News from Stuart Smith, Attorney, Smith Stag LLC

GULF OIL DISASTER RECOVERY

FOR IMMEDIATE RELEASE July 31, 2010 MEDIA CONTACT: H. Harper (504) 897-6110

DISPERSANTS USED IN OIL DISASTER CREATING NEW CRISIS

Toxic chemical components from crude may pose serious problems for fisheries

A Statement from Attorneys Stuart Smith and Mike Stag, and Toxicologist Dr. William Sawyer:

"Most southeast Louisiana residents know by now that BP is using chemical dispersants in the Gulf to help make the oil go away. Unfortunately, dispersants do not 'make the oil go away' – quite the reverse, dispersants merely conceal a portion of the oil underwater.

"Dispersants also leave behind a witch's brew of other potentially-dangerous chemicals after interacting with crude oil in water. Not only do these toxic components damage the environment, but they introduce potentially-serious human health and marine environmental problems.

"Louisianans can expect to experience long-term effects for some time, not only to their health, but also their ecosystem and way of life. And the real problems can't necessarily be seen.

"When you fly over the Macondo site where the Deepwater Horizon rig was located, the water looks like a gelatinous toxic soup thanks to this mix of dispersants and oil.

"Dispersants were meant to be used at the surface of oil spills. The millions of gallons of Corexit used at the Macondo wellhead site to prevent the oil spill from surfacing have caused as much as 70 percent of the spill to remain hidden from view.

"BP's use of dispersants deep underwater, and on such a large scale, represents the first time these chemicals have been used in this manner. Normally, dispersants are applied in small quantities at the surface and the chemical toxins of their use become sufficiently diluted over time so as to pose only minimal health risks. However, because of the volume of dispersants applied, the volume of oil involved, and because the dispersants were applied deep underwater, what remains afterward can be dangerous human life and deadly with respect to marine reproduction.

"These toxic chemicals, known carcinogens, are just lingering, invading marine life and the ecosystem of the Gulf. The long-term impact on wildlife and many residents' way of life hasn't been fully estimated. If the result of using these chemicals sterilizes our fisheries, what will it do to those of us who eat this seafood?

"Based upon a published efficacy study of Corexit 9500 on southern Louisiana crude at 70 percent efficacy, it is estimated that approximately 1/10th of a billion gallons of crude has been suspended underwater. However, what

remains is not normal crude, but highly toxic fractions of what was once crude.

"Because these chemical concentrations are underwater, the insidious effects of their presence are not clearly visible to the naked eye, and the large scope of application and the vast geography of the Gulf make it exceedingly difficult to track.

"Only by conscientiously following through and professionally monitoring and analyzing the effects of these toxic chemicals can we accurately assess the true impacts of BP's introduction and potential misuse of dispersants into what was a short time ago a pristine marine environment."

Much of the deepwater findings referred to by Mr. Smith are based on official NOAA testing data and the results of independent testing. To insure that laboratory findings were both accurate and impartial, Mr. Smith hired well-known experts to gather data and study the air and water quality of the area. This effort, spearheaded by Chief Toxicologist Dr. William Sawyer, has produced some alarming facts:

- To date, BP has applied nearly 2 million gallons of CorexitTM EC9500A Dispersant.
- There is substantial evidence of severe toxicological consequences, both in the shallow waters off Louisiana and in the offshore plumes farther out in the Gulf. Of particular concern are chemicals called "polynuclear aromatic hydrocarbons" (PAHs) and the C19-C36 water insoluble hydrocarbons. These chemicals are appearing at toxic levels under the surface as a result of the application of deepwater chemical dispersants.
- PAHs and this normally water-insoluble set of hydrocarbons have known destructive effects on marine reproduction, particularly on egg-laying species as well as embryo-larval stages within the estuaries.
- Documented measurements of some of these chemicals are in great excess of established and risk-based lethal levels. The current PAH levels are capable of "sterilizing" our fisheries and estuary reproduction zones.
- The chemical toxins (PAHs) suspended in these concentrations pose potential human health concerns due to bioaccumulation in edible species.