



September 6, 2024

U.S. Environmental Protection Agency
EPA Administrator Michael S. Regan, Mail code 1101A
1200 Pennsylvania Ave. NW
Washington, DC 20460
Regan.Michael@epa.gov

Re: Surfrider Foundation Request to Remove the Discontinued Dispersants Corexit™ EC9527A and EC9500A from the NCP Product Schedule Pursuant to 40 CFR § 300.970

Dear Administrator Regan,

The Surfrider Foundation (“Surfrider”) is writing to request that the Environmental Protection Agency (EPA) remove oil dispersants Corexit 9527A and Corexit 9500A from the NCP Product Schedule under rule 40 CFR § 300.970, effective immediately. Surfrider is a grassroots environmental organization dedicated to the protection and enjoyment of the world’s ocean, waves, and beaches for all people. We submit these comments on behalf of our U.S. network of nearly 200 chapters and clubs, and more than 350,000 supporters, activists, and members in the United States.

Surfrider strongly supports federal government action to protect cleanup workers and members of the public from the health hazards of oil spills. This includes our support for a [petition](#) led by the ALERT Project to urge EPA to immediately prohibit use of the aforementioned toxic dispersants. While EPA’s revised 2023 rules updated test and listing criteria to eliminate use of more toxic products, such products remain conditionally listed and available for use until the new schedule goes into effect on December 12, 2025. This means the discontinued Corexit dispersants of concern may still be used for oil spill response despite now knowing that such use endangers workers, the exposed public, and the environment.

As a grassroots organization of coastal recreation users, Surfrider members and other local volunteers often find themselves on the front lines of oil spills. Whether in the Gulf of Mexico, California, or elsewhere, our local chapters have supported and participated in oil spill cleanup activities through public outreach, volunteer engagement and scientific monitoring. Moreover, Surfrider members, as well as coastal community residents and visitors, represent vulnerable populations of citizens both during and after oil spill events.

Following the 2010 BP Oil Spill, Surfrider’s Emerald Coast Chapter located on the Florida panhandle, received numerous reports of illness from the local surfing community. These accounts contradicted the assurances of government officials who claimed that nearshore

waters were safe for recreation. This compelled the chapter to conduct independent scientific monitoring for chemical compounds associated with chemical dispersants applied in large quantities following the spill. In the years since the BP Oil Spill disaster, scientific studies have confirmed what our Emerald Coast Chapter members experienced firsthand: the application of Corexit dispersants creates a toxic cocktail that is deadly to wildlife and humans - and much more toxic than oil alone.

Surfrider Foundation is proud to join ALERT Project and others in calling for the EPA to immediately remove oil dispersants Corexit 9527A and Corexit 9500A from the NCP Product Schedule under rule 40 CFR § 300.970. Preventive action must be taken before the next inevitable oil spill to better protect cleanup workers, recreational users, and the exposed populace from the harmful impacts of Corexit dispersants.

Sincerely,

Pete Stauffer
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Catherine Marotta
Chapter Chair
Emerald Coast Chapter (FL)
Surfrider Foundation

CC: Venessa Principe, EPA Office of Emergency Management, Oil Branch Chief
Patricia Gioffre, EPA Office of Emergency Management, Regulations Implementation Director
U.S. Senator Edward Markey