

Hospital. When I arrived, a GIS representative was present and the first thing he made me do was take a drug test. He also had me fill out a safety report and sign it. However, I didn't know that it was due to chemical exposure at that time; they told me I had a panic attack. The ER did an electrocardiogram (EKG) to test the electrical activity of my heart, and it gave a normal reading. Then the ER doctor, Dr. Krenshaw, asked if I was under a lot of stress and I told him yes, I have a stressful job, and he concluded that I had a panic attack. I guess it is possible, but I never had a panic attack before then, and I don't normally crack under pressure. The GIS representative then told me to take two days off and follow up with the company doctor, Dr. Blanchard, on Monday. Dr. Blanchard asked if I had chest pains, and told me to return back to work.

At first I was working straight with no days off. Then after I returned from the hospital in mid June the other head cook, hereinafter referred to as "Ms. Betsy" for purposes of this statement, was hired. I was recently informed by a co-worker that Ms. Betsy is now having severe health issues. In addition to Ms. Betsy, eventually I had ten additional employees to help run the barge after I returned from the ER. Despite the additional help, my health problems progressed. I had dizziness and confusion. The week before I went to the ER, I forgot to make a grocery order. I thought I was just forgetting because of stress. In June 2010 I began experiencing the initial symptoms, such as memory losses, cramps, nose bleeds, cramps and eye problems. The symptoms were so bizarre and such a broad range that I never thought one thing could be causing all of it. Then I started forgetting really important stuff like paying my light bill, which is not like me because I had money and am conscientious about my finances. So I asked my aunt to take my checkbook and pay the bills. I was having muscles spasms so bad that I couldn't get out of bed. I was having charley horses but even the muscle in my lip cramped up, which is odd, and continues to this day.

Shortly after I went to the ER, in June 2010 the medic on the job site, Katie, told me I ate too many pickles and had digested too much potassium. I am guessing Katie worked for BP, because she was located at the front of the barge where BP staff was stationed. I quit eating pickles, but my muscle spasms didn't stop. Last weekend I had them so bad that I had to lie in bed for two hours and not move. I couldn't unbend all of my fingers, and I looked like an 80 year old woman with arthritis. On the side of my calf, you could see the indent where it was happening. And I had cold sweats, so I had to walk around the room to try to get it to stop. My ribs hurt from it. Sometimes days and days after I get these spasms I'm tender and it feels like someone beat me up. On the barge it happened frequently, then when I got home I would get it about once weekly, and now I get it once month.

I believe in early August 2010 Ms. Carol sent one of her girls to work with us for a day to witness the conditions. She nearly had a break down by the time she left. She said "That is the most insane job that Jamie and Susie have to do, they are crazy. I would have left." I let her go home early; she had tears running down her cheeks and said she couldn't do it. She was stuttering, beside herself by how hard it was. I found out that she had to take three days to calm

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herself down and lay on a heating and ice pad. I said, "See, I'm not being unreasonable." Ms. Carol told her boss Mr. Craig that the working conditions weren't realistic, and he said, "Well, if they don't want their job they can leave." That whole episode was after I went to the ER, and they had hired additional workers.

In late May 2010 and early June 2010, a woman who worked for Miller was placed in our barge, because they thought it would be better to put her with us since there were females. She kept complaining about the living conditions and nose bleeds, and Mr. Curry said, "What do you think this is, a Holiday Inn? You're out here to work, and in a man's world." Instead of fixing the conditions, they made her move out and made a rule that only GIS personnel could live on the barge, because it was GIS property. As GIS employees, we were told we couldn't complain.

My symptoms continue to this day. Sometimes I feel like I ate razorblades, as if I would have swallowed something with a lot of sharp edges. My throat is severely irritated and burns with fire if I try to drink something with too much acid, such as coke or anything spicy. Then two days later I am completely hoarse. Then it goes away and I am back to this cough. It is like a constant vicious cycle. It got progressively worse and worse and worse. Before I went to sleep I would be in socks, and now I have a foot that looks like fish scales. I began getting these rashes on my feet around December 2010. I've been to two podiatrists. One tried to tell me it was athletes' foot, another said it was swelling (detailed below). The podiatrists have done all of the tests and said that there is no explanation. My foot's exposure to these chemicals is that I walked on the galley floors that still had dispersed oil remnants regardless of how much I mopped.

I am the kind of employee who will do the job I need to do until I die. I have never been late and never failed to have a meal ready on time. I will get a job done under any circumstance you have. Susie is the same way, a very dedicated employee. But I could no longer function, so in October 2010 I called Ms. Carol and said, "I need to come home." I explained that I didn't feel well enough to work. I kept missing more work, and I was the person who never missed work. She said I could go back to my normal location in Galliano, Louisiana. At that point they had called in a catering company for the site I had been working at, because the numbers got so big that two of us couldn't feed all of them.

#### 4. DOCTOR VISITS

I went back to a normal location in Galliano at the Logistics Center. We house 80 to 250 people there. It is less stressful, less work. I thought my health problems would settle down, but they stayed bad. The galleyhand asked me what was wrong, and I told her I didn't know but I hadn't been myself. She said I was always sick and look like I'm going to die, but I kept pushing off going to the doctor. I got through Christmas and then in January 2011 I couldn't do it anymore. I started going to doctors.

The problems with my eye became more severe in October 2010. It was more aggravating than painful. Then I woke up one morning in November 2010 and my eye was swollen shut from

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puss. I stayed almost blind from one eye for almost a year. I went to work then I left to see the eye doctor employed by GIS told me I had conjunctivitis, which is pink eye. I could see people but not make out details. I did not gain sight back fully, but the eye doctor gave me an antibiotic drop that helped some. He never said, "Jamie, you need to see another eye doctor or run a test." The extent of his concern was, "Huh, I'll be damned."

I went back to work the following day. I put in my eye drops faithfully, but it didn't clear up. A few weeks later, I saw Dr. DeBellevue, an eye doctor at Walmart. He referred me to a retinal specialist. I was in the process of a treatment with Dr. Michael Robichaux ("Dr. Mike"), an ear nose and throat doctor whom I have been going to since I was a baby, and he cleared it up within days. However, the sauna was a component of the treatment, and it made me feel sick so I stopped doing the treatment and slowly the eyesight problems returned. Then I went to the retinal specialist in December 2010, who said there was good news and bad news. The good is that there was no damage to the eye itself. The bad is that because I couldn't see out of it, it means it's neurological. Odd that when I went through Dr. Mike's treatment, the two things that cleared up were my eye sight and memory at the same time, and this was further confirmed by the retinal doctor's analysis.

When I first got sick, before I knew the cause of my problems, I called and asked to see Dr. Hutchinson at Lady of the Sea, in the fall of 2010. I asked if they were taking new patients. She said yes and took my personal information. Then she asked me what the reason for the visit was and I said, "I'm not positive but I think it could be related to my time on the BP job." She said to wait, put me on hold for about two minutes, then came back and said "We are not taking new patients" and she hung up.

I then saw the neurologist. Most problems are on my right side; if the left part of the brain is damaged, it would be the right side of your body that is damaged. Since April 2011 Dr. Mike, another doctor, my lawyer and the social security office have called and faxed the GIS company eye doctor who treated me for conjunctivitis and told him they need the medical records. However, to this day he won't release them. I personally called and asked how to get them and did what they instructed, and they still wouldn't hand the records over. When my lawyer and I called around November 2011 the receptionist said, "Jamie's medical file is in a lawyer's office, because the doctor is getting a divorce and we need to figure out how much money he made." My medical file should have nothing to do with his divorce. Regardless, since then nothing been handed over. GIS operates this way; they are very quick to pass the buck onto someone else.

On July 1, 2011 a podiatrist out of Ochsner Hospital New Orleans also told me she didn't think my foot swelling could be due to my exposure. She told me that there were only two things that could cause it; a blood clot in my leg, or a mass or tumor that could be putting pressure on the nerve. However, the podiatrist's office called to tell me that both tests came back negative. I asked, "What do I do if both of the tests came back negative, and my foot is still swelling?" The

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receptionist said they would call me back, but they never did. To this day my foot continues to swell.

The things I remember and don't are weird. Right around the time I got sick on the barge in June 2010 is when I started noticing my memory loss. I didn't really notice it was a memory problem until I started writing things down on calendars and making lists. Then I realized this was more than me being too busy. It gradually progressed into severe problems. People I knew I would forget. And then some days I could remember everything. In December 2010 I left my house with no pants on; I was going to work with a shirt, drawers, and no pants, until I got half way down the road in my car and realized. I laugh because it is funny, but it's not funny. I have lived in Houma for six years. In the summer of 2011 I went to Houma and got lost, for four and a half hours. I couldn't remember why I went to Houma, or where I was. I had to call my little brother and ask. Then my aunt asked me why I didn't use my OnStar GPS, and it didn't even occur to me.

We make a lot of jokes to try to keep on the upbeat side, but it gets really frustrating. I call my aunt and tell her I'm losing it, because I'm not used to this. I used to be able to tell you the vehicle identification number of the first car I ever owned. Numbers are how my brain works, and now I can't tell my eyes from my head sometimes. I went to school for music, and part-time I taught singing and piano until the oil spill happened, from age 22 to 32. Now I can't remember how to play the piano. I sit at the piano and I cry, because I know that I should know how to play it but I can't remember.

## 5. CHEMICALS IN BLOOD

I didn't report my memory lapses when I was working on the barge. I never put it together that this was related to the BP job, until the summer of 2011. I had gone to Ms. Carol's office privately, because we were close and friends. I told her I needed time off to see a doctor to figure out what was wrong with me. She told me to take the time to figure out what is wrong, and that she would cover for me and find someone to fill in if I needed more time. All of my problems were so far off from each other, who would have thought that my foot, eye and memory problems could all be related?

I contacted my aunt and she saw an article that said Dr. Mike thinks there is a connection to the spill. Before I saw Dr. Mike for treatment, I had consumed almost nothing for two weeks. I went from 320 to 280 lbs, and eventually I lost 70 pounds. I couldn't hold down food, I puked vile. A photo of my bloody vomit is included in this affidavit as Exhibit 1. My blood sugar was so low I was about to pass out. Dr. Mike had not made that connection when I was first seeing him. However, he began finding high levels of chemicals from the oil and dispersant in people's blood, and they were having the same health problems. I went back to Dr. Mike, and he reminded me I was constantly exposed to the oil and dispersant chemicals when working on the

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barge. At first I said no, even though I touched their clothes and mopped the floors. I kept telling him that at age 32 I'm just getting old, until I saw my blood test results.

They tested me for a Volatile Solvent Profile test, which identified the chemicals used in the oil spill in my blood. An copy of my test results is included in this affidavit as Exhibit 2. Out of the 10 chemicals they tested me for, I was positive for seven. The other three were in me, but below the detection level which meant that, while exposed, they would not harm me. My benzene level was in the 90<sup>th</sup> percentile and toluene was in 95<sup>th</sup> percentile, which are harmful levels. When I looked up how they affect health it looked like reading my medical records. Almost all of the health symptoms associated with exposure to the chemicals in my blood test has happened to me. Most prominent, with toluene, it listed blindness, seizures, nausea, vomiting, skin rashes and neurological problems.

The Material Safety Data Sheets (MSDS) for Corexit list several of the health problems I am now having, and they still used over two million gallons of it throughout the Gulf. However, when I saw doctors they denied that I was exposed. I am a music teacher and a chef. I didn't work in conditions that would expose me to these levels of toxicity, until working on the barge. When I lived on the barge, for 24-hours a day I was exposed. I would be outside too, breathing in what they were burning, without a respirator or a Tyvek suit. I had an apron, a hairnet, a spatula and some rubber gloves, and they told me to go in the midst of this dangerous chemical environment. Yet they were willing to tell me that the dispersant mixed in with the oil I was cleaning was as safe as touching Dawn dishwashing soap? Then a year later I have health problems that I have never had before working on the barge, and my employer had the nerve to tell me that my work environment didn't do that to me.

After Dr. Mike helped me make the connection between my exposure and my health problems, I called Ms. Carol and told her, "I just saw the doctor, and he thinks that the reason I'm sick is from the chemicals from the oil spill." We hung up and I went to see my first lawyer, Theo Nugent. I didn't know at the time but he owned a company that was contracted out by BP, so I ended up leaving him. I took a week off and got by blood tested.

## 6. RETALIATION

From May 2011 until November 2011, after my boyfriend moved in with me, I had weird things happen at my house. Someone had been there several times. After I met with Dr. Mike, he told me to start keeping a journal to catalogue my health problems. Nothing was stolen but someone ripped out the beginning pages from my journal and rearranged things in my house. One time I came home and my trash was folded neatly in my garbage bag. Someone dug through my filing cabinet and went through my night table drawer, because papers were scatter and items and rearranged. They glued down the lose tiles on my floor. I think someone was trying to mess with my head, because how are you going to call the cops and report these instances? One time I came

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home and my tea candles were lit. However, tea candles only burn for four hours, and I had not been home for 20 hours.

The first week of April 2011 I was at Dr. Mike's, and I spoke with a reporter. She wrote an article that quoted me and was later posted on Yahoo News. I didn't even know at that point I was on the Yahoo News. However, Ms. Carol called me on April 12 and said, "Mr. Craig questioned me and I wouldn't tell him anything." He kept asking where I was and why I was out and what kind of medications I was on. He was harassing her about me and she said, "You will have to ask Jamie." She felt it wasn't right for him to be harassing me, because I was sick. She warned me, "Jamie, if he finds out that you are raising concerns, you will be fired." She told me, and it was later confirmed by several of my girls, that Mr. Craig had held a morning meeting, and said that if anyone who worked on the oil spill felt that they needed to see a doctor, they first have to see the GIS doctor or else they will be terminated. He also said that if anyone went into litigation with BP, they would lose their jobs. Then he asked if anyone felt they needed medical attention, and no one said anything because of course they were scared. I said to Ms. Carol, "Well, I guess he will have to fire me, because it's too late, I can't go back to the doctor and say 'Can you unsee me?'" I was sick and missed two weeks of work, but I had doctor's notes.

I can't imagine having to go through this without medicine or rest. I don't know how the others do it. Susie and another former coworker who worked on the barge, "Ms. Cindy," refuse to go to the doctor, because they are both scared of losing their jobs. They both worked in Grand Isle when I did. Susie, who was my assistant and did almost everything I did, constantly has respiratory problems and is always with flu like symptoms, but she doesn't have the flu. Her ankles were swollen to the size of melons when we were running the barge. She would put pillows at end of the bed to prop her foot up, and we thought it was due to her being on her feet for so long and they continue to swell, just like mine. I am beginning to think it's something else, because I'm not working currently and my ankle still swells. It can't be fluid, because the rest of my body is not swollen. It puffs up and hurts so bad, because the pressure is on it and I limp. If I stay off it for days I am ok, but I can't live the rest of my life in bed because of my foot.

One of my high school friends contacted me in September, 2011 because her mom works for a motel, which is located on Grand Isle and housed the BP cleanup workers. She was changing their beds and washing their clothes, which is part of her job at the hotel, and she ended up with the same list of symptoms as me; blind in one eye, one swollen foot, and memory loss. When people that she knows started getting sick and coming forward, she wondered if it could be related and if she should try to get the blood test that I took. I arranged for her to get the blood test and it came back highly positive. She is in the 95<sup>th</sup> percentile for ethylbenzene, hexane, 2-methylpentane, 3-methylpentane and isooctane. Her benzene is in the 90<sup>th</sup> percentile.

Ms. Cindy also felt sick around the time I did, and is still in bad shape. She didn't start working in Grand Isle until late summer. She cleaned the office buildings and trailers that the clean-up workers stayed in. She has a rash all over her body that comes and goes. After she washes a

batch of dishes her arms will flare up in red patches. When we were working back at the barge together, one day she showed me her back and it was covered in these small red rashes of pumps. But after Mr. Craig held the meeting that all employees had to see a company doctor, Ms. Cindy grew scared. She is in her late 50's and so gullible it's not funny. She is mild tempered, meek, trusting and would never do anything to hurt anyone, and he scared the heck out of her. She was crying, she said she knew she was sick and could not pay the bills without a job. I understand that, I need my job too, but someone needs to hold them accountable. I'm not going to compromise the life of myself or others. Just as I'm not going to watch a lady get mugged, and not chase down the mugger. I always stand up for what I believe.

When I returned to work on April 30, 2011 it was a hostile environment and everyone was walking on eggshells. There were more cameras, and they started timing our breaks. Two days later Ms. Carol was fired. Mr. Craig and Eric Callais from Human Resources went straight to Ms. Carol's office. No one knew what was going on, but she started to box stuff up. Then she came into the galley and was crying. She said "Bye all, they are letting me go." Mr. Craig and Mr. Callais had her by her elbow and escorted her out of the building; they wouldn't let her stay to say goodbye.

Then Mr. Craig told me, "I want a meeting with all of the employees now." I rounded up the crew of 13 that I supervised. I got everyone in the galley and we were all crying because we loved Ms. Carol. "It is nothing personal; we are eliminating her position due to cutbacks and unfortunately sometimes it starts at the top." Then he looked at me, because she was my immediate supervisor, and I was second in command. Ms. Carol ran the bunkhouse and I ran the galley. After her firing he was in charge, so if I called in sick I had to report to him. I always had a doctor's excuse by Dr. Mike. Mr. Craig started making more new rules. He told us if we left work and arrived in the middle of the day we had to fill out an accident report, because GIS was tracking employee illnesses. Before if you were sick and got a replacement, they didn't care. As long as the position was covered and the jobs got done they were lenient. I asked him why and he said, "We're tracking the wellness of our employees." Then he gave a drawn out lecture about loyalty.

The day after Ms. Carol was fired I confronted Mr. Craig about the article I was quoted in. He said he didn't know what I was talking about. But I said, "If you read it, I want you to know I am the one who got sick." I said "I didn't look for this. I am a faithful employee, for six years I've done it all until the point of impossibility. I work until I bleed. If you feel I hurt GIS by my making statement to the press, I'm sorry. I never said anything about GIS, I said something about BP." We're in a small town and everyone knows who I work with, but I didn't say anything about my employer in the article. I asked him to be patient with me about my doctor's appointments until I figured out what was wrong. I said, "If you need to fire me, do it. It's not my fault I'm sick, I didn't ask you for this. I had no idea I was sick from the oil spill, and that is what the doctor found. If it was you sick or someone in your family you would have a different attitude." He didn't look at me while I was telling him this.

He went on a mission to drug test me, and I told him he could. I told him "I'm not a drug addict, I've been with the company for years and I have never failed a drug test." When you get hurt on the job they test you right then and there. He also made a rule that we had to have doctor notes if we were sick. He knew I couldn't afford to always go to the doctor, but that I needed to stay in my bed. Still, I was fine with this rule until I found out it only applied to me. I came back and the dispatcher, the bunkhouse's secretary, asked me if I had a doctor's excuse because she didn't want to be questioned. So I gave it to her. Two days later the night cook needed time off and couldn't come in. When she later came in I asked if she had a doctor's excuse, and she said she didn't and I asked if she was asked for a doctor's excuse and she said no, they never do ask her. It upset me that it only applied to me. So the next time they asked me for a note, I said, "Why don't you ask the night cook for hers?" I think they caught on that I had caught on, because they stopped asking me for doctor notes.

Then Mr. Craig started requiring the accident reports. When I got sick they wouldn't let me leave and go home until I got an accident report filed out. It's ridiculous, because the flu or other symptoms are not accident related. When I questioned it he said GIS is starting a new thing and tracking the wellness of their employees. A few weeks after they put the policy in place I wanted to know if they were only tracking our wellness, since we were the department that went to Grand Isle, or if there were tracking other departments as well. I have a friend who works in the main office. I asked if they have new rules put in place and have to fill out an accident report when they get sick and have to leave. She said "No, I've never heard of that. Who told you that?" I said no one and left it alone. They really wanted me to quit.

Mr. Craig tried everything he could to find a reason to fire me but he couldn't, because I do my job. I was with the company for six years, I know the boss personally, I helped organize his kid's baby showers and weddings, yet he stopped talking to me and ignored the fact that anything was going on. I'm the only one treated this way, because I was the only one who came forward that I was sick. "

In November 2010 I was at work and I wasn't feeling well and went to the bathroom. I didn't come back after several minutes. My galleyhand came knocking on the door and found me and I woke up, confused. She asked if I was ok and I asked why and she told me I had been in there for 45 minutes. The last thing I remember was sitting down to pee. Dr. Mike explained that I must have had a seizure. After that, Dr. Mike felt strongly that I needed to stop working. I refused for a long time. As my symptoms progressed and I realized that I couldn't continue to work, in June 2011 Dr. Mike put me on medical leave, and I provided GIS the doctor's note. However, in the beginning of August 2011 I got a termination letter that stated I did not have a doctor's note.

## 7. THE CHASE

Shortly before I was terminated, in late July 2011 I was driving to New Orleans to visit my aunt and noticed a truck driving through traffic like a maniac. It was weaving through traffic for about

10 minutes, and was approaching me. When it closed in the driver stopped weaving and followed me really close for 15 to 20 miles. Then he sped up next to me. I didn't recognize the guy driving the truck, until I saw the logo. It said GIS, and I recognized it as one of our four company trucks. I tried to speed up ahead to pass him but he sped up too, and wouldn't let me get around him. He made me nervous so I called my aunt and said, in case something were to happen to me, truck number 162 has been following me and is driving like an idiot. When I hung up the phone with my aunt he drove into my lane and actually tried to run me off the road. I called my friend and made it obvious that I was writing his license plate down and showed him I was reporting him. Then he finally left me alone.

All of our vehicles have GPS locators, and this was after I was publicly sick. I think he followed me from home. I live only a few miles from the GIS office. It's a small town and everyone knows what everyone does and drives. I wasn't watching to see if anyone was following. At first I felt threatened when he tried to push me off the road. Then I felt like "Really, after everything you tried to do to me GIS, now you are going to try to run me off the road?" Then I was angry. After the incident I called my lawyer and asked if he thought the incident on the road was a coincidence. Lately I have been paranoid, because I have so much going on. He said if I feel like I'm being threatened, I need to report it. That same day, after the chase stopped, I called the company and repeated the truck number, time and place and told them my name. If they sent him after me, they will know that I reported him. If not and it happened to be a coincidence, then he is reported for bad driving and I am hoping he got reprimanded.

#### 8. WILL NOT BE SILENCED

I don't know what they think they are going to get by watching me, because I am not doing anything that I'm not supposed to. I am a single parent of a child that is not even mine; he is my nephew. My parents adopted him, but my mom was too sick to watch him so I raised him since he was 10 weeks old and took care of her too. My mom died when he was 11, so I finished raising him on my own. His name is Daniel. I am doing the best I can. They can try to run me off the road, but they aren't going to stop me from talking about the dangerous environment that my coworkers and I were forced to work in. All they are going to do is make me fight harder if they try to keep scaring me. When we stand together, we're not as weak as they think we are. Alone I am weak, but against a united voice they are in trouble.

It's not about the money. I don't want one penny, because it is dirty money. If I win my lawsuit, the money can go to charity. All I want is to go back to work so that I can take care of my life and Daniel like I used to. I can sing in six languages, I got a scholarship in music, but now just to be able to sing along with a choir in church is painful. What BP and its contractors took from me is more than they can give me back in any amount of money. My culture, my talent, is God-given. God gave me that voice and they stole it from me.

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Sometimes it gets really frustrating to think that they had total control to stop this. I understand what happened. If what happened after the spill were an accident, I would be the first to say it happened, and it is God's will to take life as it comes. But they did know that these chemicals were unsafe and still allowed people to handle them and breathe them. BP can't use Corexit in its own country, but our government allowed BP to come into our country and harm so many of us. That is why they need to pay for what they did, or else they will do it again knowingly. They have blatant disregard for human life. I am Native American, and we are taught to respect all of God's life. To subject kids to this is unbelievable, and generations of these children will suffer from this. The satisfaction of them having to get up and admit they are wrong, to say, "We're sorry, this is our fault and we have taken responsibility for our actions," will be good enough for me.

There is nothing I have said that I would take back. I am not the type to regret things. I do what I do because I feel it is right. I'm faithful and I will stand up until the day I die. I wrote a letter to BP that I plan on reading in court, because they should know what I went through. A copy of the letter is included in this affidavit as Exhibit 3. I am not just a number, I am a person. What they did was wrong. If they didn't want people to know, they shouldn't have done it.

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I have read the foregoing 15 page statement, and declare that it is true, accurate and complete to the best of my knowledge and belief.

Executed on February 28, 2012.

*Janice Lynn Simon*

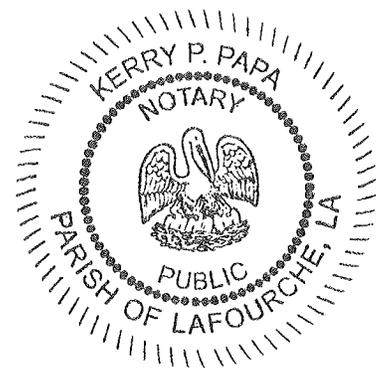
Subscribed and sworn to before me  
this 10<sup>th</sup> day of April, 2012

*Kerry P. Papa*  
Notary Public

My Commission expires on: w/ life

KERRY P. PAPA  
NOTARY PUBLIC  
PARISH OF LAFOURCHE, LA  
COMMISSION IS FOR LIFE

NOTARY ID NUMBER  
026361



John

## AFFIDAVIT

My name is John Gooding. I am submitting this statement without any threats, inducements or coercion, to Shanna Devine, who has identified herself to me as an investigator with the Government Accountability Project. I am 48 years old. My wife and I lived in Mississippi from 1989 until 2005. We almost lost our home in Bay St. Louis, Mississippi during Hurricane Katrina, and I did extensive repairs to make it livable again. I was near finished renovating our home when the Deepwater Horizon exploded. I have a history of lung disease. However, the symptoms were dormant over the last decade. After the spill my respiratory problems came back and I began to experience new symptoms, such as seizures and sensitivity to seafood. I live near the coast and a landfill where the oil waste is being dumped. I periodically took my boat into the bay after the spill, when waters were reopened for public use.

Due to my health, we could not live at our home on the bay after the explosion. I have run my own cabinet business since 1991 in Pass Christian, Mississippi, and that is where we now live. It is approximately 86 miles from where the Deepwater Horizon explosion occurred, and six miles from the coast. However, my business and capacity to work has declined sharply since the spill. It has been a nightmare trying to receive compensation from BP for my health and business losses. I am not afraid to speak out about the problems with BP's Gulf Coast Claims Fund (GCCF), or about how the process discriminates against the poor, handicapped and sick.

### 1. BACKGROUND

I grew up in Hagerstown, Maryland. I was 12 years old when I moved to Mississippi. I went to college for music education at the Houston Community College. It is a music conservatory branch of Rice University. I had seven years of architectural drawing and design from general schooling. After the storm, I spent August 30, 2005 through thanksgiving in my truck helping my neighbors recover. My wife asked me to help a few neighbors, and within four days I was helping 42 families. I provided all of our local hospitals, church groups and all the military camps ice with my truck.

My home is two football fields off of the coast, in Bay St. Louis. In 1980 I developed lung disease, which is why I am multi-chemical sensitive. I had over 20 lung surgeries, with over 100 metal staples inserted from 1980 to 1987. During that time I spent over one years in the hospital. They eliminated my pleuritis, which would cause my lungs to inflame. Now my lungs are glued to my ribcage. I don't have any pleura, which is the membrane of tissue that envelops lungs. The staples are supposed to hold my lungs in place. I was still able to build and run my cabinet business, but I was always cautious as to what I was exposed to. I didn't know there was a name to my chemical sensitivities until recently, after the spill. I could never be around strong smells, such as women with perfume or laundry detergent. Since the spill my sensitivity is drastically

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greater.

I built another house in Pass Christian to run my business out of. In 1991 I began my cabinet shop at that location. After the spill I had a financial advantage over my friends, because everything I own is paid for, whereas others were losing their possessions. Right before the oil spill I was down to the finishing touches on my home that had been damaged by Katrina. My wife and I were living there again. It was approximately two football fields from the coast. Since the spill I have not stayed in my house on the Gulf due to fear of exposure.

On April 26, 2010 I was working on my shop in Pass Christian. It is about six miles from the coast. I was working 26 feet off the ground on a ladder, and I got a whiff of the chemicals from the oil spill. After April 26 I started to smell burnt oil anytime the wind was coming from the south; however, I didn't learn until later that it was due to the burning from the oil spill. My whole body started shaking from the smell, and my eyes began to hurt. My throat swelled up and I could barely breathe. I did a few jobs since then in an effort to accomplish something, but my health problems escalated until it got to the point where I would pass out in the shop when I was around chemicals.

## 2. SURROUNDED BY CHEMICALS

When the oil landed on the Mississippi shores on July 1, 2010 BP and BP contractors started dumping the oil waste four miles north of the shop, at Pecan Grove Landfill.<sup>1</sup> The county supervisors eventually made them stop doing that. But after the initial dumping I was sandwiched. It didn't matter which way the wind was blowing, because I would either get chemical exposure from the land grove or the beach. From July 1 through July 19, 2010 when I tried to work from my shop, I would go in at 6:00 am and work until Noon, at which point it would be 120 degrees inside. I did it for 19 days, and I finally realized that I didn't know I was breathing in the chemicals because I had become acclimated to the odor. The burning was continuous but once the oil approached, I had constant exposure to the smell. Before then I would notice the smell, because it would come in waves; you could only smell it if the wind was blowing toward us. By July it became a consistent smell that permeated everything, from the air to the upholstery of my furniture.

I would work 10 to 15 hour days. Sometimes I would take a break and go fishing at the end of the day. I had a truck permanently hooked up to one of my boats, so it would only take me 15 minutes to go fishing. I had a boat launch at the end of my street. Life was great before the spill. As a tradition, on June 13 a few friends and I went fishing. We were sitting under the Bay Bridge and I smelled a chemical scent, which was the oil closing in. We were trying to get a fishing trip

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<sup>1</sup> Molly Hennessy-Fiske, *Oil Spill Waste Raises Concerns in the Gulf*, Los Angeles Times, Jul. 30, 2010, available at <http://articles.latimes.com/2010/jul/30/nation/la-na-oil-spill-waste-20100730>.

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in before the oil came in. I smelled it the whole time and after that my throat felt raw; it was real sore and sensitive and had a constant burning feeling. It stayed that way and has not gotten better. My lungs started hurting as well, and several health problems followed such as seizures, mouth sores and Multiple Chemical Sensitivity (MCS) (detailed below). At the time, I thought that I had a chemical burn.

Everyone who goes to my house on the beach in the bay then has problems with their eyes or sinus. I took Al Jazeera reporters to the bay, and they got sick.<sup>2</sup> They told me they felt irritation in their eyes and sinuses, flu-like symptoms. It is toxic down there, but there is widespread denial by media and local politicians from the Gulf that there are health problems associated with exposure from the oil spill.

### 3. "VICTIMS OF OBSERVATION"

On June 13, 2010 when my friends and I went fishing we were out there for eight hours. My friends had traveled a long distance to fish, and we stayed because there was no oil yet, but the Vessels of Opportunity (VoO) workers – vessel owners and fishers hired by BP to clean up the oil - were already in the Gulf. We were fishing around the booms that the VoO workers had placed in the water to clean the anticipated oil. They were riding around in riverboats, which didn't belong in the Gulf, because the boats would split or capsize if the weather got bad and there was a large wave, for instance. I have two boats called "unsinkable boats," because they can handle big waves.

I have claimed the phrase, "Victims of Observation" for the VoO workers, because all they did was ride in their vessels. I was personally familiar with seven boats in a row riding back and forth for a few months, from June through August 2010, rarely collecting oil. I had a few friends who are older fisherman. They worked on VoO and were told a lot of troubling things. For example, they would be fined \$150,000 if they rescued an animal. If they saw oil, they were instructed to tell their supervisor, but not report it over the radio. If they wanted to wear a respirator, they would be fired. One of my good friends who worked on the VoO program had to have his ears operated on afterward, and another had to have his gallbladder taken out. They did not have these health problems prior to working on the cleanup.

### 4. DISPERSED OIL ENCOUNTERS

I went in my boat on August 13, 2010. By that point the local news, government and Coast Guard said it was safe. However, when I went in the bay I saw oil. I noticed my boat made its own scum line when I put it in idle and turned it in a circular motion. My prop was stirring up

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<sup>2</sup> Dahr Jamail, *Sick Gulf Residents Continue to Blame BP*, Al Jazeera, Sept. 11, 2011, <http://www.aljazeera.com/indepth/features/2011/09/201191716821664814.html>.

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whatever was in the water and creating an orange foam substance that looked like the soap from a dishwasher. I believe it was a mixture of Corexit and oil, because I had never seen anything like it before. When I looked in the water there were countless little white specks which would coagulate and make the foam. There were BP workers at Henderson Point, MS, so I went to them and pointed out the oil. They gave me a zip lock bag and asked me to get samples and bring it back to them. I tried to get a sample, which was near impossible; I scooped up what I could of the foamy oil with the bag. I always have a container of fresh water in my boat to wash my hands, so I washed my hands and took the sample to them. From there on out I noticed that when I or other boat owners drove our boats in the shiny spots of the oil, that foam substance would develop.

By the summer of 2012 I had been in my boat several times to take reporters to Cat Island, Mississippi, which was affected heavily by the oil spill. I took reporter David Clow out on June 23, 2012 and while we were out there collecting tar logs, I saw this same foam substance and a C 130 plane fly over us. I also witnessed this foam in the mouth of the bay when I took two people from Washington state to Cat Island on July 11, 2012. During that trip, I collected a 5 gallon bucket of tar logs.<sup>3</sup>

According to the Mississippi Department of Environmental Quality (MDEQ), Corexit is no more dangerous than Dawn dishwasher soap, and it was supposed to dissipate and be environmentally safe within seven days. On October 23, 2010 my wife and I went out on our boat. We saw a dolphin cough seven times, and it sounded like an old man with a smokers cough. We went to a nearby fishing pier and saw a large crab floating on the water. Normally a crab will see you and go away. This crab was alive and just floating around in a circle. We went further past the Pass Christian side of the bay and saw a white foam substance. A large Albatross was in the middle of the foam, barely moving.

We stayed in that location for 45 minutes waiting to find out what to do with the bird. My wife called WLOX, the local news station for south Mississippi, to report the bird for rescue. They gave her a BP phone number, and when she called it BP gave her a phone number to an animal rescue service, which instructed us to retrieve the bird and cover it up. We were informed that someone would contact us to retrieve the bird. My wife used fishing net to retrieve the bird and covered it up with her jacket. She washed her hands right away. However, after that incident her hands stayed red for two days. We took the bird home and put it in the bike shed until the next day. No one contacted us; we had to find someone to take the bird for us. It was a long process and then a big joke. I thought, "Gee, they are saying it is safe to be in the Gulf, but we are finding this oiled bird and we can't even get it help." You would think that our local media

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<sup>3</sup>Joshua Guerci. "Storm Surge: Cat Island." YouTube. Sept. 5, 2012.  
<http://www.youtube.com/watch?v=0m5eZHxM2JA&list=UU02CdzXBFSQqEkPdQW4QJZA&index=1&feature=plcp>.

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would want to cover the incident, but no one seemed to care when my wife contacted WLOX about the situation.

On November 10, 2010 I put my boat in the water again. I saw oil in the water and I called BP to report it. I was in front of a children's catholic school in Bay St. Louis. I went to the pier with some glass jars and took samples of the water. They are currently in the fridge of my house on the bay. While I was there the Department of Marine Resources came up in a boat and asked what I was doing. I told them I was taking samples of the water. I showed them what I collected, which included the white foam dots in the water. I contacted the MDEQ when I got home and a representative came to my house. He took samples from the water I collected that day in order to test it. He asked me if I could take him out on my boat the next day, November 11.

I took him out for approximately four hours, and we collected water samples. I showed him how I could find the oil just by seeing the shiny spots. The first time he took a sample he had gloves on and put a GPS log in his book and wrote it down the chain of custody. He did this twice. Each time he took a sample I took one as well; however, I observed that I had twice as many particulates in my jar as he did. He told me that he would share the test results from those samples and from the samples he collected from me on the previous day, but he never did.

## 5. HOSPITAL VISITS, CHEMICALS IN BLOOD

On November 11, 2010 I went to the Bethel Free Health Clinic, located in Biloxi, MS. While I was in the waiting room a staff member from the clinic came in and announced that the clinic had received a check from BP for \$15,000. She proceeded to show us a giant sized check. The clinic is receiving money from the National Institute of Environmental Health and Sciences (NIEHS) as well, in order to treat people who are sick from the spill. When I saw the doctor at the clinic he wanted me to take anti-depressant pills. He did tell me that I have hundreds of lumps called muscle tumors, however, the clinic only prescribed me anti-depressants for treatment. When I asked for throat spray and antibiotics the clinic gave me a referral for a pulmonologist and told me to apply for social security. I never went back to the clinic, because it felt like a scam.

More than six months later I was still experiencing severe health problems, and I was not receiving proper treatment because I did not have a reliable doctor. On August 23, 2011 I attended a public meeting that Kenneth Feinberg, administrator of the Gulf Coast Claims Fund (GCCF), was speaking at. I asked Mr. Feinberg about the process to file a medical claim. He said I needed a note from the doctor to be eligible. My wife encouraged me to go to the hospital that night, because my insurance was going to run out.

I went to Gulfport Hospital at 8:00 pm, and I saw a doctor at 1:00 am. He didn't have my

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medical files in his hand when he saw me, and he didn't seem interested in my health. He only looked once at my throat very briefly and said he couldn't see anything that was wrong. Once he said that, my wife was stunned. She told the doctor that I had agreed to see him, because she was so concerned about my throat. My throat was continuously sore, and I would wake up in the middle of the night from pain. However, the doctor continued to assert that he didn't see anything and asked if I had a history of mental illness, as if implying that I was imagining the problem. At that point, I looked at my wife and suggested we leave. However, before leaving I asked for a note saying I had an existing lung disease. I further explained that my throat has been raw since I went fishing on June 13, and I believe it is related to the BP oil spill. He responded that he would not write a note or get dragged into a BP lawsuit. He told me to see a pulmonologist and get a biopsy for a tumor that I had on my tongue.

I am not fond of hospitals and I avoid going. However, since the spill my wife has had to call the ambulance several times when I am on the floor from a seizure (detailed below). If I am able to communicate, I refuse to go. I have learned that it is a waste of time as soon as I mention that my health problems are related to exposure from the oil spill. My whole way of life has been affected since the spill. I am supposed to eat small portions several times a day to keep my blood level under control. I cannot eat after 3:00 pm because of the acid reflux problems that I have been having since the spill. That is supposedly what is wrong with my throat; repeated acid reflux – which consists of heartburn, regurgitation and stomach discomfort - causes a chemical burn. I understand that it is a common symptom for people with exposure from the oil spill to have acid reflux, because as my doctor explained to me, the endocrine system is affected by the chemicals and burned. The toxins store in your fat cells and the brain is 70% fat. That is why I am now having the seizures. I took a Metamatrix blood test for the chemicals found in the dispersant and oil, and I tested for one of the highest levels of contaminated blood at that time. My blood test is included in this affidavit as Exhibit 1.

My friend told me that the Louisiana Environmental Action Network (LEAN) was paying for people to take the Metamatrix blood test. I called LEAN on February 1, 2011 and I had my blood tested two days later on February 3, 2011. LEAN paid for the test and Dr. Michael Robichaux (“Dr. Mike”) drew the blood. Dr. Mike is one of the few physicians to my knowledge who was willing to draw blood for the test. He is the nicest man; he opened his doors an hour early so my friend and I could meet him. He took us to the hospital to have our blood drawn. Out of everyone we passed, all the nurses would hug him, and the men would shake his hand. He is a former Louisiana state senator. He walked us back and drew our blood. I was shocked by how easy it was. Prior to that experience, I often called doctors who would put me off for three months before I could see them. That is what the power of LEAN is doing for us here in Mississippi. Now LEAN and Dr. Mike are providing a detoxification program for people impacted from the spill. I don't have any faith in the doctors around here, but I do have faith in Dr. Mike.

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In June, 2011 I tried to see lung doctors, but they would not see me unless I went through the Emergency Room (ER) proxy. It is about a \$2,000 per hospital visit, because you have to get several tests done before they will even see you. However, these lung doctors were the only options in Mississippi. In September 2010 my health insurance ran out, because my income basically ended in April, 2010 and we couldn't afford to keep paying the premiums.

## 6. HEALTH SYMPTOMS

In late February 2011 I blacked out on my floor for an hour. At noon I was cooking something, then I lost consciousness and woke up an hour later on the floor and my food had burned. A couple days later I was talking to my friend on the phone. We were discussing the results of my blood test for the first time. During our conversation I went into a seizure. I blacked out and my friend told me he could hear me flopping on the floor. Another time I was talking to my daughter, and I got a really bad headache. I sat down and blacked out and then apparently had a seizure. I don't know when they are going to occur. Sometimes when I have seizures I turn blue because I am not getting oxygen. It concerns my wife and me, because she works during the day and I am often alone.

Dr. Mike and a neurologist I am seeing explained that I have different kinds of seizures. Pseudoseizures are when I'm unconscious. Sometimes I am aware, sometimes I am not, but I can't do anything. I have had six grand mal seizures in a row, which are the most intense seizures; you have violent muscle contractions and a loss of consciousness. My heart rate drops really low to 36 beats a minute. Then I go into a grand mal seizure and my heart rate jumps from 36 to 140. When I come out of it I am extremely disoriented. In December 2011 I injured my knee from having the seizure. I have probably had over a hundred seizures since February 2011. In one week I had four seizures. I had never had any seizures in my life until the oil spill took place.

For a long period after the spill my throat constantly hurt, my ears would itch and my sinuses would act up. When I looked in my throat I could see blisters and yellow puss sacks which the doctors are calling cysts. I have developed a tumor on the side of my tongue.

The less energy I exert the better I feel. This has completely affected my lifestyle and sense of purpose. I used to work 10 to 15 hours a day on historic restoration projects, and now I spend most of the day sitting. Before the oil spill I rebuilt and restored our historic home on the bay. It was completely gutted after Hurricane Katrina, and I rebuilt all of the windows and the entire back half of the building and raised it up. I did the electrical, plumbing and brick work. Now I can't do anything without putting myself or someone else in jeopardy. I have accepted no longer being able to drive, because I don't know when a seizure will occur. My greatest fear is hurting someone else by blacking out and crashing my truck.

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## 7. SEAFOOD

Before the oil made it to the shores, I went fishing three times under the Bay Bridge. It was supposedly still safe according to government officials to be in the water during that time. During one of the trips I caught a big red fish and I grilled it. It was a healthy looking fish – no mutations or lesions. I ate it and went to sleep. When I woke up I was in a pool of blood from rectal bleeding. After that experience I decided I would not eat any more fish. I also told a good friend of mine that he needed to stop eating shrimp and seafood. He loves seafood, so he kept eating it until the end of the summer. But then he started getting sick.<sup>4</sup> He has Crohn's disease but it was dormant for 20 years before the spill. Then, after the spill took place it became real bad; he had chronic bloody diarrhea for over 45 days. He would get skin rashes, and he had to use a nebulizer to breathe properly. After he got real sick he also became concerned that the seafood was not safe, because when he ate it he observed that his Crohn's disease would get worse. It's difficult to know what is and isn't safe, but after my body responded adversely to the fish, I cannot take any more risks.

According to the FDA if you eat five Gulf shrimp a week, there is a 1 in 100,000 chance that you will develop getting cancer. Of course you won't get it right away, but what could happen years down the road? If you smoke cigarettes you won't get lung cancer that day but if you keep smoking it is possible to develop cancer. When that happens, it is going to be too late; this is going to be a cancer belt from Florida to Louisiana. What is really disgusting is that the government is pushing the Gulf seafood onto our soldiers all across the country at the military commissaries. I saw it on the news as part of a public campaign to feed Gulf seafood to these soldiers and their families.<sup>5</sup>

## 8. ANIMALS IMPACTED

My dog Blue started having seizures in November, 2010. They started off real small. She would drop to the ground and start acting funny. We took her to the veterinarian and they put her on medicine twice a day. It got progressively worse, and she began having the grand mal seizures that I am now having. We lost her on May 12, 2011 at 12:34 am. It was very sad. She was my best friend; she was the dog that always was with me. Before that we lost BeBe around the same time when all of the dead dolphins were washing up. One day she was bouncing and playing. The next day I saw her go to where my dogs normally go to have puppies. I saw half a puppy sticking out of her. I went up to her and put her in the shop. I pulled the puppy out and it was

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<sup>4</sup> Jason Berry. "Charles Taylor of Bay St. Louis discusses health problems from the BP oil spill." Vimeo. Oct. 6, 2011. <http://vimeo.com/30157895>.

<sup>5</sup> Kari Huus, *Panel challenges Gulf seafood safety all-clear*, MSNBC.com, Dec. 27, 2010, [http://www.msnbc.msn.com/id/40494122/ns/us\\_news-environment/t/panel-challenges-gulf-seafood-safety-all-clear/](http://www.msnbc.msn.com/id/40494122/ns/us_news-environment/t/panel-challenges-gulf-seafood-safety-all-clear/).

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dead. I came out the next day and her whole uterus had come out and she had died. She only had the one puppy in her and her entire uterus came out. It was very peculiar, because one day she was playing and two days later she was dead. Two photos of the dead puppy and my dog's uterus are included in this affidavit at Exhibit 2.

Their exposure was the same as mine; they were with me every day. A few times they joined me on the boat after the spill and sometimes they would swim at the dock of the bay. Blue would alert me before I had a seizure. She did it the day before she died. She had a certain sound she made and then a few times I remember waking up from a seizure and she was licking me, trying to wake me up. Almost every night from November until she died I had to get up and tend to her because of her seizure. I would nurse her, but in the end it was terrible.

## 9. MEETING WITH GOVERNMENT OFFICIALS

On August 23, 2011 gulf activist Cherri Foytlin arranged for a group of Gulf residents impacted by the spill to go to Washington DC and meet with government officials. We met with a contact from a government agency that has oversight responsibilities pertaining to the oil spill health response. We met in the cafeteria of the Ronald Reagan Building. We discussed our blood test results with the government contact, and she said that there is little that can be done after exposure to these chemicals.

Another contact from the same government agency told us "You all are being asked to prove something that cannot be proven; you cannot prove you're exposed or that oil went into your body." In the end, the officials that we met with explained that the government is going to run a 10 year study, the Gulf Study, to evaluate our health. However, they proceeded to share that our medical problems boiled down to the issue of health care, and their agency is not in the health care business. They stressed that we need to contact our congressional members about our concerns, because they could not address this issue alone.

In January 2011 I sent a letter to my congressman and several other government officials regarding the widespread health problems in the Gulf following the spill. The only response I got was from Louisiana Governor Bobby Jindal's office, which recommended that I get an attorney. I called the officials' respective offices and got the runaround. When I called Attorney General Jim Hood's office his staff told me that it is a problem for the Mississippi State Department of Health (MSDH). I spoke with a top official at MSDH who said, "I am the right person to talk to, but we only deal with syphilis and gonorrhea."

Attorney General Hood's staff also instructed me to contact Dale Sandler, principal investigator and chief of the epidemiology branch at the National Institute of Environmental Health and Sciences (NIEHS). She is in charge of the Gulf Study. When I spoke with her she explained that

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the Gulf Study was only about to begin and it was a study, not a medical treatment program. A few days later a representative of SRA International called me. SRA International is a professional health research firm that NIEHS is collaborating with to conduct the Gulf Study. The representative recommended I go to the Bethel Free Clinic.

## 10. CLAIMS FUND

I first met Kenneth Feinberg on August 23, 2010 at a public meeting about the GCCF. I explained my existing lung disease and how it was exacerbated by the odor from the oil spill. He told me that I had a legitimate claim, along with people who have asthma or breathing problems. He said that I just needed to prove it through doctor's verification, which I later submitted. The doctor verification is included in this affidavit as Exhibit 3.

I again saw Mr. Feinberg at a public meeting on January 10, 2011. There were about 300 people in the audience. Feinberg said that the GCCF had only received approximately 480 health claims by January 10, 2011. At that meeting I read him a note about how his process excludes the poor, sick and handicapped. I asked why the GCCF provides an attorney, but not a doctor. I explained that the government had neglected the damages caused by the BP syndrome. I read, "After today, if you don't fix it, you and your process will be neglecting the suffering from the BP syndrome." After I read that aloud, Mr. Feinberg did not respond, however, a lot of people started standing up and saying they were having the same problems filing a medical claim with the GCCF. I met a lot of other sick people, and we started getting together and organizing. When I got home I wrote a letter to state and federal officials detailing my concerns. All I have anymore is time and I'm glad to share it. Time well spent if you're holding the government accountable.

I used to make on average \$650 day; my hourly rate was \$65.00 an hour and I worked on average 10 hour days. Now it is not possible for me to do that work due to my health. I don't make any money. Before my wife lost her job this year, she was making minimum wage and didn't have any benefits. They sent my wife and me a check for \$11,000 and a final settlement offer for \$25,000 if we would accept it. However, if we settled then I would waive my rights to take future legal action against BP. I went around and around with the GCCF trying to explain that their calculations were incorrect, but their offer did not change. I made in five months what they want to pay me for 24 months. We finally reached the point where it was necessary to cash out the \$11,000 check. It was not a final settlement but we may be fixing to settle up, because we can't stretch out money that far. I can't qualify for social security due to my prior income. If we accepted the settlement check, I wouldn't qualify for social security again.

We did not accept the final settlement check, but I was still denied disability. I would rather get my health back and return to work than take BP or government money. Under social security I filed for disability. I have learned that they deny most people the first time. There was no reason

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stated for denying me disability; I was just denied. Similar to the predicament with accepting the settlement check, I wouldn't qualify this time around for disability because we had to cash the check for \$11,000.

## 11. DAILY STRUGGLE, HURRICANE ISAAC DEJA VU

My friend and I last went fishing on June 13, 2010. We were trying to get in fishing before all the seafood became contaminated from the oil and dispersants. I had no idea I was going to get this sick. I thought I had chemical burn from breathing the burnt oil, but that it would go away once I took medicine and life would get back to normal. My main worry at that time was that my business would collapse, because I wasn't receiving any phone calls for contract work. Everyone I know, from brick layers to carpenters and other specialists who I have trained are in dire straits. Their families are falling apart. They are losing their property, one item at a time. My friend explained that he is watching his entire retirement savings funnel through an hour glass. About two months ago I told him he could take my 3.4 ton truck and a ladder rack and start working for himself. He has not been well enough to get the ladder rack onto the truck and work. I understand, because when there is something that I desperately have to do, I now pay for it physically.

After Hurricane Isaac on September 6, 2012 I walked along the beach and I found thick rubbery tar logs and what looked like oil sheen. I could see what looked like Corexit foam flowing through the water. There was a heavy smell from the dead animal carcasses; I saw dead birds and nutria on the beach. My symptoms got worse immediately after that. I had a seizure that night, and I was incapacitated for a few days. Since then, the tumor in my mouth has started hurting real bad. The pain in my throat is extremely painful; similar to having strep throat, it feels raw. Sometimes I lose my voice. If I am irritated and raise the level of my voice then I sometimes lose my voice in the middle of a word and I have to stop and drink water.

Fortunately in the weeks since going onto the water after Hurricane Isaac, my symptoms have let up some. I still feel weak and tired all the time, and I have difficulty sleeping. But those have been chronic problems since I got sick after the spill. For almost a year I have been sleeping in a reclining chair, because due to my respiratory problems it is too painful to lie all the way down. What concerns me most is that since Hurricane Isaac a lot of people I know have become sick with symptoms characteristic of strep throat or the flu.

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I have read the foregoing 11 page statement, and declare that it is true, accurate and complete to the best of my knowledge and belief.

Executed September 13, 2012.



Subscribed and sworn to before me  
this 14 day of October, 2012



Colin T. Bourgeois  
Notary Public

My Commission expires on: \_\_\_\_\_

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## AFFIDAVIT

My name is Jorey Danos. I am submitting this statement, without any threats, inducements or coercion, to Shanna Devine, who has identified herself to me as an investigator with the Government Accountability Project. I am 31 years old. I am originally from Galliano, Louisiana which is 30 minutes north of Grand Isle. I currently live in Thibodaux, Louisiana, which is over 100 miles from the Deepwater Horizon site. I worked on BP's Vessel's of Opportunity (VoO) program as a deckhand from May 2010 through August 2010. Throughout that time, the dispersant Corexit was sprayed heavily in the locations where we were supposed to be cleaning up oil. When I requested a respirator, a BP representative told me that wearing one could result in my termination. I subsequently got very sick, and high levels of chemicals from the dispersant and crude oil were found in my blood. I have not worked for 30 months due to my medical condition. However, some of my acute health problems subsided after going through the Gulf Coast Detoxification Program (detox program). I still don't know what the long term damage will be to my health.

### 1. MONEY TOO GOOD TO PASS UP

Before I worked on the cleanup I was in the fabrication industry. The fabrication industry fluctuates; you have work at some periods and then it gets slow and you look for additional employment. A friend of mine was working on the VoO program, and they needed an extra deckhand. He told me the pay was \$300 a day and I accepted. During the spill I worked my uncle's company, Danos & Curole Marine Contractors, which was contracted by BP for the VoO program. For two months I worked in Venice, the closest job site to the Deepwater Horizon. During my final month on the VoO program they transferred us to Grand Isle, which is 50 miles from the Deepwater Horizon.

I experienced health symptoms while I was on the VoO program. However, during the time I thought that maybe it was just a cold. I had an ongoing cough and respiratory problems; it was difficult to breathe (detailed below). In hindsight, I realize that BP paid us to keep our mouths shut about any health problems. If we could be make \$3,000 every ten days, should we pay attention to the health effects or risk termination by asking for additional Personal Protective Equipment (PPE)? People around here don't make that kind of money. I like to work and do whatever is necessary to provide for my family. In July, 2011 when I lost my ambition to work, I knew something was really wrong and started paying closer attention to my health.

### 2. INADEQUATE TRAINING AND EQUIPMENT

Before we began work I took a three-hour shoreline basic cleanup course administered by the company Falk Alford in Houma, Louisiana. However, it was about beach cleanup and our objective through the VoO program was to clean up the oil offshore, before it hit the beach. The course explained that we would be working with regular crude oil and the PPE would be given to us. I was not offered any additional courses.

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In May, 2010 the first time we went offshore basic PPE was on the boat, including one box of Tyvek suits, latex gloves and rubber boots. After that we had to ask for more equipment if we needed anything. BP wouldn't provide PPE on its own until images showed up in the media of cleanup personnel without protective clothing. The latex gloves were so cheap that they would rip, and we would be touching the dispersed oil barehanded; it would get into my skin and burn. After my exposure to the dispersant I would develop bumps that within 24 hours turned into sores, like a blister or boil. Our rubber boots often didn't fit so we couldn't wear them. During the cleanup BP had speed boats that checked on us and asked if we needed anything. When we did ask the BP representatives or contractors for better equipment, they would tell us there were going to get them, but they would never return with the equipment.

I realized how pungent the Corexit was and wondered why I didn't have a respirator or the right equipment. I asked a BP representative or contractor – I don't recall which – and he told me that if I had one, all of the workers would want one, and it would look bad for BP if the news coverage caught footage of a bunch of workers with respirators. Then, a month and a half into the job, in June 2010 when a BP representative came up on the speedboat and asked if we need anything, I again explained my concerns about breathing in the Corexit and asked him for a respirator. He started laughing and said, "What do you need it for, that stuff isn't bad; we breathe it in all day and it isn't doing anything to us." He explained "If you wear a respirator, it is bringing attention to yourself because no one else is wearing respirators, and you can get fired for that."

### 3. BP PAPER TRAIL

BP controlled the oil spill cleanup through a series of release forms that shifted the responsibility from BP to the workers if we signed them. Each time a specific issue came up, such as when the environmental groups raised concerns about the turtles and birds getting sick, BP would respond with an optional release form for us to sign. If we did sign it, we did not receive a copy of the form for our own records; rather, we were just told to sign in several places and they would keep the forms for their records. We were supposed to then call a specific number if we saw any sea life in distress. The only literature or paperwork our boat received was a brochure that explained how to respond to sea life in distress. In addition, we had invoices on the boats to calculate the amount of time we worked for our payroll checks. We did not receive any literature on health. I signed a consent form for the sea life. Then we were informed, "If you need anything, we need to know who you are." However, when I or other workers witnessed distressed sea life and tried to follow BP's response guidelines, we couldn't reach anyone or would get the run around when we did. The system was so unresponsive that I refused to sign additional paperwork.

BP had a release form for health effects related to the spill. It essentially stated that if we got sick BP had personnel at headquarters to get us evaluated. If they didn't find anything wrong then we would be on our own to seek medical attention. A BP representative told us, "If you have someone sick you have to report here and call this number and someone will come get you and

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we will take care of it.” He went on to explain that if someone were seriously ill, we should call the Incident Command Center, run by the Coast Guard and BP. The very ill person had to acknowledge that he or she wanted to receive medical attention before someone else could report the problem. However, I repeatedly heard about stories when people who tried to get taken care of weren’t helped.

In July, 2010 a friend of mine who worked on the same boat as me in the VoO program was having upper respiratory problems, and he couldn’t breathe. He was an older gentleman in his late 50’s, and he thought he was having a heart attack. He was airlifted from the boat with a chopper and taken to a BP clinic. However, they released him the next day. He was told it must have been upper respiratory problems. After that experience, they asked me to sign the health release form during my last month on the job and I refused.

Once the oil was out of sight and out of mind, the cleanup personnel’s well being was disregarded. I get mad, because I felt blindsided by the health effects from working on the VoO program. In hindsight I realize that since BP covered its tracks with release forms, if workers later raised issues regarding health problems, such as reactions from the exposure to Corexit, BP could point to the form that most of the workers signed and say, “You’re on your own.” I don’t know from direct experience because I did not sign the form, but a lot of people that I know who worked on the VoO program and are now sick and have not been able to receive medical help.

#### 4. SPRAYED BY COREXIT

When they started spraying the Corexit we didn’t know what they were doing, because the dispersant planes would fly by at odd hours during the night or day, and we were not given information about the spraying. However, we quickly learned the days that they did and did not spray. The Incident Command Center provided coordinates for our vessel to go to. Each day they would give us the same marine chartplotter, a GPS used to navigate waters, with a longitude and latitude grid that would direct us to our cleanup location. We could track our different locations daily because when we typed our new coordinates into the chartplotter, it left a fingerprint of where we had previously been. We would be in miles of thick tar ball oil one day, and the next day they would slightly tweak our location. As we went to our new location, we would pass the location from the previous day and see and smell the dispersed oil (detailed below). This happened routinely.

When I was working on the VoO program, I was sprayed with Corexit four times in June and July, 2010. When they sprayed the dispersant it would break up the oil and leave sheen and weird metallic colors on the water. The increased sightings of dispersed oil corresponded with our health symptoms. There was an ammonia-like odor that would take our breath away. The dispersant was sprayed heavily – like when you spray a water hose into the wind, it will mist and spray back on you. I don’t remember the exact dates, but twice I saw C130’s that flew directly

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over us and then we entered a cloudy haze, even though it was a bright sunny day, and the oil looked like sheen. During those instances the dispersant directly hit me, including my face.

## 5. ADVERSE HEALTH EFFECTS

When I was working on the VoO program my mentality was, "I have a family. I need to take care of the kids. Don't worry about the health effects. I am making \$3,000 every ten days. I'm not going to find that kind of money anywhere else. Look beyond BP and the health effects." However, when I was sick I had a list of problems that ultimately inhibited me from taking care of my family. I am still fighting the residual effects of the chemical exposure today.

After I got sprayed by the Corexit, within 24 hours I had boils on my neck. They looked like a cluster of zits, but when I squeezed them blood and black puss would come to the surface. In September, 2010 I really began to notice my health problems. I lost over 45 pounds in three months. In September, 2011 I weighed 185 pounds and it steadily declined to 139 pounds within three months. I couldn't gain back weight for 10 months and I stayed at 139 pound until I went through the decon program. I had difficulty sleeping and often only slept two hours a night. When I exerted myself even slightly or sweat, my skin would flare up and would get red bumps all over my body. I couldn't be in the sun or even mow the lawn for more than a few minutes without dropping to my knees. To this day I am still experiencing the skin problems and I feel easily fatigued from minimal exertion.

I can't remember when my seizures began. Short term memory loss is one of the worst problems from my exposure. However, after I stopped working the seizures would come and go every other week. I did not know they were seizures at the time. Around September, 2010 I felt like something was neurologically off track, but I didn't realize what it was. I was cognizant of my surroundings, and could feel, hear and touch, but I was lost -- what I call "stuck stupid." I lived with abdominal pain for months, and I couldn't figure out why. It felt like someone had stabbed me in my side and poured alcohol over it, and the pains were sporadic. I lived with paranoia; my kids' bus stop is 15 feet from the front door, and I wouldn't let them go to the bus stop until I could see the bus, with a loaded 380 pistol behind my back.

I had to lie to my mom for three months while I was working on the spill, and tell her that I did not take a cleanup job. Margaret Curole is my mother, and she is the North American coordinator of the World Forum of Fish Harvesters and Fish Workers, an NGO that works with the UN's Food and Agriculture Organization to protect the rights of fishing communities around the world. She would educate me on the health effects that cleanup workers from Exxon Valdez experienced and everything that she shared I was actually experiencing at the time, such as skin rashes and respiratory problems. I also saw that being away from my home was taking a toll on my kids. My seven year old son was in bad health, and I needed to be with my family.

I quit the VoO program in August, 2010. My son passed away on November 16, 2011, two days after I finished the Gulf Coast Detoxification Program, due to health implications unrelated to

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the cleanup. After I stopped working on the VoO program I started seeing doctors. In September 2010 I had to go to a charity hospital in Houma, Louisiana. They told me that I had bronchitis and a chemical cough or cold, but they were not able to help me treat any of the symptoms. I was diagnosed with bipolar disease, schizophrenia, chronic bronchitis, and when I took a CT scan I was told I had gastrointestinal problems. However, all of the tests for these diagnoses came back negative.

## 6. GULF COAST DETOXIFICATION PROGRAM

Even with my mother's warnings, I was not convinced that my health problems were directly associated with my exposure. I needed more proof. However, in July, 2011 I found out that the Louisiana Environmental Action Network (LEAN) was paying for sick cleanup workers to get their blood tested for chemicals. I took a Volatile Solvent Profile, which tested for volatile organic compounds (VOCs) in my blood. The test showed that I had high chemical levels in my blood that are found in the crude oil or Corexit, including 95th percentile benzene and 95th percentile ethylene glycol. A copy of my test results is included in this affidavit as Exhibit 1.

Dr. Michael Robichaux, LEAN and Jim Woodworth, the former head of a 9/11 first responders detoxification program, began offering the Gulf Coast Detoxification Program in the fall of 2011. I went through the program for 38 days, from October 8 through November 14, 2011. I was one of the first people to go through the detox program. It was my last resort; conventional medicine had failed me. My routine during the program was very basic and natural. My diet included all fresh vegetables. I took Niacin, a type of B vitamin, used the treadmill for 20 to 30 minutes, got in a 180 degree sauna and sweat out the toxins. Old folks always say "If you have a fever you have to sweat it out." BP was the fever and I sweated it out.

When I began the detox program I still only weighed 139 pounds. The first week of the detox was miserable, because I had reoccurrences of my symptoms; I had paranoia and I couldn't asleep. However, I knew something good had to come out of it, because I was taking vitamins, sweating, eating well and exercising. By the second week I began to realize that I may have to live with residual effects from the damage already done, such as my skin rashes, but my attitude was changing. I was beginning to sleep and relax, my paranoia was decreasing and my earlier symptoms, including abdominal pains and seizures, were subsiding. I was gaining my weight back, and by the third week I was feeling noticeably better. I was eating healthy and could sleep again and do a lot of things I couldn't since the job. I could do some yard work again. I was getting better.

The detox program has a different phenomenon for each person. It not only helped me to accept the residual effects of my exposure, but educated me to live a better life. It taught me how to focus on what is in my control, through the way I eat and exercise, while expelling as many of the toxins from my body as possible. If it is natural, it puts a sense of well being back in the body compared to where it was during the spill. It opened my eyes to an experience I had never had

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before; I went from a living hell into an attitude that I could accept it is ok to be affected by these chemicals, but I can continue living. Despite the residual effects and unknown long term health consequences, I am feeling much better now.

There are ways to help manage the effects of the exposure. As an alternative to detoxification, there is chelation therapy, or IV therapy. It also uses vitamins to dilute the chemicals in your system and help your body expel them. It is important that anyone who is having health problems comes forward; stop worrying about what doctors and lawyers have to say and get yourself better before you're six feet under. I have perceived a climate of silence, where a lot of people are remaining silent about their effects because they either don't know why they are sick, or they are sick and think they will get compensation if they remain silent. What is the money if you're dead? The more people that come forward will help demonstrate the scope of the health effects from the spill.

## 7. PUBLIC HEALTH CRISIS, MEDIA BLACKOUT

A lot of the chemicals from the spill became airborne, turned into condensation and precipitation. Consequently, children and people throughout the Gulf Coast are affected, in addition to those working directly on the cleanup. A friend of mine worked on the cleanup, and he was having a lot of health problems, such as skin irritations and high blood pressure. However, he had no idea what was wrong with him. He had to take a test for diabetes, because the doctors thought that could be the problem. However, the test came back negative. His blood pressure is so high that now he can't get a job. Before the spill he didn't have any blood pressure problems; high blood pressure is a common health affect from the chemicals we were exposed to.

Nearly two years after the oil spill we don't hear anything in the media about the health effects. Why isn't the current public health crisis along the Gulf on Channel 4, AC 360 or Fox News? You have to go to the internet to learn what is taking place. I have to go on YouTube to see Gulf activist Cherri Foytlin, who walked from New Orleans to DC to make a point about the health of the Gulf. Kindra Arnesen has been vocal about the health problems since the dispersant spraying began in her community in Venice. Why do they have to go to Facebook and YouTube to get their stories out? Why isn't Channel 4 interviewing them and airing this coverage during the soap operas when every grandparent in the bayou is watching?

The media blackout is my greatest concern, because if people are not educated about health symptoms that could be a result of chemical exposure from the oil spill, then it is easier for BP and the government to ignore the scope of the medical impact. In February, 2012 Cherri Foytlin, musician and activist Drew Landry, and I We went to Lucedale, a small black community in Mississippi, to have a community meeting about health problems associated with the oil spill and cleanup. In preparation, Cherri contacted the local media and newspaper about it, and it was supposed to be more publicized then it ended up being. Only two people showed up; no one knew about it. Why can we turn on the TV and watch coverage about the Syrian dictator killing

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his people but there is not coverage about how BP is killing us out here and what we can do to help one another?

The meeting in Lucedale was held at a community park. Once word got around about why we were there, a handful of people showed up during the day that were involved in the cleanup and experiencing health effects. Before I said a word about my health problems, several former cleanup workers shared the same symptoms that I have: a cold year-round, shaky and paranoia. These workers were so poor that after the spill began and cleanup jobs were advertised, they traveled 50 miles from their house to work for \$12 dollars an hour. They get contaminated and sick like we did in Louisiana. There is a list of classic BP symptoms. If you fall into that category, stand up for yourself to get yourself better and stand up for the next person in line to get them better. My public relations campaign is to get this information out. The BP commercials are constantly running, "Come to the Gulf Coast and eat seafood." Where is the BP commercial about the health effects?

#### 8. DISFIGURED SEAFOOD AT MARKET

My local supermarket has fresh seafood catch. During my most recent trip in February, 2012 the shrimp sold in the market had no eyes. I have seen photos of shrimp with no eyes since the spill, but not in person. I know what to look for on shrimp; their eyes grow on their sides. However, these shrimp didn't even have the eye sockets. The red snappers for sale had black fungus looking spots and lesions all over their scales, right here in Thibodaux. Before the spill I used to catch red snapper; it should be a solid pink color. The salesman behind the seafood counter asked me if something was wrong, and if I had any complaints. My wife told me to let it be before we got frustrated with the situation, so I left it alone. However, I have never seen anything like that before.

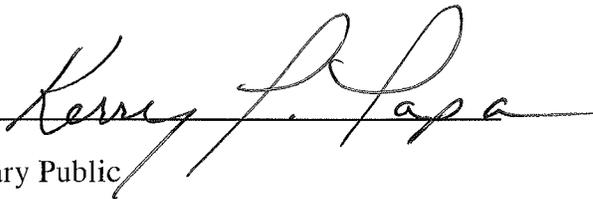
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I have read the foregoing seven page statement, and declare that it is true, accurate and complete to the best of my knowledge and belief.

Executed on February 26, 2012.



Subscribed and sworn to before me  
this 10<sup>th</sup> day of April, 2012

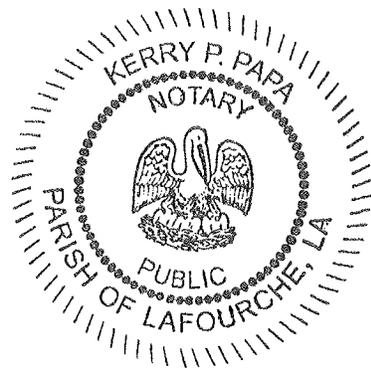


Notary Public

My Commission expires on: w/ life

KERRY P. PAPA  
NOTARY PUBLIC  
PARISH OF LAFOURCHE, LA  
COMMISSION IS FOR LIFE

NOTARY ID NUMBER  
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AFFIDAVIT

My name is Joseph George. I am submitting this statement without any threats, inducements or coercion, to Shanna Devine, who has identified herself to me as an investigator with the Government Accountability Project. I was a deckhand for the Vessels of Opportunity (VoO) program at three different sites in Alabama from May through August 2010. I started having health problems about two weeks into the job, but they progressed to the point where it hurt my throat to even speak. On September 5, 2011 I was diagnosed with throat cancer. I am 49 years old.

I have lived in Mobile Alabama since 1975. I have been a shrimper for 25 years. In May 2010, I worked with the VoO program as a deckhand in the Gulf side of Dauphin Island, approximately 100 miles from the spill. I took two courses on maintaining the boom and setting the boom. The VoO program did not provide any safety training. We didn't even have masks or a pair of gloves when we were out on the water. The oil by sight was about half a mile wide and eight miles long and two to three inches thick on top of the water.

Each day I had to arrive around 4:30 am to sign in. I was on the water from 6:00 am to 3:30 pm. We were told to ride around on the boat, look for oil and provide the lead boat coordinates for where oil was located. We would not lay boom, however. We would just watch the oil until it was time to go back to the dock. As I arrived for work, I would always see a Coast Guard plane fly over us toward inland right before daylight. I believe the Coast Guard took the coordinates during the day where oil was spotted and sprayed the dispersant on it at night, because we would go back to the same locations that we spotted oil at the day before and the oil would be gone for miles. By the time we got the boat out of the water and trailed it back to the departure location, it would be getting dark and we would see the Coast Guard C130 planes heading back offshore. I never saw them spraying dispersants directly, but the oil always would be gone the next day.

We asked my supervisor every day at Dauphin Island for safety equipment. We were only given boom and very few materials to work with. We wanted to pick the oil up, because those were our waters getting ruined. We need to make a living out there. The people in charge at the docks had an 18-wheeler with safety equipment but they told us it wasn't for us, it was for people on the beach who were walking. There was boom, garbage bags, latex gloves, Tyvek suits, rain suits and water boots. We just wanted to have it on the boat in case we did find some oil and could contain it. In late June 2010 VoO discontinued the boat I was working on at Dauphin Island. It was the draw of the hat; your boat comes up and you get laid off. However, I couldn't figure out why they laid us off at Dauphin Island. There was still oil out there, including tar balls washing onto the beaches.

I transferred from Dauphin Island to Dog River. I finally received gloves, garbage bags and boom. We patrolled the western part of Dog River. I saw slicks like oil sheen, whereas at Dauphin Island I saw crude oil. The sheen looks as if you took diesel fuel and poured it in the

water. Mother Nature basically heals herself with the sheen, because eventually it will evaporate. If we saw oil on the eastern shore, we couldn't go out there and give them coordinates on it. A different company was running the eastern shore, but it was still VoO personnel.

I was at Dog River for 28 days, and then our boat got laid off and I went to Bayou La Batre at the end of July. I was not offered safety equipment, and I didn't see any equipment there. They gave us a roll of garbage bags and gloves and that was all, but we were told we could not pick up the oil. I continued to provide coordinates when I spotted oil. After three weeks my boat was laid off. For all three sites that I worked at in the morning I just signed in and in the evening I signed out. I did not sign any forms or provide contact information when I was hired. The man on the boat would pay me directly, and he was employed by the VoO program. All I had was a badge that the VoO supervision gave me, and the boom certification. They dismissed the boat I worked on and it wasn't under contract anymore, but by that time the shrimp season waters were closed. In the summer of 2011 I began shrimping again, but I have had to stop since I was diagnosed with throat cancer.

My health wasn't as bad during the VoO program as it is now, and I didn't know at the time that some of my symptoms could be related to the spill. My health problems started progressing three months ago. My esophagus swelled up, and it would hurt to speak. My voice was scratchy. It was hard for me to even eat or swallow and I would spit up yellow mucus looking stuff all day. My ear hurts too, all the time. In the morning it is worse. Now I have to wear sunglasses if I go outside. Otherwise my eyes will burn when I am exposed to bright light. With the exception of being diagnosed with throat cancer, I don't know what these other problems are due to, but I didn't have any of these problems before I worked on the VoO program.

In the summer of 2011 I went to two doctors and spent \$400, because I don't have insurance. However, it didn't do any good. I went to the Family Medical Clinic in May 2011. The second doctor I saw in July 2011. Both doctors prescribed me the same thing, and unfortunately my health has only gotten worse since taking the medicines. The first doctor gave me two shots in my hip and put me on antibiotics. I reckon he just thought I had an infection, because he put me on amoxicillin. The clinic went out of business, so I went to another hospital in Mobile since my health was declining. I told the second doctor that I was prescribed amoxicillin already and it didn't help. He prescribed the same thing still, but gave me two shots. I have not been back to those doctors, because I was paying out of pocket and I only got worse after I saw them.

In September 2011 I was diagnosed with throat cancer and in April 2012 I had surgery for my cancer. I lost my ability to speak from my mouth and now I wear a devise from my throat to help me communicate. While I did not think to make the connection previously, no doctors have discussed a possible link between my health problems and my work on the VoO program.

I have read the foregoing two page statement, and declare that it is true, accurate and complete to the best of my knowledge and belief.

Executed on June 28, 2012.

*Joseph Deerg*

Subscribed and sworn to before me  
this 27 day of July, 2012

*F. Vickers*

Notary Public

**F. Vickers**  
Notary Public  
Alabama State At Large  
My Commission Expires  
March 21, 2016

My Commission expires on: \_\_\_\_\_

My name is Kindra Arnesen. I am submitting this statement on August 15, 2011, without any threats, inducements or coercion, to Shanna Devine, who has identified herself to me as an investigator with the Government Accountability Project. I am 34 years old. I'm a resident of South Plaquemines Parish Louisiana, which is at the mouth of the Mississippi River. When BP's Deepwater Horizon exploded, I lived in Venice so I was one of the closest residents to the site of the spill, approximately 70 miles from the Deepwater Horizon explosion. I have since moved to a house that we've been rebuilding for six years, since Katrina. I moved in the first week of May 2011, and "For Sale" signs are still in the yard. The reason that the "For Sale" signs are in the yard is because of BP's negligence. I am very well aware of what oil spills can do to the unity of a community, to individuals, to children, to food sources, and everything that they touch and destroy. If sharing my experience can educate and help others, then I've done what I can do. I want people to understand what we're dealing with.

## 1. BACKGROUND

I was born in California but raised in Plaquemines Parish since I was nine. My step dad was a commercial fisherman, so I have been on the water on and off since I was 12. I have done every kind of fishing you can do other than long lining. I know the area, I know the water, and I know the people. I've been on my own on and off since I was 14, so my community helped raise me. They are my extended family, so we worry about each other. After Katrina we all helped each other clear the yards and rebuild houses. If someone is trying to add skimmers on the boat, we get out of the truck and help them. If the boys go out and kill hogs, they butcher them and bring them to the old people. We help and take care of each other.

My son was five and my daughter was eight when the spill began. After I learned about the public health threats of Corexit, I had to evacuate both of them. My daughter was already getting rashes within the first few weeks after the spill. Separating from them was the hardest decision I have ever had to make in my life, but I felt I responsibility to stay in my community and continue to try and get us help. Because I was an involved community member, I was given special VIP access as a volunteer community liaison to the Venice Operations Section of the Command Post in and the Incident Command Center in Houma, Louisiana.

Money has been real tight since the spill. My husband is a fisher and not only is our catch over 50 percent lower than it was this time before the spill, but we don't want to sell what we're catching; it's coming back with oil in the meat of the seafood and even deformities. I've spent most of my life on the water, helping catch. My step-father was a fisher. I know what healthy seafood looks like, and I have never seen anything like our current catch. As another source of revenue I owned a BBQ restaurant, but I could not afford to stock it and pay our bills, so I left it closed this year.

## 2. JUST ANOTHER SPILL, OR NOT?

My brother works offshore at times, so when the spill first took place our first concern was whether anyone was hurt. The workforce in Plaquemines Parish Louisiana is fisherman, oil field workers, and oil field support company workers. It is a very intertwined community. With some families, two brothers own a boat and have the same deckhand and alternate the captain job and the oil field job. So our first concern was where were the people on the rig, how many were killed, how many were hurt? We were talking about the families, too. Could we put any support groups together for them?

We have ongoing oil spills here, nonstop. There have been six or seven around this peninsula in the last 17 months. They are not all massive. For example, a barge hit a well during the spill, in June or July, 2010 around Barataria Bay and it was spewing oil into the air. The spill was large enough to require a cleanup crew. Discharge of oil into the water is an ongoing issue here. We'll go out there fishing, and there will be a 30 mile slick. If you go to the rig where the oil is pouring out the side like a black waterfall, call the Coast Guard, and go back two weeks later and it may still be discharging oil.

The Deepwater Horizon spill wasn't just another spill, though. It affected parts of our environment that are normally protected from oil. The Mississippi River is our source of drinking water. After the spill, they were allowing normal boat traffic to go through the oil and travel up the river without decontamination ("decon") until after the cleanup was said to be finished. In effect, we were concerned that our drinking water was contaminated but the parish never confirmed it. At first there were not decon stations, but there should have been because the boats were exposed to dispersed oil. After we raised concerns about the lack of decon stations, BP put stations in to make it look like they were cleaning the boats, but they were not. They did not use the stations until the end of a boat's job, if they even went to decon then. Many vessels were not cleaned by the decon stations at the end of the contract.

My husband David is a commercial fisherman, in both state and federal fisheries. He fishes red snapper, mangrove snapper and lane snapper, beliners, king mackerel, grouper, pompano, blue fish, blue runner, shark, mullet, white shrimp and brown shrimp. David has been fishing throughout the northern Gulf since January 2011. He said there is broken up oil floating everywhere. This is not surprising because oil reached the marshland in Bay Jimmy and Barataria Bay. The marshes are the most important part of our estuary. The estuary is the nursery to the aquatic species in the Gulf, the estuary acts as a filter. Also, a large percentage of birds migrate through the estuary each year. However, instead of cleaning and removing the oil, after the spill BP started using barges with a backhoe to dig up the oiled marsh, place it in rollup dumpsters, and dump the contaminated marsh offshore in the Gulf.

During the 2011 season offshore fishers were catching amberjack, king mackerel, and mangrove snapper with holes in the walls of the stomach, and black sludge in their stomach that appeared to be leaking into the meat. We're catching fish with lesions and growths that looked almost like a miniature brain. One of the fish looked like the growth was from his eye to his nose. We're catching shrimp with no eyes, and crabs that have black all inside of them.

I was raised to think spills were normal. When the Deepwater Horizon explosion happened, I figured the rig went down and they will clean it up, then we will move on with business. I'm ashamed of that, because I had no idea how much damage was really being done until I started researching this last year. It's truly, truly sad what they have allowed to happen to the northern Gulf.

### 3. WARNINGS FROM EXXON VALDEZ

The first few days we were just worried about the people who were actually on the rig. Then we were upset when we saw that the media was invading personal privacy by trying to climb over fences toward the family members who were waiting for news about their loved ones who worked on the offshore rigs. The first week after the spill I met Riki Ott, a toxicologist who worked closely with workers and communities after the Exxon Valdez spill. She came to Venice and we had a very small intimate meeting with only commercial fisherman and their wives. It was at the local council woman's restaurant for District 9, Marla Cooper. She is also the wife of the Vice President of the Louisiana Shrimpers Association, Mr. AC Cooper. At this meeting Riki started telling us the health symptoms to look out for. She explained how people from the Exxon Valdez spill had gotten really ill, that this was not a game or something to take lightly, and that we should demand respirators for the cleanup workers.

At one point during the talk Riki said that the Exxon Valdez workers got sick, and then she jumped to a different topic. I raised my hand and asked her, "Well, what do you mean they got sick?" She started to explain the things that they ended up with and the medications they ended up on. It's in the film *Black Wave: The Legacy of the Exxon Valdez*. She gave us a copy of the documentary and we took it home and watched it. It shows former Exxon Valdez workers with pill bottles all over the counter. I began to realize this isn't a quick death or something that you are going to die from in five to ten years. This is going to be a long, drawn out, medically expensive ordeal. I knew early on that BP, the contractors and the government weren't going to be providing respirators because none of the workers were wearing them. I have been pretty good at convincing people to do what I want them to do in my life, so I decided to get involved.

Right after meeting with Riki, on the ninth day of the cleanup I went out to Breton and Chandelier Islands with a camera documentary crew and a local charter fisherman. That's where

we first located dispersants, and then the first area that we located oil was about 15 miles from the islands. You can clearly see where the plane comes through and the strips where they sprayed the dispersant. There is no oil 15 miles anywhere in the area; it's just dispersants in the water. My friend Sarah Cury had a friend who worked at Louisiana State University (LSU), so we took samples of the dispersant in the water and Sarah took them to LSU. Shortly after, we heard announcements that LSU was getting a lot of money and around the same time the samples disappeared. Sarah kept trying and trying and trying and trying to get a hold of her contact that she provided the samples to, but there was no response. This stuff got sticky quick; people were spooked, I guess.

#### 4. EVACUATE THE VULNERABLE

After Hurricane Katrina, I had to live separate from my husband with my children. He came to Venice with a camper trailer. We were under martial law. At 5:00 pm there was curfew; no one was allowed to be on the roads. Emotionally we went through a lot. When you separate a family that is used to being together every single day - I fished with David every day for two years before we had Aleena - it really does something; I don't know how David and I are still together. Once I started researching the health problems associated with the dispersant that was being sprayed, I realized that at some point I was going to have to take my children and separate them from their dad. Aleena was already starting to break out in rashes (detailed below). I knew David wasn't going to leave; he was trying to get a job on the oil spill response, and I understood why. We had a family to look out for and figure out what we were going to do, and there was an opportunity to support us.

From May through mid-June I would wake up every morning crying because I knew I was going to have to leave, and then I would finally get mad. I would stop crying and go out and do what I had to do. Then, at night when I slowed down I would cry again, because I knew we had to leave. My friend was expecting a baby, so I sent her a lot of literature about the public health threats from the dispersant, anything I could get. I didn't want her on the Gulf Coast while she was pregnant. She was high risk and miscarriages were occurring more frequently during the oil spill, so I was persistent about her needing to leave. The second week of June my friend called me. I was standing on a dock waiting to board a boat to Barataria Bay. She said, "I'm taking my girls and I'm leaving." I said, "Can you do me a favor? Can you go to my house and get my kids and take them with you?" That was the hardest decision I have ever had to make in my life, but I knew at that point in time I couldn't leave. Because of the role that had dropped in my lap, I felt a responsibility to the people in my community.

My friend went to my house, packed up my screaming children, forced them into her car and left. David and I fought about it the whole night. He was really upset with me that I didn't leave with them, but there were several reasons and I felt I could send them with her and they would be ok.

People don't realize what kind of problems a disaster of this scale causes. I felt so torn over it, but so obligated to my children's wellbeing that I felt they needed to leave. I wanted to send them to a healthier environment even earlier during the spill, but we couldn't afford to.

We were in a trailer in Venice at the time of the spill. Katrina destroyed our home, but we didn't settle with our insurance until August 2009. Right before the spill happened we bought everything to reconstruct our home. Then BP happened and it shut the project down. David has been working on it for six years, and redid it completely. We were finally able to move back this summer and now we need to sell it, because we can't stay in this environment. We still aren't over Katrina; we still have stuff we're rebuilding. I had a BBQ restaurant, and we built my restaurant twice in two months. Because of the seasons I would only open it from the beginning of May until the second week of October after 2009. The first three years after Katrina was a false economy, because we had all of the cleanup crews and people rebuilding in the area. After Katrina, I realized I could open it in mid-March and close in mid-October, make good money, and then be off most of the winter which freed me to be mom during the winter. So I had the best of best worlds. The restaurant didn't pay my bills; it allowed us to go on vacations, shop and so forth.

After the spill, I had a choice. I could either pay that month's bills or I could stock the restaurant. I decided not to stock the restaurant; I left it closed. It is a good thing I did, because my mom manages the restaurant. I had to evacuate her with my kids the second time that my kids left Venice. My mom is 58, and she couldn't breathe after they started spraying the dispersants. During the spill, when we walked outside of my house in Venice, 50 feet from my front door there was a gray haze from the top of the trees to the ground. She lived in a FEMA trailer, and it was around 200 feet from her dwelling to our mobile home. She would walk into the door and be completely out of breath, heart racing, sweating and completely white in the face. Before the spraying started my mom was working hard and was generally in fine health. She smokes, but she used to go back and forth to my house 20 times a day and would walk perfectly fine without breathing problems. She's not the only one; there are other adults in our community who had no problems before the BP disaster and are now on rescue inhalers

My friend that had our kids went into premature labor after only having the kids a few weeks, so I picked up the kids on July 4, 2010 and came back down to Venice with them. I only remember it was July 4 because as we were driving down the road, BP was throwing a big firework display at the local lodge for BP personnel, contractors and responders. They also invited the local public. Five days later I called our timeshare and said, "Where do you have a condo that you can send me?" On July 9 we pulled into Branson, Missouri. We stayed for a week, and then I called the timeshare again and asked, "Where can you send me?" We had enough money for gas and food. I had no choice; my mom couldn't breathe and my daughter was breaking out in rashes, so I left. Within a week of leaving Venice, my mom was fine. Every time I took Aleena out of

Venice her skin would clear up. Then when I brought her back, she would break out in a rash again. She had little red dots, some were bigger than the others but it looked like something bit her. When it first happened I didn't think too much about it, but it was all over her torso and not on the bottom of her legs or her arms where a mosquito would bite.

The first week of the spill, we weren't knowledgeable about what was going on and I still let my kids go outside to play. Then by the end of the second to third week I had read enough and started to get concerned. I put the bikes in the shed and drained the pool. When I found out chlorine was a binding agent with other chemical compounds, I decided it wasn't a good idea for the kids to swim. I basically locked them up in our mobile home. [PlaqueminesParish.gov](http://PlaqueminesParish.gov) would send out automatic emails for the air sampling. The emails said "unusually sensitive people should refrain from exertion." At the local town hall meetings officials told us to stay inside and turn our air conditioning on recirculation.

##### 5. OFFICIALS WARN, "STAY INSIDE, BUT EVERYTHING IS OK"

On May 13, 2010 in Port Sulphur, Louisiana we met with Darryl Willis, BP's public relations spokesperson for the spill, and representatives from the Occupational Safety and Health Administration (OSHA), the National Oceanic and Atmospheric Administration (NOAA), the Environmental Protection Agency (EPA) and the Coast Guard. One of the representatives told us to refrain from exertion if we got headaches or nausea. I asked, "How do we do that?" AC Cooper asked the same thing. We, the community, were really upset at that meeting.

At the meeting I asked Captain Stanton with the Coast Guard, "Don't you think the squalls forming over the Northern Gulf are going to pick up some of these chemicals, bring them inland and dump them on people?" He replied, "Oh, no, we're not spraying anywhere within 30 miles of land. We're spraying 30 miles and further offshore." We know they sprayed closer than that. But it wouldn't matter anyway if they were only spraying 30 miles out, because the rain clouds form over the northern Gulf outside of the peninsula during the mid-summer and into the fall; anything sprayed within 70 miles of the coast could be swept inland. We warned the representatives that we would be exposed to the pollutants from the spill, and they were less than unconcerned. At that meeting I was in tears, I feared for my kids. I came to the realization of how bad the situation was and that we couldn't rely on our government or the responsible party to recognize the problem, much less respond. When I walked outside Channel 10 asked me, "What are you going to do?" and I said, "I guess I am going to have to get my kids out of here, I have no choice."

My best friend's six-year-old went to the beach in Biloxi in 2010. The commercials said, "The beach is fine, you all come down." Four days after they left the beach her daughter slowly broke out in blisters all over from her knees to the ends of her toes, between her fingers and the mid-

section on her arms from right behind her wrist up to the middle of her arm. She still has scars all over and broke out in blisters all over her face. She had a pre-existing skin problem. The people who have pre-existing conditions seem to be ten times worse than anyone who was what I would call normal before this happened. That's the thing; parents knew their children's health, and for us all to be talking now and seeing the same problems after the spill is alarming. When the kids went back to school this year they were breaking out in the same rashes, over a year and a half later.

## 6. KIDS SICK, CAN'T GET TREATED

Frank Wesley, the national director of The Children's Health Fund based out of New York, came to speak with our community after the spill. During his visit another resident and I pushed for a medical unit. After the spill a lot of people lost their livelihoods, and a lot of people never got hired for the cleanup, so their income was shut down and I was concerned that a lot of parents would not have the money to see a pediatrician. In Venice, it is a seven and a half hour round trip to take a child to see a pediatrician because the closest one is in the West Bank across from New Orleans. Once you arrive, you have to sit there for three hours in our pediatricians' offices because they are all overbooked since Katrina. The gas is expensive and time adds up. I was concerned that a lot of people would have to make the choice to not take their child to see a physician because they were not in a position to pay for it.

After the Children's Health Fund investigated the situation more, it brought in a pediatric medical mobile unit in Port Sulphur in October 2010. They started examining the kids in the community, having meetings with parents, and realized there was definitely a need for a medical unit to examine and treat the kids. When Frank visited he conducted a tour of the schools and met the principals. When he went to Boothville Elementary in Plaquemines Parish and they opened the medical closet, it was full of nebulizers. A nebulizer is a device used to administer medication into a mist, which is then inhaled into the lungs to help with breathing. We have 400 children in Boothville Elementary. How many nebulizers should we have? Where's the red flag? What is causing that many breathing problems with that number of kids? That is abnormal. At Boothville Elementary we have sick kids all over the place who are suffering from upper respiratory infections, severe asthma, skin infections, blisters in between their fingers and arms and on their legs and their feet. Some kids have blisters all around their mouths and their noses. These kids were perfectly fine before the spill and the spraying of Corexit began.

We went to the EPA, we went to the Food and Drug Administration (FDA), we went to Gulf Coast Claims Fund Administrator Kenneth Feinberg, we went to BP, we went to our local officials, and no one cares to admit just how bad things really are. We were glad to get the medical mobile clinic, and I even went to the ribbon cutting. However, I spoke with Frank early on about the need to put the unit on the front road where people could see it so that it would be

utilized. It wasn't being utilized for a long time, because they first placed it on a back road and parents didn't know about it. Now the medical unit pulls out in front of the school.

I will go through a few examples to demonstrate the scope of the problem, but there are many more. One of my neighbors has two grandchildren that she has helped raise. Both ran sports and were perfectly healthy before the spill. Now the oldest child has heart palpitations and his heart races. He has chest pains, and the younger one has bald spots all over his head where his hair is actually falling out, and he has frequent nose bleeds. In another family where the grandmother has raised her three grandchildren, the eleven-year old was just put on medication because she couldn't stop throwing up. The doctors can't figure out what is wrong with her; it's been going on for months and months and months since the spill. They finally put her on some kind of stomach medication to control the nausea. The middle child is four years old; he has blisters from head to toe and upper respiratory infections. Before the spill, he was on antibiotics once in his entire lifetime. Since the spill he's been on antibiotics fifteen times.

My nine year old Aleena was a healthy, beautiful, vibrant, straight-A student, great kid. Now she is constantly sick, but in the last two months it has subsided some and I finally am at the point where I can talk about it. So far my six year old isn't as bad as her, but he's sick on a more regular basis than what he was before this happened. The government reported that the oil was gone and that Corexit had not been sprayed since July 2010. We believed them, so we brought Aleena and David back in August 2010. She has been sick with high fever, upper respiratory issues, and sinus infections every four to six weeks like clockwork, from September 2010 until two months ago. Now she complains every day and every night that her stomach hurts, "Mommy I'm nauseous, I feel like I'm going to throw up."

They gave Aleena treatment last week at school, because she had an episode; she could not breathe due to the chest pain. She went from perfectly fine to getting winded and chest pains from limited exertion. One day she took off trying to fly a kite and dropped to her knees with chest pains. We were in a Girl Scout trip in north Louisiana in March 2011. These were flat roads, and we were just walking. She started having chest pains 15 minutes into the hike. The doctors have her on Flonase to treat nasal congestion and a rescue inhaler. We finally had her diagnosed at Children's Hospital. They ran an EKG, which is a test that checks for problems with the electrical activity of your heart. It came back abnormal, so they called us back to see a pediatric cardiologist.

The cardiologist did the ultrasound on her heart and lymph nodes. A week later they called and told me she is ok. As far as her heart, they don't know what the chest pains are due to and want to send her to a pulmonary specialist. Last week when she had the episode at school I brought her into the mobile medical unit. The doctor said he doesn't think it is asthma. He thinks it's an anaphylactic reaction, which is a life threatening type of allergic reaction. However, months ago

when I took her to him, he said it was anxiety attacks. A lot of people in my community are having breathing problems since the spill, however, the doctors keep saying that it is due to anxiety attacks. If they are having stomach issues and throwing up, the doctors say it is acid reflux. If they are having skin issues the doctors say it is scabies. Aleena's breathing problems and chest pains may not have anything to do with BP, but it seems awfully convenient to me that she has gotten so ill repeatedly since I've brought her back to Venice. The doctors around here don't make a connection, though.

## 7. BP AND GULF DOCTORS IN DENIAL

Originally we were told and it was announced in the media that a medical mobile unit, separate from the pediatric mobile medical unit, was being brought into Venice by Health and Human Services (HHS). The media and local politicians announced that it would be for residents and workers. People who used it had to be triaged and sent in to see their doctor behind a security gate with BP security officer's line. The medical mobile unit was located in a BP compound.

In mid May 2010 I began breaking out in bumps that would turn into skin lesions. It continues to this day, though it is not as bad now. Two skin disease doctors told me it is staph, but the doctors at local medical clinics and at the medical unit insist it is scabies. I've been in Venice most of my life and scabies don't run rampant down here, yet the local doctors and medical unit continue to diagnose people with scabies. If it is scabies, it isn't BP's problem because it is a parasite. It started in my eyes in the middle of May 2010. It went from my eyes to little blisters on my neck, my chest and my shoulders. Two months later, at the end of July I woke up and found three knots in the back of my right leg. Within 24 hours it was nine knots and within 48 hours it was 27 knots. .

On July 26, 2010, the second day after I broke out with these knots on my leg I went to a skin disease specialist in Hammond, Louisiana who diagnosed me with staph. I asked the specialist "Can this be from scabies?" because I wanted to get rid of it. It was horrible huge holes. He told me, "Kindra, you don't have scabies." I asked, "How can you be sure?" He showed me a book with an adult's arms that show where the scabies looks like something goes into the skin and makes a tunnel. Later I went to an infectious disease doctor in New Orleans because I needed surgery on my back, and I had to be cleared for the staph before the surgery. They said it was staph too, and that it couldn't have anything to do with scabies. I had two specialists telling me it was not scabies at the same time people from our area was breaking out in the same type rashes and being diagnosed with scabies.

On July 27, 2010 I was in the heat all day passing out gift cards to people who didn't have a job and needed food money. By 5:00 pm I went to my house in Venice and told my husband something was wrong. I asked him to pull my jeans off because it hurt, and there were 27 knots

when he counted. The knots were really hard. The biggest one went from the tips of my fingers to the back of my palm, and was on the very top of my left leg right below my buttocks. It was horrible, the worst thing I've ever had to deal with. I have had adult acne since I'm 19. This is nothing like acne. It was so painful, and still is. When they first started there was no break in the skin; I thought something bit me, just as I had thought with Aleena at first. They itched and were the size of a green pea, but by the first night the knots on my leg swelled rapidly and it continued to escalate.

The night that it turned into 27 knots I went to the Plaquemines Parish Medical Clinic in Port Sulphur. I asked for a white blood cell count, and to test my thyroid because I had lost 33 pounds in six weeks. The doctor gave me a shot of antibiotics, did tests, came back and told me, "You have scabies." I told her, "I don't have scabies. I am aware that you and the medical mobile unit that are behind secure lines down at the BP operation section are diagnosing people that have skin problems with scabies. That is why I went to a skin disease specialist in Hammond and was diagnosed with staph." I asked her, "Why are you diagnosing people with scabies? You're asking them to put 5 percent Elimite cream on their bodies which is a pesticide. They already have all of these chemicals in their body, and you are misdiagnosing them and treating them for something that they don't have, while not treating them for the real ailment."

I guess she was mad and decided to hit me in the pocket, because I went to check out and it was over \$290. I asked what the codes were for and the assistant said that it was a liver and kidney test, thyroid test, glucose test, and a test for bacteria in my blood. I had bacteria in my blood, but it couldn't be identified until it went to the main lab for further testing. They took all of these extra panels that I didn't ask for or authorize. The doctor came out after I questioned the charges and said to me, "You asked for the test; you get what you ask for," and walked into the back. It's an embarrassing situation when you pay a physician to do a job and they do something like that; I felt helpless. It feels like we've been scoped out and lied to, and at this point who can we trust?

When I got home from the clinic I soaked in two pounds of Epson salt and two pounds of baking soda and hot water, every two to four hours. It basically stopped the break out. When I got out of the bathtub I sprayed it with peroxide, then alcohol, then benodine and triplot antibiotic cream and covered it with big bandages for the seepage because some of the knots burst and big chunks of rotten meat came out. Once I started the baths I didn't break out with more. Then I broke out again with one knot on September 27, 2010. It was my husband's birthday; we buried his dad that morning, and I broke out with staph that night.

To this day, when I get the blisters on my shoulders, they are little blisters that come up and turn green within a couple of days and pop. When they pop sometimes other ones will break down around it and it gets worse. I usually wipe my legs all day long with alcohol. It hurts like somebody has really, really, really cut you or it's a burn, and it doesn't go away like a pimple

would. These little spots will stay on my arm for about four or five weeks until they will go away and then all of a sudden the other arm will pop up with them all over the place.

The workers had skin issues too, and breathing problems and headaches. My husband is 44 years old. He was perfectly fine before this happened; he was the type of guy who would get sick once every couple of years, and now he's sick all the time. He wakes up, and the first thing he says when he starts to get sick is "I'm dizzy." Since the spill he has had high fever and upper respiratory infections, to the point where his ears get blocked up and brown liquid starts flowing down his ears. I know of a worker who went blind, had kidney failure, was passing blood and had rectal bleeding, and a lack of muscle control. I know another girl whose face and hands began jumping after the spill, as if she had an involuntary twitch, but it was the muscle in her face and hands. Now it is common for people around here to have muscle spasms, and for people to hurt from head to toe for no apparent reason all of a sudden. I went through that right before I broke out in staph.

## 8. BP AND GOVERNMENT TOWN HALL

On May 24, 2010 we had a town hall meeting. It was announced that Captain Roger Laferriere would replace Captain Edwin Stanton for the Coast Guard. At that meeting I stood up and got into a combative conversation with an EPA representative. On May 20 the EPA had issued a directive to BP to consider less toxic dispersants than Corexit, so at the meeting I asked if the EPA now endorsed the dispersant? He kept trying to talk around the question and I said, "No sir, this is a yes or no answer. Does the EPA currently endorse this dispersant, or does the EPA not endorse this dispersant." I finally got him to say "Yes, the EPA does endorse it..." The crowd cheered, because it took about ten attempts to get him to answer the question.

Then the floor was handed to the BP representative and I asked him, "BP says that you are going to be in this long-term, what is long-term and are you willing to put it in writing?" He kept saying, "Well, long-term is long-term." I said, "No sir, is it going to be six months, one year, five years?" He said, "When the federal government tells us that we fulfilled our responsibility then that will be long-term, however, BP has many assets in the northern Gulf and we have been here for 30 years." I responded, "No sir, the federal government doesn't have anything to do with this. Our trip tickets will tell you when we can make 100 percent of our income; that is when your responsibility will be fulfilled." Then I talked to Captain Stanton a few minutes and asked him questions.

One of the community's main concerns has been the protection of our estuaries. A lot of people don't understand how important the estuary is. Estuaries are the kidney of the United States; it is where all the pollutants go through, and your estuaries clean all of that out before it goes into the Gulf or whatever body of water the estuary borders. There are tens and thousands of acres of

estuaries; it looks like a lot of water, but it's really a lot of land broken up. It's important for the whole Gulf because a lot of juvenile fish come into the estuary to mature.

After the spill, the local fishermen sat down with me and we took several nautical maps and said "OK, they have a lot of current that comes in and out of this pass for tide, no current here, this is closeable, this is closeable..." and marked up the map for estuaries that needed to be preserved. A week before the town hall meeting, in mid-May the oil was projected to hit the west side of the peninsula so several fishermen and I went out there. Within a 35-mile span, which is the distance of the coast line between Venice and Grand Isle, there was not one response boat or piece of boom. There was one spot with 150 feet of sand bags dropped off to close one gap. They had a month to prepare before the oil was projected to hit one of the largest estuaries in southeast Louisiana, and they did nothing other than place 150 feet of sandbags.

Toward the end of the meeting I was talking to Plaquemines Parish President Billy Nungesser, and Captain Laferriere approached me and introduced himself. He shook my hand and said, "You seem like you're really involved with your community, we would like to give you a citizens tour." I said, "Really, that sounds cool. Why don't you step into the backroom for a second? Since you're taking over, I want to show you something from our perspective." The Captain and Darren Angelo, Billy Nungesser's right hand man throughout the spill response, came in the backroom of the gym. There was no table, so I spread the nautical maps on the floor. I explained that we wanted them to close off as much of the estuary as possible to protect it from oil; we wanted them to close the whole coastline in that area. We knew that it was possible because we have seen projects of that scale take place; since Hurricane Katrina the government has come up with a lot of money and built levees out in the water along the coastline.

After looking at the maps, I also told the Captain that I knew people on the land and peninsula who were getting ill, and that there were several issues I wanted to address with him. He said, "OK, we want you to come down to our base of operations in Venice and meet with our lieutenant commander and we'll move forward from there, but we definitely want to put you on a chopper and give you a tour." I guess at that point he didn't realize how much of this area I really do know, because he tried to send me locations that were not heavily impacted by the oil spill.

## 9. VIP ACCESS AND BP OPERATIONS

After the town hall meeting my family and I were gone for six days. We returned, and the first week of June 2010 I went down to the Operations Section on Coast Guard Road in Venice and met with Coast Guard Lieutenant Commander Pat Eiland for the first time. He brought me into the office and told me I needed to come down the next morning at 10:00 am to the local heliport in Venice to meet him to have my first flyover. I asked if I could bring a video camera and camera, and he said yes. He brought me out there, put me on as a "BP Volunteer and Operations

Section” and gave me an ID card. I didn’t know if I was legally bound; I was not fully informed at that point, and I didn’t really know what was going on.

They flew me out of the west side of the peninsula over Barataria Bay. What they didn’t realize at the time is my husband was not just a bird boat; David was *the* bird boat to pick up oil birds. He had a 34 foot crusader with tarp pulling in from the front of the cabin all the way to the stern, so the veterinarian liked his boat for bird transport. The whole thing was covered and the veterinarians would not put the birds on anybody else’s boats. The little boats went out and caught the birds, brought them to the veterinarians in Grand Isle, and then David went and picked them up with his boat and brought them to Port Sulphur. When he went from Venice to Grand Isle he would come through the Gulf side if it wasn’t rough, or else he would have to go through Barataria Bay. The day before I flew, it was rough and he went through Barataria Bay. The next day when I flew there was response everywhere; boats everywhere, boom everywhere, people everywhere. I later found out that I flew at 10:00 am that morning, and President Obama flew at 2:00 pm that afternoon.

The day after I flew, it was rough and David had to go back to Barataria Bay. I asked him “What is the clean-up response in Barataria Bay look like today?” He said, “Kindra, there is no response.” The day before President Obama flew and I flew, there was no response as well. I had an open door invitation to go into the 8:00 am meetings at the Venice Operations Section. At the morning meeting they discussed logistics for the following 24 hours. I observed that the meetings moved really fast and there were a lot of people crammed into one room. There was a u-shape of tables put together; two on each end, the long white six-foot tables and then a table in the middle. There were representatives from BP Logistics, BP Safety, Plaquemines Parish, Plaquemines Parish Sheriff Office, EPA, weather monitoring, several Coast Guard members, HHS, contractor bosses, what seemed to be all of the head honchos.

The first time that I met with Lieutenant Commander Eiland I went to the morning meeting and they were showing me all of these maps on the wall. Then this young Coast Guard member walked in, threw his hands up in the air and shouted “Ponies and Balloons, Ponies and Balloons.” When he turned and noticed that I was sitting in the other chair, he had an awkward expression and quickly walked out. I did not understand what he meant by Ponies and Balloons, until I witnessed the staged response for President Obama’s flyover the following day. You stage a response on the ground, a politician flies through and says “good job fellas,” flies out and then they pick up the operation, move it somewhere else and continue to spray the area with dispersant, rather than mechanically clean the oil through boom and skimmers.

After the first helicopter trip, I asked Lieutenant Commander Eiland, “Do I have to keep these photos and video to myself, or can I give them to anyone?” He said, “Kindra, I don’t care what you do with them.” I was like, “Hmm, well maybe this isn’t such a cover-up after all.” I left, and

that night Captain Laferriere called me and asked “Hey, how was the flight?” I said “The flight was good, but I know this area Barataria Bay is a very small part of it and I know what your aim is.” He replied, “Really, what’s that?” I said, “Your aim is to convince a community member that you guys are doing a superb job. The only way you are going to get me to convey that back to our community is if you show me the entire situation. I want to see it all.”

Throughout June, 2010 they granted me clearance, and basically anytime I wanted a boat, I got a boat. If I wanted to get on a chopper, I got to go out on a chopper. At one point I got in a Coast Guard plane with a media tour and flew out to the Deepwater Horizon and viewed it. For the most part, they tried to do the things that would appease me. The boat was the easiest thing to get. Usually I would have to wait a few days for the flight, and I would have to have a special Coast Guard escort with me everywhere I went.

During the first few weeks that I was in there, I was quiet. I felt like it was a learning experience and I needed to keep my mouth shut; be like a fly on the wall and not say anything. I was just learning their process and what different terms meant that they would say. However, the more I saw, the less likely I was to be an “appeased community member.” I was disgusted by everything I was seeing. After about a week into my access, I was very disappointed. During the flights I didn’t see any hard boom. There was a little absorbent boom that was rotten and broken loose. From what I saw, the boom was never positioned where the oil was hitting. These were huge bays with some scattered boom and about 10,000 feet gaps in between these pieces of soft boom. It was so pathetically handled that it’s not funny. Everything that I saw when I was out there was ponies and balloons, a big show for the politicians. It was a show for the media as well; BP set up a spot at the end of South Pass, Louisiana to take the media. A lot of the pictures look the same because they were all staging areas that BP would fly media over and take them to. I was taken there once, and I asked not to be brought back again.

## 10. INCIDENT COMMAND POST Q&A

I went to one meeting at the Houma Incident Command Post. We flew out of there to go to the Deepwater Horizon site. Before the meeting, I had a two-hour conversation with the Coast Guard Deputy Safety Officer. I asked him about the use of respirators for workers, and he told me the following key points: A respirator should be used as the last resort; if workers start to feel sick, evacuate the area and also request evacuation of the area; air monitoring is being done and the tests are coming back well below dangerous levels of volatile organic compounds; if workers to get respirators, they have to first fill out OSHA medical questionnaire; everyone filling out the questionnaire, before they can retain a respirator, had to have an evaluation with physicians; physicians were only looking for healthy people to wear respirators; lungs may be compromised; it is hazardous to wear masks; and asthma patients, people with chronic obstructive pulmonary disease (a type of lung disease), emphysema and enlarged hearts couldn’t wear respirators. I

asked him about OSHA's right to wear voluntary respirators. He said, "Without the air sampling exceeding the limits, the workers still fell under BP's rules. As long as BP says they can't wear respirators, then they don't have a job if they wear respirators."

Two days later I went to the Incident Command Center in Houma. When I first went in, they had to give me my Operation Section Clearance. However, the Coast Guard Deputy Safety Officer was assigned as my escort around the facility, and when he looked down at my ID he said, "Operation Section? You don't have to have an escort, you can go anywhere." I walked off and started looking around. I didn't know what I was looking for, but I was trying to obtain whatever information I could. I toured the facility and went out to get on the plane, but my escorts weren't ready to meet so I toured the facility further. Most of what I observed was just crazy numbers and a lot of maps all over the walls.

I met with my escort, BP safety officer Rusty Thibodaux and OSHA representative Dean Wingo. I sat down at a table with them that evening, and went over the same health concerns that I discussed with the Coast Guard Deputy Safety Officer a few days earlier. Every time I asked a question, depending on who the question was about, one of them would pop in with a response. They were polite, and we sat there for a while discussing my concerns, but we did not get anywhere. The OSHA representative wanted to know, "If your kids are breaking out in rashes and children and adults are having respiratory issues, for the rashes have you guys changed your laundry soap, etc." I said, "We've changed nothing. The only thing that has changed in our environment is BP." I discussed the fact that when we come out of our front door, there is a gray haze from the top of the trees to the ground. I said, "Something is not right."

I went to our local representatives Billy Nungussar, Marla Cooper, the EPA representative, BP's offshore head of cleanup Fred Lamond, and Lieutenant Commander Eiland, about the health of pregnant women, children, the elderly and anyone with a preexisting condition. I got next to nothing back from BP and the government, other than explanations for why they were taking the approach they were, and not evacuating people.

I asked Lieutenant Commander Eiland over and over again, "If you lived here, would you evacuate your family?" He said, "Well, Kindra, I guess that I'm not in that position so I can't make that choice for you." I asked him, "Well, what should I do? What would you do in my position? Talk to me, tell me." He always diverted, did anything he could do not to talk about it, and then something happened. The day after I evacuated my kids the first time I had to deliver paperwork for a special boom to the BP Operations Section. The problem with boom is that it is never high enough and the skirts are never long enough. I found a system where the boom sits three to four feet off the water; it is filled with the same foam that the unsinkable boats are filled with. The skirt can be 12 to 16 feet long, and it is linked together with cable and anchored down with really heavy anchors every 12 foot links. I found a man in Florida who sold this stuff; what

I call super boom.

The man who sold the super boom drove from Ft. Lauderdale to Venice, and I drove him to the BP Operations Section, walked in, and met with Lieutenant Commander Eiland, BP's Mr. Lamond, and two contractors I wasn't familiar with. They looked at the product in the parking lot and agreed to buy 3000 feet of it for a trial, at \$75 a foot. I was responsible for bringing the documentation back to Lieutenant Commander Eiland, so that they could handle the paperwork with BP. I looked at him and said, "I evacuated my kids yesterday." He looked at me right in the eyes and said, "You are smarter than the average bear," and went right on to talking about something else. What did they know that we didn't know?

## 11. LESSONS LEARNED, CONGRESSIONAL BRIEFINGS

I've been burnt plenty of times over the years trying to work with difficult people, but I've opened my door and worked with just about anybody who walked through it. All I wanted was for the truth to come out, and that's all I still want; to hold BP accountable and pay the people who were hurt, take care of the people who were poisoned. What have we learned as a country from this situation moving forward? The Norwegian company that investigated the blowout preventer found that it is engineered to only work 65% of the time. When I went to Washington, DC and met with congressional members and participated in a Senate briefing, that was one of the issues that I brought up repeatedly, "How can we move forward using the same blowout preventer in future leases and drilling? Why can't we newly engineer a blowout preventer and minimize that 35 percent gap with the technology we have?" They are using a blowout preventer that cannot withstand the pressure, but they continue to use it because it meets industry standards. The standard needs to change. In response, all I have gotten from officials is some variation of "protect the oil company, protect the oil company."

I went to Washington, DC for a Congressional briefing to meet with elected leaders, including Representative Steve Scalise (R-LA), Representative Jeff Landry (R-LA) and a few Senate offices. I walked into Representative Landry's office with Ryan Lambert, Vice President of the Louisiana Charter Boat Association, and Regan Nelson, a Natural Resources Defense Council (NRDC) lobbyist. The Congressman was late for the meeting, then all of a sudden he blew through from his office into the foyer area into the other office and slammed the door. A few minutes later he came out and said, "I'm real sorry you all, I have a committee meeting to go to, I won't be able to sit with you today." As he turned, our eyes were locked and I looked at him and said, "Congressman, I flew all the way here from Venice, Louisiana for five minutes of your time. I expect five minutes of your time." He looked me and said in a loud voice, "You have five minutes."

We walked into his office, leaned on his desk, crossed his arms and bowed up at me. I said, "I

know you're a busy fellow, I appreciate your time and I'll make this as quick as possible." That's all I got out of my mouth before he started screaming at us and talking about how educated he was. Then he started telling me all this stuff about the history of oil companies and the mistakes they made and that everything was still fine, including the shrimp. A few times I tried to get my point on the blowout preventer in and the importance of making sure the fishermen got paid and others who were affected, but he just kept screaming at me. He also kept pointing his finger at Regan and said to me, "You come in here with these people trying to shut my oil industry down; I don't think so."

I looked at him and finally said, "Congressman, why are you screaming at me?" When I said that I felt my voice crack and he continued raising his voice. I finally said, "That's it, I'm done" and I went to walk out the door. He said, "Oh, no man" and I said "Yes, sir" and slammed his door. It sounded like a bomb went off; I made sure it was loud, I was mad. We had the Senate briefing that morning and everyone was civil. I cried through the earlier meeting because they showed the StoryCorp video that NRDC helped produce with of all of my friends and family in the Gulf who were torn up and sick, and of the fish dying.

## 12. WHOLE WAY OF LIFE AFFECTED

This isn't just about money for us. This isn't just about an income. This is a whole way of life; we depend on the Gulf for everything. We depend on the Gulf to water our plants, we depend on the Gulf for our recreation, we depend on the Gulf for our income, and we depend on the Gulf for our social life. People go all over the place on the fourth of July. However, we would always go up to a private beach that no one can access unless they have a boat and know how to get there. It is all locals, and we set up tents and fires and BBQs. Before the spill we did everything on the water. We can't do that now.

My family and I have gone to check out the fisheries in North Carolina, because we are hoping to move. Normally we would stop in Destin and the Emerald Coast in Florida, but we spent all of our time in North Carolina. I'm torn, I don't know what is and isn't safe and I can't trust anything that our government says. I am a very different person than I was a year ago. I used to think that we could pay our taxes, work hard, be productive members of society and raise our children to be productive members of society as well. We would work hard and be able afford to give them something we never had. David and I both came from nothing; we built everything we have, twice in twelve years.

## 13. CONCLUSION

Given the state our government and society are in, how are we doing our part to raise our kids to be productive members of an unproductive society? I feel obligated to do whatever I can do to

try to make some kind of change but before the spill I had no clue how bad things were; I thought I lived in the best country in the world. I still think that to a large degree but the politics are so corrupt.

I don't want to be in Venice anymore. Everywhere I go people call me the BP kid or the BP girl, "Hey, what's BP doing today that you're pissed off about?" After fixing the house, now we have to sell it, because I can't stay in the Gulf anymore. I don't want to sell seafood; I don't want to sell a product that I won't put in front of my own children. I cannot see staying here waiting for things to completely fall apart. Hopefully the Gulf will bounce back, but as oil spills continue I just don't see how it is possible. I hope that this never happens to a community again. Change must happen.

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AFFIDAVIT

My name is Lorinda ("Lori") Bosarge. I am submitting this statement without any threats, inducements or coercion, to Shanna Devine, who has identified herself to me as an investigator with the Government Accountability Project. I live in Coden, Alabama (AL), which is a quarter mile from the shore of Portersville Bay about 100 miles from DWH.

In August 2010 I was sprayed by the dispersant Corexit, in Bayou La Batre, AL at the boat wash decontamination booth. The mist came off the sprayers as the wind blew from the Gulf. In September 2010 my health began to rapidly decline. Chemicals from the crude oil and Corexit were found in my blood. Most doctors that I spoke with couldn't figure out what was causing my health problems. An infectious disease (ID) doctor explained to me that there is not enough information about Corexit to conclusively say that it is the reason for my symptoms. However, a kinesiologist and naturalist doctor later attributed my health to chemical exposure from the spill.

Health problems are widespread throughout South Mobile County, but people are not receiving help. I am not from here, but I have lived in the house my husband grew up in for 11 years. The people keep to themselves; they are humble and proud, but they're being treated wrong. I am providing this statement, because I care about people's health and if I have information that can provide answers for those in my community who are suffering, I want to share it.

1. BACKGROUND

From May through August 2010 there were five airboats with dispersant tanks that would run up and down the Bay from Bayou La Batre to Dauphin Island, AL. I could hear the boats from my house. They would stay far enough offshore so that you couldn't see where they were spraying the dispersant, but you would smell the sweet citronella chemical smell. As I stood on the Coden waterfront my throat would start closing up. We would notice this black saw dust looking stuff, and a whitish foam would wash up on the shore hours after they would spray.

Another unusual thing I noticed is that from May through September 2010 in the Bayou we did not have mosquitoes, yellow flies or gnats. In our area we have these pests daily, but much worse in the summer. We never left our doors or windows open, but we could tell when there was a southwest wind because the strong smell of the crude oil and dispersant would seep into our house. From May through October 2010 C130 planes and big green military choppers, usually two planes at a time, would fly very low over our house above the tree tops. On August 21, 2010 I was sprayed by the BP decontamination boat wash in Bayou La Batre. The wind came off the Gulf and the mist from the decontamination booth covered my face and arms. At the time I wasn't too concerned and did not think it was dispersant, because we were told that the Corexit wasn't being used as of July 2010. However, by that afternoon my face was red as if I had been sunburned.

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Before the spill the only planes we used to see were small private ones or planes going to the oil rigs. Smaller aircraft continue to fly over frequently and run grids over Portersville Bay at night. I have been told by two individuals that ~~periodically~~<sup>once</sup> in the past six months they have seen a big aircraft flying with no lights on, with a smaller craft with one red light on following very low flying east to west across Portersville Bay. They usually go out in the evening and return a different route.

Before the spill my health was generally fine. I once had vertigo in 1992 after an ear operation, and one other time I had an allergic reaction to Monosodium glutamate (MSG), but that was the extent of it. Then I started to get vertigo in September 2010. The vertigo comes and goes even now in 2012, but it hasn't been as severe as in 2010. In October 2010 my left eye started running. There was no itching, it wasn't like pink eye. I would put saline drops in it and keep it washed out. Then from October to November 2010 I started breaking out in hives, mainly on my face, including my mouth and lips. At first I thought it was due to something I had eaten, but it would come out of nowhere. I would get dizzy, lightheaded and experience short-term memory loss. I would be at an interview talking about my health symptoms, and my mind would go blank.

Since I was sprayed in August 2010 I have developed sensitivity to regular smells, like our Lysol house cleaners. I have used Dial soap since I was a baby, and I can't use it now. It causes my throat to close up like an asthma attack. In January 2011 there was a meeting at the Coastal Response Center in Coden, AL. I listened for two hours and took notes, and I drank two bottles of water. When I went to leave, I couldn't talk; my throat was almost completely closed up. However, I wasn't aware that my throat was swelling up, because it has never happened to me before. I went home, took Benadryl and kept drinking water and juice. I survived the night, but remained hoarse for about two weeks. My health issues sometimes just level off. I may have the fatigue, and the dizziness remains. I don't use drugs or smoke, but it's almost as if you inhaled helium and feel light headed.

## 2. BLOOD TEST

In November 2010 I began looking for a doctor in Mobile County who would run the Volatile Solvent Profile test by Metamatrix Lab. The test identifies levels in the blood from chemicals that are found in the crude oil and dispersant from the spill. I called the Local Bayou Clinic, and they told me they didn't do the lab work. I called Mostellar Medical Clinic in Bayou La Batre, and they told me that they did not perform that blood test. I called the Mobile Health Department and asked them if they were treating people for chemical exposure from the oil spill. They acted like I was from a foreign planet and said they were not treating for this, as if they had no idea that the chemicals from the oil spill were affecting anybody's health. I had hit another wall; I couldn't locate any doctors who would run the test.

In January 2011 I sent a letter to Alabama Governor Robert Bentley requesting help in Bayou La Batre for awareness of the chemical toxins and treatments. I also stated that I was concerned that

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the insurance did not cover the cost of the Metamatrix test or treatment. From what I understand, the only way to treat for chemical toxins is by natural detoxification, which is not covered by my insurance. During the summer of 2010 there were at least 200 to 300 small boats from Coden and Bayou La Batre to do spill cleanup on a daily basis. I was very concerned about sick workers not having access to medical treatment. In my letter to the Governor I pointed out that the local Bayou Clinic is run by Alabamian and U.S. Surgeon General Dr. Regina Benjamin. Dr. Benjamin is recognized for helping the poor and allowing people to swap chicken and shrimp for medical treatment if they can't pay. She stood down here, day 52 into the oil gusher, and publicly stated, "I am the voice in Washington DC for the Bayou." To my knowledge, the Bayou Clinic is not providing the test, and there is still no treatment for chemical exposure in Mobile County. I have never heard back from either of them.

On February 15, 2011 I went to Atlanta, Georgia to see my grandchildren. I was gone for ten days, and during that time I did not experience health problems. I came home on February 25. It is hard to believe that chemicals can do to the body what I am going to describe. However, I have read about it and understand now. When I woke up the following morning I had a severe cough with bloody mucus balls larger than the size of a quarter. I was wheezing and could barely talk. I started to run a fever as well. It was Saturday, so I knew that my only option was the Emergency Room (ER). I also knew that they were not going to consider my chemical exposure, so I held out until Monday. I know people in this area that have had these health problems, too, and the hospitals have not been responsive to discussing a possible connection to toxic exposure from the spill. Folks would tell me that the doctor would tell them they have an upper respiratory problem, give them antibiotics and steroids and send them home. I had heard this time and time again by people on the coast.

Throughout the weekend I continued to cough up the same stuff. Oddly, it went on for two weeks and I went through nine boxes of tissues. Usually when you have a sinus infection you blow your nose for two days, and it becomes sore and red. However, my nose never chapped or dried, and my throat never got sore. I simply ran fever. I have since learned that this reflects the way the chemicals attack your body organ, compared to a regular infection. This was explained to me by a doctor who has an understanding of toxins. She explained when the chemicals get in your bloodstream it usually attacks a weak part of your body and continues to violate all of the organs. Also, once it gets in your fat cells it is also dangerous. This is what I'm suffering with now. Since October 2011, only natural homeopathic treatments have helped mitigate my symptoms.

Instead of going to the ER, I went to the website for Project Gulf Impact, and found a list of doctors in the Mobile area who perform the Volatile Solvent Profile test. On Monday, February 28, 2011 I started calling the listed doctors. The first doctor I called had retired. The second doctor I called had answered her cell phone, but she had closed her practice and was working at Charity Hospital in New Orleans. The phone number was disconnected for the third doctor. At that point I was panicking, because I was concerned there were no doctors that I could go to. The

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fourth doctor was in Gulfport, <sup>MS</sup>AL which is about an hour away. I spoke with his receptionist, and she said, "I am so sorry, we can't help you. The doctor has fallen ill and is closing both of his practices at the end of March." I hung up the phone and just felt alone. It was overwhelming, because I knew this was not a normal case.

Finally I found another doctor in Gulf Shores, AL that did run the Volatile Solvent Profile test. It was 75 miles one way and my husband drove me the same day I inquired, on February 28. They told me I would have to pay for the test up front because insurance does not cover it. It was \$314.00. My insurance is Blue Cross Blue Shield, Individual Blue, AL. That day my fever was almost 103, and the first thing this doctor ran was a flu swap. It came back negative. Then he did a chest x-ray and my lungs came back clear. He said, "Because both of those tests came back negative, you are a candidate for the Metamatrix test." The nurse drew ten vials of blood and as she was doing it, I could actually feel the chills leaving my body. I wondered if some of the toxins that were so built up were leaving me. The doctor gave me antibiotics and a puffer and nose drops. I was not aware the puffer was aerosol steroids. I have had instructions from a French cardiologist and naturalist who told me, "Do not take steroids if you have chemical toxins in your body."

Three days later my symptoms still weren't subsiding, so I took the inhaler and nose drops, which made the problem worse. My body was so exhausted I didn't even want to breathe anymore. When I had that reaction the doctor told me to stop the steroids. I was in really bad health after I returned from Atlanta, throughout March, 2011 and every since. It has been very draining. However, there were three days, March 14 through 16, 2011 when I actually felt ok. All of my flu like symptoms just stopped, but then they came back. Before the spill, I didn't have blood sugar issues and I was not diabetic. However, when the doctor did my other blood work in addition to the Volatile Solvent Profile test, I was diagnosed as diabetic. I told the doctor, my blood level has always been around 120 to 125, but it was skyrocketing then. He put me on 500 milligrams (mg) a day of Metformin, to treat type 2 diabetes. My blood pressure was up so I took something for that, too. Since going to the hospital (detailed below), I am taking 2000 mg of Metformin a day. Since beginning my detox treatments in October 2011, I have been able to reduce the Metformin from 2000 mg to 1500 mg, and the hypertension Licinapril from 10 mg to five mg.

In February, 2011 when I took the blood test, the doctor told me it would take two to three weeks for the results. After three and a half weeks I had not heard from him, so I called and inquired. The receptionist told me the test had not arrived yet. I waited another week, and when I called they told me it was not back yet. It was early April, 2011. At that point I decided to contact Metamatrix Lab directly. I emailed them and gave them my phone number, and I got a call back from them right away. They couldn't discuss my lab work, but they told me that it was sent back to the doctor ten days after they did the lab work, on March 10, 2011. My immediate thought was, where did my test go for three weeks? I have not questioned this doctor, because it doesn't do any good and you do get scared. When I went to the doctor I wanted to ask him if he was

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being funded by BP, but I was afraid he would turn me away and I was so sick. I felt so vulnerable. He finally called and emailed me the results in April 2011. The test results are included in this affidavit as Exhibit 1. I had levels of ethylbenzene, m,p-Xylene, hexane, 2-methylpentane, 3-methylpentane and isooctane, which were compounds found in the crude oil and Corexit.

### 3. HEALTH PROBLEMS WIDESPREAD

On July 18, 2011 we had a funeral for my father-in-law. I was extremely depressed and fatigued. I noticed my leg swell on July 20. I blamed it on me standing up too long and overextending myself. The swelling went down and the following week, on July 25, I noticed that a small bruise on the inside of my calf turned into a blister, the size of a quarter. I showered and it settled down. On July 26 South Bay Community Alliance, a community group that I am a part of, held a small health fair for general care and to bring awareness to people the symptoms of chemical exposure from the dispersants and crude oil. By that point the blister had doubled in size. However, I went to the fair, because I wanted to reach out to people who had exposure from the spill and health problems, and were not aware about a possible connection. I feel like this community has been left behind, not only with Katrina but in regard to the oil spill, too. I spoke with about 40 people. As soon as I would share a list of the symptoms I had, almost all of them would say they had similar problems or knew someone from the cleanup who had them. The scope of associated health problems is not well known, because the media and local government are not discussing it.

For people who were interested, I told them I would keep their information confidential but when I found something out I would be happy to share the information with them. One woman is now almost legally blind in one eye. One lady who worked on the cleanup told me she has had ear infections since October 2010. I asked if the hospital gave her antibiotics and steroids and she said yes, and I asked her if the symptoms come back and she said yes. I told her, "It's probably not just a regular infection." It's not common for adults to get ear infections, but since the spill a lot of people in Mobile County have them. Rashes were another common symptom people shared with me at the health fair. Ear infections, blood draining from ears, rashes, breathing problems were some of the illnesses people spoke about.

When I returned from Atlanta I noticed that my arms felt dry. At the health fair they felt scaly, like a reptile. By July 27 they were starting to turn into blisters. These blisters were a little smaller than a dime, but within 48 hours from when they began they were hideous looking. There were more blisters on my arms than non-blistered areas on my arms. My legs were different, and looked like I had some flesh eating infection. On July 28 my leg wound more than doubled in size, to about four inches wide and six inches long and was draining through the bandages. It did not hurt or burn, but it looked like my skin was rotting off. Clear liquid would pour out of my leg. That same day I found a holistic doctor who said "Yes, come in and we can work on health problems related to chemical exposure." When I arrived and he saw my leg he

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said, "I never thought these words would come out of my lips, but you need to leave and go to the ER." He said, "You have to get this under control" because he was afraid I was going to lose my leg. He said that once I got my health stable he could help me. I choose not to go back to this doctor, because I didn't care for the open workout and treatment areas. It was like a gym.

#### 4. HOSPITAL STAY

On July 28, 2011 I went into Infirmary West Hospital in Mobile, AL. They put me in the ER without making me wait. During that visit I stayed in the hospital for eight days. I requested not to receive steroids; I provided a copy of the Metamatrix test results and explained how I had been exposed to chemicals found in the oil and dispersant. During my time in the hospital I was seeing an ID doctor and an internal medicine doctor. A photo of my leg during that hospital stay is included in this affidavit as Exhibit 2. The internal medicine doctor looked at my leg and immediately diagnosed me with cellulites, which is a skin infection caused by bacteria. Then I showed them my arms and they instantly began antibiotic IVs twice a day. They changed them and increased the dosage. They drew blood just about every other day. They started me on insulin, because my blood sugar was up. The ID doctor explained that whatever infection I had causes my blood sugar to go up. However, the internal medicine doctor explained that I had high blood sugar, because my diabetes was out of control. The leg that they said was cellulites did not hurt or burn. I ran no fever for eight days, and did not have any staph infections.

On August 3, 2011 I asked the internal medicine doctor if he had looked at the Metamatrix Test that I given him in the ER and if he had contacted Dr. Lord, the chief doctor at the Metamatrix lab. Dr. Lord could explain how the chemicals affect the body. He responded, "I didn't see you in the ER," and said that he wasn't aware of the Metamatrix test. That was unnerving for me to hear, because every time this man was in my hospital room I spoke about the symptoms of chemicals, rash, hypertension, blood sugar elevated and headaches. I had seen him and his name was on the medical bracelet that I received when the ER admitted me.

After I inquired, however, he did go into the hallway with my charts, came back in my hospital room and read the bottom of the Metamatrix disclaimer, "Finding a measurable amount of one or more Volatile Solvents in whole blood does not mean that the level of one or more of these causes an adverse health effect. Whether the concentration reported here a cause for health concern is not yet known; more research is needed." He then raised his eyebrows, shrugged his shoulder and that was it. He walked out of my room. I was thinking, "How much more do I need to go through?" On August 4 he told me I was going home the following day. I panicked, because the blisters on my arms were extremely red and infected, and I couldn't bend my arms due to the swelling. I asked the doctor how he could send me home when my arms were actually worse than when I arrived. He said, "Your insurance is not going to pay for you another day, so who is going to pay the bill?"

#### 5. SPECIALIZED DOCTORS CONCERNED

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The ID doctors expressed more interest in examining a causal link to my chemical exposure than the internal medicine doctor. When I was in the hospital they would see me sometimes two to three times a day. I joked that I was their lab rat, but I felt that they were there to really try and better understand my health problems. They continually photographed my rashes and monitored them. On August 1, 2011 my main ID doctor did two biopsies on the backside of my shoulder. I feel she is a godsend, because she loves knowledge and wants to know what is going on. Then she reported to me that through biopsy lab work they could not determine the reason for the rash. On August 4 my arms were more swollen and the internal medicine doctor told me that I was going to be discharged. That same day, the ID doctor told me that what I have is equivocal, meaning that due to my blood sugar levels they cannot say that it is the volatile compounds in my body. From my understanding the internal medicine doctor called the ID doctor due to the leg wound. The ID doctor sent four more biopsies to a derma pathologist who examines skin biopsies. The derma pathologist wanted to call the rash on part of my arm pemphigus, which is a rare blistering autoimmune disease. However, when they sent him the lab work he could not detect that it was pemphigus.

I saw the ID doctor for a follow-up appointment on August 9, four days after I had been released from the hospital. She told me that they sent all of my biopsies to the Mayo Clinic. She said it could possibly take up to two weeks, because they are very thorough. She told me that the derma pathologist couldn't decisively say that it was pemphigus, and then her next comment was, "There hasn't been enough medical research for the Corexit." Whatever the problem is, I felt validated to a degree. I have been reaching out to the medical field to help the people that I knew were sick, before I was sick, and that was the first time that I heard a medical professional even say Corexit. She did her homework with CDC, the Mayo Clinic and the New England journal trying to find more out.

It took almost seven weeks to receive a response from the Mayo Clinic, which came in September 2011. Like the derma pathologist, my ID doctor informed me that the Mayo clinic said they could not determine what my rash was. I have received no further response from Mayo Clinic. When I went home on August 5 they had a PCC line in my arm so that I could have intravenous IVs at home; they wanted me to do it myself, and I was to keep it in for seven days on my own. When I saw the ID doctor on August 9, she noticed that it looked like there was a lot of improvement. She said, "You've been on IVs for 13 days, you don't need this anymore." I was thankful; it scared be to death to use the IV line at home by myself.

Even if doctors don't have knowledge of how to treat chemical exposure, for them to write it off as something else is extremely frustrating. What upsets me most is how children of the Gulf have been medically affected since the spill. Children are having their tonsils removed at record numbers and staying sick with colds. I have a friend who took her two children to the beach in Gulf Shores in the summer of 2011. They didn't go in the water, but after they returned from the beach they all kept getting ear infections. Before that trip, her kids were never sick. At first she thought maybe her health problems were in her head, because she had been following the news

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from the disaster. She had symptoms like memory loss, headaches, sore throat and sinusitis which is inflammation of the sinuses. When she noticed it with her kids she became really concerned, because children couldn't fake these illnesses. However, she asked the pediatrician if he thought it could be from going to beach, and he told her no.

My family recommended a doctor they have been treated by during the past 20 years. He practices kinesiology, (treatment where the doctor tests different vials of allergens and understands the muscle reaction from the vials placed on my body) and nutrmedicine (nutritional and herbal medicines). I went to him on September 28, 2011. He tested me for petrochemicals and identified a correlation between my health problems and chemical exposure from the spill. On December 13, 2011 he wrote a letter on my behalf that states, "It is my professional opinion that Mrs. Bosarge's health problems began when the chemicals were used during the oil disaster. They caused her to have an allergic reaction and variety of health problems since she was continually exposed to these agents." The letter is included in this affidavit as Exhibit 3. I continued to see him to monitor my health, and on February 29, 2012 he wrote an additional letter, stating "It is still in my professional opinion that her problems are a direct result of the oil spill and the chemicals used for cleanup..." The letter is included in this affidavit as Exhibit 4.

#### 6. CALL FROM INSURANCE

The week after I returned from the hospital, in mid-August 2011 I got a call from the Blue Cross Blue Shield representative. I have a case open with them, because I have had home nurses since being out of the hospital. The representative asked me, "Have you always had allergies and rashes?" I told her no, and gave her the history of my exposure, and told her that the Metamerix Test found I was positive for compounds present in the oil spill. She said that she saw the test in my charts, and then she read "Benzene, it is consistent with the problem." I said, "Would you repeat that please?" She said, "I read Benzene is consistent with the problem, but I can't give any more information. That is all it says." I was so shocked that there was actually something in my charts mentioning Benzene, which only came up as "non-detect" in my Metamatrix test, and that it was repeated by a representative from Blue Cross Blue Shield. Then I named all of the symptoms that have been occurring since the spill and said "Blue Cross has to have hundreds, even thousands of insurance holders who have been to Gulf hospitals with these symptoms since the spill. I would like to see the company start researching this."

#### 7. UNUSUAL ENCOUNTERS

In July 2010 my husband and I rented a car to travel to Atlanta. It had a Georgia tag on it. Before we left we drove down to the BP command cleanup center in Bayou La Batre. A Bayou La Batre police officer pulled out behind us. It was odd, because I had never seen the police leave the command post. The police officer followed us real close for four to five miles, and I thought he was going to pull us over. He eventually turned around. I know there have been people who were

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very uncomfortable going down to the Gulf with cameras, after they heard that on more than one occasion film crews documenting the oil disaster were searched and questioned in airports.

From December 2011 through March 2012, my phone started to make a clicking noise. Then the call would hang up when I would discuss specifics about BP, about 20 percent of the time.

Beginning in September 2011, sometimes when I go on my Facebook account and try to make a comment about how the cleanup was poorly handled or regarding health related concerns, it will cut off in the middle of what I am writing. As if my computer has a virus, it will start skipping words and operate real slowly. When I log off of Facebook the problem stops, however. This once happened when I left a comment on a BP disaster video on YouTube as well.

#### 8. FRESH BP OIL

In February, 2012 I received a phone call from a neighbor who has lived in Coden for 60 years. She has been skeptical about health problems related to the oil spill and the prospect of oil still washing up. I was surprised then, when she called me and said, "I think this is the stuff you have been talking about for the last two years." She had identified a foam like substance washing up on the shore at Bayou La Batre. After the oil spill, BP set up a boat decontamination site at Bayou La Batre, which is also where Corexit containers were stationed during the spill.

On February 27, 2012 I went down to the location that my neighbor told me about, and took pictures. The city of Bayou La Batre was digging up around the boat launch, most likely to get it ready for beach traffic that we get during spring break. As they dug, a thick looking foam was oozing out of the sand. I put the photos on Facebook. A photo of the foam from that day is included in this affidavit at Exhibit 5. Within hours Marylee Orr, Director of the Louisiana Environmental Action Network, called me and asked me if I would be willing to take samples. I agreed to, and she put me on the phone with a chemist, Dr. Wilma Subra, to make sure that I collected the samples correctly. I went back to the location and collected foam, water and sediment samples. I documented the time, location and date. The following day, a lab sent us a cooler to place the samples in and my husband and I overnight mailed it back to them. The test results from the samples were almost identical to test results for BP fingerprinted oil from March 2011.<sup>1</sup>

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<sup>1</sup> "Sea Foam Contains PAHs Almost Two Years After Oil Spill." Louisiana Environmental Action Network. April 5, 2012, <http://leanweb.org/our-work/water/bp-oil-spill/sea-foam-contains-pah-s-two-years-after-oil-spill>.

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I have read the foregoing nine page statement, and declare that it is true, accurate and complete to the best of my knowledge and belief.

Executed on April 12, 2012.

Laurinda Bosayo

Subscribed and sworn to before me  
this 12 day of April, 2012

Judy M. Franklin

Notary Public

My Commission expires on: 9-21-13