

THE **ALERT** PROJECT

A Locally Empowered Response Team

#WhatsThePlanEPA Campaign Talking Points

Fact Sheet

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Introduction:

During the 2010 BP oil disaster, unprecedented amounts of toxic chemical dispersants were used to allegedly minimize harm to people and wildlife from the crude oil itself. Aerial spraying of dispersants on surface oil in offshore and in coastal waters, and deepsea “subsea” dispersant injection at the broken blowout preventer, continued daily, for months. Nothing like this had ever been tried before — it was all a giant experiment.

The Coast Guard and British Petroleum were waging a war on oil. Even though dispersants contained chemicals that were hazardous to human health and wildlife, they had been successfully tested in the lab and it was anticipated they would behave the same when released into the environment. They did not. Instead, oil-based dispersants combined with the spilled oil and got into the air, sea mist, clouds, the ocean from top to bottom, the bacteria-algae film coating sand grains on beaches — and into people and wildlife. None of this was anticipated.

In this evolving experiment, scientists are finding that dispersants did more harm than good to people and wildlife. Yet dispersants remain the favorite tool of the federal government and oil industry, because the chemicals “disappear” oil off the water surface — a cosmetic clean up instead of the real thing.

Nothing will change unless we act. Use our talking points guide to put informed pressure on the government to reform oil spill preparation and response and to ban the use of toxic chemicals that only make oil disasters worse.

MAIN TALKING POINTS –

- **Chemical dispersants are toxic by nature.** Dispersants contain oil-based [solvents and surfactants](#), industrial degreasers that are [hazardous to humans](#) and wildlife. These products are also deadly because they [facilitate the passage](#) of the bulk of the toxins in the oil itself to pass through the lipid cells of organisms. In other words, dispersants bind with oil and move it into the body of organisms.
- **Corexit 9527 — a dispersant used in large quantities during the BP oil spill — contains up to [95% of chemicals known to be hazardous](#) to humans and wildlife.** This product is inappropriate for oil spill use, just based on its ingredients. Even the manufacturer Nalco warns against accidental release into the environment: “Do not contaminate surface waters,” and “contain spillage.” However, [Nalco, recommends its use to disperse oil](#) spilled on the sea to minimize harm to the environment.
- **During the BP (and other) oil disasters, [workers were told not to wear](#) the recommended Personal Protective Equipment.** Workers were usually exposed 24/7 for weeks, even months, [instead of the OSHA-based standard](#) 40-hour week with five 8-hour days. This was despite the fact that the manufacturer, Nalco, [specifically recommends wearing protective gear and following other safety precautions](#), and states that [“Health injuries are not known or expected under normal use.”](#)



- **The BP oil spill response was not treated as a hazardous waste operations.** Before the *Exxon Valdez* oil spill, Congress declared oil spills were hazardous waste operations and emergency response (HAZWOPER; [Federal Register 54\(42\):9294–9336](#)), meaning a higher standard of care for workers and public risk communication. In early summer 2010, the Coast Guard arbitrarily downgraded the BP oil disaster to non-hazardous operations. Not recognizing a hazardous waste response as hazardous meant that workers were operating without adequate HAZWOPER training and that [residents, scientists and visitors were seriously misinformed about the health risk](#). Sure, beaches stayed open, but at what cost to people?
- **During oil spills, non-normal use is the norm.** Since states have pre-authorized dispersant use, the [chemicals can be sprayed within 3 miles of the coast](#) or in less than 10 feet of water **without notifying the public**. During the BP disaster, dispersants were used daily for months in surface waters and in experimental conditions one mile below the sea surface. None of this is “normal” use. Non-normal use means harmful effects are to be expected, given the harmful nature of dispersants.
- **The federal government was not honest with people about the health risk.** For the BP disaster, the [EPA chose a screening level over the Unacceptable Cancer Risk Level](#) established under the Clean Air Act. [FDA chose screening levels for seafood](#) that put people at a **100-times higher risk** of cancer. This meant people who breathed the oil-contaminated air or consumed Gulf seafood were at a higher risk for cancer — an unacceptable risk.
- **Federal and state governments found cause for public health concern, and they failed to communicate the risk to people and communities.** In Louisiana, the EPA, the state and BP monitored air quality throughout 2010. EPA and the state reported no cause for public health concern and took no preventative action. Dillard University and Texas Southern University used the



[same dataset and concluded that ambient airborne oil pollutants were at dangerous levels](#) during May through September 2010; that the levels were likely a threat to public health during this period, and that these real-time results should have been a cause for concern and real-time preventative action.

- **Federal and state governments failed to take preventative action.** At the onset of the BP disaster, the government, the [oil industry](#), [scientists](#) and the [medical community](#) all knew there were acute toxic effects with characteristic symptoms of exposure to oil spills and chemical dispersants. When coastal residents and visitors across four states expressed these characteristic symptoms of exposure, it provided strong evidence of widespread oil-chemical harm.
- **The common symptoms of exposure to oil spills and toxic chemicals are no different than symptoms for common illnesses.** Your body only has so many ways to say there is a problem. Cough, dry or sore throat, wheezing, itchy or watery eyes, headache, nausea or vomiting, dizziness, rashes or blisters, and more can all be [early warning symptoms](#) of a simple cold or flu, food poisoning, heat stroke – or oil-chemical exposure. Your doctor needs to know the difference. The danger is that if chemical illnesses are not correctly diagnosed and treated, they could turn into a lifetime of long-term illnesses and disease.
- **Before the BP disaster, scientists had already identified illnesses, cancers and other long-term diseases stemming from oil spill exposures.** After the [2002 Prestige oil spill in Spain](#) and [2008 Hebei Spirit oil spill in the Republic of South Korea](#), scientists found that oil spills were linked to damage in genetic material in the people exposed. This was eventually linked to increased cancer risk, [cancers of the blood](#) — like T-cell lymphoma, acute lymphoblastic leukemia, and acute myeloid leukemia — and [increased diseases of the respiratory system](#) like [asthma](#), cystic fibrosis and chronic obstructive pulmonary disease (COPD).



- **Long-term studies on the BP disaster have reported similar illnesses and diseases among exposed humans and wildlife.** In the wake of the BP disaster, exposed individuals and groups of individuals like the [Coast Guard](#) were found to have reduced pulmonary, lung, liver, kidney, blood, heart and nervous system functions over time. Ecosystem studies found dispersants compounded harm in a wide variety of sea life from the base of the food web; i.e., in [bacteria](#), zooplankton, [corals](#), oysters, blue crabs, and killifish, to apex predators such as [tuna](#) and [dolphins](#).
- **The mixture of oil and dispersants creates a toxic cocktail, far worse than the oil alone.** Increasingly, studies have shown that the [combination of oil and dispersants](#) leads to an [increased prevalence and frequency of illnesses and disease](#). Aerial spraying of oil-based dispersants over an oil spill that is naturally evaporating oil into the air and dissolving oil into the water means **more oil** into the air and water, not less. This means **more harm** to people and wildlife, not less.
- **The National Contingency Plan is outdated, unsafe and endangers lives.** Our nation's emergency response plan for oil spills was last updated 26 years ago after the *Exxon Valdez* oil spill. The plan allows for [unlimited use of dispersants and uses outdated science](#) that fails to establish the true toxic nature of dispersants. The plan [only takes into account conventional oil](#) that floats on a water surface. Yet now unconventional oil that sinks (tar sands dilbit) or explodes (fracked gas and oil) is transported by pipelines and railcars through our communities – unconventional oil is not covered under the existing plan.
- **Complacency between government and industry is a leading contributor to oil disasters.** To [combat government-industry complacency](#), Congress amended the Clean Water Act to [require the inclusion of local government](#) and local citizens in spill response preparation and planning — but this has not been implemented by the responsible agencies and states.



- **Governments must do no more harm during oil spill response.** Oil spills are not the time for uncontrolled experiments. Subsea dispersant injection (SSDI) was such an experiment, yet the [federal government institutionalized the practice](#) in fall 2010 without public input. In 2018 scientists reported that **SSDI during the BP disaster was superfluous**: Oil distribution from deepsea blowout to sea surface was controlled by temperature and pressure-dependent processes, not dispersants. Further, SSDI likely **contributed to persistent dangerous levels of oil at the sea surface** throughout the summer.
- **Coastal states can use dispersants without warning the public at any time — not just during an oil spill.** Thirty years ago after the *Exxon Valdez* oil spill, the Clean Water Act was amended to [expedite use of dispersants](#). Every coastal state has officially pre-authorized use of dispersants. We now know better: Dispersants do more harm than good. We want states and the federal government to revoke preauthorization of dispersant use.
- **Wherever there are oil-gas activities, there are risks of toxic exposures.** By allowing use of deadly dispersants, the EPA is putting at risk some 133 million [Americans who live near the coasts](#) and make up 39 percent of the U.S. population. EPA is putting at risk millions more Americans who visit and recreate at coasts.
- **As long as oil is drilled, it will be spilled. We must act now to prevent another human health tragedy like what happened after the BP oil disaster.** Offshore oil drilling is risky business, and the sooner we act to stop the use of dispersants, the sooner we can prevent another human health tragedy like what is still happening ten years after the BP disaster.



RECAP: Main Points

- **Chemical dispersants are toxic by nature.**
- **During the BP (and other) oil disasters, workers were told not to wear the recommended Personal Protective Equipment**
- **The BP oil spill response was not treated as a hazardous waste operations**
- **During oil spills, non-normal use is the norm.**
- **The federal government was not honest with people about the health risk.**
- **Federal and state governments found cause for public health concern, and they failed to communicate the risk to people and communities.**
- **Federal and state governments failed to take preventative action.**
- **The common symptoms of exposure to oil spills and toxic chemicals are no different than symptoms for common illnesses.**
- **Before the BP disaster, scientists had already identified illnesses, cancers and other long-term diseases stemming from oil spill exposures.**
- **Long-term studies on the BP disaster have reported similar illnesses and diseases among exposed humans and wildlife.**
- **The mixture of oil and dispersants creates a toxic cocktail, far worse than the oil alone.**
- **The National Contingency Plan is outdated, unsafe and endangers lives.**



- **Complacency between government and industry is a leading contributor to oil disasters.**
- **Governments must do no more harm during oil spill response.**
- **Coastal states can use dispersants without warning the public at any time — not just during an oil spill.**
- **Wherever there are oil-gas activities, there are risks of toxic exposures, this puts millions of people at risk.**
- **As long as oil is drilled, it will be spilled. We must act now to prevent another human health tragedy like what happened after the BP oil disaster.**

