WILMERHALE

June 7, 2010

Anne Harkavy

+1 202 663 6756(t)
+1 202 663 6363(f)
anne.harkavy@wilmerhale.com

The Honorable Edward J. Markey, Chairman
Subcommittee on Energy and Environment
Committee on Energy and Commerce
United States House of Representatives
2125 Rayburn House Office Building
Washington, DC 20515-6115

Re: Response to Chairman Markey's Correspondence Dated May 31, 2010, to Mr. Lamar McKay, President and CEO of BP America, Inc.

Dear Chairman Markey:

I am writing on behalf of BP America, Inc. in response to your May 31, 2010 letter to Mr. Lamar McKay, its Chairman and President, in which you requested information and documents concerning potential sub-surface concentrations of oil in connection with the incident in the Gulf of Mexico involving the *Deepwater Horizon* oil rig. BP appreciates the importance of providing reliable and timely information regarding water quality and chemistry gathered in connection with the incident.

In response to your request, we are producing the following data that relate to the distribution of subsurface hydrocarbons in the areas sampled, and as of the dates sampled (last on May 29, 2010): (1) summary reports of water quality data collected by scientists from BP, NOAA and the EPA [BP-HZN-CEC020556 – BP-HZN-CEC020604 and BP-HZN-CEC02611 – BP-HZN-CEC02617]; and (2) the initial NOAA and EPA May 10, 2010 sampling directive under which the data were collected [BP-HZN-CEC020605 – BP-HZN-CEC020610]. BP has been posting these summaries on its website,[1] and the underlying data and amendments to the sampling directive are available at the EPA's spill response website.[2] BP, NOAA and the EPA continue to monitor water quality and chemistry in the Gulf. BP, in collaboration with these government agencies, will continue to gather this observational data and publish it on its website.

BP has not yet seen the observational data underlying the reports referred to in your letter and would not be in a position to comment on that data until it is made public or otherwise provided and can be reviewed.

---

[1] http://www.bp.com/sectiongenericarticle.do?categoryId=9033792&contentId=7062347
[2] http://www.epa.gov/bpspill/dispersants.html

If you have any questions, or require additional information, please feel free to contact me or to have your staff contact Liz Reicherts at (202) 457-6585.

Sincerely,

Anne Harkavy

Enclosures

cc: Chairman Henry Waxman
Ranking Member Joe Barton
Ranking Member Fred Upton