

ONE HUNDRED TWELFTH 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  
Minority (202) 225-3641

April 4, 2011

The Honorable Rafael Moure-Eraso  
Chairman  
U.S. Chemical Safety Board  
2175 K Street, NW, Suite 400  
Washington, DC 20037

Dear Chairman Moure-Eraso:

The U.S. Chemical Safety Board (CSB) recently briefed Committee staff on the progress of their investigation into the root causes of the April 20, 2010, explosion aboard the Deepwater Horizon oil rig. The CSB launched its investigation in response to a June 8, 2010, request from the Committee. During the briefing, CSB staff outlined the issues it is considering evaluating, including regulatory approaches to offshore drilling and BP and Transocean's safety cultures and processes.

As part of your investigation, we urge you to examine an apparent cost-saving decision made by Transocean, the rig's operator, and to evaluate the role this decision may have played in the Deepwater Horizon oil rig explosion.

We have learned that Transocean extended its worker shift schedule, also called a hitch schedule, in the months prior to the Deepwater Horizon oil rig explosion. In September 2009, Transocean moved its Gulf of Mexico rig workers from a 14-day-on-the-rig/14-day-off-the-rig hitch pattern to a 21-day-on-the-rig/21-day-off-the-rig hitch pattern.

According to Transocean's lawyers, the company's decision to extend worker hitches was partially a cost-saving measure.<sup>1</sup> Documents provided to the Committee indicate that the schedule shift saved Transocean approximately \$200,000 per rig per year, which is almost \$2.5 million annually.<sup>2</sup> These savings are achieved, in part, because the longer shift schedules reduce the frequency with which Transocean needs to fly employees onto and off of their rigs.

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<sup>1</sup> Letter from Rachel G. Clingman, Esq., Sutherland Asbill, on behalf of Transocean, to Chairman Henry A. Waxman and Chairman Bart Stupak (Sept. 13, 2010).

<sup>2</sup> Email from Scott McKaig, Rig Manager, Transocean, to Larry Mills, Division Human Resources Manager – North America, Transocean (May 4, 2009) (TRN-HCEC-00116008).

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In March 2010, Lloyd's Register, an independent assessor, conducted a survey of workers aboard the Deepwater Horizon. Lloyd's found that the hitch change was having a negative impact on workers. Specifically, employees complained of "Fatigue issues with the 21-on-21-off policy." Lloyd's also found that fatigue was most pronounced during the third week of a 21-day hitch. One manager aboard the Deepwater Horizon reported a "big difference in their attitudes on the third week...it's mentally draining and I've got to watch my guys closer." Another manager complained that the new 21-on/21-off policy was "definitely increasing the risk of an incident."<sup>3</sup>

Six of the eleven people who died onboard the Deepwater Horizon were on day 20 of their 21-day shift; and a seventh was on day 19.<sup>4</sup>

We believe Transocean's decision to move to the longer shift schedule should be closely examined as part of your on-going investigation into the incident. For this reason, we are sending you copies of documents relevant to the change in shift schedule. Some of these records were provided with a "Confidential Treatment Requested by Transocean Holdings LLC" or a "Confidential Treatment Requested by TODDI" stamp that indicates that the records could contain confidential business information. Accordingly, we ask that you use care in handling these documents and take appropriate precautions with any genuinely confidential business information contained in the records.

We are providing you with these documents with the understanding that you and your office acknowledge that these documents are being provided voluntarily and that this voluntary production does not constitute a waiver of the Speech or Debate privilege for any purpose.

If you have any questions, please contact Tiffany Benjamin of the Committee staff at (202) 225-3641.

Sincerely,



Henry A. Waxman  
Ranking Member



Diana DeGette  
Ranking Member  
Subcommittee on Oversight  
and Investigations

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<sup>3</sup> Lloyd's Register EMEA Aberdeen Energy, *Safety Management and Safety Culture/Climate – Deepwater Horizon* at 16 (May 11, 2010) (TRN-HCEC-00090589).

<sup>4</sup> Transocean, *Personnel On-Board As of 20 Apr 2010 17:09:15* (TRN-USC\_MMS-00030435-41).

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cc: The Honorable Fred Upton  
Chairman

The Honorable Cliff Stearns  
Chairman  
Subcommittee on Oversight  
and Investigations