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Panel: Transocean thwarts efforts to get documents

Published October 05, 2010

| Associated Press

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METAIRIE, La. – Members of a federal panel investigating the cause of the Gulf of Mexico rig explosion and oil spill and how to improve safety and oversight accused rig owner Transocean on Tuesday of thwarting their efforts to get to critical documents and a witness.

The co-chair of the panel, U.S. Coast Guard Capt. Hung Nguyen, told a packed hearing room in a New Orleans suburb that members have been trying for two months to get Transocean to turn over materials related to its compliance with international safety management codes.

Nguyen said the panel also has been unable to get a specific Transocean manager to come in and testify about safety.

Transocean lawyers said the document request is too cumbersome. They said whether the witness testifies isn't within their control.

Nguyen said one of the key elements the panel has been trying to analyze is the safety culture at the companies involved in the April 20 disaster, including Transocean. He said the panel will have to make conclusions and recommendations whether or not Transocean supplies the information, so he encouraged them to comply.

"We did issue two subpoenas for the same thing. Each time we were told it was irrelevant and burdensome," Nguyen said. "If they are burdensome, that means there is something going on with your safety management system."

Another panel member, Coast Guard Capt. Mark Higgins, said the board has been "thwarted in some respect" in getting to the witness that members want to question.

"I would encourage you to look at this as an opportunity to disprove what we have seen through this small window as to the culture at Transocean," Higgins said.

Transocean lawyer Ned Kohnke said the company has acted in good faith and produced everything it believes it should. He said the panel has the right to go to court to enforce the subpoena if it wants.

"How you can say we are thwarting is beyond me," Kohnke said.

He accused the board of making improper conclusions, not following its own rules of procedure and not asking questions properly of other witnesses who have testified.

"You refer to some of these documents not being hearsay. You are wrong," Kohnke said.

He added, "With all due respect, you have been wrong in other regards. We are here cooperating."

Earlier Tuesday, a Transocean official testified that water poured onto the burning rig after the Gulf of Mexico explosion was meant to keep the vessel cool so it could be stabilized, not to put

out the fire.

There were missing workers and an intense search and rescue effort ongoing in the hours after the blast.

But Robert McKechnie, a director in Transocean's engineering and technical support group, told the joint U.S. Coast Guard-Bureau of Energy Management, Regulation and Enforcement investigative panel that he believes there was no way to put out the fire with water alone, so the goal was to maintain the integrity of the structure to give officials the best chance of bringing the ruptured undersea oil well under control.

"You're not going to put out an oilfield blowout with water," McKechnie said.

Eleven workers were killed, and 206 million gallons of oil spewed from the well before it was capped three months later, according to federal estimates.

There were several boats that came to the scene and spent hours trying to put out the fire on the rig before it sank. But who was in charge of that effort and the preparedness of the companies involved with the rig in responding to a massive fire at sea have been key issues the federal panel has been probing.

In other developments Tuesday, President Barack Obama signed a widely expected executive order establishing a Gulf Coast Restoration Task Force. The panel, which was recommended by Navy Sec. Ray Mabus in the restoration plan he released last week, will be led by Environmental Protection Agency administrator Lisa Jackson.

Obama's order asks the task force within a year to issue a strategy that will provide a roadmap for restoration efforts.

The panel is holding its fifth series of hearings this week.

BP PLC's well a mile beneath the sea gushed for three months before being capped in July and then permanently sealed in September. The British oil giant owned the well but was leasing the rig that exploded from Transocean Ltd.

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Associated Press Writer Dina Cappiello contributed to this report from Washington.

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