

BP Atlantis Timeline:

After the Deepwater Horizon oil rig explosion, is BP Atlantis an accident waiting to happen?

Summary: As evidenced by the timeline below, it appears that BP has knowingly misled Congress in countering claims by a former company contractor that its Atlantis Project is or has been operating without a large percentage of engineer-approved and up-to-date critical safety documents.

An independent engineer validated the BP contractor's claims in 2009 after reviewing a BP database and concluding that: "the widespread pattern of unapproved design, testing, and inspection documentation on the Atlantis subsea project creates a risk of a catastrophic incident threatening the GOM deep-water environment and the safety of platform workers. The extent of documentation discrepancies creates a substantial risk that a catastrophic event could occur at any time."

Since learning of BP's document deficiencies in July 2009, Food & Water Watch (FWW) has sounded the alarm about the potential for a major accident at BP Atlantis that could threaten both worker safety and the Gulf of Mexico (GOM) environment.

BP, however, continues to deny wrongdoing, even though internal documents demonstrate that in August 2008 BP management was aware of the problems and believed that the document deficiencies "could lead to catastrophic Operator error." An investigation conducted by the company's Ombudsman in April 2009 substantiated these charges, although they were not made public until April 2010.

Recently, the Minerals Management Service (MMS), the agency charged with overseeing the nation's offshore oil and natural gas platforms, announced that it would investigate these allegations in response to a letter from Representative Raul M. Grijalva (D-AZ) and 18 of his colleagues calling for an investigation and report on the findings to be issued to Congress.

The situation at BP Atlantis demands a complete and thorough investigation, including information on why BP has failed to acknowledge the results of its own Ombudsman's investigation. In addition, MMS should interview the former contractor-turned-whistleblower who unearthed these claims, as well as the independent engineer who reviewed the BP document database. Depending on the findings of the investigation, BP should be assessed penalties and potential criminal charges to the fullest extent of the law.

The recent explosion on The Deepwater Horizon, which is leased and operated by BP, coupled with BP's long history of public health and environmental violations, is cause for concern that similar problems are brewing at Atlantis. The tragic accident

at The Deepwater Horizon makes it imperative that MMS perform proper oversight of Atlantis immediately.

October 2007

October 2007: BP Atlantis, the world's deepest oil and natural gas platform, begins production in the Gulf of Mexico.

August 2008

August 2008: Internal BP communications reveal that "...[c]urrently there are hundreds if not thousands of Subsea documents that have never been finalized...[,]” and that Piping and Instrument Diagrams (P&IDs) for the Project's subsea components “are not complete and have not been approved or handed over to Operations.” Management concludes that failure to have the proper documents in place could “cause a catastrophic Operator error.”

P&IDs are essential operating documents and a foundational element of a hazards analysis that the company is required to perform under its Safety and Environmental Management Program (SEMP).

March 2009

March 4, 2009: Via email, Whistleblower notifies BP's Ombudsman's Office of the issue. The BP America Ombudsman Program is charged with “ensur[ing] that BP America employees and contractors have an independent avenue through which they can raise concerns[,]” including allegations of imminent safety or environmental issues. Whistleblower indicates that the platform's document deficiencies are in violation of the company's internal Project Execution Plan and the law, and “[i]t is critical that offshore operators have a complete set of as-built drawings when they start up a unit for their correct and safe assessment of operating problems on this unit.”

The same day, the office of the Ombudsman acknowledges the email, saying that it will take more time to investigate these concerns. Whistleblower confirms that he would like the Ombudsman to look into the issue.

March 2009: Whistleblower notifies MMS that Atlantis does not have the most recent engineer-certified documents for major components of Atlantis's subsea operation.

May 2009

May 12, 2009: An independent engineer, Mr. Mike Sawyer, evaluates a BP database and concludes that Whistleblower had very strong reasons to be concerned. Of the 2,108 P&IDs that BP maintained detailing the subsea components of the Atlantis Project, 85 percent had no engineer approval. Ninety five percent of Atlantis' subsea welding records had no final approval at all, calling into question the quality of thousands of critical welds on subsea components. Moreover, safety shutdown logic drawings for Atlantis' subsea components were listed as "requiring update," calling into question the efficacy and reliability of critical safety shutdown systems. Safety shutdown systems are complex computerized logic systems that receive data inputs and, in case of emergencies, issue instantaneous directives to shut down systems.

Mr. Sawyer's report finds that:

... The absence of a complete set of final, up-to-date, "as-built" engineering documents, including appropriate engineering approval, introduces *substantial risk of large scale damage to the deep water Gulf of Mexico (GOM) environment and harm to workers*, primarily because analyses and inspections based on unverified design documents cannot accurately assess risk or suitability for service.

... There is no valid engineering justification or rational excuse for these violations and short cuts.

...The widespread pattern of unapproved design, testing, and inspection documentation on the Atlantis subsea project creates a risk of a *catastrophic incident* threatening the GOM deep-water environment and the safety of platform workers. The extent of documentation discrepancies creates a substantial risk that a catastrophic event could occur at any time.

... Each of these categories of documents (P&IDs, [welding records], inspections, and safety shutdown logic) is extremely critical to the safe operation of the platform and its subsea components. The requirements for engineering approval at each stage through final, "as-built" status are intended to verify proper engineering, proper fabrication and construction, and to support proper development of a SEMP. The widespread absence of proper documentation leads to a higher probability of engineering and/or fabrication errors; *without "as-built" documents it is virtually impossible for the subsea systems to be properly analyzed, operated and maintained for a substantial period of time, which could lead to a catastrophic failure.*

(Emphasis added.)

May 19, 2009: Whistleblower's attorney, David Perry, participates in a conference call with the Department of the Interior's Office of the Solicitor and MMS employees. David Perry informs MMS that BP up-to-date and engineer-approved drawings, including P&IDs for critical subsea equipment, do not exist.

June 2009

June 30, 2009: According to BP, MMS requests that BP provide the agency with as-built drawings. MMS and BP have discussions and the agency notifies BP as to what documents it is interested in reviewing.

July 2009

July 8, 2009: FWW issues a press release about Atlantis' deficiencies and writes a letter to MMS calling on the agency to immediately shutdown the platform until the documents in question can be independently verified and MMS can assure the platform is safe to operate.

July 9, 2009: MMS asks for and receives BP Atlantis's certification documents for its Subsurface Safety Valves and Surface Controlled Subsea Safety Valves for all operational wells feeding the platform. These documents do not include the missing drawings, and the certifications are irrelevant, as they are conducted prior to installation by testing laboratories.

July 21, 2009: Nearly a month after MMS discussed the issue with BP, the company finally provides MMS with as-built drawings from the structure of the Atlantis topsides and hull. These would not entail drawings, including P&IDs, for the subsea components, which Whistleblower has charged are missing.

August and September 2009

According to BP, MMS inspectors make two visits to platform to examine blow out preventer (BOP) records. It is believed that these are the test records of the BOP system and not the drawings that Whistleblower had charged were missing.

October 2009

October 19, 2009: FWW submits a Freedom of Information Act request for "all agency records, which together or separately, indicate that . . . BP . . . has in its possession a complete and accurate set of 'as built' drawings . . . for its entire Atlantis Project, including the subsea sector." FWW sought expedited processing for the request.

On October 30, 2009: MMS denied FWW's request for expedited processing, arguing that while some of MMS regulations governing offshore oil and gas operations require 'as built' drawings," such drawings do not need to be complete or accurate and are irrelevant to the hazard analysis that the company was required to complete.

December 2009

December 16, 2009: FWW sends a letter to BP asking it to respond to two basic questions: 1) Does BP have a complete and accurate set of as built, as designed, and as constructed drawings and documents, and P&IDs for the entire Atlantis project, including subsea components; and 2) If BP has a complete and accurate set of the documents outlined in question 1 above, has BP had all of the documents independently verified?

January 2010

January 15, 2010: BP responds to FWW's December 16, 2009 letter by writing Ms. Deborah Lanzone, Subcommittee Staff Director for the House Natural Resources Committee and copying MMS, among others. The letter from BP Counsel, Karen Westall, indicates that it first learned of the allegations in July 2009 and concludes that FWW allegations are "unsubstantiated."

February 2010

February 8, 2010: FWW responds to the January 15 Westall letter arguing that BP has failed to respond to FWW's concerns. FWW renews its call for an investigation into BP Atlantis.

February 23, 2010: Whistleblower meets with BP Ombudsman office. The Ombudsman's office informs him that the office it had completed its investigation, that BP had not in fact completed the Atlantis drawings, that in April of 2009 the Ombudsman's office requested that BP complete the drawings, and a that at that time a change order was opened to complete these drawings. **This contradicts Westall letter's claim that BP did not know about the allegations until July 2009 and that such claims are unsubstantiated.**

February 24, 2010: Rep. Raul M. Grijalva (D-AZ) issues a letter to MMS signed by 18 of his colleagues calling for an investigation of BP Atlantis and a report on the findings to be issued to Congress. MMS issues a statement saying it will investigate BP Atlantis and issue a report to Congress.

March 2010

March 11, 2010: Whistleblower has telephone call with BP's Ombudsman office. The office requests that he send a copy of the Westall letter.

March 12, 2010: Whistleblower has a conversation with a BP attorney, who says that the BP Ombudsman had never investigated the issue. Whistleblower sends an email to the BP Ombudsman's office for clarification. He also sends the office the Westall letter per the Ombudsman office's request.

A subsequent email from the Ombudsman's office, three hours later, thanks Whistleblower for sending the Westall letter. It also indicates that the BP Ombudsman's office had spoken with the same attorney representing BP. The Ombudsman's office now says that Whistleblower was confused in his understanding of the Ombudsman's investigation, but the email does not say what Whistleblower is confused about. Ombudsman's office says that it will get back to Whistleblower and asks that Whistleblower refrain from talking to another investigator in that office "so that we can sort these things out together."

On or about March 26, 2010: MMS notifies signatories to the Congressional letter that it will investigate BP Atlantis and issue a report in May 2010.

April 2010

April 13, 2010: BP Ombudsman Office provides letter to Whistleblower that confirms that the allegations raised are correct and identifies the "essential findings" of its investigation:

1. BP did not follow the terms of its own Project Execution Plan as evidenced by BP issuing a change order. BP's Project Execution Plan, according to Whistleblower's original email to that office, requires the company to have up-to-date engineer approved drawings prior to production.
2. The concerns raised by the whistleblower regarding an inability to document the existence of engineer-certified documents was not an isolated incident; others in a similar capacity experienced the same problem. "The concerns that you expressed about the status of the drawings upgrade project were not unique to you. It was a challenge to the Project and of concern to others who raised the concern before you worked there, while you were there, and after you left."

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