



## BP Claims Program Frequently Asked Questions

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### **General information**

#### **Q1. Why is BP establishing another claims program?**

A. BP has established a claims process under the Oil Pollution Act that is separate from the Court-supervised claims program. Individuals and businesses that do not fall within the economic and property damage settlement's class definition, timely opt out of the settlement, or wish to pursue Claims that are Expressly Reserved to them pursuant to the Agreement, to the extent such Claims may fall within OPA, may file claims under OPA with BP. Medical claims are not covered by OPA, and thus will not be processed by the BP Claims Program. Any medical claims submitted to the BP Claims Program by individuals who are not class members under the Medical Benefits Settlement Agreement or who opt out of the Medical Benefits Settlement Agreement will not be processed by the BP Claims Program, but will be reassigned within BP.

#### **Q2. How do claimants know if they are part of the settlement classes?**

A. To determine whether they are part of the settlement classes, claimants should refer to [www.DeepwaterHorizonSettlements.com](http://www.DeepwaterHorizonSettlements.com), the official Court-authorized website. Claimants may call toll-free 1-866-992-6174.

#### **Q3. Are any claimants or claims excluded from the settlement?**

Yes, certain types of claimants and claims are excluded. For more information, please see [www.DeepwaterHorizonSettlements.com](http://www.DeepwaterHorizonSettlements.com).

## **Opt out questions**

### **Q4. What do you mean by “opt out”? Can an opt out request be revoked?**

Under the provisions of the settlement agreements, individuals have the legal right to opt out of the settlement classes. The opt out deadline was November 1, 2012. On November 16, 2012, the Court issued an Order extending the deadline to revoke opt out requests to December 15, 2012. More information can be found at [www.DeepwaterHorizonSettlements.com](http://www.DeepwaterHorizonSettlements.com).

### **Q5. If I have more than one economic and property claim, can I opt out for some, but not all, of my claims?**

No. The opt out deadline was November 1, 2012. If you exercised your right to opt out, you have opted out for all the claims you have filed or intend to file that are covered under the settlement agreements. On November 16, 2012, the Court issued an Order extending the deadline to revoke opt out requests to December 15, 2012. More information can be found at [www.DeepwaterHorizonSettlements.com](http://www.DeepwaterHorizonSettlements.com).

### **Q6. When individuals opt out, do they opt out for both business and individuals claims?**

A. BP processes claims as submitted and as indicated on the claim form. If the claim is for an individual, that individual must have validly opted out of the settlement. If the claim is submitted as a business claim, and that business is a legal entity, that business must have validly opted out of the settlement. BP directs all questions regarding the validity of opt outs to the Court-Supervised Settlement Program.

### **Q7. What do I need to do if I want to revoke an opt out request and rejoin the Class?**

A. If you would like to revoke your opt out request and rejoin the Class, you will need BP's consent or a Court's order. To request BP's consent, you must agree to withdraw and waive any objections that you may have to the Economic Loss & Property Damages Settlement and submit a written, signed statement stating, "I wish to revoke my request to opt out of the Economic & Property Damages Class. By revoking my opt out request, I hereby withdraw and waive any and all current and future objections that I may have to the Economic & Property Damages Settlement."

This written revocation request must be signed by the person or entity for whom exclusion was requested. The signature of their attorney is not sufficient. This request must be mailed to the Settlement Program Exclusions Department at:

Deepwater Horizon Court-Supervised Settlement Program Exclusions Department  
P.O. Box 222  
Hammond, LA 70404-0222.

## **Claims process**

### **Q8. How do I file a claim with the BP Claims Program?**

A. Claim forms for the BP Claims Program can be accessed at [www.bp.com/claims](http://www.bp.com/claims). You may also request that a claims form be mailed to you by calling 1-855-687-2631.

### **Q9. Will the BP Claims Program accept claims for both economic loss and medical claims?**

A. The BP Claims Program is established in accordance with the Oil Pollution Act of 1990 (OPA). OPA does not cover medical claims. Any medical claims submitted to the BP Claims Program will not be processed by the BP Claims Program but will be reassigned within BP for a reply. Information

about the Medical Benefits Settlement Agreement can be found at [www.DeepwaterHorizonSettlements.com](http://www.DeepwaterHorizonSettlements.com)

**Q10. If my claim form and/or documentation are found to be incomplete by the BP Claims Program, will I be able to submit additional documents to complete my claim?**

A. Yes. If your claim form is not complete or additional documentation is required for your claim, you will be notified by the BP Claims Program to allow you an opportunity to submit the required information.

**Q11. When is the deadline for filing an economic settlement claim with BP?**

A. Under the Oil Pollution Act, claims must be presented 90 days prior to commencing an action in court. Please note that there are different deadlines for filing a claim under the economic and property damage settlement. For more information about the economic settlement class and opt out procedures, please visit [www.DeepwaterHorizonSettlements.com](http://www.DeepwaterHorizonSettlements.com) or call 1-866-992-6174.

**Medical claims**

**Q12. Can you opt out of the settlement for medical claims?**

A. Yes. However, medical claims are not covered by OPA, and thus will not be processed in BP's OPA facility. Any medical claims submitted to the BP Claims Program by individuals who are not class members under the Medical Benefits Settlement Agreement or who opt out of the Medical Benefits Settlement Agreement will not be processed by the BP Claims Program, but will be reassigned within BP for a reply.

**Q13. Will BP use the same protocols for medical claims as Court-Supervised Settlement Program?**

A. The BP Claims program will not process medical claims. Medical claims submitted to the BP Claims Program by individuals who are not class members under the Medical Benefits Settlement Agreement or who opt out of the Medical Benefits Settlement Agreement will not be processed by the BP Claims Program, but will be reassigned within BP for a reply.

**OPA, oversight and options**

**Q14. Who oversees the BP Claims Program?**

A. BP will operate its claims program in compliance with the Oil Pollution Act of 1990 (OPA). Under OPA, the U.S. Coast Guard is responsible for monitoring certain aspects of OPA claims programs such as advertising.

**Q15. If a claimant has previously presented a claim to BP through the original BP claims program or GCCF, does the claimant need to present an economic or property damage claim to BP again before filing that claim with the National Pollution Funds Center (NPFC)?**

A. Claimants who have previously presented a claim to BP are not required to file a new economic or property damage claim with the BP Claims Program before they present that claim directly to the National Pollution Funds Center (NPFC), US Coast Guard Stop 7100 (ca), 4200 Wilson Boulevard, Suite 1000, Arlington, Virginia 20598-7100 for consideration. Also, the NPFC may be contacted at 1-800-280-7118.

**Q16. Can claimants file interim claims for economic and property damage with the BP Claims Program?**

A. Individuals and businesses that do not fall within the settlement's class definition, timely opt out of the settlement, or wish to pursue Claims that are Expressly Reserved to them pursuant to the Agreement, to the extent such Claims may fall within OPA, may file claims under OPA with BP. This includes claims for interim, short-term damages representing less than the full amount to which the claimant may ultimately be entitled.

**Q17. May a claimant who disagrees with the resolution of a claim by the BP OPA Claims Program file a claim with the National Pollution Funds Center?**

A. Yes, if the claim is covered by OPA and the claimant satisfies applicable legal requirements. The NPFC's address is US Coast Guard Stop 7100 (ca), 4200 Wilson Boulevard, Suite 1000, Arlington, Virginia 20598-7100. Also, the NPFC may be contacted at 1-800-280-7118.

**GCCF and Court-supervised program**

**Q18. If claimants received payments from the GCCF, may they file another claim with BP?**

A. Yes provided that the claimant did not previously execute a release of liability and the claimant has losses that have not been previously compensated. Claimants may file another claim with BP if they received an emergency advance payment or interim payment from the GCCF or BP's original claims program, which operated from May 2010 to August 22, 2010. To file a claim with BP, claimants must opt out of the settlement, not be class members as defined in the settlement agreement, or wish to pursue Claims that are Expressly Reserved to them pursuant to the Agreement, to the extent such Claims may fall within OPA. They are ineligible to file a claim if they have signed a release and covenant not to sue in exchange for a Quick Pay or Final Payment from the GCCF.

**Q19. If claimants signed a final release with the GCCF, can they file a claim with BP?**

A. No. If claimants signed a final release, they are not eligible to participate in the BP Claims Program.

**Q20. Will claimants who have previously submitted documents to the GCCF have to start the process completely over if they elect to file a claim with the BP Claims Program?**

A. Claimants will need to complete a new claim form and provide required detail depending on the claim type. Once a claimant files a claim with the BP Claims Program, BP will obtain the previous information, if any, provided by the claimant to the GCCF. We ask that claimants assist in this process by providing their GCCF claim number in the appropriate location on the BP claim form. They may not have to resubmit all their documents if they have been submitted to the GCCF.

**Q21. What will happen to the GCCF? Can a claimant file a claim with the GCCF rather than with BP or the Court-Supervised Settlement Program?**

A. The GCCF has ceased operations. The Court-Supervised Settlement Program is now accepting claims from claimants that qualify as class members. Those who are not in the economic and property damage settlement class, as defined in the settlement agreement, have opted out, or wish to pursue Claims that are Expressly Reserved to them pursuant to the Agreement, to the extent such Claims may fall within OPA, may file a claim with the BP Claims Program.

**Q22. If a claimant had a claim pending with the GCCF what should they do?**

A. The GCCF is no longer operating. Claimants may file a claim with the Court-Supervised Settlement Program if they are a class member as defined in the settlement agreements. In addition, BP has set up a claims process under the Oil Pollution Act (OPA) that is separate from the Court-supervised claims program. Individuals and businesses that do not fall within the economic

and property damage settlement's class definition, timely opt out of the settlement, or wish to pursue Claims that are Expressly Reserved to them pursuant to the Agreement, to the extent such Claims may fall within OPA, may file claims under OPA with BP.

**Q23. Can a claimant file a claim with the BP Claims Program if his or her claim was denied by the GCCF?**

A. Yes, if they meet one of the following criteria: they are not a member of the economic and property damage class, as defined in the settlement agreement, are members of the class but have exercised their right to opt out of the settlement agreement, or wish to pursue Claims that are Expressly Reserved to them pursuant to the Agreement, to the extent such Claims may fall within OPA.

**Q24. Can claimants make a claim for a "quick pay"?**

A. The BP Claims program will not be accepting any "quick pay" claims.

**Q25. If claimants are not class members or have opted out of the economic and property damage class, but have taken a 60% partial payment through the transitional claims process, how do they elect to receive the remaining 40% of the transitional offer?**

A. Such claimants have the right, but are not required, to elect to receive the remaining 40% of the Transition Program offer. Please note that making this election requires the signing of a release of liability, which will preclude the claimant from seeking further recovery from BP or any other party. For those claimants who wish to elect to receive the remaining 40%, they can complete the 40% claim form on the BP website at [www.bp.com/claims](http://www.bp.com/claims).

**Q26. Can a claimant file a claim with the BP Claims Program if his or her claim was denied by the Court-Supervised Settlement Program?**

A. If claimants are "in-class" and their claim has been denied by the Court-Supervised Settlement Program, they may not file a claim with BP. If claimants have been denied by the Court-Supervised Settlement Program because they are excluded from the settlement class, they may file a claim with the BP Claims Program. More information on those who qualify for the class is available at [www.DeepwaterHorizonSettlements.com](http://www.DeepwaterHorizonSettlements.com).

**Claim payments, releases, reporting and status**

**Q27. How may I elect to receive payment for my claim?**

A. Once you receive an offer from the BP Claims Program you will have the option to choose how your payment will be sent to you. Options include receiving a paper check or having funds wired to a specific account.

**Q28. Will my award be subject to state and federal income tax?**

A. This will be governed by applicable tax laws. BP will be reporting payments in the appropriate manner to the Internal Revenue Service. Whether a specific payment is taxable should be discussed with a tax advisor.

**Q29. Do I have to sign an individual release to be paid?**

A. Yes. Releases for payments of interim claims will cover the scope of the claim. You may consult an attorney before signing any release of your rights.

**Q30. If claimants are unhappy with a payment amount they receive from the BP Claims Program, may they appeal the decision?**

A. The BP Claims Program will not have an appeals process. If not satisfied with the resolution of their claim by BP Claims Program, claimants who satisfy applicable legal requirements may file an OPA claim with National Pollution Fund Center (NPFC), US Coast Guard Stop 7100 (ca), 4200 Wilson Boulevard, Suite 1000, Arlington, Virginia 20598-7100 for consideration or they may pursue their claims in court. The NPFC also may be contacted at 1-800-280-7118.

**Q31. How will BP pay for claims submitted to the BP Claims Program?**

A. Claim payments will come from the \$20 billion Trust established by BP in 2010. The Trust was established to satisfy not only legitimate individual and business claims but also a number of other costs related to the accident and oil spill. Other costs paid from the Trust include state and local government claims, state and local response costs, natural resource damages and related claims and final judgements and settlements.

**Q32. Will there be enough money to pay all obligations?**

A. It is not possible to determine whether the \$20 billion Trust will be sufficient to satisfy all the costs that might be assigned to it. Should the Trust not be sufficient, payments would be made by BP. BP is committed to paying all legitimate claims.

**Q33. What type of reporting will you do about claims paid?**

A. BP will continue to provide information about total payments made to claimants on its web site at [www.bp.com/claims](http://www.bp.com/claims).

**Q34. Will claimants be able to access the status of their claim online?**

A. No

**Q35. If I have any questions about the status of my claim with BP, who may I contact?**

A. You may contact the BP Claims Program at 1-855-687-2631.

**Vessels of Opportunity**

**Q36. What about Vessels of Opportunity (VoO) property damage claims?**

A. VoO property damage claims are covered by the economic and property damage loss settlement agreement, and claims can be filed with the Court-Supervised Settlement Program. More information can be found at [www.DeepwaterHorizonSettlements.com](http://www.DeepwaterHorizonSettlements.com) or by calling 1-866-992-6174.

**Q37. What about VoO off-hire issues?**

A. VoO off-hire claims are included in the economic and property damage settlement agreement, and claims can be filed with the Court-Supervised Settlement Program. More information can be found at [www.DeepwaterHorizonSettlements.com](http://www.DeepwaterHorizonSettlements.com) or by calling 1-866-992-6174.

**Fraud**

**Q38. Who should I contact if I have information about a potentially fraudulent claim?**

A. You should contact the BP Claims Program 1-855-687-2631. Tips can be reported anonymously.

## **Court-Supervised Settlement Program and the agreements**

### **Q39. What is the Court-Supervised Settlement Program?**

A. On December 21, 2012, the United States District Court for the Eastern District of Louisiana approved the settlement agreements executed between BP and the Plaintiffs' Steering Committee (PSC). The Court-Supervised Settlement Program is processing claims from individuals and businesses that qualify as class members. More information about the program can be found at [www.DeepwaterHorizonSettlements.com](http://www.DeepwaterHorizonSettlements.com) or by calling 1-866-992-6174.

### **Q40. How many agreements have received Court approval?**

A. Both of the settlement agreements that BP and the Plaintiff's Steering Committee (PSC) announced on April 18, 2012, have received Court approval. The agreement resolving economic loss and property damage claims was approved by the Court on December 21, 2012, while the separate settlement agreement resolving medical claims was approved on January 11, 2013. These agreements are posted at the official Court-authorized website, [www.DeepwaterHorizonSettlements.com](http://www.DeepwaterHorizonSettlements.com).

### **Q41. Do you believe the majority of the claimants will settle through the Court-Supervised Settlement Program?**

A. BP believes that the Court-Supervised Settlement Program covers the substantial majority of eligible private economic loss and medical claims stemming from the Deepwater Horizon spill and accident.

### **Q42. Is BP recommending that claimants settle their claims through the Court-Supervised Settlement Program?**

A. It is not appropriate for BP to make recommendations to claimants. Under the settlements, each class member has the right to decide whether to opt out of the settlement. BP believes the settlement agreements are a fair, reasonable and adequate resolution of eligible private economic loss and medical claims stemming from the Deepwater Horizon accident.

### **Q43. What types of claims are covered under the economic loss and property damage settlement agreement?**

The categories are described at [www.DeepwaterHorizonSettlements.com](http://www.DeepwaterHorizonSettlements.com), the official Court-authorized website. The categories include:

1. Seafood compensation program
2. Economic damages
3. Loss of subsistence
4. Vessels of Opportunity ("VoO") charter payment
5. Vessel physical damage
6. Coastal real property damage
7. Wetlands real property damage
8. Real property sales damage

### **Q44. If claimants do not understand their options, what should they do?**

A. Claimants may call the Court-Supervised Settlement Program at 1-866-992-6174 or go to [www.DeepwaterHorizonSettlements.com](http://www.DeepwaterHorizonSettlements.com), the official Court-authorized website. Claimants may also discuss their options with their attorney.

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