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June 8, 2010

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The Honorable John S. Bresland
Chairman
U.S. Chemical Safety Board
2175 K. Street, NW, Suite 400
Washington, DC 20037

Dear Chairman Bresland:

We are writing to request that U.S. Chemical Safety Board (CSB) investigate the root causes of the April 20 blowout on the Deepwater Horizon rig. Such an investigation by CSB could contribute significantly to the investigation that we are conducting in the Energy and Commerce Committee.

We make this request because we believe CSB's past work on BP puts it in a unique position to address questions about BP's safety culture and practices. In March 2007, CSB concluded an extensive investigation into the root cause of the 2005 explosion at BP's Texas City refinery that took 15 lives. CSB identified cost-cutting, a lax safety culture, and production pressures from BP executives as factors that weakened process safety at the refinery and led to the explosion.¹ CSB also compared the refinery explosion with the massive leak at a BP pipeline in Prudhoe Bay, Alaska, in 2006. CSB found "striking similarities" between the reported causes of these two incidents, including a focus on budgetary concerns rather than sound risk analysis.²

As part of your investigation, we ask that you address the following questions:

¹ U.S. Chemical Safety Board, *Final Investigation Report: BP Refinery Explosion and Fire* (No. 2005-04-I-TX) (March 2007).

² Testimony of Carolyn W. Merritt, Chairman, U.S. Chemical Safety Board, before the House Committee on Energy and Commerce, Subcommittee on Oversight and Investigations (May 16, 2007).

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- Do the circumstances and events leading up to the Deepwater Horizon explosion reflect problems in BP's corporate safety culture?
- What role, if any, did cost-cutting and budgetary concerns play in BP's decisions about well design and testing?
- How did BP, Transocean, and other contractors apply "management of change" programs to assess the consequences of modifications to process, technology, and equipment on the Deepwater Horizon oil rig as well as organizational changes, including changes to personnel, training, and budget?
- Did BP provide adequate oversight of the contractors working on the well?
- Can the CSB draw any parallels between the root causes of the April 20 oil rig explosion and the causes of the 2005 BP Texas City refinery explosion?

For this investigation, we request that CSB assign the investigative team that led the BP Texas City inquiry.

In addition, we understand that CSB evaluates incidents of significance according to ten criteria, such as death, injury, and environmental damage, and assigns each incident a "score" to help the Board determine whether an incident merits an investigation. Please score the Deepwater Horizon explosion and provide the Committee with the score and the scoring methodology by Monday, June 14, 2010.

If you have questions regarding this request, please contact David Leviss or Alison Cassidy at (202) 226-2424.

Sincerely,



Henry A. Waxman
Chairman



Bart Stupak
Chairman

Subcommittee on Oversight and Investigations

cc: The Honorable Joe Barton
Ranking Member

The Honorable Michael C. Burgess
Ranking Member
Subcommittee on Oversight
and Investigations