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BP Is Criticized Over Oil Spill, but U.S. Missed Chances to Act

By **CAMPBELL ROBERTSON** and **ERIC LIPTON**

NEW ORLEANS — Officials in the Obama administration began for the first time Friday to publicly chastise BP America for its handling of the spreading oil gusher in the Gulf of Mexico, calling the oil company's current resources inadequate to stop what is unfolding into an environmental catastrophe.

As oil edged toward the Louisiana coast, fears continued to grow that the leak from the seabed oil well could spiral out of control. One official at the National Oceanic and Atmospheric Administration, in a widely distributed warning on Friday, said the oil flow could grow from the current estimate of 5,000 barrels a day to "an order of magnitude higher than that."

The increased level of concern was reflected in the sharp new criticism by federal officials of BP for not stopping the leak and cleaning up the spill before it reached land, something the company's officials had said was possible earlier in the week.

"It is clear that after several unsuccessful attempts to secure the source of the leak, it is time for BP to supplement their current mobilization as the slick of oil moves toward shore," Homeland Security Secretary **Janet Napolitano** said pointedly, as the government announced steps to supplement its response with people and equipment from the Defense Department.

Geoffrey S. Morrell, deputy assistant secretary of defense, said in a statement that the government would hold BP accountable for the cost of the department's deployment, which as of Friday night included the Louisiana National Guard to help clean up coastal areas once the oil comes ashore.

BP officials said they did everything possible, and a review of the response suggests it may be too simplistic to place all the blame on the oil company. The federal government also had opportunities to move more quickly, but did not do so while it waited for a resolution to the

spreading spill from BP, which was leasing the drilling rig that exploded in flames on April 20 and sank two days later. Eleven workers are missing and presumed dead.

The [Department of Homeland Security](#) waited until Thursday to declare that the incident was “a spill of national significance,” and then set up a second command center in Mobile. The actions came only after the estimate of the size of the spill was increased fivefold to 5,000 barrels a day.

The delay meant that the Homeland Security Department waited until late this week to formally request a more robust response from the Department of Defense, with Ms. Napolitano acknowledging even as late as Thursday afternoon that she did not know if the Defense Department even had equipment that might be helpful.

By Friday afternoon, she said, the Defense Department had agreed to send two large military transport planes to spray chemicals that can disperse the oil while it is still in the Gulf.

Officials initially seemed to underestimate the threat of a leak, just as [BP did last year](#) when it told the government such an event was highly unlikely. Rear Adm. Mary E. Landry, the chief Coast Guard official in charge of the response, said on April 22, after the rig sank, that the oil that was on the surface appeared to be merely residual oil from the fire, though she said it was unclear what was going on underwater. The day after, officials said that it appeared the well’s blowout preventer had kicked in and that there did not seem to be any oil leaking from the well, though they cautioned it was not a guarantee.

BP officials, even after the oil leak was confirmed by using remote-controlled robots, expressed confidence that the leak was slow enough, and steps taken out in the Gulf of Mexico aggressive enough, that the oil would never reach the coast.

(The NOAA document on a potentially far larger leak, first obtained by The Press-Register in Mobile, Ala., was described by an agency spokesman as simply a possibility raised by a staff member, not an official prediction.)

Some oil industry critics questioned whether the federal government is too reliant on oil companies to manage the response to major spills, leaving the government unable to evaluate if the response is robust enough.

“Here you have the company that is responsible for the accident leading the response to the crisis,” said Tyson Slocum, director of [Public Citizen’s](#) Energy Program. “There is a problem here, and the consequence is clear.”

But it is still the government, in this case the Coast Guard, that has the final say. A law passed a

year after the 1989 [Exxon Valdez](#) disaster makes the owner of a rig or vessel responsible for cleaning up a spill. But oversight of the cleanup is designated to the Coast Guard, with advice from other federal agencies.

Rear Adm. Robert C. North, retired, who was commander of the Coast Guard's Eighth District from 1994 to 1996, said that decisions in these situations are made collectively, but that the buck essentially stops with the federal coordinator — in this case, Admiral Landry. “The federal on-scene coordinator is kind of the one individual to say, ‘I think we need to do more’ or ‘That’s adequate,’ ” he said.

If the government determines that the responsible party is not up to the job, it can federalize the spill, running the cleanup operations without the private company but billing it for the cost. This is a last resort, however.

In this case, Admiral North said, the oil companies have more technology and expertise than the government. “It doesn’t appear that federalizing it would bring in any more resources,” he said.

Officials from BP and the federal government have repeatedly said they had prepared for the worst, even though a plan filed last year with the government said it was highly unlikely that a spill or leak would ever result from the Deep Horizon rig.

“There are not much additional available resources in the world to fight this thing offshore,” said Doug Suttles, BP’s chief operating officer for exploration and production, in an interview. “We’ve basically thrown everything we have at it.”

Mr. Suttles said BP’s efforts did not change after it was disclosed Wednesday night that the leak was estimated at 5,000 barrels a day, five times larger than initial estimates had suggested. He said BP, which is spending roughly \$6 million a day and will likely spend far more when oil reaches land, had already been mobilizing for a far larger spill.

However, he did not deny that BP initially thought the slick could be stopped before it reached the coastline.

“In the early days, the belief was that we probably could have contained it offshore,” Mr. Suttles said. “Unfortunately, since the event began we haven’t had that much good weather.” The first weekend after the sinking of the rig, choppy seas brought the cleanup to a near halt, and made more complicated tactics like controlled burns impossible.

But even after the weather cleared — and just a few days before officials began acknowledging the likelihood of landfall — Tony Hayward, BP’s chief executive, expressed confidence the spill

could be contained.

Adm. Thad W. Allen, the commandant of the Coast Guard, said Friday that he agreed the situation was catastrophic and could continue to unfold for up to three months, but he said he remained satisfied with his team's response, saying that even if it had initially known that the leak was 5,000 barrels a day, the response would have been the same. "While it may not have been visible to the public, from the very start, we have been working this very hard," he said.

Within a matter of hours of the report of the explosion, the Coast Guard had dispatched three cutters, four helicopters and a plane to the scene, helping to save 90 workers, including three critically injured ones who were sent by helicopter for emergency care.

"We have never tried so many different methods for a large spill on the surface as we have during this, and I have been doing oil spill response for 30 years," Admiral Allen said.

Campbell Robertson reported from New Orleans, and Eric Lipton from Washington. Tom Zeller Jr. contributed reporting from New York, and Leslie Kaufman from New Orleans.

This article has been revised to reflect the following correction:

Correction: April 30, 2010

An earlier version of this article contained a picture caption that incorrectly identified the location where booms were being deployed to battle the oil spill. It is Port Eads, La., not Port East.