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EPA proposes new rules on oil spill dispersant chemicals

By Jennifer A. Dlouhy | January 13, 2015 | Updated: January 13, 2015 11:13pm

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WASHINGTON - The Environmental Protection Agency on Tuesday proposed new requirements for testing the toxicity and effectiveness of chemical dispersants used to break up oil spills.

The move comes 14 years after the agency first announced it planned to rewrite rules governing dispersants and five years after the Deepwater Horizon disaster vividly illustrated

shortcomings in existing mandates.

The proposed rule aims to strengthen the requirements that dispersants must meet before they can be added to a government schedule of chemicals that may be authorized for use on spilled oil.

Currently there's one major hurdle to getting on that EPA list: dispersing at least 45 percent of oil in a laboratory test. Toxicity tests with two species - silverside fish and mysid shrimp - are required, but there is no threshold for making it on the list.

By contrast, the EPA proposal would create a new method for testing the efficacy of dispersants; require the analysis to be conducted at different temperatures on two kinds of crude; and set new toxicity requirements for dispersants to be added to the schedule.

The agency is proposing that toxicity tests be conducted on the dispersant alone and a dispersant-oil mix, with those proving lethal to more than half of the test species disqualified for listing on the schedule.

The EPA's proposal also would create

Photo: TSgt. Adrian Cadiz, 1 CTCS

An Air Force C-130 drops oil-dispersing chemicals into the Gulf of Mexico after the April 2010 spill.

a process for removing products from the schedule. And it would force manufacturers to disclose more details on the chemical ingredients of dispersants.

Breaks down oil

Generally a mixture of surfactants, solvents and additives, dispersants act like dish detergents in a greasy pan, reducing the surface tension between oil and water and breaking down the oil into tiny droplets. When applied to a slick, they can prevent oil from floating on the surface and reaching shorelines by helping the oil disperse in smaller droplets suspended in the water.

Nearly 2 million gallons of chemical dispersants were deployed in the Gulf of Mexico in 2010, after the blowout of BP's Macondo well.

Environmentalists reviewing the EPA's proposal were cautiously optimistic.

"This rule provides EPA with the opportunity to better protect communities and fishermen, like those along the Gulf Coast whose health and livelihoods were impacted by the BP disaster," said Cynthia Sarthou, executive director of the Gulf Restoration Network.

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'An essential tool'

Oil industry representatives were still analyzing EPA's plan late Tuesday.

"Dispersants are an essential tool for a rapid and effective response in the unlikely event of an offshore release and should continue to be a viable option to minimize the impact of a spill," said Brian Straessle, a spokesman for the American Petroleum Institute.

EPA assistant administrator Mathy Stanislaus said the proposal incorporates scientific advances and lessons learned from previous dispersant use.

"Our emergency officials need the best available science and safety information to make informed spill response decisions," Stanislaus said.

The public will have 90 days to weigh in on the proposal before the EPA takes further action.

Jennifer A. Dlouhy
Energy Reporter, Houston Chronicle
