

**AUDUBON * CLEAN WATER ACTION * EARTHJUSTICE * ENVIRONMENTAL DEFENSE FUND
FRIENDS OF THE EARTH * GULF RESTORATION NETWORK * NATIONAL WILDLIFE FEDERATION
NATURAL RESOURCES DEFENSE COUNCIL * PHYSICIANS FOR SOCIAL RESPONSIBILITY * SIERRA CLUB**

May 19, 2010

Dear President Obama:

We are writing to urge the federal government to exercise more direct oversight of public safety protection, environmental monitoring, and environmental testing in response to the disaster in the Gulf of Mexico.

We thank you for the seriousness with which you and your Administration have taken the BP oil spill and the initial steps you have taken to mobilize the resources of the federal government to address and contain the spill and assist local communities. It is clear, however, that BP's response in the areas of public safety and environmental protection have been grossly inadequate and it has repeatedly failed to provide the public with sufficient information to evaluate its activities.

To take one critical example, BP has failed to release information to support decisions that have been made regarding the selection and use of chemical dispersants. We cannot count on BP to protect the health and safety of people and the environment. While we agree that BP and other responsible parties are wholly financially responsible for the response and damages, the federal government must fulfill its responsibility to protect the environment and the public. The federal government must make public the results of all environmental monitoring and testing conducted to date and make future results available to the public as quickly as data are available. The public has been kept largely in the dark about test results concerning the possible short and long term impacts of the oil, dispersed oil and chemical dispersants on people, wildlife, and fisheries. Where BP equipment is needed for testing, that testing should be directly overseen by federal agencies.

In addition, the federal government must protect the affected communities, including the shrimpers and fishermen BP is hiring to respond. It appears that BP is not providing the needed training or safety gear for the responders and, as a result, may be placing them in harm's way.

The federal government must make the following information public immediately:

- 1. Worker Safety.** BP has hired local shrimpers, fisherman, and others to aid in response efforts. However, many of those involved in the response have reported that BP has failed to provide them with adequate safety equipment and training on how to avoid the health impacts from the oil and dispersants. This failure is placing the responders at risk for short- and long-term health consequences. The federal government must ensure that responders are properly equipped and protected.
- 2. Spill Size.** The federal government has not updated its initial estimate of 5,000 barrels per day. However, several independent scientists from academia have provided quantifiable and credible estimates indicating an actual outflow that is as much as an order of magnitude higher. The federal government should undertake its own assessment of both the size of the spill and the lead rates associated with the accident and provide the underlying estimate method to the public. An accurate estimate is important for current response efforts, future regulations and emergency preparation, and

for the federal government to fulfill its legal obligations related to liability.

- 3. Chemical Dispersant Monitoring and Impacts.** The Coast Guard and the Environmental Protection Agency (EPA) granted BP approval to use chemical dispersants at the surface and subsurface level even though the impacts from subsurface use, which EPA calls “a novel approach,” are not known. The EPA’s directive puts BP in charge of monitoring, sampling, and testing. The federal government needs to ensure that unbiased information is provided to the public in real-time. Furthermore, the federal government should ensure that BP uses the most effective, least toxic dispersant.
- 4. Rapid-Response Contamination and Seafood Testing.** We applaud the National Oceanic and Atmospheric Administration (NOAA) for launching rapid response contamination testing efforts, but the findings and the results of other government testing of contaminant from oil and dispersants must be made available to the public.
- 5. Natural Resource Damage Assessment.** NOAA is preparing the Natural Resource Damage Assessment (NRDA) required under the Oil Pollution Act, in coordination with the states and BP. NOAA has provided very little information on its process or the information it has gathered to this point. In addition to conducting the NRDA in a transparent manner with public input, NOAA should be continuously updating the public as it gathers information on impacts.

BP has hardly demonstrated its ability to act in the public interest. The federal government must ensure that the environmental and public safety response efforts are as effective as possible and that the public has the information it needs to evaluate and inform those efforts. We look forward to working with the Administration on this important matter.

Sincerely,

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