

LOUISIANA ENVIRONMENTAL ATTORNEY STUART SMITH SAYS GOVERNMENT REPORT MISLEADING GULF COAST CITIZENS

Watch this video featuring testimony from a charter captain in Louisiana who begs BP to do the right thing and live up to its advertising hype. Gulf of Mexico charter boat captain Al Walker, who has been documenting the disaster from its early days, has new compelling footage that clearly shows that the oil is still very much in the Gulf. What's actually gone is much of BP's cleanup effort. (Captain Al Walker 504.710-2950; Charter Boat Captain Alliance)

Attorney Stuart H. Smith, representing the United Commercial Fishermen's Association, the Louisiana Environmental Action Network, and other commercial, governmental and non-profit entities in states along the Gulf Coast, today issued this statement:

“The U.S. government owes it to the citizens of the Gulf Coast to refute the notion that 74 percent of the oil from the Deepwater Horizon Catastrophe has been eliminated and is no longer harmful.

“There is a serious disconnect between the NOAA (National Oceanic and Atmospheric Administration) report released yesterday and reality. This disconnect stems from an undue optimism and is underscored by previously flawed reports issued by NOAA about dispersed oil.

“To answer growing skepticism, the government should immediately release the full report from NOAA, all of the underlying data used and calculations performed in generating it.

“The Aug. 4 report received by the White House states that only 26 percent of the released oil from the DEEPWATER HORIZON catastrophe is still ‘on or just below the surface as light sheen and weathered balls, has washed ashore or been collected from the shore, or buried in sand or sediments.

“The report deems this 26 percent is the ‘residual’ oil. The term is misleading, as it does not account for the large amounts of dispersed and dissolved oil which still reside in the Gulf of Mexico within the water column, causing damage to the environment.

It is absolutely false for any source reading the NOAA report, whether government official, citizen or news reporter, to claim or conclude that three-quarters of the oil from the DEEPWATER HORIZON leak has been eliminated — and that much of the rest is

so diluted that it does not seem to pose much additional risk of harm to life.

“All of the dispersed and dissolved oil has not been ‘eliminated’, but rather remains in the water column until it is biodegraded. It is not gone; it is just out of sight. This oil, as well as the oil accumulated in marine sediment and all that visibly remains locked in the bayous and wetlands, can and will cause harm to the area’s long-term ecological health.

“A leading researcher who has been investigating this area, Marco Kalfoten of Worcester Polytechnic Institute has documented that the underwater petroleum is indeed continuing to cause environmental damage, particularly to commercially important fish species such as crabs and oysters, and the dispersants have forced oil into sensitive underwater eco-systems. Independent laboratory tests show high levels of persistent oil-related toxins under the water surface.

“Therefore it is appalling this report fails to provide any scientific data or calculations in support of the conclusions it makes.

“The report also fails to provide an estimate of the amount of dispersed oil relative to evaporated oil. Additionally the report states that once the oil biodegrades it poses no risk, but suggests that the dispersed and dissolved oil that has not yet biodegraded is only toxic to ‘vulnerable’ species. Finally, the report goes on to generically state that ‘scientists’ believe the oil is biodegrading quickly, but offers no estimate for this rate.

“Thus, the report does very little to inform the public as to how much oil actually remains in the Gulf. It actually serves to mislead the public in so strikingly similar a manner as when the government issued their first official report concerning the flow rate, when it emphasized the lower boundary range of 12,000-19,000 barrels, when it was closer to 65,000 bbls/day.

“The government had been overly optimistic then, and I fear it is doing the same thing now. Thus, the only thing one should report accurately from this NOAA exercise is that “[f]ully understanding the impacts of this spill on wildlife, habitats, and natural resources in the Gulf region will take time and continued monitoring and research.”

Attachments:

1. Peer-reviewed and published studies that document that Corexit

submerge approximately 70% of the crude (likely much higher percent when applied sub-sea, 5000' down in the presence of bubbling gases). See attached study by Sorial, 2004 (page 2) - attached as BP - Dispersant Effectiveness\Published half-lives for the PAHs and the specific fraction of hydrocarbons can be used to approximate the length of time for removal via biodegradation under ideal conditions in sea water as 96% is removed over a period of 4 half-lives. Remember, only two weeks have passed since the "cap".

2. Peer-reviewed and generally accepted studies by Stewart, et al., 1993 (see attached) reveal that at approximately 78oF the half-life for crude is 2 months. Thus, approximately 8 months after the cap date, approximately 96% of the crude would be metabolized. At this early date, only a very small fraction would have metabolized. As there was an enormous quantity dispersed at depth in very cold water, this figure is rather optimistic as cold impairs metabolism.