



June 5, 2010

Doug Suttles, COO, BP
Robert Command Post
23260 Shell Lane
Robert, LA 70455

Dear Mr. Suttles,

The purpose of this letter is to outline improvements to the Rototox testing being conducted on two BP vessels. BP commissioned the Brooks-McCall and Ocean Veritas to collect data described in a May 10, 2010, Directive from the United States Coast Guard (USCG) and Environmental Protection Agency (EPA) regarding the subsurface application of dispersant. These data include a CTD array (temperature, dissolved oxygen, and conductivity), sampling and analysis of total petroleum hydrocarbons (TPH), volatile organic analysis (VOA), toxicity of rotifers (Rototox kit assay), and oil dispersion as indicated by Laser In-Situ Scattering and Transmissometry (LISST) and CTD fluorometry. Many of these measurements are taken from multiple depths. After careful review of the Rototox toxicity data, EPA engaged in a technical discussion with BP (Larry Malnor) and their consultant (Gina Coelho) in order to determine a path forward to improve toxicity test reliability and data interpretability. Below is an outline of the agreed upon improvements to the rotifer toxicity (Rototox) testing:

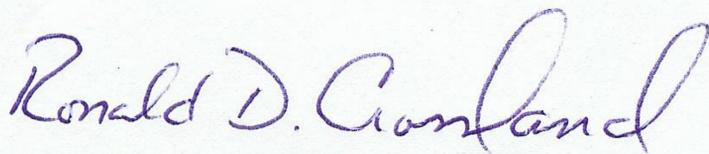
1. Control survival: As per the test protocol, EPA and BP agreed that control survival for test acceptability will be set at greater than or equal to 90%. This is also consistent with ASTM Method E 1440-91. If control survival is below 90%, then the test is considered to be invalid. However, BP will nonetheless report the data.
2. BP agreed to implement two hatches of rotifers each day. This is to ensure both the availability and improved viability of organisms for daily testing, and to minimize the use of organisms that would potentially be too old for test initiation. These hatches should be approximately eight hours apart.
3. Reference toxicity testing will be included in the test procedures by replacing the lowest dilution concentration per sample (i.e., 6.25%), with an appropriate reference toxicant. This will ensure that there is a regular procedure for quality control/quality assurance purposes.
4. The level of replication in the Rototox test is six replicates of each treatment. Treatments include a per-sample control, each dilution level of a sample, and reference toxicant. To provide clarity in the reporting of data, all results will be provided to EPA and USCG as raw data (i.e., each replicate will be reported).

The implementation of the technical details outlined above will help to ensure higher quality Rototox data. If you have any questions, please do not hesitate to contact one of us.

Sincerely,



J. A. Watson
Rear Admiral, U. S. Coast Guard
Federal On-Scene Coordinator



Samuel Coleman, P.E.
Director
Superfund Division
U.S. EPA Region 6