

Better Oversight and Less Drilling Needed to Protect the Gulf

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By [Jessica Desvarieux](#), [The Real News Network](#) | [Video Interview](#)

TRANSCRIPT:

JESSICA DESVARIEUX, TRNN PRODUCER: Welcome to The Real News Network. I'm Jessica Desvarieux in Baltimore.

Who can forget the images of the BP Deepwater Horizon oil rig disaster in 2010? The event killed 11 workers and resulted in millions of barrels of oil spewing into the Gulf of Mexico, becoming the biggest offshore environmental disaster in U.S. history. On Thursday, a federal judge ruled that BP was grossly negligent, and the company could be liable for up to \$18 billion in additional fines. BP says they will be appealing the ruling, and they issued this statement on their website:

"BP believes that the finding that it was grossly negligent with respect to the accident and that its activities at the Macondo well amounted to willful misconduct is not supported by the evidence at trial."

And they also said:

"BP will seek to show that its conduct merits a penalty that is less than the applicable maximum after application of the statutory factors."

With us to help us understand what this ruling all means and what it really means for the communities most directly affected by the oil spill disaster down there in the Gulf is our guest, Steve Murchie. Steve joins us from New Orleans, where he is the campaign director for the Gulf Restoration Network, a nonprofit organization that they say empowers people to protect and restore the natural resources and communities of the Gulf of Mexico.

Thanks for joining us, Steve.

STEVE MURCHIE, CAMPAIGN DIRECTOR, GULF RESTORATION NETWORK: Thanks for having me.

DESVARIEUX: So, Steve, what's your reaction to the verdict? And what has the Gulf, the community there down in the Gulf--are they seeing this really as a victory?

MURCHIE: Judge Barbier's ruling that BP was grossly negligent and behaved recklessly is vindication for all the people who've been living through the consequences of the disaster last four and a half years.

DESVARIEUX: Okay. But this ruling has been to sort of four years in the making, Steve. And kind of give us a sense of a condensed version of what's been going on concerning BP and their level of accountability to the people down there in the Gulf? Haven't they already paid out something like \$42 billion?

MURCHIE: BP has paid a substantial amount of money already and is lined up to pay substantially more. You know, we have to recognize that this is the worst environmental disaster in U.S. history and that BP is

primarily responsible. So they've already pleaded guilty to criminal conduct. They paid \$4 billion in fines for that. There's a process underway through the Oil Pollution Act for them to pay additional compensation to people and the public who have been damaged by their actions. That's everything from a bed-and-breakfast or a hotel that lost tourists, to companies that weren't able to go out and catch fish, to state and local governments who lost tax revenue because they had to close their beaches and their fisheries. And so all of those entities, all of those people deserve to be compensated because of BP's actions.

What Judge Barbier ruled on yesterday was the civil penalties under the Clean Water Act. And this is above and beyond compensation for the damage. It's above and beyond criminal penalties. These are the civil penalties that for a corporation are really where the accountability comes in the American justice system. And so Judge Barbier, after sifting through the facts very carefully, came forth with a 153 page decision that proved that, to his satisfaction--and that's the opinion that counts--that BP was grossly negligent, which allows for the largest possible fine under the Clean Water Act.

DESVARIEUX: Well, let's go back. Why do you think this disaster was even able to happen? What role do regulations play in all this? Do you feel like there was enough of that to begin with?

MURCHIE: I think a lot of people would like to think of BP as some rogue oil company that was out of control. And that appears to be the case, according to the judge. But we have to remember that the regulators responsible for oversight of the offshore activities and the oil and gas industry in general in the Gulf were very lax, terrible practices happening with the federal agencies being way too cozy with the industry. And for observers like Gulf restoration network, we felt like the BP disaster was likely to happen at one point or another, and we and many other people had been pushing for reforms of the industry. And, unfortunately, it took a disaster to even get a bipartisan commission to come together to come up with recommendations. And while BP is being held accountable for their actions, many of the recommendations of that commission have yet to be implemented.

DESVARIEUX: So we're talking essentially, just so I'm understand you correctly, Steve, is that there hasn't been really any significant change in legislation to protect communities and the environment after such a disaster happened?

MURCHIE: There have been some reforms. The Obama administration made some changes to the federal agency that has provided some greater scrutiny, and that's been helpful. I think the main thing that Congress has actually done, which is potentially going to have great benefit to the Gulf, is passing the Restore Act. And what that does is it dedicates those civil penalties under the Clean Water Act to come back to the Gulf states to be used for restoration. And that process is underway right now, to make sure that those billions of dollars that BP is going to pay will be put to use to bring back the Gulf.

DESVARIEUX: What other regulations would you like to see being implemented?

MURCHIE: That's a very broad question. You know, there was a bipartisan commission that included people from the industry [Steve later sent us a note to say that "there were not any oil industry representatives directly on the commission, though they were part of the process for the commission's findings"], senior government officials, a lot of other people, a lot of other stakeholders, to really sift through what the case was, and came up with a whole host of things. One of the things is to have a citizens advisory board that would provide more direct oversight of the industry and transparency in what their activities are. But there are a number of other recommendations.

DESVARIEUX: Alright. So, Steve, I was asking you this off-camera, because the Gulf is sort of the heart of

the South, some could argue. And typically there is a close attachment with it being more of a conservative part of the country, and that goes with being a supporter of the energy industry, like companies like BP, Exxon, things of that nature. So since this disaster, have you seen a shift at all in people's attitudes towards these big industry oil companies? And is there a shift to maybe even consider more green economy down there in the Gulf?

MURCHIE: Well, I think before the energy industry, as in most parts of the country, people made their living off of the natural resources, off the lands. We still have very healthy fisheries in some parts of the Gulf. And that and the natural resources that lead to a pretty vigorous tourism industry are really major underpinnings of the economy down here. And so, investing in restoring the Gulf is a much more sustainable form of economic development than the extractive industries like the oil and gas industry. However, they're not going away anytime soon. A big portion of the global petrochemical industry is here in Texas, in Louisiana, and there are a lot of resources that can be extracted with much less environmental impact than what we're currently seeing.

DESVARIEUX: And can you just speak to some specifics? What would you recommend?

MURCHIE: Well, for one thing, coast of Louisiana before the BP disaster was in serious trouble. The Mississippi River Delta ecologically is really important to the health of the entire Gulf of Mexico. It's an extremely reproductive, extremely productive system. Lots and lots of marine life spend huge parts of their life cycle in the Mississippi River Delta. And it had been seriously degraded through oil and gas activities, as well as channelization of the Gulf of Mexico, channelization of the Mississippi River, and subsidence, as well as sea-level rise from climate change. And so, restoring the Mississippi River Delta is pretty central to restoring the whole health of Gulf. Oil and gas broadly, not just BP, has a huge amount of responsibility for that. It's estimated that conservatively they're responsible for about 400 square miles of coastal land loss here in Louisiana. And the state regulators (cause this is mostly in state waters on state lands) are not adequately enforcing the law to get these companies to fill their canals back in, close down the wells when they're no longer producing, and clean up those sites.

DESVARIEUX: Alright. Steve. Lastly, what would you say to people who might say that we need oil and gas to run our economy and for jobs, and spills and disasters are going to be inevitable and sort of a necessary evil? What would you say to that?

MURCHIE: I think most people who look at our energy systems don't think we're going to be getting entirely away from fossil fuels any time soon. Clearly we needed to accelerate that. The consequences of climate change are too significant, especially for coastal communities, and especially here in Louisiana. We need to deal with that and deal with it faster than we currently are. But the energy sector, conventional fossil fuel production is going to be a part of the economy going forward. But it's not really a trade-off of one versus the other. We have to figure out a way we can do both of those things sustainably.

DESVARIEUX: Alright. Steve Murchie, joining us from the Big Easy.

Thank you so much for being with us.

MURCHIE: Thank you.

DESVARIEUX: And thank you for joining us on The Real News Network.

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