

# Rig Owner Accused of Not Honoring Spill Subpoenas

JUAN A. LOZANO, Associated Press

HOUSTON (AP) — Federal prosecutors on Wednesday filed a civil complaint against the owner of the rig that exploded last year in the Gulf of Mexico and led to a massive oil spill, accusing the company of refusing to honor subpoenas from a federal board investigating the accident.

But the owner of the rig, Transocean Ltd., said the U.S. Chemical Safety Board, which issued the subpoenas, doesn't have jurisdiction.

The complaint, filed by the U.S. attorney's office on behalf of the safety board, alleges that Transocean has not fully complied with five subpoenas issued by the board from Nov. 24, 2010, to April 7.

"Transocean has provided no response or an insufficient response to a total of thirty-eight specific demands for documents or answers to interrogatories. Some of these demands are more than 10 months old," according to the complaint, which was filed in federal court in Houston. "Transocean's ongoing failure to provide information has impeded and delayed the CSB's investigation."

The board is one of several agencies investigating the April 20, 2010, explosion, which killed 11 workers. It also led to more than 200 million gallons of oil being released from BP's undersea well, according to government estimates.

Transocean contends the safety board does not have standing to ask for the documents it is requesting, which include work schedules and all records gathered by the company's internal investigation team, company spokesman Lou Colasuonno said.

"We have cooperated with them on some level," Colasuonno said. "We are not going to respond to their subpoenas. We'll see them in court I guess."

Colasuonno also said that any legal action needs to be done through the federal court in the Eastern District of Louisiana, which is handling all oil spill-related litigation.

The jurisdiction dispute is related to whether the Deepwater Horizon rig was a stationary unit or a mobile vessel.

The safety board's primary jurisdiction to investigate serious chemical accidents and make recommendations involves hazardous releases to the air by fixed industrial facilities. The safety board has said that the rig was tethered and not functioning as a moving vessel at the time of the accident, making it a stationary

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But in a letter Transocean sent to the U.S. attorney's office in Houston in July, the company said the Deepwater Horizon was mobile and thus not under the jurisdiction of the safety board. The letter said prior court rulings have recognized drilling units such as the Deepwater Horizon as vessels.

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