

From: Mace Barron/GB/USEPA/US
Sent: 5/25/2010 9:35:53 AM
To: Conlon.Michele@epamail.epa.gov
CC:
Subject: Fw: NEED QUICK REVIEW

----- Original Message -----

From: Cynthia Sonich-Mullin
Sent: 05/25/2010 07:29 AM EDT
To: Hal Zenick; Rick Greene; Mace Barron
Subject: NEED QUICK REVIEW

Please read the attached to verify its accuracy in the commitments it makes to conduct specific tests and getting the needed information to inform decision-making.

Thanks for the quick response and please keep this close hold.

Cindy

----- Forwarded by Cynthia Sonich-Mullin/CI/USEPA/US on 05/25/2010 07:25 AM -----

From: Paul Anastas/DC/USEPA/US
To: sonich-mullin.cynthia@epa.gov
Date: 05/25/2010 06:42 AM
Subject: Fw: Re: Emailing: Response to BP 5-24.doc

Please read the attached letter ASAP and make sure that it doesn't make promises we can't keep.

-----Forwarded by Paul Anastas/DC/USEPA/US on 05/25/2010 06:41AM -----

To:
From: Dana Tulis/DC/USEPA/US
Date: 05/24/2010 10:26PM
cc: "Paul Anastas" <Anastas.Paul@epamail.epa.gov>, "Seth Oster" <oster.seth@epa.gov>, "Bob Perciasepe" <perciasepe.bob@epa.gov>, Cynthia Giles-AA/DC/USEPA/US@EPA, Scott Fulton/DC/USEPA/US@EPA
Subject: Re: Emailing: Response to BP 5-24.doc

(See attached file: BPletterlesstoxic.doc.docx)

Okay, I will send this version to OECA and OGC, and get back to you, looking like tomorrow at this point. Scott and Cynthia, I will send to Mary-Kay and Catherine McCabe.

Dana S. Tulis
Acting Office Director
Office of Emergency Management
Environmental Protection Agency
202-564-8600



BPletterlesstoxic.doc.docx

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May 25, 2010

David Rainey
Vice President of Gulf of Mexico Exploration
BP Exploration and Production
501 Westlake Park Boulevard
Houston, TX 77079

Dear Mr. Rainey,

Thank you for your response to me dated May 23, 2010 in which you stated you will continue to search for an alternative dispersant and committed to minimizing the use of dispersants. I want to re-enforce the importance of this approach to the BP Oil Response.

EPA will be performing its own scientific verification of the data BP presented. In addition, EPA will perform testing to determine whether there is indeed a less toxic, more effective dispersant available in the volumes necessary for a crisis of this magnitude. EPA will be using the following acute toxicity test to compare COREXIT 9500 and 9527 to other dispersants. The following screening assay determines if 100% seawater samples cause acute lethality to aquatic organisms within 24 to 36 hours of exposure. Tests shall be performed on either the sheepshead minnow, *Cyprinodon variegatus*, or inland silverside, *Menidia beryllina* (or if necessary, the tidewater silverside, *Menidia*) in combination with the mysid shrimp (*Americamysis bahia*). EPA will be using the quality assurance and testing methods set forth in the EPA test manuals (<http://www.epa.gov/waterscience/methods/wet/disk2/index.html>). This test will be conducted by our Gulf Breeze laboratory or overseen by that laboratory. In addition, a second test will be performed to address endocrine disruption. The second test is a Transcriptional Activation (TA) Assay for Estrogen and Androgen that can be conducted in three days at EPA's Research Triangle Park (RTP) Laboratory. EPA will be using these criteria to help make a determination in selecting less toxic dispersants.

Furthermore, as we discussed, the federal government, led by the Coast Guard, is instructing BP to take immediate steps to significantly scale back the overall use of dispersants. Data demonstrates that subsea dispersant application is having an effect on the oil at the source of the leak – and thus far has had no significant ecological impact. BP should use no more dispersant than is necessary. By ramping down on the amount of dispersant used, particularly on the surface where we expect less un-dispersed oil because of the sub sea application, BP can reduce the amount of dispersant applied by as much as seventy-five percent and possibly more.

Sincerely,

Administrator Lisa P. Jackson

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