

POLICY  
**BP AND THE DAMAGE DONE**

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**BP and the Damage Done**

Stacy Clark, Dallas

When I began my quest to interview the fearless, out-spoken President of Louisiana's Plaquemines Parish, [Billy Nungesser](#), it was as though I was a groupie reaching out to a rock star on tour. Nungesser's mighty public presence on

Louisiana's southern Gulf shore has captured the public's attention. Followers listen with interest as straight-talking Nungesser calls for action in response to [BP's catastrophic rig explosion](#) and deep-well blow-out 41 miles off Louisiana's shoreline. The man is in demand.

Although technically a local politician, Nungesser is more a man of the people. His persistent calls for improved coordination between state and federal agencies and amped-up supervision of BP's remedial response to their own disaster resonates with viewers worldwide. Nungesser's frank commentary has highlighted BP's use of toxic chemical dispersants and their preference for costly post-mortem assessments over less-expensive remedial action. Interviews with Nungesser also spotlight BP's unwelcome control of the Gulf, its airspace, and their inaccurate estimation of the rate of oil flow since the rig exploded last month, subsequently sinking two days later on the 40<sup>th</sup> anniversary of Earth Day.

When I reached Nungesser late Wednesday night, it was in between his back-to-back television interviews on MSNBC and CNN. Nungesser's Press Secretary, Kurt Fromherz, patched me through by phone at 9:40 p.m.

Nungesser explained that the people of Plaquemines Parish have been relegated to spectators in the ongoing BP Disaster. "Our way of life is vanishing. Businesses all around [Chandeleur Island](#), [Breton Sound](#), and [Barataria](#) and [Timbalier Bays](#) have been lost. We've been wiped out."

Nungesser is disappointed that following the Deepwater Horizon explosion, BP repeatedly rejected the proposed Barrier Island Protection Plan, a remedial design to reinforce the area's shallow water sand bars battered by Katrina in 2005. Many experts agree with Nungesser that fortifying these weathered shoals would curb the amount of oil making its way into Louisiana's fragile wetlands. "This is absolutely ridiculous!" Nungesser declared. "How can a multinational company be incapable of multi-tasking in a disaster? How can BP fail to address both the capping of the blow-out and the protection of our shoreline?"

Although the Army Corps of Engineers issued a partial permit Thursday to test the effectiveness of sandbar restoration as a defense against the oil, Nungesser explained that for five weeks, BP dismissed efforts to protect Louisiana's coastal marshes. "They've singlehandedly hijacked the operation and refused engineering assistance from over 60 top-notch engineering experts. [Versabar](#) was ready to deploy their heavy lift salvage system known as the "bottom feeder" to the rig site. There, they could trap, collect, sequester, and eventually treat the oil, but the top-brass at BP wouldn't allow it. BP has taken over the Gulf of Mexico and we're doing nothing to stop them."

Why would BP resist measures designed to intercept the offending oil before it rolls onshore? One explanation is that penalties will be based on spill volume. The more oil captured, the more oil measured, and the more costly BP's future damages become. Exxon saved billions of dollars maintaining that no more than 11 million gallons of oil escaped from their [Valdez tanker](#) in 1989. Exxon's low-ball estimate, although later discredited by expert testimony, denied victims appropriate compensation.

Arrogance, greed, and denial seem to be common traits among global oil executives.

On May 16th, [Mike Williams](#), one of two rig survivors rescued in a lifeboat following BP's Deepwater Horizon explosion, reported to 60 Minutes that there were warnings of a problem with the well for weeks before the blow-out occurred. Recalling a disagreement between BP and the rig's owner, Transocean, just hours before the disaster, Williams reported that BP's representative responded to Transocean's request to shut the well down for testing by shouting, "Just hurry it up!" BP bullied Transocean into submission and the fatal drilling tragically continued.

It would appear that BP's aggressive culture starts at the top. Witnessing BP's CEO, Tony Hayward, wave reporters away as they were filming oil washing ashore in Plaquemines Parish last week, observers heard Hayward shout "Get outta there," "Get 'em out." If a bad attitude alone were grounds for incarceration, Hayward would be in jail today.

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## How and how much will BP actually pay?

Since the disaster, BP has doled out \$5,000 checks to local fisherman now out of work. However, to compensate individuals whose only source of income is now destroyed, additional checks will be critical.

Captain Keith Kennedy, owner of Venice-based Born to Fish Charters, and a local acquaintance of Nungesser, explained to me by phone that he and everyone he knows in the fishing industry will have to jump through hoops before receiving another dollar from BP. Kennedy pointed to the laundry list of items the oil giant is demanding. He must produce three years of tax returns, log books proving hours worked and clients served, as well as details of scheduled fishing trips which have been cancelled. He added that "after Katrina, we were displaced for two years. I carried file boxes around, lived out of suitcases for a while, and I packed invoices away in plastic bags. A lot of people will struggle to piece together a complete record and that means they'll lose compensation at a time when they've only recently been able to begin rebuilding their lives post-Katrina."

In Kennedy's case, he's already losing over \$14,000 of revenue this summer. A large booking from Costa Rica and another from Chicago cancelled this week due to the oil. "The people here in Venice are hard-working, humble, and reserved. We just want to make a living and now we can't," Kennedy said.

## BP's use of toxic dispersants pose additional risks and costs

In addition to widespread economic hardship, there are medical concerns and there is anger over BP's insistence that the dispersants they are showering into the Gulf are safe.

"BP is spraying **Corexit 9500** as high as 2,500 feet into the air and the winds are driving it onshore. It smells like insecticide to me and friends as far away as Baton Rouge can smell it," Kennedy hammered.

Corexit 9500, already banned for use along Britain's rocky shorelines, is apparently a concern of U.S. officials, as well. Although U.S. EPA Director, Lisa Jackson has asked BP repeatedly to scale back its use of the dispersant and to replace the formula with less harmful products, BP continues to ignore Jackson's authority.

The EPA's primary concern is a chemical in the dispersant known as **1,2-Dimethoxyethane**.

The U.S. **Occupational Safety and Health Administration's** (OSHA) Material Safety Data Sheet (MSDS) for this chemical indicates that 1,2-Dimethoxyethane is harmful if swallowed or inhaled; is harmful to the central nervous system; is harmful if absorbed through skin; and that long-term exposure to 1,2-Dimethoxyethane can injure bone-marrow, blood cells, kidney and liver function, as well as the reproductive system.

The same MSDS specifies that protective clothing, including boots, gloves, and safety goggles be worn when working with the chemical and that when exposure levels are not known, the use of a full-face respirator is required. The National Resource Defense Council (NRDC) purchased full-face respirators for the fishermen hired by BP to respond to the crisis, but BP refused to let NRDC hand them out. As a result, the fishermen were unprotected and several were later sent to local hospitals exhibiting symptoms of chemical exposure.

As if suffering from a multiple personality disorder, yesterday BP choreographed a **mock clean-up operation** on Fourchon Beach where President Obama toured and visited with Plaquemine Parish representatives. As soon as Obama departed, the coordinated red, white, and blue ensemble of hourly-paid workers wearing gloves, boots, and disposable plastic pant covers left on a bus. Although there were no respirators in sight, it would appear that BP is busy coordinating their legal defense when they could be coordinating skimmer tankers to remove the oil from the Gulf, rather than dilute it and bury it beneath the sea. (Scientists report the presence of massive underwater oil plumes in the Gulf, one measuring as large as 22 by 6 miles).

## The very real human toll of this disaster

In the midst of BP's rebellious defiance of the EPA's requests, Kennedy points to the very real human toll this catastrophe has inflicted on his neighbors: "People have lost everything and they're worried about their kids' health. They are worried about where their next paycheck will come from, and they're worried about whether or not BP will pay."

Billy Nungesser feels Kennedy's pain. Plaquemines Parish is home to over 78 fresh and saltwater lakes spread out over hundreds of miles of coastline, which serve as breeding grounds for Louisiana's multi-billion dollar fishing industry. 80 percent of the Gulf's food chain is born in Louisiana's marshes.

"Once the oil touches them they are damaged...You can't clean up a marsh, you can only defend it," Nungesser remarks. "Our home and our livelihood here on the Gulf are worth many tens of billions of dollars and I expect BP to make us whole."

As Nungesser prepared to go back on the air, he paused to describe the impact of the oil on the marine wildlife. "Today I scooped oil out of a **sea turtle's** mouth so it could breathe. I wiped oil from its eyes so it could see. Right here in The Pelican State, I watched in disbelief as these beautiful birds fell dead on the beach and **dolphins** surfaced drenched in oil."

Yesterday, Nungesser appealed to President Obama to support his Barrier Island Protection Plan, which will hopefully offer some cover to the inner coastal areas not yet touched by the oil. Obama has so far tasked BP to pay for one reach of the barrier plan and has indicated his support for constructing additional reaches. Obama left Louisiana with Nungesser's request that all six reaches be built, and the Parish President awaits Obama's decision shortly after the Memorial Day weekend.

Nungesser will undoubtedly hold Obama to his pledge to see a satisfactory barrier plan implemented in Plaquemines Parish. With any luck, the media will continue following Nungesser's courageous efforts to defend the economy, ecology, and humanity of southern Louisiana.

Today, we're 40 days into the worst environmental disaster in US history and we may soon begin to build the structures needed to rescue a small part of a very big way of life. As Louisiana Congressman, Charlie Melancon, poignantly summarized for a House Subcommittee Hearing on Energy and the Environment Thursday, "These are America's wetlands." They are indeed.

TAGS: 1, 2-Dimethoxyethane, 60 Minutes, Army Corps of Engineers, Baton Rouge, Billy Nungesser, BP, BP and the Damage

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