U. S. Environmental Protection Agency
Blog Round-up
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June 23, 2010

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BP SPILL

June 23, 2010

Corexit: EPA Still Testing Potentially Harmful Dispersant (*Huffington Post*)

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Mother Jones:

During a conference call with reporters on May 24, EPA Administrator Lisa Jackson, fielding questions about the use of toxic dispersants to break up the oil from the BP spill in the Gulf of Mexico, made a clear promise: "We will conduct our own tests to determine the least toxic, most effective dispersant available in the volumes necessary for a crisis of this magnitude." Jackson said that she was "not satisfied that BP has done an extensive enough analysis of other dispersant options."

But a month later those tests have not been completed, according to the EPA. In the meantime, the total amount of Corexit--the brand of dispersant chosen by BP and approved by the Coast Guard--that has been dumped into the Gulf has reached more than 1.4 million gallons.

Read the whole story: Mother Jones (below)

Hey EPA: How Are Those Dispersant Tests Going? (Mother Jones)

A month later, the agency's quest for a "tough on oil, gentle on the ocean" dispersant continues.

By Kate Sheppard and David Corn | Wed Jun. 23, 2010 3:00 AM PDT

During a conference call with reporters on May 24, EPA Administrator Lisa Jackson, fielding questions about the use of toxic dispersants to break up the oil from the BP spill in the Gulf of Mexico, made a clear promise: "We will conduct our own tests to determine the least toxic, most effective dispersant available in the volumes necessary for a crisis of this magnitude." Jackson said that she was "not satisfied that BP has done an extensive enough analysis of other dispersant options."

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The use of two Corexit dispersants, both manufactured by the chemical company Nalco, has generated controversy since the early days of the spill, with critics claiming the dissemination of this toxic substance in the Gulf could do more harm than good. Recently, Richard Denison, a senior scientist at the Environmental Defense Fund, noted that the toxicity of Corexit [1], when combined with oil, is greater than the toxicity of either on its own, raising additional questions about the extensive use of Corexit. Prior to the May conference call, the EPA had directed BP [2] to find a less toxic alternative and start using it within three days. But BP refused [3], arguing that there weren't any better products available in the volumes the company needed. This led Jackson on the call to pledge that the EPA would conduct its own tests on Corexit and the alternatives—tests which the agency has not yet concluded.

EPA Director Carol Browner compared Corexit to dishwasher detergent: "If you have a oily pan and wash it, you squirt some Dawn in, right?... So in your kitchen sink, you have the oil starting to break up and you're seeing that biodegrading process right in front of you. That's what happens."

Though the EPA has flagged BP's dispersant of choice as a concern, the Obama administration has publicly insisted that Corexit poses no problem. At a White House press briefing last week [4], Coast Guard Admiral Thad Allen, the commander of the Gulf effort, and Carol Browner, a White House aide on energy and climate change, dismissed qualms about Corexit. "We know there is some toxicity with dispersants, but it is far less than the toxicity of the oil," Allen said. Browner compared Corexit to dishwasher detergent: "If you have a oily pan and wash it, you squirt some Dawn in, right?... So in your kitchen sink, you have the oil starting to break up and you're seeing that biodegrading process right in front of you. That's what happens."

During that May 24 conference call, which took place a month into the eco-disaster, Jackson acknowledged the need to dramatically reduce the amount of Corexit being applied. "Given our concerns over the environmental unknowns," she remarked, "we think it's prudent at this time to ramp-down overall use of dispersants." She noted that "we believe we can reduce the amount of dispersant applied by as much as half, and I think probably 75 percent, maybe more."

At the time, Jackson said that EPA scientists would not only conduct tests to find a less toxic alternative to Corexit, they would also conduct "parallel independent tests to determine BP's argument that Corexit remains the best alternative is accurate and supported by science." That set of tests has not been finished, either.

Jackson noted that BP's use of Corexit below the surface of the Gulf was unprecedented, as is its use of massive quantities of dispersants, and she remarked that the environmental impacts of these practices remain an open question:

We don't have the science that talks about what happens when you use dispersants in the deep sea. We don't have the science that talks about when you use, you know, hundreds and hundreds of thousands of gallons of dispersants on a single response. And so we're having to make those decisions, and sometimes the best answer we can get is, we will do the testing.

With the tests pending, BP has continued to use a large volume of dispersants.

Two days after Jackson's conference call, the EPA issued a directive [5] ordering BP to "establish an overall goal of reducing dispersant application by 75% from the maximum daily amount used"—some 70,000 gallons per day. The directive also limited subsea application to no more than 15,000 gallons a day. While BP has largely stayed below that daily limit, on several days it has far exceeded that threshold. (According to an EPA official, the company has received Coast Guard waivers in these instances.) Based on the 70,000 gallon ceiling, BP has so far brought down dispersant use by 68 percent, the EPA reports. But the company's average daily use so far is still 22,600 gallons, a decrease of only 9 percent from the pre-directive average, as Denison has pointed out [6], using calculations compiled from the Unified Command's daily reports.

The agency does not have an estimated time for when the tests On Corexit and possible alternatives will be completed. "As soon as possible, certainly within the coming weeks," the EPA official tells *Mother Jones*. The agency said in a statement that it is "making progress" on independent testing of eight dispersant products "to determine toxicity, to determine whether the dispersants function as endocrine disruptors and to model for bioaccumulation potential." The statement added, "These tests take varying amounts of time, and the Agency also has to assure the quality of the data. As soon as that process is completed, EPA will share the results with the public."

Scientists from environmental groups who've been monitoring the dispersant issue note that this sort of testing doesn't happen overnight. "We're all impatient to see the results of the dispersant testing, but I am also realistic and realize it takes time," said Gina Solomon, a senior scientist at the Natural Resources Defense Council. But, she added, these tests should have been conducted long before a catastrophic spill: "This is a little bit like closing the barn door after the horse is gone."

On June 17, a reporter asked [7] White House press secretary Robert Gibbs if the administration is "comfortable with the amount of dispersant that is being released into the Gulf" and "with the substance itself," noting that "a lot of marine biologists that we've talked to say that this is a very toxic chemical, that this could actually be more harmful to wildlife in the Gulf than the oil itself." Gibbs referred to the EPA directive to reduce dispersants by 75 percent—without noting whether BP was abiding by that limit—and said, "I think far and away the most harmful substance that is being emitted into the environment in the Gulf is the oil." The reporter followed up: "Do you think at the current quantity it's safe to release that dispersant into the water?" Gibbs replied, yes.

According to Jackson, the real answer is, we don't truly know. And as the oil continues to gush into the Gulf, the EPA testing that could provide a more definitive answer—and perhaps lead to the use of a safer alternative—remains unfinished.

ENERGY

White House postpones energy bill meeting (*Huffington Post*)

June 22, 2010 08:03 PM EST

WASHINGTON — The White House has postponed until next week a meeting set for Wednesday between President Barack Obama and key senators on energy legislation.

The move clears Obama's schedule as he grapples with what to do about Gen. Stanley McChrystal, his Afghanistan war commander. McChrystal's job is in jeopardy as he prepares to arrive at the White House Wednesday to explain insulting comments he and his aides made about Obama and administration officials in a Rolling Stone article.

The meeting with senators of both parties was to be an attempt by Obama to find a way forward for energy and climate legislation that appears stuck in the Senate. Since the catastrophic oil spill in the Gulf of Mexico, Obama has called for urgent action on an energy bill.

TOXICS

June 23, 2010
Andy IgrejasDirector of Safer Chemicals, Healthy Families
Posted: June 22, 2010 05:40 PM

Green Chemistry: Innovation or GreenWashing? (*Huffington Post*)

This week the American Chemical Society is holding a meeting on Green Chemistry -- a subject that holds much promise for the future. Chemicals are in the hot seat this year, as Congress is debating how to reform our disco-era policy -- the Toxic Substances Control Act (TSCA) -- that allows thousands of chemicals to be used in consumer products, despite their known toxicity or the complete absence of information on their safety.

Environmental and public health groups assert that green chemistry will receive a boost if pending legislation passes, prompting innovation and helping American manufacturers meet increasing worldwide consumer demand for safer products. With more and more evidence demonstrating the link between toxic chemicals and serious diseases such as cancer, learning disabilities and reproductive disorders, consumers are ready for a change. Already successful companies such as Staples, Steelcase, Kaiser, Construction Specialties and others have helped improve the safety of chemicals in products they make, sell, and use, by setting a higher bar than the government requires.

The chemical industry, on the other hand, is arguing that the pending legislation to overhaul TSCA will actually stifle innovation in green chemistry. Their powerful lobbying and PR forces are trying to convince Congress that new chemicals should not be required to demonstrate safety before being allowed on the market, lest that pose too great a burden on the industry. The toxicity tests are costly and time-consuming, they say, which will tie up new green chemicals in red tape. We will not only be delaying advances in green chemistry, they argue, but also destroying innovation in the American industry, which gives us an edge over foreign competitors.

But to agree with this argument would require an enormous leap of faith. If history tells us anything, it's that the lack of a strong health and safety policy for chemicals inevitably leads to the proliferation of toxic chemicals in the economy. Our current law "grandfathered in" 62,000 chemicals when it passed in 1976. It required the U.S. Environmental Protection Agency (EPA) to meet an enormous legal burden to prove that these chemicals posed an "unreasonable risk" to human health and the environment before action could be taken. Pretty quickly this burden was shown to be insurmountable. While others were wearing leg warmers, enjoying Duran Duran and going to John Hughes' movies, EPA spent the 80's preparing to regulate the most notorious chemical on the list: asbestos. They developed 40,000 pages of evidence to support their proposal, including clear links to serious diseases. Once it was unveiled, asbestos makers sued... and won! The message to EPA was clear, if you couldn't regulate asbestos with this law, you probably couldn't restrict anything else either. EPA stopped trying.

Since then 20,000 new chemicals have entered the market and they have been subjected to only a little more scrutiny. They are not required to meet a clear standard for safety, or even to be backed by significant toxicity studies.

It is likely that any reform which subjects chemicals to an orderly review of their health effects and requires industry to demonstrate safety, rather than EPA to prove harm, will lead to many of these old chemicals, such as lead, mercury, formaldehyde and BPA, to be reduced and in some cases eliminated. That will create demand for replacement chemicals that can survive this scrutiny, including those that would meet the rigorous criteria established for Green Chemistry by the founding scientists of the movement.

The chemical industry is right about at least one thing: they are in the best position to manufacture greener chemicals on a large scale. A representative of one the major chemical companies privately asserted that their budget for Research and Development dwarfed all of the university chemistry R & D programs in the US combined! I don't doubt it, and I want his company to thrive.

But unless our new policy demands that new chemicals demonstrate safety, I fear they may wind up being as toxic as the older ones. We need to make sure that the pending Safe Chemicals Act -- which Congress may act on this summer -- sets standards based on what the latest science tells us is safe, and reward those companies that meet that standard first. I hope the American Chemical Society can debate not whether, but how, to meet this challenge using the vast expertise in American industry.