December 2, 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*

Requesting EPA to Remove the Discontinued Dispersants Corexit™ EC9527A and EC9500A from the National Contingency Plan Product Schedule Pursuant to 40 CFR § 300.970

Dear Administrator Regan,

We, the undersigned organizations and individuals, are writing to support the August 2024 petition to remove Corexit dispersants 9527A and Corexit 9500A from the National Contingency Plan (NCP) Product Schedule pursuant to 40 CFR § 300.970, effective immediately.[1]

Together, our organizations reach 30 million people nationwide who depend on a healthy ocean for economic, environmental, and personal reasons. During a large oil spill, some of our members would serve—or have served—as citizen responders or volunteers to assist with spill response. We live with the toxic consequences of products used during oil spill response. Our request is a demand for accountability.

Petitioners ALERT Project and Government Accountability Project clearly demonstrate that the manufacturer of Corexit dispersants provided statements to the Environmental Protection Agency (EPA) that are misleading, inaccurate, outdated, or incorrect regarding product use to control oil spills and, further, that the manufacturer has failed to provide new or relevant information concerning the impacts or potential impacts of the product to human health or the environment. These statements are grounds for removal under § 300.970.

During the 2010 BP Deepwater Horizon oil disaster, the federal government allowed use of unprecedented amounts (nearly two million gallons) of these Corexit dispersants in the deep sea and on the sea surface for nearly three months—four, counting the spraying in coastal waters. Petitioners compiled the post-BP disaster science and human experience with respiratory and skin contact with Corexit dispersants. The record is extensive, and it reveals that the combination of crude oil and dispersant was much more toxic to people and animals than the oil alone contrary to what was expected by EPA, based on the manufacturer's statements, and communicated to the public.

[1] ALERT and Government Accountability Project, 2024. Petition requesting EPA to remove Corexit 9527A and Corexit 9500A from the NCP Product Schedule pursuant to 40 CFR § 300.970. https://alertproject.org/wp-content/uploads/2024/08/EPA-DELIST-petition-FINAL.pdf

For example, studies compiled in the petition show that these Corexit dispersants are potent respiratory and skin sensitizers that cause chronic breathing difficulties and reoccurring skin rashes; potent carcinogens that trigger multiple cancer pathways; and potent teratogens that disrupt development of fetuses. Further, the record shows that Corexit dispersants can cause specific damage to the blood, respiratory, and cardiovascular systems, and the peripheral and central nervous systems, the latter affecting emotions, behavior, memory, and loss of function through, for example, central sensitization—that is, loss of tolerance to chemicals associated with hypersensitivities to smells, sounds, and light.

Additional concerns call for an expedited decision. According to the petition to EPA, the manufacturer of Corexit dispersants stopped making and selling these products in November 2022, six months before the final rules were published in May 2023 (NOTICE ATTACHED). However, these discontinued products are currently stockpiled and available for use in every coastal state—and they remain listed on the NCP Product Schedule. This means that the next big oil spill could provide an opportunity to divest of these discontinued products by literally dumping them in the ocean at the spill site under the pretext of response—with the same deadly consequences that occurred after the BP Deepwater Horizon disaster. We know better.

We incorporate by reference the petition to EPA that was filed by the ALERT Project and the Government Accountability Project to support our request—and the additional information on devastating impacts to wildlife supplied by the Center for Biological Diversity.[2] We also include for the administrative record "All This Awfulness – The Lori B Story," a narrated photo-documentation that links multiple chronic illnesses with direct contact from Corexit 9527A (ATTACHED), compiled by Lori Bosarge and The ALERT Project.

Please ban these extremely toxic and discontinued Corexit dispersants by removing (delisting) them from the NCP Product Schedule, effective immediately.

Sincerely,

**Direct Contact — BP Deepwater Horizon Disaster Survivors**

| | | |
|---|---|---|
| **Lori Bosarge** | **Kindra Arnesen** | **Sheree Kerner** |
| Retd. Director (2009–2021) | Captain, Fisherwoman | Widow and Founder |
| Coastal Response Center | Plaquemines Parrish | Disappearing Victims |
| Coden, Alabama | Louisiana | Jefferson Parrish Louisiana |

[2] Center for Biological Diversity, Letter to EPA in support of the Petitioners, October 18, 2024. https://alertproject.org/wp-content/uploads/2024/11/EPA-CtrBiolDiv-Remove-Oct-2024.pdf

## National Organizations

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## Regional Organizations

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cc:
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EPA Office of Emergency Management, Oil Branch Chief

Patricia Gioffre
EPA Office of Emergency Management, Regulations Implementation Director

**January 20, 2023**

COREXIT Environmental Solutions announced in November 2022 the discontinuation of the manufacture and sale of COREXIT™ oil dispersant and shoreline cleaner products, effective immediately. These products include COREXIT EC9500A, COREXIT EC9500B, COREXIT EC9527A, and COREXIT EC9580A.

This decision is consistent with the Company's actions on other product lines in areas adjacent to our core markets that are no longer a strategic or structural fit for our business. We recognize that dispersant products are important to the industry and operators' oil spill response plans.

The Company will actively engage with industry consortia and organizations, such as the International Oil & Gas Producers Association, to determine a sustainable solution to support the needs of the oil and gas industry as the Company exits the COREXIT product line. We appreciate the partnership, collaboration, and patience of industry stakeholders as we collaborate with these industry consortia and organizations.

It's important to understand these facts about COREXIT inventory and availability:

- Our Company has not made or sold COREXIT products for the past nine years.
- Oil spill response organizations around the world hold stockpiles of COREXIT and other dispersants and are positioned to manage major spills globally.
- COREXIT products may be sourced from industry organizations and oil spill response groups.
- The Company plans to work with IOGP to help those who currently identify COREXIT products as a stated oil spill response (OSR) solution to identify other acceptable alternative OSR strategies.

The Company will no longer support the regulatory framework – including product registrations or re-registration – for this product line effective July 1, 2023. COREXIT-related Regulatory inquiries may be directed to corexitinfo@corexit.com.


1996. Lori Bosarge

Lori Bosarge and her husband Dennis intended to make the house where Dennis grew up in Coden, Alabama, a quarter mile from Portersville Bay, their forever home. After Hurricane Katrina, they rebuilt the hurricane shutters, repainted, enclosed the roof eves, and replaced the roof. The satsuma tree bore over 200 fruit annually—it died in 2010 after the BP Deepwater Horizon disaster.

***"Never compare resilience from a storm with an oil disaster. I can rebuild after a storm, but life after toxins is an everyday life sentence for the rest of my life." ~ Lori Bosarge***

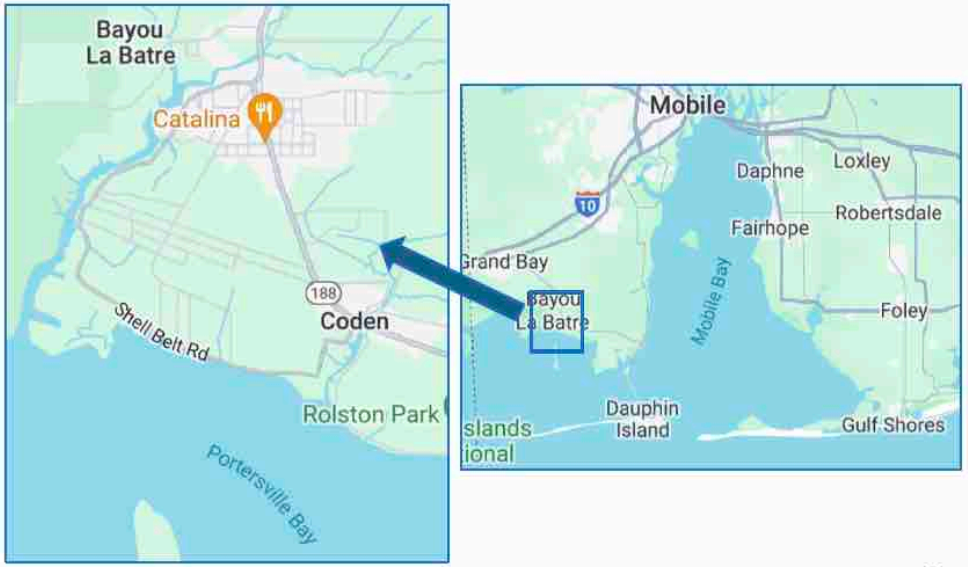

1997. Courtesy Lori Bosarge


2006. Lori Bosarge

From May to August 2010, there were five small work boats with dispersant tanks that ran up and down the bay from Bayou La Batre to Dauphin Island, Alabama, daily. Lori could hear the boats from their home. Sometimes she and Dennis went down to the coast to watch as the boats sprayed in Portersville Bay, but they stopped because they would both get sore throats.



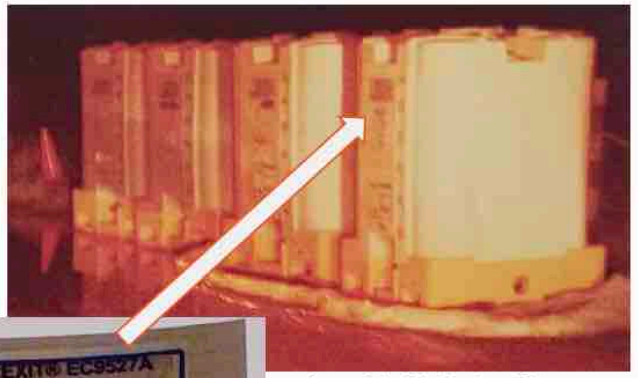
When the prevailing southwest wind blew from the Gulf coast, Lori could tell when BP oil spill response crews were spraying Corexit dispersants because the sweet citronella chemical smell penetrated her home, despite all the closed windows and doors. That smell always made her throat start to close.


Aug. 21, 2010. Lori Bosarge

On August 21, 2010, Lori was directly sprayed by dispersant Corexit 9527A at a BP decontamination wash station in Bayou La Batre, Alabama. Within hours, the hair follicles on her arms raised up and turned red. She and Dennis returned that night to document the dispersant totes behind the wash station. Later that night, her face and arms turned a bright hot red—as if she'd been sunburned. The truck had no plates, and the smaller totes at the wash station were not labeled as EPA required. Lori has experienced a litany of continuous health problems since this day.


Aug. 21, 2010. Lori Bosarge


Aug. 21, 2010. Lori Bosarge

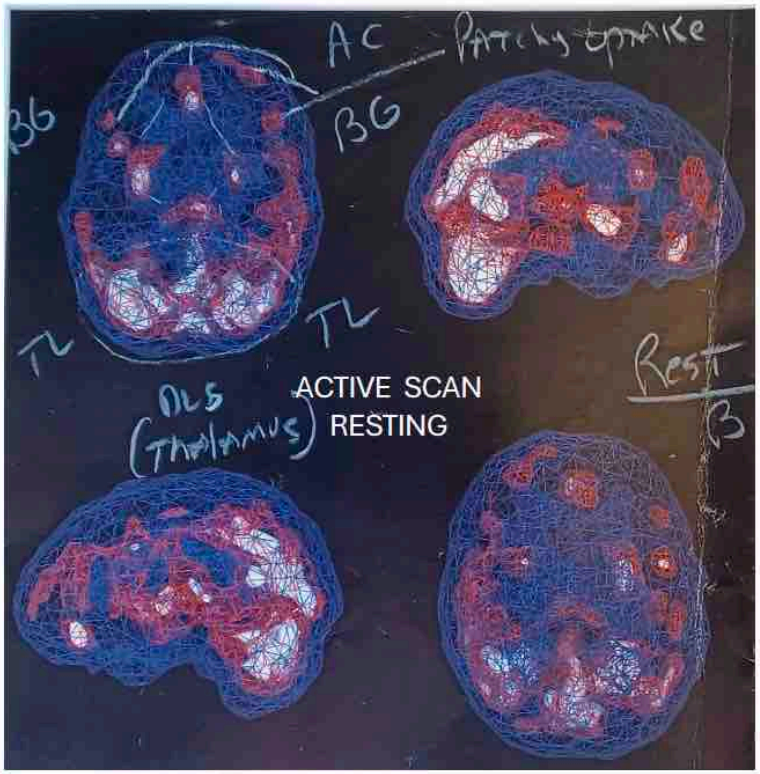

Photos document use of Corexit dispersants at the BP boat and vehicle wash station in Bayou La Batre, Alabama, and use after offshore dispersant operations in federal waters ceased in mid-July 2010. Contaminated runoff drained directly into Portersville Bay.

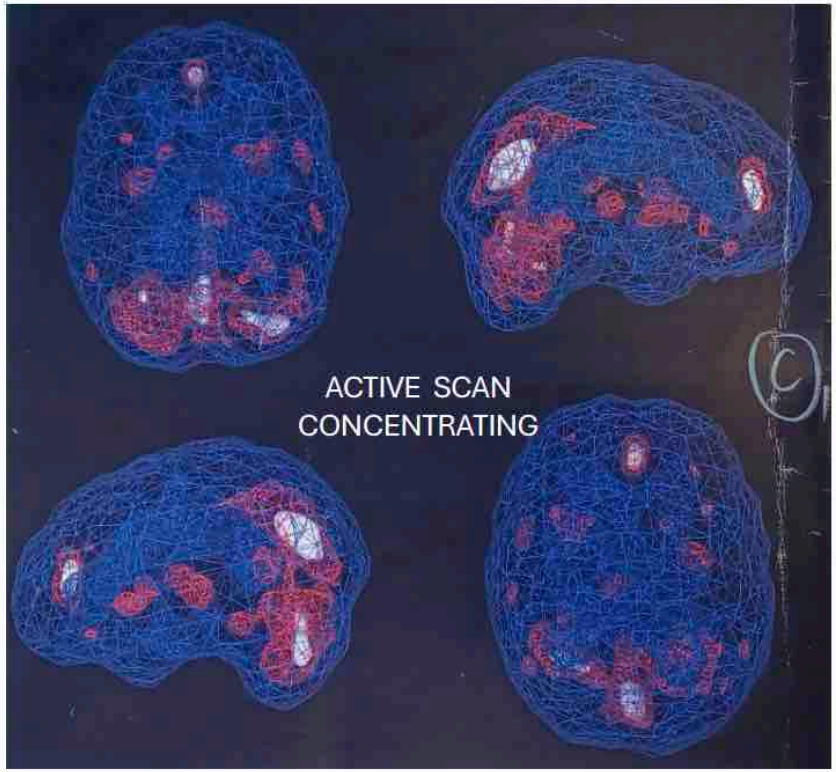
Health issues include reoccurring itchy skin rashes, hair loss, permanent scarring, asthma, bronchitis, blurry vision, nose bleeds, inflammation of the kidneys, feeling sick and fatigued, upset stomach, bad headaches, memory loss, vertigo, dizziness, seizures, and blackouts.

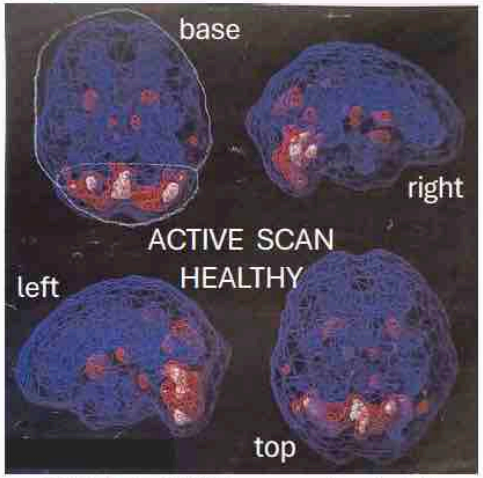
Top: Back and right shoulder.
Left: Legs below the knees, ankles, feet, and toes.

In mid-July 2011, her left leg and arms felt like "reptile skin." A small blister on her leg turned into a large, draining lesion and her arms were blistering and raw. The rash spread across her shoulders and back. The Mayo Clinic could not determine the cause. In September, worried she might lose her leg—or life—she visited a medical doctor trained in chemically-caused illnesses. He tested her for oil chemicals and began an immediate chemical detoxification treatment. After four weeks, the swelling in her leg was greatly reduced and the lesion was slowly healing, the rashes had settled down, and she was sleeping at night.


Top: Left forearm.
Lert: Left leg lesion the day Lori went to the hospital (July 18, 2011).

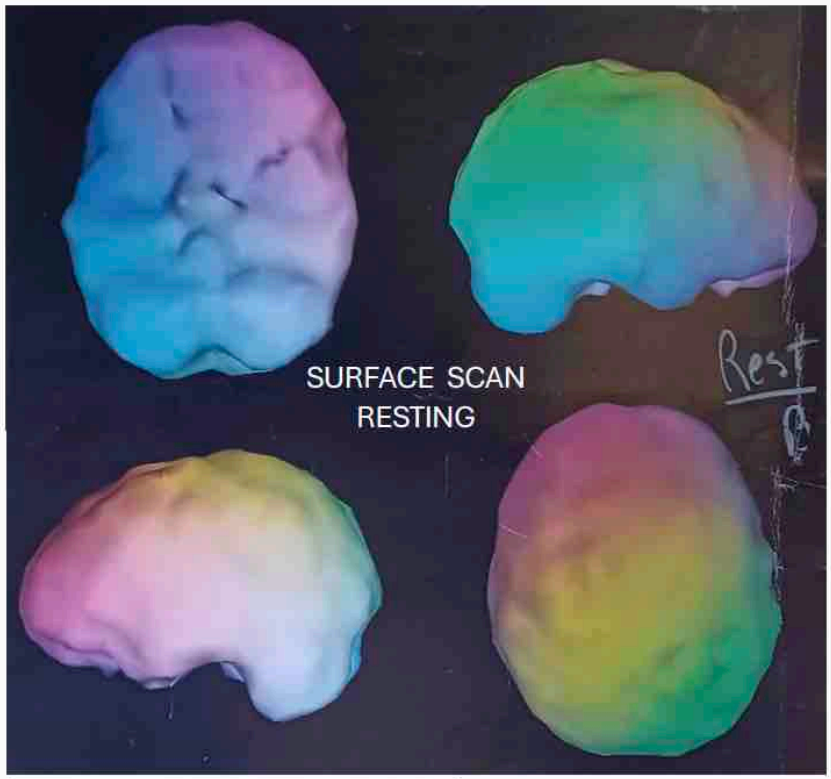


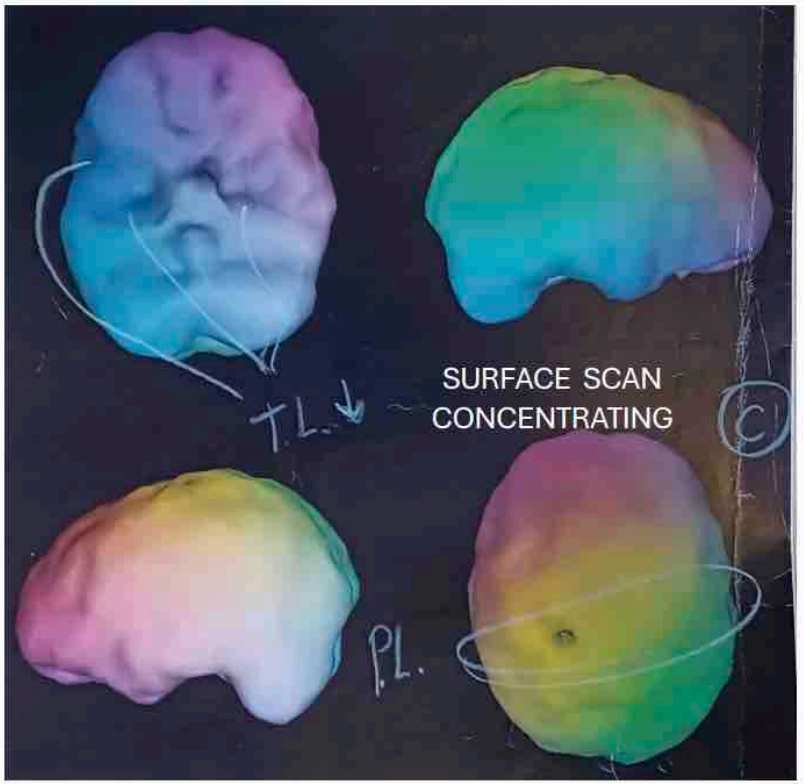



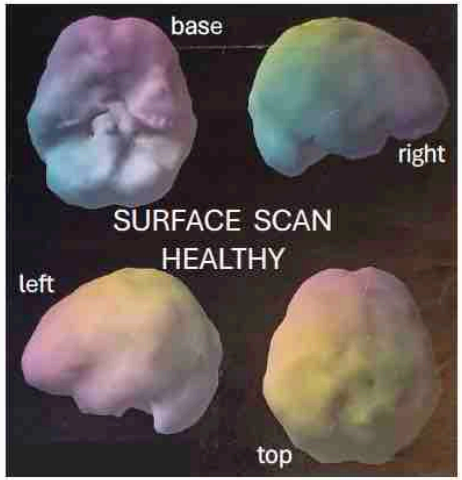




2017. Brain SPECT scans courtesy Lori B.

In 2016, when Lori started having seizures, her medical doctor requested brain SPECT scans to evaluate seizures, brain injury, inflammation, memory loss, chemical exposure, and more. These **active scans** show (lower left) **healthy** activity in a female brain, ages 51–70, compared to Lori's brain scan **resting** (upper left) and **concentrating**, i.e., active (upper right). In each set of scans, images show clockwise from upper left: the base (bottom), right, top, and left sides of the brain. In the scans, blue is average activity and red (or red and white) are the most active parts of the brain. First, the areas of patchy increased activity of the anterior cingulate (AC, in both), the basal ganglia (BG, resting) and the deep limbic system (DLS or thalamus, resting) suggest prior emotional trauma or toxic exposure. Second, the diamond pattern in the base scan resting also may be associated with past emotional trauma or stress. Third, the decreased activity in the temporal lobes (TL) may be associated with health issues from changes in emotions, memory, function, and behavior like cyclical mood disorders, irritability, memory loss, and language use.




2017. Brain SPECT scans courtesy Lori B.

**Surface SPECT scans** show (lower left) a **healthy** brain surface (color not important) in a female brain, ages 54–58, compared to Lori's brain **resting** (upper left) and **concentrating**, i.e., active (upper right). Images clockwise from upper left are the under (base), right, top, and left sides of the brain. The pits and holes in her temporal lobe (TL) and parietal lobe (PL) identify areas of atrophy or shrinking of previously injured brain tissue associated with hearing, sound, smell, and touch. In the years since she was sprayed, Lori has developed sensitivity to scents (chemical odors), light, and noise that unnerve her. The "regular smell" and usage of everyday items, such as perfumes, Lysol, candles and Dial dish soap cause her throat to "close up like an asthma attack," so she avoids their use. Her skin is armored like reptile skin. Prior to her exposure to Corexit 9527A, Lori had no allergies or rashes. Her doctor diagnosed her with "**T65-Toxic effect of other and unspecified substances**" and "**R94-Abnormal brain scan**." He recommended many holistic ways to reduce stress, detoxify and balance her brain, and improve her quality of life.




Water bottle, tar ball
Bayou La Batre, AL


The foamy aftermath of dispersant spraying was photo-documented annually by Lori Bosarge. She collected samples in 2012 when the City of Bayou La Batre dug up the sand near the boat ramp where Lori had been sprayed. Chemical analysis detected weathered Macondo well oil—the oil that had spilled in 2010. A tar ball from the same area in 2013 was nearly as large as a water bottle. Lori called the Coden waterfront, where she and Dennis had watched the dispersant spraying operations in Portersville Bay, "Cesspool Shores." She said, "People would drive out to the beach area and fish even though the stench of death was in the air. There were never any signs to warn people not to swim or fish. The land has now been swallowed by the sea."




Other coastal residents also documented dispersant spraying in nearshore waters and staging operations in neighborhoods long after use in federal waters stopped in mid-July. Dispersant spraying operations in coastal waters created a unique health risk to workers and residents. Oil-dispersant mixtures were readily absorbed across skin. Extremely high levels of oil were found in exposed people's blood in summer and fall 2010.




In 2010 across the Gulf coast, hundreds of thousands of people encountered oil-dispersant mixtures by breathing air laden with aerosols, mists, and particulates, or by wading or swimming in contaminated seawater, or by walking or sitting on the white sand beaches, unaware that a thin film of oil-dispersant had coated grains of sand washed by the tide or dusted by aerial fallout. The medical community was largely complicit. The wife of one sick worker and resident testified, "My husband's doctor had a frank and candid conversation... [The doctor] explained that he couldn't write anything on paper to identify the cause of James' illnesses, because legally he couldn't prove that BP made him sick with the dispersants that they used on the oil spill. He explained, however, that something very similar happened to him 35 years ago when he was a medic in the Vietnam War. He was sprayed with Agent Orange, and he and several of the men he was caring for had similar symptoms, including respiratory problems and skin rashes. He explained that James and others were sprayed with a chemical that—like with Agent Orange—the government authorized, and there is no process to address it. He explained that BP and the government don't want to diagnose and treat them because then they would in turn be admitting that they got us sick." (Betsey Miller affidavit, 2015, Government Accountability Project, Deadly Dispersants Addendum)