

September 21, 2011

**VIA ELECTRONIC MAIL**

Jackie Zins, Esq.  
Deputy Administrator  
Gulf Coast Claims Facility  
C/O Feimberg Rozen LLP  
1455 Pennsylvania Avenue, Suite 390  
Washington, DC 20004-1008

Re: Claims Seeking Vessels of Opportunity Compensation or Property  
Damage

Dear Ms. Zins

You recently posed the following question to BP Exploration & Production Inc. (“BP”). In the event that a claimant who enters into an economic loss settlement with the Gulf Coast Claims Facility (“GCCF”) and executes the GCCF’s Release and Covenant Not to Sue (“Release”) subsequently seeks compensation from BP for alleged work performed in the Vessels of Opportunity (“VoO”) program and/or alleged property damage to a boat incurred while working in the VoO program (collectively, “VoO Compensation and Property Damage Claims”), will BP raise the Release as a defense against such VoO Compensation and Property Damage Claims?

Please be advised that BP, while fully reserving all rights and other defenses and without admitting any facts or liability for VoO Compensation and Property Damage Claims or otherwise, will not raise the release as a defense against subsequent VoO Compensation and Property Damage Claims with the following exception. The GCCF has not, as required by the Oil Pollution Act of 1990 (“OPA”), offset compensation earned from the VoO program from its economic loss awards. Thus, the GCCF has overcompensated claimants who participated in the VoO program. BP reserves, and does not waive, the right to account, with regard to claims for VoO compensation or other economic loss, for VoO compensation that should have been but was not offset from GCCF awards.

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ARNOLD & PORTER LLP

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Should the GCCF receive inquiries from claimants regarding this issue, please ensure that the issue of offsetting VoO payments is clearly explained to the party making the inquiry.

Please feel free to contact me should you wish to discuss this matter.

Sincerely,

/s/

Daniel A. Cantor  
Counsel for BP

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