

HENRY A. WAXMAN, CALIFORNIA
CHAIRMAN

JOHN D. DINGELL, MICHIGAN
CHAIRMAN EMERITUS
EDWARD J. MARKEY, MASSACHUSETTS
RICK BOUCHER, VIRGINIA
FRANK PALLONE, JR., NEW JERSEY
BART GORDON, TENNESSEE
BOBBY L. RUSH, ILLINOIS
ANNA G. ESHOO, CALIFORNIA
BART STUPAK, MICHIGAN
ELIOT L. ENGEL, NEW YORK
GENE GREEN, TEXAS
DIANA DEGETTE, COLORADO
VICE CHAIRMAN

LOIS CAPPS, CALIFORNIA
MIKE DOYLE, PENNSYLVANIA
JANE HARMAN, CALIFORNIA
JAN SCHAKOWSKY, ILLINOIS
CHARLES A. GONZALEZ, TEXAS
JAY INSLEE, WASHINGTON
TAMMY BALDWIN, WISCONSIN
MIKE ROSS, ARKANSAS
ANTHONY D. WEINER, NEW YORK
JIM MATHESON, UTAH
G.K. BUTTERFIELD, NORTH CAROLINA
CHARLIE MELANCON, LOUISIANA
JOHN BARROW, GEORGIA
BARON P. HILL, INDIANA
DORIS O. MATSUI, CALIFORNIA
DONNA CHRISTENSEN, VIRGIN ISLANDS
KATHY CASTOR, FLORIDA
JOHN SARBANES, MARYLAND
CHRISTOPHER MURPHY, CONNECTICUT
ZACHARY T. SPACE, OHIO
JERRY MCNERNEY, CALIFORNIA
BETTY SUTTON, OHIO
BRUCE BRALEY, IOWA
PETER WELCH, VERMONT

JOE BARTON, TEXAS
RANKING MEMBER

ROY BLUNT, MISSOURI
DEPUTY RANKING MEMBER
RALPH M. HALL, TEXAS
FRED UPTON, MICHIGAN
CLIFF STEARNS, FLORIDA
ED WHITFIELD, KENTUCKY
JOHN SHIMKUS, ILLINOIS
JOHN B. SHADEGG, ARIZONA
STEVE BUYER, INDIANA
GEORGE RADANOVICH, CALIFORNIA
JOSEPH R. PITTS, PENNSYLVANIA
MARY BONO MACK, CALIFORNIA
LEE TERRY, NEBRASKA
MIKE ROGERS, MICHIGAN
SUE WILKINS MYRICK, NORTH CAROLINA
JOHN SULLIVAN, OKLAHOMA
TIM MURPHY, PENNSYLVANIA
MICHAEL C. BURGESS, TEXAS
MARSHA BLACKBURN, TENNESSEE
PHIL GINGREY, GEORGIA
STEVE SCALISE, LOUISIANA
PARKER GRIFFITH, ALABAMA
ROBERT E. LATTA, OHIO

ONE HUNDRED ELEVENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6115

MAJORITY (202) 225-2927
FACSIMILE (202) 225-2525
MINORITY (202) 225-3641

energycommerce.house.gov

June 10, 2010

Mr. Lamar McKay
President and CEO,
BP America, Inc.
501 Westlake Park Boulevard
Houston, Texas, 70779

Dear Mr. McKay:

BP is now reportedly collecting 15,000 barrels of oil per day through a cap placed on the top of the blowout preventer at the Deepwater Horizon/ Macondo well accident site. However, as is evident from the live video feeds being shot on the ocean floor, substantial quantities of oil continue to escape from around the sides of the cap and from vents on the cap.

While conservative estimates indicate that the lower bound of the flow rate before the riser was severed was between 12,000 and 19,000 barrels per day, questions remain about the upper bound of the flow rate estimate. Some members of the Flow Rate Technical Group have said that the maximum flow could be much higher.

As one example, Dr. Steve Wereley of Purdue University, who is on the Flow Rate Technical Group, has said that the size of the spill could be more than 40,000 barrels of oil per day.

I and other members of Congress have now received high-definition footage of the spill site, and understand that scientists on the flow rate team have also received this footage. This footage includes the important time period between when the riser was cut and removed and when the current cap system was installed.

While this footage has helped these independent scientists to better estimate the size of this spill, they will provide only an approximation. To get the most accurate flow-rate possible, direct measurements are needed.

During discussions my staff have held with Dr. Ira Leifer of the Marine Sciences Institute at the University of California-Santa Barbara, who is on the Flow Rate Technical Group, it has come to my attention that there is an upcoming potential opportunity to reach such an accurate assessment. BP has indicated that there is a plan to place a larger containment cap on the well in the next couple of weeks to capture more of the oil gushing from the site.

During the switching of the cap, an experiment could be conducted to better measure the size of the flow. The experiment would consist of injecting fluorescent dye into the oil stream, which would allow scientists to better estimate how fast the gusher is moving and thus the total quantities of oil, gas, and other materials leaving the well. The scientific methods for this activity are well-developed and have been published in peer-reviewed scientific journals.

Scientists could be at the well site within one week with their equipment, provided the proper budget. The measurement would take only a couple hours. Monitoring equipment could be left at the well site to provide an ongoing assessment of the spill, and would be safely installed away from BP's operations at the well.

I want to emphasize that any efforts to measure the flow rate should not interfere with or delay any efforts to eliminate or limit the flow of oil. However, based on BP's plans as reported in the media, removal of the cap and placement of an additional cap may not take place for 2-3 weeks which should provide ample time to prepare for the flow rate measurements being proposed.

This measurement could help inform the ongoing effort to end the spill, which is the number one priority. There are concerns that, without the best information on the size and force of this gusher, that the effectiveness of the new containment cap and relief wells could be compromised. By knowing the true size of the spill, the robust response efforts currently being coordinated by the Obama administration can also be aided.

My understanding is that BP has not yet responded to Dr. Leifer's request to make direct flow measurement. Therefore, I encourage you to immediately engage with Dr. Leifer and other members of the Flow Rate Technical Group to explore the opportunity this new strategy presents. I request that you provide whatever budget and ROV access is needed to allow these scientists to deploy their measurement activities and allow them full and safe access to the spill site at the sea floor to conduct this measurement.

As you know, BP will be fined for every barrel of oil spilled during this disaster. The residents of the Gulf of Mexico and all Americans deserve a true understanding of the size of what is already the worst environmental disaster in U.S. history.

Sincerely,



Edward J. Markey
Chairman
Energy and Environment
Subcommittee
Energy and Commerce Committee

CC:

Admiral Thad Allen, USCG
Honorable Henry Waxman, Chairman
Honorable Joe Barton, Ranking Member
Honorable Fred Upton, Ranking Member