

Executive Summary

Deadly Dispersants in the Gulf: Are Public Health and Environmental Tragedies the New Norm for Oil Spill Cleanups?

The 2010 Deepwater Horizon disaster was the largest U.S. oil spill, and second largest in world history. Even worse, evidence suggests that cleanup efforts were more destructive to human health and the environment than the spill itself. BP and the federal government intend for their joint response to be the precedent for a new cleanup standard operating procedure (SOP), centered on the widespread use of the chemical dispersant Corexit. When this product is mixed with oil, a deadly synergy occurs that poses greater threats than oil alone. The only so-called advantage of Corexit is the false impression that the oil disappears – in reality, the more toxic chemical mixture spreads throughout the environment, or settles on the seafloor.

An investigation by the Government Accountability Project (GAP) – the nation’s leading whistleblower protection and advocacy organization – details these nightmarish conclusions. GAP’s data and evidence comes from those citizens who experienced the cleanup’s effects firsthand. Taken together, these testimonies belie repeated corporate and government rhetoric that Corexit is no more dangerous than Dawn dishwashing soap.

Report Genesis, Resources & Methodology

Louisiana physician Dr. Michael Robichaux approached GAP in summer 2011, requesting assistance to document ravaging health effects appearing to be caused by the spill and the extensive application of Corexit and the spill. In response, from August 2011 to April 2013, GAP investigators interviewed 25 whistleblowers with firsthand accounts of Corexit’s devastating cost. Of these 25, four whistleblowers chose not to go on-the-record, and are not reflected in GAP’s statistical findings. Of the 21 whistleblowers whose accounts are documented in this report, 10 are cleanup workers, three are professionals (two doctors, one industry leader) who acted as conduits for multiple cleanup workers, two are divers contracted by the federal government, and six are from Gulf communities exposed to the cleanup. Of these 21, there were 14 men and seven women, with ages ranging from mid-30s to late-60s. Their statements recount episodes in Alabama, Florida, Louisiana and Mississippi. Sixteen whistleblowers reinforced their interviews with sworn affidavits made public in this report. While not scientific, these figures are conservative. Of those witnesses who acted as safe conduits for whistleblowers, each statement is reflected as one account for purposes of the data.

Together, these accounts produce a frighteningly consistent picture of health and ecological devastation that is starkly at odds with official BP and government statements. To produce this report, GAP worked closely with the nonprofit Louisiana Environmental Action Network (LEAN), which was instrumental in supporting this investigation. GAP also conducted extensive Freedom of

Information Act (FOIA) requests and off-the-record interviews with government officials who chose to remain anonymous about their whistleblowing disclosures. In addition, GAP repeatedly contacted BP to draw responses to significant findings, but GAP's questions were largely unanswered. Since March 2012, GAP and LEAN have been involved in a dialogue with the BP America Ombudsman Program on public and occupational health and safety concerns during the cleanup, and BP's handling of Corexit. So far there have been no tangible results beyond the discussions.

Each section in GAP's report summarizes, in order, the official position of BP, the federal government, and independent critics, concluding with relevant excerpts from whistleblower affidavits (which can be found in appendices in full). Whistleblowers have not only documented the immediate impacts of the BP spill, but warned of long-term damage. Through their living history and emerging science, the truth about the spill response's toxic legacy is beginning to surface as we reach the third anniversary of the Deepwater Horizon explosion.

Key Findings

Key findings detailed in this report include:

I. Corexit's Devastating Effect on Human Health

- **Witnesses in GAP's investigation reported, as a result of coming into contact with Corexit or being in areas near spray zones, severe negative health effects.** These include: abdominal pain; blood in urine; heart palpitations; hyper-allergic reactions to processed food and common household cleaning or petroleum based products; hypertension; inability to withstand exposure to sun; kidney damage; liver damage; migraines; multiple chemical sensitivity; neurological damage resulting in memory loss and in some cases IQ drop; rapid weight loss; respiratory system and nervous system damage; seizures; skin irritation, burning and lesions; sudden inability to move or speak for sustained periods; temporary paralysis; and vomiting episodes.
- **Interviewees are also extremely concerned about long-term health effects** from this type of chemical exposure, which may not have manifested yet, including reproductive damage (such as genetic mutations), endocrine disruption, and cancer.

II. BP's and the Federal Government's Inadequate Protection of Spill Workers

- **Contrary to warnings in BP's own internal manual, BP and the government misrepresented known risks by asserting that Corexit was low in toxicity (routinely comparing it to Dawn dishwasher soap).** Nearly 47% of workers reported that their employers told them Corexit did not pose a health risk.

- BP and the federal government each identified heat stress as the greatest occupational safety hazard for cleanup workers, leaving them almost defenseless against chemical exposure. **All workers interviewed reported that they were provided minimal or no personal protective equipment on the job.**
- **Federally required worker resource manuals detailing Corexit health hazards were not delivered or were removed (according to an anonymous whistleblower) from BP worksites early in the cleanup, as health problems began.** After GAP and LEAN confronted BP, the company stated that manuals were removed as worksites shut down and after the cleanup operation was no longer using dispersants in the Gulf. But nearly 85% of interviewed cleanup workers reported that they were **never** informed of or aware of **any** available safety literature at the job site.
- Undermining the Occupational Safety and Health Administration's highly-lauded safety training program for cleanup workers, **100%** of workers interviewed **reported that they either did not receive any training, or did not receive the federally required training.**
- **Demonstrated through GAP FOIA responses and whistleblower accounts, BP and the federal government acknowledged that allowing workers to wear respirators would not create a good public image, and that retaliation by BP on this issue was permissible.** Buttressing this, more than 46% reported that they were threatened with termination when they tried to wear respirators or additional safety equipment on the job. **The same percentage reported that they received early termination after raising safety concerns on the job.**
- A FOIA request found that government agency regulations **prohibited** diving during the spill due to health risks. **Yet, interviewed divers contracted by National Oceanic and Atmospheric Administration dove after assurances that it was safe, and additional protective equipment was unnecessary.**

III. **BP's and the Federal Government's Insufficient Medical Monitoring Systems**

- BP and the federal government, through their own medical monitoring programs, each publicly denied that any significant chemical exposure to humans existed. **Of the workers GAP interviewed, 87% reported contact with Corexit while on the job, and of all respondents, 57% reported that they and/or someone in their family was exposed to Corexit outside of the cleanup zone.**

Further, **blood test results from our interviewees showed alarmingly high levels of chemical exposure that correlated with the experienced health effects.** Of GAP's witnesses, more than 70% took a blood test to identify chemicals from Corexit and oil. Of those, 100% tested positive for high levels of such chemicals, which included known carcinogens.

- BP and government medical monitoring programs dismissed worker complaints that Corexit exposure resulted in hospitalization, and each repeatedly issued official statements to coastal communities (including vulnerable populations) that the environment was safe and the air was “normal.” **Eventually coined “BP Syndrome” or “Gulf Coast Syndrome,” all GAP witnesses experienced spill-related health problems.** Furthermore, 95% report that they continue to experience spill-related health problems as of April 2013, and more than 50% living in affected areas reported that their children and/or grandchildren’s health has deteriorated.
- BP, the government and Gulf hospitals regularly diagnosed health problems in workers and Gulf residents as mere heat stress or anecdotal individual symptoms. Further, the government mobile medical unit was housed in a private BP compound guarded by BP security, making it impossible for workers to anonymously seek medical assistance (many feared they would be retaliated against for reporting health problems). **Of GAP’s witnesses, nearly 86% were told by a medical professional that there was no relationship between their health problems and spill-related chemicals, or that the professional recognized the relationship but refused to document it. Over 42% of witnesses reported that they were scared to ask their physician about a relationship between their health and the spill.**
- To address the void in adequate medical care, LEAN and Dr. Robichaux implemented a treatment program tailored toward chemical exposure that helped to fill a medical void and provide a model for treatment programs throughout the Gulf. **Every one of the interviewees who underwent the Gulf Coast Detoxification Program reported that their health symptoms subsided or cleared after undergoing treatment.**

IV. Existing Threats to the Public Ignored

- The federal government’s failure to report on continuing Gulf public health threats has put tourists directly in harm’s way. **More than 60% of GAP witnesses reported that they found evidence of oil or oil debris after BP and the Coast Guard announced that cleanup operations were complete.**
- **BP and the federal government reported that Corexit was last used in July 2010. Seventy-one percent of GAP witnesses cited indications that Corexit was used after that time.**
- The government and BP’s misleading public relations campaign to lure tourists back to the Gulf was joined by media radio silence on the health crisis. **Nearly 70% of GAP witnesses reported that they primarily depend on social media to obtain and/or share unfiltered spill-related information.**

V. Corexit’s Impact on the Gulf Environment & Food Supply

- BP and the federal government repeatedly claimed to prominently employ **both dispersant and mechanical cleanup (capturing) methods** to contain the oil. **Of GAP’s cleanup worker**

whistleblowers, nearly 77% were regularly given instructions to report the location of oil but not recover it. When each of these workers returned to the same locations within 24 hours, the oil typically was completely gone from the surface.

- BP and the federal government contended that dispersants would mitigate the environmental impacts of the spill, **but the more toxic oil-Corexit mixture coated the Gulf seafloor and permeated the Gulf's rich ecological web.** GAP witnesses revealed underwater footage of an oiled seafloor equivalent to a marine Death Valley where aquatic life formerly flourished, and documented widespread damage to coral communities.
- Ignoring some industry requests to delay openings, the government re-opened Gulf fisheries within weeks of the well being capped. **The FDA grossly misrepresented its analysis for Gulf seafood safety, relying primarily on a literal smell-test to detect contaminated seafood.** It declined to test for Corexit chemicals, which could result in long-term health impacts undetected by government testing standards. **Of GAP's witnesses, 76% expressed concern over the quality of government seafood testing, and almost 60% reported seeing new seafood deformities firsthand. Nearly 80% of fishermen reported that their catch has decreased significantly since the spill.**

VI. **Inadequate Compensation**

- BP's Gulf Coast Claims Fund (GCCF) denied all health claims during its 18 months of existence. Although a significant precedent, the subsequent medical class action suit excluded countless sick individuals; bypassed the worst health impacts resulting from dispersant and oil exposure (such as cancer or birth defects); offered grossly inadequate maximum awards compared to medical costs, and did not include medical treatment. **More than 60% of GAP interviewees reported that the GCCF and/or Deepwater Horizon class-action settlement made them an offer (most declined). Of those witnesses, 100% reported that compensation was nominal compared to their medical and economic damages incurred from the spill.**

Conclusions & Recommendations

The BP spill was the worst environmental disaster in American history, but the government's consent of BP's Corexit use has caused long-term human and ecological tragedies that may be worse. As deepwater drilling expands off U.S. coasts, it is inevitable that other incidents will occur. Renewed reliance on Corexit is planned as the SOP for future oil spills. BP has declared it will continue to use the deadly dispersant as long as the government permits doing so. If this vision becomes reality, long-term destruction to our health and environment will expand exponentially.

GAP's report illustrates that both BP and the government must take corrective action to mitigate ongoing suffering and to prevent the future use of this toxic substance. Immediate measures should include:

- A federal ban on the use of Corexit, which is already banned in the United Kingdom (BP's home country) and Sweden.
- Congressional hearings on the link between the current public health crisis in the Gulf and Corexit exposure.
- The immediate reform of EPA dispersant policy, specifically requiring the agency to determine whether such products are safe for humans and the environment *prior* to granting approval under the National Contingency Plan (NCP).
- Establish effective medical treatment programs – by medical experts specializing in chemical exposure – for Gulf residents and workers.
- The federal government's funding of third-party, independent assessments of both the spill's health impact on Gulf residents and workers, and such treatment programs when established.