

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](mailto: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.<sup>1</sup>

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Corexit dispersants provided statements to the Environmental Protection Agency (EPA) that are misleading, inaccurate, outdated, or incorrect regarding product use to control oil spills and, further, that the manufacturer has failed to provide new or relevant information concerning the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.

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<sup>1</sup> 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.<sup>2</sup> 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**

Retd. Director (2009–2021)  
Coastal Response Center  
Codon, Alabama

**Kindra Arnesen**

Captain, Fisherwoman  
Plaquemines Parrish  
Louisiana

**Sheree Kerner**

Widow and Founder  
Disappearing Victims  
Jefferson Parrish Louisiana

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<sup>2</sup> 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

### National Tribal Emergency Management Council

#### Northwest TEMC Chapter

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### Earthjustice

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### Turtle Island Restoration Network

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## Regional Organizations

### Alaska Community Action on Toxics

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