

ONE HUNDRED ELEVENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON ENERGY AND COMMERCE  
2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115

Majority (202) 225-2927  
Minority (202) 225-3641

April 29, 2010

Mr. Lamar McKay  
Chairman and President  
BP America, Inc.  
501 Westlake Park Boulevard  
Houston, TX 77079

Dear Mr. McKay:

We are following up on our April 26, 2010, letter concerning the explosion at the Deepwater Horizon rig off the coast of Louisiana. Recent reports have focused on the failure of the blowout preventer to shut off the flow of oil as a significant factor in the oil spill. We are seeking more information about this device.

Tony Hayward, Group Chief Executive of BP, has said that the blowout preventer was tested just ten days ago.<sup>1</sup> Other accounts indicate that the device was tested at least three times this year.<sup>2</sup> We ask that you provide the Committee a copy of these inspection reports, as well as any reports of other inspections at the Deepwater Horizon rig, including all inspections of the blowout preventer.

A report in *The Wall Street Journal* today also raised questions about the lack of a backup safety measure to operate the blowout preventer. This device is called a remote control acoustic shut off switch. The *Journal* reports that although it is commonly used in offshore drilling taking place in other regions, it was not utilized at the Deepwater Horizon rig.<sup>3</sup> We ask that you provide the Committee any documents, including communications to or from senior company officials, relating to your policy on using remote control acoustic shut off switches in the Gulf of Mexico or elsewhere.

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<sup>1</sup> *Size of Spill in Gulf of Mexico Is Larger Than Thought*, The New York Times (Apr. 28, 2010).

<sup>2</sup> *Flaming Oil Rig Sinks in Gulf of Mexico*, Los Angeles Times (Apr. 23, 2010).

<sup>3</sup> *Leaking Oil Well Lacked Safeguard Device*, The Wall Street Journal (Apr. 29, 2010).

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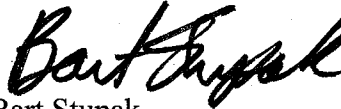
We understand that you are working diligently to control the oil spill and we do not want to interfere with that effort. At the same time, we believe it is essential that the spill and its causes be thoroughly investigated. We ask that you provide the reports of the inspections that were conducted since January 1, 2010, to the Committee by the close of business tomorrow. We ask that you provide the other responsive documents by May 14, 2010.

If you have questions regarding this request, please contact Meredith Fuchs of the Committee staff at (202) 226-2424.

Sincerely,



Henry A. Waxman  
Chairman



Bart Stupak  
Chairman  
Subcommittee on Oversight and Investigations

Enclosure

cc: The Honorable Joe Barton  
Ranking Member

The Honorable Michael Burgess  
Ranking Member  
Subcommittee on Oversight and Investigations