



TEN YEARS AFTER DEEPWATER HORIZON

Whistleblowers Continue to Suffer an Unending Medical
Nightmare Triggered by Corexit

*Ten Years After Deepwater Horizon: Whistleblowers Continue to Suffer an
Unending Medical Nightmare Triggered by Corexit*

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FOREWORD

On this 10th anniversary of the BP Oil Disaster, I am writing from my desk while adhering to a Stay-at-Home order due to the Covid-19 pandemic, hiding from a largely invisible threat, unsure about the best strategy for staying safe while hearing conflicting guidance from those in charge; an all too familiar scenario.

As the Executive Director of the Louisiana Environmental Action Network, I have spent my career working to solve challenges that threaten the health, safety, and quality of life of our most vulnerable neighbors. This work has led us to face environmental hazards head-on, supplying direct relief in the aftermath of disasters and continuing to provide that support for years to follow. Ten years is a long time. Ten years from the BP Oil disaster, 15 years since Hurricane Katrina and its oil spills, 16 years since the Taylor well began leaking, 28 years since Hurricane Andrew, and 30 years since the refinery explosion that rattled my home in Baton Rouge. These are just a few of the punctuations in my own timeline. In every instance, everyday people became heroes when they rose to the occasion to put out the fire, to clean up the mess, to help their neighbors survive.

But in every instance, these heroes had to navigate two major challenges. One, of course, was the immediate circumstances that threatened their health: the flames, the fumes, the flood. And the other, was the support and information they received, or didn't, from the leaders they trusted. In this day and age, it is unfathomable to me that first responders would not be supplied with necessary protective equipment, or that we would utilize a substance whose toxicity is not fully understood. And perhaps most significantly, that those in charge would not fully understand, communicate effectively, or respond to the dangers.

It has never been more clear to me than right now, quarantining from this pandemic, that good leadership, guidance, and assistance from our government is critical. If that leadership fails to understand the science, fails to communicate effectively, to take charge...our lives are the cost.

There is no such thing as recovery. If we are lucky enough to survive, these events stay with us and shape who we are and the world we see moving forward. The residents and clean-up workers sickened by the BP Oil Disaster know this all too well. For our society, these challenges are the proving grounds for the 21st century where we will learn the lessons we need to adapt to and survive in the future we face. Remembering and updating the records of our own timelines are critical for this. It has been an honor to partner with Government Accountability Project in their inspiring and tireless work following the BP Oil Disaster. I hope you find this 10th anniversary report as valuable as I do. We are all better off for their efforts.

Marylee Orr
Executive Director
Louisiana Environmental Action Network

INTRODUCTION

This report updates a “People’s Record” on the 2010 Deepwater Horizon disaster that was the largest US oil spill and second largest overall oil spill in world history. It is an alternative to official government, corporate, and corporate-financed research, necessary because the reality for those living in the Gulf of Mexico region contrasts sharply with the official record.

In 2012, Government Accountability Project opened an investigation after being contacted by community organizations such as the Louisiana Environmental Action Network (LEAN) and medical leaders including Dr. Michael Robichaux, as well as an alarming number of whistleblowers who reported dangerous use of the dispersant “Corexit,” a lethal chemical that was used to “clean up” the oil spill, and the resulting devastating medical consequences of its use. Statements from 25 whistleblowers revealed undeniable threats to public health and the economy. Our first investigative report, [*Deadly Dispersants in the Gulf: Are Public Health and Environmental Tragedies the New Norm for Oil Spill Clean-Ups?*](#), concluded:

[C]leanup efforts were more destructive to human health and the environment than the spill itself. British Petroleum (BP) and the federal government intend for their joint response to be the precedent for a new cleanup standard operating procedure (SOP), centered on the widespread use of the chemical dispersant Corexit. When this product is mixed with oil, a deadly synergy occurs that scientists have estimated is over 50 times more toxic than oil alone. The only so-called advantage of Corexit is the false impression that the oil disappears – in reality, the more toxic chemical mixture spreads throughout the environment, or settles on the seafloor.

More specifically, we found that:

- Corexit failed to properly disperse oil, and instead fused with it to form a more toxic mix that sank to the Gulf seafloor;
- The dispersant created a watery Death Valley in the Gulf, wiping out coral and seafood and devastating the shrimp and oyster industries;
- Private and public authorities denied protective gear such as respirators to clean-up workers;
- Authorities failed to provide legally-required training to clean-up workers to teach them how to protect themselves against exposure to the dispersant; and
- Authorities failed to monitor worker and public exposure to Corexit.

Most significantly, we found that BP and federal authorities lied to the public about the medical threat posed by Corexit. The mantra of authorities was that the dispersant was “as safe as Dawn dishwasher soap.” But the manufacturer’s own usage manual warned, “[R]epeated or excessive exposure ... may cause injury to red blood cells (hemolysis), kidney or the liver.” The manual adds: “Excessive exposure may cause central nervous system effects, nausea, vomiting, anesthetic or narcotic effects.” It advises, “Do not get in eyes, on skin, on clothing,” and “Wear suitable protective clothing.”¹

As a result, it is not surprising that whistleblowers reported medical consequences including abdominal pain; blood in urine; heart palpitations; hyper-allergic reactions to processed food and common household cleaning or petroleum based products; hypertension; inability to withstand exposure to sun; kidney and liver damage; migraines; multiple chemical sensitivity; neurological damage resulting in memory loss and sometimes drastic IQ drop; rapid weight loss; respiratory and nervous system damage; seizures; skin irritation, burning, and lesions; sudden inability to move or speak for sustained periods; temporary paralysis; sexual dysfunction; and vomiting episodes.



Persistent symptoms like skin lesions and irritation have not gone away, despite the 10 years that have passed since the initial spill. Photo by Ecorigs.

In 2014, under sponsorship by the BP Ombudsman, Government Accountability Project and community representatives including Dr. Robichaux and LEAN met with BP senior executives to seek voluntary corrective action such as cessation of Corexit’s use, standards for safe dispersant use, and medical treatment for victims. The company flatly refused, candidly responding that it would continue to use Corexit unless the government forced it to stop. In response to a request for a warning before future use of Corexit, the executives said they would consider it, but they failed to follow through.

The ongoing public health disaster helped spark proposed regulations by the Obama administration to control dispersants, including Corexit. Although the [proposed regulations](#) would not have eliminated the threat, they were a meaningful first step to establish safeguards. To illustrate, although the proposed rule does not ban the use of toxic dispersants, it establishes controls based on a product’s toxicity, long-term environmental impacts, endangered species protection, and human health concerns. It also strengthens

¹ Nalco Material Safety Data Sheet: Corexit®EC9527A (Oct. 15, 2008), available at http://www.lmrk.org/corexit_9500_uscug.539287.pdf.

controls on authorization to release dispersants, creates toxicity thresholds, and requires advanced monitoring techniques.

While welcome, the proposed rule represents only a careful, modest start at protecting the public. For example, while it includes human health and environmental standards that would allow the Environmental Protection Agency (EPA) to “delist” dispersants, the EPA would still have vast discretion over when to remove dispersants from use. Moreover, the proposed rule still relies on science provided by the manufacturer rather than independent research to evaluate product safety and efficacy.

As part of the process of public comments, we conducted a [second investigation](#) that obtained statements from 12 whistleblowers to update the “People’s Record” of personal accounts, and in April 2015, we submitted the results as part of the record on the proposed regulation.

The investigation confirmed the public health impact was not significantly dissipating, but rather escalating as long-term impacts become apparent. Coined “BP Syndrome,” all Government Accountability Project witnesses experienced initial spill-related health problems. Furthermore, 95% reported that they continued to experience spill-related health problems as of April 2013, and more than 50% living in affected areas reported that their children’s and/or grandchildren’s health had deteriorated.

The statements revealed that symptoms were persisting. Whistleblowers reported continuing blood in urine, heart palpitations, kidney and liver damage, migraines, multiple chemical sensitivity including hyper-allergies to common household cleaners, neurological damage resulting in severe IQ and memory loss, hyper-allergies to processed foods causing extreme weight loss, exhaustion and loss of stamina for routine activities, respiratory and nervous system damage, seizures, skin lesions throughout the body, and temporary paralysis.

Blood test results from a majority of those interviewed showed alarmingly high levels of exposure to Corexit and oil, correlating with reports of health effects. The test revealed that the chemicals to which patients were exposed include known carcinogens.

Despite ongoing harm, evidence suggested the deception about Corexit’s use may have continued. BP and the federal government reported that Corexit was last used in July 2010. However, a majority of whistleblowers reported that they found evidence of Corexit or Corexit-oil mixtures after BP and the US Coast Guard (USCG) announced that cleanup operations were complete.

Evidence from the 2015 investigation also indicated that the destructive impact on the environment was continuing. The oil-Corexit mixture coated the Gulf seafloor and permeated the Gulf's rich ecological web. Whistleblowers revealed underwater footage of an oil-covered barren seafloor, documenting widespread damage to coral reefs.



Photo by Ecorigs

Nor had the threat to seafood ended.

Many concerns were expressed over the quality of government seafood testing, and reports were received documenting new seafood deformities from firsthand accounts. A majority of fishermen reported that their catch had decreased significantly since the spill.

The proposed public comments resulted in an overwhelming mandate for dispersant control, by a 60-1 margin. Unfortunately, the proposed regulations were not finalized before the end of President Obama's second term, and have been gathering dust during the Trump administration. The bottom line is that neither private nor public authorities are planning any corrective action to prevent this public health disaster from recurring after the next oil spill, and the next.

Activists have not given up. Frustrated with inaction, on January 30th 2020, a lawsuit [was filed](#) to compel EPA to update the National Contingency Plan for oil spills. Plaintiffs included the Center for Biological Diversity (CBD), the ALERT Project of Earth Island Institute headed by Dr. Riki Ott, Alaska Community Action on Toxics, Cook Inletkeeper, and individuals Rosemary Ahtuanguaruak and Kindra Arnesen. Arnesen is among the witnesses from along the Gulf Coast who has contributed statements to Government Accountability Project for use in this and previous reports. Their lawsuit contends that federal inaction violates the Clean Water Act and the Administrative Procedures Act. On March 26th 2020, ALERT held a press conference, [Connecting the Dots Between Long Term Illness and the BP Oil Spill](#), to summarize the latest scientific evidence behind its suit. ALERT has also produced a video series called *Surviving the BP Oil Spill*, including interviews with survivors and other experts.

Community leaders have been awaiting the imminent release of a new investigative documentary, "The Cost of Silence," by director Mark Manning, a twenty-year veteran offshore oil diver who spent nine years making the film. It not only describes the ongoing damage to the Gulf Coast and its residents following the disaster and its cleanup cover-up, but it also warns of the harm that will result from increased drilling in coastal waters around

the country if the Trump Administration carries out its wishes for massive expansion of drilling in US waters.

“[The Cost of Silence](#)” may also be seen as a starting point to connect interested parties with organizations that provide information about and assistance in addressing the problems created and represented by the BP spill and offshore drilling. “Manning didn’t just make the movie,” wrote Brent Lang in his preview of the film for *Variety*. “He’s developed a social impact campaign partnering with leading health and environmental non-governmental organizations.”

Investigative journalists have also kept fighting. From a media perspective, Rocky Kistner has been performing the same mission as we have in updating the record from a victim’s perspective. His 2019 report, [Nine Years After BP Spill, Some Cleanup Workers Still Feel Sting of Dispersants](#), traced how Corexit’s manufacturer reassured that its chemical was as safe as dish soap, noting that some of its ingredients were in toothpaste and ice cream while skipping the toxic ones. He also surveyed the reports from thousands of reported medical complications that victims traced to Corexit. The symptoms included respiratory ailments, heart palpitations, memory loss, boils, bloody sores, rashes, and seizures.

Kistner’s 2019 report summarized an increasing body of research that is confirming the threat from Corexit to public health. In 2017 and 2018, the link was found in studies by the [National Institute of Environmental Health Sciences](#), [Johns Hopkins](#), and the [Coast Guard](#).

The Coast Guard study, *The Deepwater Horizon Oil Spill Coast Guard Cohort Study: A Cross-Sectional Study of Acute Respiratory Health Symptoms*, found USCG personnel exposed to dispersants and oil during the Deepwater Horizon oil disaster response and clean-up experienced acute respiratory symptoms at higher rates than USCG personnel exposed only to oil. In a related article, USCG Director of Health and Safety Rear Admiral Erica Schwartz acknowledged that USCG personnel were “terrified of the concept of dispersants” during the response. Those fears, though well-founded, are in stark contrast with the USCG and federal government’s official position on the safety of Corexit.

A 2019 report from the National Academy of Sciences Engineering, and Medicine (NAS), [The Use of Dispersants in Marine Oil Spill Response](#), could be used by the industry or others to downplay the risks associated with dispersants and justify their continued use as an oil-spill response tool. The report cites numerous studies on the safety and efficacy of chemical dispersants, including many performed in the wake of the BP spill that the authors acknowledge as inconclusive. The authors also reject, on procedural grounds, various peer-reviewed studies that indicate that dispersant use carries a risk. Most disappointingly, the authors also dismiss evidence submitted by victims as “anecdotal.” In sum, the report recommends maintaining chemical dispersants as an oil-spill response tool, with few caveats beyond the need for further research. We believe it is imperative that future

research carefully considers the “People’s Record” that documents the consequences of the spill for the many whose suffering from exposure to Corexit and oil-Corexit mixtures is a permanent and often tragic reality.²

² Government Accountability Project critiqued the report in a paper entitled *The Case for Precaution: A Review of the 2019 National Academies of Science, Engineering, and Medicine’s report on The Use of Dispersants in Marine Oil Response*.

EXECUTIVE SUMMARY OF CURRENT INVESTIGATION

We interviewed 20 fishermen, cleanup workers, and citizens exposed to Corexit, and we received 18 signed statements or Reports of Interview from community and medical leaders.³ The cumulative assessment of these interviews is bleak. All 18 reported that their medical ailments are continuing. Eight witnesses or 44% of those interviewed reported that their conditions have remained stagnant or about the same. 50% said their medical miseries have gotten worse. Although none reported that their symptoms had disappeared, one witness or 6% reported symptoms had diminished.

On balance, the public health impacts identified in this third investigation continue to confirm an unacceptable conclusion: Corexit has caused the most gut-wrenching, sustained public health tragedies of any issue Government Accountability Project has investigated in over 40 years.

Whistleblowers reported that Gulf Syndrome has made community deaths connected with the cleanup of the BP spill a new norm. Cancer has become increasingly common. Some skin rashes have been so severe that one victim call them “suicide itches.” Commonly reported conditions include respiratory loss, seizures, excessive pain and untreatable migraines, cranial pressure, and brain holes revealed by MRI examination. Extreme sensitivity to chemicals and smells makes it difficult or impossible to eat or use common items like detergent. Tongue tumors, throat, and stomach pain make it difficult to eat solids, impossible to drink carbonated liquids, and impossible to sing. Those exposed reported persistent diarrhea for a decade, steady loss of vision and constantly burning red eyes, fatigue and debilitating loss of stamina, and sexual dysfunction.

Witnesses reported that their symptoms dissipate dramatically upon leaving the Gulf area, but would return promptly when the witnesses were in the area again. Contrary to original public relations reassurances, BP renege on promises to provide medical treatment.

On balance, the public health impacts from this third investigation continue to confirm an unacceptable conclusion: Corexit has caused the most gut-wrenching, sustained public health tragedies of any issue Government Accountability Project has investigated in over 40 years.

³ Because previous whistleblowers on this issue have faced vicious harassment, statements are not attached for the public record. Nearly all whistleblowers, however, said they will share their statements and experiences with responsible authorities, congressional staff, journalists, or members of the public who want to act to better defend their families. To receive further details and support for any matters summarized in this report contact Adam Arnold, at adamA@whistleblower.org.

IMPACTS

Whistleblowers' ongoing concerns are summarized and itemized below with respect to ongoing concerns of continued medical, food safety, environmental, and economic impacts.

Medical Impact

- No medical clinics are still operating that witnesses have been able to locate, despite BP publicly stating that it would keep clinics open for 10 years to assist with treatment.
- Cancer has become a common concern with deaths, inexplicable lumps, and removal of thyroids. In one instance doctors warned parents of a child who swam in a public pool during Corexit spraying that there is a 99.9% chance the child will die from cancer in his 20's. Another whistleblower used her personal knowledge to reference four to five dozen cases of cancer in her community.
- Extreme skin rashes are still persisting. One whistleblower reported that leg rashes, which began shortly after chemical exposure, have not dissipated, and the associated scars are so unsightly that she still cannot wear shorts or dresses. Another reported a recurrent discomfort, persisting to today, known as a "suicide itch" because it makes the victim want to tear skin off. Another reported skin so sensitive that it bruises from a mild touch. Yet another reported rashes that require regular doses of steroids to keep them under control.
- Bronchitis and continuing loss of respiratory capacity are making it a struggle just to breathe for many who were exposed. A fisherman who was exposed in 2010 reported a constant cough that still won't go away. A whistleblower reported recurring bouts with pneumonia that began shortly after the chemical exposure.
- Seizures are repeatedly reported by those who were exposed. A whistleblower reported intensifying seizures, including while asleep, that would leave her tongue bloody when she woke up. Another reported seizures that occur twice weekly.
- Whistleblowers report that excessive pain and severe migraines, unresponsive to medicine, increased rather than dissipated.
- Another symptom is increasing pressure inside the head. One whistleblower described the sensation as "a pressure in my head, like it was filling up like a balloon. You could even feel it on the top of my head, behind my left ear, and on my forehead."
- The brains of those exposed are also impacted. A whistleblower reported that after an MRI, the brain scan demonstrated "a diamond-shaped pattern that they associate with chemical exposure. There are pits in my temporal lobe, and a hole in my parietal lobe." Another reported that an MRI revealed a hole in his brain,

which doctors suggested could account for dysfunctional memory loss that has also been reported by others exposed to Corexit.

- Additional neurological symptoms include brain fog, vertigo, dizziness, confusion, inability to maintain a train of thought, and blackouts or seizures while driving, as well as memory loss so severe a musician had to stop performing because he could no longer remember lyrics.
- Severe and unnatural chemical sensitivity are continuing. People have reported sensitivity to unlit scented candles that has caused reactions such as the throat closing up, making it difficult to swallow. The sensitivity to chemicals is so severe that one fisherman no longer can use certain deodorants or tolerate common smells.
- Constantly inflamed stomach pains that have not abated are making eating increasingly difficult. Another whistleblower reported that tongue tumors and increasing throat pain have made it difficult to sing or eat solid foods and block his ability to consume carbonated drinks. Excessive nausea and vomiting have made it difficult to keep food down.
- One boat owner in the Vessels of Opportunity post-spill cleanup program is still experiencing bowel difficulties such as persistent diarrhea that began after exposure.
- Vision problems including eye twitches and rapidly deteriorative vision make it necessary to have multiple surgeries or get new glasses every six to eight months. After being splashed with oil and dispersant during the cleanup, another witness reported an eye tumor that has still not gone away. Another reported burning eyes that are always red if not medicated.
- After 2018, symptoms occurred for Polycythemia Vera (PV), which thickens the blood and causes swelling of extremities and bruising from mild touch.
- Additional consequences are twitching and neuropathy that make it nearly impossible to walk.
- Regular testosterone injections are another necessary treatment reported by one witness because the body stopped producing the hormone.
- Whistleblowers with initial heavy exposure report that symptoms diminish rapidly upon leaving the Gulf area, and recur upon return. One cannot stay at his house two blocks from the beach because spending more than a few hours there results in recurring and aggravated respiratory symptoms.
- Fatigue and loss of stamina are reported repeatedly.
- Deaths that residents perceive as Corexit-related have become commonplace.
- Side effects from medicine include brittle bones and even a 65% loss of adrenal gland capacity.

Environmental Impact

- Corexit was less effective at removing oil after the spill than the Post-Hurricane Katrina non-chemical methods such as surveillance and mechanical clean-ups using suctions and booms.
- Use of Corexit to sink oil to the sea floor allowed BP to understate the total amount of oil that had been spilled.
- Environmental consequences have tied directly to public health consequences, and the ongoing impact is sufficiently severe that those exposed to Corexit after the spill still report that merely walking briefly on the beach leads to headaches, dizziness, and sore throat for up to two week.

Economic Impact

- Without basis, BP regularly accused fishermen of submitting false compensation claims for lost catches. A significant number withdrew their claims due to fear of retaliation.
- Local residents, and even fishermen, lost confidence in seafood safety because of conditions such as cancer lesions and abnormalities such as fish with no eyes.
- Stocks have been in a long-term decline across the board, from large fish to shrimp, and economic survival has become a common concern for small seafood enterprises.
- Crab catches declined dramatically after the spill, and although they are beginning to return after effectively being out of one seafood producer's business for eight years, the numbers are not close to pre-spill catches. Catches that were previously eight to ten thousand pounds are now four to five thousand. The producer still has not been able to resume business in soft shell crabs and shucked oysters. Another whistleblower reported that crab catches had decreased from 5,000 pounds daily to 800. One commercial fisherman's trout catch shrank from approximately 200 to approximately 15. An oyster fisherman's income for a six-month period shrank from \$60,000 to \$7,000. In general, all seafood catches remain significantly lower.
- Every whistleblower reported devastating economic losses due to the loss of business and endless medical expenses for treatment. Every witness who received any compensation reported that BP settlement payments after



Oysters are just one food affected by the oil spill, gravely impacting the seafood business in the Gulf region. Photo by Ecorigs

litigation only had a minimal impact on neutralizing their losses.

Ongoing Use of Corexit

Although it is not possible to confirm what is being sprayed, helicopters and military planes still circle regularly in various areas around the Gulf, and Corexit-based symptoms recur shortly after. Residents also have seen dispersant foam on the water, and report that oil platforms are rigged with dispersant containers for small spills.

RECOMMENDATIONS

The road to recovery for this public health tragedy is no mystery, but there has been no meaningful action to achieve it. In the long term, there simply is no excuse for the US to allow its citizens to be poisoned by dispersants such as Corexit. Without further delay, the following interim responses remain imperative:

- 1) Issue final federal regulations for controls on Corexit and similar dispersants;
- 2) Establish Congressional oversight to update the public record on the scope of ongoing health threats and the adequacy of federal responses;
- 3) Guarantee advanced public warnings by BP and other private and public authorities whenever Corexit or other dispersants will be utilized;
- 4) Monitor and publicize the extent and trends of environmental exposure to Corexit and other dispersants; and
- 5) Provide tests for all who think they have been exposed to Corexit and medical treatment without charge for those who test positive for this ingredient.

CONCLUSION

While the People's Record is anecdotal, it documents prolonged human tragedy too widespread to ignore. The paralysis on controlling this dispersant is inexcusable. Further oil spills are inevitable. Also inevitable, unless the federal government acts, are health impacts even worse than from oil, arising from the use of the deadly dispersant Corexit.