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May 4, 2010

The Honorable Ken Salazar
Secretary
U.S. Department of the Interior
1849 C Street, NW
Washington, DC 20240

Dear Secretary Salazar:

The *Deepwater Horizon* tragedy in the Gulf of Mexico has already taken a tremendous human toll and now threatens to take a massive environmental and economic one as well. I greatly appreciate the hard work of your Department in responding to this disaster.

While the Administration is appropriately undertaking an investigation into the causes of the explosion and the subsequent failure of equipment that led to the current crisis, the House Natural Resources Committee, intends to fully exercise its oversight responsibility over oil and gas exploration and production on the Outer Continental Shelf. As you are aware, we have already dispatched Committee staff to the affected region to monitor the activities of the joint unified command.

In addition, we are pursuing our duties in several other venues. As you may know, a number of recent articles in the *Wall Street Journal* have brought issues surrounding the regulation and operation of blowout preventers (BOPs) to light. In particular, one article reports that the Minerals Management Service (MMS) decided that the use of an acoustic switch for the remote-control shut-off of a blowout preventer was unnecessary¹, and another article reports that a 2004 study commissioned by MMS cast doubt on the ability of BOP shear rams to operate in deepwater.²

¹ Wall Street Journal, "Oil well lacked remote safeguard device," April 30, 2010.

² Wall Street Journal, "Safety Tool Questions in 04," May 3, 2010.

To better understand the claims made in these articles, we ask that you provide to the Committee on Natural Resources the following information:

- All documents related to MMS' consideration of the use of acoustic remote-control shut-off devices on offshore blowout preventers, specifically showing when MMS first began considering the use of such devices, all comments received regarding the use of such devices, and how MMS made the decision that such devices should not be required;
- The 2004 study commissioned by MMS regarding the ability of shear rams to operate properly in deepwater; and
- Information on all known instances, if any, in which blowout preventer shear rams operated properly in deepwater environments.

In addition, despite the fact that Section 250.213 of Title 30 of the Code of Federal Regulations requires a full blowout scenario to be included in any exploration plan (EP), MMS Notice to Lessee (NTL) 2008-G04 directs operators to include a blowout scenario only in certain situations. According to the exploration plan filed by BP for the *Deepwater Horizon* well, it would appear that no blowout scenario was required, presumably because the drilling operations did not fall under one of the situations listed under NTL 2008-G04.

Committee staff have found that such exemptions to the 30 CFR 250.213 requirement for a blowout scenario date back at least to a Notice to Lessees issued in 2002 (NTL 2002-G08). It is not clear, however, when this exemption was first included, or why. I therefore request that you provide to the committee the following:

- All NTLs related to Information Requirements for Exploration Plans and Development Operations Coordination Documents issued after 1982 and prior to 2002;
- Any documents that relate to the decision to restrict the applicability of 30 CFR 250.213; and
- Any comments received from outside groups, companies, or individuals relating to the inclusion of blowout scenarios in all exploration plans.

It is in all of our interests to ensure that such an event never happens again, but that if it does, the human and environmental cost is minimized. If you have any questions about this request, please contact Deborah Lanzone, Staff Director, Subcommittee on Energy and Mineral Resources, at 202-225-9297.

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May 4, 2010
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With warm regards, I am

Sincerely,



Nick J. Rahall, II
Chairman
Committee on Natural Resources

Cc: Elizabeth S. Birnbaum, Director, Minerals Management Service