

For Immediate Release

Contact: Raquel Trinidad
Communications Director, Earth Island Institute
(510) 859-9161, rtrinidad@earthisland.org

Groups Petition EPA to Ban Use of Oil Dispersants Discontinued by the Manufacturer —And Ask United Nation Bodies to Do the Same

Truth-in-Reporting Rule Allows Removal with Cause of Toxic Products Used after Oil Spills

Berkeley, CA (August 19, 2024) — A [petition filed](#) by Earth Island Institute’s ALERT Project and the Government Accountability Project asks the U.S. Environmental Protection Agency (EPA) to remove the two chemical dispersants, Corexit 9527A and 9500A that were used after the 2010 BP Deepwater Horizon oil disaster, from the list of products authorized under the National Contingency Plan (NCP) for use during oil spill response—effective immediately.

The human experience from dispersant exposure is now defined by post-BP disaster science. [Key studies compiled in the petition](#) show that these Corexit dispersants 9500A and 9527A are potent respiratory and skin sensitizers that cause chronic breathing difficulties and reoccurring skin rashes; potent carcinogens that trigger multiple cancer pathways; potent neurotoxins that cause brain damage such as central sensitization (hypersensitivities to smells, sounds, and light, often associated with migraines); and potent teratogens that disrupt development of fetuses. These dispersants also cause specific damage to the blood, respiratory, and cardiovascular systems, the peripheral nervous system, causing numbness and pain in the hands and/or feet, and the central nervous system, affecting memory, emotions, behavior, and loss of tolerance to chemicals, sound, and light. Oil-dispersant mixtures are more harmful to people and animals than oil alone.

In November 2022, the manufacturer of Corexit dispersants [announced discontinuation](#) of its dispersants and shoreline cleaner products, effective immediately. However, an unknown volume of Corexit dispersant stockpiles remains in every coastal state. Because these discontinued products are still listed in the NCP product schedule, they are currently still available for use in new spills—with potentially the same deadly consequences for people and wildlife.

Dr. Riki Ott, director of Earth Island Institute’s [ALERT Project](#), the primary author of the petition, said, “Dispersants have been used in maritime oil spills in the United States for over 50 years—since before EPA was established, before the Clean Water Act was passed, and half a century before the human health consequences were seriously considered. The science has finally caught up with oil dispersants, and it shows these Corexit products cannot be used safely during oil spill response.”

Removal of oil dispersants Corexit 9527A and 9500A from the NCP product schedule would ban their use for oil spill response in waters of the United States. This is the first test of the [truth-in-reporting rule](#) that was secured when a federal judge in the U.S. District Court for the Northern District of California [ordered the EPA](#) to update its decades-old regulations on the use of toxic

chemical dispersants in oil spill responses and to take into account current science. ALERT and Earth Island Institute were the lead plaintiffs in this case.

The petition presents 39 cases of testimonials, lab, clinic, and epidemiology studies as evidence to challenge select statements made by the dispersant manufacturer's in the 2019 safety data sheets for Corexit 9500A and 9527A. Safety data sheets are required under the Occupational Health and Safety Hazard Communications standard, which is consistent with the United Nation's Globally Harmonized System of Classification and Labelling of Chemicals (GHS). Safety data sheets are required to be accurate, truthful, and current.

Tom Devine, Government Accountability Project's legal director, has been investigating the human price with whistleblowers for over a decade. "The scientific studies confirm our independent reports, based on testimonies of 80 citizen whistleblowers. Ending production is a vindication for these citizens—and over 5,000 other workers and coastal residents who filed injury claims after suffering the nightmarish damage from Corexit exposure. There is no excuse to keep using Corexit until we run out of this poison. Once and for all, EPA must put an end to this deadly public health threat."

These two Corexit dispersants are stockpiled and available for use globally, including in the United States. Removing them from use would set worldwide precedent—and encourage use of safer products that are commercially available but have not been used because of industry's long-standing preference for dispersants.

Instead, oil and gas producers are now exploring options for use of the same toxic Corexit dispersants in other countries—and whether the manufacturer can be indemnified from the harm now known to be caused by product use, as it was in the United States after the Deepwater Horizon.

In response, the groups are advocating that the United Nations adopt guidelines like the truth-in-reporting rules in the United States—and, in the interim, to adopt an emergency GHS guideline to remove from the GHS any product that has been voluntarily discontinued by the manufacturer, including the Corexit dispersants, effective immediately.

Sumona Majumdar, chief executive officer for Earth Island Institute, explained, "Our petition to the EPA lays the groundwork for action by the United Nations to prevent use of Corexit dispersants in oil spill responses outside the United States. As such, we urge the EPA to take immediate action to ban these dangerous products and set worldwide precedent to do the same."

The ALERT Project works with at-risk communities to reduce toxic oil-chemical exposures and build a healthy energy future.

Government Accountability Project is the global leader in whistleblower protection and advocacy.

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