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November 22, 2010

VIA EMAIL AND FEDEX OVERNIGHT DELIVERY

Christopher J. Plaisted, Esq.
NOAA Office of General Counsel
Suite 4470, 501 West Ocean Boulevard
Long Beach, CA 90802

Re: Anadarko Petroleum Corporation's and Anadarko E&P Company, LP's
(collectively "Anadarko") and MOEX Offshore 2007 LLC's ("MOEX")
October 27, 2010 letter responding to the Natural Resource Damage
Trustees' Invitation to Participate in the NRDA for the Deepwater Horizon
Oil Spill

Dear Mr. Plaisted:

I am writing on behalf of BP Exploration & Production Inc. ("BP") concerning the recent letter sent by Anadarko and MOEX in response to the Natural Resource Damages Trustees' Notice of Intent to Conduct Restoration Planning.

As I previously stated in my October 28, 2010, letter, BP accepts the Trustees' invitation to participate in the Natural Resource Damage Assessment ("NRDA"). This letter is not intended to modify my earlier letter in that regard.

Anadarko and MOEX each accepted the Trustees' invitation to participate in the NRDA process subject to a "general framework"— a framework that included no funding commitment, the right to review public documents before publication, and the opportunity to participate in "any significant meetings" between the Trustees and BP. While we welcome the opportunity to engage in serious discussions with Anadarko and MOEX about their participation in the NRDA process, we do not agree with their proposed "general framework."

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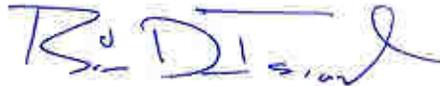
As an initial matter, BP believes that any responsible party who wishes to participate in the cooperative assessment process must contribute funding for that process. Equally important, it is unfortunate that Anadarko and MOEX put forward a number of self-serving, conclusory statements that are either erroneous or misleading. For example:

- Anadarko and MOEX assert that BP and Transocean Ltd. are “primarily responsible for the explosion and resulting spill.” Anadarko and MOEX have offered no evidence for this assertion. Indeed, the Federal and State Trustees have identified several responsible parties, including Anadarko and MOEX.
- Anadarko and MOEX assert that they (1) were “non-participating investors in the project;” (2) “did not and could not direct operations or decisions on the Deepwater Horizon rig or the Macondo Well;” and (3) did not have any “substantive role in the decisions or events leading up to the spill.” These statements mischaracterize Anadarko’s and MOEX’s respective legal status and involvement under the Macondo Operating Agreement. Both Anadarko and MOEX are “Participating Parties” under the Macondo Operating Agreement. Anadarko and MOEX both executed the necessary Authorizations for Expenditure (“AFE’s”) and were aware of relevant information about the well, including the use of long string production casing, before deciding to authorize those expenditures.
- Anadarko and MOEX state that they will have no financial responsibility for this matter because BP is “already funding both the response and NRDA efforts.” This is false. As you know, BP’s willingness to fund the NRDA or any other aspect of the spill response is without prejudice to its right to seek contribution from, or assert claims against, other parties, including Anadarko and MOEX. The fact that BP has undertaken a herculean effort to respond to this incident in a responsible manner does not thereby create an excuse for parties who have elected to do otherwise.

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The above comments are not intended to be exhaustive, but rather are illustrative of our general concerns with Anadarko's and MOEX's response to your invitation to participate in the NRDA process.

Sincerely,

A handwritten signature in blue ink that reads "Brian D. Israel". The signature is stylized with a large "B" and "I".

Brian D. Israel

cc: James J. Dragna, Bingham McCutchen LLP
Harriet Deal, United States Department of Interior
Patricia R. Collins, United States Department of the Air Force
William A. Gunter, Alabama Department of Conservation and Natural Resources
Larry Morgan, Florida Department of Environmental Protection
Stephanie C. Morris, Louisiana Oil Spill Coordinator's Office
Lisa Thompson Ouzts, Mississippi Department of Environmental Quality
Christa McLintock, Texas Commission on Environmental Quality
Rupert Bondy, Group General Counsel, BP Legal
Robert Stout, Associate General Counsel, BP America Inc.
Jean Martin, Senior Attorney - Health, Safety & Environment, BP Legal
Robin Bullock, Director NRDA, BP Gulf Coast Restoration Organization