

ATTACHMENT 3

Guiding Principles

PA MULTI-SITE AGREEMENT GUIDING PRINCIPLES

In connection with the Multi-Site Agreement to which this is attached, representatives of BP and the Pennsylvania Department of Environmental Protection (the Department) have developed the following principles which will guide the relationship, the decision-making process and the dispute resolution process of BP and DEP and, more particularly, of the Oversight Committee, during the implementation of the Multi-Site Agreement.

General

Technical matters should be evaluated by BP and DEP field personnel in the context of the applicable laws and regulation, sound science, reasonableness and value.

BP and DEP should keep each other up-to-date on project status in order to avoid surprises and ensure progress. Regular communication – through meetings, correspondence, telephone calls and/or e-mail – is essential for keeping projects moving forward.

BP and DEP field personnel should endeavor to address issues, questions or concerns quickly and amicably, in person or via telephone. When appropriate, field personnel should seek early guidance from the Oversight Committee.

Technical issues and disputes should be resolved by considering reasonableness and sound scientific principles. When evaluating whether additional data should be collected or whether additional work should be performed, BP and DEP must consider the value of the additional data or the additional work.

As described in the Multi-Site Agreement, DEP and BP will adhere to a cooperative decision-making and review process for Corrective Action under this Multi-Site Agreement in order to eliminate inefficiencies, minimize disputes and reduce or eliminate submittal review time and DEP comments. For example:

Prior to implementing work at any MSA Sites, BP and DEP project managers will agree on scopes of work at an MSA Site, or on appropriate changes to previously-approved scopes of work at an MSA Site.

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Instead of submitting reports – or interim reports – after each sequence of work, reports will only be submitted after BP and DEP project managers agree that the applicable phase of work at an MSA Site has been completed.

Data generated during Corrective Action will be reviewed by BP and DEP project managers so that decisions can be made on the proper interpretation of those data, the appropriate course of action at an MSA Site based on those data, and the best approach for completing the current phase of Corrective Action and moving forward to the next phase.

Both BP and DEP representatives, from management level to field level, should evaluate and implement methods for making continuous improvements in the efficiency and effectiveness of Corrective Actions and the implementation of this Multi-Site Agreement.

BP and DEP should work together on issues that affect Corrective Action in order to minimize disputes and instead move to constructive action.

BP and DEP should work together to protect human health and the environment in an efficient, effective, timely and cost-effective manner.

Meeting Rules

Use humor

Treat each other with respect

Set time constraints

Open/honest communication

Maintain empathy

Golden Rule – Do unto other as you would have them do unto you

No triangulation

Attack the issue; not the individual

No abuse

Set reasonable expectations

It's okay to disagree (drive out fear)

If you don't participate, don't complain

Anyone can call a timeout if they feel the discussion is "off track"

Speak candidly about specific issues

Anyone can call a caucus with individual teams to discuss issues privately