

**A PARTNERSHIP RESPONSE TO THE
BP DEEPWATER HORIZON OIL SPILL EVENT**

Testimony Presented to

The National Commission on the BP Deepwater Horizon
Oil Spill and Offshore Drilling

by

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Thank you Senator Graham and Dr. Reilly and commissioners for inviting me to present testimony today. Dr. Reilly, it's good to see you again and thank you for visiting Mississippi in July to visit with our fishermen, processors, and retailers.

When the BP Deepwater Horizon oil rig exploded on April 20, 2010 roughly 100 miles south and east of Mississippi's shoreline, Governor Haley Barbour went to work to create a partnership to develop a plan to first respond to the event and to protect Mississippi from the approaching oil and then to recover from any adverse effects and restore those damages. Partners in this effort included the MS Dept. of Environmental Quality (MDEQ), the MS Dept. of Marine Resources (MDMR), MS Department of Health (MDH), MS Emergency Management Agency (MEMA), MS National Guard (MNG), National Oceanic and Atmospheric Administration (NOAA), US Food and Drug Administration (FDA), US Environmental Protection Agency (EPA), the US Coast Guard, and BP, the responsible party.

That plan called for our team to fight the oil spill as far away from Mississippi's shoreline as possible. Heroic efforts at the spill site to collect, skim, and burn the leaking oil, together with using dispersants to make the crude oil more available to microbial metabolism, succeeded in keeping as much as 75 percent of crude and degraded oil from ever reaching Mississippi. As oil materials finally did approach our barrier islands some 30 days following the April 20 explosion, additional efforts to skim, corral, and collect the oil further reduced impacts to our shoreline.

Together we conducted many aerial inspections and collected and analyzed many water, tissue, and sediment samples. These activities did eventually result in precautionary closing of nearly all Mississippi waters to harvesting fish, crabs, shrimp, and oysters. While chemical analyses of tissues from these species failed to detect levels of concern

of any oil related organics, we voluntarily closed our waters according to closing protocols agreed to by all affected states and federal agencies.

As the threat from oil began to diminish, we began reopening our waters, again in accordance with a comprehensive reopening protocol to which all states and federal agencies agreed. This protocol required that:

1. The area to be opened must be free of visible oil.
2. There must be no threat to the area from approaching oil.
3. Extensive samples must be collected for each species to be harvested.
4. These samples must pass sensory evaluation and extensive analytical examination for all chemical components of the crude oil.

Only after passing all requirements of this rigorous reopening protocol could our waters be reopened. For the reopening process and for our routine sampling program, 73 shrimp samples, 49 crab samples, 85 finfish samples, and 40 oyster samples were collected and sent to NOAA and ultimately FDA for analysis. Samples were analyzed for naphthalene, fluorine, anthracene, phenanthrene, pyrene, fluoranthene, chrysene, benzo(k)fluoranthene, benzo(b)anthracene, indeno(1,2,3-cd)pyrene, dibenz(a,h)anthracene, and benzo(a)pyrene. Of the 252 Mississippi samples provided, 181 of those samples have been processed, and I'm very proud to say that all tissue samples analyzed as part of the reopening requirements or collected at any other time tested negative for the above analytes or showed trace levels far, far below the levels of concern established by federal regulations. In other words, based on credible scientific data collected using federally-approved sampling and analytical techniques, Mississippi seafood has been safe and healthy to eat throughout the

entirety of this event. To ensure its continued safety, Mississippi will continue to sample and analyze fish, shrimp, crab, and oyster tissues at monthly intervals for the foreseeable future. As has been the case for all sampling activities to date, we will continue to engage NOAA and FDA and utilize protocols and sampling designs acceptable to those agencies.

Mississippi also coordinated with Unified Command in Mobile, NOAA, and FDA to develop and implement a sampling regime to look for submerged oil within 15 miles of the coastlines of MS and AL. This survey divided the entire area into grids (159 for MS waters). In each grid section, white sorbent pads were lowered to near the bottom and retrieved. If any of the retrieved pads showed suspicious discolored areas or other evidence of oil, water samples were collected throughout the water column and sediment samples were taken. Results of this survey showed one water sample collected due to the presence of sheen on the water tested positive for Diesel fuel. All other water samples tested non-detect on oil related organics. None of the sediments collected were determined to contain oil by Fourier Transform Infrared Spectroscopy (FTIR).

So, where are we now? No new oil is entering the Gulf of Mexico from this event. Certainly, there are isolated patches in hardest hit LA marshes, and there are credible reports that submerged oil product may remain in the vicinity of the spill site. Scientists from Mississippi and elsewhere are and will continue to study this area of the Gulf to determine exactly what if anything is there and, if oil material is present there, what actions to take. Weathered tar balls continue to impact our barrier islands and our coastline, and we can expect that to continue for many months. Clean-up activities on our islands and shoreline beaches continue and will continue until the tar balls stop. Short-term effects from this event in Mississippi, while serious, have been minimal. We are moving from response to recovery and

restoration, and BP has pledged \$500 million for academic research to quantify long-term effects and to monitor ecosystem recovery and the condition of populations of marine species. The resulting data will, in part, inform the Natural Resource Damage Assessment (NRDA), which will determine appropriate compensation levels for damages from this event.

So, the good news is that, based on credible scientific information, seafood from Mississippi and the Gulf in general, is safe to eat. In Mississippi and likely throughout the Gulf, populations of finfish, shrimp, and crabs are plentiful and healthy. Oysters in Mississippi have suffered above-normal mortalities, we think primarily due to extended periods of very hot (>90 degrees Fahrenheit) water and depressed dissolved oxygen levels. We have no scientific evidence to support oyster mortalities due to the presence of oil materials.

Unfortunately, with absolutely no credible science to support them, a small but vocal group of commercial fishermen continue to say that oil remains in Mississippi waters, that these waters are not safe for recreational purposes, and that seafood harvested from these waters is not safe to eat. While some of these protesters are actually shrimping commercially and catching nice, healthy shrimp and selling them to Mississippi processors or directly to consumers, they continue to declare their own product unsafe.

Such statements are irresponsible, untrue, and unsupported by credible scientific data. Unfortunately and in large part due to the actions of these few individuals and the press that continues to broadcast this inaccurate information, there is a perception in areas of our nation away from the Gulf that Gulf seafood may not be safe to eat. As a result of that perception, our seafood processors cannot sell to the buyers in Chicago, New York, Boston, and elsewhere that have historically regarded Mississippi and Gulf seafood as a safe, high quality

product. Clearly, all citizens of this great nation have the right to speak freely. I only ask that they base their statements on credible scientific information, which they certainly have not done to date.

The message that I would like to leave with you today is that the TEAM effort following this event has been a huge success, the best success story you'll never see on CNN.

Thank you.