

# Incident Investigation

## 1. Purpose

This policy set out BP’s requirements for the investigation of incidents. It provides a framework for: Identifying the appropriate level of investigation; Appointing and mobilizing the investigation team; Conducting the investigation; Reporting the investigation findings, including updating the Incident Record in IRIS to provide the information necessary for management information and the analysis to inform potential learning action; Acting on the investigation recommendations.

## 2. Scope

This policy applies to incidents that occur within the USPL operational and/or work-related boundary as set out in FIN-GDP 4.4-0001-02 HSSE & Operational Incident Reporting Boundaries. This policy does not apply to: The management or investigation of concerns under the BP Policy 335001 Management of Concerns and Investigation within BP; Incidents that may involve murder, suicide or death by natural causes; Disciplinary inquiries or proceedings; Any incident which is the subject of a legally-directed investigation and will satisfy BP’s learning objectives.

## 3. Minimum Requirements

	Minimum Requirements	Supporting Documentation
1.	Incidents shall be investigated in accordance with the requirements of Group Defined Practice GDP 4.4-0002, Incident Investigation, as summarized in this policy.	Section 6
2.	The Accountable Individual shall appoint the Investigation leader or RCA team leader in accordance with Appendix I.	Section 10, Appendix I
3.	Incident investigations should be completed within 60 calendar days for the date of the incident.	Section 11
4.	Actions associated with an investigation shall be entered into the IRIS with the action owner and due date.	Section 13

## 4. Definitions

**Accountable Individual**—Person accountable for initiating the investigation appointing and agreeing the terms of reference with the investigation leader.

**BP RCA Investigation (Logic Tree) (also referred to as Logic Tree)** —S&OR defined methodology that includes techniques for gathering evidence, undertaking interviews, determining causal or contributing factors using Logic Tree and human factor analysis tools and developing recommendations.

**Entity Defined Investigation Methodology**—USPL will continue to use the RCA basic methodology, but the Comprehensive List of Causes (CLC) technique is not required. Follow the report template to document the investigation.

**HSSE Coordinator**— A generic reference to the Environmental Coordinator, Safety Coordinator, Road Safety Advisor, Security Coordinator, or DOT Compliance Advisor as appropriate for the type of incident being reported.

**Incident (also referred to as Accident)**—An unplanned event or occurrence that affects or has the potential to affect the health, safety, or security of people, assets, or the environment.

**Integrity Management (IM)-related incident**—Refer to the decision tree in the Incident Reporting policy which provides specific guidelines for determining IM-related incidents.

**IRIS**—BP application for recording, reporting and learning from incidents.

**Major Incident**—A health, safety, security, or environmental incident in which the actual severity represents a Level A-D or E impact as defined in GDP 4.4-0001, Reporting of Incidents.

**Near miss**—An undesired event that under slightly different circumstances could have resulted in harm to people, damage to environment or property, or loss to process.

**Notice of Enforcement (NOE)**—A written notification that an agency is initiating formal enforcement action for violations observed or reported. A proposed fine is normally associated with a NOE. This aligns with BP's definition of a compliance notice or compliance order.

**Recordable injury or illness**—As defined by the Occupational Safety & Health Administration (OSHA), a case that involves an illness or injury to a member of the workforce as a result of a work-related accident or occupational exposure to a hazard and that involves death, loss of consciousness, medical treatment (other than first aid), or restriction of work or motion.

**Security incident**—Any incident that violates BP's explicit or implied security policies, including but not limited to work-related assaults or threats, burglary, civil unrest, criminal property damage, drug/alcohol abuse or possession, fraud, robbery, security of information breach, terrorist or guerrilla activity, and theft.

**Workforce**— BP employees and contractors working on behalf of BP. GDP 4.4-0001-02 "HSSE & Operational incident reporting Boundaries" provides guidance for determining if an incident involved the BP workforce.

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## 5. Roles and Responsibilities

### 5.1. Entity Leader (or delegate) for BP RCA investigations (Logic Tree)

- A. Be the Accountable Individual for BP RCA investigations (Logic Tree).
- B. Facilitate the provision of the resources necessary to complete BP RCA investigations (Logic Tree).
- C. Obtain agreement from Downstream VP, S&OR to the Terms of Reference for Category 1 investigations.
- D. Develop an action plan for BP RCA investigations (Logic Tree) to respond to the investigation findings and those recommendations accepted (with or without modification).
- E. Review proposed findings and recommendations for investigation reports.
- F. Confirm that a copy of the report is attached to the relevant Incident Record held in IRIS.
- G. Be accountable for the investigation response.

### 5.2. District Operations Manager (DOM), or EPIC Engineering Manager (for incidents which involve the failure of an engineered system), or equivalent manager shall

- A. Select the members of the Investigation team for Category 2 (non-Logic Tree) and Category 3 investigations.

Note: For preventable vehicle accidents, the Road Safety Advisor shall participate with the investigation team. For other types of incidents, consideration should be given to involving the relevant Technical Authority or other Subject Matter Expert.

- B. Approve Category 2 (non-Logic Tree) and Category 3 investigation reports.

### **5.3. Investigator leader or RCA team leader shall**

- A. Draft the Terms of Reference for Category 1 investigations, and Category 2 (Logic Tree) investigations.
- B. Contact the location supervisor to inform them of the investigation start date and team members.
- C. Work with the location supervisor to coordinate and plan the investigation, taking into account the impact to operations.
- D. Provide guidance to the investigation team in the investigation methodology.
- E. Coordinate the investigative and analytical work of the team.
- F. Work with personnel at the site of the incident to obtain an accurate, complete account of the incident.
- G. Manage documents generated by the investigation and finalizing the incident report.
- H. Monitor the status of investigations to conform to the approval date expectation of 60 days, or as specified in the Terms of Reference. Inform the Entity Leader, Operations Manager, or DOM who assigned the role if the investigation will not be completed on time.
- I. Release the incident scene for resumption of work, if applicable.
- J. Be responsible for drafting the investigation report if a report is required.
- K. Review proposed recommendations with the BP Leader with accountability for the area or operation where the incident occurred.
- L. Obtain advice from BP Legal prior to issuing a Category 1 or 2 investigation report.
- M. Obtain agreement of the Downstream Head of S&OR (or delegate) that Category 1 and 2 investigation reports and recommendations are sufficient.

### **5.4. Location Supervisor shall**

- A. Properly preserve the incident scene upon completion of first responder activities to the greatest extent possible.
- B. Obtain initial written statements of all personnel involved in or witnessing the incident.
- C. Cooperate with the RCA team during their investigation.

### **5.5. Safety & Security Team Leader**

- A. Determine which Category 2 (non-Logic Tree) and Category 3 investigation reports are reviewed for quality and by whom.

### **5.6. HSSE Performance Analyst shall**

- A. Track the status of incident investigations against the time requirements detailed in this policy.

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## **6. Initiating the Investigation**

- A. Incidents shall be investigated in accordance with the requirements of Group Defined Practice GDP 4.4-0002, Incident Investigation, and BP Procedure 500077 (Legacy D-PRO 4.4-0001) Incident Reporting and Investigation Process as summarized in this policy.

- B. Each incident shall have an Accountable Individual. The Accountable Individual shall be the Entity Leader (or delegate), except when:
  - 1. The incident involves a fatality, or
  - 2. The Downstream Head of S&OR so determines.
- C. For fatalities or when the Downstream Head of S&OR determines, the Accountable Individual or shall be the Downstream Head of S&OR or their delegate.
- D. With the noted exceptions in section 7, the Accountable Individual shall initiate the investigation in accordance with Appendix I.

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## 7. Exceptions from Investigation Requirements

- A. After an incident has occurred, the Accountable Individual may request an exception to the requirements in section 6 for that incident from the Group Head of Operational Risk: Process Safety Engineering & HSE. Examples of when an exception can be requested are when the incident appears to be a special case for any of the following reasons:
  - 1. Location of the incident.
  - 2. Nature of BP's relationship to the incident (e.g., involvement of other parties).
  - 3. Nature or other investigations taking place or the possibility of a joint investigation with a governmental authority or other parties.
  - 4. Potential for litigation or regulatory action.
  - 5. Complexity of the incident.
- B. Following an incident, with the agreement of the Downstream Deployed Head of S&OR and the Group Head of Operational Risk: Process Safety Engineering & HSE, the Accountable Individual may appoint a Senior Leader from the Line (untrained in BP RCA) to lead the BP RCA investigation (Logic Tree). In such cases, a certified Master Investigator shall be included in the investigation team with accountability for the conduct of the investigation process and producing the investigation report.
- C. Approved exceptions shall be recorded in IRIS.

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## 8. Contractor-directed Investigations

- A. The Accountable Individual may choose to have a contractor-directed Investigation when all of the following applies:
  - 1. The incident falls within Category 2 or 3 in Appendix I.
  - 2. The incident relates to work performed by a contractor and did not result in an injury to a BP employee.
  - 3. The Incident occurred outside of BP's operational control.  
*Note:* Outside of BP's operational control is when the activity is not subject to BP direction or control. Incidents that occur at a BP operated facility or that are subject to BP operating procedures, such as Control of Work are not considered to be outside of BP's operational control.
  - 4. The contractor is either:
    - a) Contractually required to conduct its own Incident Investigation and provide a copy of the report to BP.

- b) Otherwise agrees to conduct such an Investigation and provide a copy of the report to BP.
- B. Contractor-directed Investigation shall not be subject to the requirements of this policy.
- C. In place of these requirements, the Accountable Individual shall:
  - 1. For Category 2 Investigations, obtain the agreement from the relevant deployed VP, S&OR that a BP Investigation is not needed.
  - 2. Verify that the contractor's proposed Investigation methodology and the composition of the Investigation team appear sufficient given the actual and potential severity of the Incident, its complexity and the potential for learning.
  - 3. Obtain and review the contractor Investigation report to:
    - a) Verify that it appears to be sufficient.
    - b) Identify any learning(s) for BP including with respect to contractor oversight and management.
  - 4. Attach a copy of the contractor Investigation report to the relevant Incident record held in IRIS.
- D. If the Investigation report in section 8.C.3 is not considered sufficient, the Accountable Individual may do either of the following:
  - 1. Seek to have the contractor take corrective action.
  - 2. Choose to conduct a BP Investigation, in accordance with this BP Practice.
- E. Actions for BP associated with a BP review of contractor-directed Investigations shall be entered into IRIS with the following:
  - 1. Action owner.
  - 2. Due date.

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## 9. Preservation of Evidence

- A. Refer to USPL Incident Reporting policy, section 6.1, for information related to preservation of evidence associated with incidents.
- B. For Major incidents and Process Safety Event (PSE) Tier 1 incidents, and where BP has the ability to dictate the use of the incident scene, it shall be released for resumption of work only with the approval of the Investigation leader assigned to investigate the incident.

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## 10. Appointing and Mobilizing the Incident Investigation Team

- A. The Accountable Individual shall appoint the Investigation leader or RCA team leader in accordance with Appendix I.
- B. For BP RCA investigations (Logic Tree):
  - 1. The Investigation leader shall be certified as defined in the S&OR BP RCA Investigator Competency Program.
  - 2. The Group Technical Authority (GTA) for Investigations shall maintain the BP List of Certified Master and Skillful Investigators.
  - 3. The Investigation leader shall approve the appointment of Investigation team members.

4. The Investigation team shall not include people directly or indirectly involved in the Incident.
  5. The Entity Leader shall facilitate the provision of the resources necessary to complete the Investigation.
- C. For Category 1 investigations and Category 2 (Logic Tree) investigations:
1. Investigation shall have a Terms of Reference (TOR), using RM-TMP 4.3-0011 Downstream Incident Investigation Terms of Reference, or Group TMP 4.4-0003 Terms of Reference (TOR) Template is also acceptable.
  2. The TOR shall be agreed between the Accountable Individual and the Investigation leader.
  3. When the Accountable Individual is the Entity Leader (or delegate), the Accountable Individual shall obtain agreement from Downstream VP, S&OR to the TOR.
- D. For Category 2 (non-Logic Tree) and Category 3 investigations:
1. Investigation team members are selected by the District Operations Manager, or EPIC Engineering Manager for incidents which involve the failure of an engineered system, in consultation with appropriate HSSE team leaders and team members' supervisors.
  2. At least one member of the team must be trained in USPL's RCA basic training.
  3. Refer to the RCA team leader role for considerations when mobilizing a team for an investigation.

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## 11. Conducting the Investigation

- A. The investigation team shall conduct the sole BP incident investigation.
- B. The Investigation leader or RCA team leader shall consult with BP Legal at the initiation of any investigation when the possibility of regulatory action or litigation is identified.
- C. The investigation team shall maintain the confidentiality of the Investigation materials and information and any additional controls following consultation with BP Legal.
- D. Incident investigations should be completed within 60 calendar days for the date of the incident.
1. If a Category 1 or 2 (Logic Tree) investigation will not be completed within 60 calendar days, the Investigation Leader shall inform the Entity Leader, entity Director S&OR, Downstream VP S&OR, and COO.
- E. For BP RCA investigations (Logic Tree):
1. The Investigation leader shall review proposed findings and recommendations with the Entity Leader (or delegate) to:
    - a) Identify any factual errors or omissions.
    - b) Determine applicability and authority for implementing a potential recommendation.
    - c) Check that the implementation of potential recommendation(s) by the BP entity would be consistent with applicable legal and regulatory requirements.
- F. For Category 1 investigations:
1. The Investigation leader shall consult with BP legal at the initiation of each Category 1 Investigation.
- G. For Category 2 and Category 3 investigations:
1. The RCA team leader should guide the investigation to determine how the incident occurred, why it happened, and what USPL do to prevent recurrence or minimize severities.

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## 12. Reporting

- A. The Investigation leader or RCA team leader shall be accountable for the Investigation report content, including findings and recommendations.
- B. Recommendations in an investigation report shall be capable of being actioned by USPL.
- C. BP Investigations shall not make recommendations directed to a contractor or third party.
- D. If an investigation team identifies any potential learning that may be appropriate to communicate more widely than USPL, the Investigation leader or RCA team leader shall:
  - 1. First discuss the potential learning with the deployed VP, S&OR for the BP entity receiving the report.
  - 2. Inform the relevant segment learning lead.
- E. Maintaining legal and regulatory compliance for matters associated with an incident is the accountability of USPL.
- F. The Incident Record in IRIS shall be updated with information from the investigation.
- G. The Entity Leader (or delegate) shall confirm that a copy of the report is attached to the relevant Incident Record held in IRIS, unless either of the following occurs:
  - 1. The Entity Leader is directed otherwise following consultation with BP Legal, the group head of intelligence, security and crisis management, and with the Group Head of Operational Risk: Process Safety Engineering & HSE.
  - 2. This would not conform to the BP Policy 399999 Protecting Our Information.
- H. For BP RCA investigations (Logic Tree):
  - 1. The Investigation team shall produce a report using the TMP 4.4-0002 BP RCA Investigation (Logic Tree) Report Template.
  - 2. If one of the situations in G.2 applies, USPL shall document the reason for not attaching the Logic Tree report in IRIS.
  - 3. Logic Tree reports, ancillary documents and materials shall be retained for a minimum of 10 years or for any period of time that is required by any of the following:
    - a) Applicable legal and regulatory requirements.
    - b) A BP Legal Hold Notice.
- I. For Category 1 investigations:
  - 1. The Investigation leader shall do the following prior to issuing the Investigation report:
    - a) Consult with BP Legal.
    - b) Obtain the agreement of the relevant deployed head of S&OR (or delegate) that the investigation report and recommendations are sufficient.
  - 2. If the Downstream Head of S&OR (or delegate) does not agree that an investigation report or recommendations are sufficient, the Downstream Head of S&OR (or delegate) shall have the authority to:
    - a) Require further Investigation.
    - b) Change the investigation team or bring in additional resources.
- J. For Category 2 (non-Logic Tree) and Category 3 investigations:
  - 1. The RCA team leader is accountable to use the investigation report template in the Incident Reporting folder in DRM to document the investigation.

2. Submit the draft report to the District Operations Manager or EPIC Engineering Manager for agreement and approval.

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## 13. Acting on Recommendations

- A. The Entity Leader (or delegate) receiving the investigation report shall be accountable for the investigation response.
- B. Actions associated with an investigation shall be entered into the IRIS with the following:
  1. Action owner.
  2. Due date.
- C. For BP RCA investigations (Logic Tree):
  1. The Entity Leader (or delegate) shall develop an action plan to respond to the investigation findings and those recommendations accepted (with or without modification).
  2. An action plan consisting of actions, action owners, and due dates, should be developed within 14 calendar days from the completion of the incident investigation. Completion of the action plan development is defined as the agreement of the Downstream VP S&OR, and updating the IRIS incident record.
- D. For Category 1 investigations:
  1. The Entity Leader (or delegate) shall develop an action plan to respond to the investigation findings and those recommendations accepted (with or without modification). Complete an Investigation Lessons Summary after the investigation is completed using the template TMP 4.4-0004 Investigation Lessons Summary.
  2. Circulate the Investigation Lessons Summary to the Downstream Group Notification distribution list.

*Note:* It is intended this requirement will be removed once BP has completed group-wide transition to IRIS. At that time, IRIS functionality will replace this requirement.
- E. For Category 2 and 3 investigations:
  1. Follow A and B above.

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## 14. Process Safety Management Related Investigations

In addition to the other requirements of this policy, the following items apply to incidents that are determined to be Process Safety Management (PSM) related.

- A. USPL shall investigate each incident which resulted in, or could reasonably have resulted in a catastrophic release of highly hazardous chemical in the workplace.
- B. An incident investigation shall be initiated as promptly as possible, but not later than 48 hours following the incident.
- C. An incident investigation team shall be established and consist of at least one person knowledgeable in the process involved, including a contract employee if the incident involved work of the contractor, and other persons with appropriate knowledge and experience to thoroughly investigate and analyze the incident.
- D. A report shall be prepared at the conclusion of the investigation which includes at a minimum:
  1. Date of incident,
  2. Date investigation began,
  3. A description of the incident,

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4. The factors that contributed to the incident, and
  5. Any recommendations resulting from the investigation.
- E. Findings and recommendations shall be promptly addressed and resolved, and documented in Traction.
- F. Incident investigation reports shall be retained for five years per OSHA.

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## 15. References

1. BP Group Defined Practice GDP 3.1-0001 "Assessment, Prioritization and Management of Risk"
2. BP Group Defined Practice GDP 4.4-0001 "Reporting of Incidents"
3. BP Group Defined Practice GDP 4.4-0002 "Incident Investigation"
4. Operations, Maintenance & Emergency Response (OMER) Manuals.
5. USPL Security Manual.
6. Facility Response Plans and Emergency Response Plans.

## Appendix I Requirements for Initiating an Investigation

Category	Incident Type	Investigation Methodology	Investigation Leader	Accountable Individual
1	Major Incidents. <sup>Note 3</sup>	Investigation <u>shall</u> use BP RCA methodology (Logic Tree).	Investigation leader shall be certified as a Master Investigator.  Within USPL: John Varner	Entity Leader (or delegate), or Downstream Head of S&OR (or delegate)
	Process Safety Event (PSE) Tier 1 Incidents. <sup>Note 3</sup>			
	Any other incident when Accountable Individual or Downstream Head of S&OR chooses to have the incident escalated to a Category 1 due to potential severity or potential for learning.			
2	PSE Tier 2 incidents. <sup>Note 3</sup>	Investigation <u>should</u> use BP RCA methodology (Logic Tree)	When BP RCA methodology is selected, the Investigation leader shall be certified as either a Skillful Investigator or a Master Investigator.  Within USPL: Andy Gattermeyer John Varner Jeff Webb	Entity Leader (or delegate), or Downstream Head of S&OR (or delegate)
	Process Safety excursions outside a safe design limit. <sup>Note 4</sup>			
	Control of Work incidents associated with a risk of potential fatality or serious injury.			
	Vehicle Rollovers.			
	Incident, not already a Category 1 or 2, associated with the degradation or failure of one or more barriers to a defined "purple risk" event.			
	Any other incident when the Accountable Individual chooses to have the incident escalated to a Category 2 due to potential severity or potential for learning.			
3	All other incidents.	USPL RCA basic, 5 Why, or similar technique.	RCA team leader selected in accordance with USPL practices.	DOM, EPIC Engineering Manager, or equivalent.

Notes:

1. The intent is that the decision on Investigation level takes into account the actual and potential severity of the Incident (based on risk), its complexity and potential for learning. BP RCA can also be used to investigate themes or trends identified from the analysis of Incidents.
2. It is the Investigation Level that determines the relevant BP Practice requirements, not the Investigation leader certification (e.g., a certified Master Investigation leader can lead a Category 2 (Logic Tree), in which case only the BP Practice requirements associated with Category 2 investigations apply).
3. As defined in FIN-RD 4.4-0001 HSE Reporting Definitions.
4. As defined in GDP 5.3-0001 Design and Operating Limits.
5. Appendix I allows for the use of simpler (fit for purpose) 'entity defined' methodologies for lower severity, less complex and lower potential learning incidents. Methodologies that entities can use for 'entity defined' include, but are not limited to, 5-WHY and After Action Review discussions. Near Miss incidents can be investigated by means of a periodic review of identified themes.
6. Appendix I does not apply to contractor-directed investigations.

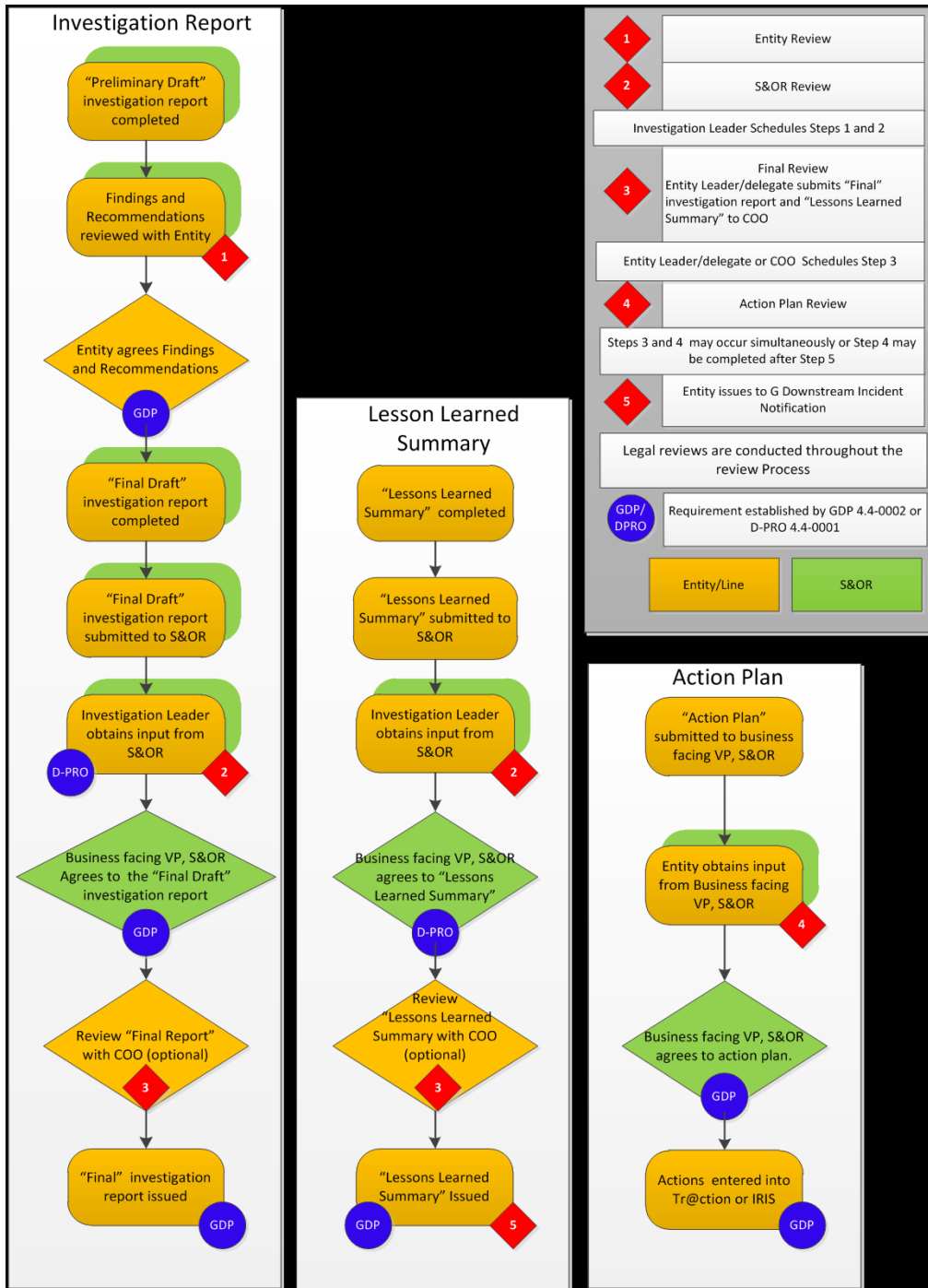
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# Appendix II Incident Investigation Review Process for Category 1 incidents



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## Appendix III

### Incident Investigation Responsibilities (Guidance)

Area of Responsibility	Type of Investigation	
	Category 1 & Category 2 (Logic Tree)	Category 2 (non-Logic Tree) & Category 3
Selection of RCA Team	Entity Leader (or delegate) and Investigation leader	District Operations Manager, or EPIC Manager (for incidents which involve the failure of an engineered system )
Accountable for Terms of Reference (TOR)	Investigation leader drafts, Entity Leader approves and gets VP, S&OR agreement.	Not Applicable
Consults Legal at initiation of investigation	Investigation leader when the possibility of regulatory action or litigation is identified.	Anyone (If deemed necessary)
Quality check of draft report	Separate quality check not required.	Safety & Security Team Leader accountable for determining which reports are reviewed and by whom.
Reviews and agrees to draft RCA	Entity Leader (or delegate) & Operations Manager & Entity Director	Not Applicable
Approves RCA, assigns personnel and due date for action item closure	Entity Leader (or delegate)	District Operations Manager, or EPIC Manager (for incidents which involve the failure of an engineered system)
Accountable for Lessons Learned Summary	Entity Leader (or delegate)	District Operations Manager, or EPIC Manager (for incidents which involve the failure of an engineered system)  (Only if management elects)
Distribute RCA report	Entity Leader (or delegate)	District Operations Manager, or EPIC Manager (for incidents which involve the failure of an engineered system)

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