

Deposition Testimony of:

Curtis Jackson

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Page 10:07 to 10:09

7 CURTIS JACKSON,
8 having been first duly sworn, testified as
9 follows:

Page 10:12 to 10:20

12 Q. Good morning again, Mr. Jackson.
13 My name's Paul Sterbcow. I'm a member of the
14 Plaintiffs' Steering Committee. And I'm
15 going to ask you some questions this morning,
16 and then some of the other lawyers
17 representing some of the other parties in
18 this case will go behind me and ask you
19 questions, as well.
20 A. Okay.

Page 11:03 to 13:10

3 Q. My understanding is, is that you
4 are no longer employed by BP; is that
5 correct?
6 A. That is correct.
7 Q. What was your last date of
8 employment?
9 A. The -- I left during the
10 reorganization on April 1st.
11 Q. All right.
12 A. But my last day with the -- with
13 the 60-day notice was approximately June the
14 5th.
15 Q. Okay.
16 A. But the reorganization took
17 place and -- and there was no position for me
18 on April 1st, and so I -- I left at that
19 time.
20 Q. All right. When you say "the
21 reorganization," you're talking about the
22 Gulf of Mexico?
23 A. Yes.
24 Q. And how did that reorganization
25 affect your job with BP?
1 A. My job was -- was eliminated.
2 The director of HSE for Gulf of Mexico was no
3 longer a division.

4 Q. All right. Do you know who, if
5 anyone, within Gulf of Mexico drilling and
6 completions assumed the -- the roles and
7 responsibilities that you had as HSE
8 director?

9 A. There were -- I had an MOC that
10 handed those roles over to different parties.

11 Q. Okay. So it -- would it
12 depend -- was your job divided up, if you
13 will?

14 A. I -- I would say so, yes.

15 Q. Do you know whether or not any
16 of those jobs duties and responsibilities
17 were actually fulfilled by these different
18 parties once you left? Or do you have no
19 knowledge of that?

20 A. I have no knowledge of what --
21 anything after -- after I left.

22 Q. Did anyone ever tell you that
23 your job was eliminated for any reason other
24 than reorganization within the Gulf of
25 Mexico?

1 A. No.

2 Q. Do you have any idea as to why
3 the job position of HSE director in the Gulf
4 was eliminated?

5 A. No.

6 Q. Do you think it was a good idea
7 to eliminate that position, given that that
8 position specifically oversaw health, safety,
9 security, and environmental concerns in the
10 Gulf of Mexico?

Page 13:12 to 16:20

12 A. That position was -- was --
13 the -- what -- there was a global
14 reorganization, and so that position was
15 eliminated through a BP, I guess, decision.

16 Q. All right.

17 A. So it had nothing to do with
18 that decision.

19 Q. But as far as you know, you have
20 no knowledge as to how or even if the duties
21 and responsibilities that you fulfilled as
22 HSE director in the Gulf of Mexico were

23 carried on by anyone after you left, correct?

24 A. I have no knowledge of what
25 happened after I left.

1 Q. All right. And as of the day
2 you left, my understanding is, is that the
3 OMS, the operating management system, had not
4 been implemented, at least with respect to
5 mobile offshore drilling units and the
6 DEEPWATER HORIZON, correct?

7 A. I can't tell you that that's
8 correct.

9 Q. Why is that?

10 A. It was -- it was being
11 implemented. At what stage it was, whether
12 it was totally implemented or not, I -- I
13 don't recall.

14 Q. All right. Would you have had
15 any role in your position as HSE director
16 before the reorganization in helping to
17 implement the OMS?

18 A. Helping to implement the OMS in
19 drilling or --

20 Q. In drilling.

21 A. In drilling. Pretty much, my
22 role was not to implement the OMS within
23 drilling.

24 Q. Okay. Did you play any role
25 within the Gulf of Mexico in OMS
1 implementation?

2 A. Yes. It's around HSE.

3 Q. All right. And how -- how did
4 that work? What did you have to do to
5 implement OMS with respect to health, safety,
6 environment?

7 A. What we were looking at was --
8 was our -- our -- the -- getting HSE right
9 framework that we had in place and -- and
10 then looking for gaps, what was missing or if
11 there were gaps between OMS and getting HSE
12 right.

13 Q. All right.

14 A. And then we were taking action
15 to close those gaps.

16 Q. Were those actions still
17 undergoing as of April 1st?

18 A. I would say yes.

19 Q. Do you recall what gaps existed
20 between the HSE system prior to OMS
21 implementation and once OMS implementation
22 began?
23 A. No. I cannot tell you. I don't
24 recall.
25 Q. Was there any documentation,
1 any -- any writing issued within BP Gulf of
2 Mexico that documented the gaps between OMS
3 and the system that preexisted it with
4 respect to HSE, to your knowledge?
5 A. Yes, it should have been.
6 Q. And what would those documents
7 be called, if you remember?
8 A. I guess, gaps --
9 Q. Okay.
10 A. -- to the OMS.
11 Q. And do you know who those
12 documents -- well, who would have prepared
13 such a document?
14 A. The -- the leads in different
15 areas would have prepared the gaps and -- and
16 would have been working towards closing those
17 gaps. And they would have been -- I guess,
18 all of it should have been with the OMS -- I
19 forget her title, but the lead, maybe Tami
20 Joslin.

Page 16:25 to 17:04

25 Q. All right.
1 A. But she -- she's our -- led the
2 OMS effort.
3 Q. In the Gulf?
4 A. Yes.

Page 17:07 to 17:10

7 Q. Okay. Do you know whether or
8 not Cindi Skelton played any role in OMS
9 implementation in the Gulf?
10 A. I think Tammy worked for Cindi.

Page 17:22 to 18:06

22 Q. Do you recall ever being told

23 that -- well, let me ask it this way: As of
24 January 2010, your job position was still in
25 effect? You were still working there?

1 A. Yes.

2 Q. Was your boss at that time Pat
3 O'Bryan?

4 A. I don't recall when -- with Pat
5 came, if Pat was there. If -- if that was
6 after Kevin left --

Page 18:09 to 18:21

9 Q. And that's A better way to put
10 it.

11 Would -- both Kevin -- Kevin
12 was, as I understand it, vice president of
13 drilling and completion?

14 A. That's correct.

15 Q. And then O'Bryan took his place,
16 December, January, whatever the date was?

17 A. Yes.

18 Q. So your boss, whoever was in
19 that position, would have held the title of
20 vice president drilling and completion?

21 A. Correct.

Page 19:04 to 22:06

4 Q. All right. Do you have any
5 knowledge at all as to whether any part of
6 the operating management system, OMS system,
7 was ever implemented and applied to either
8 the planning and execution of the Macondo
9 well or the operations conducted aboard the
10 DEEPWATER HORIZON?

11 A. I have no knowledge.

12 Q. Did you play any role as HSE
13 director in planning the Macondo well?

14 A. No, I did not.

15 Q. As HSE director, did you ever
16 have any authority, to your knowledge, over
17 the engineers employed -- the drilling
18 engineers employed in the Gulf of Mexico?

19 A. No, I did not.

20 Q. Was your authority limited to
21 what I'll call field personnel?

22 A. My authority was limited to --

23 Q. In terms of enforcing health,
24 safety, and environment policies and
25 procedures?

1 A. My -- my role is -- the field
2 personnel were -- were -- yeah, my role was
3 around personal safety, for one. The field
4 personnel reported up through their HSE
5 manager who functionally reported to me --

6 Q. Okay.

7 A. -- but did not directly report
8 to me, directly reported in operation.

9 Q. Gotcha. Okay. And when you say
10 your role and -- okay. I have a better
11 understanding.

12 Personal safety is what? How do
13 you define personal safety?

14 A. Personal injuries, slips, trips,
15 and falls.

16 Q. And that was the area that you
17 concentrated on?

18 A. Yes.

19 Q. As HSE director, at any point in
20 time prior to the reorganization on April 1,
21 2010, did you ever play any role whatsoever
22 in either reviewing or implementing any
23 process safety policies and procedures?

24 A. No.

25 Q. All right.

1 A. And I hesitated because you said
2 reviewing. Have I seen some, yes. But did I
3 play a role in it, no.

4 Q. Okay. And to your knowledge,
5 did any S&O audits -- or were any S&O audits
6 called for by the OMS system ever conducted
7 over the operations from beginning to end at
8 the Macondo well?

9 A. I have no knowledge.

10 Q. And would you -- would you have
11 such -- have had such knowledge in your
12 position? Is that something you would have
13 known about, had it occurred?

14 A. Probably would have, but I can't
15 recall.

16 Q. Okay. Was there an emphasis in
17 your time as HSE director in the Gulf of

18 Mexico on personal safety?

19 A. Yes.

20 Q. And was that emphasis geared
21 toward trying to reduce and eliminate
22 field-based personal injuries to the best
23 extent -- to the largest extent you could?

24 A. Yes.

25 Q. Are you aware of any similar
1 effort, maybe not by you, but by somebody
2 else within the Gulf of Mexico, either
3 drilling and completions or exploration, to
4 implement a process safety program that would
5 review and audit decision-making processes
6 and policies?

Page 22:08 to 22:09

8 Q. Are you aware of any such effort
9 in the Gulf?

Page 22:11 to 22:13

11 A. My focus has been personal
12 safety, and so I'm not sure that was -- I
13 can't recall that.

Page 22:18 to 23:23

18 Q. Okay. Feel free.
19 Can you recall any effort to
20 transfer any of the lessons learned or the
21 conclusions of the Baker report from Texas
22 City to the drilling and completions
23 operations in the Gulf of Mexico?

24 MR. MONICO: Objection, form.

25 A. The only recollection --
1 recollection I have is -- is around temporary
2 buildings.

3 Q. All right. And that was a
4 problem that was actually -- if I understand
5 correctly, that was one of the main problems
6 that resulted in the Texas City disaster?

7 A. I can't comment on that.

8 Q. All right. You can't speak to
9 that?

10 A. Yes.

11 Q. But clearly, temporary buildings
12 wouldn't -- wouldn't apply to deepwater
13 drilling for mobile offshore drilling units
14 offshore?

15 I mean, by definition, it
16 couldn't. There's no such thing as temporary
17 buildings, or maybe I'm misunderstanding what
18 you're telling me.

19 A. Well, I mean, there are
20 temporary buildings, if you look at
21 mudlogging shacks or Schlumberger units, et
22 cetera. But there's no temporary buildings
23 of housing people.

Page 24:01 to 24:16

1 Q. Right. So if -- if that's -- if
2 we're on the same page, then, can I conclude
3 that, to your knowledge, there was no effort
4 to transfer lessons learned or learnings from
5 the Baker report specifically to deepwater
6 drilling activity in the Gulf of Mexico while
7 you were there?

8 A. I do not recall.

9 Q. All right. You didn't
10 participate in any such effort?

11 A. Not that I recall.

12 Q. Do you know whether or not any
13 portion of the OMS system, such as the risk
14 assessment tool, the RAT tool, for instance,
15 was ever applied to the Macondo project?

16 A. I do not have any knowledge.

Page 31:14 to 31:22

14 Q. All right. So as HSE director
15 in the Gulf of Mexico, your job duties and
16 responsibilities would never have taken you
17 to looking at the design, maintenance,
18 repair, and performance of the -- the
19 DEEPWATER HORIZON blowout preventer?

20 A. That's correct. My job was
21 focused on personal safety, for the most
22 part.

Page 35:12 to 36:23

12 Q. Okay. Would you -- for any
13 other reason, going outside of your HSE role,
14 were you familiar with, at any point, repairs
15 made to the blowout preventer aboard the
16 DEEPWATER HORIZON?

17 A. Familiar with a change made to
18 the -- to the BOP on the DEEPWATER HORIZON.

19 Q. You are -- you are?

20 A. When I was in drilling.

21 Q. When you were in drilling?

22 A. Yes.

23 Q. What do you recall?

24 A. The HORIZON, when it came, I
25 think it had two blind shear rams. And that
1 was -- one was -- one was a casing shear ram.
2 I don't remember all the details, but we
3 changed one ram to a test ram.

4 Q. Okay. You recall that process?

5 A. Yes.

6 Q. And you were involved in that
7 process?

8 A. I was -- I was a part of that
9 process. Yeah, I was involved.

10 Q. But that would have been at a
11 time when you were still employed in drilling
12 and completions and hadn't gone to HSE?

13 A. Right.

14 Q. All right. So if you had been
15 in HSE during that -- that test ram change,
16 that's not something you would have been
17 involved in?

18 A. No.

19 Q. Okay. Beyond that issue,
20 changing to the test ram, would you have had
21 any further involvement in repair activity on
22 this BOP?

23 A. No, would not have.

Page 38:10 to 39:12

10 Q. Let's go to tab 26. And for the
11 record, it's MDL 03106206 and 6207, another
12 old e-mail from a Michael Byrd, dated
13 Wednesday, November 21, 2001. And you were
14 one of many recipients on this one, and the

15 subject is called P-R-E-P, PREP exercise.
16 Do you recall this effort at
17 all?
18 A. No.
19 Q. This PREP exercise?
20 A. No, I do not recall.
21 Q. So you don't have any knowledge
22 as you sit here today as to why it was done,
23 who was involved, none of that?
24 A. Well, it -- it states it's a
25 PREP exercise.
1 Q. Well, tell me what that means.
2 A. And -- and I don't have any
3 details behind this as to what this PREP
4 exercise really was, so I really can't speak
5 to it, exactly what -- this was --
6 Q. Do you remember generically what
7 a PREP -- you know, whether it was a BOP or
8 whatever, what was a PREP exercise? Do you
9 recall that?
10 A. No. The subject could have
11 said -- would have been better if it said
12 more than just PREP exercise.

Page 39:17 to 40:24

17 Q. All right. Then having said
18 that, I've gone through the e-mail, and my
19 questions really pertain to, do you know
20 whether or not -- I'm looking at the section
21 called situation.
22 It says, HORIZON has driven off,
23 well is flowing at 100,000 to 300 barrels per
24 day. BOP is open, no rams closed. Do not
25 know if deadman has actuated or not, ROV flow
1 rate for override is .12 GPM.
2 Do you recall whether or not
3 this was a hypothetical situation that was
4 created to determine -- to test the BOP?
5 A. I don't recall if this was,
6 but -- but some PREP exercises are just paper
7 exercises.
8 Q. Right.
9 A. So I --
10 Q. Like a what-if-type thing?
11 A. Yeah.

12 Q. Okay. I mean, I think we can
13 agree that prior to April 20, 2010, there was
14 never a situation in the Gulf where the
15 HORIZON had driven off and a well that it had
16 drilled was flowing at 100,000 to 300 barrels
17 a day with an open BOP.

18 I mean, that never happened, to
19 your knowledge?

20 A. To my knowledge, no.

21 Q. Okay. Do you know whether or
22 not the Macondo well was flowing at a rate of
23 100,000 to 300,000 barrels a day?

24 A. I have no --

Page 41:01 to 43:07

1 A. -- idea.

2 Q. Do you have any idea what the
3 flow rate was on Macondo after the blowout
4 and the sinking?

5 A. I wasn't employed by -- by BP.

6 Q. All right. If, in fact, this
7 situation I just read was a hypothet to use
8 in this paper exercise, the question posed
9 was, can we close the shear rams with ROV
10 override without further damage to the BOP at
11 the 100, 200, and 300 BPD flow rate, and the
12 answer was no.

13 Do you remember any discussion
14 while you were in drilling and completions
15 about the fact that the ROV could not close
16 the shear rams on the HORIZON BOP under the
17 situation described in this e-mail?

18 A. No, I do not recall.

19 Q. Do you know whether or not the
20 drilling and completions unit or any unit at
21 BP ever took this fact into account in
22 determining whether the BOP was appropriate
23 for the Macondo well?

24 MR. MONICO: Objection, form.

25 MR. LANCASTER: Objection, form.

1 A. I have -- I do not recall.

2 Q. You wouldn't be involved in
3 that?

4 A. I wouldn't be involved in that.

5 Q. All right. Were you ever

6 involved in any discussions regarding the
7 capability of the blowout preventer on the
8 HORIZON that was used at Macondo, whether or
9 not it was even capable of controlling the
10 Macondo well, assuming it -- it performed
11 exactly as designed?

12 MR. MONICO: Objection, form.

13 A I played no role in the Macondo
14 well.

15 Q. None whatsoever?

16 A. No.

17 Q. And you know of no assessment
18 done within drilling and completions and none
19 was done by HSE to determine whether or not
20 by design this blowout preventer was capable
21 of controlling the Macondo well?

22 A. I have no knowledge of that.

23 Q. All right. So having said that,
24 then you -- you really can't answer any
25 additional questions regarding the answer
1 section and issues raised in the answer
2 section in this e-mail sent by Mr. Byrd on
3 Wednesday, November 14, 2001?

4 A. No.

5 Q. All right. We'll mark that as
6 4423.

7 (Exhibit Number 4423 marked.)

Page 48:14 to 48:20

14 Q. All right. Then if I understand
15 you correctly, from '05 on, was the focus of
16 your job trying to implement and enforce
17 policies and procedures in the Gulf of Mexico
18 that dealt with the reduction or elimination
19 of personal injuries offshore?

20 A. Yes.

Page 49:03 to 49:11

3 Q. Do you recall any policies and
4 procedures that were implemented while you
5 were HSE director, after you became -- new
6 policies and procedures, specifically to try
7 to reduce or eliminate personal injuries in
8 the Gulf of Mexico?

9 A. I take it your question is
10 something like having conversations around
11 safety, having STOP cards --

Page 49:13 to 51:10

13 A. -- those kinds of things?
14 Q. Right.
15 A. Yes.
16 Q. So you do have a recollection of
17 those procedures or policies being
18 implemented?
19 A. Yes.
20 Q. All right. And STOP cards is
21 one of them?
22 A. Well, STOP cards were always in
23 place.
24 Q. All right. And you mentioned
25 conversations?
1 A. Yes.
2 Q. What types of conversations?
3 A. This is -- I forget what it was
4 called, but it's -- it's role as not having
5 conversations about safety with people.
6 Instead of just writing a STOP card, it's
7 having a conversation about, you know, what
8 you may be doing that's not correct or what
9 can we do to -- to support you more.
10 Q. Okay.
11 A. We have conversations about
12 safety.
13 Q. All right. Are you aware of any
14 similar efforts spearheaded by someone, not
15 in your position, but in a -- in a similar
16 management position, where there would be
17 conversations and policies and procedures
18 implemented with respect to, not personal
19 injury on the rig, but process safety?
20 A. Not that I'm aware of.
21 Q. Are you aware of any effort made
22 while you were employed as HSE director in
23 the Gulf to review, critique and change, to
24 the extent necessary, first of all, the well
25 plans authored by drilling engineers assigned
1 to a certain well?
2 A. No, I'm not aware of any of

3 that.

4 Q. Are you aware of any policy or
5 procedure that required the decision-making
6 and job performance of a well team leader to
7 be reviewed by others with an eye toward
8 process safety?

9 A. No. My focus was personal
10 safety.

Page 51:22 to 53:13

22 Q. Do you have any recollection of
23 any specific conversation regarding HSE
24 policy and procedure with the well team
25 leader at Macondo, John Guide?

1 A. No.

2 Q. Do you know John Guide?

3 A. Yes, I know John.

4 Q. Would you have had any
5 interaction that you can recall, from '05
6 forward, with respect to BP's Gulf of Mexico
7 efforts to reduce or eliminate personal
8 injuries?

9 A. As it relates to Macondo or...

10 Q. Just generally.

11 A. How it -- in reducing personal
12 injuries?

13 Q. Right.

14 A. Yes.

15 Q. Do you know whether or not John
16 Guide ever followed through and implemented
17 any policies or enforced any policies and
18 procedures designed to reduce or eliminate
19 personal injuries on rigs in the Gulf?

20 A. No. I cannot tell you what John
21 did or did not do.

22 Q. Okay. And in terms of
23 decision-making outside -- above the personal
24 injury, rig personal injury arena, but in
25 terms of decisions he and other well team
1 leaders made with respect to how a well
2 should be drilled and temporarily abandoned,
3 that's not something that you ever
4 considered, was it?

5 A. No.

6 Q. And you're not aware of any

7 policy or procedure in the Gulf of Mexico
8 drilling and completions unit where anybody
9 ever supervised and critiqued decisions made
10 by folks like John Guide with respect to how
11 to handle and temporarily abandon a well like
12 Macondo, correct?

13 A. I have no knowledge.

Page 68:07 to 68:15

7 Q. Mr. Jackson, I'm going to show
8 you an e-mail. It was previously marked as
9 exhibit 2918. It's tab 20. It was used in
10 Kevin Lacy's deposition. It's an October 1,
11 2009, e-mail from Mr. Lacy to a number of
12 folks, Harry Thierens, Steve Tink, Ian
13 Little, Andy Frazell, Charles Holt, and then
14 you were copied. And the subject is safety
15 leadership.

Page 68:20 to 71:14

20 Q. Let me -- at this time, at the
21 time this e-mail was written, Mr. Lacy was
22 your supervisor, correct, your boss?

23 A. Yes.

24 Q. And you were working with him in
25 leading his safety leadership effort; is that
1 correct?

2 A. No.

3 Q. You were not?

4 A. No.

5 Q. Did he involve you in this
6 safety leadership effort at all?

7 A. Not with the drilling and
8 completions guys.

9 Q. He did not --

10 A. But I had an HSE manager that
11 worked directly for Kevin, as well, and he
12 was the -- that was one of the two -- Steve
13 Tink was the HSE manager working directly
14 with Kevin.

15 Q. All right. Was Mr. Tink
16 reporting to you?

17 A. Functionally, yes, but he
18 reported directly to Kevin.

19 Q. All right. So in terms of the
20 HSE representative in the Gulf of Mexico
21 working directly with Mr. Lacy on safety
22 leadership issues, that would be Mr. Tink?

23 A. Yes.

24 Q. All right.

25 A. Specific to D&C.

1 Q. To drilling and completions?

2 A. Correct.

3 Q. Were you involved at all in any
4 effort spearheaded by Mr. Lacy to address
5 safety leadership issues in the Gulf?

6 A. I don't recall. I don't know
7 what -- what efforts you're speaking of.

8 Q. Okay. Well, let me -- if you go
9 down, he starts on paragraph 4, 2010, about
10 three-quarters of the way down -- the theme
11 is better leadership, different culture,
12 different results.

13 Did Mr. Lacy ever discuss this
14 statement with you, the 2010 theme was going
15 to be better leadership, different culture,
16 different results?

17 A. I don't recall.

18 Q. It says, when we review the
19 incidents this year, all have elements of
20 gaps in leadership or supervision, personal
21 responsibility, and ineffective process
22 implementation, due to inexperience,
23 competency, or poor hazard assessment.

24 Did he ever discuss that with
25 you?

1 A. Not that I recall.

2 Q. Are you aware of -- or were you
3 aware of the fact that as of October 1, '09,
4 the vice president of drilling and
5 completions had concluded that incidents that
6 occurred within his jurisdiction had elements
7 of gaps in leadership or supervision,
8 personal responsibility, and ineffective
9 process?

10 A. I remember that they had some
11 gaps.

12 Q. Do you recall what those gaps
13 were?

14 A. No.

Page 71:17 to 71:22

17 Q. Again, based on what you said,
18 you would have not been directly involved in
19 your job position in addressing those gaps?
20 A. No. I -- I would have -- I've
21 been informed of them, but I -- but not
22 directly involved.

Page 76:14 to 76:19

14 Q. Were you ever informed that
15 there was concern expressed by the well team
16 leader at Macondo, Mr. Guide, that there was
17 uncertainty and chaos on the DEEPWATER
18 HORIZON at the Macondo well on April of 2010?
19 A. I have --

Page 76:21 to 76:22

21 Q. No knowledge of that?
22 A. I have no knowledge of that.

Page 77:10 to 78:05

10 Q. Okay. All right. Let's go
11 to -- let's see. Mr. Lacy references at the
12 top of this e-mail, the 5Q plan. It says,
13 Curtis, Steve Tink, Dennis Johnson, and I,
14 met yesterday to map out the plan to meet
15 Neil's request for a 5Q plan.
16 Do you recall that meeting?
17 A. I recall -- I vaguely recall
18 that meeting.
19 Q. All right. Do you recall a
20 5Q plan?
21 A. Yes.
22 Q. And what was that about?
23 A. 5Q plan as -- as -- as I
24 remember it, was looking at the fourth
25 quarter of 2009 and what the plan would be
1 towards -- for 2010, that we wouldn't make
2 significant changes to it.
3 And so it was deemed the 5Q plan
4 to cover the four quarters in 2010 plus

5 the -- the last quarter in 2009.

Page 78:19 to 78:19

19 (Exhibit Number 4426 marked.)

Page 79:03 to 80:14

3 Q. First question is, do you recall
4 seeing this before?

5 A. Yes.

6 Q. All right. Did you play any
7 role in preparing this?

8 A. I think I did.

9 Q. All right. Do you recall what
10 you did?

11 A. No. I guess, putting some of
12 the tables together or asking that tables be
13 put together.

14 Q. All right.

15 A. But it's been over a year.

16 Q. A while. Okay. Fortunately,
17 the pages are numbered in the bottom
18 right-hand corner, and I just want to point
19 you to a few. If you turn to page 9. The
20 page is entitled, delivering our safety
21 targets, 2010 safety plan. First bullet
22 point, it lists some focus areas.

23 Would you have helped author the
24 focus areas?

25 A. Yes.

1 Q. Okay. And it looks like those
2 focus areas pertain to, like you said,
3 personal injury?

4 A. Yes.

5 Q. All right. Now, the next
6 bullet -- major bullet says safety culture
7 project findings.

8 What was the safety culture
9 project? Do you know?

10 A. I'm trying to recall.

11 Q. Okay. And if you can't, that's
12 okay. I --

13 A. I -- I don't recall what's the
14 safety culture project.

Page 82:09 to 85:21

9 Q. All right. It appears, going
10 through this document, and consistent with
11 what you've testified, that there is an
12 emphasis on controlling and eliminating
13 workplace rig-based injuries.
14 Is that consistent with your
15 memory of what the 5Q plan was about?
16 A. No.
17 Q. Okay.
18 A. Personal injuries I wouldn't say
19 rig-based.
20 Q. Okay. Well, how far was the
21 scope of -- of trying to control --
22 A. Gulf of Mexico.
23 Q. Gulf of Mexico, period?
24 A. Yeah.
25 Q. So rigs -- any installation
1 offshore?
2 A. Installations as well as in the
3 office, as well.
4 Q. All right.
5 A. Yeah. But personal injuries,
6 not just -- mainly operations, mainly focused
7 on the operations.
8 Q. Okay. All right.
9 A. Which is assets as well as rigs.
10 Q. All right. Would -- and I'm --
11 and I can't find it in the document. That's
12 why I'm going to ask you.
13 Would there have been any
14 discussion or emphasis in the 5Q plan, to
15 your recollection, regarding well-control
16 issues?
17 A. Not that I can recall.
18 Q. All right. Well planning from
19 an engineering standpoint issues?
20 A. Not that I can recall. And,
21 again, like you said, the focus here was
22 personally safety.
23 Q. Okay.
24 A. And personal injuries.
25 Q. Right. And so given that -- it
1 wouldn't -- if I can't locate a specific
2 PowerPoint page or series of pages that talk

3 about process safety, safety off the rigs and
4 the installations, that would be consistent
5 with what your recollection is?

6 A. Yes.

7 Q. All right. One last question on
8 page -- let's see -- page 10. I'm sorry.
9 It's the next page after 9. This talks about
10 the next steps.

11 Top one says, safety culture, CI
12 project, in progress with work team inclusive
13 assets/drilling and completion/field?

14 Do you recall what the -- I
15 think that's CI -- what the CI project was?

16 A. Continuous improvement.

17 Q. All right. How -- what type of
18 safety culture, continuous improvement
19 project was in progress at this time?

20 A. We were doing what we call pulse
21 checks in which it surveyed the -- the
22 operating personnel, and it got their --
23 their feedback on how things were going
24 and -- and what needs to be improved.

25 Q. All right.

1 A. And then it had -- it took that
2 data and analyzed it.

3 Q. All right. Do you know whether
4 or not that -- those pulse checks were
5 limited to BP assets in the Gulf rather than
6 mobile offshore drilling units?

7 A. I think some of them did both.
8 I think some -- if -- if Transocean had
9 recently done a survey, then sometimes you
10 didn't follow up behind that because they had
11 recently done a survey with -- with the
12 contractor. So -- so for the most part, I
13 think it did both.

14 Q. Okay. Are you aware of any
15 decisions made within drilling and
16 completions in '09 not to implement the pulse
17 check system aboard the DEEPWATER HORIZON?

18 A. No, I do not.

19 Q. Okay. And you wouldn't have
20 been involved in that?

21 A. I do not recall.

6 Do you recall seeing or
7 reviewing the Baker panel feedback
8 presentation attached to this e-mail?
9 Go ahead.
10 And this will be marked 4427.
11 (Exhibit Number 4427 marked.)
12 A. Okay. I remember being at this.
13 I think it was an away day. It was in San
14 Antonio.

Page 86:21 to 89:10

21 Q. Right. Okay. Do you recall
22 attending such a presentation?
23 A. I think I did attend it, but
24 I -- I don't recall the details of it.
25 But --
1 Q. All right. If you go --
2 starting with the cover page, one, two,
3 three -- the fourth page in, it talks about
4 an overview -- the title would be, overview
5 of report recommendations, and then there's a
6 parentheses -- number 1 in parentheses.
7 A. Okay.
8 Q. And number 1 is leadership,
9 setting direction and visible commitment.
10 Leaders must set the process safety tone at
11 the top, establish appropriate process safety
12 goals matched by the actions they take.
13 First of all, let me ask, are
14 you aware of any effort to transfer this
15 report recommendation pertaining to
16 leadership from the Baker report in Texas
17 City to drilling and completions in the Gulf
18 of Mexico?
19 A. I have no knowledge of that.
20 And, again, this is focused on process
21 safety.
22 Q. Right.
23 A. And I was focused mainly on
24 personal safety.
25 Q. Okay. And having said that, the
1 second bullet point on -- on number 1,
2 clearly define expectations and strengthen
3 accountability for process safety performance

4 at all levels, et cetera.
5 You weren't involved in that, so
6 you didn't do it nor do you have any
7 knowledge of anyone else ever making an
8 effort to transfer number 1 to drilling and
9 completions in the Gulf?
10 A. I have no knowledge.
11 Q. Okay. Same thing, if you go to
12 the next page, number 2, manage process
13 safety as an integrated and comprehensive
14 system, you would have no knowledge of any
15 effort to transfer that to Gulf of Mexico
16 drilling and completions?
17 A. I have no knowledge.
18 Q. Next page, number 3,
19 people-process safety knowledge and
20 expertise. Develop and implement a system to
21 ensure appropriate levels of process safety,
22 knowledge, and expertise at all levels.
23 You have no knowledge of any
24 effort to transfer that to drilling and
25 completions?
1 A. I have no knowledge.
2 Q. And then finally, number 4,
3 people-process safety culture. Involve the
4 relevant stakeholders to develop positive,
5 trusting, and open process safety culture.
6 This says at each refinery, so
7 by virtue of the wording, it -- it doesn't
8 even apply to drilling operations in the
9 Gulf, correct?
10 A. Yes.

Page 90:07 to 90:07

7 (Exhibit Number 4428 marked.)

Page 92:20 to 93:09

20 Q. Okay. If you go down four
21 bullet points, it references questions about
22 process safety. It says, what was it? How
23 does it fit with S&OI, IM, OMS?
24 Again, you don't have any
25 knowledge as to what that's referencing?
1 A. No, I do not have any knowledge.

2 Q. Next bullet point, agreement
3 that focus has been on personal safety, not
4 on process safety.
5 First, let me ask you, during
6 your time as HSE director in the Gulf, would
7 you agree with the statement that focus was
8 on personal safety and not process safety, as
9 far as you could tell?

Page 93:11 to 93:14

11 A. What I can tell you is, my focus
12 was personal safety. And what -- what was
13 going on around process safety and assets, I
14 have no knowledge of.

Page 94:06 to 95:22

6 Q. My question is, did -- do you
7 recall anybody ever discussing, or did you
8 have any meeting with anyone within the Gulf,
9 where the statement was made that there was a
10 need to focus on process safety, not only
11 personal safety?

12 A. Yes. I've been in meetings
13 where we said that we need to -- that there
14 needs to be a focus on process safety and not
15 only personal safety.

16 Q. And who would have -- do you
17 recall who would have made a statement like
18 that?

19 A. No, I don't recall who was in
20 the rooms at the time this statement was
21 made.

22 Q. All right.

23 A. But the -- you know, the --
24 yeah, I think the Baker report said we
25 focused -- over-focused on personal safety.
1 And so the feedback was that we need to --
2 need more balance on that, need to focus on
3 process safety.

4 Q. Okay. All right. And you're
5 not aware, based on what you told me -- and I
6 want to confirm this -- that -- you're not
7 aware of any actual effort made to focus more
8 on process safety within Gulf of Mexico

9 drilling and completions?
10 A. That's correct.
11 Q. All right. And as of the date
12 the Macondo well started up to the date of
13 the blowout, you're not aware of any effort
14 at all to implement process safety on that
15 particular project?
16 A. I have no knowledge of that.
17 Q. Okay. And, again, you're not
18 even aware, in a general sense, on what
19 efforts were made, if any, to focus on
20 process safety, period, outside of Macondo
21 within drilling and completions?
22 A. No. I -- I don't, no.

Page 98:11 to 98:16

11 BY MS. McCLELLAN:
12 Q. Good morning, Mr. Jackson. My
13 name is Jessica McClellan, and I'm an
14 attorney with the Department of Justice. I'm
15 representing -- one of the attorneys
16 representing the United States of America in

Page 98:23 to 99:18

23 Do you recognize what has been
24 marked as exhibit 4429, Mr. Jackson?
25 (Exhibit Number 4429 marked.)
1 A. Yes.
2 Q. And is this something that you
3 prepared?
4 A. Yes.
5 Q. What is it?
6 A. It's -- looks like my risumi.
7 Q. And when did you prepare this
8 risumi?
9 A. Oh, I don't recall whether it
10 was after I left BP. I think it was after I
11 left BP. I left after April 1st.
12 Q. So when it -- the risumi
13 indicates that you were the HSSE or health,
14 safety, security, and environmental director
15 for BP from May 2008 to present?
16 A. That's a mistake.
17 Q. That present would be April 1st?

18 A. Yes. That was a mistake.

Page 100:14 to 102:23

14 Q. And briefly, what is your
15 educational background?

16 A. Mechanical engineer. I have a
17 mechanical engineering degree.

18 Q. And when did you receive that
19 degree?

20 A. In 1978.

21 Q. After receiving that degree, did
22 you then go directly to work for --

23 A. AMOCO.

24 Q. AMOCO.

25 And then you worked with AMOCO
1 in various drilling and completion --

2 A. Roles.

3 Q. -- roles until it was acquired
4 by BP; is that correct?

5 A. Right. Yeah, and then I worked
6 in drilling once acquired by BP, as well.

7 Q. So would it be -- would your
8 background, then, include how many years,
9 approximately, of drilling?

10 A. Approximately 27 -- 25 -- 25 to
11 27 years.

12 Q. And why did you switch over to
13 an HSSE role?

14 A. I was appointed the HSSE manager
15 for major projects in 2005.

16 Q. If you could please explain how
17 the HSSE organization that you were the
18 director of sits within the Gulf of Mexico
19 SPU.

20 A. As it does then or --

21 Q. In 2009 and 2010.

22 A. Okay. When you say sits with --
23 within the Gulf of Mexico, can you -- how
24 they -- we were -- I report in?

25 Q. Correct. And if it helps there,
1 you're welcome -- go ahead and answer the
2 question, I guess.

3 A. Okay. I was -- the HSSE
4 organization was set up that I had a direct
5 report into the vice president of D&C, which

6 at one time was Kevin Lacy and then Pat
7 O'Bryan, which they reported into the -- I
8 guess, the vice president of Gulf of Mexico.
9 Q. If you'll look at tab 1 in the
10 notebook in front of you here. This has been
11 previously marked as exhibit 2516 in the
12 litigation.
13 Have you seen this
14 organizational chart before?
15 A. I recall seeing parts of it.
16 Q. Okay. I'd like to direct your
17 attention to page 2 of the chart where it
18 reflects that you -- what you've testified,
19 that at the point in time of January of 2010,
20 Patrick O'Bryan was your direct report as
21 vice president of drilling and completions;
22 is that correct?
23 A. I reported to Pat O'Bryan, yes.

Page 103:09 to 104:16

9 Q. And what were Mr. Tink's
10 responsibilities as the D&C exploration --
11 HSSE manager?
12 A. Steve reported directly into the
13 HSE organization and functionally reported in
14 to me. So he played the role as the HSE
15 manager for -- for drilling and completions.
16 Q. And what is the difference
17 between Mr. Tink's role as manager and your
18 role as director?
19 A. My role was more on the Gulf of
20 Mexico wide and Steve was focused on D&C.
21 Q. Okay. So it was Steve that
22 would have been -- Steve Tink that would have
23 been accountable for coordinating the HSSE
24 issues around drilling and completions?
25 A. Yes.
1 Q. And then within the D&C HSSE
2 organization, is it correct that they were
3 both officers and field advisors?
4 A. Yes.
5 Q. And who oversaw those positions?
6 A. Steve. Steve did.
7 Q. Who would have been in charge of
8 overseeing the drilling and completions HSSE

9 performance plan?
10 MR. LANCASTER: Objection to form.
11 Q. Performance management plan,
12 excuse me.
13 A. HSSE performance management
14 plan?
15 Q. Yes.
16 A. Would have been Steve Tink.

Page 105:20 to 107:01

20 Q. Whose responsibility would it
21 have been for the OMS implementation for D&C
22 from an HSSE perspective?
23 A. This is under Steve Tink's area,
24 but I can't say whether it was Steve Tink's
25 responsibility for OMS implementation for
1 D&C. If it's only HSE, then Steve. If it's
2 more than HSE, then it would be others that
3 I'm not aware of.
4 Q. So from an HSSE perspective, it
5 would be Mr. Tink.
6 But something like process
7 safety, it would reside with another
8 individual?
9 A. Yes.
10 Q. That's a fair characterization?
11 A. Yes.
12 Q. Do you know who, then, would
13 have been responsible from a process safety
14 standpoint of implementing the OMS?
15 A. No, I'm not aware. I have no
16 knowledge.
17 Q. Did the HSSE organization that
18 you were director of for the Gulf of Mexico,
19 did it provide any well-control training to
20 personnel?
21 A. No. We did not provide
22 well-control training that I'm aware of.
23 Q. Who would have been responsible
24 for performing well-control training for
25 individuals in the drilling and completions
1 organization?

Page 107:04 to 109:14

4 A. That was not in my area, and I
5 cannot comment on who may -- may have been in
6 charge of it.

7 Q. Did HSSE audit any of the
8 training for line drilling and completions
9 personnel on well control?

10 A. There was an audit of whether
11 they were trained, but not an audit of the
12 details around that training.

13 Q. And who would have been
14 responsible for the audit that you've
15 referenced as to whether certain individuals
16 were trained?

17 A. Well, when -- when the HSSE
18 guys, representatives, offshore would be able
19 to look and see whether they have their
20 well-control certificates done. So then they
21 would do an operational -- offshore with the
22 HSSE representatives.

23 But that role is a
24 responsibility -- probably more a -- I
25 shouldn't say that because that -- that may
1 not be correct in that whether it was the
2 responsibility of operations to make sure
3 that they have the training.

4 Now, we were more the auditors,
5 the checkers of that.

6 Q. And where was -- where did you
7 check that?

8 A. I did not check it. If my field
9 people checked it, they checked it offshore.

10 Q. How were the BP's HSSE personal
11 safety policies and procedures that you
12 were -- that you oversaw, how were those
13 communicated that the personnel that were
14 working on the rigs in drilling and
15 completions?

16 A. They would have been
17 communicated through Steve Tink, and he would
18 put out the -- work with -- with the
19 operations people -- operations engineers on
20 how -- how they communicate this to the --
21 the D&C organization.

22 Q. Did you have any involvement
23 with personnel who were working on the rigs
24 in drilling and completions as far as from a

25 personal safety standpoint, communicating
1 what BP's policies and procedures were?
2 A. No, I -- can I ask you to give
3 me more around your question?
4 Q. Well, you've identified Mr. Tink
5 as the individual that would have been
6 responsible for ensuring that BP's HSSE
7 standards were communicated to personnel --
8 A. Right.
9 Q. -- working in drilling and
10 completions.
11 Did you as his superior, have
12 any involvement, as well?
13 A. No, I did not, not to my
14 knowledge.

Page 109:23 to 110:19

23 Q. Taking them one at a time, how
24 were the one-page lessons learned that were
25 put together by HSSE, how were those
1 communicated to individuals on the rigs?
2 A. I can't recall the entire
3 process. But there was a process in place on
4 how to do it, and there's a documented
5 process in which that was -- the one-pagers
6 were sent out to the rig and it was given
7 to -- whether it was given to the HSE person
8 or given to the -- to the BP representative
9 or the contractor, communicated in their
10 safety meetings.
11 But they -- they decided what
12 was relevant -- relevant to their -- their
13 group.
14 Q. And who would have been the HSSE
15 representative on the DEEPWATER HORIZON?
16 A. I have -- I don't recall.
17 Q. Do you know whether there was a
18 BP specific HSSE representative on the
19 DEEPWATER HORIZON?

Page 110:21 to 111:04

21 A. During what time frame? I
22 don't -- during what time frame?
23 Q. 2009 and 2010.

24 A. There were representatives on
25 the rig at times, yes.

1 Q. And about --

2 A. During what time -- were they
3 there the entire time, I have no knowledge of
4 that.

Page 111:16 to 111:21

16 Q. And same -- the same question
17 with respect to the safety bulletin or
18 alerts, was -- that were received from
19 corporations outside of BP, were those also
20 sent out to the rig in the same process that
21 you described for the one-pagers?

Page 111:23 to 112:05

23 A. There is a -- there's a process
24 in place, and I can't remember the whole --
25 the details of the process. And so they were
1 communicated as far as details of that
2 process and how they're communicated.
3 I'd have to look at the document
4 to -- to give you the -- the details behind
5 how it was communicated.

Page 112:08 to 113:10

8 Q. What would document the process
9 that was to be followed?

10 A. What would the document --
11 there's a document that says, this is the
12 process on how we will follow -- this is the
13 process we will follow. It was -- there is a
14 document that says, this is our process.

15 Q. And do you know what that
16 document is called?

17 A. No, I do not. I don't -- I do
18 not recall.

19 Q. I believe you testified earlier
20 in questioning by Mr. Sterbcow, that in your
21 HSSE director role, you did not have any
22 participation in well design; is that
23 correct?

24 A. That is correct. I did not, no.

25 Q. Who is responsible for
1 evaluating safety during the well design
2 phase?
3 MR. MONICO: Objection, form.
4 A. I'm not familiar with who's
5 doing the well design, so I can't tell you
6 who is responsible for evaluating the safety
7 piece of it.
8 Q. Is there anyone that looks at
9 well design purely from a safety perspective?
10 A. Not to my knowledge.

Page 114:22 to 115:02

22 Q. Well, what else did your job
23 entail, if not just personal safety?
24 A. Well, security. I had a direct
25 report with security. I had a direct report
1 around programs and policies which was more
2 focused on personal safety, as well.

Page 116:13 to 117:01

13 Q. And I believe your testimony
14 earlier this morning was that you had no
15 involvement with respect to process safety;
16 is that correct?
17 A. As it relates to D&C, correct.
18 Q. You said as it relates to D&C.
19 So is there someone within the
20 Gulf of Mexico SPU who would have been in
21 charge of process safety outside of drilling
22 and completions?
23 A. Steve Ruehle was the person in
24 charge of process safety. I think he
25 reported to Cindi Skelton at that time, at
1 the time prior to me leaving.

Page 117:12 to 117:21

12 Q. Are there issues in which you
13 had communications, as HSSE director, that
14 overlapped with the individuals who were
15 charged with process safety?
16 A. Not -- not to my recollection,
17 no.

18 Q. If I could ask you to please
19 turn to tab 15, which has previously been
20 marked as exhibit 786. For the record, it's
21 BP-HZN-2179, MDL 00369383.

Page 118:06 to 119:22

6 Q. My question is, do you recall --
7 do you know a Glenn Fritchie?
8 A. I know Glenn Fritchie.
9 Q. And who is Mr. Fritchie?
10 A. I don't know his role at this
11 time, but he was -- I knew Glenn from -- from
12 past, when he was in the drilling engineering
13 organization.
14 Q. Does it sound correct that he
15 was the project leader for the Puma project?
16 If you don't know, that's fine.
17 A. I don't know.
18 Q. Do you recall Mr. Fritchie
19 contacting you on or about June the 2nd of
20 2009 in an effort, as he indicates at the top
21 of Bates ending 9384, that he had been on the
22 phone with Dave Porter, Kal Jassal, and
23 Curtis Jackson, to try to understand what's
24 going on in the world of process safety, IM,
25 and risk management in the Gulf of Mexico SPU
1 D&C?
2 Do you recall Mr. Fritchie
3 contacting you?
4 A. I don't recall having this --
5 having a conversation with Mr. Fritchie.
6 Q. In June of 2009, who was
7 responsible for process safety in the Gulf of
8 Mexico on behalf of the drilling and
9 completions organization?
10 A. I do not know who was
11 responsible within the drilling and
12 completions organization.
13 Q. Was there a position that would
14 have -- not a person.
15 Is there a position that you can
16 cite?
17 A. The position that I'm more
18 familiar with is -- is Steve -- Steve
19 Ruehle's position as process safety. I have

20 no knowledge of whether someone is
21 specifically tagged to process safety within
22 the D&C organization.

Page 122:06 to 123:02

6 Mr. Fritchie also indicates he has a note in
7 to Steve Tink to determine if there's someone
8 in D&C HSE organization better able to
9 articulate what we do on process and design
10 safety, lessons learned, and assurance, than
11 I can.

12 Did I read that correctly?

13 A. Yes.

14 Q. Did you have any conversations
15 with Steve Tink about that?

16 A. Not that I can recall.

17 Q. Did you have any additional
18 conversations, other than the one that you
19 don't remember the content of, with
20 Mr. Fritchie to determine whether he, after
21 this exchange, had a better understanding of
22 what was going on in the world of process
23 safety, integrity management, and risk
24 assessment?

25 A. I don't recall having this
1 conversation -- a conversation with
2 Mr. Fritchie.

Page 123:10 to 123:25

10 Q. Do you know how project leaders
11 are trained to know what is going on in the
12 world of process safety, integrity
13 management, and risk management?

14 A. Not that I can recall.

15 Q. You don't know what training
16 project leaders are given in order to know
17 what is going on in the world of process
18 safety --

19 A. You mean project -- project
20 engineering, project leaders within BP?

21 Q. Yes, for project leaders such as
22 Mr. Fritchie, what training he receives in
23 order to know what is going on in the worlds
24 of process safety, risk management, integrity

25 management.

Page 124:02 to 124:03

2 A. I don't recall any knowledge of
3 that.

Page 124:15 to 125:01

15 Finally, at the top of this
16 e-mail exchange, Mr. Sprague forwards the
17 e-mail to other individuals. I understand
18 that you're not a copy -- you're not copied
19 of that, but these are individuals within the
20 drilling and completions organization, and it
21 refers to the discussion as clutter.

22 Do you see that?

23 MR. MONICO: Objection, form.

24 A. Where's that located?

25 Q. FYI, clutter I mentioned this
1 afternoon.

Page 125:14 to 125:25

14 Q. Do you think that a project
15 leader reaching out to individuals such as
16 yourself, Kal Jassal, and Dave Porter, in
17 order to determine what is going on in the
18 worlds of process safety, integrity
19 management, and risk management, would you
20 describe that as clutter?

21 MR. MONICO: Objection, form.

22 A. That would not be my description
23 of clutter, but I have to understand -- I'm
24 not sure what's behind his description of
25 clutter.

Page 126:10 to 127:04

10 Q. Did you have any conversations
11 with any managerial individuals in drilling
12 and completions talking about their safety
13 culture?

14 A. Not that I can recall. I'm
15 trying to think through, did I have any
16 conversations around safety culture, and

17 that's a pretty broad -- broad question.
18 Did I ever talk to them
19 specifically around safety culture; the
20 answer is, no, not that I can recall.
21 Getting all of them together and talking
22 about it, no, not that I can recall.
23 Q. Can you tell me who had ultimate
24 responsibility in the Gulf of Mexico SPU with
25 respect to process safety?
1 A. When you say "ultimate
2 responsibility," you mean -- I mean, if
3 you -- if you mean it stops at the top, it
4 would be Neil Shaw.

Page 130:02 to 130:09

2 Q. And is it a fair -- is it fair,
3 based on your testimony this morning, that
4 with respect to any issues, you have no
5 knowledge with respect to process safety in
6 drilling and completions in the Gulf of
7 Mexico, your focus was solely on personal
8 safety?
9 A. That's correct.

Page 130:18 to 130:21

18 Q. You had no -- you had no
19 involvement in the Macondo well?
20 A. No, I had no involvement.
21 Correct, I had no involvement.

Page 132:13 to 133:05

13 Q. Okay. That's where, I guess, I
14 began with my question this morning, is
15 trying to understand how you and the HSSE
16 organization sat within drilling and
17 completions. So if you could --
18 A. Well, the distinction was -- was
19 that the -- Steve directly reported -- Steve
20 Tink directly reported in to Kevin as their
21 HSSE manager. From a standpoint of -- of
22 function, when he -- he wanted something from
23 the function or there were policies or
24 procedures that we'd work through, then I

25 worked through Steve to deliver that or
1 communicate that to the D&C function.
2 But Kevin -- Steve was the one
3 that directly worked with all of Kevin's
4 managers and team leaders around HSE personal
5 safety.

Page 134:12 to 135:01

12 Q. Okay. What were you told as to
13 why your position was being restructured?
14 A. I was told that that -- that my
15 position was going away as part of the
16 overall reorganization.
17 Q. And were you offered any other
18 positions?
19 A. No, I was not officially offered
20 any positions.
21 Q. And I believe you testified your
22 last day with BP was April the 1st; is that
23 correct?
24 A. Pretty much, yes. In which I
25 had no position and -- and the reorganization
1 was in place and I had no -- no seat.

Page 136:02 to 136:02

2 BY MR. MAZE:

Page 136:12 to 136:18

12 Q. Okay. So you were -- you were
13 just told that you would no longer be the HSE
14 director and that there was no other position
15 for you?
16 A. We talked about other
17 opportunities, but there was none that --
18 that we agreed upon.

Page 137:09 to 139:11

9 What were you doing in 2004?
10 A. 2004, I was, at that time, the
11 HSE manager for Gulf of Mexico, exploration.
12 Q. Okay. Would that have included
13 not only Gulf of Mexico offshore but onshore,

14 as well? Or everything is offshore?
15 A. Everything is offshore.
16 Q. Okay. So in --
17 A. Yeah, there's a different
18 organization for onshore.
19 Q. Okay. So explain to me the
20 change at -- what was your next job after
21 that? What was the difference?
22 A. I moved into the HSE
23 organization as the -- the HSE manager for
24 major projects.
25 Q. Okay. And in '04, you were --
1 remind me, again, what were you doing in '04.
2 A. The drilling manager for
3 exploration, drilling, Gulf of Mexico.
4 Q. Gotcha. Okay. I want you to --
5 well, first of all, Mr. Sterbcow talked to
6 you earlier about the blowout preventer on
7 the HORIZON.
8 What role did you play, if any,
9 in deciding to turn one of the -- I'm going
10 to call them VBRs for short, into a test ram?
11 A. I was -- I was a drilling
12 manager at that time when -- when that
13 recommendation was made.
14 Q. And who made the recommendation?
15 A. I think the recommendation was
16 made by one of the engineers, either Marty
17 Ward or -- or their team lead, Steve
18 Robinson.
19 Q. Now, what was Marty Ward's job?
20 A. One of the drilling engineers in
21 the exploration organization.
22 Q. Okay. So the decision would
23 have been made by BP, not Transocean, to
24 change one of the VBRs into a test ram?
25 MR. MONICO: Objection, form.
1 A. The decision is ultimately
2 Transocean's. Transocean decides if we can
3 do it or cannot do it. The request was made
4 by -- to Transocean from BP.
5 Q. It was initiated by BP?
6 A. I'm not sure who initiated that.
7 Q. Okay. If you can turn to tab 2.
8 I'm going to go ahead and hand this to be
9 marked. The Bates number is BP-HZN-2179,

10 MDL 03107285 and exhibit will be 4432.
11 (Exhibit Number 4432 marked.)

Page 140:17 to 142:19

17 Q. Do you recall this e-mail?
18 A. Let me take a second with it.
19 Q. Sure.
20 A. Yes, I recall seeing this
21 e-mail.
22 Q. Okay. I want to start with the
23 original e-mail. It's from Marty Ward, who
24 we just talked about, on Monday, July the
25 19th. And it's directed to you, Curtis
1 Jackson, with a copy to Jake Skelton and
2 Steve Robinson. And the subject is,
3 dispensation on BOP stack.
4 Is it fair to say that this
5 e-mail is discussing turning a VBR on the
6 HORIZON into a test ram? Is that generally
7 the subject of the e-mail?
8 A. Yes. This is converting the
9 lower ram on the riser to a test ram.
10 Q. Okay. I want to read a portion
11 to you and then ask you some questions on it.
12 I'm going to start right in the middle.
13 The biggest hurdle I see is BP
14 policy which states, the minimum BOP required
15 for wells where a wellhead pressure of over
16 5,000 psi is possible, the BOP will be
17 configured as follows: Two annular
18 preventers, one of which is retrievable on
19 the lower marine riser package, four
20 ramp-type preventers, one of these to be a
21 sealing shear ram.
22 If we convert the bottom ram to
23 a test ram, we will "legally" only have three
24 ram-type preventers.
25 Not knowing the history or
1 background to the four ram policy, my
2 question to you is this, is this a no-go
3 situation, or would you and the organization
4 be willing to sign a dispensation to this
5 policy?
6 Did I read that correctly?
7 A. Yes.

8 Q. And this e-mail is from Marty
9 Ward to you, correct?
10 A. Yes.
11 Q. So is it correct that BP had a
12 policy in July of 2004 that a BOP in the
13 pressure that the HORIZON was under must have
14 four ram-type preventers?
15 A. Yes, that's what this says.
16 Q. And Marty Ward is asking you, is
17 it okay to violate a BP policy -- legally is
18 the word he uses -- is it okay that we
19 violate this on the HORIZON?

Page 142:22 to 143:07

22 A. I didn't -- did not understand
23 this as -- as a -- is it okay to violate a
24 policy. It was okay to ask for dispensation
25 around that policy.
1 Q. So --
2 A. And that means they're asking
3 for -- for, I guess, from -- from the
4 engineers or those who wrote the policy on
5 whether, you know, what we were -- what he
6 was proposing was something that they can
7 live with.

Page 143:20 to 144:11

20 Q. Regardless, is it true that
21 despite this policy, BP went ahead with
22 changing the variable bore ram to a test ram
23 on the HORIZON?
24 MR. LANCASTER: Object to form.
25 A. I think we did go forward with
1 it, the changing it, yes.
2 Q. And why did you do that?
3 A. We did -- we did a risk analysis
4 of it and -- and decided that that was a
5 good -- that's something we were wanting to
6 do.
7 Q. That -- let me ask it this way:
8 Is it because you would save more money than
9 you thought the risk -- or that -- the money
10 you would save outweighed the risk of losing
11 another variable bore ram?

Page 144:13 to 145:13

13 A. I wouldn't say it was money
14 outweighed the risk.
15 Q. Okay.
16 A. And part of it was -- was cost.
17 Q. Well, let's -- let's look at the
18 top e-mail on the same page, and I'm going to
19 read. This is from Steve Robinson to you and
20 Marty Ward.
21 Marty and I ran through some
22 numbers quickly on this, and the cost of
23 benefit is in excess of \$1 million
24 conservatively on stones alone. It's
25 certainly large enough to warrant further
1 investigation. There's obviously detail to
2 work through, issues like testing the
3 connection below the stack that normally gets
4 tested when a test plug is used, and one, of
5 course, the risk mitigation/contingency
6 planning of having two workable VBRs versus
7 three.
8 Did I read that correctly?
9 A. Yes.
10 Q. So is it fair to say that BP's
11 decision process was, is this worth saving
12 over \$1 million versus only having two VBRs
13 instead of three?

Page 145:15 to 145:16

15 A. No, I would not agree with that
16 statement.

Page 145:23 to 146:22

23 Q. What -- what was the decision
24 based on?
25 A. The decision was -- was based on
1 cost, but also based on whether it can be
2 done safely, whether the risk -- we were
3 going to do a risk mitigation/contingency
4 plan around that.
5 So we weren't going to just do
6 it because -- because it was saving money.

7 So we need to look at the risk around it and
8 whether it was safe to do such.
9 Q. Is there a greater risk of only
10 having two VBRs on a BOP instead of three
11 VBRs on a BOP?
12 A. Some rigs have two VBRs versus
13 three.
14 Q. Which one has a greater risk of
15 a problem?
16 A. I can't tell you which one has a
17 greater risk of a problem.
18 Q. You don't think that there's a
19 greater risk of having two instead of three?
20 A. Well, no. I -- I can't tell you
21 that -- if there's -- there's a greater risk
22 of having two versus three.

Page 147:07 to 147:22

7 (Exhibit Number 4433 marked.)
8 Q. And it will be 4433 as an
9 exhibit?
10 A. No, I haven't seen this -- I
11 don't recall seeing this string of e-mails.
12 Q. Okay. If -- if you'll go to the
13 Bates number that ends with 1472 down at the
14 bottom right corner, it's an e-mail from
15 Chris Young.
16 Do you know who Chris Young is?
17 A. I think Chris Young, at the
18 time, was a marketing person or contracts
19 person for Transocean.
20 Q. Okay. And who is the e-mail
21 written to?
22 A. To myself.

Page 147:25 to 148:22

25 Q. I want to read the -- the second
1 paragraph. And I'm -- first of all, I'll
2 just ask you if I read it correctly.
3 Our rationale for our position
4 is in the letter. Basically, we designed the
5 HORIZON's BOP for redundancy in deepwater.
6 Since the MMS requires two VBRs, we designed
7 the BOP with three so that if one didn't test

8 for any reason, we would not have to pull the
9 BOP and disrupt your operations (or have to
10 pay for rig time to pull and rerun the BOP).

11 We know that converting the VBR
12 to a test ram will save BP time and money on
13 routine BOP testing. However, it reduces BOP
14 redundancy and exposes us to a BOP pull if
15 one VBR doesn't test. While negative VBR
16 tests are rare, they do happen.

17 Did I read that correctly?

18 A. Yes.

19 Q. So is it fair to say that
20 Transocean's concern about this plan was that
21 removing one VBR, turn it into it a test ram,
22 would remove the redundancy of the VBRs?

Page 148:24 to 149:01

24 A. I can't tell you what
25 Transocean's thinking was when -- when Chris
1 wrote this.

Page 149:07 to 149:16

7 Q. I mean, he says our rationale
8 for having multiple VBRs is redundancy,
9 correct?

10 A. Right.

11 Q. Okay. And, again, despite this,
12 despite the want of redundancy, BP decided
13 that against its normal policy, it would
14 allow a BOP stack on the HORIZON to remove
15 one VBR to turn it into a test -- a test ram,
16 correct?

Page 149:18 to 150:11

18 A. We -- we allow that there's --
19 there's some dispensation allowed to policy,
20 and this is one of the policies -- one of --
21 one of the areas where we ask for a
22 dispensation.

23 Q. How often did BP in 2004 change
24 variable bore rams into test rams on either
25 its rigs or rigs that were owned by a
1 contractor?

2 A. I don't recall any other time.
3 I don't recall.
4 Q. So this is the first time you
5 recall this happening?
6 A. This is the first time I recall
7 that happening.
8 Q. And this is the first time you
9 were ever asked, hey, can we let the policy
10 slide or can we get a dispensation on our own
11 policy?

Page 150:13 to 151:15

13 A. This isn't the first time I've
14 been asked about dispensation.
15 Q. Just about changing a variable
16 bore ram to a test ram?
17 A. That's what I can remember, yes.
18 Q. Do you remember if your concern
19 in this decision was -- was it maximizing
20 BP's savings, or was it ensuring safety?
21 Which -- which would be --
22 A. My priority would have been
23 ensuring safety.
24 Q. And yet, you would agree that
25 you wanted to turn a three-VBR system into a
1 two?
2 A. Yes.
3 Q. You were pushing for this to
4 happen, correct?
5 A. I can't -- I don't agree with
6 your comments, I'm pushing for this to
7 happen. Did I endorse it? Yes. Pushing for
8 it to happen, what we did was -- was do the
9 analysis of it, and there's several rigs in
10 the Gulf of Mexico that had two rams. BP
11 policy had -- that we had to have more than
12 that.
13 Q. Right.
14 A. But we met all of the
15 requirements of the MMS on this.

Page 151:24 to 152:02

24 (Exhibit Number 4434 marked.)
25 Q. And I'm going to let you read

1 it, because this is not a BP document, so I
2 would assume you have not reviewed it.

Page 152:04 to 153:09

4 Q. This is an e-mail from John
5 Keeton. Remind us who John Keeton is. Or
6 the -- the top one -- let's start with the
7 bottom.
8 Remind us who Chris Young is, if
9 you know?
10 A. Chris Young doesn't have his
11 title on here.
12 Q. Right.
13 A. So I would be -- I think -- I
14 think at this time, Chris was the -- the
15 marketing contracts person for Transocean.
16 Q. He did work for Transocean,
17 though, correct?
18 A. Yes.
19 Q. Okay. And I'm going to read
20 part of the e-mail and just make sure that --
21 this second draft reflects Curtis Jackson's
22 "offer," offer in quotations, with a little
23 tweaking on my part (to make the BOP pulls
24 caused by mechanical problem as opposed to
25 abnormal wear, et cetera).
1 As you know, our first offer was
2 for BP to pay for any BOP pulls caused by a
3 VBR failing to test. We can hold firm on our
4 offer or we can accept his offer if you think
5 the chances of a VBR failing a second time on
6 any one well are sufficiently remote. What
7 do you guys think? Chris Young.
8 Did I read that correctly?
9 A. Yes.

Page 153:14 to 153:18

14 Q. Is it fair to say that
15 Transocean's initial agreement was -- or
16 their understanding was, BP would pay for any
17 additional cost based on a negative test to a
18 VBR?

Page 153:20 to 154:06

20 A. I don't recall the details of
21 this conversation.

22 Q. Okay. So you don't recall
23 whether your counteroffer was that Transocean
24 would have to pay for a second failure of a
25 VBR to test properly?

1 A. I -- I don't recall what the
2 offer was.

3 Q. But you do -- do you -- you were
4 part of the negotiation, though?

5 A. Yes, I was in a position to be
6 part of the negotiation.

Page 154:08 to 154:08

8 And, again, this is a Transocean document,

Page 154:12 to 154:12

12 (Exhibit Number 4435 marked.)

Page 154:17 to 155:01

17 Q. I just want you to look over and
18 see if you recognize the documents, if
19 you've -- if you've reviewed them either
20 recently or at any time in the past.

21 A. I don't remember -- I don't
22 recall seeing this document.

23 Q. Okay. If -- if you'll start on
24 the -- the page 251 in the bottom corner.
25 It's actually the letter agreement between
1 Transocean and BP.

Page 155:15 to 158:05

15 Q. Did you ever review the --
16 either the draft or the final agreements
17 between BP and Transocean on converting the
18 variable bore ram to a test ram?

19 A. Did I review this document?

20 Q. Well, any -- any of them, any of
21 the various drafts or the final form.

22 A. I don't recall whether I did or
23 did not review the document.

24 Q. Okay. I'm going to read one
25 part of it and just ask you one question, and
1 then we'll move on.

2 A. Okay.

3 Q. The very -- the bottom full
4 paragraph that starts with company
5 acknowledges, I want to read part of the last
6 sentence starting with the line that starts
7 with provided.

8 Provided, however, if one of the
9 two remaining VBRs fails to test a subsequent
10 time on the same well for any mechanical
11 reason after initially testing subsea as
12 opposed to abnormal wear and damage caused by
13 operations and the MMS requires that
14 contractor pull the BOP to replace the VBR,
15 the time required to pull the BOP, replace
16 the ram, and rerun the BOP, shall be
17 considered mechanical downtime as defined in
18 the contract.

19 Did I read that correctly?

20 A. Yes.

21 Q. Is that sort of the concession
22 or the offer that we referred to in the last
23 e-mail, Curtis' offer regarding a failed
24 second test or a failed subsequent test?

25 A. I think as I said earlier, I
1 don't remember what that offer was.

2 Q. Okay. So sort of summarizing,
3 it is fair to say that you were involved in
4 the negotiations to convert a VBR into a test
5 ram in 2004?

6 A. In the negotiations -- in the
7 request?

8 Q. Yes.

9 A. Yes, I was involved in the
10 request.

11 Q. And is it fair to say that BP
12 decided to grant a dispensation of its policy
13 regarding VBRs to change the variable bore
14 ram on the HORIZON to a test ram?

15 A. Yes, BP did approve the
16 dispensation.

17 Q. After it did a risk analysis of
18 what might happen with one less variable bore
19 ram?

20 A. Yes, I think a risk analysis was
21 conducted.

22 Q. And after BP had conducted an
23 analysis of how much money it would save by
24 converting a VBR onto -- into a test ram?

25 A. I think we did look at the cost
1 savings.

2 Q. And I think if we refer back to
3 the previous e-mail, it was over -- I think
4 it said \$1 million conservatively?

5 A. Okay.

Page 158:10 to 158:16

10 I think you told Mr. Sterbcow
11 for the PSC that Keisha Tanner was who you
12 believed would have been in charge of process
13 safety, and then you told the United States
14 that it was Steve Ruehle.

15 Help me understand who was
16 actually in charge of process safety for BP.

Page 158:18 to 159:14

18 A. I don't -- I said at that --
19 looking at that document that came from Texas
20 City for that particular project and said
21 Keisha Tanner and Tim Church was assigned to
22 it, that Keisha would have been looking more
23 at the process safety piece. I did not say
24 Keisha Tanner was the person leading process
25 safety.

1 Q. Okay.

2 A. Steve Ruehle is the one that --
3 that would be leading process safety.

4 Q. Was Steve Ruehle leading process
5 safety in 2007?

6 A. I don't -- I can't recall that,
7 whether he was or was not.

8 Q. Was he leading -- when -- when
9 do you know that Steve Ruehle would have
10 taken over process safety?

11 A. I have -- I have no knowledge of
12 when Steve was assigned to his -- his role.

13 Q. Was he in his role in 2009 --

14 A. Yes.

Page 159:17 to 160:07

17 Q. And he was in his role in April
18 of 2010 when the HORIZON exploded?
19 A. I assume he was, but I wasn't
20 there in the organization.
21 Q. You were gone?
22 A. I didn't know what the
23 reorganization did for -- for Steve.
24 Q. And he did not work -- I'm going
25 to refer back to exhibit 2516.
1 He did not work within the
2 drilling and completions leadership team?
3 A. No, he didn't.
4 Q. He was outside of D&C?
5 A. He was in engineering.
6 Q. So no one in D&C was in charge
7 of process safety?

Page 160:09 to 160:14

9 A. I can't tell you whether someone
10 was or was not in charge of process safety in
11 D&C.
12 Q. If Kevin Lacy testified that he
13 believed you were in charge of process
14 safety, would he be incorrect?

Page 160:16 to 160:22

16 A. I have no knowledge of what
17 Kevin testified and -- but I -- I was not in
18 charge of process safety.
19 Q. And the same question for
20 Richard Lynch, if he had testified that he
21 believed you were in charge of process
22 safety, he would also be incorrect?

Page 160:24 to 161:09

24 A. Yes.
25 Q. I'm going to show you what we
1 had marked -- or what's been previously
2 marked as exhibit 2516. And it's the
3 drilling and completion leadership team

4 chart. And is -- if you can just point to me
5 where on that chart process safety would fall
6 within D&C.

7 Who would sort of be the
8 ultimate leader of process safety within the
9 Gulf of Mexico D&C team?

Page 161:20 to 162:15

20 A. I think that's a question for
21 Pat O'Bryan or whoever put this -- this
22 organizational chart together. But -- but I
23 do not see someone labeled under process
24 safety.

25 But process safety, I was -- I
1 was focused on personal safety and not
2 process safety.

3 Q. Okay. So you're not sure that
4 anyone in that chart would have been over
5 process safety?

6 A. I can't tell you whether someone
7 was or was not.

8 Q. And --

9 A. Pat O'Bryan would be able -- be
10 the one to tell you who had process safety
11 within his organization.

12 Q. You were -- you were still with
13 BP when Pat O'Bryan replaced Kevin Lacy,
14 correct?

15 A. Yes.

Page 162:22 to 163:05

22 Q. All right. Let me strike that
23 and ask you this: Did they occupy the same
24 position in the D&C team?

25 A. Yes, both of them were vice
1 president of drilling and completions.

2 Q. Did anything change in the
3 organization other than the vice president of
4 D&C at the moment Pat O'Bryan took over other
5 than the vice president?

Page 163:07 to 163:17

7 A. You have to ask -- you have to

8 ask Pat O'Bryan what changed. I'm not
9 familiar with what changed within Pat's
10 organization.

11 Q. So you have no -- or no
12 knowledge, at least, that in December of
13 2009, that the person in charge of process
14 safety in D&C would have changed?

15 A. I have no knowledge of what
16 changes was made in the organization around
17 process safety with D&C.

Page 169:04 to 169:22

4 Q. And you have no knowledge of
5 whether any of the process safety examples,
6 recommendations, lessons learned, were ever
7 implemented in the Gulf of Mexico?

8 A. I have no knowledge.

9 Q. Because that was outside the
10 scope of your job as HSE director?

11 A. My job was to focus on personal
12 safety. And as far as any implementation
13 process safety, that was left with the
14 process safety organization.

15 Q. And, again, who was in charge of
16 the -- the process safety organization?

17 A. Steve Ruehle was -- was the --
18 the person in charge, and he reported in to
19 Cindi Skelton.

20 Q. Is it fair to say that this
21 feedback in the Baker report, itself, was
22 very concerned with process safety?

Page 169:24 to 170:13

24 Q. Just from what you've read?

25 A. From -- from what I read, yes,
1 most of this talks about process safety.

2 Q. Okay. You -- did you ever read
3 the Baker report, the Texas City report?

4 A. Yes.

5 Q. And would it be fair to say that
6 it was very heavily focused on process
7 safety?

8 A. I think it was, but I can't
9 recall all the details of the Baker report.

10 Q. But it -- it would seem obvious
11 that based on all the feedback, that most
12 everyone is talking about process safety?
13 A. Yes.

Page 174:10 to 175:24

10 BY MR. THIBODEAUX:
11 Q. Good afternoon, Mr. Jackson. My
12 name is Paul Thibodeaux, and this is Mary Kay
13 Klinefelter, and we represent Transocean.
14 Since 2005, when you became the
15 HSSE manager for BP, you never visited the
16 DEEPWATER HORIZON, correct?
17 A. No. I don't recall visiting the
18 DEEPWATER HORIZON.
19 Q. Have you ever visited the
20 DEEPWATER HORIZON in your career?
21 A. Yes.
22 Q. And when was that?
23 A. I don't remember the exact dates
24 I visited, but it was probably soon after I
25 came onboard with BP.
1 Q. So in 2001 time frame, somewhere
2 around there?
3 A. Something in that range, 2001,
4 2002.
5 Q. In your time as HSSE manager,
6 has anyone ever suggested to you that
7 Transocean had a philosophy of indifference
8 or callous disregard for the environment?
9 A. No. Not that I recall, no.
10 Q. No one's ever suggested to you
11 that Transocean had a philosophy of
12 indifference or callous disregard for the
13 safety of individuals, right?
14 A. No.
15 Q. And if you ever did learn of
16 something like that, as HSSE manager, it
17 would have been your duty to do something
18 about that, correct?
19 A. It would have been my duty at
20 least to -- to make sure that my -- my
21 manager was informed of that.
22 Q. And you never took any actions
23 like that, correct?

24 A. No, I did not.

Page 176:03 to 178:09

3 This is a document that has
4 Bates number BP-HZN-2179MDL00132563 through
5 132809. I'm going to mark this as
6 exhibit 4437.

7 (Exhibit Number 4437 marked).

8 Q. Okay. Mr. Jackson, the first
9 page of this, it says it's the GoM HSSE safe
10 practices manual of 2008.

11 A. Yes.

12 Q. Are you familiar with this
13 document?

14 A. Yes.

15 Q. Okay. What is this document?

16 A. This is the safe practices
17 manual they put out for the Gulf of Mexico
18 for HSSE.

19 Q. Okay. Was it implemented in
20 2008?

21 A. Yes.

22 Q. And is this something that
23 was --

24 A. This is -- I think was updated
25 in 2008, but -- can't exactly recall, but it
1 was implemented --

2 Q. Okay.

3 A. -- at the time.

4 Q. And this is something that
5 applies Gulf of Mexico wide to all BP
6 facilities?

7 A. It applies to all BP facilities,
8 and some of it applies to some of the rigs,
9 but that's with -- working with the
10 contractors and what applies and what doesn't
11 apply.

12 Q. Okay. Was this -- was
13 exhibit 4437 applicable to the Macondo well
14 and the DEEPWATER HORIZON in 2009 and April
15 -- through April of 2010?

16 A. What was applicable was the
17 contractor safety management system.
18 Transocean's was applicable for personal --
19 from a personal safety, personal injury

20 standpoint.

21 Q. Okay. So what you're saying is
22 from the -- from the perspective of personal
23 injury and personal safety, Transocean's
24 safety manual was applicable --

25 A. Same for -- for the -- for the
1 rig. Then the contractor safety management
2 system is what was used as the -- the primary
3 safety management system.

4 Q. So your testimony is that the --
5 that exhibit 4437 was not applicable to the
6 operations that were ongoing at Macondo?

7 A. Right. It was -- it was the
8 Transocean safety management system, what was
9 applicable.

Page 178:20 to 179:01

20 Q. To the extent that the
21 Transocean safety manual does not address
22 certain safety procedures that may be
23 addressed in exhibit 4437, those procedures
24 in exhibit -- in exhibit 4437 would apply to
25 BP personnel that would be on the DEEPWATER
1 HORIZON, right?

Page 179:04 to 181:05

4 A. Anyone upon the DEEPWATER
5 HORIZON should follow the contractor safety
6 management system.

7 Q. All right. At the bottom
8 right-hand corner there's a Bates number. If
9 you'd turn to the one that ends in 568,
10 please.

11 A. Okay.

12 Q. All right. If you see, under
13 purpose and scope, the first paragraph
14 begins: The BP Gulf of Mexico safe practices
15 manual provides safe work practices for
16 employees to address the potential risks
17 associated with work tasks.

18 See that?

19 A. Yes.

20 Q. Employees would include BP
21 wellsite leaders, correct?

22 A. Yes. They are -- yes, most of
23 them are employees.

24 Q. Turn, please, to the Bates
25 number ending in 745.

1 A. You said 745?

2 Q. Right.

3 Beginning on page 744 there's a
4 section entitled general requirements, and
5 then there's some bullet points that -- that
6 go over into 745. And you see where it says
7 organizational/personnel, permanent or
8 temporary change in the organization or
9 personnel with specific knowledge or
10 experience who supervise or operate a
11 facility which would lead --

12 A. I'm sorry. Where are you again?

13 Q. I'm in that bullet point at the
14 top.

15 A. Right here,
16 organizational/personnel?

17 Q. Correct.

18 A. Okay.

19 Q. On 745.

20 You see where it says permanent
21 or temporary change in the organization or
22 personnel with specific knowledge or
23 experience who supervise or operate a
24 facility which would lead to a loss of
25 knowledge or experience?

1 A. Yes.

2 Q. This provision would apply to
3 the change-out of the wellsite leader on a
4 rig with a less experienced wellsite leader,
5 correct?

Page 181:07 to 187:04

7 A. I would leave that to Kevin
8 Lacy, the VP of drilling, to decide whether
9 that -- whether that person had the
10 experience and fit this definition.

11 Q. And why would you leave that to
12 Kevin Lacy?

13 A. Because he would be the one --
14 or the team leader would be the one to
15 identify whether that applied, you know, as

16 far as the -- if it leads to a loss of
17 knowledge or experience.

18 Q. So it's your understanding that
19 it would be Kevin Lacy's responsibility to
20 determine whether the change-out of wellsite
21 leader would result in a loss of knowledge on
22 a rig?

23 A. Well, it could be Kevin, or a
24 team leader for that rig can do that. But I
25 don't know the experience of their people in
1 order -- the experience of who's taking a
2 place. So it would be their decision as to
3 whether an MOC was necessary to fit that
4 definition.

5 Q. Okay. But such a change of a
6 wellsite leader would fall under this
7 provision on -- on 745, right?

8 A. Again, it sort of depends on
9 whether that provision fits that particular
10 change-out.

11 Q. And that's something that you
12 would expect Mr. Lacy or the well team leader
13 to make a decision on?

14 A. Someone in the D&C organization
15 at the leadership level, yes.

16 Q. Let's look at the Bates number
17 that ends in 790, please.

18 All right. This has got a
19 title, chapter 33, simultaneous operations
20 (SIMOPS).

21 See that?

22 A. Yes.

23 Q. In the purpose and scope
24 section, the second full sentence starts:
25 SIMOPS shall be defined as conducting
1 independent operations in which the events of
2 any one operation may impact the safety of
3 personnel or equipment or the environment of
4 another operation. Typically this involves
5 production operations, drilling operations,
6 and project execution operations.

7 See that?

8 A. Yes.

9 Q. You agree that this section
10 applies to drilling operations aboard rigs,
11 correct?

12 A. This says it applies to drilling
13 operations. I don't see where it says on the
14 rig.

15 Q. So you think it does not apply
16 to drilling operations aboard a rig?

17 A. I have to look at what
18 specifically you're talking about when you
19 talk -- when you talk about on the rig. You
20 know, simultaneous operations could be, you
21 know, people doing different -- a couple of
22 group's teams doing different operations on
23 the rig. And -- and this wasn't -- the
24 intent wasn't that.

25 Q. Okay. What was the intent?

1 A. My understanding, or my
2 recollection of the intent, is -- is when
3 you're having simultaneous operations, such
4 as a rig maybe next to a platform or
5 something, or simultaneous operations from
6 that standpoint. But it's been over a year
7 and a half, so -- that's my understanding.
8 But I would have to look at the details, when
9 you say on the rig, but this document doesn't
10 say on the rig.

11 Q. Okay. It would apply to the
12 development of drilling -- drilling
13 operations which occurred in the Houston
14 offices of BP, correct?

15 A. I'm not sure if I understand
16 your question.

17 Q. Well, for example, you have, you
18 know, a drilling engineering team that is
19 based in -- in Houston that would be
20 developing drilling operation plans, right?

21 A. Yes.

22 Q. And in the course of developing
23 those drilling operation plans, there would
24 be an analysis of SIMOPS, right?

25 A. If needed. If needed.

1 Q. Well, those drilling engineers
2 would be charged with determining -- or
3 making a risk analysis of those SIMOPS,
4 right?

5 A. To see whether the SIMOPS
6 applied. They would have to first decide if
7 the SIMOPS applied, and then from then, they

8 can move towards the risk analysis.

9 Q. And those decisions would be
10 covered under chapter 33 of the document
11 we're looking at, correct?

12 A. If SIMOPS -- if they said SIMOPS
13 applied. But, again, for drilling operations
14 on the rig, you know, it's the contractor's
15 safety management system that apply.

16 Q. The last sentence in that
17 purpose and scope section says: This
18 includes activities not only onboard a
19 producing facility, but any simultaneous
20 operations that occur field- or lease-wide.

21 What was the name of the field
22 that the Macondo well is in, or what is the
23 name of the field the Macondo well was in?

24 A. I don't remember. I don't
25 recall the name of the field. I left BP by
1 the time the event occurred and I can't -- I
2 don't know the name of the field. I don't
3 recall it.

4 Q. Was a SIMOPS -- was a field-wide
5 SIMOPS plan developed?

6 A. I do not know whether a field
7 ops plan was developed.

8 Q. Who would be responsible in BP
9 for developing a plan like that?

10 A. I -- I'm not sure who would be
11 responsible for -- for that within BP for the
12 Macondo operation.

13 Q. Do you have a -- a level that
14 you would expect? For example, would it be
15 the drilling engineers, would it be a wells
16 team leader, something like that?

17 A. I do not know as it pertains to
18 the Macondo well. I don't know how the
19 organization was set up on the Macondo well.

20 Q. Turn to the Bates number ending
21 in 793, please.

22 You see at the bottom there's a
23 description for a vessel person-in-charge?

24 A. Yeah. Let me read it.

25 Q. Take a look at it.

1 A. Okay.

2 Q. A wellsite leader would fall
3 under the definition of a vessel

4 person-in-charge, right?

Page 187:06 to 188:23

6 A. No, I would not put the wellsite
7 leader as the person, as a vessel -- for the
8 Transocean vessels? No, I would not say the
9 wellsite leader is in charge of the vessel.
10 Q. Okay. And on the Macondo well,
11 what, then, would you define the wellsite
12 leader as?
13 A. He's the BP representative on --
14 on the rig. The person -- the vessel
15 person-in-charge would be the captain, I
16 presume.
17 Q. If you turn to the next Bates
18 numbered page, page 794.
19 You see where it says, the first
20 full sentence on that page, examples of
21 potential VPICs, or vessel persons-in-charge,
22 are a wellsite leader, BP representative on a
23 vessel?
24 A. Yes, I see that.
25 Q. Based on your -- your previous
1 testimony then, you would say the wellsite
2 leader would fall under BP representative on
3 a vessel?
4 A. I follow -- the BP -- the
5 wellsite leader would be the BP
6 representative on the vessel. And this is an
7 example of the wellsite leader, and I'm not
8 sure whether this example would be more or
9 less when they're on a floating rig that had
10 drilling and production, for instance, on
11 drilling production platforms. But these are
12 examples.
13 Q. All right. Is -- is
14 exhibit 4437 something that you prepared?
15 A. No.
16 Q. Okay. Is it something that was
17 prepared under your supervision?
18 A. It was prepared -- it was
19 updated under my supervision.
20 Q. Okay. Who updated it?
21 A. Would have been the production
22 operations HSE manager and programs HSE

23 manager.

Page 198:05 to 198:10

5 BY MS. WILLIAMS:
6 Q. Mr. Jackson, my name is Aimee
7 Williams, and my colleague is Laci Dreher.
8 We are with the firm of Godwin Ronquillo, and
9 we represent Halliburton Energy Services in
10 this matter.

Page 198:12 to 199:25

12 Q. You testified previously that
13 you had no involvement in the Macondo well,
14 correct?
15 A. That's correct.
16 Q. And you had no personal
17 knowledge about how the Macondo well was
18 drilled, correct?
19 A. That's correct.
20 Q. You also have no personal
21 knowledge about what was done aboard the
22 DEEPWATER HORIZON to temporarily --
23 temporarily abandon the Macondo well,
24 correct?
25 A. That's correct.
1 Q. And you also previously
2 testified that you have no detailed knowledge
3 of the Macondo incident on April 20th, 2010,
4 correct?
5 A. That's correct.
6 Q. So is it an accurate statement,
7 you had no involvement in the cement job on
8 the final production casing for the Macondo
9 well?
10 A. That's correct.
11 Q. And you also had no involvement
12 with respect to the decisions that were made
13 regarding the number or the placement of the
14 centralizers that were used on the final
15 production casing for the Macondo well?
16 A. That's -- that's correct.
17 Q. Have you spoken with anyone from
18 Halliburton regarding the cementing
19 operations that were performed on the Macondo

20 well?

21 A. No, I have not.

22 Q. Have you formed any opinions
23 regarding the cementing services that were
24 provided by Halliburton on the Macondo well?

25 A. No, I have not.

Page 200:07 to 201:16

7 Q. Yes. Do you have any
8 information that suggests that there were any
9 problems with the cement slurry that was
10 pumped by Halliburton on the final production
11 casing for the Macondo well?

12 A. No, I do not have any personal
13 information.

14 Q. And you have no information that
15 suggests that the cement that Halliburton
16 pumped on the final casing for the Macondo
17 well was not properly or timely set up, do
18 you?

19 A. I have no knowledge of whether
20 it was or was not.

21 Q. And you have no information that
22 suggests that the cement slurry that
23 Halliburton pumped on the final casing for
24 the Macondo well was not designed properly or
25 appropriately for that well, do you?

1 A. I have no information that says
2 yes it -- it did or it did not.

3 Q. Have you had any discussions
4 with anyone in which Halliburton's cement job
5 on the Macondo well was questioned or
6 criticized?

7 A. Not that I recall.

8 Q. You also were involved in any --
9 in the negative test that were conducted on
10 the Macondo well, were you?

11 A. No, I was not.

12 Q. And based on your testimony here
13 today, I believe it's safe to assume that you
14 also were not involved in any of the
15 mudlogging for the Macondo well, were you?

16 A. No, I was not.

Page 201:21 to 202:01

21 Have you formed any opinions
22 regarding the mudlogging services that were
23 provided by Sperry-Sun on the Macondo well?
24 A. No, I was not aware of
25 Sperry-Sun providing mudlogging services on
1 the Macondo well.

Page 202:05 to 203:18

5 You have no information
6 suggesting that Sperry-Sun's mudloggers did
7 anything wrong on the Macondo well, do you?
8 A. I have no information that they
9 did or did not do anything wrong.
10 Q. And you have no information
11 suggesting that Sperry-Sun's mudloggers
12 missed clear signs of a -- of a kick on the
13 Macondo well, do you?
14 A. I have no information.
15 Q. Have you spoken with anyone from
16 Halliburton regarding the incident on
17 April 20th, 2010?
18 A. No, I have not.
19 Q. Have you spoken with anyone from
20 Sperry-Sun regarding the blowout on
21 April 20th, 2010?
22 A. No, I have not.
23 Q. We talked a little bit -- or you
24 talked a little bit earlier today with some
25 of the other counsel regarding the 5Q plan?
1 A. Yes.
2 Q. I'd like to revisit that just
3 briefly. You looked at a document that had
4 previously been marked as exhibit 2918. I'm
5 handing you another copy. This is tab 34 in
6 our -- on our disk.
7 I'd like to direct your
8 attention to about two-thirds of the way down
9 this e-mail. The sentence that begins with
10 our effort. And Mr. Lacy in this e-mail
11 states, our effort must be underpinned by
12 solid professional judgment of an effective
13 plan, be risk based and data informed, and
14 clearly focus on the soft issues like
15 culture.

16 Did I read that accurately, Mr.
17 Jackson?
18 A. Yes.

Page 204:11 to 206:04

11 Q. What did you -- what did you
12 think when you read it?
13 A. I read it that Mr. Lacy thought
14 that there was clear -- clearly focus on soft
15 issues like culture, that it -- the intent
16 was -- was toward his direct reports that he
17 -- he made this directly to and just cc'ed
18 me.
19 Q. Okay. You were working with him
20 on this 5Q project, correct?
21 A. Around the personal safety --
22 the personal safety piece of it.
23 Q. Was culture one of the issues
24 that you were addressing on the personal
25 safety side of it?
1 A. Yes.
2 Q. What specifically relating to
3 culture were you focusing upon?
4 A. We were just looking at culture
5 around trying to determine whether -- what
6 the culture was in the Gulf of Mexico.
7 Q. And what did you determine?
8 A. We -- we took some surveys
9 and -- and, you know, looked at -- I don't
10 remember the details of our documents or our
11 findings, but we were looking at whether
12 there was an issue around not reporting
13 incidents, around leadership, or around
14 communications.
15 Q. And did you find that some
16 deficiencies existed that needed to be
17 addressed to improve upon personal safety in
18 your 5Q plan?
19 A. I'd have to go back to the 5Q
20 plan, but I think there was some around
21 personal safety.
22 Q. There were some deficiencies
23 around personal safety that existed?
24 A. I -- I think. I have to look
25 back at the plan.

1 Q. But to the best of your
2 recollection, is that a yes?
3 A. Yes, there's always some areas
4 for improvement.

Page 208:14 to 209:09

14 Q. The next to the last sentence of
15 the e-mail notes that Mr. Lacy was leading
16 this effort jointly along with you on behalf
17 of the SPU LT, correct?
18 A. I am leading this effort jointly
19 with Curtis on behalf of the SPU leadership
20 with key roles played by Richard Morrison,
21 Simon Todd, and Dan Replogle is what I read.
22 Q. And is that accurate?
23 A. The 5Q effort, yes.
24 Q. And SPU LT, does LT stand for
25 leadership --
1 A. Team, yes.
2 Q. Leadership team. Thank you.
3 What was your role as the HSSE
4 advisor for the Gulf of Mexico regarding 2010
5 safety plans for the Gulf of Mexico?
6 A. It was to -- to work with the
7 leadership team and -- and to come up with
8 what the plan should be for -- for 2010 where
9 to focus areas.

Page 209:19 to 210:01

19 Q. This was part of the 5Q plan, or
20 the 5Q plan was just a part of the 2010
21 safety planning?
22 A. The 5Q plan was the 2010 safety
23 plan on personal safety.
24 Q. Would it have been part of that
25 PowerPoint that we looked at earlier today?
1 A. Yes. Yeah.

Page 210:05 to 211:16

5 Q. I'm handing you what was marked
6 earlier today as exhibit 4426. If you take a
7 look at that, would that help you refresh
8 your memory on what some of the focus areas

9 were?
10 A. Yeah. One of the focus areas I
11 know were -- was hands, in that we've had a
12 number of hand injuries. A focus area was
13 dropped objects because of the number of
14 dropped objects. A focus area was around the
15 hazard hunts and doing -- doing more self
16 assessments, more audits. And then the other
17 focus area was around EASY, which is -- which
18 is over a lot of -- of a -- a sort of a STOP
19 card, a new form of STOP card. And then
20 the -- the last -- the top one was 5Q asset,
21 the D&C safety frames.
22 Q. Anything else?
23 A. It says safety culture project
24 findings.
25 Q. Which we talked about earlier
1 today and you couldn't recall exactly what
2 that entailed, right?
3 A. Right. Yeah, we -- we did
4 safety culture surveys. We call them pulse
5 surveys. I can't really remember what the
6 project findings exactly were. And then
7 communicate and listen, and that's around
8 leadership conference calls with the
9 offshore.
10 Q. And then specific plans were
11 generated based upon these?
12 A. Yes. Oh. There should have
13 been. I don't know if they were or not
14 because -- I don't know the date of this.
15 But as the reorganization came in place, this
16 may have changed some.

Page 211:23 to 211:23

23 (Exhibit Number 4438 marked.)

Page 214:09 to 214:12

9 Q. Turn with me, if you will, to
10 page 7 of the attachment. The Bates number
11 is 90381. And under process safety plan
12 2010, who needs to be involved.

Page 214:22 to 215:06

22 Q. Was it going to be part of your
23 job description then for the -- for 2010 to
24 be part of the process safety -- to be part
25 of process safety?

1 A. No. But -- but we were -- we --
2 at one time, we talked about whether HSE
3 advisors on -- on our production facilities
4 needed some training in process safety. And
5 -- and so that's where -- because they were
6 the only HSE people on the facility.

Page 215:08 to 215:23

8 A. But I -- but it didn't -- it
9 didn't -- we hadn't done that under my watch.

10 Q. So this HSSE advisor in this
11 bullet point refers to HSSE advisors on the
12 facilities and rigs, not to your role?

13 A. I don't know -- rephrasing what
14 I said, I don't know which -- when he says,
15 HSE advisors, I think he meant offshore. But
16 who needs to be involved, but not -- well,
17 I'm sure -- I'm not sure what he meant, I'm
18 sorry, about HSSE advisor, but it wasn't me.

19 Q. Did you ask him what he meant
20 when he forwarded this draft for you to
21 review on March 8th, 2010?

22 A. No, I don't -- do not recall
23 asking him what he meant by this.

Page 216:21 to 220:02

21 Q. And did you provide input into
22 any process safety procedures?

23 A. No, I did not.

24 Q. Did you provide input into any
25 process safety plans?

1 A. No, I did not.

2 Q. I'm handing you what I've marked
3 as exhibit 4439.

4 (Exhibit Number 4439 marked).

5 Q. This is tab 10 on the disk. It
6 is Bates number -- the beginning Bates number
7 is BP-HZN 2179 MDL 03105996, the ending Bates
8 is 6001. This appears to be a PowerPoint,

9 and your name is on the first slide as the
10 HSSE director for the Gulf of Mexico SPU.
11 Do you recognize this
12 PowerPoint?
13 A. Yes.
14 Q. Did you prepare this PowerPoint?
15 A. Yes, I think I did.
16 Q. Is this a final version or a
17 draft?
18 A. I don't recall whether it's the
19 final version or a draft version.
20 Q. Do you know what the purpose was
21 of this PowerPoint presentation?
22 A. This -- do you recall the date
23 on this?
24 Q. I do not find a date on it. The
25 title is HSSE excellence the BP way, correct?
1 A. This is probably 2008. 2000 --
2 so it would have been the year-end 2007.
3 Q. Okay.
4 A. Okay. So somewhere around Texas
5 City incident.
6 Q. And, in fact --
7 MR. LANCASTER: I don't know if this is
8 helpful or not, but I'm just offering it to
9 both of you. You're talking about the
10 timeframe on the last page.
11 Do you see where I'm at?
12 THE WITNESS: Yeah.
13 A. Third and fourth quarter of
14 2007.
15 Q. So would this have been a wrap
16 up of 2007 and presented at the end of 2007
17 or perhaps at the end of -- or beginning of
18 2008?
19 A. This is a wrap up, I think, of
20 2006 because it says, 2007, January through
21 May is for the statistics on the -- on
22 page 3. So --
23 Q. Who is your --
24 A. Go ahead.
25 Q. No, go ahead.
1 Who was your target audience for
2 this?
3 A. This would have been the HSE
4 organization.

5 Q. If you'll turn with me to the
6 last page of this presentation, the Bates
7 number is 6001.
8 A. Okay.
9 Q. The last paragraph under the way
10 forward, there appear to be some talking
11 notes -- some talking notes, some talking
12 points underneath the PowerPoint slide,
13 correct?
14 A. Yes.
15 Q. It talks about OMS not simply
16 being a consequence of Texas City, but it
17 being a solution to the problem identified
18 and the right thing to do for the business.
19 Was OMS enacted after Texas
20 City?
21 A. Yes.
22 Q. And what was the purpose of it?
23 A. OMS was the operating management
24 system. So a comprehensive -- comprehensive
25 system that took together, risk, leadership,
1 and, you know, HSE as well and -- and
2 operations.

Page 222:13 to 223:22

13 Q. When did you first hear that
14 your position as HSSE advisor was being
15 eliminated?
16 A. My role as HSE director was --
17 when did I first hear -- officially hear? I
18 knew -- I saw the organization --
19 Q. Or unofficially.
20 A. It was -- it was in the first
21 quarter.
22 Q. January, February, March?
23 A. I'll say February, March
24 timeframe.
25 Q. Who told you?
1 A. I don't know that you always
2 have to be told. If you see some
3 organization and -- or there was -- there was
4 a call that asked for my resume when there
5 was a -- leadership was away. And that call
6 indicated to me that -- that I was not going
7 to have that -- that position was no longer

8 there.
9 Q. Who made that call?
10 A. Cindi Skelton called me and
11 asked for my risumi. But she didn't say
12 anything. It's just -- I assumed from that.
13 Q. When did that call come?
14 A. It's either February or March.
15 February, I think.
16 Q. And you said that there were
17 some discussions about other positions within
18 BP?
19 A. Yes.
20 Q. Who were those discussions with?
21 A. I had a discussion with -- with
22 the drilling organization.

Page 223:25 to 225:06

25 Q. With Pat O'Bryan or with others
1 within the drilling organization?
2 A. With -- with others.
3 Q. Who?
4 A. Ken Tucker.
5 Q. Anyone else?
6 A. Yes. I can't think of their
7 names right now.
8 Q. What other positions were
9 discussed?
10 A. We discussed whether there was a
11 position for an integrity manager for
12 drilling.
13 Q. And what ultimately became of
14 those discussions? Did -- was a position
15 offered to you unofficially but you chose not
16 to take it?
17 A. The position was never
18 officially offered to me. We discussed a
19 position and I wasn't a good fit.
20 Q. At what time -- at what point
21 did you find out that you would be officially
22 terminated?
23 A. I don't know an exact date, but
24 it had to be sometime in March.
25 Q. And you left your position on
1 April 1st, 2010?
2 A. That's when the -- the

3 reorganization officially took -- took place.
4 Q. Were you still going into the
5 office on a daily basis?
6 A. No.

Page 225:09 to 225:17

9 Q. Up to April 1st?
10 A. Yes.
11 Q. And performing your
12 responsibilities up until April 1st?
13 A. Yes.
14 Q. On April 1st, you stopped going
15 into the office and performing your
16 responsibilities?
17 A. Yes.

Page 227:15 to 227:18

15 BY MR. NEGER:
16 Q. Mr. Jackson, my name is Peter
17 Neger and I represent Anadarko Petroleum
18 Corporation.

Page 229:06 to 229:15

6 Q. Now, what were your
7 responsibilities as HSE director for the Gulf
8 of Mexico at BP?
9 A. Responsibilities prior to -- to
10 April 1st was around -- I had direct reports
11 around security, regulatory environment, and
12 programs. And then I had functional reports
13 from production operations, drilling
14 operations, and major projects operations --
15 or major projects.

Page 230:07 to 233:07

7 Q. Gotcha. Okay. Terrific. Now,
8 was one of your roles as HSE director -- or
9 were you involved as HSE director with
10 contractor management?
11 A. Yes.
12 Q. Okay.
13 A. I was involved with contract

14 management.

15 Q. And, in fact, you were chair of
16 the Gulf of Mexico contractor performance
17 evaluation team, were you not?

18 A. Yes.

19 Q. Okay. And for sometime, you
20 were the -- the SPA or single point of
21 accountability for control of work?

22 A. I don't recall whether I was a
23 single point of accountability for control of
24 work or not.

25 Q. Would you turn, please, to
1 tab 30 in your binder.

2 And we're going to -- I'm going
3 to ask you to put that 4440 sticker on it.

4 (Exhibit Number 4440 marked).

5 Q. And ask you if you recognize
6 this particular document.

7 A. And this document is document
8 number -- ends with 9063?

9 Q. 9063 and then there's an
10 attachment, which also -- which consists of a
11 -- of a PowerPoint.

12 A. Okay. Give me a moment to read
13 the document.

14 Q. Sure.

15 A. Is the document addressed to me.

16 Q. Well, it's in front of you. I
17 don't think that it is.

18 A. Okay.

19 Q. You know, because my time is
20 limited, I'm going to ask you, actually, to
21 flip to the -- the page in the document --
22 actually, it's not even -- it's an attachment
23 to the document, which starts at page 9088.

24 Do you see that?

25 A. Yes.

1 Q. And that's the cross GoM
2 processes and SPAs OMS, version 2.

3 Are you familiar with that
4 document?

5 A. Yes.

6 Q. Okay. And go two pages into
7 that, to the page 9090, and look under number
8 -- element 3, number 3.2, personal safety,
9 and there's a listing of SPAs.

10 And that's you, Curtis Jackson,
11 right?

12 A. This is around the single point
13 accountability for the OMS. I think this is
14 more around determining the gaps to OMS,
15 cross Gulf of Mexico processes -- I need to
16 read this, exactly, but go ahead. It says
17 I'm the SPA.

18 Q. Yeah. Okay. That was where I
19 was going.

20 A. Okay.

21 Q. All right. Thank you.

22 Mr. Jackson, how would you
23 define process safety?

24 A. Process safety is a focus on,
25 you know, as I read it, focus on preventing
1 fires, explosions, release of hazardous
2 materials from facilities.

3 Q. It's creating processes that
4 create barriers to those things even
5 occurring, right?

6 A. Yeah. A process, operational
7 practices.

Page 234:09 to 239:17

9 Q. Okay. Turn, please, to tab 35
10 in the binder.

11 And I'm going to ask you to
12 please put sticker number 4441 on that one.
13 (Exhibit Number 4441 marked).

14 A. On the draft?

15 Q. On the document which is labeled
16 draft, yes.

17 And this is a draft that relates
18 to control of work, right?

19 A. Yes.

20 Q. And that was something with
21 which you were involved, correct?

22 A. Something I had some knowledge
23 of, yes.

24 Q. Okay. Have you ever seen this
25 document before? Are you familiar with --
1 with this group defined operating practice
2 draft?

3 A. I can't recall whether I've seen

4 a draft or not. I've seen the control of
5 work, the policy at one time.

6 Q. Okay. Bear with me for one sec.
7 Now, you were involved with
8 contractor safety management, right? I think
9 you testified about that a little bit earlier
10 today.

11 A. Yes.

12 Q. Okay. Would you please turn to
13 tab 13 in the binder. I think that the next
14 document number is 4442.
15 (Exhibit Number 4442 marked).

16 Q. Have you -- have you seen this
17 document before?

18 A. I'll have to read it.

19 Q. Sure. It's an e-mail, and it
20 attaches a -- a PowerPoint presentation.
21 Actually, I will represent to
22 you that you don't appear to be on this
23 particular e-mail, but if you would turn to
24 the PowerPoint presentation, which looks like
25 a presentation regarding supplier performance
1 management and Gulf of Mexico contractor
2 performance evaluation team.
3 Do you see that?

4 A. This is the first slide?

5 Q. Yes.

6 A. Okay.

7 Q. Have you seen this PowerPoint
8 presentation before?

9 A. So this PowerPoint was done in
10 2008?

11 Q. So it would appear.
12 Well, you were chairman of --

13 A. Yes.

14 Q. -- this contractor performance
15 evaluation team, were you not?

16 A. Yes.

17 Q. Okay. And the contractor
18 performance evaluation team was meant to
19 establish consistent HSE requirements and
20 processes across BP's suppliers, right?

21 A. Yes.

22 Q. And that was -- that was
23 important to BP's operations, correct?

24 A. Yes.

25 Q. Okay. Because 70 percent of the
1 personnel on BP sites were comprised of
2 contractors, right?

3 A. I don't know the exact
4 percentage.

5 Q. Well, if you would turn to the
6 page with the number on the bottom ending in
7 1494.

8 A. Okay.

9 Q. Okay. Right, 70 percent of the
10 personnel on BP sites are contractors?

11 A. As represented by this slide. I
12 have no information of whether this slide is
13 correct or not.

14 Q. You have no reason to quarrel
15 with it, do you?

16 A. I don't know where his data came
17 from.

18 Q. Not your data?

19 A. Not my data.

20 Q. Okay. And the same would be
21 true of the line two lines below, 90 percent
22 of your incidents happen to contractors?

23 A. Not my data.

24 Q. But no reason to quarrel?

25 A. No.

1 Q. Okay. Let me switch some gears
2 for a minute, because I have, like, no time.
3 If you would look at tab 5,
4 please.

5 And let's mark that one 4443.
6 (Exhibit Number 4443 marked).

7 Q. This is an e-mail from Mr. Lacy
8 to Mr. Shaw with a cc to you, correct?

9 A. Yes.

10 Q. Okay. And Mr. Lacy, in this
11 e-mail, notes that developing contractor
12 safety improvement plans was a focus area for
13 BP in 2008, right?

14 A. And where are you reading?

15 The issue of culture on each rig
16 is -- is a key area.

17 Q. Right.

18 A. Okay.

19 Q. If you go to the -- I'm sorry.
20 If you go to the -- the next page of the

21 e-mail, you'll see there Mr. Lacy says that
22 Transocean was one of the top contractors
23 requiring a safety improvement plan in 2008,
24 top three contractors, first line, right?
25 A. Prioritize the top three
1 contractors that require a safety improvement
2 plan, which includes TO and Pride and...
3 Q. Question marks.
4 A. Yes.
5 Q. Looks like they had not yet
6 identified the third of the three contractors
7 that required development of a safety
8 improvement plan in 2008?
9 A. Yeah.
10 Q. Okay.
11 A. This looks like he's picking all
12 of our drilling contractors.
13 Q. Well, okay. Who were the other
14 -- who was the other drilling contractor in
15 2008?
16 A. I don't know, but Transocean and
17 Pride were the two.

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12 Q. Now let's turn to tab 7, which I
13 think is a -- you know what, I'm going to
14 skip tab 7. We're going to go to tab 18.
15 And if you would please mark
16 that one as 4445.
17 (Exhibit Number 4445 marked).
18 THE WITNESS: You're on the ball.
19 MR. LANCASTER: I'm trying. She
20 passes; I go from there.
21 Q. Okay. Now, these are -- this is
22 an e-mail on which you are copied, right, at
23 the top?
24 A. Yes.
25 Q. From Mr. Skelton to a group of
1 people, including yourself?
2 A. Yes.
3 Q. And these are the minutes of the
4 HSSE performance meeting for August 26th,
5 2009, that are attached?
6 A. Right.
7 Q. Now, did you receive minutes of

8 these D&C HSSE performance meetings?
9 A. Some of them.
10 Q. Were you a member of the -- the
11 group that was involved in HSSE performance
12 in the D&C area?
13 A. I was the HSE director, so I was
14 at some of the meetings.
15 Q. You didn't attend them all?
16 A. I did not attend them all.
17 Q. But when you didn't attend them,
18 did you receive the minutes in any event?
19 A. I can't recall whether I did or
20 did not receive the minutes. Some of them, I
21 know I did, but I can't tell you I received
22 all the minutes.
23 Q. Okay. You testified earlier
24 this morning, I believe, that there were HSE
25 field advisors assigned to the various rigs
1 in the BP fleet on which BP had contractors
2 -- or BP's contractor-owned rigs, right?
3 A. Yes.

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9 Q. Do you recall that there came a
10 time when BP decided to actually remove those
11 field advisors from the rigs?
12 A. I don't think that BP decided to
13 remove them. I think it was not to have them
14 there every day. They were -- were going to
15 be there every -- every other week.
16 Q. And was there any discussion
17 that you can recall about whether removing
18 the field advisors from having a daily
19 presence on the rigs created a gap in process
20 and personal safety assurance for BP's assets
21 on those rigs?

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23 A. We -- my focus was not process
24 safety.

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2 Q. Was there any discussion

3 regarding whether removing those field
4 advisors from the rigs was going to have an
5 impact on personal safety priorities on those
6 rigs?

7 A. We discussed the -- the removal
8 and -- and whether there was HSE advisors
9 there, and Transocean and Pride both had HSE
10 advisors on the rigs, so our efforts were
11 more of a duplication of that, and so did not
12 see any issues with personal safety around
13 that.