

# SENATE STATE OF LOUISIANA



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8-20-10

Governor Bobby Jindal  
P.O. Box 94004  
Baton Rouge, LA 70804-9004

Dear Governor,

I recently met with Secretary Peggy Hatch and members of her staff to discuss and directly request an emergency use permit for OIL SPILL EATER II or other similar products that DEQ has vetted and desires to test in Louisiana's coastal zone in an attempt to detoxify our waters. For whatever reason, Federal oversight continues to stifle Louisiana's efforts to help protect and detoxify its own waters.

Oil Spill Eater II is an EPA, NCP approved product which has been fully vetted by the USCG testing labs denoting that OSEI is available for immediate use upon request by the FOSC.

Dated July 12, you may recall a letter sent to you from the FOSC and EPA signed by Sam Coleman with the EPA. This letter attempted to illustrate the bioremediation process. However, the subject matter was not entirely accurate. Subsequently, a rebuttal letter by a bioremediation expert dated August 7 has been received which has correctly illustrated the bioremediation process. (Copies of those letters are available upon request). Bioremediation is critical for our coastal zone.

Natural bioremediation occurs in nature. This is what our coastal zone needs to detoxify our waters, marshes and tidal zones as quickly as possible. However Mother Nature's bioremediation process takes a great deal of time to convert hydrocarbons to CO<sub>2</sub> and water. Oil spill eater does exactly what nature does except much quicker.

This solution was first introduced to Mark Cooper on May 3<sup>rd</sup> but its sanctioned open water test application was blocked on May 6<sup>th</sup>. Although OSEI has been proven by all, the FOSC has not acted on my request for use.

Governor, you have personally led the way with the important message that Louisiana needs to do what it can to protect its own land, water and marshes. The Federal government has consistently blocked clean alternatives to the poison known as Corexit.

The scientific community has expressed (and documented) that by using Corexit to disperse the oil, a two year clean-up process became a long-term twenty year or more catastrophic challenge here in Louisiana and all along the gulf coast.

For months, non-toxic products have been presented and ignored by the federal government which is their right in waters and territories outside the boundaries of Louisiana. However, their decision to apply Corexit in federal waters dropping the oil below the surface and under the protective booms we worked so hard to put into place resulted in our coast, our beaches and our marshes to be inundated with oil and the toxin, Corexit.

Given the personal vested interest you and I have in making sure this problem is totally addressed and handled properly, I am respectfully requesting that our own Department of DEQ begin a comprehensive parallel analysis of observation and oversight in conjunction with but separate from the EPA and holding BP responsible for the cost.

With this formal request, I am also asking you to immediately authorize (by permits) the deployment and application of non-toxic products and solutions by the appropriate departments here in the state and to take whatever action is necessary to fight this double whammy of oil and toxic dispersants in order to protect our people, their livelihoods, our land, our natural resources and the generations that will follow. Please allow immediate use with the emergency use permit being requested.

I am well aware that this request may cause issues between our state and the federal government. And, as you know, we have the United States Constitution on our side. On behalf of the citizens of the great state of Louisiana, we sincerely appreciate your leadership and the bold stand you have already taken. We should continue the battle against any force to maintain the rights of our citizens in our state to protect itself.

My request is consistent with my June 21st direct request of the RRT to allow this product to be demonstrated. Federal oversight has resulted in a pattern of disregard when local officials request the means to help protect our own assets.

In closing, I would appreciate your immediate consideration and action with respect to my request of DEQ for granting this permit of use.

Sincerely,

AG Crowe  
Senator, District 1  
State of Louisiana