

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF LOUISIANA**

**HORNBECK OFFSHORE SERVICES, LLC,**

**Plaintiff,**

**v.**

**KENNETH LEE “KEN” SALAZAR, in his  
official capacity as Secretary, United States  
Department of the Interior; UNITED  
STATES DEPARTMENT OF THE  
INTERIOR; ROBERT “BOB” ABBEY, in his  
official capacity as Acting Director, Mineral  
Management Service; and MINERALS  
MANAGEMENT SERVICE,**

**Defendants.**

**CIVIL ACTION No. 10-1663(F)(2)**

**SECTION F**

**JUDGE FELDMAN**

**MAGISTRATE 2**

**MAGISTRATE WILKINSON**

**DECLARATION OF ROBERT P. LABELLE**

I Robert P. LaBelle do hereby declare as follows:

1. I am currently the Deputy Associate Director, Offshore Energy and Minerals Management, for the Minerals Management Service (“MMS”), an agency of the United States Department of the Interior. I am presently acting as the Associate Director for the Offshore Energy and Minerals Management program in MMS which oversees oil and gas leasing and operations in US waters.
2. I have 30 years experience working in the Department of the Interior in scientific and managerial positions pertaining to offshore oil and gas activities. This experience includes preparing formal risk assessments of the likelihood of offshore oil spills and in modeling the risks of oil contacts to environmental and coastal resources. I have served

as Branch Chief for the Branch of Environmental Modeling, Branch Chief for the Branch of Environmental Operations, and as the Chief of the Environmental Division in MMS.

3. In view of the apparent growing impacts to the waters and coastlines in the Gulf of Mexico from the ongoing Deep Water Horizon (DWH) oil spill, it is important to ensure to the best of our ability that MMS further reduces the chance of another such event occurring. Although the historical record for large spills from offshore well blowouts and drilling operations shows very few large incidents previous to DWH, the magnitude of the potential impacts from a second such incident mitigates against solely relying on this low probability in any consideration of the optimal approach to protecting our ocean and coastal resources. A second spill incident would also further stress the capacity of US national assets for oil spill containment, response and cleanup and restoration.

4. Given the special conditions and challenges associated with deep water drilling, it is important to ascertain the causes of the DWH event. This investigation is ongoing. There may be mechanical, procedural, and/or other aspects involved, including human error or negligence. As opposed to shallow water operations, the deep water conditions of great pressures, low temperatures, inaccessibility, need for use of robotic vehicles to manipulate equipment, and inability for workers to directly handle the equipment on the seafloor, all pose special challenges to both "routine" operations and especially to spill response operations. In addition, the oil and gas reservoirs in many of the deep geologic areas can generate very high flow rates for hydrocarbons, as we are seeing in the DWH spill flow calculations and observations. For these reasons, it is important that the lessons learned from the DWH event are ascertained and applied to other deep water operations,

to further lower the chance of another such disaster. It is equally important to examine and recertify certain deep water equipment, such as blow out preventers, and well control procedures presently in use by deep water operators in case there is a systemic failure in the system.

5. Another consideration is living resources, including marine mammals, turtles, fish, birds, and benthic creatures (living on/in seafloor) are being observed to have been contacted and harmed by the oil. Scientists expect that other mortality is occurring but not observable in the ocean depths. Sub-lethal effects from exposure to hydrocarbons are also possible, including reduced abilities for organisms to forage, thrive, reproduce, and acquire prey. Such lethal and sub-lethal effects may result in impacts to the health of given species, especially those that are depleted or recovering due to other stressors in their environments. The impacts of a second DWH type oil spill on these organisms and species could be exacerbated by the current exposures and potential debilitation of these living resources and habitats. This is also the case with regard to possible lethal or sub-lethal effects from not only the oil, but the chemicals used in spill response dispersants, and impacts from other spill response and mitigation activities, such as the berming of beaches, booming off marshes and other techniques.

6. For these reasons, and others, such as the approaching hurricane season, where storms have the potential to drive oil currently residing in the water column and floating on the ocean surface far inland on storm surges, it is prudent to minimize the potential for a second major oil drilling incident that could further devastate the environmental, coastal, and human economic resources in the Gulf of Mexico.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on this the 16th day of June, 2010,

A handwritten signature in cursive script, reading "Robert P. LaBelle". The signature is written in black ink and is positioned above a horizontal line.

Robert P. LaBelle

Acting Associate Director, Offshore Energy and Minerals Management  
Minerals Management Service