRBY:

17 Just a few, Your Honor.

18 EXAMINATION BY MS. KIRBY:

19 Q Mr. Robinson, my name is Ky Kirby.
20 I represent Anadarko and MOEX. Forgive me
21 while I kind of jump around, so I don't
22 repeat what others have asked you.

23 You were asked earlier in your
24 testimony about whether or not it wouldn't
25 have been prudent to replace the float

1 collar in case it was damaged. Do you
2 recall that?

3 A I do recall discussing that, yes.

4 Q It is the case, though, that if
5 there is concern that the float collar is
6 damaged, the float collar can be isolated
7 for a test by running a test packer, right?

8 A Yes, if the float collar is
9 suspect, you could run a packer down and
10 test it, yes.

11 Q And that's testing just the float
12 collar to make sure it is working or
13 determine that it's not, correct?

14 A Well, you would have to test the
15 entire shoe, because you're testing the
16 cement and so forth all through the bottom.

17 Q And that would tell you if there's
18 a problem down there?

19 A Yes.

20 Q All right. And if there was a
21 problem that you identified by doing so, you
22 don't necessarily have to pull the casing
23 and replace the float collar, right?

24 A You're asking is there a way to
25 check the float collar without pulling the

1 string?

2 Q No. What I'm asking -- Let me ask
3 you this. Do you agree that if you did
4 determine there was a problem, you could
5 have run a squeeze packer on drill pipe and
6 you could have left the packer in the hole?

7 A Before cementing?

8 Q Before cementing. This is after
9 cementing.

10 A In other words, you're talking
11 about after the well is cemented?

12 Q Yes.

13 A If you wanted to go investigate
14 the float collar?

15 Q Correct.

16 A Could you run a packer and go test
17 that?

18 Q Yes.

19 A The answer is "yes."

20 Q And after testing that, if you
21 determined something is wrong, there is a
22 remedy other than casing, is there not,
23 other than pulling the casing?

24 A We're mixing the conversations up.
25 Pulling the casing -- The conversation

1 earlier this morning was around could you
2 have pulled the casing back out and switched
3 the float collar.

4 Q Right.

5 A Now you're asking questions about
6 how do you bring this after it's cemented.
7 It's two different discussions.

8 Q How do you remedy it before it's
9 cemented?

10 A Well, if you can't get it
11 converted, you could investigate pulling it,
12 but pulling it, pulling that string, there's
13 risks with that.

14 Q Is there anything else that you
15 can do other than that?

16 A Before the well is cemented?

17 Q Yes.

18 A To remedy a float collar that we
19 think is not working?

20 Q If you determine the float collar
21 is damaged, is there anything else you can
22 do?

23 A Before it's cemented?

24 Q Right.

25 A Do you have an example?

1 MS. KARIS:

2 I'm going to object.

3 EXAMINATION BY MS. KIRBY:

4 Q If you don't know, just say "I
5 don't know."

6 A What you're asking questions, it's
7 kind of outside norms a little bit. I'm
8 having trouble.

9 Q Okay. Let's move on now.

10 A Okay.

11 Q If you determine there's some
12 problem after cementing, what can you do?

13 A You can run a packer and go
14 isolate any part of the casing that you feel
15 is suspect and test it.

16 Q And if you find there is a problem
17 from that testing, what can you do to remedy
18 it?

19 A If you think it's a breach or
20 something more or a shoe is not good, you
21 can squeeze it.

22 Q So, in other words, you don't have
23 to pull it up in order to replace it if
24 there's already cement in it, correct?

25 A Well, you couldn't pull it once

1 it's cemented.

2 Q Right. All right.

3 A It's stuck.

4 Q Now, let me ask you this question.

5 You did interview Mr. Kaluza about the

6 temporary abandonment procedures; did you

7 not?

8 A We discussed it in an interview,

9 yes.

10 Q And what statements did Mr. Kaluza

11 make to you about those procedures?

12 A Is there something specific?

13 Because I can't remember everything about

14 the conversation. If you want to point me

15 to something.

16 Q Did Mr. Kaluza tell you that the

17 temporary abandonment procedure changed on

18 the day that the negative test was to be

19 performed?

20 A I recall a discussion about the

21 procedures were getting lined out that

22 morning, and he had Mr. Morel get it all

23 typed up for him, as I recall.

24 Q When you use the phrase "lined

25 out," what do you mean?

1 A Getting it finished up, exactly
2 what steps are going to be taken.

3 Q Did Mr. Kaluza say to you that the
4 procedure he was given that morning was
5 different than the MMS approved procedure?

6 A He did mention that it varied from
7 the APM, that's correct.

8 Q And did he tell you how it varied
9 from the APM?

10 A I believe it was -- I think it may
11 have been the steps of the negative test, I
12 believe. I don't recall exactly.

13 Q Do you recall if you told him that
14 the negative test instead of being performed
15 before displacement to 3,367 feet below mud
16 level was to be performed after that
17 displacement according to the change?

18 A I would have to go back through
19 the notes. I can't remember exactly what
20 the conversation was.

21 Q Does that sound generally
22 familiar?

23 MS. KARIS:

24 Object to form.

25 HON. JUDGE ANDERSEN:

1 Well, fine. We can move on. If
2 he gets a chance at some point to examine
3 the notes, that might revive a memory or it
4 might indicate to him that there wasn't a
5 conversation.

6 MS. KIRBY:

7 Your Honor, my problem always is
8 when a witness says "I don't remember
9 exactly what someone says," it generally
10 indicates that there might be some general
11 familiarity with what the witness said.

12 THE WITNESS:

13 Well, if I had the notes, I could
14 answer this.

15 EXAMINATION BY MS. KIRBY:

16 Q Well, I believe that Transocean
17 had -- Well, actually, no. We only handed
18 out the Vidrine notes. So you don't recall;
19 is that your testimony?

20 A Yes, that's correct.

21 Q Now, do you recall that Mr. Kaluza
22 made a statement during his interview that
23 it always seemed like at the end of a well,
24 everyone was in a hurry?

25 A I think I remember something

1 vaguely like that, but I don't know what the
2 exact words were.

3 Q Now, you testified earlier that
4 you knew the DEEPWATER HORIZON was to go on
5 to the Nile, the Nile P & A, right?

6 A That's my understanding, yes.

7 Q And that that was probably a
8 relatively short assignment, right?

9 A I don't have any data. Usually
10 P & A's aren't as long as drilling wells.

11 Q And when did you become aware that
12 the DEEPWATER HORIZON was to go to the Nile
13 for the P & A?

14 A During the investigation. I don't
15 remember what part, you know, over the
16 summer we learned that.

17 Q During your investigation, did you
18 learn when that assignment had occurred? In
19 other words, when had it been determined by
20 BP that it would send the DEEPWATER HORIZON
21 to the Nile?

22 A I don't recall actually
23 investigating that. I may have learned of
24 it, but --

25 Q So you don't know if it was a week

1 or two weeks before?

2 A No, I don't recall.

3 Q Did you determine as well that
4 there was an assignment for the DEEPWATER
5 HORIZON to go to Kaskida after the Nile
6 P & A?

7 A You're getting into areas that I
8 didn't explore really. I didn't look at the
9 scheduling of the Macondo, you know, the
10 HORIZON before and after very much. I was
11 focused just on the Macondo.

12 Q So you did not know that?

13 A I think I was aware it was going
14 to Kaskida after Nile, but --

15 Q But you didn't look into timing?

16 A No.

17 Q You didn't look into how recently
18 that assignment had been made for the Nile
19 or the Kaskida?

20 MS. KARIS:

21 Objection. Asked and answered.

22 HON. JUDGE ANDERSEN:

23 Sustained.

24 EXAMINATION BY MS. KIRBY:

25 Q Now, in terms of the -- Well, let

1 me ask you this.

2 Mr. Robinson, I am putting in
3 front of you one of the real-time data
4 readouts, and I don't know if you can see it
5 very well. We will start at --

6 A 7:30.

7 Q Yes, 7:30, and go up to 2150. I
8 would like you to take a look here at the
9 area of 8:03 real-time, so 2003. Do you see
10 an abnormal pressure response going on at
11 that period of time?

12 A Between 03, when they start the
13 pumps up, for continuation of displacement?

14 Q Yes, from the period from about
15 2003 to 2018.

16 A I don't necessarily see an
17 abnormality, no. They start the pumps up
18 and they got to break the gels of the spacer
19 and the mud.

20 Q So what you're seeing here is
21 you're seeing some gels breaking, so the
22 pressure goes up from 2003 to about 2018?

23 A Yes.

24 Q It keeps climbing, and then
25 something breaks and the pressure goes down,

1 right?

2 A Right.

3 Q That's what you mean by breaking
4 the gels, isn't it?

5 A Well, no, gels don't break like
6 that. Whenever you're breaking mud,
7 breaking gel strength of the mud, it's a
8 gradual change. It's not a stepped change
9 like that.

10 Q All right. In this particular
11 case, what we're talking about being in the
12 annulus is the heavy LCM, which has been
13 called spacer in this proceeding, right?

14 A Yes.

15 Q And we can agree that it's really
16 not intended for spacer use, right?

17 A It was intended for Macondo to use
18 as a spacer after they finished it, with an
19 LCM material.

20 Q Have you ever detected any other
21 company that has used this heavy LCM
22 material as a spacer?

23 A As a 16-pound per gallon? Well,
24 spacers can come in all weights. You have
25 to have it heavier than what you're

1 displacing out.

2 Q My specific question, in the
3 course of your investigation, did you find
4 any other company that had used this heavy
5 LCM, the Form-A-Set and Form-A-Squeeze
6 combination as a spacer?

7 MS. KARIS:

8 Object to foundation. Go ahead.

9 HON. JUDGE ANDERSEN:

10 You can answer. We don't even
11 care if it was during the investigation. In
12 your experience.

13 MS. KARIS:

14 Your Honor, I guess the objection
15 I have on foundation is that implies that
16 they look at what the industry did.

17 HON. JUDGE ANDERSEN:

18 All we're saying is, all that we
19 think is relevant is in your experience,
20 have you seen that material used as a spacer
21 in any other circumstance?

22 THE WITNESS:

23 For the investigation, we did not
24 look at the industry, but in my experience,
25 I personally haven't used LCM to displace

1 mud.

2 EXAMINATION BY MS. KIRBY:

3 Q And did you determine in your
4 investigation whether there had been any
5 other incident or instance in which BP had
6 used this heavy LCM, this specific heavy LCM
7 as a spacer?

8 A We didn't look at other programs
9 outside of Macondo.

10 Q Now, is it possible that this
11 increase in pressure that you are seeing at
12 8:02, 8:03 until it breaks at 8:18 is, in
13 fact, evidence of annular pack-off?

14 A I don't know that.

15 Q Do you know what annular pack-off
16 means?

17 A Yes.

18 Q Can you tell us what it is?

19 A It's when you have bridging
20 materials that are occurring around the
21 annulus where you're bumping and it's
22 packing off and causing some back-pressure.

23 Q So, in essence, the annulus would
24 be clogged; is that a fair way to say that?

25 A Yes, that would be a fair way to

1 say that.

2 Q And if the annulus was clogged
3 during this period of time, what would be
4 the effect on the negative test?

5 A I don't know whether it's clogged.
6 If it was clogged above the stack, it
7 wouldn't have any effect.

8 Q It would prevent the kill line
9 from seeing any pressure, wouldn't it?

10 A Yeah. If the material had bridged
11 off either in the kill line or -- You
12 wouldn't expect it in the annulus. You
13 could expect it more so if it's going to
14 bridge off anywhere, it's going to be in the
15 kill line, where it was brought into. It
16 could impair the test, yes.

17 Q So if the annulus was packed off,
18 it could have impaired the negative test as
19 well?

20 A If it was packed off below the
21 stack.

22 Q Now, you mentioned earlier that
23 you had learned from the interview in your
24 investigation that the overboard lines were
25 opened as soon as the sheen test started,

1 right?

2 A Right. As soon as they turned the
3 pump off at 2108, we understood that the
4 overboard line was open vent.

5 Q Why was that line opened then?

6 A It's my understanding that they
7 were preparing for the subsequent operation
8 once the sheen test passed, and they would
9 be able to go overboard with the returns.

10 Q All right. And when you say
11 "returns," are you referring to the spacer?

12 A Yes, the spacer and the sea water
13 that would be behind it.

14 Q So the overboard lines were opened
15 right away? Was the "right away" aspect of
16 it something that you looked into, what was
17 the point?

18 A Well, that's what came to us in
19 our interviews, that it was opened quickly,
20 soon after -- We understood they shut the
21 pumps off, grabbed the sample, and then
22 opened the line just kind of quickly. That
23 was what we understood.

24 Q Okay. And I believe you said that
25 as a result of doing that, you can't see any

1 gains, effective returns?

2 A No, by doing that, it bypasses the
3 Sperry-Sun flowmeter is our understanding.

4 Q Now, which interviewee told you
5 that they opened the overboard lines as soon
6 as the sheen test was started?

7 A I can't remember. It's going to
8 be Mr. Meche or perhaps Mr. Lindner. I'm
9 not sure.

10 Q Let me return to one question.
11 You said that earlier in your testimony that
12 Mr. Kaluza had told you that Mr. Hinkley
13 contacted him the morning of April 20th to
14 tell him about temporary abandonment
15 procedure changes. Do you recall that?

16 MR. CLARKE:

17 Hafle.

18 THE WITNESS:

19 Oh, Mr. Hafle. Okay.

20 EXAMINATION BY MS. KIRBY:

21 Q Was it "Hafle"?

22 A Yes.

23 Q I thought I heard "Hinkley," and I
24 was going to ask you who that was.

25 A It was my understanding Mr. Kaluza

1 and Mr. Hafle had a brief conversation that
2 morning. Mr. Hafle was making sure
3 Mr. Kaluza was understanding what the
4 procedures were, and then Mr. Kaluza had
5 Mr. Morel type it up.

6 Q All right. I'm sorry. I just
7 heard the wrong name. Now, in the course of
8 your evaluation, your investigation, did you
9 look into why the heavy LCM was used as a
10 spacer, what the purpose was?

11 A Well, just insofar as it was
12 available and what you need for a spacer
13 needs to be viscous and heavy, and it would
14 serve that purpose and they had it
15 available, so my understanding, rather than
16 creating a new waste stream, they decided to
17 use that.

18 Q Did you investigate whether the
19 personnel, the BP personnel who determined
20 to use that heavy LCM had conducted or made
21 the determination that using that
22 constituted a beneficial use?

23 A Yeah. I think the term they used
24 is "beneficial reuse." I think that's the
25 term that's used. Rather than create a new

1 waste stream, if a product is suitable, you
2 use that instead of creating new waste
3 stream.

4 Q So the beneficial reuse that you
5 understood was use it, and then get rid of
6 it overboard?

7 A Use it for the purpose of
8 displacing the mud, yes.

9 Q And then get rid of it overboard?

10 A Yes.

11 Q As opposed to doing what with it?

12 A Well, if they didn't use it for a
13 spacer, they would have to mix a new spacer
14 up, put this spacer, the LCM, on a boat and
15 bring it to shore.

16 Q And dispose of it in a special
17 way?

18 A I'm not sure what's required to
19 dispose of it. I suppose pump into a well
20 or something.

21 Q You don't know?

22 A No, I don't know what they have to
23 do with it when they take it to shore.

24 Q You mentioned earlier that you
25 understood a pump pop-off valve blew at some

1 point. Do you recall that?

2 A Yes. We understand that pump
3 No. 2 -- The four pumps were started up
4 after the negative test due to displacement.
5 We believe that pump No. 2 was lined up on
6 the stand pipe manifold against the closed
7 valve or against a closed valve, and when
8 they started all four pumps up, that pump
9 blew the pop-off.

10 Q Do you have an approximate time
11 when you believe that occurred?

12 A Yes. Two months ago, I would have
13 gone straight to the page number. We're
14 showing the pop-off going at -- This time is
15 not right. It would have to have been after
16 the displacement started at 2800, so about
17 the 2020 time frame is what it should have
18 been.

19 Q And that would be pretty close in
20 time to that little anomaly we were looking
21 at on this board over here?

22 A I'm sorry. I said it wrong. I
23 got it here now. I was on the wrong page.
24 2117.

25 Q 2117. So not so close. All

1 right. One last area. Your group looked
2 into or were involved in looking into the
3 diversion to the mud gas separator; is that
4 right?

5 A Yes. Well, not my particular
6 group, but the investigative body did, yes.

7 Q All right. And in the course of
8 the interview with Mr. Vidrine, he told you
9 he was alerted that there was going to be a
10 diversion into the mud gas separator, right?

11 A As I recall from the interview,
12 the diversion had already occurred and he
13 was told that the annular was either closed
14 or was being closed.

15 Q Does BP have any policy or
16 procedure about whether or not there should
17 be a diversion to the mud gas separator when
18 there's a well out of control?

19 A I didn't look into that particular
20 circumstance. We looked at the protocols
21 that were in play at Macondo, which was the
22 Transocean well control manual, and that
23 allowed for going to the mud gas separator.

24 But it didn't address blowout. It
25 was saying these are the protocols at a well

1 control event and we concluded the protocols
2 that were actually followed that night were
3 actually consistent with what the manual
4 stated should have occurred.

5 Q So you were looking to see if the
6 existing procedures were followed, but not
7 what might have been followed; is that
8 right?

9 A Well, as far as recommendations,
10 though, we did get into as an industry what
11 we need to get into as far as their
12 preparedness for wild well type events such
13 as this.

14 Q Did you ask Mr. Vidrine why he
15 didn't direct that the diversion be
16 overboard and not to the mud gas separator?

17 A Oh, no. When Mr. Vidrine got the
18 call, things were going pretty bad. My
19 impression, that was a very short phone
20 call.

21 Q So this was right before the
22 actual blowout; is that your understanding?

23 A We're estimating -- I can give you
24 a time when we think it is. 2144 is when we
25 believe Mr. Vidrine got his call, and there

1 was uncontrolled flow within a couple of
2 minutes of that.

3 Q Is that what Mr. Vidrine told you?
4 You said "we believe he got his call."

5 A No, "we," the investigation team,
6 pieced together based on MBI testimony,
7 based on data, based on our interviews.
8 That's what we pieced together. We pieced
9 together timelines of the last 30 minutes,
10 and that's when we believe -- 2024 is when
11 we believe Mr. Vidrine got his call.

12 Q Did you ask Mr. Vidrine when he
13 got his call?

14 A No. I may have, but I don't know.

15 Q You don't recall doing that?

16 A I don't know if he knew exactly
17 what time he got the call.

18 MS. KIRBY:

19 Thank you. I have no more
20 questions.

21 HON. JUDGE ANDERSEN:

22 The witness has been going for
23 four hours. We would like to keep under a
24 50 percent the chances that we will still be
25 a group at 8:00 tonight. That's a goal.

1 But we know that BP will probably have 10 or
2 15 minutes.

3 How much time do we estimate
4 others are going to have questioning, if
5 it's five for you?

6 MR. SCHONEKAS:

7 Three, four, five.

8 HON. JUDGE ANDERSEN:

9 Okay. Anybody else?

10 MR. SIMMONS:

11 No questions.

12 HON. JUDGE ANDERSEN:

13 You will have none. Then I would
14 say we have 20 more minutes or so, so it's
15 probably worth finishing. What do you
16 think?

17 THE WITNESS:

18 Yes, sir.

19 HON. JUDGE ANDERSEN:

20 Do you feel comfortable?

21 THE WITNESS:

22 I feel good.

23 HON. JUDGE ANDERSEN:

24 Dril-Quip?

25 COUNSEL REPRESENTING DRIL-QUIP:

1 No questions.

2 HON. JUDGE ANDERSEN:

3 Jimmy Harrell?

4 COUNSEL REPRESENTING MR. HARRELL:

5 No questions.

6 HON. JUDGE ANDERSEN:

7 Curt Kuchta?

8 MR. SCHONEKAS:

9 I'm on my way.

10 EXAMINATION BY MR. SCHONEKAS:

11 Q Good afternoon, Mr. Robinson.

12 A We have turned to afternoon. Good
13 afternoon.

14 Q How are you, sir? My name is Kyle
15 Schonekas. I represent the captain of the
16 DEEPWATER HORIZON, Curt Kuchta.

17 Sir, Mr. Hymel or "Hymel," as some
18 people like to call him, had asked you some
19 questions earlier about the interview of
20 Mr. Vidrine and when the call was with
21 Mr. Hafle concerning the negative pressure
22 test. Do you recall that?

23 A Yes.

24 Q All right. In fact, sir, refer,
25 if you would, to the notes that are in front

1 of you and the page that's Bates stamped --
2 I'm going to spare all the other numbers.
3 The typed notes numbered 21420.

4 A Yes, sir.

5 Q And Mr. Hymel had asked you
6 whether or not the call by Mr. Vidrine --
7 Mr. Vidrine is the guy on the rig, correct?

8 A Yeah, that's correct.

9 Q And Mr. Vidrine is not an
10 engineer; is that correct?

11 A Yes, Mr. Hafle is an engineer.

12 Q No, I'm sorry. Mr. Vidrine?

13 A Oh, sorry. Mr. Vidrine is not an
14 engineer as far as I know.

15 Q And Mr. Hafle is an engineer,
16 correct?

17 A Yes.

18 Q And he's the guy back at home
19 office, correct?

20 A That's correct.

21 Q And he would be a resource for
22 Mr. Vidrine, is that correct, during the
23 course of the drilling of this rig?

24 A I would assume so, yes, sir.

25 Q All right. And Mr. Hymel

1 suggested that -- And if you refer to that
2 page, one, two, three, four, five, six lines
3 down, it states, "I talked to Hafle about
4 the 1400. Said that if there had been a
5 kick in the well, we would have seen it."
6 Do you recall that, sir?

7 A Yes.

8 Q And it was suggested to you that
9 that conversation had occurred in close
10 proximity to the negative pressure test. Do
11 you recall that being suggested by
12 Mr. Hymel?

13 A That may have been suggested, but
14 I don't believe that was the case.

15 Q Okay. Let's explore that very
16 briefly, if we could, sir. Take a look, if
17 you would, at two pages before that, which
18 is Bates stamped 21418.

19 A Yes, sir.

20 Q And again, to put this in context,
21 these are the interviews of Mr. Vidrine,
22 correct? That title bears that out?

23 A Yes, sir.

24 Q All right. And then let's turn to
25 the very next page, and go about four

1 paragraphs from the top. "The 1400 p.s.i.
2 was the difference between the mud and the
3 riser. This was annular compression. They
4 (TP, et cetera) said it does this all the
5 time."

6 Again, that's the discussion of
7 the negative pressure test, correct?

8 A That's the way I understood this,
9 yes.

10 Q And it says, "If we have 1400
11 p.s.i. on the drill pipe, we should see it
12 on the kill line. Let's bleed it off and
13 see. The kill line was bled, and then
14 stopped. I then went to call Hafle"?

15 A Right.

16 Q Does that refresh your
17 recollection, sir, that, in fact,
18 Mr. Vidrine called Mr. Hafle when this
19 negative pressure test was going on?

20 A Well, I recall this from the
21 notes, but we couldn't confirm that that
22 phone call was made. The phone call that we
23 know about occurred was later that night.
24 Mr. Vidrine talked to Mr. Hafle, as we
25 understand it, to talk about how to test the

1 surface cement plug.

2 Q So then when it states "I then
3 went to call Hafle," there's no significance
4 to that reference of them making the call;
5 is that what you're saying?

6 A We're saying we couldn't verify
7 that that call was made.

8 Q But that's what Mr. Vidrine said
9 he did, is that correct, sir, that when this
10 was going on, he went to call Hafle to
11 confirm the negative pressure test, correct?

12 MS. KARIS:

13 Objection. Asked and answered.

14 HON. JUDGE ANDERSEN:

15 It says what it says, and the
16 witness is just not convinced that that's
17 necessarily accurate, because he couldn't
18 confirm it through other means.

19 THE WITNESS:

20 I can add that we followed up to
21 see if any calls were made about the
22 negative test to anyone and we could not
23 find any.

24 HON. JUDGE ANDERSEN:

25 But this says what it says.

1 EXAMINATION BY MR. SCHONEKAS:

2 Q All right, sir. Take a look at
3 the very beginning of that packet. Let me
4 ask you this. Those notes we were just
5 looking at represent, as you described, kind
6 of a composite of all the notes; is that
7 correct?

8 A Yes.

9 Q And that composite was -- I'm
10 sorry. I didn't mean to cut you off.

11 A That's fine. It is a
12 consolidation of everyone's notes.

13 Q A consolidation?

14 A Yes.

15 Q You prepared your own notes; is
16 that right?

17 A Yes. I have handwritten notes.

18 Q And are those your handwritten
19 notes that appear at the beginning of that
20 packet bearing Bates stamp No. 21406?

21 A Yes.

22 Q So these are your own notes; is
23 that right?

24 A Yes.

25 Q And if you look on the first page

1 under the heading "Don Vidrine Interviewed
2 by Brian" -- Who is that?

3 A Brian Martin.

4 Q Jim --

5 A Cowie.

6 Q And you, correct?

7 A That's correct.

8 Q And again, this is of Mr. Vidrine,
9 correct?

10 A That's correct.

11 Q All right. If you look at the
12 bottom of that page, would you agree with
13 me, sir, that you are discussing -- These
14 are your notes reflecting the discussions
15 with Mr. Vidrine concerning the negative
16 pressure test, correct?

17 A That's correct.

18 Q All right. Let's turn the page.
19 And you then show a drawing as he described
20 the negative pressure test was being
21 conducted, correct?

22 A Yes.

23 Q Okay. And then your notes go on
24 to say, "Monitored for 30 minutes. Called
25 Hafle to discuss."

1 MS. KARIS:

2 Mr. Schonekas, if you could read
3 the rest of the sentence, please.

4 THE WITNESS:

5 He's calling to discuss the
6 surface plug.

7 EXAMINATION BY MR. SCHONEKAS:

8 Q Can you tell me -- You do, in
9 fact, reference immediately before that the
10 negative pressure test; is that correct?

11 A Yes.

12 Q But it's your recollection now
13 that the call to Hafle was not about the
14 negative pressure test, but about the
15 surface plug?

16 A That's what it says. That's what
17 my notes say, that he went to call -- I cut
18 you off.

19 MS. KARIS:

20 I was just going to object that it
21 mischaracterizes the document and his
22 testimony.

23 HON. JUDGE ANDERSEN:

24 That's a fair question. I mean,
25 the question is a fair question. Do you

1 recall, as you sit here today, that you were
2 told by Vidrine that Hafle's call was to
3 discuss the surface plug?

4 THE WITNESS:

5 That was what the conversation was
6 about, yes, sir.

7 HON. JUDGE ANDERSEN:

8 Okay. The next question.

9 EXAMINATION BY MR. SCHONEKAS:

10 Q Notwithstanding, it immediately
11 follows the discussion of the negative
12 pressure test and the fact that the
13 composite or the summarized notes reflect
14 that he called to discuss the negative
15 pressure test, your recollection is that it
16 was to discuss the plug?

17 A Yes.

18 Q Okay. And you had no sense from
19 Mr. Vidrine that there was some issue about
20 the interpretation of the negative pressure
21 test?

22 A He was actually concerned about
23 the 1400 p.s.i.

24 Q And he calls Hafle, but he doesn't
25 mention that? He talks only about the plug;

1 is that right?

2 A Well, you're mixing --

3 Q Could you answer my question, sir?

4 MS. KARIS:

5 He's trying to, Your Honor, if you
6 would allow him to, please.

7 THE WITNESS:

8 I'm trying to.

9 HON. JUDGE ANDERSEN:

10 Please answer.

11 THE WITNESS:

12 You have to recall that this
13 negative test is a three-hour event, and
14 it's my understanding that the phone call
15 was made after it all ended. It ended about
16 8:00, and I think the call was not made
17 until something closer to 9:00.

18 Now, I don't have that in my
19 notes. That's from my memory. And the call
20 was not about the negative test. It was
21 about the surface plug.

22 EXAMINATION BY MR. SCHONEKAS:

23 Q Notwithstanding all of the --

24 Well, let me ask you this. Had there been a
25 big disagreement about the surface plug

1 prior to this time?

2 A No. It's my understanding he just
3 wanted clarity on whether he was going to
4 weight test it or pressure test it.

5 Q And he calls Hafle for that, but
6 not about this discussion that was being had
7 as to whether the negative pressure test had
8 worked; is that your testimony?

9 MS. KARIS:

10 Objection. Asked and answered
11 three times.

12 HON. JUDGE ANDERSEN:

13 Okay. This is the last time. Is
14 that "yes"?

15 THE WITNESS:

16 The answer to that is "yes."

17 HON. JUDGE ANDERSEN:

18 Okay.

19 MR. SCHONEKAS:

20 Thank you. That's all I have,
21 sir.

22 HON. JUDGE ANDERSEN:

23 Thank you.

24 Pat O'Bryan?

25 COUNSEL REPRESENTING MR. O'BRYAN:

1 No questions.

2 HON. JUDGE ANDERSEN:

3 Robert Kaluza?

4 COUNSEL REPRESENTING MR. KALUZA:

5 No questions.

6 HON. JUDGE ANDERSEN:

7 Would you like to ask any
8 questions yourself?

9 MS. KARIS:

10 I do, Your Honor.

11 HON. JUDGE ANDERSEN:

12 All right. And then when that's
13 concluded, we will see if the Board has any
14 follow-up questions, and then hopefully we
15 will be concluded with this witness.

16 Thank you all for your patience.

17 MS. KARIS:

18 Mr. Robinson, can you see that?

19 THE WITNESS:

20 I can.

21 MS. KARIS:

22 May I proceed?

23 HON. JUDGE ANDERSEN:

24 Sure.

25 EXAMINATION BY MS. KARIS:

1 Q Hariklia Karis for BP.

2 Mr. Robinson, I want to follow up on a
3 couple of the questions that Mr. Mathews
4 asked you, and then some of the questions
5 asked by various attorneys for the Parties
6 In Interest.

7 You prepared here a demonstrative
8 that shows three indications, and can you
9 walk us through, if you will, what this
10 demonstrative is intended to show?

11 A Okay. Can I approach this?

12 Q Absolutely.

13 A So we believe we see flow
14 indications, three flow indications that
15 occurred that evening. Flow starts as we
16 said, we believe from the OLGA modeling at
17 2052. That's when the first hydrocarbons
18 are just beginning to enter the well after
19 the negative test, of course, drew some
20 volume into the well, but this is when the
21 flow just begins.

22 Six minutes after that, at about
23 2058, we see some changes start to occur.
24 There's a drop in drill pipe pressure prior
25 to then that you would expect. That is

1 heavy mud, 14-pound per gallon mud being
2 replaced with sea water below it, so it's
3 dropping the pressure of the system. The
4 pressure is declining as you would expect.

5 Just after that, the pumps are
6 stepped down, getting ready for the sheen
7 test. The sheen test is coming up.

8 And so a couple minutes after
9 that, after they stepped the pumps down, the
10 pump pressure is constant, and then we see a
11 rise in pressure. It's a reversal of that
12 negative trend. That reversal should not
13 have occurred. There should have still
14 continued to be a drop in pressure, because
15 mud is still continuing to be discharged and
16 replaced by the 8.6 sea water.

17 Q I'm going to stop you there for
18 one second. At what time is it that you see
19 this reversal?

20 A The reversal, when the pumps are
21 lined back out at the lower rate, is at
22 2101, beginning at 2101. So 2101 to 2108,
23 there's pressure reversal.

24 Q At 2101, was there anything that
25 had inhibited the flowmeters of Sperry-Sun

1 from observing the flow rates?

2 A Yes. The trip tank was being
3 emptied from 2059 to about the 2105/06 time
4 frame.

5 Q Now, in addition to the flowmeters
6 from the pit volumes, is there also a
7 Sperry-Sun meter that shows stand pipe or
8 drill pipe pressure?

9 A There should be. There should be
10 pressure available from both the Sperry unit
11 and the Transocean sensors.

12 Q Is there anything in the
13 activities from the trip tank that inhibited
14 the view of pressure on the stand pipe at
15 this time period?

16 A No.

17 Q Go ahead. What's the next
18 indication after this first indication you
19 told us about?

20 A Okay. So the next indication is
21 the flow-out signature we talked about
22 before. We had the side by side graphs.
23 That occurs right here. That's when you
24 have the 90 seconds of abnormal flow, and it
25 only drops out once the overboard line is

1 open.

2 So during the time from -- So at
3 that point, from that point forward, the
4 flowmeters with Sperry are rendered useless.

5 From 2109 or so to 2114, during
6 the sheen test with the pumps off, pressure
7 rises from whatever amount this is. The
8 total amount is 246 p.s.i. over about a five
9 and a half, six minute period.

10 Q Okay. Let me stop you there. So
11 over this six-minute time period, is there
12 any pressure being put on the pumps, that
13 is, is anybody adding pressure to the pumps
14 that we're seeing here?

15 A There should be no energy being
16 put into the well other than from the
17 reservoir.

18 Q So the pumps are off is basically
19 what you're telling us?

20 A Yes.

21 MR. HYMEL:

22 Judge, let me just object to the
23 leading nature of her questions. She needs
24 to ask the witness "what, where and when."

25 HON. JUDGE ANDERSEN:

1 The last one I viewed as just
2 affirming that she had heard what she heard.
3 But please proceed and lead as little as
4 possible.

5 EXAMINATION BY MS. KARIS:

6 Q Understood. Can you tell us, is
7 there anything inhibiting the Sperry-Sun
8 system from seeing the drill pipe pressure
9 during this time period, that is 2108 to
10 2114?

11 A None that I'm aware of.

12 Q What is the pressure increase that
13 you see over that six-minute time period?

14 A 246 p.s.i.

15 Q Would you expect to see a 246
16 p.s.i. pressure increase when the pumps are
17 off?

18 A No, not if the well is static.

19 Q Now, Mr. Gisclair told us
20 yesterday that that's an uncommon way for a
21 well control event to manifest.

22 MR. SCHONEKAS:

23 Is that a question?

24 EXAMINATION BY MS. KARIS:

25 Q Well, it's coming. Thank you. Do

1 you agree with that? That's the question.

2 A It's uncommon. A common well
3 control event is when you normally have
4 drill pipe on bottom, and so hydrocarbons
5 enter, and that lowers the hydrostatic of
6 the annulus, and so that drops pressure.

7 If you're off bottom, tripping or
8 whatever and a well begins to flow, that
9 could raise pressure, which is the case
10 here. The pressure is rising, because you
11 have 14.1-pound per gallon mud starting to
12 come up around the stinger, which was
13 8.6-pound per gallon sea water.

14 Q Let me ask you, given where they
15 were in the operations at the 2108 to 2114
16 time period, was the drill pipe off bottom
17 or on bottom?

18 A Off bottom.

19 Q And given where they were in the
20 operations, where would you expect the drill
21 pipe to be during those time periods?

22 A For this operation?

23 Q Yes.

24 A I would expect it to be off
25 bottom.

1 Q So from 2108 to 2114, when you're
2 off bottom, would you expect to see a 246
3 p.s.i. pressure increase in that six-minute
4 interval?

5 A No.

6 Q What would that indicate to you if
7 you're watching your Sperry-Sun meter that
8 shows the drill pipe or stand pipe pressure?

9 MR. GODWIN:

10 Objection, Your Honor.

11 Speculation.

12 HON. JUDGE ANDERSEN:

13 Well, only if you have an opinion.

14 You don't have to make something up as you
15 stand here.

16 MR. GODWIN:

17 Also, if he has a basis for having
18 an opinion, Your Honor.

19 HON. JUDGE ANDERSEN:

20 If you have an opinion, I'm going
21 to guess the next question will be, "Why do
22 you say that?"

23 THE WITNESS:

24 Well, it certainly would be an
25 indication of something abnormal. You

1 should never have a pressure increase with
2 pumps off. That's an indication that
3 something is bad and wrong.

4 From an engineer, I can only see
5 that from a well flowing, you get that kind
6 of condition. But even if that knowledge is
7 not present, the fact that it is an anomaly,
8 you shouldn't have pressure increase with
9 pumps off. It should prompt an inquiry.

10 EXAMINATION BY MS. KARIS:

11 Q And based on your experience in
12 deepwater drilling and the fact that you
13 told us you were previously well control
14 certified, what would you expect someone to
15 do if they saw a 246 p.s.i. pressure
16 increase in a six-minute time interval with
17 the pumps off?

18 MR. GODWIN:

19 Objection, speculation, Your
20 Honor.

21 HON. JUDGE ANDERSEN:

22 You don't have to make up an
23 opinion. If somebody observes that and
24 knows about it, what do you expect them to
25 do?

1 THE WITNESS:

2 Just raise the issue when you see
3 this pressure increase. Raise the issue,
4 that we have a pressure increase. They
5 wouldn't see it until they get toward the
6 end of it, of course, because the first few
7 minutes -- It has to develop. The pressure
8 increase has to manifest.

9 EXAMINATION BY MS. KARIS:

10 Q So towards the end of that, at
11 2114, would you expect somebody to raise
12 that anomaly had they seen it?

13 MR. GODWIN:

14 The same objection, Your Honor,
15 speculation, and also stating what someone
16 else should have done when he was not there
17 and knew all the circumstances. He would be
18 guessing to answer.

19 HON. JUDGE ANDERSEN:

20 Okay. Only if you have -- Well,
21 we know that any statement as to what he
22 thinks someone should do might be different
23 under the actual circumstances with a lot
24 going on. But if you have an opinion, you
25 can state it.

1 MR. HYMEL:

2 Judge, I just want to address
3 that. You're asking him for an opinion,
4 and, I mean, he's here to testify as to
5 facts of what he found during the
6 investigation, so I would object.

7 MR. GODWIN:

8 The same objection, Your Honor.

9 MS. KARIS:

10 Your Honor, if I may respond, both
11 counsel that have the objection asked him
12 about his opinions, about what they would
13 have expected people to have done, and, in
14 fact, I think Mr. Godwin's last question was
15 whether he was aware of any duty or
16 violation or whatever, however he referred
17 to it, of what the Sperry-Sun mud loggers
18 had done.

19 MR. GODWIN:

20 No, Your Honor, the last
21 question --

22 HON. JUDGE ANDERSEN:

23 Also, the premise of her question
24 is, which she acknowledges and the witness
25 acknowledged, he doesn't really know what

1 visibility anybody had in terms of the
2 screens they might have been looking at at
3 that point in time.

4 So he's trying to figure out what,
5 if any, indication there was that shed light
6 upon why the explosion took place, and the
7 question is, had a person known and observed
8 that the pressure had increased during this
9 six-minute time period, what you're saying
10 is at the end of that six-minute time
11 period, when someone has observed it, what,
12 if any, action would you expect them to
13 take? The answer you gave was make inquiry.
14 Do you have any other answer than that?

15 THE WITNESS:

16 No.

17 MR. GODWIN:

18 Your Honor, one point, to correct,
19 my last question was not what an opinion
20 was, but was he told by anyone with BP
21 during the investigation as to whether or
22 not Sperry did not monitor at all times. It
23 was not an opinion.

24 And I was repeatedly, when I asked
25 questions about opinions, you repeatedly

1 told me I couldn't get opinions out, but I
2 could only get facts, Your Honor. So he's
3 now being asked for an opinion and he's
4 being allowed to give one.

5 HON. JUDGE ANDERSEN:

6 Actually, I don't think I did.
7 Anyhow, next question. That question has
8 been answered.

9 EXAMINATION BY MS. KARIS:

10 Q Based on the interviews that your
11 team did, did anybody from Sperry-Sun ever
12 indicate in those interviews that they made
13 inquiry following the 2114 time period?

14 A No, we have no evidence of that.

15 Q Now, you have another indication
16 after 2114 on your chart. Can you tell us
17 what that is?

18 A That's a third indication that
19 occurs at about 9:30, 2130. The pumps are
20 shut down. We don't know why the pumps are
21 shut down. We have to speculate a little in
22 the report about what possibly could be the
23 reason the pumps were shut down, but we see
24 as soon as the pump is shut down, there's
25 now a rapid rise in the drill pipe, and this

1 is for about the same time period as this,
2 about a five-minute time period. Instead of
3 246 p.s.i., now it's on the order of 550
4 p.s.i.

5 Q And I'm sorry. What time period
6 was that?

7 A This would be from 21 -- From the
8 time that the pumps are shut off, 2130, say
9 31 to about 35.

10 Q Okay. If you don't mind, you can
11 take a seat. Mr. Robinson, based on the
12 work that you did with the investigation
13 team, in your view, was this well control
14 event a rapidly unfolding event or did this
15 occur over a period of time?

16 A No, this event started in our
17 estimation, from the modeling, it started at
18 2052.

19 Q And given what you know about the
20 operations on the rig, at 2052 or at least
21 until 2136, what would be the way to respond
22 to an event that's unfolding like this?

23 A Well, to interrogate and look at
24 the indicator and interrogate the indicator
25 by checking the well for flow, and then

1 shutting the well in if it's flowing.

2 Q Based on your investigation and
3 based on your interviews of Sperry-Sun's
4 personnel or any other personnel, are you
5 aware, first, of any actions taken by
6 Sperry-Sun to interrogate these or to
7 investigate, I should say, these incidents?

8 A No, I'm not.

9 Q And did you become aware at any
10 time of anybody from Transocean taking any
11 actions to investigate these incidents?

12 A No, I'm not aware of any.

13 Q Now, Mr. Keith you said was
14 interviewed by your investigation team; is
15 that correct?

16 A That's correct.

17 Q But you didn't participate in that
18 interview?

19 A That's correct.

20 Q Did you review the notes from
21 Mr. Keith's interview?

22 A I did.

23 Q During the interview of Mr. Keith,
24 did he indicate at any time that he had left
25 his mud logger's cabin around 9:00?

1 A No. I don't recall anything about
2 leaving the cabin.

3 Q What did Mr. Keith tell the
4 investigation team with respect to whether
5 he had left at any time that evening?

6 A I believe we were told that he had
7 not left.

8 Q At any time while you were
9 conducting your investigation, did you ever
10 learn that Mr. Keith had left the mud
11 logger's cabin or says he had left the mud
12 logger's cabin at around 9:00?

13 A During the investigation, no, we
14 did not learn anything like that.

15 Q Would the fact that the on-duty
16 mud logger says he left the mud logger's
17 cabin during the last hour before the
18 explosion have been something that you would
19 have considered in your evaluation?

20 A Yes. We would have pointed out
21 that there was a potential gap in the
22 monitoring at a critical time, if that's the
23 case.

24 Q In the course of your career, have
25 you ever been a mud logger?

1 A I actually have.

2 Q What is your understanding of what
3 the duties of a mud logger are?

4 A It's a support role. It's to
5 monitor the well and to raise concerns if
6 you see something abnormal.

7 Q And based on your understanding of
8 the duties of a mud logger, would you expect
9 somebody to be monitoring the data at all
10 times?

11 A Yes.

12 MS. KARIS:

13 Thank you. Nothing further.

14 HON. JUDGE ANDERSEN:

15 Any Board questions?

16 CAPT. NGUYEN:

17 Yes, I have a few.

18 EXAMINATION BY CAPT. NGUYEN:

19 Q Mr. Robinson, I have a few
20 follow-up questions.

21 In your interviews with Mr. Kaluza
22 or Mr. Vidrine, did either one of them
23 indicate to you that they had knowledge of
24 the Halliburton OptiCem report would show
25 severe flow of gas potential, sir?

1 A No, sir, I don't recall that. I
2 don't recall anything in the interviews with
3 Mr. Kaluza or Vidrine about the OptiCem
4 model output.

5 Q How about Mr. Sepulvado, did he
6 have any knowledge of the report itself?

7 A I wasn't involved in the interview
8 of Mr. Sepulvado, but I don't believe that
9 he was aware of that.

10 Q Yes, sir. Referencing the written
11 notes here, BP-HZN-MBI00021406, sir, not
12 six, but 419, and on the bottom --

13 A 419?

14 Q Yes, sir.

15 MS. KARIS:

16 I think they're out of order,
17 because that page is missing.

18 HON. JUDGE ANDERSEN:

19 You can read it.

20 EXAMINATION BY CAPT. NGUYEN:

21 Q Yes, sir. It says, "Asked about
22 procedure for negative testing," and they
23 say, "There is no standard procedure. It is
24 left to the rig to figure it out."

25 And on Page 2, which is 21407, I

1 believe that's your handwriting there. The
2 same statement is right there. "There is no
3 standard procedure on how to do these
4 procedure from town in bullet form. Leave
5 it to rig on how to," something. From what
6 I'm reading there, there's no standard
7 procedure for negative testing, sir?

8 A That's correct. We concluded
9 that.

10 Q Okay. Is that just specific to
11 the DEEPWATER HORIZON or there's no written
12 standard procedure for BP operations?

13 A We concluded that as an industry,
14 here's not an industry standard as well as
15 BP.

16 Q So there is no API standard for
17 negative testing?

18 A Not that I'm aware of.

19 Q How about MMS requirements?

20 A Not that I'm aware of.

21 Q All right. Now, go to Page 21422,
22 and it's the same subject. It asks about a
23 negative test program. Do you see that,
24 sir?

25 A Yes, sir.

1 Q And you say something about there
2 was no formal approval. So as far as the
3 negative test procedure is concerned,
4 there's no standard procedure, and they say
5 right here there's no formal approval. Is
6 that within BP or is that all the way
7 through MMS?

8 A No, I believe that that reference
9 would be to within BP.

10 Q Okay. So no written standard, no
11 formal approval. Now, how would the crew
12 know whether the test was a good negative
13 test?

14 A They were looking for no flow on
15 the kill line. That was the feedback. We
16 asked that question, and that's what the
17 feedback was. Just no flow from the kill
18 line.

19 Q So if there are no standards, no
20 approval process, would that set the crew up
21 for failure?

22 A I can answer like this. We
23 believe that more standardization to take
24 human judgment out and to be more
25 prescriptive on what pass/fail criteria

1 should be and when to notify authorities and
2 so forth is needed.

3 Q Yes, sir. I understand that the
4 moratorium has been lifted. Do you know of
5 any progress being made on this issue, sir?

6 A I don't know for sure, because I'm
7 not connected to the Gulf of Mexico. I'm
8 pretty sure that there have been measures
9 taken for negative testing.

10 Q Yes, sir. Now, referencing
11 Page 38429 -- I'm sorry. Out of Project
12 Spacer.

13 A Okay.

14 Q Yes, sir. And I believe we went
15 over this once, and they say, "No evidence
16 of compatibility testing could be found for
17 the well." Do you see that, sir?

18 A Yes, sir. Is that Bates number
19 39?

20 Q 29, sir. 38429 and Page 6 of the
21 report.

22 A But I do -- Well, looking at it, I
23 know that was the conclusion of the project.

24 Q Does BP have a written standard on
25 what it requires for compatibility tests for

1 spacer materials, sir?

2 A No, sir, not that I'm aware of.

3 Q How about API, does it have a
4 recommended practice on what's required for
5 compatibility tests?

6 A For spacers?

7 Q Yes, sir.

8 A I don't know now. I believe API
9 65 addresses compatibility testing for
10 cement spacers, but perhaps not for
11 displacement spacers. This is referencing
12 compatibility for spacers.

13 Q I understand. That's what I'm
14 asking. How about MMS requirements, is
15 there any standard MMS standards for
16 compatibility tests of spacing material?

17 A I don't know. I'm not aware of
18 it. I did not investigate any details.

19 Q Based on your knowledge?

20 A Based on my knowledge of the
21 standards, no.

22 Q Yes, sir. So the same thing
23 there, you know, there's a lack of standard
24 for compatibility tests for spacer material,
25 the same thing we have with negative tests,

1 and I would assume that everybody would
2 agree that this is a very critical area
3 here. Again, isn't the system setting up
4 the crew for failure?

5 A I believe that more detailed
6 procedures could have led to a more
7 successful outcome. And to point out that
8 standardization of a negative test should
9 include any materials that are going to be
10 pumped into a well and the testing of it and
11 so forth, as well as the actual procedures
12 being used.

13 Q Yes, sir. Working in the
14 industry, do you know whether any progress
15 has been made by API or any of the industry
16 leaders in addressing these issues?

17 A I don't know if it is or is not.

18 Q All right. Let's go back to the
19 other documents, 21425.

20 MS. KARIS:

21 They both happen to have the same
22 endings.

23 THE WITNESS:

24 Okay. The interview notes?

25 EXAMINATION BY CAPT. NGUYEN:

1 Q Yes, sir. Up on top, I guess
2 about the sixth line down from the top --

3 A Yes, sir.

4 Q -- it says, "Chris asked about
5 EDS." I assume that's Chris Pleasant, the
6 subsea engineer?

7 A This is Mr. Vidrine's statement?

8 Q Yes, sir.

9 A I believe he was referring to
10 Mr. Pleasant.

11 Q Yes, sir. Why would Mr. Pleasant
12 ask Mr. Vidrine about the EDS? He asked
13 Mr. Vidrine that?

14 A I think what the conversation was,
15 Mr. Pleasant just asked generally about EDS.
16 I'm not sure who particularly he was asking
17 it of.

18 Q So he wasn't asking Mr. Vidrine
19 for permission to activate the EDS?

20 A I don't believe so. I don't know
21 if that's the case or not actually.

22 Q Yes, sir. Now, on Page 420 --

23 A Okay.

24 Q I don't have it marked, but there
25 was some part, something in here about

1 Mr. Pleasant activated the EDS, saw the
2 gallon count. Do you remember that?

3 A Yes. On 420, it's the second to
4 last paragraph.

5 Q Yes, sir. And Chris said he saw
6 it retract. Mr. Vidrine, did he believe
7 that the EDS was successfully deployed?

8 A To be clear, this was from
9 Mr. Vidrine. It was Mr. Vidrine's
10 statement.

11 Q Yes, sir.

12 A And he conveyed to us that he
13 believed he saw the lights light up and he
14 thought he saw the gallon count, but when we
15 looked at Mr. Pleasant's testimony in these
16 hearings, it contradicted that. We couldn't
17 confirm that the gallon count was actually
18 seen.

19 CAPT. NGUYEN:

20 All right. Thank you very much,
21 Mr. Robinson.

22 HON. JUDGE ANDERSEN:

23 Any other Board questions?

24 Okay. We will resume with Mr. --

25 What?

1 MR. HYMEL:

2 Oh, we're going to resume with
3 him?

4 HON. JUDGE ANDERSEN:

5 No.

6 MR. HYMEL:

7 I have some follow-up.

8 HON. JUDGE ANDERSEN:

9 You have one question?

10 MR. HYMEL:

11 No, I have about four very short
12 areas.

13 HON. JUDGE ANDERSEN:

14 You know, I know I mentioned that
15 before. I really don't think it would be
16 fair to come back again, because I haven't
17 in other situations. I know I mentioned
18 that to you.

19 MR. HYMEL:

20 But, Judge, I specifically asked
21 if Ms. Karis could go first, so that we
22 could come behind and ask the questions.
23 That was the purpose.

24 HON. JUDGE ANDERSEN:

25 Right. And we know, as you have

1 done with your employees, we know there's
2 always going to be a follow-up. Apparently,
3 she's choosing not to ask anything until she
4 sees what others have asked.

5 How much time do you want?

6 MR. HYMEL:

7 I want five minutes.

8 HON. JUDGE ANDERSEN:

9 You can have it, but it will never
10 happen again with any other witnesses. All
11 right? And it's my fault, because I made
12 that exception to him earlier, so I'm going
13 to stick by what I said, even though if I
14 had to do it again, I wouldn't say it again.

15 Please ask your questions.

16 There's a five-minute limit.

17 MS. KARIS:

18 Your Honor, just to be clear, I
19 don't expect to have any follow-up, but
20 obviously, as a consequence, redirect is
21 generally --

22 HON. JUDGE ANDERSEN:

23 Whatever. Right. I mean, you
24 know, you could have fronted the questions,
25 and you asked them last just to prevent

1 follow-up from your questions, which I
2 understand.

3 MR. DYKES:

4 I would like to ask one question.
5 Are they going to further the investigation?

6 MR. HYMEL:

7 Yes.

8 HON. JUDGE ANDERSEN:

9 All right. Ask it.

10 EXAMINATION BY MR. HYMEL:

11 Q Mr. Robinson, you talked about an
12 increase in flow-out here (indicating).
13 Okay?

14 HON. JUDGE ANDERSEN:

15 Which is at, for purposes of the
16 record, 2110.

17 EXAMINATION BY MR. HYMEL:

18 Q 2110. And that was after the
19 pumps had been shut down, correct?

20 A Well, actually, not an increase in
21 flow. We're saying that the flow-out
22 continued for 90 seconds after the pump
23 dropped down.

24 Q Okay. Now, when the pump dropped
25 down, the flow-out did not go to zero, and

1 it should have; do you agree?

2 A Well, it could be that it's
3 picking up something, some residual or
4 something sitting in the line.

5 Q That's my point. The flow-out
6 should have gone to zero. It did not. So
7 something could be wrong with the sensor; do
8 you agree?

9 A Oh, it's possible. Sure.

10 Q And we dumped the trip tank here
11 (indicating), and that could have affected
12 the sensor, correct?

13 A I suppose it's possible, depending
14 on what the fluids were that came out.

15 Q You have volatility here, and that
16 could have caused the sensor when you dumped
17 the trip tank; do you agree?

18 A That's possible.

19 Q So the 90 seconds that went on
20 after the flow stopped, how do you know that
21 was not just the sensor acting up, just like
22 the sensor acted up here?

23 A I don't know for sure it wasn't a
24 sensor acting up.

25 Q All right.

1 A I wouldn't expect it to be the
2 sensor acting up, because the sensor has
3 character. It looks like it's working.

4 Q Now, Mr. Keith, there have been
5 some questions about whether he looked at
6 the flow before or after the discharge valve
7 was flipped. It doesn't make any sense to
8 divert overboard before the sheen test is
9 done; do you agree?

10 A Well, I don't have an opinion on
11 that one way or the other. I'm just saying
12 that's what we learned from the interviews
13 that occurred.

14 Q Now, Ms. Karis asked you questions
15 about whether or not Mr. Keith left the
16 shack, and I'm assuming she was asking that
17 to determine whether or not he had checked
18 the flow, but couldn't he have checked the
19 flow via TV from his shack?

20 A I'm not familiar with how it's set
21 up, what their camera set-up are in the
22 shack.

23 Q But if he said he checked the flow
24 via TV, you would have no reason to disagree
25 with him?

1 A That's correct.

2 Q Now, my last series of questions
3 is that here (indicating) you talk about the
4 increase in the stand pipe pressure, and
5 that was the last indication you saw, around
6 2130, correct?

7 A That's correct.

8 Q And you said that at that point
9 you would have expected something, and
10 there's no indication that the driller did
11 anything; is that your testimony?

12 A At that point, that's correct.

13 Q Okay. Now, I want to get the
14 other one. I will bring this closer to you,
15 so that you can see it. Let me make sure I
16 have the right one. I need the one that
17 shows the end of the time period.

18 Here it is. I will bring it up
19 closer to him. Do you all mind if I stand
20 here?

21 HON. JUDGE ANDERSEN:

22 No, that's fine.

23 EXAMINATION BY MR. HYMEL:

24 Q Great. So the area you were
25 talking about was here at 2130, this red

1 line here (indicating), and that's the
2 increase you're talking about, correct?

3 A That's correct.

4 Q Now, your scale that you had there
5 actually ends at 2130, and he will put it
6 back up for you to see that. Is that
7 correct?

8 A No, it ends at 2136.

9 Q Well, okay. Right. But it ends
10 at the top of the increase; do you agree?
11 The top of the increase of the pressure?

12 A Yes.

13 Q Okay. Your scale there does not
14 show this dip in pressure here (indicating),
15 does it?

16 A Oh, that's correct.

17 Q And do you know what that dip in
18 pressure signified?

19 A We modeled that as bleeding the
20 drill pipe.

21 Q Yes. So the driller was doing
22 something at that time; do you agree?

23 A Well, we concluded that the
24 actions taken there were not a well control
25 response action, because if you think you're

1 in a well control situation, you wouldn't
2 open the drill pipe.

3 Q Okay. Well, if we go back to here
4 (indicating), to where he shut down at 2130,
5 are you aware of David Young's testimony,
6 that David Young walked up on the drill
7 floor at that time and the driller and the
8 toolpusher were discussing a differential
9 pressure; do you agree?

10 A Yes, that's correct. I agree with
11 that.

12 Q So to be fair to Dewey,
13 Mr. Revette, at that time they realized
14 there was an issue and they were at least
15 talking about it; do you agree?

16 A I agree.

17 Q Okay. And then there are a few
18 minutes that go by and the pressure
19 increases, and then they do something as
20 well, they bleed a valve; do you agree?

21 A Yes. But the questioning was
22 around when well control actions were taken.
23 Bleeding a drill pipe would not be a
24 response to a well control event.

25 Q I understand what you're saying,

1 but you also said that when you see an
2 anomaly, you should do something to
3 investigate it, and that would be something
4 to investigate it; do you agree?

5 A Yes.

6 Q Okay.

7 A To investigate an anomaly, that's
8 correct.

9 Q So to be fair to Mr. Revette, he
10 was doing something; do you agree?

11 A Well, someone was doing something.
12 I don't know who was doing it, but it looked
13 like the drill pipe was bled, yes.

14 MR. HYMEL:

15 Great. Thank you. That's it.

16 HON. JUDGE ANDERSEN:

17 Okay. Thank you. We will just
18 take that five minutes off our lunch, since
19 it's my fault. See you at about 1:50.

20 The witness is dismissed.

21 (Whereupon, a lunch break was taken.)

22 * * * *

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REPORTER'S CERTIFICATE

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4

I, James T. Bradle, Certified Court

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JAMES T. BRADLE, CCR

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