

**Congress of the United States**  
**Washington, DC 20515**

February 24, 2010

Ms. Elizabeth Birnbaum, Director  
Minerals Management Service  
Department of the Interior  
1849 C Street, N.W.  
Washington, DC 20240

Dear Director Birnbaum:

In recent months, we have heard disturbing reports regarding British Petroleum's (BP) Atlantis platform in the Gulf of Mexico. This platform, the largest oil and natural gas platform in the world, may be operating without crucial engineering documents, which, if absent, would increase the risk of a catastrophic accident that would threaten not only the workers on the platform, but also the Gulf of Mexico and the communities who depend on the resources it provides.

In March 2009, a whistleblower notified the Minerals Management Service (MMS) that he believed BP did not have required engineer-approved drawings for BP Atlantis's subsea components. Industry standards and federal regulations require the company to have these documents before any platform can start production. These include "as-built" drawings, which are essentially an operator's guide to how the platform components work from start up to shut down and are critical for operators to have at their disposal.

A review of BP's database in existence at that time and provided by the whistleblower appears to show that of the over 7,176 documents and drawings for Atlantis's subsea components --- a total of 6,393 of them --- over 90% --- may not have been approved by a professional engineer, as required by regulation. BP's own internal communication indicates that using incomplete or inaccurate documents "could lead to catastrophic Operator errors due to their assuming the drawing is correct."

We are also concerned that your interpretation of 30 C.F.R. § 250.903(a)(1), and its application to approval of operations at Atlantis indicates a less than acceptable standard. Specifically, communications between MMS and congressional staff have suggested that while the company by law must maintain "as-built" documents, there is no requirement that such documents be complete or accurate. This statement, if an accurate interpretation of MMS authorities, raises serious concerns.

MMS owes it to all American taxpayers to fully investigate the allegations made related to environmental and safety standards of domestic offshore energy production. The urgency of these allegations is highlighted by the recent oil spill in the Timor Sea that, according to one source, leaked 2000 barrels per day for 10 weeks before it was finally stopped after five attempts by the operator. These accidents are a reminder that even as drilling technology and clean-up methods have improved there is still a considerable risk to the environment, and public health and safety precautions should be taken seriously by both MMS and industry.

The MMS has an obligation and a duty to ensure that natural resource extraction from public lands and the outer Continental Shelf is done with the utmost concern for the environment and the health and safety of workers and the public. Making sure that these standards are adhered to will take on added importance as the nation sets its sights on a national agenda of energy independence. It is critical that we get this right.

We urge MMS to conduct a full investigation of whether British Petroleum had a complete and accurate set of required engineering drawings for the BP Atlantis platform and its associated subsea components prior to the start of production from that platform, and to report back to Congress on the results of that investigation as soon as possible. We also request that MMS describe how a regulation that requires offshore operators to maintain certain engineering documents, but does not require that those documents be complete or accurate, is appropriately protective of human health and the environment.

We look forward to hearing from you about this matter.

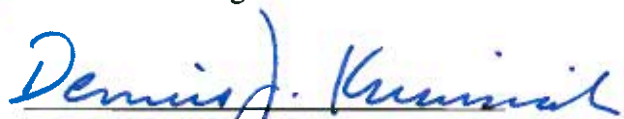
  
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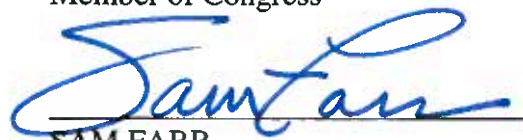
  
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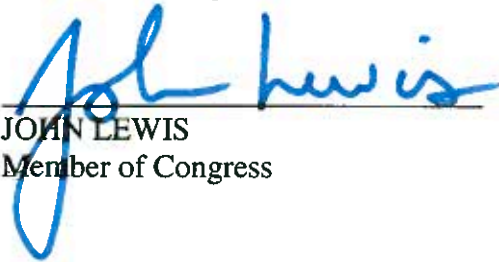
  
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